



Ordinary Council Meeting

22 July 2020

Virtual Meeting

AGENDA

Public Copy

NOTICE IS HEREBY GIVEN THAT A MEETING OF BALLARAT CITY COUNCIL WILL BE HELD A VIRTUAL MEETING ON WEDNESDAY 22 JULY 2020 AT 7:00PM.

This meeting is being broadcast live on the internet and the recording of this meeting will be published on council's website www.ballarat.vic.gov.au after the meeting.

Information about the broadcasting and publishing recordings of council meetings is available in council's broadcasting and publishing recordings of council meetings procedure which is available on the council's website.

AGENDA

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The next Ordinary Meeting of the Ballarat City Council will be held on Wednesday 12 August 2020.

1. OPENING DECLARATION

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

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

2. APOLOGIES FOR ABSENCE

3. DISCLOSURE OF INTEREST

4. CONFIRMATION OF MINUTES

5. MATTERS ARISING FROM THE MINUTES

6. PUBLIC QUESTION TIME

Note – all public representations will be heard before each item on the agenda.

QUESTION TIME

- Question time has been altered for the City of Ballarat's July 22 2020 Council meeting due to the COVID-19 Stage 3 restrictions.
- To ensure the public can still participate in question time, they are asked to now submit their questions in writing.
- However, no person may submit more than two questions at the July 22 2020 meeting.
- The questions must be in English, must be 75 words or less and not include a preamble, other additional material, or multiple parts.
- Questions must be submitted via email to agendapreparation@ballarat.vic.gov.au by no later than 4:30pm on the day of the Ordinary meeting.
- A question may be disallowed if the chair determines that it:
 - Relates to a matter outside of Councils responsibility;
 - Is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - Deals with a subject matter already answered;
 - Is aimed at embarrassing a Councillor or a member of Council Staff;
 - Relates to personnel matters;
 - Relates to the personal hardship of any resident or rate payer;
 - Relates to industrial matters;
 - Relates to contractual matters;
 - Relates to proposed developments;
 - Relates to legal advice;
 - Relates to matters affecting the security of Council property: and/or
 - Relates to any other matter which Council considers would prejudice Council or any other person.
 - Relates to matters that would normally be subject to a Freedom of Information request.
 - Has previously been asked by the same person
 - Has already been put in writing to a Councillor or a member of Council staff; and received a written response.
- The name of the person who submitted a question must be read out, along with the question which may then be directed to the Chief Executive Officer or a nominated officer.
- All questions and answers must be as brief as possible.
- A Councillor or the Chief Executive Officer may require a question to be put on notice which is then recorded in the Council minutes. A written copy of the answer must be sent to the person who asked the question. Minutes will reflect responses until the matter is completed.

PUBLIC SUBMISSIONS

- Due to COVID-19 Stage 3 restrictions around public gatherings being limited to two people the following has been put in place.
- Public representations may be made on any items listed on the agenda in an Ordinary Meeting apart from those listed in the confidential section. Submissions must also be submitted in writing to agendapreparation@ballarat.vic.gov.au by no later than 4.30pm on the day of Council meeting; and limited to no more than 200 words that will be read out by the Chief Executive Officer or her nominated delegate at the meeting prior to the matter being considered by Council.

7. REPORTS FROM COMMITTEES/COUNCILLORS**8. CHIEF EXECUTIVE OFFICER REPORT****8.1. CHIEF EXECUTIVE OFFICER REPORT**

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

OFFICER RECOMMENDATION

Council resolves to:

Receive and note the CEO's Operational Report.

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.

RATIONALE

The Council of the City of Ballarat is responsible for setting the municipality's strategic direction. The CEO of the City of Ballarat is the sole employee of the Council and is responsible for establishing the organisational structure and resource implementation to achieve the objectives set by the Council. This operational report provides a greater level of access to not only the organisation's achievements, but also the challenges and issues confronting staff and officers in the delivery of services.

Key achievements, projects and events delivered:Ballarat Airport funding secured

In June the City of Ballarat welcomed the announcement that its bid for \$5 million in funding through the Australian Government's Regional Airport Program had been successful. The upgrade of infrastructure at Ballarat Airport has been a long-term priority for Council which has worked over many years to secure funding to complete necessary work. Council has committed \$5 million to this project, which means the money from the Australian Government will ensure first stage works at the Airport can proceed.

Emergency Food Relief Drop Off Centre

The City of Ballarat's Emergency Food Relief Drop Off Centre closed in June. The drop off centre attracted generous community support, with more than 300 food drop offs, comprised of 6142 food items contributed, including two large food donations by the Malayalee Association of Victoria (\$4000) and a private resident (\$1000). The centre opened at the Ballarat Library in May and moved to Morshead Park, Redan in June.

Economic Response Contact Centre

Since the beginning of the COVID-19 shutdown, the City of Ballarat's Economic Response Contact Centre has reached out to over 600 local businesses providing support and information during this very challenging time. As restrictions eased in June, there was a noticeable change in sentiment as businesses shifted focus to reopening and returning operations to as close to normal as possible. The proactive contact has now expanded from those industries hardest hit by the pandemic to supporting existing and new businesses across the full range of industry sectors.

Ballarat Virtual Winter Fest launched

The Ballarat Virtual Winter Fest was launched in June, highlighting the best elements of Ballarat in Winter through an online platform. The Virtual Winter Fest allowed visitors to plan their trip from the comfort of their home before heading outdoors to explore Ballarat and visit the city's tourist attractions as they re-opened following initial pandemic restrictions.

Miners Rest Hall solar lights

The Miners Rest Hall Committee identified additional lighting would aid safety and security for community members using the Hall at night. Four 30 watt stand-alone LED lights with adjustable solar panels were installed in June. These lights automatically turn on at sunset and turn off at sunrise. The selection of a renewable energy solution for the carpark underlines Council's commitment to clean renewable energy with local residents, will assist in achieving Council's target for reduced carbon emissions and reduce the cost of on grid connections.

Ballarat North Community Centre

Works were completed on a project to renew the interior to the main hall at the Ballarat North community centre in June. The community centre is home to a variety of community groups including University of 3rd Age (U3A), Church services and Senior Citizens activities. The works involved renewal of the existing timber flooring, new wall linings, LED lights to the unrenovated section of the main hall space. The works are part of City of Ballarat's continued program for capital renewal to community buildings.

Ongoing community consultation

Ballarat Integrated Transport Action Plan

Community input was sought on the Ballarat Integrated Transport Action Plan in June and July. The plan outlines actions the City of Ballarat can take to improve the transport systems it owns or manages, including footpaths, bicycle infrastructure and local roads. The plan also recommends advocacy actions for improvements to parts of the system managed by the Victorian Government.

Yarrowee River Masterplan

The draft Masterplan sets the scene for waterway and parkway improvement for the next 25 years. The vision is to protect, enhance and harness this valued community asset, building on the success of ongoing community engagement that has informed restoration and improvement works of the river corridor. The new plan comes almost 25 years after the first Masterplan for the Yarrowee was developed in 1991. Since then extensive works have been undertaken to improve habitat and bio-diversity, create walking paths and increase the community's use and appreciation of the river and parklands.

Living Corridors Action Plan

The development of an action plan to improve biodiversity and habitat links across the east of Ballarat emerged as a key community priority through the recently adopted Ballarat East Local Area Plan, emerging projects of Brown Hill Local Area Plan and Buninyong Township Plan. The Living Corridors Action Plan will include actions that can be delivered by the City of

Ballarat, State Agencies, landowners, developers and the community. The plan will include recommendations to improve planning controls for vegetation and to protect biodiversity across eastern Ballarat. Community consultation on the draft Action Plan is anticipated to take place later this year.

Ongoing projects, initiatives and works

Ballarat Botanical Gardens Fernery redevelopment

The first stage of works to prepare the foundations of the Ballarat Botanical Gardens Fernery began in June. The restoration project, fully-funded by the City of Ballarat, will see the reconstruction of the gothic style entry from the original fernery. The fernery is recognised by the Victorian Heritage Register Statement of Significance as an outstanding feature of the Ballarat Botanical Gardens.

Royal Park Buninyong facilities upgrade

Construction commenced in June on the redevelopment of Royal Park in Buninyong with the creation of two new soccer pitches and female friendly change rooms. The \$1.8 million project, fully funded by the City of Ballarat, also includes new irrigation and drainage, as well as fencing, landscaping and lighting. The project is among a suite of improvements to sports facilities across Ballarat currently underway. Work on the project will continue in the second half of this year.

City of Ballarat Youth Awards launched

Nominations for the 2020 City of Ballarat Youth Awards opened online in June. The 2020 Youth Awards will highlight and celebrate young achievers in 11 categories, ranging from the arts to sports, community group initiatives, and volunteer recognition. The Youth Awards are an annual initiative of the Youth Council volunteers and encourage young people to continue adding to and improving the culture and livelihood of our community. The awards ceremony will also be delivered online on in August.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	No
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	No	No

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

Financial/Resources – No additional financial implications have arisen from the preparation of a CEO Operational Report.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

ATTACHMENTS

Nil

9. ASSEMBLIES OF COUNCILLORS

9.1. ASSEMBLIES OF COUNCILLORS

Division: Business Services
Director: Sean Portelli
Author/Position: Sarah Anstis - Statutory Compliance Officer

OFFICER RECOMMENDATION

Council resolves to approve the report on Assemblies of Councillors as listed:

- 14 April 2020 Community Development Councillor Portfolio Meeting
- 12 May 2020 Community Development Councillor Portfolio Meeting
- 13 May 2020 Infrastructure and Environment Portfolio Meeting
- 27 May 2020 Infrastructure and Environment Portfolio Meeting
- 5 June 2020 Prosperity Portfolio
- 9 June 2020 Community Development Councillor Portfolio Meeting
- 9 June 2020 Councillor Strategic Workshop
- 10 June 2020 Agenda Review Briefing
- 10 June 2020 Infrastructure and Environment Portfolio Meeting
- 16 June 2020 Councillor Strategic Workshop
- 16 June 2020 Koorie Engagement Action Group Meeting
- 17 June 2020 Strategic Briefing
- 17 June 2020 Mayor, Councillor and CEO Meeting in Jessie Scott Room Town Hall
- 19 June 2020 Prosperity Portfolio
- 24 June 2020 Mayor, Councillor and CEO Meeting
- 30 June 2020 Councillor Strategic Workshops

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*.

RATIONALE

Section 80A(2) of the *Local Government Act 1989* requires the record of an Assembly of Councillors to be reported at an ordinary Council meeting. Assembly of Councillors Records are attached to this report.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Local Government Act 1989*; and
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	No	No

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

Social/Cultural - The inclusion of the attached Assembly of Councillor Records in the Council Agenda and the availability to the community increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

Risk Management - There are implications with regards to Council's compliance with the *Local Government Act 1989* if Assembly of Councillor Records are not reported to Council.

CONSULTATION

Nil

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

Nil

ATTACHMENTS

1. 14 April 2020 Community Development Councillor Portfolio Meeting [9.1.1 - 1 page]
2. 12 May 2020 Community Development Councillor Portfolio Meeting [9.1.2 - 1 page]
3. 13 May 2020 Infrastructure and Environment Portfolio Meeting [9.1.3 - 1 page]
4. 5 June 2020 Prosperity Portfolio Meeting [9.1.4 - 1 page]
5. 9 June 2020 Community Development Councillor Portfolio Meeting [9.1.5 - 1 page]
6. 27 May 2020 Infrastructure and Environment Portfolio Meeting [9.1.6 - 1 page]
7. 9 June 2020 Councillor Strategic Workshops [9.1.7 - 1 page]
8. 10 June 2020 Agenda Review Briefing [9.1.8 - 2 pages]
9. 10 June 2020 Infrastructure and Environment Portfolio Meeting [9.1.9 - 1 page]
10. 16 June 2020 Councillor Strategic Workshops [9.1.10 - 1 page]
11. 16 June 2020 Koorie Engagement Action Group Meeting [9.1.11 - 1 page]
12. 17 June 2020 Strategic Briefing [9.1.12 - 2 pages]
13. 17 June 2020 Mayor Councillor and CEO meeting in Jessie Scott Room Town Hall [9.1.13 - 1 page]
14. 19 June 2020 Prosperity Portfolio [9.1.14 - 1 page]
15. 24 June 2020 Mayor, Councillor and CEO Meeting [9.1.15 - 1 page]
16. 30 June 2020 Councillor Strategic Workshops [9.1.16 - 2 pages]

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Community Development Councillor Portfolio Meeting
Date of meeting:	Tuesday, 14 April 2020
Start time:	3.30pm
Finish time:	4.56pm

Councillors present:				
Cr Belinda Coates, Cr Des Hudson, Cr Amy Johnson, Cr Ben Taylor				
Apologies:				
Council staff present:				
Jenny Fink, Acting Director Community Development				
Helen McIntosh, Executive Assistant				
Pete Appleton, Executive Manager Engaged Communities				
Michael Riseley, Manager Ballarat Aquatic & Lifestyle Centre				
Other attendees present:				
Nil				
Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil		Left Meeting [No]	[Time left]	[Time returned]
Matters Considered: <i>*Provide dots points of matters discussed.</i>				
<ul style="list-style-type: none"> • Minutes of Meeting 10 March 2020 • January 26 presentation • Outdoor Pools presentation • Community Halls presentation • Family Day Care and Child Care Centres • Major Projects 				
Record completed by:				
Signed: 		Position: Executive Assistant Community Development		
Name: Helen McIntosh		Date: 15 April 2020		

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Community Development Councillor Portfolio Meeting
Date of meeting:	Tuesday, 12 May 2020
Start time:	3.30pm
Finish time:	4.28pm

Councillors present:				
Cr Belinda Coates, Cr Des Hudson, Cr Amy Johnson				
Apologies:				
Council staff present:				
Jenny Fink, Acting Director Community Development				
Helen McIntosh, Executive Assistant				
Pete Appleton, Executive Manager Engaged Communities				
Ann Pitt, Executive Manager Active Ageing				
Sharelle Knight, Executive Manager Family & Children Services				
Other attendees present:				
Nil				
Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil		Left Meeting [No]	[Time left]	[Time returned]
Matters Considered: <i>*Provide dots points of matters discussed.</i>				
<ul style="list-style-type: none"> • Minutes of Meeting 14 April 2020 • Active Ageing presentation • Family & Children Services presentation • Community Halls presentation • January 26 Report • Outdoor Pools Report 				
Record completed by:				
Signed: 		Position: Executive Assistant Community Development		
Name: Helen McIntosh		Date: 13 May 2020		

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Infrastructure and Environment Portfolio Meeting No 215
Date of meeting:	Wednesday 13 May 2020
Start time:	8:00am
Finish time	9.08am

Councillors present:
Cr Grant Tillett, Cr Mark Harris
Apologies:
Mayor Cr Ben Taylor
Council staff present:
Terry Demeo – Director Infrastructure and Environment, Darren Sadler – Executive Manager Property Services and Facilities Management, Natalie Robertson – Executive Manager Development Facilitation, Daryl Wallis – Coordinator Parks and Gardens, Vaughn Notting – Executive Manager Infrastructure, Brenda Carey – Acting Executive Manager Regulatory Services, Belinda Kent – Executive Assistant to Director Infrastructure and Environment (Minute Taker)
Other attendees present:
Nil

Conflict of Interests:
Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest. A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.
Nil

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<p>Updates</p> <ul style="list-style-type: none"> • Property Sales Update • Statutory Planning Update • Tree Planting Program Progress Report • Proposed Planning Scheme Amendment for Smythesdale Landfill • Wrap Up of 2019/20 Capital Program • School Crossings / Additional Applications • Free Car Parking – State Initiative • Capital Plan for 2020/21 <p>Reports</p> <ul style="list-style-type: none"> • Discuss Future Council Reports <p>Upcoming Tenders</p> <ul style="list-style-type: none"> • Circulated to Councillors prior to meeting <p>Other Business</p> <ul style="list-style-type: none"> • Nil

Record completed by:	
Signed: 	Position: Director Infrastructure and Environment
Name: Terry Demeo	Date: 14 May 2020

ASSEMBLY OF COUNCILLORS RECORD

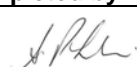
This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Prosperity Portfolio Meeting – Economic Partnerships
Date of meeting:	5 June 2020
Start time:	9.10am
Finish time:	10.07am

Councillors present:	Cr Moloney, Cr Rinaldi
Apologies:	Cr McIntosh, Cr Taylor, Neville Ivey – Acting CEO
Council staff present:	Angelique Lush – Director Development and Planning, James Guy – Executive Manager Economic Partnership
Other attendees present:	

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil	[Type & details declared]	Left Meeting [Yes/No]	[Time left]	[Time returned]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<p>Economic Development</p> <ul style="list-style-type: none"> • Bridge Mall Redevelopment – Design Update <p>Strategic Planning</p> <ul style="list-style-type: none"> • Integrated Transport Action Plan – Release • Yarrowee River Master Plan – Release for consultation • Heritage Gaps Review – Release for consultation

Record completed by:	
Signed: 	Position: Director Development and Planning
Name: Angelique Lush	Date: 18/06/2020

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Community Development Councillor Portfolio Meeting
Date of meeting:	Tuesday, 9 June 2020
Start time:	3.30pm
Finish time:	4.30pm

Councillors present:				
Cr Belinda Coates, Cr Des Hudson (from 4.00pm), Cr Amy Johnson				
Apologies:				
Council staff present:				
Jenny Fink, Acting Director Community Development				
Helen McIntosh, Executive Assistant				
Pete Appleton, Executive Manager Engaged Communities				
Craig Donaldson, Acting Executive Manager Learning & Community Hubs				
Mark Patterson, Executive Manager Sport & Active Living				
Other attendees present:				
Nil				
Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil		Left Meeting [No]	[Time left]	[Time returned]
Matters Considered: <i>*Provide dots points of matters discussed.</i>				
<ul style="list-style-type: none"> • Minutes of Meeting May 2020 • Grants Policy Review presentation • Status of Capital Projects presentation • Opening of Libraries presentation • 				
Record completed by:				
Signed: 		Position: Executive Assistant Community Development		
Name: Helen McIntosh		Date: 10 June 2020		

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.


Description of meeting:	Infrastructure and Environment Portfolio Meeting No 216
Date of meeting:	Wednesday 27 May 2020
Start time:	8:00am
Finish time	9.35am

Councillors present:	Mayor Cr Ben Taylor, Cr Grant Tillett, Cr Mark Harris
Apologies:	
Council staff present:	Darren Sadler – Acting Director Infrastructure and Environment, Vaughn Notting – Executive Manager Infrastructure, Luke Ives – Coordinator Road Maintenance, Lisa Kendal – Manager Strategic Planning, Brenda Carey – Acting Executive Manager Regulatory Services, Belinda Kent – Executive Assistant to Director Infrastructure and Environment (Minute Taker)
Other attendees present:	Nil

Conflict of Interests:	<p>Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.</p> <p>A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.</p>
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Nil			
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Matters Considered: <i>*Provide dots points of matters discussed.</i>
<p>Updates</p> <ul style="list-style-type: none"> • De-Brief Ring Road / Gregory Street West Project • Progress Report on Building Upgrades • Program for Bridge Construction – Scotchmans Lead Bridge • Update on Delivery Program for Sturt Street Shared Path – RRV Section and Council Section • Pedestrian Bridge at Cambrian / Golden Plains Shire Position • Miners Rest Saleyards CVLX Response to Pollution Abatement Notice • Recommencement of the Hospitality Sector – Council Support <p>Reports</p> <ul style="list-style-type: none"> • Discuss Future Council Reports <p>Upcoming Tenders</p> <ul style="list-style-type: none"> • Circulated to Councillors prior to meeting <p>Other Business</p> <ul style="list-style-type: none"> • Digital Signage • Lighting standards in the City • Blasting

Record completed by:	
Signed: 	Position: Acting Director Infrastructure and Environment
Name: Darren Sadler	Date: 28 May 2020

ASSEMBLY OF COUNCILLORS RECORD


This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Councillor Strategic Planning Update Workshop
Date of meeting:	9 June 2020
Start time:	4.30pm
Finish time:	6pm

Councillors present:
Cr McIntosh, Cr Moloney, Cr Rinaldi, Cr Harris, Cr Coates, Cr Hudson, Cr Johnson, Cr Tillett, Cr Taylor
Apologies: None
Council staff present:
Angelique Lush – Director Development and Planning, James Guy – Executive Manager Economic Partnerships, David Turley – Team Leader City Design, Sam Magill – Manager Economic Development
Other attendees present:
External Presentation

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil	[Type & details declared]	Left Meeting [Yes/No]	[Time left]	[Time returned]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> Investment Opportunities – Ballarat East Bakery Hill – early works design options – Little Bridge Street

Record completed by:	
Signed: 	Position: Executive Manager Economic Partnerships
Name: James Guy	Date: 09 / 06 / 2020

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Council Agenda Review Briefing
Date of meeting:	10 June 2020
Start time:	6:05pm
Finish time:	9.15pm

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

Apologies:

Council staff present:
Neville Ivey – Acting Chief Executive Officer Glenn Kallio – Director Business Services Darren Sadler – Acting Director Infrastructure and Environment Cameron Cahill – Director Innovation and Organisational Improvement Angelique Lush – Director Development and Planning Jenny Fink – Acting Director Community Development Janet Dore – Interim Chief Executive Officer Natalie Roberston - Executive Manager Development Facilitation


Other attendees present:
Sarah Quon – Chief Executive Officer Damien Butler – Chairperson of Sovereign Hill Judy Verlin – Deputy Chairperson of Sovereign Hill

Conflict of Interests:
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest. A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
Cr Mark Harris	Related to owner Perceived conflict	Yes	8.16pm	8.29pm

Matters Considered: <i>*Provide dots points of matters discussed.</i>
External Advocacy Requests
Updates from Portfolios
Updates for Councillors

<ul style="list-style-type: none"> • Sovereign Hill • Smarter Parking Plan – Resumption Update <p>Review of Draft Council Agenda 24 June 2020</p> <ul style="list-style-type: none"> • Chief Executive Officer Report • Assemblies of Councillors • Adoption of 2020/21 Budget • Council Plan Annual Review • Recycling State Government Grant Opportunity • Tree Planting Strategy • Grants Policy • Audit and Risk committee Charter • Contracts Special Committee Minutes – 25 March 2020 and 6 May 2020 • Outstanding Question Time <p>Items in Camera</p> <ul style="list-style-type: none"> • Contracts Special Committee Agenda – 25 March 2020 and 6 May 2020 • Audit Advisory Committee – 4 December 2019 <p>Other Items:</p> <ul style="list-style-type: none"> • Boatshed Licences • Kindergarten Issues

Record completed by:	
Signed: 	Position: Director Business Services
Name: Glenn Kallio	Date: 16 June 2020

ASSEMBLY OF COUNCILLORS RECORD


This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Infrastructure and Environment Portfolio Meeting No 217
Date of meeting:	Wednesday 10 June 2020
Start time:	8:00am
Finish time	9.10am

Councillors present:	Mayor Cr Ben Taylor, Cr Grant Tillett, Cr Mark Harris
Apologies:	
Council staff present:	Darren Sadler – Acting Director Infrastructure and Environment, Natalie Robertson – Executive Manager Development Facilitation, Belinda Kent – Executive Assistant to Director Infrastructure and Environment (Minute Taker)
Other attendees present:	Nil

Conflict of Interests:	<p>Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.</p> <p>A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.</p>			
	Nil			

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<p>Updates</p> <ul style="list-style-type: none"> • Property Sales Update • Billboard • 9362 Western Hwy Warrenheip • 107 Doveton Street South Ballarat Central • Statutory Planning Update • Parking Meters <p>Reports</p> <ul style="list-style-type: none"> • Discuss Future Council Reports <p>Upcoming Tenders</p> <ul style="list-style-type: none"> • Circulated to Councillors prior to meeting <p>Other Business</p> <ul style="list-style-type: none"> • Nil

Record completed by:	
Signed: 	Position: Acting Director Infrastructure and Environment
Name: Darren Sadler	Date: 12 June 2020

ASSEMBLY OF COUNCILLORS RECORD


This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Councillor Strategic Planning Update Workshop
Date of meeting:	16 June 2020
Start time:	4.30pm
Finish time:	5:20pm

Councillors present:	Cr McIntosh, Cr Moloney, Cr Taylor, Cr Harris, Cr Coates, Cr Johnson
Apologies:	Cr Rinaldi, Cr Hudson, Cr Tillett
Council staff present:	Angelique Lush – Director Development and Planning, James Guy – Executive Manager Economic Partnerships, Daryl Wallis – Coordinator Parks and Gardens, John Dyke – Heritage Advisor Strategic Projects, David Turley – Team Leader City Design, Janet Dore - CEO
Other attendees present:	None

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil	[Type & details declared]	Left Meeting [Yes/No]	[Time left]	[Time returned]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> Draft Yarrowee River and Tributaries Master Plan

Record completed by:	
Signed: 	Position: Executive Manager Economic Partnerships
Name: James Guy	Date: 17 / 06 / 2020

ASSEMBLY OF COUNCILLORS RECORD

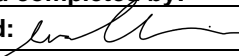
This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Koorie Engagement Action Group Meeting
Date of meeting:	16.6.2020
Start time:	9:15am
Finish time:	11.06

Councillors present:
Cr Belinda Coates
Apologies:
Council staff present:
Frances Salenga, Kim Williams, Heidi Zukauskas
(Optional) Other attendees present:

Conflict of Interests:				
<p>Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.</p> <p>A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.</p>				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
-				

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • City of Ballarat Cultural Awareness Training • KEAG membership • NAIDOC • RAP Progress

Record completed by:	
Signed: 	Position: Intercultural Partnerships Officer
Name: Lisa Collins	Date: 19.6.2020

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Strategic Briefing
Date of meeting:	17 June 2020
Start time:	7.53 pm
Finish time:	10.13pm

Councillors present: Cr Grant Tillett Cr Des Hudson Cr Mark Harris Cr Belinda Coates Cr Ben Taylor Cr Jim Rinaldi Cr Samantha McIntosh Cr Amy Johnson Cr Daniel Moloney
Apologies:
Council staff present: Janet Dore – Chief Executive Officer Glenn Kallio – Director Business Services Darren Sadler – Acting Director Infrastructure and Environment Neville Ivey– Director Community Development Cameron Cahill – Director Innovation and Organisational Improvement Angelique Lush – Director Development and Planning Cameron Montgomery – Executive Manager Safety, Risk and Compliance Louise Lang – Manager Communications & Marketing
Other attendees present:

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned

Matters Considered: <i>*Provide dots points of matters discussed.</i>
External Presentations <ul style="list-style-type: none"> • DHHS Presentation on \$10m Delacombe Master Plan • Bakery Hill Update
Strategic Matters Raised by Councillors
Portfolio Updates

<p>Planning Committee – Agenda Review Section B - Strategic Briefing Reports</p> <ul style="list-style-type: none"> • Car Parking Update • Implementation of Local Government Act 2020 • Ballarat Animal Shelter Progress Update • Dowling Road

Record completed by:	
Signed: 	Position: Director Business Services
Name: Glenn Kallio	Date: 17 June 2020

ASSEMBLY OF COUNCILLORS RECORD

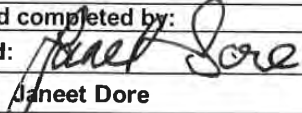
This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Mayor, Councillor and CEO Meeting in Jessie Scott Room, Town Hall
Date of meeting:	17/06/2020
Start time:	5:30pm
Finish time:	6:35pm

Councillors present:	Cr Taylor, Cr Coates, Cr Rinaldi, Cr Tillett, Cr Johnson, Cr Moloney, Cr McIntosh, Cr Hudson, Cr Harris
Apologies:	None
Council staff present:	Janet Dore, Chief Executive Officer
Other attendees present:	

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
[insert name of person(s) declaring the conflict]	[Type & details declared]	Left Meeting [Yes/No]	[Time left]	[Time returned]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • Service requests • Staff interactions with Councils • Agenda reviews • Strategic projects implementation

Record completed by:	
Signed: 	Position: Chief Executive Officer
Name: Janet Dore	Date: 17/06/2020

ASSEMBLY OF COUNCILLORS RECORD


This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Prosperity Portfolio Meeting – Events and the Arts
Date of meeting:	19 June 2020
Start time:	7.35am
Finish time:	9.10am

Councillors present:	Cr Moloney, Cr Rinaldi, Cr McIntosh
Apologies:	Cr Taylor, Janet Dore - CEO
Council staff present:	Angelique Lush – Director Development and Planning, Jeff Johnson – Executive Manager Events and the Arts
Other attendees present:	

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil	[Type & details declared]	Left Meeting [Yes/No]	[Time left]	[Time returned]

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<p>Events and the Arts</p> <ul style="list-style-type: none"> • Tourism and Business Events Update • Her Majesty's Theatre Update <p>Creative City</p> <ul style="list-style-type: none"> • Creative City Update • Public Art – PM Statues

Record completed by:	
Signed: 	Position: Director Development and Planning
Name: Angelique Lush	Date: 23/6/2020

ASSEMBLY OF COUNCILLORS RECORD


This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

Description of meeting:	Mayor, Councillor and CEO Meeting
Date of meeting:	24/06/2020
Start time:	5:30pm
Finish time:	6:00pm

Councillors present:
Cr Taylor, Cr Coates, Cr Rinaldi, Cr Tillett, Cr Johnson, Cr Moloney, Cr McIntosh, Cr Hudson, Cr Harris
Apologies:
Council staff present:
Janet Dore, Chief Executive Officer
Other attendees present:

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Nil	Nil	N/A	N/A	N/A

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • Acting Director Infrastructure • Audit Advisory Committee • Staff Feedback to CEO • Transmission Lines • Central Highlands Group of Councils

Record completed by:	
Signed: 	Position: Chief Executive Officer
Name: Janet Dore	Date: 24 June 2020

ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

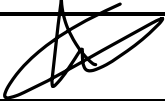
Description of meeting:	Councillor Strategic Planning Update Workshop
Date of meeting:	30 June 2020
Start time:	4.30pm
Finish time:	6:18pm

Councillors present:
Cr McIntosh, Cr Rinaldi, Cr Harris, Cr Coates, Cr Hudson, Cr Tillett, Cr Taylor, Cr Moloney, Cr Johnson
Apologies: None
Council staff present:
Angelique Lush – Director Development and Planning, James Guy – Executive Manager Economic Partnerships, Lisa Kendal – Manager Strategic Planning, Joanna Cuscade – Project Manager Urban Renewal, Cameron Montgomery – Executive Manager Safety, Risk and Compliance, Janet Dore – CEO, Vivienne Murphy – CEO Support
Other attendees present:
Ella Adams – Department of Health and Human Services

Conflict of Interests:				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Note: Cr McIntosh declared that her husband is employed by the Department of Health and Human Services – the subject of one of the briefings	Advice was sought from CEO who confirmed that as this is a briefing, and not a decision-making forum – that there was no conflict and no action was required.	Left the meeting? No	Time left NA	Time returned NA

Matters Considered: <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> • Proposed Delacombe Public Housing Estate – Masterplan • Ballarat Station Precinct – South Side Masterplan • Governance related to Local Government Act 2020 • Funding announcement – Community Safety Fund Grant – Little Bridge Street • Advocacy program • Ballarat Show Day

Record completed by:

Signed: 	Position: Executive Manager Economic Partnerships
Name: James Guy	Date: 30 / 06 / 2020

10. OFFICER REPORTS

10.1. C222BALL - LATROBE STREET SALEYARDS PERMANENT HO

Division: Development and Planning
Director: Angelique Lush
Author/Position: Terry Natt - Principal Planner Strategic Projects

RECOMMENDATION

Council resolves to:

Adopt Ballarat Planning Scheme Amendment C222ball as exhibited and submit to the Minister for Planning for approval.

EXECUTIVE SUMMARY

In October 2018, the operations at the Ballarat Saleyards relocated to the new Central Victorian Livestock Exchange facility near Miners Rest. The future use and development of the Latrobe Street site is now being considered as part of the Latrobe Street Saleyards Precinct urban renewal project.

In November 2019, a draft Heritage Citation was completed (Attachment 1). The Citation reviewed and updated an earlier Heritage Assessment undertaken in 2013 (Attachment 2). A Statement of Significance was prepared as part of the Heritage Citation which determined that the site is of historic, representative, aesthetic, social and associative significance at a local level.

Council resolved to seek authorisation for and exhibit Planning Scheme Amendment C222ball on 29 November 2019, to apply a Heritage Overlay to elements on the site identified to be of local heritage significance at 1020 Latrobe Street, Delacombe, pursuant to Section 8A of the *Planning and Environment Act 1987*, and to place the Amendment on exhibition pursuant to Section 19 of the *Planning and Environment Act 1987*. The Explanatory Report including overlay maps are attached (Attachment 3).

Public exhibition for Amendment C222ball was held from 14 May to 15 June 2020. Three submissions were received during the public exhibition. One submission was withdrawn, one raised no objection with the Amendment, and the final submission did not concern this amendment but requires further follow-up. No changes to the Amendment were required as a result of the submission, and in accordance with the *Planning and Environment Act 1987* no planning panel is required.

This report recommends that Council adopt Planning Scheme Amendment C222ball as exhibited and submit the amendment to the Minister for Planning for approval to apply a Heritage Overlay to the identified locally significant elements on the site.

RATIONALE

Background

The Ballarat (Latrobe Street) Saleyards ceased operations in October 2018. The Ballarat Strategy (2015) identifies the saleyards and surrounding precinct as an urban renewal area.

To plan for the future of the former saleyards and surrounding precinct, the City of Ballarat is currently preparing an Urban Renewal Plan for the saleyards site and surrounding precinct. The Urban Renewal Plan will define a vision, a land use and urban design framework and implementation plan for the precinct and identify preferred land use options for the saleyards site. Clarity around the heritage elements on the site is one of the important precursor processes to guide future redevelopment.

Heritage features of the site are not currently protected by a Heritage Overlay. The need for statutory protection of heritage elements of the site have been identified through the urban renewal planning process and are supported by a Heritage Citation (2019) (Attachment 1) which builds on the Heritage Assessment undertaken in 2013 (Attachment 2).

The Heritage Citation (Attachment 1) provides evidence that the site is significant to the City of Ballarat at a local level. Significant elements include the 1909 Administration Building, an area of sheep yards adjacent to the Administration Building and the 1963 Selling Pavilion. The report recommends that a Heritage Overlay be applied to the identified buildings and features.

The Heritage Overlay will seek to ensure that the important heritage elements are retained and protected. In addition, it will provide direction to inform decommissioning works on the site. Design guidelines for the precinct will also be developed as part of the project to ensure that future developments incorporate heritage elements wherever possible.

Assessment of Heritage Significance

This section provides a summary of the findings of the *Heritage Citation – Former Central Victorian Livestock Exchange (Ballarat Sale Yards)* (November 2019) (See Attachment 1).



Figure 2: Former Central Victorian Livestock Exchange Administrations Building



Figure 3: Interior view of the Selling Pavilion from tiered seats.



Figure 4: Arrangement of bluestone flooring in the older section of the sheep yard.

What is significant?

Three main elements on the site have been identified for heritage significance at a local level:

- Administration Building, c. 1909.
- Selling Pavilion, c. 1963.
- An area of sheep yards adjacent to the Administration Building, including bluestone and timber paving, ramps, fencing, early signage and sheltered walkways.

How is it significant?

In accordance with the *Heritage Act 2017*, the Latrobe Street Saleyards satisfies the following criteria for inclusion into the City of Ballarat's Heritage Overlay:

- Criterion A – Importance to the course, or pattern, of Victoria's cultural history.
- Criterion D – Importance in demonstrating the principal characteristics of a class of cultural places and objects.
- Criterion E – Importance in exhibiting particular aesthetic characteristics.
- Criterion G – Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.
- Criterion H – Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

Why is it significant?

The Central Victorian Livestock Exchange (Latrobe Street Saleyards) is historically significant as the longest running Corporation Sale Yards in Victoria. First built in 1863 and officially opened in February 1864, the saleyards have become a regional and state focus for the buying and selling of cattle, sheep and pigs.

The remnant buildings and infrastructure are representative of the working arrangements necessary for overseeing and selling stock, which largely remained unchanged since the early development of Victorian stockyards. Over its 156 years of operation, the site has undergone several redevelopment programs resulting in extensive changes to the saleyard infrastructure, fencing and paving. The site is characterised by 20th century expansions and redevelopments, particularly during the 1960s to 1980s.

The site is socially significant and valued as a centre for agricultural business between farmers, stock agents and others associated with the livestock industry, a practice that has continued on this site for more than 150 years. Its infrastructure remains substantially intact having closed its operations only in 2018.

The Administration Building is architecturally significant as a substantially intact example of Federation design associated with sale yard operations. The building is one of the earliest, substantially built and more intact examples of sale yard Administration buildings in Victoria. Other comparable examples include the Federation era brick buildings at the former Newmarket sale yards and Geelong sale yards.

In the south-east corner of the site is the selling pavilion constructed in 1963. The pavilion is of historic significance as a key development of the 1960s and retains Victoria's sole remaining selling ring with intact theatre seating. The site itself is a physical reflection of major expansions of the saleyards throughout the 20th century.

The Heritage Citation shows the extent of buildings and features of the site (see Figure 5 below – marked in red) to be included in the Heritage Overlay. The area represents the most intact part of the site's layout and function and represents a full understanding of the site's history as former saleyards.



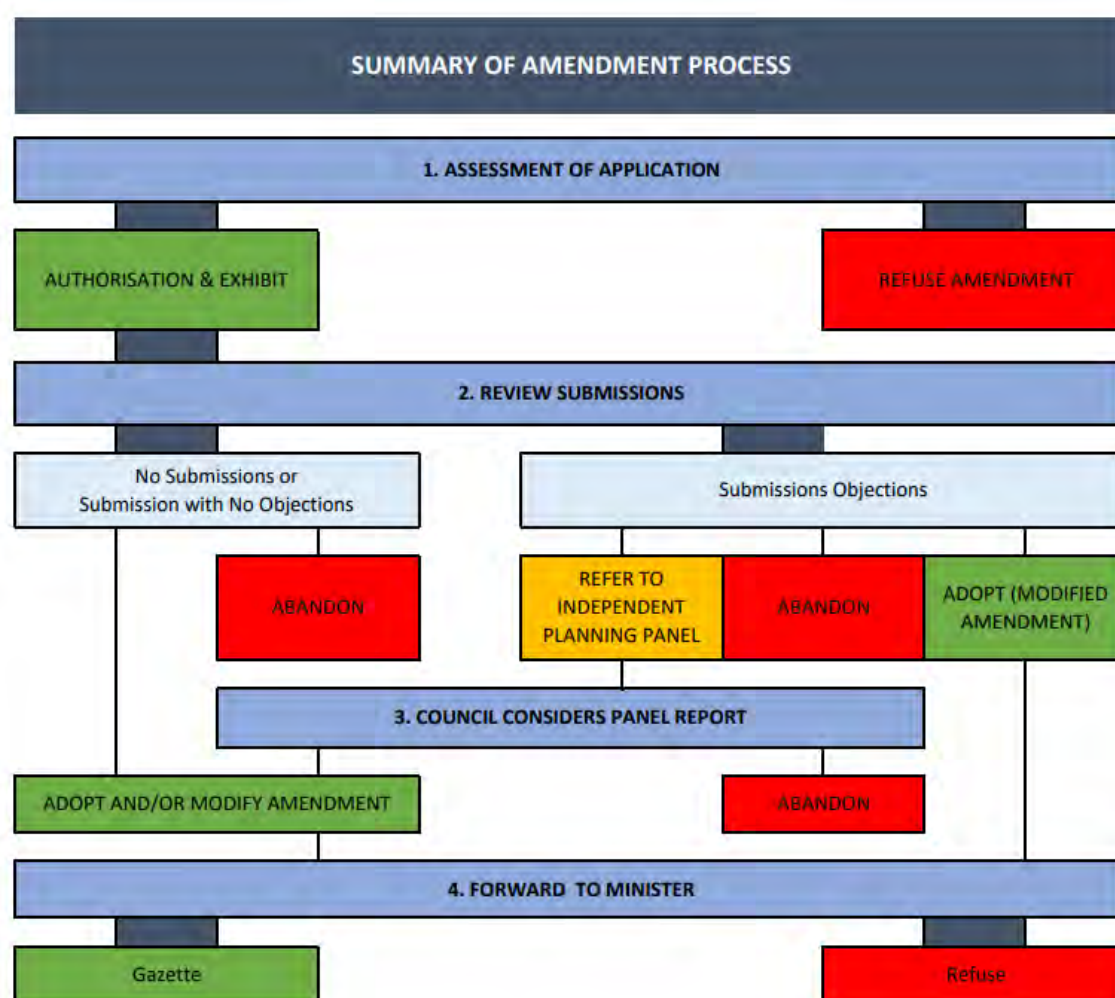
Figure 5 – Extend of proposed heritage overlay

Consideration and response to Submissions

Submitter	Issues raised in submission	Outcome
EPA	No objection to the amendment. Detailed requirements to consult with EPA on future contamination and remediation of the site.	No changes to the amendment were requested, no further action required.
Private individual	Objected to the Amendment on the basis that it would constrain development of the site.	Submission was withdrawn after discussion with Planning Staff.
First Nations Legal and Research Services	Raised issue with information in the Ballarat Planning Scheme, unrelated to this amendment, that requires review and correction.	No changes to the amendment were requested, however the City of Ballarat will follow-up the issue raised in the submission.

Next Steps

If Council chooses to adopt the amendment, Council officers will submit to the Minister for Planning for approval, as detailed in the flow chart below.



LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- Ballarat Planning Scheme
- *Planning and Environment Act 1987*: The proposed amendment is consistent with Council's obligations as a planning authority under the *Planning and Environment Act 1987*. State Government Planning Practice Notes pertaining to Heritage have guided preparation this amendment.
- City of Ballarat Council Plan 2017 – 2021: The amendment implements the objectives of the Ballarat Council Plan to protect, maintain and enhance our built and natural assets. The amendment will assist the City of Ballarat to achieve a built environment that is reflective of the community's needs and aspirations and respects our heritage.
- Ballarat Strategy 2015: The Ballarat Strategy identifies the saleyards and surrounding area as an urban renewal area and includes a commitment to protecting heritage places across the city.
- *Local Government Act 1989*
- *Local Government Act 2020*

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Right	Yes	No
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	No
Economic	Yes	No
Financial/ Resources	Yes	No
Risk Management	Yes	No
Implementation and Marketing	No	No
Evaluation and Review	Yes	No

Human Rights– the proposed amendment does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural- the amendment will protect social or cultural associations in relation to key heritage assets on the saleyards. Council is also working through a process of capturing photographic, video and oral histories of the site.

Environmental/Sustainability– the amendment is not expected to have any environmental impacts. Environmental impacts of future development of the saleyards site will be managed by the *Planning and Environment Act 1987*, *Environment Protection Act 1970* and/or the *Building Act 1993* with input from the Environmental Protection Authority in regard to contamination.

Financial/Resources– The amendment is not expected to have significant financial or economic impacts.

Risk Management– the amendment ensures proper use of the provisions of the planning system.

CONSULTATION

Through the public exhibition process two submissions were received. One submission was received from the Environment Protection Authority (EPA) concerning requirements to consult with them on future contamination and remediation of the site. The EPA did not object to the proposed planning scheme amendment.

One additional submission was received objecting to the application of the heritage overlay. This submission has been withdrawn.

As there are no outstanding submissions to the proposed amendment, it is recommended that Amendment C222ball be adopted.

Two phases of community consultation that have been undertaken for the urban renewal planning process have strongly indicated community support for protection of heritage values on the former saleyards site.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

- Heritage Citation – Former Central Victorian Livestock Exchange (Ballarat Sale Yards) (November 2019).
- Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe – Heritage Assessment (September 2013).

ATTACHMENTS

1. Attachment 1 - C222ball - Ballarat Saleyards (former) - Heritage Citation, November 2019 [**10.1.1** - 20 pages]
2. Attachment 2 - C222ball - Central Victorian Livestock Exchange (Ballarat Sale Yards) - Heritage Assessment (2013) [**10.1.2** - 71 pages]
3. Attachment 3 - Explanatory Report C222ball Amendment - Latrobe Street [**10.1.3** - 6 pages]

Heritage Citation

Place Name: Ballarat Saleyards (former)

Address: 1020 La Trobe Street, Delacombe, Ballarat

Date: November 2019



Property Details

The site occupies 12.3 ha of Crown land leased to the City of Ballarat to operate as a livestock sale yard. The site is currently zoned for industrial use. The proposed Heritage Overlay area includes a small but representative portion of the overall site (see Extent of Heritage Overlay, page 16).

Current Heritage Status

None

Recommendation

It is recommended that the place be included in the Heritage Overlay of the City of Ballarat Planning Scheme as an individual heritage place.

Recommended Level of Significance

Local significance

Historical Themes

04: Transforming and managing the land – 4.3 Grazing and raising livestock.

05: Building Victoria's industries and workforce – 5.1 Processing raw materials.

Schedule to the Heritage Overlay

External Paint Controls Should Apply	Yes
Internal Alteration Controls Should Apply	Yes
Tree Controls Should Apply	No
Fences &/or Outbuildings of note?	Yes
Prohibited Uses May Be Permitted?	Yes

Management Recommendations

Given the relocation of the sale yards operation to Miners Rest, the significance of the sale yards site will be diminished as the heritage value of the place relies (in part) on the continuing original sale yards function. The site is a physical manifestation of major redevelopment programs, mainly in the 20th century and particularly from the 1960s until the 1980s, and so its integrity cannot be neatly defined to one particular era.

As there are more intact 19th century sale yard layouts and fence constructions in Victoria, and given the relocation of the Ballarat yards and the anticipated major changes at the site, it is recommended that the heritage overlay apply to a small portion of the sheep yards adjacent to and including the Administration Building and a section across the site that best encapsulates the earliest-surviving fabric and functionality of the sale yards. In addition, the heritage overlay should apply to the intact selling pavilion building as a key development of the 1960s. The visual connections between these features should be maintained in helping to understand the Sale Yards 150 years of operation.

It is also recommended that the fabric outside the proposed heritage overlay extent is photographically recorded. This information together with testimony of its historic and social values should be used to interpret the site in the future. Potentially, this interpretive material could be displayed in the remaining buildings and elsewhere on site where appropriate.

Given the uniqueness of this place, opportunities for uses that have no adverse effect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

Place History¹

Initial Acquisition of Land for the Ballarat Sale Yards

On 31 December 1862, application was made by the Ballarat Municipal Council for the temporary reservation of 15 acres of land together with additional land west of the Public (Victoria) Park at Ballarat West (Delacombe), for the purpose of establishing cattle yards (these yards were later variously known as the Corporation Yards, sale yards and sheep yards).² The temporary reservation of the 15 acres (the eastern allotment of the existing sale yards) was subsequently gazetted on 7 July 1863 although the Board of Lands and Works 'definitely declined' to 'entertain an application of the reservation of a larger area for Municipal purposes in connexion with the cattle yards than 15 acres.'³ The reservation of the land had resulted from several stock salesmen forcing attention on local councillors on the need for the cattle yards. In return, the salesman promised the patronage of the new yards that were to be erected 'about two miles distant from Lydiard Street.'⁴ The new yards had a southern frontage to Latrobe Street.

Early Development of the Sale Yards

By November 1863, the Ballarat Borough Council had expended £1800 on the development of a portion of the sale yards.⁵ Laid out by the Town Surveyor, Mr Baird, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the new yards were described in detail in *The Star* (Ballarat) newspaper on 19 December 1863. In particular, details were afforded of the layout, number of pens, height of fences and surfacing as described below:

*"The entrances to the yards are from the south, east and north sides, through what are termed the delivery gates, which are each 18 feet in width. There are eight of these gates to as many receiving yards. From the latter the cattle will be drafted into the selling pens by gates which open into the pens. The pens are divided into four divisions or lanes, and rubble-pitched and gravelled all over. The lanes, too, are rubble-pitched and gravelled, and with the pens are surrounded by a four-railed fence 7 feet 6 inches in height, with a hardwood level cap ten inches in width, for sellers and buyers to walk on without danger to themselves from the cattle below. A passage large enough for a man to pass through has been left near each pen, for the purpose of affording facility for escape to any person in the yards in the event of his being attacked by the cattle. The receiving yards are not yet metalled or gravelled, but it would be well if this were done before rainy weather again sets in"*⁶.

In January 1864, Samuel G. Valentine and Simon Cadden were elected as Inspectors of the Cattle Yards at Ballarat West,⁷ in anticipation of the opening of the yards in early February 1864, as described in *The Star* newspaper:

The Ballarat West cattle sale yards may now be looked upon as an accomplished fact and both buyer and seller have already experienced the advantage of having provided for them

¹ This place history is an extract from a report compiled for the City of Ballarat by David Rowe and Wendy Jacobs entitled *Central Victorian Livestock Exchange (Ballarat Sale Yards) Heritage Assessment*, September 2013.

² Joseph Comb, Town Clerk, Ballarat Borough Council, to Commissioner of Crown Lands & Survey, 31 December 1862, Crown Land Reserve file Rs 2900, file 5430, Department of Sustainability & Environment (DSE), Ballarat.

³ File note, Crown Lands & Survey, 31 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁴ *The Star* (Ballarat), 19 December 1863, p.15.

⁵ Cr Robert Lewis, Ballarat Borough Mayor, to Commissioner of Crown Lands & Survey, 11 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁶ *The Star*, *op. cit.*

⁷ *Ibid.*, 24 January 1864, p.15 & *Warragul Guardian & Buln Buln & Narracan Shire Advocate*, 22 September 1891, p.3.

such market accommodation as will meet every possible requirement. The cattle sale yards erected by the Borough Council of Ballarat West are situated at the south-west end of the town, and about a quarter of a mile from the No. 1 shaft of the Band of Hope Gold Mining Company. They are placed in the midst of the gold field common and the town common, and are well supplied with water from the Swamp, which is pumped by means of a windmill, and conveyed to the yards through pipes. The Council has long been urged by the cattle salesmen of Ballarat to erect such yards;”⁸

By 1867, the Ballarat Borough Council continued to pursue the acquisition of additional land for sale yards purposes. Having expended £5,000 in the erection of the yards, the Council complained to the Crown Lands and Survey Department of a person applying for a residence ‘on a portion of the ground to the injury of the business of the Corporation Yards.’⁹ An officer of the Board of Land and Works visited the site and found the presence of McMahon’s public house in close proximity to the sheep yards and concluded that it ‘would interfere with the working of the same.’¹⁰ At this time, the Council further expanded the operations of the yards and in 1869 the horse and cattle sale yards ‘were nearly completed’ and ‘a portion of the eastern end of the yards [were] to be used for the present as a pig market.’¹¹ Further extensions to the sheep yards were carried out in 1870.¹² The pens were fenced with timber posts and rails using mortise and tenon joints. Small separate office buildings serving the sheep and cattle yards had been built near the southern boundary of the reserve by this time.¹³

McMahon’s public house and the Hand and Band Company No. 4 shaft were situated on land immediately west of the original yards.¹⁴ This land to the west of the yards was subsequently surveyed as a 17acre rectangular allotment initially intended as a public square under the name of Smithfield and later Cardigan Square.

In 1875, the Council sought the eastern portion of Cardigan Square for use as sheep yards and it soon erected 2 acres of yards at a cost of £80.¹⁵ These yards and the adjacent cattle yards (separated by Gillies Street) were shown on an annotated plan dated 23 December 1875. The western portion of Cardigan Square was proposed to be traversed by a branch railway line to the Winters’ Freehold mine to the south of Latrobe Street. It was in 1876 when 7 acres, 2 roods and 11 perches were temporarily reserved from Cardigan Square as an additional site for the Corporation sale yards.¹⁶

Major Changes to the Sale Yards in the 19th Century

In the early 1880s, William Brazenor, neighbouring publican and local architect, had been appointed an Inspector of the Cattle Yards.¹⁷ In his joint capacity as architect and inspector with much experience in the operations of the yards, Brazenor played a key role in extensive improvements to the yards at this time, with the Council borrowing £10,000 for the purpose.¹⁸ Impetus for the major

⁸ *The Star*, 3rd February 1864, p.2.

⁹ Joseph Comb, Town Clerk, Ballarat Borough Council, to President of Crown Lands & Survey, 29 May 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁰ Officer of Board of Land and Works file note, 14 May 1868, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹¹ *Ballarat Star*, 6 January 1869.

¹² Borough of Ballarat Contract No. 3 F, Extension of Sheep Yards, 4 drawings, 1870, Town Hall, City of Ballarat.

¹³ *Ibid.* The offices are shown on a plan of the sale yards site.

¹⁴ See Plan of Cattle Yards and Cardigan Square, 23 December 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁵ File note by District Surveyor of Ballarat, 21 December 1875, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁶ File note by Minister of Lands, 24 March 1876, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁷ *Bendigo Advertiser*, 7 December 1883, p.2.

¹⁸ *The Argus*, 11 March 1864, p.7.

changes at the yards was due to the overwhelming increase in the stock passing through the yards. In 1864, 9,362 cattle and 35,572 sheep passed through the yards.¹⁹ In 1880, this number of jumped to 19,599 cattle and 445,427 sheep.²⁰ The extensive changes by Brazenor included the re-erection of the cattle and sheep yards under a new layout. It included a railway platform for the trucking of stock.²¹

The provision of the railway trucking yards at the sale yards was seen as having great potential for more efficient stock transportation. With Samuel Valentine (original Cattle Yards Inspector) Brazenor invented an 'improved convertible sheep and merchandise wagon' that was registered as patent 4632 on 21 July 1886²² which appears to have been initially intended for use at the Ballarat sale yards as well as elsewhere. Brazenor and Valentine described their invention as follows:

*This invention has been designed for the purpose of constructing a railway wagon of that description which may be used either for sheep or for general merchandise, and its novelties relate first; to the method of constructing the grating floors. Second, to the construction of the movable floor for the upper compartment with an under ceiling and to the means devised for raising and lowering it and for securing it up to the ceiling of the wagon when it is used for goods or merchandise. Third, to the means of hanging the side doors or handles, and fourth, to the method of housing the canvas curtains at the ends of the wagon or carriage on either side of a central louvre panel.*²³

Detailed descriptions of the railway wagon invention were soon published in a number of newspapers, including the Camperdown Chronicle on 28 August 1886.

At this time (1886), the Administration Office for the Salesmen was situated adjacent to the Cattle Yards Hotel on the south side of Latrobe Street. This was the location of the business part of the sale yards operation. Several of Ballarat's early stock and station agents met there, including Norman McLeod and Co., Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., and Dugald Smith and Co.²⁴ Another longstanding stock and station agency was that of Crawford Dowling Pty Ltd that was established in 1856.²⁵

Confidence for carrying out the major and expensive improvements to the sale yards by the Ballarat City Council resulted from the formal Grant of 26 acres 2 roods and 4 perches of the sale yards in 1886.²⁶

Late 19th Century improvements

Further improvements were made to the sale yards in the later 19th century. They included the provision of small metal watering troughs on timber stands in 1893, the design having been based

¹⁹ *City of Ballarat Mayor's Special Report*, 17 January 1881, p.ix, Public Record Office Victoria, Ballarat.

²⁰ *Ibid.*

²¹ W.B. Kimberley (ed.), *Ballarat and Vicinity: a condensed but comprehensive account of her financial, commercial, manufacturing, mining, and agricultural enterprises: her progress and population in the past and possibilities in the future*, F.W. Niven, Ballarat, n.d. [1894], p.129.

²² *Victoria Government Gazette*, no.85, 6 August 1886, p.2258.

²³ W. Brazenor & S. Valentine, 'Sheep truck', International Patent Office, Edward Waters, Amended Specification, patent no. 4632, 1886, State Library of Victoria, MF 367.

²⁴ *Ballarat Star*, 22 December 1869, lists the agents identified.

²⁵ The letter head to a letter by R. Crawford of Crawford Dowling Pty Ltd, Stock and Station Agents, Cattle, Sheep, Pig and Land Salesmen, dated 30 December 1935, states that the company was established in 1856. See VPRS 2500, Unit 183, Public Record Office Victoria, Ballarat.

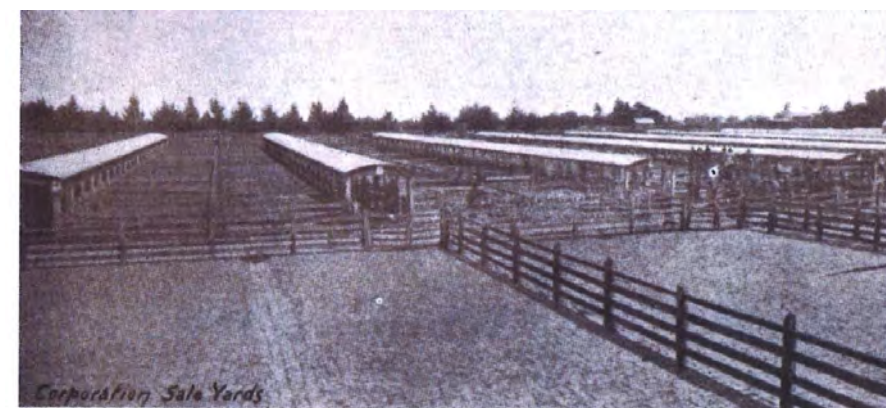
²⁶ See Draft Grant of a Site for Cattle Yards, 1886, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

on the water troughs in the City of Melbourne.²⁷ A small gabled water closet of timber construction was proposed in 1895, and a stable and shed were to be repaired.²⁸

Development of the Sale Yards in the 20th Century

Early 20th Century Changes to the Yards

In 1903, alterations and additions were proposed to the sheep pens, including a subdivision into smaller pens.²⁹ This was followed in 1911 with a proposal to construct abattoirs to the north-west of the cattle yards.³⁰ By 1920, the sale yards were extensive as shown in the following photograph:



Corporation Sale Yards, c.1920. Source: Ballarat Illustrated: for enterprise, education & health, engraved by Wilson Campbell, under the seals of the City & Town Councils of Ballarat, c.1920.

Administration Building

Another important development at the sale yards was the construction of a brick Administration Building near the southern boundary of the original portion of the sale yards (bound by Latrobe, Gillies, Brazenor and Winter Streets). First known as the Cattle Yards Office, the building was not constructed until 1909, probably to a design by the Ballarat City Council. The original drawing for the building was signed by Arthur Farrei, City Surveyor on 13 February 1909.³¹ It showed a hipped roof brick building with a crowning lantern, symmetrical chimneys and brick chimneys with rendered banding. The windows and doors were regularly arranged, continuing the balance to the design. Internally, a cruciform passage separated four groups of four offices in the corners (known as inner and outer offices). The building was completed on 23 September 1909.³²

Caretaker's Dwelling

A caretaker's dwelling was proposed at the sale yards in 1931.³³ The single storey, interwar Californian Bungalow styled dwelling was to be constructed of timber weatherboards and feature a

²⁷ City of Ballarat Contract No. 41.DD, Small Watering Troughs, 17 July 1893, drawing id. 004, Town Hall, City of Ballarat.

²⁸ City of Ballarat Contract No. 25.QQ, For Cattle Yards, Closet, Stable & Shed to be Repaired, 18 February 1896, drawing id. 020, Town Hall, City of Ballarat.

²⁹ City of Ballarat Contract No. 11/1903, Additions and Alterations to Sheep Pens, Corporation Sale Yards, 1903, drawing id. 001, Town Hall, City of Ballarat.

³⁰ Sites Proposed Abattoirs and Nigh Soil Depot, Site Plan, 1911, drawing id. 002, Town Hall, City of Ballarat.

³¹ Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, prepared for the City of Ballarat, 1980, pp.59-60.

³² Ibid.

³³ City of Ballarat Contract No. 22/1931, New W-B Dwelling House Corporation Cattle Yards (Winter Street), 13 May 1931, drawing id. 006, Town Hall, City of Ballarat.

major gabled roof form that was to traverse the site and extend at the front to form a verandah, together with a minor projecting gabled wing. The dwelling was to be located at the north-west corner of Winter and Brazenor Streets.³⁴ It is unclear whether this dwelling was built (there is no physical evidence of the dwelling on the site today).

Wartime Railway Easement

In 1941, a railway easement was created over a portion of the sale yards land (the western allotment originally known as Cardigan Square) to serve the Commonwealth Government's Guncotton Factory to the south of the sale yards.³⁵ In 1962, the Imperial Chemical Industries of Australia and Zealand Company took ownership of a portion of the Guncotton Factory land and the right to use and maintain the railway line that traversed the sale yards.³⁶ This railway reserve soon became redundant and in 1971 the railway reserve throughout the sale yards was revoked.³⁷

Other improvements in the 1940s

In 1946, new calf pens and a sheep loading ramp were proposed. The pens and gates were to be constructed of timber, having timber posts and rails with traditional mortise and tenon joints.

Major changes from the 1960s

Throughout the early and mid-20th century, the Ballarat sale yards continued to provide a location for the buying and selling of cattle, calves, sheep, lambs, horses, pigs and bulls. In 1953, there were 28,510 cattle, 338,793 sheep and 33,654 pigs that passed through the yards.³⁸ Such large numbers of stock resulted in another major redevelopment program of the site over a ten-year period from the early 1960s. In 1964, the *Mayor's Annual Report* described the new development:

The rebuilding of the Corporation Saleyards, which was fully recorded in the Mayor's Report of 1963, advanced a step further this year with the opening of another section of cattle pens, complete with five loading ramps, 140 selling, holding and drafting pens, and ancillary races. The saleyards have had a busy year, with the completion of the new selling yards, and this trend should continue as the facilities become more widely known. In the sheep and lamb selling sections the progressive renewal of drafting yards and holding pens continued, with the assistance of Government subsidies. The loan programme for next year includes the provision of a vehicle washing bay, and extension to the pig selling pavilion to provide added shade to some of the pens, and protection during the wet season.³⁹

Much of the works carried out in the 1960s occurred on the western allotment of the sale yards (former Cardigan Square). A feature of the redevelopment was a selling pavilion constructed in the south-east corner. It was built with a broad gabled roof form with projecting skillion dormers, and inside it contained an octagonal sales area with tiered timber seating. Given the increase in popularity in pig sales, an extension was made to the pig selling pavilion in 1963-64. An area was also concreted for use as a truck wash.⁴⁰

³⁴ Cattleyards House at the N.W. Corner of Winter & Brazenor Streets, Ballarat, floor plan, 1931, drawing id. 006A, Town Hall, City of Ballarat.

³⁵ E. Prewett, Chief Estate Officer, Victorian Railways, to the Secretary for Lands, Department of Crown Lands & Survey, 18 August 1971, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *City of Ballarat Mayor's Annual Report, 1973-74*, Public Record Office Victoria, Ballarat

³⁹ *Ibid.*, 1963-64.

⁴⁰ *Ibid.*, 1964.

By 1966, the Corporation sale yards were claimed to be 'one of the best markets in Victoria.'⁴¹ This led to additional and improved facilities for the selling of sheep and lambs on the eastern allotment of the reserve.⁴² A long term loan of \$20,000 had been taken out by the Ballarat Council for the improvements.⁴³ With unusually dry weather conditions in 1967, the market expanded even further, and a special grant of \$40,500 for rebuilding the sheep yards was made available by the Victorian State Government, being matched on a \$1 for \$1 basis.⁴⁴ It was anticipated that the 'new plans will provide modern selling and yarding facilities and necessary drainage work to build an up-to-date stock selling outlet.'⁴⁵

By 1968-69, the Ballarat City Council had expended almost \$500,000 on rebuilding and extending the facilities at the sale yards.⁴⁶ In 1970, another extension to the pig pavilion had been completed and in the following year a truck unloading area at the western end of the sale yards was sealed.⁴⁷

Major Changes in the 1970s and 1980s

In 1971, the continuing demand at the sale yards brought about a revision of the master plan. Designs were approved for a number of improvements, with new holding pens and delivery ramps proposed in the cattle section, and the truck wash was to be relocated 'within the Gillies Street Depot area to permit additional unloading and drafting facilities, and an extra 24 selling pens will be constructed.'⁴⁸ Bluestone pitcher paving was also replaced in the major selling extensions (a replacement process that appears to have begun in the 1960s), bringing 'all pens to a uniform standard.'⁴⁹ These works were completed during the year of 1973-74.⁵⁰ An aerial photograph of the sale yards site at this time reveals the locations and layouts of the selling pens and yards, pig pavilions (to the right in the foreground) and the Administration building south of the sheep pens (to the right in the background). A row of mature Cypress trees formed the southern boundary to Latrobe Street adjacent to the Administration building.

A further redevelopment and extension program was proposed in 1979. The necessary approvals were given and the cost of the works was estimated at \$500,000.⁵¹ These changes were again due to the increased demand. In 1974, 77,347 cattle, 5,626 calves, 412,691 sheep, 290,863 lambs, 232 horse, 91,551 pigs and 1,435 bulls passed through the yards.⁵² The railway reserve at the northern end of the site was surrendered and new yards constructed in this location.⁵³ The 'old' sheep yards were rebuilt and additional holding pens and unloading ramps constructed by S.J. Weir and Co. Alsteel Constructions were also involved in the holding yard extensions. The works were completed by 1980.⁵⁴

⁴¹ Ibid., 1966-67.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid., 1967-68.

⁴⁵ Ibid.

⁴⁶ Ibid., 1968-69.

⁴⁷ Ibid., 1971-72.

⁴⁸ Ibid., 1972-73.

⁴⁹ Ibid.

⁵⁰ Ibid., 1973-74

⁵¹ Ibid., 1979.

⁵² Ibid., 1973-74.

⁵³ R.J. Meggs, Licensed Surveyor, Department of Crown Lands & Survey, Survey Branch, Division Surveyor's Report, Township of Ballarat, 11 February 1980, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁵⁴ *City of Ballarat Mayor's Annual Report*, 1980, op.cit.



Aerial view of the Sale Yards, 1973-74. Source: Mayor's Annual Report, 1973-74, PROV, Ballarat.

In 1981, cattle scales were installed and they were formally opened by the former Minister of Agriculture, the Hon. T Austin.⁵⁵ Scales for the selling of pigs had also been installed and this was 'the first such installation in Victoria.'⁵⁶ At that time, Ballarat had 'the largest pig sales in Victoria, averaging approximately 2,000 per week, and it is remarkable that these pigs come from the extremities of the State and from New South Wales.'⁵⁷

Further major works occurred in 1988. Costing \$598,000, the redevelopment program included the replacement of 98 cattle selling pens and 38 bull pens, the replacement of drafts at the western end of the sheep yards, the rebuilding of pig loading and unloading ramps, and the purchase of the railway reserve on the northern side of the yards.⁵⁸ By this time, the sale yards operated 'at arms length from Council and all revenue' was returned to the yards operation.⁵⁹

Recent Developments

It appears that the name of the sale yards had changed to the Ballarat Livestock Selling Centre in 1991.⁶⁰ In later years, the sale yards became known as the Central Victorian Livestock Exchange (CVLX) which continued to be owned by the Ballarat City Council but operated by Regional Infrastructure Pty Ltd. On 1 May 2010, the sale yards were purchased from the Ballarat City Council by Palisade Investments and the site continues to be operated and managed by Regional Infrastructure.⁶¹

Towards the end of its existence, the Ballarat sale yards had a reputation as one of the best-known sale yards in Victoria.⁶² In 2006-07, over 1.5 million sheep passed through the sale yards and 56,000 cattle.⁶³ Palisade and Regional Infrastructure have moved to a new facility at Miners Rest.

⁵⁵ Ibid., 1982.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid., 1988.

⁵⁹ Ibid.

⁶⁰ Ibid., 1991.

⁶¹ See <http://www.cvlx.com.au/aboutus.html>

⁶² Ibid.

⁶³ Ibid.

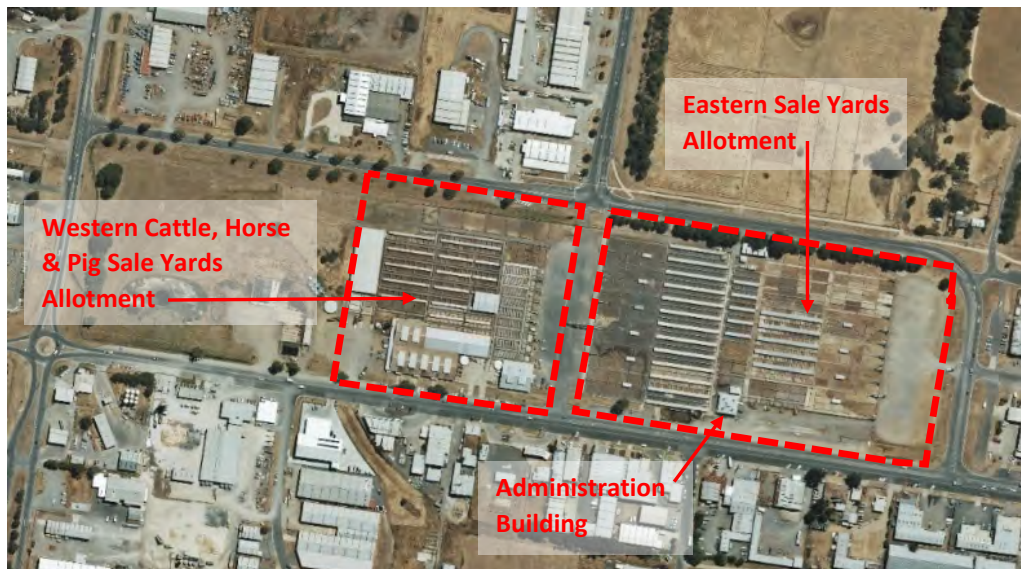
Physical Description

The former Ballarat Saleyards (Central Victorian Livestock Exchange) at 1020 Latrobe Street, Delacombe, comprise approximately 12.3 hectares over two large rectangular allotments separated by Gillies Street South (that is now closed to public traffic). The yards are bound by Winter, Latrobe, Brazenor and Learmonth Streets to the north, south, east and west respectively.

Eastern Sale Yards Allotment

General Setting

The earliest portion of the sale yards is the eastern allotment (east of Gillies Street South). It is largely flat land, although there is an upwards slope at the north end towards Winter Street. This elevated ground is due to the topography of the site as well as a consequence of the former sale yards railway branch line and siding now removed. Outside the northern boundary are a row of Oak trees.



Sheep Yards and Pens

The site is especially characterised by extensive open sheep yards and pens having rectangular and lineal alignments. The eastern and western portions of the yards comprise the drafting pens. Adjoining the draft pens are bays of selling pens arranged in paired rows. The central narrower bay on the site includes additional selling pens together with a pole yard and slightly larger yards. There are also larger yards near the southern boundary. Each paired row of pens is separated by covered walkways having shallow spoon drains (effluent from the adjoining pens drain into the walkways). The covered structures in the narrow central bay of pens appear to be the earliest surviving, having timber posts with mortised tops that take timber beams in which to support curved corrugated sheet metal roofs. These walkways may date from the mid-20th century. The remaining walkways appear to be of late 20th century construction, having steel posts, beams and bays of rafters, and flat sheet metal roofs.



Older style covered walkway (as shown on c1920 photo).



Arrangement of bluestone flooring in the older section of the sheep yard.

Much of the early (19th century) fabric that once comprised the yards and pens has been altered or replaced, the earliest remaining fabric being the bluestone paver paving throughout the western half of the site (shown as darker paving in the aerial image). Portions of the bluestone paving have introduced concrete slurry finishes, with the remainder of the paving being introduced concrete. The selling pens and larger central yards towards the south of the site have timber post and rail fencing and timber gates. The rails are bolted to the large square timber posts, suggesting late 20th century construction (as opposed to the traditional agricultural fencing constructed between the 1860s and 1940s where the posts had narrow vertical mortises that took the horizontal rails). The remaining yards and pens are bound by tubular steel post and rail fences and gates. Particular change is noted throughout the eastern half of the sheep yards, which appear reflect the extensions carried out in 1966-67.



Row of 4 early loading ramps along La Trobe Street (Cattle Yards Hotel in distance)



Intact early loading ramp. Note concrete top to original bluestone base, raised to increase height for later stock trucks.

At the southern end of the sheep yards to the east of the Administration Building are four bluestone and timber stock ramps. These ramps may date from the early 20th century. There are two courses of raised concrete above the bluestone bases, possibly indicating changes in stock transportation and particularly the increased height of stock trucks throughout the 20th century.

Buildings & Other Infrastructure

Administration Building

A landmark feature of the sale yards is the Federation era administration office building that is centrally located near the southern boundary. The symmetrical single storey face red brick Federation styled building has a broad hipped roof form surmounted by a hipped lantern light that is crowned by a square finial. These roof forms are clad in corrugated sheet metal. Four symmetrically arranged face brick chimneys with rendered bases and moulded tops adorn the roof line. Broad overhangs with timber lining board soffits are features of the eaves.



Administration Building (1909), north and east elevations

The symmetry of the design is accentuated in the elevations. The north and south elevations have central timber framed doorways and flanking bays of original timber framed double hung windows. The east and west elevations feature central doorways as well as flanking doorways in the end bays with timber framed double hung windows between. Some doorways have original timber doors and others have introduced timber and glazed doors, and original timber framed transoms. The elevations are distinguished by rendered stringcourse banding and surrounds to the upper sashes of the windows and the openings of the doors. The window sills are understated, being rendered and sloping within the reveals of the openings. Another notable feature of the design is the stop chamfered brick to the building corners and door openings. Early bluestone picher paving surrounds the building.

The symmetrical arrangement of the building is carried into the interior. The layout is unusual, with its four groups of four offices in the corners accessed by a cruciform passage culminating in a central hall lit by the lantern light. This light is supported by an exposed stop chamfered timber frame having bays of fixed timber framed two paned windows. The ceiling is coved and lined in beaded edged timber boards. The offices feature corner fireplaces (now blocked up) with bracketed timber mantels. Other intact original fabric includes the timber floor boards, plastered walls, moulded timber skirtings, and window and door architraves, panelled timber doors, and the moulded dados in the passage walls. The interior is enhanced by a sympathetic colour scheme.

Other Buildings

Immediately adjacent the Administration building on the north side is a face-brick, skillion amenities building having wide eaves and corner porches on the south sides. These porches are supported by hollow steel posts. This building appears to date from the 1960s. At the northern end of the narrow central bay of pens are introduced corrugated sheet metal workshop buildings and a small, detached men's toilet outbuilding. These buildings appear to date from the late 20th century.

Other Infrastructure

To the west of the Administration building is a large round concrete effluent tank. The south-east corner and narrow eastern portion of the site are characterised by open gravelled parking areas.

Western Cattle, Horse and Pig Sale Yards Allotment

General Setting

The western portion of the sale yards is bound by Winter, Learmonth, Latrobe and Gillies Streets. It was originally known as Cardigan Square. Today, the eastern portion of the site is characterised by pens and market buildings, with the western portion comprising open grassed land with a dam near the south-west corner. A row of trees defines the western boundary. In the centre of the site appears to be evidence of the former railway reserve and line that traversed the site between Winter and Latrobe Streets. Also centrally situated on the south side of the site is a concrete truck wash area together with a large gravelled parking area, laid out in 1970-71.

Yards and Pens

The north-east portion of the site is defined by yards and pens for cattle, horses and pigs. They are lineally arranged in a similar way to the sheep yards on the east allotment, although they are fenced with tubular steel post and rail fences and gates (with some having timber rails). The yards and pens are paved in fibrous concrete with lines simulating cobblestones. At the east end fronting Gillies Street South are 9 brick stock ramps with concrete platforms and ramps. There are square steel balustrade posts and a combination of timber and hollow steel rails. These yards appear to be those laid out and constructed in the early 1960s.

Covered Areas & Buildings

Covered Areas

Shallow gabled covered yards are also located within the eastern portion of the site. They are constructed of corrugated sheet metal roof cladding and they appear to date from the 1980s or 1990s.

Selling Pavilion Building

In the south-east corner of the site is the selling pavilion building constructed in c.1963. It is characterised by broad gable roof form having projecting skillion dormers on the northern and south roof faces. These roofs are clad in corrugated sheet metal. The building has brick veneer base walls, with the gable ends also being constructed of vertical tray deck fibre cement sheet cladding with the northern and southern walls having openings above the brickwork. Cantilevered porches project on the south and east sides with door openings underneath. There is a circular concrete water storage tank to the north-west of the building.



A broad gabled roof form with projecting skillion dormers built c1963.

The interior of the building is supported by an exposed structural steel portal frame. The northern and southern portions have a series of cattle pens with timber post and rail fences and gates, and concrete floors. The centre piece of the interior is the octagonal sales arena having timber post and rail and vertically boarded fencing and gates, with tiered timber seating arranged at the eastern end. At the western end of the arena is the elevated auctioneer's booth also of timber construction.



View of auction ring from the tiered seats within the intact interior.



Interior view of pens and tiered seating at the far end.

Additional Pig Selling Pavilion

Of identical design as the selling pavilion building is the neighbouring pig selling pavilion. It has a broad gable roof form with projecting skillion dormers, brick veneer base walls and tray deck fibre cement wall cladding. This building appears to date from 1964. The north-east portion of the building has been altered with a gable extension. There is a circular concrete water tank on the south side of the building.

Condition

Intactness

There have been many changes to the Sale Yards during its 150 plus years of operation with several upgrades in materials and equipment. However, the overall layout and functions of the site have remained in place. The extent of the area to be covered by the Heritage Overlay is the most intact part of this layout and represents a full understanding of the site's history and function.

Integrity

The designated area of the proposed Heritage Overlay provides sufficient physical evidence to interpret the site as a former working Sale Yards for over 150 years.

Condition

The Sale Yards were closed in 2018 but at present its operational facilities, including buildings, stock pens, fencing, walkways, stock ramps, surfacing, loading areas, truck wash and drainage infrastructure remain intact.

The Sale Yards buildings under consideration are intact and in good condition, including their interior layouts, along with the intact bluestone paving, ramps, timber fencing and walkway shelters within the proposed overlay area.

Extent of Heritage Overlay



Comparative Analysis⁶⁴

The former Ballarat Sale Yards was one of the most significant regional sale yards in Victoria, along with stock yards in Geelong and Bendigo. Its infrastructure currently remains intact having closed its operation only in 2018. As such it remains one of the few intact Sale Yards operating since the mid-19th century until recently to remain in Victoria. The most comparable sites would include the former Melbourne Sale Yards at Newmarket, the Geelong Sale Yards in North Geelong and the Bendigo Saleyards.

Melbourne's main stockyard at Newmarket was established in 1859, four years earlier than the Sale Yards in Ballarat. The site was officially closed in 1987 and the sale yards area transformed into a medium density residential estate known as the Kensington Banks. Most of the yards were therefore demolished, although a small area of cattle pens and some fencing survives and repurposed as seating areas with shelters and BBQs. This building now forms part of the Kensington Community High School. The original stock-route has been interpreted through a walk.

The Geelong Sale Yards at 125 Weddell Road, North Geelong were established in 1869 and eventually closed in 2017 and were based on the layouts at both Newmarket (Melbourne) and Ballarat. The site includes 19th century cattle and sheep pens. A landmark feature was the Federation Market Office building built of corrugated sheet metal. It was damaged by fire in 2013 leaving it beyond repair. For the present the site remains as 'the most intact and former functioning 19th century stock yards known in Victoria' as cited in the Geelong local Heritage Overlay⁶⁵. The site is now subject to a Precinct Plan.

The early Sale Yards at Bendigo have been redeveloped and a new Bendigo Sale Yards were built on a new site in 1997.

Comparative administration buildings

Newmarket Saleyards Administration Building (Moonee Valley City, HO262, VHR H1430)

The early administration building, located near the Racecourse Road frontage, was constructed c. 1874. It is a simple and elegant square planned structure with a central courtyard. The slate roof is hipped, and the brick chimneys are intact. The timber verandah posts, which are original, are detailed with cast iron lace-work. Internally minor changes in layout have been made together with alterations to wall finishes. In the open courtyard a clock tower, built c.1939 stands as a prominent feature and a local landmark. On the western side of this building is a series of extensions dating from c. 1911 and c. 1919, sympathetic in form and materials but showing a change in design detailing (Heritage Victoria Registration Report 1988).

Horsham/Wimmera Stock Bazaar (Horsham Shire, VHR H1985)

The Stock Bazaar building, built 1936, is of architectural significance as a rare and late example of the building type of the stock or horse bazaar. It also has significance for its unusual Moderne facade design, which incorporates abstracted Egyptian style pylons on either side of the main entrance. The building has historical significance as the only standing fabric remaining from the livestock saleyards which were a vital aspect of the physical and economic development of Horsham as a centre servicing the agricultural and pastoral region of the Wimmera. Sale yards removed in the 1990s and relocated to new site in 1999.

⁶⁴ An 'Inventory of Sale Yards in Victoria' is included in Rowe and Jacobs Heritage Assessment report for the Ballarat Sale Yards.

⁶⁵ HO1915 Geelong Planning Scheme

The Ballarat Sale Yards Administration Building is a later date than the early building at Newmarket and its functional form differs from the unusual architectural style of the Horsham Stock Bazaar, but its intactness still demonstrates many of the essential attributes necessary to operate a successful Sale Yard.

Comparative selling pavilions and similar structures

Bairnsdale Regional Sale Yards & Rotunda (East Gippsland Shire, HO39)

The Bairnsdale Sales Rotunda, built in 1941, is of State cultural heritage significance because of its historical associations with the pastoral and horse-breeding industries, typological rarity as a pre-1950s livestock selling ring (and saleyards building), and the aesthetic qualities of its unusual construction.

Casterton Sale Yards and Stock Selling Ring Building (Glenelg Shire, VHR H0314)

The Casterton Stock Selling Building, built in 1925, is based on an octagonal plan selling ring, with tiered timber benches on five sides. The upright timbers that support the roof of the sale ring building are square red gum posts with stringybark rafters and battens. The posts of the outside yards are also red gum and the rails are stringybark or other local hardwood timbers. It is one of the few remaining examples of the specialized building type of the stock selling ring, which was once common in the State.

Rochester Sales Ring (Campaspe Shire, HO216)

The Sale Yards, built 1911, consist of rough, wooden, under-cover pens and a separate covered sales ring. The Sale Yards were refurbished in 1954.

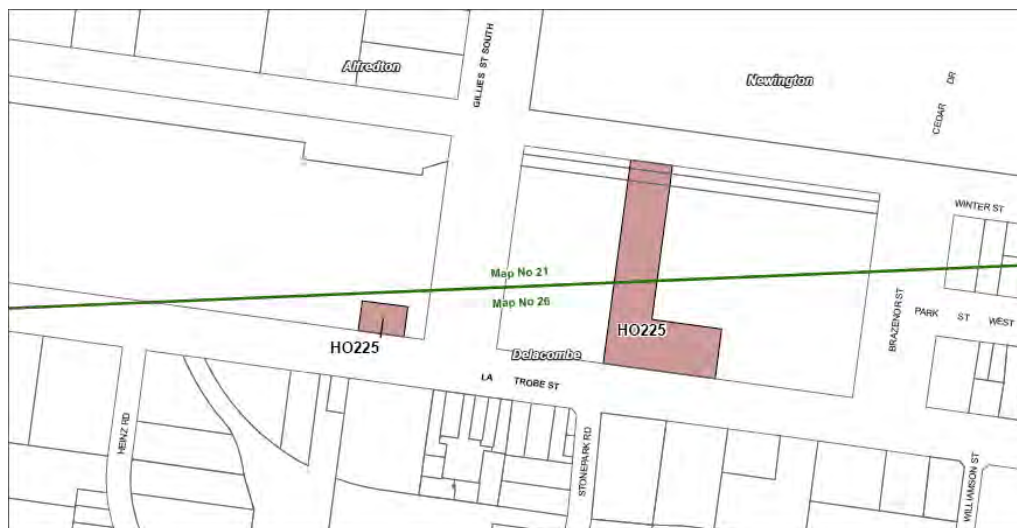
Wangaratta Bull Sale Ring (no heritage status)

New pig sale yards were established at Batchelor's Green in 1928. The early Market and stock yards (established in 1864) were relocated to this site in 1934. The Bull Sale Ring building was constructed in c.1938 at the Batchelor's Green site. The Sale Yard operations were again relocated in the 1970s and in c.1980 the Bull Sale Ring was converted into an art studio for the Artists' Society.

Although a later building, the interior intactness and layout of the Ballarat Selling Pavilion, constructed for stud cattle and horse auctions, remains unchanged and compares well with these other buildings.

Ballarat Saleyards (former) Statement of Significance

Heritage Place:	Ballarat Saleyards (former)	PS ref no:	HO225
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What is significant?

The former Ballarat Saleyards (Central Victorian Livestock Exchange), 1020 Latrobe Street, Delacombe, has significance as the longest running and one of the best known and largest Corporation Sale Yards in Victoria, having opened in 1864. Today, the site is reflective of several redevelopment programs resulting in extensive changes to the sheep and cattle pens and fencing and paving - initially between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. Despite these 20th Century developments the lineal arrangement of drafting and selling yards and pens are still reflective of 19th century practice.

Significant elements include:

- The single-storey, face red brick Administration Building built in 1909, (both external and internal features).
- An area of sheep yards, representing surviving 19th and early 20th century fabric, leading out from the Administration Building, including remnant bluestone pitcher paving, bluestone and timber ramps, rough timber fencing, early signage and sheltered walkway structures.
- The Selling Pavilion built c1963, particularly the intact interior layout.

Non-significant elements include:

- The 1970s extension to the Administration Building.
- Later structures such as water troughs, outbuildings, garages etc (check on site).

How is it significant?

The Ballarat Saleyards (former) is of local historic, representative, aesthetic, social and associative significance to the City of Ballarat.

Why is it significant?

The former Ballarat Saleyards, 1020 Latrobe Street, Delacombe, is historically significant as the longest running Corporation Sale Yards in Victoria. Built in 1863 having been laid out by Mr Baird, Town Clerk of the Ballarat Council, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the yards were officially opened in February 1864. Since this time, the saleyards have become a regional and state focus for the buying and selling of cattle, sheep and pigs which has manifested in substantial redevelopment programs between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. (Criterion A)

The Administration Building, Selling Pavilion and areas of bluestone pitcher paving, and associated features are representative of the working arrangements necessary for overseeing and selling stock, which has largely remained unchanged since the early development of stockyards in Victoria. (Criterion D)

The Administration Building is aesthetically significant as a substantially intact example of Federation design associated with saleyards operations. The building is also one of the earliest, substantially built and more intact examples of saleyards Administration buildings in Victoria. (Criterion E)

The Ballarat Saleyards is socially significant as they are valued as a centre for agricultural business between farmers, stock agents and others associated with the livestock industry, a practice that continued on the site for almost 150 years. The saleyards also have associations with a range of 19th and 20th century stock and station agents in Ballarat, including Norman McLeod and Co., Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., Crawford Dowling Pty Ltd., and Dugald Smith and Co. (Criterion G)

The saleyards have particular associations with William Brazenor (1832-1916), cattle yards inspector, architect and publican of the nearby Cattle Yards Hotel. Brazenor was responsible for the earliest construction of the cattle pens in 1863 and from this time he retained a longstanding association with the yards (this is now reflected in an adjacent street being named after him). One of his largest contracts as an architect was the redesign and re-erection of the cattle and sheep yards between 1882 and 1886, a consequence of the considerable demands on the yards and the laying out of a branch railway line for the yards (also to his design). With Samuel Valentine (an early cattle inspector of the Ballarat saleyards), Brazenor invented a sheep and merchandise railway wagon that appears to have been specifically designed for the redeveloped saleyards as well as for sheep and merchandise transportation throughout Victoria, New South Wales and Queensland. (Criteria H).

Primary source

Heritage Citation – Ballarat Saleyards (former), November 2019

Number	Address	Grade
1020	Latrobe Street, Delacombe	Significant

This document is an incorporated document in the Ballarat Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

Central Victorian Livestock Exchange (Ballarat Sale Yards)

1020 Latrobe Street, Delacombe



Heritage Assessment

Prepared By

**Dr David Rowe, Authentic Heritage Services Pty Ltd
& Wendy Jacobs, Architect & Heritage Consultant**

September 2013

Central Victorian Livestock Exchange Ballarat Sale Yards

1020 Latrobe Street, Delacombe

Heritage Assessment

Commissioned & Funded by

City of Ballarat

Prepared By

**Dr David Rowe, Authentic Heritage Services Pty Ltd
&
Wendy Jacobs: Architect & Heritage Consultant**

Support Staff:

Pam Jennings, Authentic Heritage Services Pty Ltd

September 2013

Cover Photo: Aerial view of the Ballarat Sale Yards, 1973-74. Source: *City of Ballarat Mayor's Annual Report, 1973-74*, PROV (Ballarat).

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Executive Summary

1.0 Introduction

The City of Ballarat commissioned Dr David Rowe, Authentic Heritage Services Pty Ltd and Wendy Jacobs, Architect and Heritage Consultant in June 2013, to prepare a heritage assessment of the Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe. A draft of the assessment was provided to the City of Ballarat for comment in July 2013.

This Report provides details about the methodology, significance assessment, criteria and thresholds adopted, and heritage assessment, and also gives recommendations for implementing the study results.

2.0 Recommendations

2.1 Heritage Overlay

2.1.1 Extent of Overlay

It is recommended that a heritage overlay is applied to the southern portion of the sheep yards adjacent to and including the Administration Building as shown in the aerial image in the heritage citation (this recommended extent is considered to best encapsulate the earliest-surviving fabric).

2.1.2 Recommended Controls to the Schedule to the Heritage Overlay

- Should External Paint Controls Apply – Yes (Administration Building only).
- Should Internal Alteration Controls Apply – Yes (Administration Building only).
- Should Tree Controls Apply – No.
- Are there Fences &/or Outbuildings of Note – Yes, pen fencing within heritage overlay extent.
- Yes - Given the uniqueness of this place, opportunities for uses that have no adverse affect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

2.2 HERMES

It is recommended that if a planning scheme amendment is gazetted for the inclusion of the Central Victorian Livestock Exchange in the Planning Scheme that the heritage citation given in Section 5 is included in the HERMES database so that the information may be accessed through the Victorian Heritage Database and Council's website (Heritage Places Database).

If the citation is in HERMES, it is recommended that:

- The pdf version of the heritage assessment in this study is included as an attachment (so that all the current and historical photographs, references and other information unable for direct inclusion in HERMES may be accessible).
- Given their large size, the information specifically included in HERMES may be limited to the Statement of Significance and some current photographs, with other fields giving a cross-reference statement to the attachment.

1.0 Introduction

The City of Ballarat commissioned Dr David Rowe, Authentic Heritage Services Pty Ltd and Wendy Jacobs, Architect and Heritage Consultant in June 2013, to prepare a heritage assessment of the Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe. A draft of the assessment was provided to the City of Ballarat for comment in July 2013.

This Report provides details about the methodology, significance assessment, criteria and thresholds adopted, and heritage assessment, and also gives recommendations for implementing the study results.

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The Consultants recommend that this Study be implemented within two years. If the Study has not been implemented within that time frame, it is recommended that the Study be peer-reviewed to take account of any changes in condition and integrity of particular heritage places, changes in planning regulations and Council policies. The study should subsequently be updated as necessary.

1.1 The Study Team

The study team was as follows:

- Dr David Rowe, Authentic Heritage Services Pty Ltd – author.
- Wendy Jacobs, Architect & Heritage Consultant – fieldwork and reviewer.
- Pam Jennings, Authentic Heritage Services Pty Ltd – researcher.

1.2 Acknowledgments

The Consultants sincerely appreciated the assistance and support received throughout the course of the Study. Particular appreciation is given to:

- Caroline Reisacher, Strategic Planner, City of Ballarat.
- Susan Fayad, Coordinator Heritage, City of Ballarat.
- Bill Hutcheson, Manager Administration Services, City of Ballarat.
- Aladdin Jamali, Department of Sustainability & Environment, Ballarat.
- Joan Hunt, local historian.
- Liz Dennys, Public Record Office Victoria (Ballarat).

1.3 Project Brief

The Project Brief supplied to the consultants on 1 May 2013 included an heritage assessment of the Ballarat Sale Yards, Delacombe, through fieldwork, research and comparative analysis, leading to the preparation of a statement of significance

1.4 Terminology

The terminology of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (November 1999) is used throughout this study. Refer to Appendix 6.01 for a copy of the *Burra Charter*. The identification and documentation of potential post-contact places of cultural significance has been interpreted using the definitions provided in the *Burra Charter*. Some of the critical definitions identified in the *Burra Charter* and used in this study are:

Article 1.1: *Place* means site, area, building or other work, group of buildings or other works, and may include components, contents, spaces and views. Explanatory Notes: The concept of place should be broadly interpreted. The elements described in Article 1.1 may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.

Article 1.2: *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups. Explanatory Notes: The term cultural significance is synonymous with heritage significance and cultural heritage value. Cultural significance may change as a result of the continuing history of the place. Understanding of cultural significance may change as a result of new information.

2.0 Methodology

The project has involved fieldwork, historical research, comparative analysis and a written heritage assessment (and a peer review of this assessment).

2.1 Fieldwork

The initial basis to the assessment of the heritage citations included in this heritage study was fieldwork. This has involved analyzing and photographing the Ballarat Sale Yards with additional information obtained from Council's aerial imagery.

2.2 Historical Research

Considerable historical research has been carried out for this study. This research has included archival material in the collections of the City of Ballarat, Department of Sustainability and Environment (Ballarat), and the Public Record Office Victoria (North Melbourne and Ballarat). Further research was carried out online for historical maps, Probates of the Estates of previous owners of the subject properties, *Victoria Government Gazettes*, historical photographs and other associated material.

Historic themes have been applied to the heritage assessment. While the 'Ballarat Heritage Study Stage 2' (prepared by Hansen Partnership Pty Ltd in association with Wendy Jacobs Architect and Heritage Consultant and Naga Services, July 2003) included a Thematic History, it did not include the breadth of history to support all the themes relevant to for this project. The Historic Themes adopted are therefore derived from the 'Review of the Ballarat Heritage Study Stage 2 Thematic History and

Regional Thematic History of the Central Victorian Goldfields (prepared by Authentic Heritage Services Pty Ltd, July 2011). The themes adopted in this Review were based on *Victoria's Framework of Historical Themes* (prepared by Context Pty Ltd for Heritage Victoria, February 2010). The Review has also formed an attachment to the brief of a much broader study currently in progress for the City of Ballarat known as 'Mapping Ballarat's Historic Urban Landscape Stage 1'.

2.3 Comparative Analyses

Comparative analyses were carried out for all of the heritage places, using an architectural and/or historical context. The basis of the comparative analysis was the 'Geelong Sale Yards Conservation Management Plan' (Rowe & Jacobs, 2007) and the Victorian Heritage Database online.

2.4 Heritage Citation

A Heritage citation was prepared for the Ballarat Sale Yards (Central Victorian Livestock Exchange). The draft citation was also peer-reviewed prior to the formal drafts being provided to Council. It is provided in Section 5.

A proposed heritage overlay map was prepared using aerial images supplied by the City of Ballarat.

2.5 Consultation

Formal community consultation was outside the scope of the project. It is suggested that consultation with the affected owner and stakeholders is carried out as part of an informal exhibition.

During the preparation of the project, discussions were held with the Operations Manager of the Central Victoria Livestock Exchange.

3.0 Assessment of Significance

3.1 Basis of Assessment Criteria

This project has been prepared in accordance with the *VPP Practice Note 01: Applying the Heritage Overlay* (revised September 2012) (Appendix 6.02). The *Practice Note* states:

"The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria."

The following heritage criteria listed in the *Practice Note* were adopted as part of the assessment of heritage places in this project:

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

In addition, the more detailed Assessment Criteria adopted by the Australian Heritage Commission for the Register of the National Estate (which has formed the basis to the criteria outlined in the *Practice Note*) have formed a foundation to the heritage assessment,¹ as have the principles of the Australia ICOMOS Burra Charter.

3.2 Significance, Condition & Integrity Levels and Thresholds

In addition to the recognition of the heritage values of the Burra Charter and the assessment criteria outlined in the VPP Practice Note, significance, condition and integrity thresholds were also prepared to determine the level of significance for each heritage place and whether they warranted a heritage overlay.

In relation to significance thresholds, the *Practice Note* states:

“The thresholds to be applied in the assessment of significance shall be ‘State Significance’ and ‘Local Significance’. ‘Local Significance’ includes those places that are important to a particular community or locality ...”

A more definitive matrix of how the Burra Charter values, VPP Practice Note Criteria, Australian Heritage Commission Criteria and Thresholds Levels have been employed in this study is as follows:

1 The use of the more detailed Australian Heritage Commission Criteria is considered to be valid, given that the VPP Practice Note: Applying the Heritage Overlay (revised September 2012) states: “The adoption of the above [2012] criteria does not diminish heritage assessment work undertaken before 2012 using older versions of criteria.”

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
<p>Aesthetic &/or Architectural Value: Places where consideration is given to form, scale, colour, texture and material of the fabric.</p>	<p>Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).</p> <p>Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).</p> <p>Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).</p> <p>Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).</p>	<p>AHC B.2: Scarcity may be the result of historical process (ie. few of such places were ever made) or of subsequent destruction or decay. Rarity in some cases may apply to the survival of the combination of characteristics and the place as a whole may lack integrity.</p> <p>AHC D.2: A place must clearly represent the period, method of construction, techniques, way of life, etc. of its Type. A place may be significant because it is characteristic of either an unusual, or a widely practiced Type, style, or method of construction. It may have been innovative or influential, or it may have been traditional or vernacular; the significance of the place is determined by considering it within its context.</p> <p>A place may be considered if one or more of the following apply:</p> <ul style="list-style-type: none"> • It can be regarded as a particularly good example of its Type, by virtue of the combination of characteristics most indicative of the Type, or a significant variant of the Type equally well; • It is one of number of similar places which are all good examples of a Type, but has a higher value by virtue of its integrity, condition, association with other significant places or setting; • It is part of a group of places which collectively include a range or variation within a Type; • It represents the seminal or optimal development of 	<p>STATE THRESHOLD: Places which are considered significant to the State of Victoria and are worthy for inclusion on the Victorian Heritage Register. These places are the most outstanding examples either aesthetically, architecturally, historically, scientifically or socially. The place meets this threshold if it has outstanding and/or unique aesthetic and technical value/s, is highly intact and has been compared to similar places on the Victorian Heritage Register, and/or has unique historical associations with events or persons in the history of the community and Shire, the importance or which are considered to stretch beyond local municipal boundaries.</p> <p>LOCAL THRESHOLD: Places which are considered individually significant to a local area. The Ballarat municipality is defined by a number of urban and rural settings of varying historical developments and cultural identities that are not necessarily related to each other. Traditional municipal boundaries have changed, but the cultural identities of the different local communities that comprise the municipality are largely idiosyncratic. These heritage places are considered to have had a significant impact in shaping the cultural, architectural, historical and/or social identity of the local community and where applicable, have been compared to other places of State or Local significance (or potential</p>

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
		<p>the Type.</p> <p>AHC E.1: A place is eligible if it articulates so fully a particular concept of design that it expresses an aesthetic ideal (eg. A place which epitomizes the design principles of an architectural style, landscape ideal, etc.) or if the place, because of its aesthetic characteristics, is held in high esteem by the community.</p> <p>To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic qualities for which it is nominated.</p> <p>AHC F.1: A place is eligible if it demonstrates clearly a particularly appropriate solution to a technical problem using or expanding upon established technology, or developing new technology, that solution being outstanding due to its conceptual strength. This might occur, for example, in the fields of engineering, architecture, industrial design, landscape design, etc.</p> <p>A place may be considered to be outstandingly creative if it results from the innovative departure from established norms in some field of design or the arts.</p> <p>To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic or technical qualities for which it is nominated.</p>	<p>significance). They are considered to have sufficient significance to warrant a heritage overlay in the Ballarat Planning Scheme.</p> <p>CONTRIBUTORY THRESHOLD: Places which are included in a heritage precinct and which make an important contribution to the historical and/or architectural evolution of the precinct. Collectively, these places are considered to have sufficient significance to warrant a heritage overlay in the Ballarat Planning Scheme.</p> <p>LOCAL INTEREST THRESHOLD: Places directly historically related with the history and development of a heritage precinct. These places may have remnants of the original fabric, but they have been substantially altered. Retention is therefore desirable but is not mandatory.</p> <p>NOT SIGNIFICANT: Places that either do not relate to the significant era of building development of a heritage precinct or have no significance in their own right.</p>

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
<p>Historic Value: Places that have influenced or have been influenced by an historic figure, event, phase or activity. For any given place the significance will be greater where evidence of the association or event survives insitu, or where the settings are substantially intact, than where it has been changed or evidence does not survive.</p>	<p>Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).</p> <p>Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).</p> <p>Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).</p>	<p>AHC A.4: Places associated with events or developments which contribute to or reflect the long-term changes in Shire or local history.</p> <p>Places representing “landmark” cultural phases in the evolving pattern of Shire or local history.</p> <p>A place eligible for its association with a significant scientific theory must have a clear and important relationship to the development of that theory or its early application in the Shire or locality.</p> <p>A place eligible for its history of science associations must have a strong connection with the work of an historically significant scientific figure or with an historically significant scientific exploration/undertaking, or methodological development.</p> <p>AHC C.2: A place with archaeological deposits may be eligible if it can be shown that the deposits are likely to contain evidence of technological, architectural, or cultural value, that evidence not being available through other research techniques. The nature of this research should be specified.</p> <p>A building or engineering item may be eligible if its research value can be defined. For example, a building exhibiting a local variation on a standard design or construction technique may be eligible if study could yield important information such as how local materials</p>	

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
		<p>and construction expertise affect the evolution of local building development, if this information is not available through documentary research.</p> <p>AHC H.1: The person's contribution must be established sufficiently by historical documentation or other firm evidence, and the association of a person with the place established clearly in a similar way.</p> <p>A building designed by a prominent architect may be eligible under this criterion if it expresses a particular phase of the individual's career or exhibits aspects reflecting a particular idea or theme of her/his craft. It is possible that several places may represent different aspects of the productive life of an important person. Similarly, several examples of a person's work may be considered because a different combination of criteria are satisfied.</p> <p>In general, the association between person and place needs to be of long duration, or needs to be particularly significant in the person's productive life.</p> <p>Places which contain fabric that is a direct result of the person's activity or activities, or where the place can be demonstrated to have influenced the person's life or works, are eligible, and such places are more eligible than places which lack such direct and personal associations.</p>	

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
<p>Scientific Value: Places where data clearly indicates its rarity, quality or representativeness.</p>	<p>Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).</p>	<p>AHC F.1: A place is eligible if it demonstrates clearly a particularly appropriate solution to a technical problem using or expanding upon established technology, or developing new technology, that solution being outstanding due to its conceptual strength. This might occur, for example, in the fields of engineering, architecture, industrial design, landscape design, etc.</p> <p>A place may be considered to be outstandingly creative if it results from the innovative departure from established norms in some field of design or the arts.</p> <p>To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic or technical qualities for which it is nominated.</p>	
<p>Social Value: Places that have a focus on spiritual, political, national or other cultural sentiment to a majority or minority group.</p>	<p>Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).</p>	<p>AHC G.1: Places which are held in high esteem by the Shire or local community or a segment of it, that esteem being demonstrated and special. The value to the community must be beyond normal regard felt by a community for its familiar surroundings.</p> <p>It is necessary to demonstrate that the strong association between a community and place is of a social or cultural nature, and not simply a local assessment of some other value more correctly assessed against another criterion.</p>	

Condition Thresholds

- Excellent Condition (no deterioration of fabric noticeable).
- Good Condition (minor deterioration of fabric noticeable).
- Fair Condition (deterioration of fabric noticeable).
- Poor Condition (deterioration of fabric very noticeable, with possible structural deterioration as well).
- Ruins (small elements of original character & appearance only identified through remaining building ruins).

Integrity Thresholds**Thresholds**

- Substantially Intact (either completely intact or a small number minor modifications noticeable).
- Moderately Intact (original character & appearance clearly discernible, but a number of minor modifications noticeable).
- Altered (original character & appearance discernible but alterations to some original fabric especially noticeable).
- Substantially Altered/Low Integrity (original character & appearance only partly discernible – multiple changes noticeable to the exterior).
- Ruinous (ruinous fabric surviving only).

Building Fabric

The integrity of places (when viewed from the public realm or from the front elevation) may include to varying degrees the following:

- Overall form & composition.
- Construction materials.
- Building details.
- Verandahs.
- Visible windows and doors.
- Front Fencing
- Outbuildings

The place should be discernible to its creation date (or creation dates).

The integrity of landscaped settings, spaces and views may also have been considered.

Additions

Places with additions may continue to have significance if:

- The additions have been identified as contributing to the significance of the building or place (the additions being significant).
- The additions have no significance but are recessive and do not dominate over the building.

Relocated Places

Relocated places may also have significance if they have direct associations to the heritage place.

4.0 Recommendations

4.1 Heritage Overlay

4.1.1 Extent of Overlay

It is recommended that a heritage overlay is applied to the southern portion of the sheep yards adjacent to and including the Administration Building as shown in the aerial image in the heritage citation (this recommended extent is considered to best encapsulate the earliest-surviving fabric).

4.1.2 Recommended Controls to the Schedule to the Heritage Overlay

- Should External Paint Controls Apply – Yes (Administration Building only).
- Should Internal Alteration Controls Apply – Yes (Administration Building only).
- Should Tree Controls Apply – No.
- Are there Fences &/or Outbuildings of Note – Yes, pen fencing within heritage overlay extent.
- Yes - Given the uniqueness of this place, opportunities for uses that have no adverse affect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

4.2 HERMES

It is recommended that if a planning scheme amendment is gazetted for the inclusion of the Central Victorian Livestock Exchange in the Planning Scheme that the heritage citation given in Section 5 is included in the HERMES database so that the information may be accessed through the Victorian Heritage Database and Council's website (Heritage Places Database).

If the citation is in HERMES, it is recommended that:

- The pdf version of the heritage assessment in this study is included as an attachment (so that all the current and historical photographs, references and other information unable for direct inclusion in HERMES may be accessible).
- Given their large size, the information specifically included in HERMES may be limited to the Statement of Significance and some current photographs, with other fields giving a cross-reference statement to the attachment.

5.0 Heritage Assessment: Central Victorian Livestock Exchange (Ballarat Sale Yards)

City of Ballarat Heritage Assessments

2013

PLACE NAME: Central Victorian Livestock Exchange (Sale Yards)

Place No. DEL01

ADDRESS: 1020 Latrobe Street, Delacombe

Assessment Date: July 2013

Historic Themes:
Subtheme 4.4: Farming – marketing and promoting agricultural products and industries.



Condition: Good (Admin Building)

Integrity: Substantially Intact (Admin Building)

Photograph Date: 28 May 2013

CURRENT HERITAGE STATUS ON STATUTORY REGISTERS

Victorian Heritage Register:	No
Victorian Heritage Inventory:	No
Local Planning Scheme:	No

CURRENT HERITAGE STATUS ON OTHER REGISTERS:

National Trust (Victoria) Register:

RECOMMENDED LEVEL OF SIGNIFICANCE:

Local Significance

RECOMMENDATIONS:

Recommended for inclusion in the Victorian Heritage Register: **No**
 Recommended for inclusion in the Victorian Heritage Inventory: **No**
 Recommended for inclusion as a Heritage Overlay in the Planning Scheme: **Yes**

Schedule to the Heritage Overlay

External Paint Controls Should Apply?	Yes – Administration Building only.
Internal Alteration Controls Should Apply?	Yes – Administration Building only.
Tree Controls Should Apply?	Yes – Pen fencing within heritage overlay extent.
Fences &/or Outbuildings of Note?	No
Prohibited Uses May Be Permitted?	Yes - Given the uniqueness of this place, opportunities for uses that have no adverse affect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

Other Recommendations

Given the anticipated relocation of the sale yards operation to Miners Rest in the near future, the significance of the sale yards site will be diminished as the heritage value of the place relies (in part) on the continuing original sale yards function. The site is a physical manifestation of major redevelopment programs, mainly in the 20th century and particularly from the 1960s until the 1980s, and so its integrity cannot be neatly defined to one particular era. As there are more intact 19th century sale yard layouts and fence constructions in Victoria, and given the impending relocation of the Ballarat yards and the anticipated major changes at the site, it is recommended that the heritage overlay apply to a small southern portion of the sheep yards adjacent to and including the Administration Building that best encapsulates the earliest-surviving fabric (as shown on the attached aerial image). The selling pavilion building is also of historic interest as a key development of the 1960s, and its retention could be considered. At the very least, it is recommended that this building is photographically recorded if subject to demolition in the future. It is also recommended that the fabric outside the proposed heritage overlay extent is photographically recorded and this information used to interpret the site in the future. Ideally, this interpretive material should be displayed in the Administration Building.

STATEMENT OF SIGNIFICANCE:**What is Significant?**

The Central Victorian Livestock Exchange (Ballarat sale yards), 1020 Latrobe Street, Delacombe, has significance as the longest running and one of the best known and largest Corporation sale yards in Victoria, having opened in 1864. Today, the site is reflective of several redevelopment programs resulting in extensive changes to the sheep and cattle pens and fencing and paving - initially between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. Contained over two large rectangular allotments separated by Gillies Street (and bound by Latrobe, Winter, Learmonth and Brazenor Streets) the site is therefore especially characterised by 20th century redevelopments, although the lineal arrangement of drafting and selling yards and pens appears to be reflective of 19th century practice. Surviving 19th and early 20th century fabric is confined to remnant bluestone pitcher paving in the sheep yards and notably in the single storey, face red brick Administration Building at the southern end of the sheep yard allotment (this allotment being the location of the original cattle yards laid out in 1863 by the Ballarat Council's Town Clerk, Mr Baird). Built in 1909, the Administration Building is characterised by a broad hipped roof form that is surmounted by a monitor light. This building is substantially intact externally and internally. The interior has a symmetrical arrangement of offices accessed by central passages that culminate in a central hall lit by the monitor light above. The offices also feature corner fireplaces (now blocked up) with bracketed timber mantels.

How is it Significant?

The Central Victorian Livestock Exchange (sale yards), 1020 Latrobe Street, Delacombe, is historically and socially significant at a LOCAL level.

The Administration Building at the Central Victorian Livestock Exchange, 1020 Latrobe Street, Delacombe, is architecturally significant at a LOCAL level. The selling pavilion building has architectural interest.

Why is it Significant?

The Central Victorian Livestock Exchange (sale yards), 1020 Latrobe Street, Delacombe, is historically significant as the longest running Corporation Sale Yards in Victoria (Criterion A & H). Built in 1863 having been laid out by Mr Baird, Town Clerk of the Ballarat Council, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the yards were officially opened in February 1864. Since this time, the sale yards have become a regional and state focus for the buying and selling of cattle, sheep and pigs which has manifested in substantial redevelopment programs between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. The Administration Building (also known as the Cattle Yards Office) was built in 1909. The sale yards have particular associations with William Brazenor (1832-1916), cattle yards inspector, architect and publican of the nearby Cattle Yards Hotel. Brazenor was responsible for the earliest construction of the cattle pens in 1863 and from this time he retained a longstanding association with the yards (this is now reflected in an adjacent street being named after him). One of his largest contracts as an architect was the redesign and re-erection of the cattle and sheep yards between 1882 and 1886, a consequence of the considerable demands on the yards and the laying out of a branch railway line for the yards (also to his design). With Samuel Valentine (an early cattle inspector of the Ballarat saleyards), Brazenor invented a sheep and merchandise railway wagon that appears to have been specifically designed for the redeveloped sale yards as well as for sheep and merchandise transportation throughout Victoria, New South Wales and Queensland. The sale yards also have associations with a range of 19th and 20th century stock and station agents in Ballarat, including Norman McLeod and Co., Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., and Dugald Smith and Co. Another longstanding stock and station agency was that of Crawford Dowling Pty Ltd.

The Central Victorian Livestock Exchange (sale yards), 1020 Latrobe Street, Delacombe, is socially significant (Criterion G) as they are valued as a centre for agricultural business between farmers, stock agents and others associated with the livestock industry, a practice that has continued on this site for almost 150 years.

The Administration Building at the Central Victorian Livestock Exchange, 1020 Latrobe Street, Delacombe, is architecturally significant (Criteria D & E) as a substantially intact example of Federation design associated with sale yards operations. The building is also one of the earliest, substantially built and more intact examples of sale yards Administration buildings in Victoria. Other comparable examples include the Federation era brick buildings at the former Newmarket sale yards at Flemington, and the Federation era Market Office building at the Geelong sale yards constructed of corrugated sheet metal (this building has very recently been substantially damaged by fire and it is beyond repair).

DESCRIPTION:

The Central Victorian Livestock Exchange (formerly known as the Ballarat Sale Yards) at 1020 Latrobe Street, Delacombe, comprise approximately 12.3 hectares over two large rectangular allotments separated by Gillies Street South (that is now closed to public traffic). The yards are bound by Winter, Latrobe, Brazenor and Learmonth Streets to the north, south, east and west respectively.



Aerial image of Sale Yards showing the locations of yards and buildings.

Source of aerial: City of Ballarat.

Eastern Sale Yards Allotment

General Setting

The earliest portion of the sale yards is the eastern allotment (east of Gillies Street South). It is largely flat land, although there is an upwards slope at the north end towards Winter Street. This elevated ground is due to the topography of the site as well as a consequence of the former sale yards railway branch line and siding now removed. Outside the northern boundary are a row of Oak trees.

Sheep Yards and Pens

The site is especially characterised by extensive open sheep yards and pens having rectangular and lineal alignments. The eastern and western portions of the yards comprise the drafting pens. Adjoining the draft pens are bays of selling pens arranged in paired rows. The central narrower bay on the site includes additional selling pens together with a pole yard and slightly larger yards. There are also larger yards near the southern boundary. Each paired row of pens is separated by covered walkways having shallow spoon drains (effluent from the adjoining pens drain into the walkways). The covered

structures in the narrow central bay of pens appear to be the earliest surviving, having timber posts with mortised tops that take timber beams in which to support curved corrugated sheet metal roofs. These walkways may date from the mid 20th century. The remaining walkways appear to be of late 20th century construction, having steel posts, beams and bays of rafters, and flat sheet metal roofs.

Much of the early (19th century) fabric that once comprised the yards and pens has been altered or replaced, the earliest remaining fabric being the bluestone pacher paving throughout the western half of the site (shown as darker paving in the aerial image). Portions of the bluestone paving have introduced concrete slurry finishes, with the remainder of the paving being introduced concrete. The selling pens and larger central yards towards the south of the site have timber post and rail fencing and timber gates. The rails are bolted to the large square timber posts, suggesting late 20th century construction (as opposed to the traditional agricultural fencing constructed between the 1860s and 1940s where the posts had narrow vertical mortises that took the horizontal rails). The remaining yards and pens are bound by tubular steel post and rail fences and gates. Particular change is noted throughout the eastern half of the sheep yards, which appear reflect the extensions carried out in 1966-67.



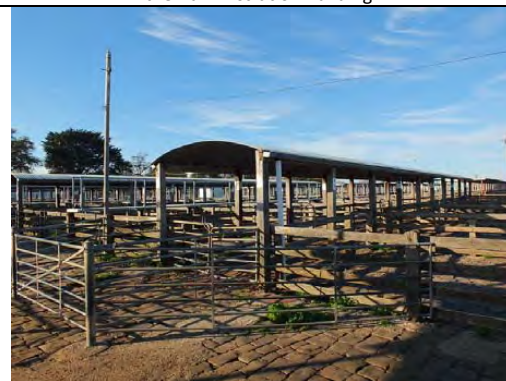
Sheep Yards, 2013.



Sheep Yards, 2013, showing bluestone pachers adjacent to the Administration Building.



Sheep Yards, 2013.



Sheep Yards, 2013, showing walkway.

At the southern end of the sheep yards to the east of the Administration Building are four bluestone and timber stock ramps. These ramps may date from the early 20th century. There are two courses of raised concrete above the bluestone bases, possibly indicating changes in stock transportation and particularly the increased height of stock trucks throughout the 20th century.



Stock ramps, 2013.



Stock ramp, 2013.

Buildings & Other Infrastructure

Administration Building

A landmark feature of the sale yards is the Federation era administration office building that is centrally located near the southern boundary. The symmetrical, single storey, face red brick Federation styled building has a broad hipped roof form surmounted by a hipped lantern light that is crowned by a square finial. These roof forms are clad in corrugated sheet metal. Four symmetrically arranged face brick chimneys with rendered bases and moulded tops adorn the roof line. Broad overhangs with timber lining board soffits are features of the eaves.

The symmetry of the design is accentuated in the elevations. The north and south elevations have central timber framed doorways and flanking bays of original timber framed double hung windows. The east and west elevations feature central doorways as well as flanking doorways in the end bays with timber framed double hung windows between. Some doorways have original timber doors and others have introduced timber and glazed doors, and original timber framed transoms. The elevations are distinguished by rendered stringcourse banding and surrounds to the upper sashes of the windows and the openings of the doors. The window sills are understated, being rendered and sloping within the reveals of the openings. Another notable feature of the design is the stop chamfered brick to the building corners and door openings. Early bluestone picher paving surrounds the building.



Administration Building, north & west elevations, 2013.



Administration Building, north & east elevations, 2013.



Administration Building, south & west elevations, 2013.



Administration Building showing early bluestone pitch paving, 2013.

The symmetrical arrangement of the building is carried into the interior. The layout is unusual, with its four groups of four offices in the corners accessed by a cruciform passage culminating in a central hall lit by the lantern light. This light is supported by an exposed stop chamfered timber frame having bays of fixed timber framed two paned windows. The ceiling is coved and lined in beaded edged timber boards. The offices feature corner fireplaces (now blocked up) with bracketed timber mantels. Other intact original fabric includes the timber floor boards, plastered walls, moulded timber skirtings, and window and door architraves, panelled timber doors, and the moulded dados in the passage walls. The interior is enhanced by a sympathetic colour scheme.



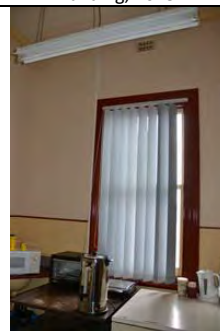
Passage, Administration Building, 2013.



Detail of Monitor Light in central hall of Administration Building, 2013.



Detail of Blocked up corner fireplace in office of Administration Building, 2013.



Window detail in office of Administration Building, 2013.

Other Buildings

Immediately adjacent the Administration building on the north side is a face brick skillion amenities building having wide eaves and corner porches on the south sides. These porches are supported by hollow steel posts. This building appears to date from the 1960s.

At the northern end of the narrow central bay of pens are introduced corrugated sheet metal workshop buildings and a small, detached men's toilet outbuilding. These buildings appear to date from the late 20th century.



Men's Toilet, 2013.



Workshop Buildings, 2013.

Other Infrastructure

To the west of the Administration building is a large round concrete effluent tank. The south-east corner and narrow eastern portion of the site are characterised by open gravelled parking areas.

Western Cattle, Horse and Pig Sale Yards Allotment**General Setting**

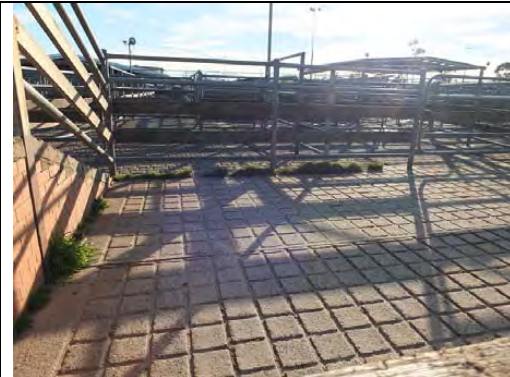
The western portion of the sale yards is bound by Winter, Learmonth, Latrobe and Gillies Streets. It was originally known as Cardigan Square. Today, the eastern portion of the site is characterised by pens and market buildings, with the western portion comprising open grassed land with a dam near the south-west corner. A row of trees defines the western boundary. In the centre of the site appears to be evidence of the former railway reserve and line that traversed the site between Winter and Latrobe Streets. Also centrally situated on the south side of the site is a concrete truck wash area together with a large gravelled parking area, laid out in 1970-71.

Yards and Pens

The north-east portion of the site is defined by yards and pens for cattle, horses and pigs. They are lineally arranged in a similar way to the sheep yards on the east allotment, although they are fenced with tubular steel post and rail fences and gates (with some having timber rails). The yards and pens are paved in fibrous concrete with lines simulating cobblestones. At the east end fronting Gillies Street South are 9 brick stock ramps with concrete platforms and ramps. There are square steel balustrade posts and a combination of timber and hollow steel rails. These yards appear to be those laid out and constructed in the early 1960s.



Cattle Yards, 2013.



Detail of paving in Cattle Pen, 2013.



Stock Ramp, 2013.

Covered Areas & Buildings

Covered Areas

Shallow gabled covered yards are also located within the eastern portion of the site. They are constructed of corrugated sheet metal roof cladding and they appear to date from the 1980s or 1990s.

Selling Pavilion Building

In the south-east corner of the site is the selling pavilion building constructed in c.1963. It is characterised by broad gable roof form having projecting skillion dormers on the northern and south roof faces. These roofs are clad in corrugated sheet metal. The building has brick veneer base walls, with the gable ends also being constructed of vertical tray deck fibre cement sheet cladding with the northern and southern walls having openings above the brickwork. Cantilevered porches project on the south and east sides with door openings underneath. There is a circular concrete water storage tank to the north-west of the building.



Selling Pavilion, north & east elevations, 2013.



Detail of south elevation of Selling Pavilion, 2013.

The interior of the building is supported by an exposed structural steel portal frame. The northern and southern portions have a series of cattle pens with timber post and rail fences and gates, and concrete floors. The centre piece of the interior is the octagonal sales arena having timber post and rail and vertically boarded fencing and gates, with tiered timber seating arranged at the eastern end. At the western end of the arena is the elevated auctioneer's booth also of timber construction.



Interior of Selling Pavilion showing sales arena & tiered seating, 2013.

Additional Pig Selling Pavilion

Of identical design as the selling pavilion building is the neighbouring pig selling pavilion. It has a broad gable roof form with projecting skillion dormers, brick veneer base walls and tray deck fibre cement wall cladding. This building appears to date from 1964. The north-east portion of the building has been altered with a gable extension. There is a circular concrete water tank on the south side of the building.



Pig Selling Pavilion, west elevation, 2013.



Additional Selling Pavilion, west elevation, 2013.

HISTORY:**Initial Acquisition of Land for the Ballarat Sale Yards**

On 31 December 1862, application was made by the Ballarat Municipal Council for the temporary reservation of 15 acres of land together with additional land west of the Public (Victoria) Park at Ballarat West (Delacombe), for the purpose of establishing cattle yards (these yards were later variously known as the Corporation Yards, sale yards and sheep yards).¹ The temporary reservation of the 15 acres (the eastern allotment of the existing sale yards) was subsequently gazetted on 7 July 1863 although the Board of Lands and Works 'definitely declined' to 'entertain an application of the reservation of a larger area for Municipal purposes in connexion with the cattle yards than 15 acres.'² The reservation of the land had resulted from several stock salesmen forcing attention on local councillors on the need for the cattle yards. In return, the salesman promised the patronage of the new yards that were to be erected 'about two miles distant from Lydiard Street.'³ The new yards had a southern frontage to Latrobe Street.

¹ Joseph Comb, Town Clerk, Ballarat Borough Council, to Commissioner of Crown Lands & Survey, 31 December 1862, Crown Land Reserve file Rs 2900, file 5430, Department of Sustainability & Environment (DSE), Ballarat.

² File note, Crown Lands & Survey, 31 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

³ *The Star* (Ballarat), 19 December 1863, p.1S.



Plan showing Cattle Yards, 1863. Source: Reserve file Rs 2009, DSE, Ballarat.

Early Development of the Sale Yards

By November 1863, the Ballarat Borough Council had expended £1800 on the development of a portion of the sale yards.⁴ Laid out by the Town Surveyor, Mr Baird, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the new yards were described in *The Star* (Ballarat) newspaper on 19 December 1863:

“The want of suitable cattle and sheep yards has long been felt in Ballarat. Melbourne, Geelong and Sandhurst have taken the lead of us in this respect, and as a natural consequence the corporations of the towns named receive a handsome remuneration for the money that has been expended in the erection of yards of this description in the towns indicated. The members of the Borough Council of Ballarat have for some time indulged in the idea that yards of this description were much required, but it was not until some six months ago that any definite steps were taken towards the realisation of the idea. About that time the necessity for establishing such yards was forced upon the attention of councillors by several of the local salesmen who gave advice and promised assistance in the way of patronage when the yards were completed. The yards have now been completed. They are situated at the south-west corner of the public park, and about two miles distant from Lydiard Street. From a personal visit, we are enabled to lay the following description before our readers. The contractors were Messrs Flanagan and Brazenor, and the amount of their tender, including extras, was £1865. The yards are well situated, the site having been chosen by the Council and the cattle salesmen. They cover an extent of ground equal to four acres. The entrances to the yards are from the south, east and north sides, through what are termed the delivery gates, which are each 18 feet in width. There are eight of these gates to as many receiving yards. From the latter the cattle will be drafted into the selling pens by gates

⁴ Cr Robert Lewis, Ballarat Borough Mayor, to Commissioner of Crown Lands & Survey, 11 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

which open into the pens. The pens are divided into four divisions or lanes, and rubble-pitched and gravelled all over. The lanes, too, are rubble-pitched and gravelled, and with the pens are surrounded by a four-railed fence 7 feet 6 inches in height, with a hardwood level cap ten inches in width, for sellers and buyers to walk on without danger to themselves from the cattle below. A passage large enough for a man to pass through has been left near each pen, for the purpose of affording facility for escape to any person in the yards in the event of his being attacked by the cattle. The receiving yards are not yet metalled or gravelled, but it would be well if this were done before rainy weather again sets in. Some idea may be formed of the solidity of the timber work about the yards when it is stated that some 1800 posts, varying from 12 to 14 inches, have been used in construction, independent of the sawn timber in the gates, of which 17,000 lineal feet have been used in the fashioning of one hundred and forty-two gates. There are strong locks to the whole of the outer gates, and latches to the inner ones. The gates are put together with iron bolts and screws, and the caps are all fixed to the posts with iron hoops and straps. The pitching alone amounts to 6500 yards, and over this has been spread about one thousand loads of gravel. Six ponds have been formed in the yards, which will be fed by pipe laid from the site of a reservoir about to be constructed within the Public Park. The surface water at present is running through these pipes into the ponds. The pipes are composed of iron, and are supplied with stopcocks. The bottoms of these shallow ponds have been pitched with square-dressed bluestone, and gravelled all over. The good result of this arrangement is seen in several fine basins of water as clear as crystal. The excessive water makes its escape by a by-wash, so that a running stream will be kept up all the year. When the cattle are disposed of, they will be driven into a lane, 18 feet in width, securely fenced in, which extends along the entire western side of the yards, and to which there are two ponderous gates. Thence they will be driven away by the owners. The cattle pens have been so formed as to admit of a fall from each for drainage purposes into the intervening avenue. This latter is rubble-pitched and gravelled, and formed so as to carry off the surface water into a gutter than runs into a drain at the west side of the yards. The yards are capable of receiving about 2000 head of cattle at one time. To the west of the cattle yards and in proximity thereto, the Council is now having sheep pens erected. The contractor for this part of the work is Mr McKenzie, and the amount of his tender is £528; so that both the cattle and sheep yards will cost the Council a sum of £2393 when the latter shall be finished. It is confidently expected that the revenue derivable therefrom will reach the handsome sum of £1000 per annum at least. The sheep yards will be fenced with sawn timber, and will cover an extent of upwards of an acre of ground. These yards will be divided into sixty-four pens, and have been successfully planned to suit both buyers and sellers. ... The site of the yards has been rubble pitched and sanded, and the Council anticipates that the speculation will turn out as profitable, if not more so, than the cattle sale yards. ... The Council, we understand, proposes forming a road from Pleasant street through the Public Park to these yards, and already there is some talk of a public-house being erected in proximity to the yards. We should mention that the plan of the yards was prepared by Mr Baird, the Town Surveyor, and the works were executed under the superintendence of Mr W. Gant."⁵

In January 1864, Samuel G. Valentine and Simon Cadden were elected as Inspectors of the Cattle Yards at Ballarat West,⁶ in anticipation of the opening of the yards in early February 1864, as described in *The Star* newspaper:

The Ballarat West cattle sale yards may now be looked upon as an accomplished fact and both buyer and seller have already experienced the advantage of having provided for them such market accommodation as will meet every possible requirement. The cattle sale yards erected by the Borough Council of Ballarat West are situated at the south-west end of the town, and about a quarter of a mile from the No. 1 shaft of the Band of Hope Gold Mining Company. They are placed in the midst of the gold field common and the town common, and are well supplied with water from the Swamp, which is pumped by means of a windmill, and conveyed

⁵ *The Star*, *op.cit.*

⁶ *Ibid.*, 24 January 1864, p.15 & *Warragul Guardian & Buln Buln & Narracan Shire Advocate*, 22 September 1891, p.3.

to the yards through pipes. The Council has long been urged by the cattle salesmen of Ballarat to erect such yards;"

"The cattle yards and the sheep yards have up to the present date cost the Council £2426 3s 3d, and it is proposed, before the winter sets in to metal four receiving yards at a cost of £360, and to pitch the remaining portion of the sheep yards at an expense of £200. It is also proposed to form that portion of the roadway leading from Pleasant street by way of the Band of Hope Company's shaft to the yards, which will cost about £600.

... People who saw the cattle yards for the first time on Tuesday, were astonished at their completeness ... Since our previous visit, however, we find that the Council has erected a suite of offices for the cattle salesmen, six in number, in proximity to the yards, and not far from the Cattle Inn, owned by Mr Brazenor, who has been to some trouble and expense in the erection of stables, outhouses, &c., for the accommodation of his visitors.

On Tuesday morning about eleven o'clock the members of the Council and several friends left the town hall and proceeded to the yards. On their arrival they met a goodly crowd of salesmen, butchers, and others. After inspecting the stock in the yards, both sheep and horned cattle, it was announced that the sale would take place after luncheon. The Council provided the luncheon, which was served up by Mr Brazenor in capital style. Some hundred or more persons having partaken of a substantial repast.

... The Council has expended £2400 on the cattle yards, and £540 on the sheep yards. With £500 or £600 more, it was expected that the yards would be the most complete establishment of the kind in the colony, especially when the Council had the road made all the way from Pleasant street to them.⁷

By 1867, the Ballarat Borough Council continued to pursue the acquisition of additional land for sale yards purposes. Having expended £5,000 in the erection of the yards, the Council complained to the Crown Lands and Survey Department of a person applying for a residence 'on a portion of the ground to the injury of the business of the Corporation Yards.'⁸ An officer of the Board of Land and Works visited the site and found the presence of McMahon's public house in close proximity to the sheep yards and concluded that it 'would interfere with the working of the same.'⁹ At this time, the Council further expanded the operations of the yards and in 1869 the horse and cattle sale yards 'were nearly completed' and 'a portion of the eastern end of the yards [were] to be used for the present as a pig market.'¹⁰ Further extensions to the sheep yards were carried out in 1870.¹¹ The pens were fenced with timber posts and rails using mortise and tenon joints. Small separate office buildings serving the sheep and cattle yards had been built near the southern boundary of the reserve by this time.¹²

⁷ *The Star*, 3 February 1864, p.2.

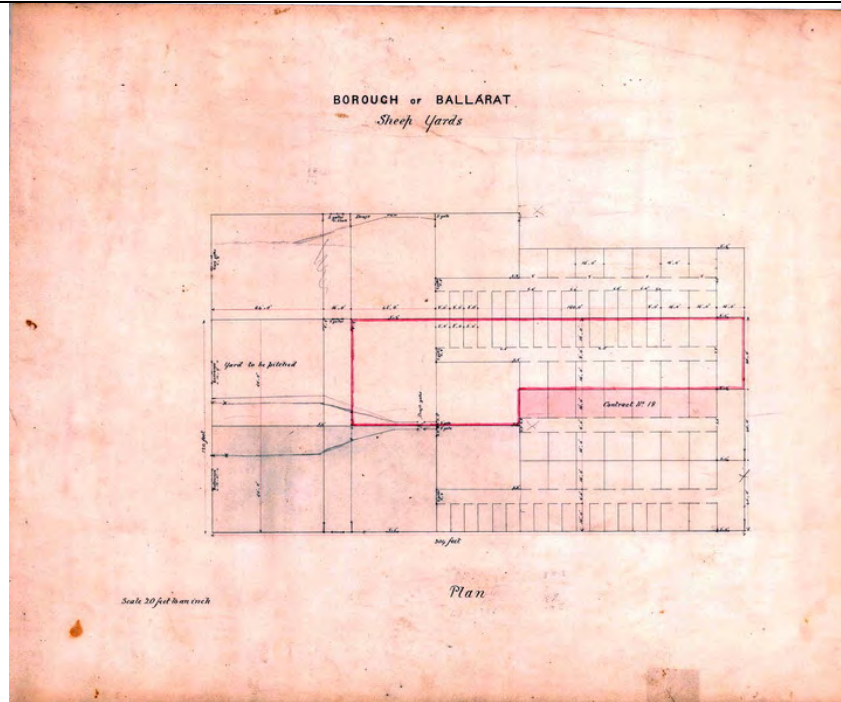
⁸ Joseph Comb, Town Clerk, Ballarat Borough Council, to President of Crown Lands & Survey, 29 May 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁹ Officer of Board of Land and Works file note, 14 May 1868, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

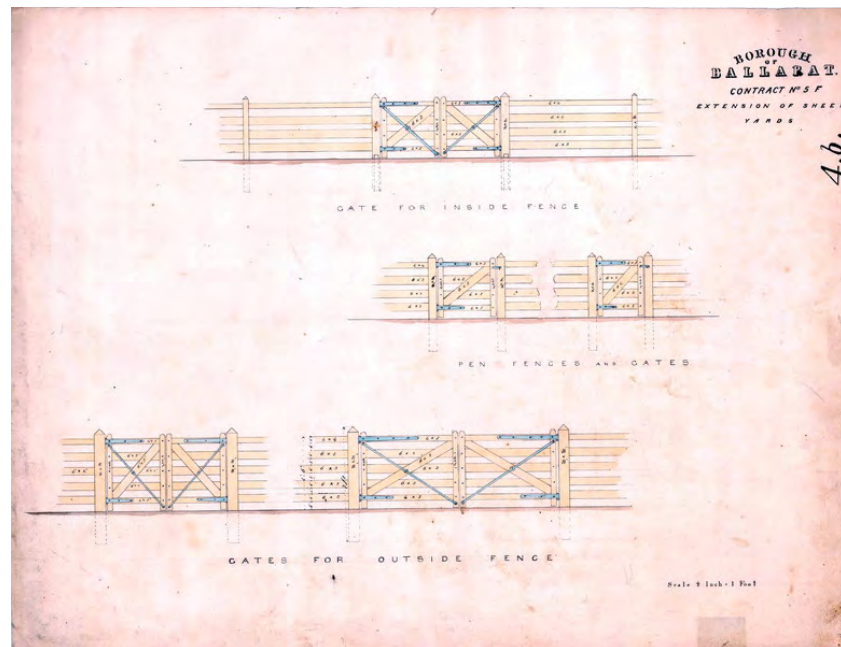
¹⁰ *Ballarat Star*, 6 January 1869.

¹¹ Borough of Ballarat Contract No. 3 F, Extension of Sheep Yards, 4 drawings, 1870, Town Hall, City of Ballarat.

¹² Ibid. The offices are shown on a plan of the sale yards site.

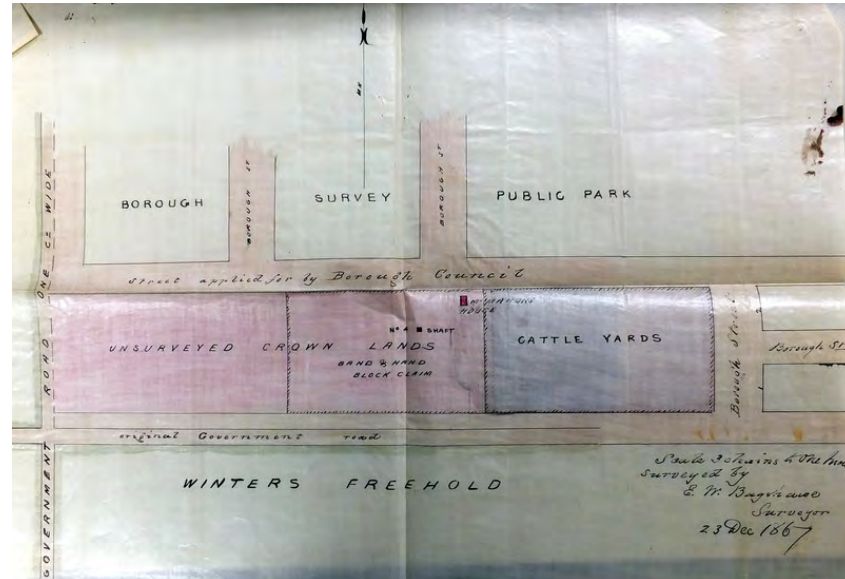


Plan of Borough of Ballarat Sheep Yards, 1870.
Source: Drawing id. 069-072, Town Hall, City of Ballarat



Gate & Fence Details for Extension of Borough of Ballarat Sheep Yards, 1870.
Source: Drawing id. 069-072, Town Hall, City of Ballarat

McMahon’s public house and the Hand and Band Company No. 4 shaft were situated on land immediately west of the original yards.¹³ This land to the west of the yards was subsequently surveyed as a 17 acre rectangular allotment initially intended as a public square under the name of Smithfield and later Cardigan Square.



E.W. Bagsizawe, Surveyor, Plan of Cattle Yards & Cardigan Square, 23 December 1867.

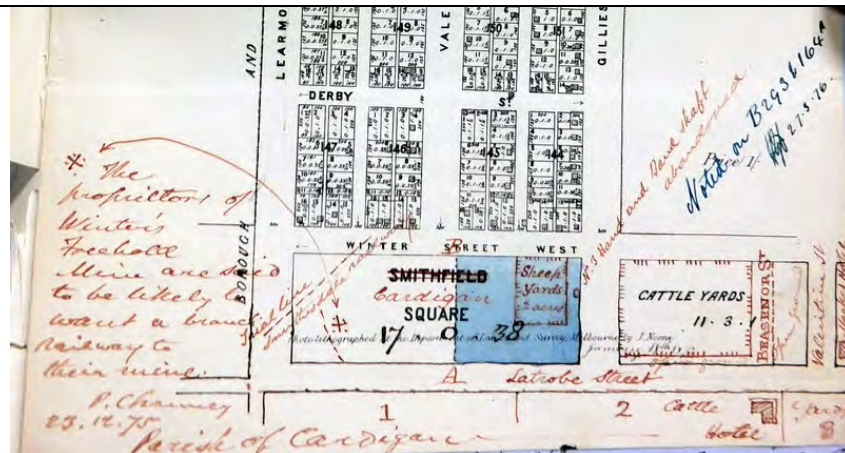
Source: Reserve file Rs 2009, DSE, Ballarat.

In 1875, the Council sought the eastern portion of Cardigan Square for use as sheep yards and it soon erected 2 acres of yards at a cost of £80.¹⁴ These yards and the adjacent cattle yards (separated by Gillies Street) were shown on an annotated plan dated 23 December 1875. The western portion of Cardigan Square was proposed to be traversed by a branch railway line to the Winters’ Freehold mine to the south of Latrobe Street. It was in 1876 when 7 acres, 2 roods and 11 perches were temporarily reserved from Cardigan Square as an additional site for the Corporation sale yards.¹⁵

13 See Plan of Cattle Yards and Cardigan Square, 23 December 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

14 File note by District Surveyor of Ballarat, 21 December 1875, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

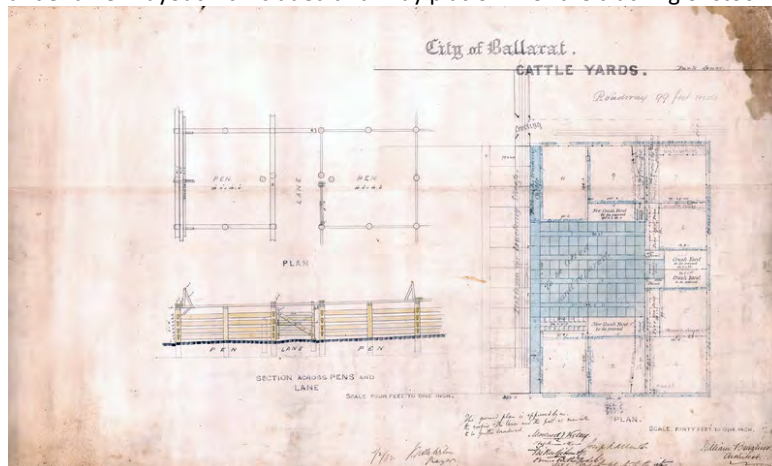
15 File note by Minister of Lands, 24 March 1876, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.



Annotated Plan showing Cattle Yards & newly laid out sheep yards on Cardigan Square, 23 December 1875. Source: Reserve file Rs 2009, DSE, Ballarat.

Major Changes to the Sale Yards in the 19th Century

In the early 1880s, William Brazenor, neighbouring publican and local architect, had been appointed an Inspector of the Cattle Yards.¹⁶ In his joint capacity as architect and inspector with much experience in the operations of the yards, Brazenor played a key role in extensive improvements to the yards at this time, with the Council borrowing £10,000 for the purpose.¹⁷ Impetus for the major changes at the yards was due to the overwhelming increase in the stock passing through the yards. In 1864, 9,362 cattle and 35,572 sheep passed through the yards.¹⁸ In 1880, this number of jumped to 19,599 cattle and 445,427 sheep.¹⁹ The extensive changes by Brazenor included the re-erection of the cattle and sheep yards under a new layout. It included a railway platform for the trucking of stock.²⁰



W. Brazenor, City of Ballarat Cattle Yards, Plans and Section, 1882.

Source: Drawing id. 018, Town Hall, City of Ballarat.

¹⁶ *Bendigo Advertiser*, 7 December 1883, p.2.

¹⁷ *The Argus*, 11 March 1864, p.7.

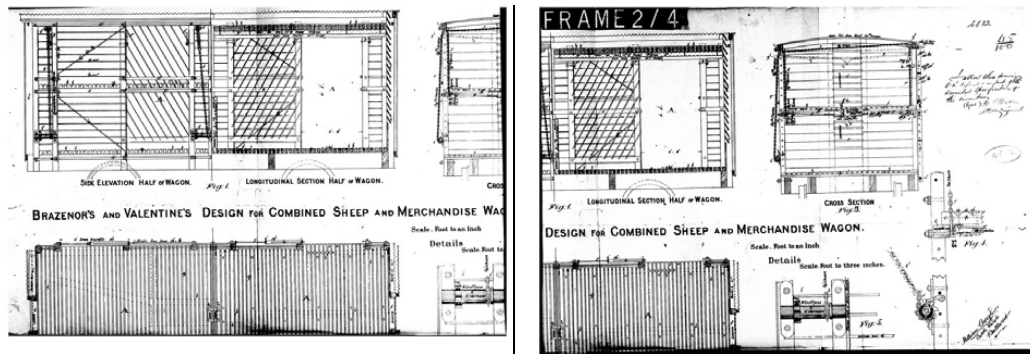
¹⁸ *City of Ballarat Mayor's Special Report*, 17 January 1881, p.ix, Public Record Office Victoria, Ballarat.

¹⁹ *Ibid.*

²⁰ W.B. Kimberley (ed.), *Ballarat and Vicinity: a condensed but comprehensive account of her financial, commercial, manufacturing, mining, and agricultural enterprises: her progress and population in the past and possibilities in the future*, F.W. Niven, Ballarat, n.d. [1894], p.129.

The provision of the railway trucking yards at the sale yards was seen as having great potential for more efficient stock transportation. With Samuel Valentine (original Cattle Yards Inspector) Brazenor invented an 'improved convertible sheep and merchandise wagon' that was registered as patent 4632 on 21 July 1886²¹ which appears to have been initially intended for use at the Ballarat sale yards as well as elsewhere. Brazenor and Valentine described their invention as follows:

This invention has been designed for the purpose of constructing a railway wagon of that description which may be used either for sheep or for general merchandise, and its novelties relate first; to the method of constructing the grating floors. Second, to the construction of the movable floor for the upper compartment with an under ceiling and to the means devised for raising and lowering it and for securing it up to the ceiling of the wagon when it is used for goods or merchandise. Third, to the means of hanging the side doors or handles, and fourth, to the method of housing the canvas curtains at the ends of the wagon or carriage on either side of a central louvre panel.²²



Brazenor & Valentine, Design for Combined Sheep and Merchandise Wagon, 1886. Source: State Library of Victoria, MF 367.

Brazenor & Valentine, Design for Combined Sheep and Merchandise Wagon, 1886. Source: State Library of Victoria, MF 367.

Detailed descriptions of the railway wagon invention were soon published in a number of newspapers, including the *Camperdown Chronicle* on 28 August 1886.

At this time (1886), the Administration Office for the Salesmen was situated adjacent to the Cattle Yards Hotel on the south side of Latrobe Street. This was the location of the business part of the sale yards operation. Several of Ballarat's early stock and station agents met there, including Norman McLeod and Co., Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., and Dugald Smith and Co.²³ Another longstanding stock and station agency was that of Crawford Dowling Pty Ltd that was established in 1856.²⁴

²¹ *Victoria Government Gazette*, no.85, 6 August 1886, p.2258.

²² W. Brazenor & S. Valentine, 'Sheep truck', International Patent Office, Edward Waters, Amended Specification, patent no. 4632, 1886, State Library of Victoria, MF 367.

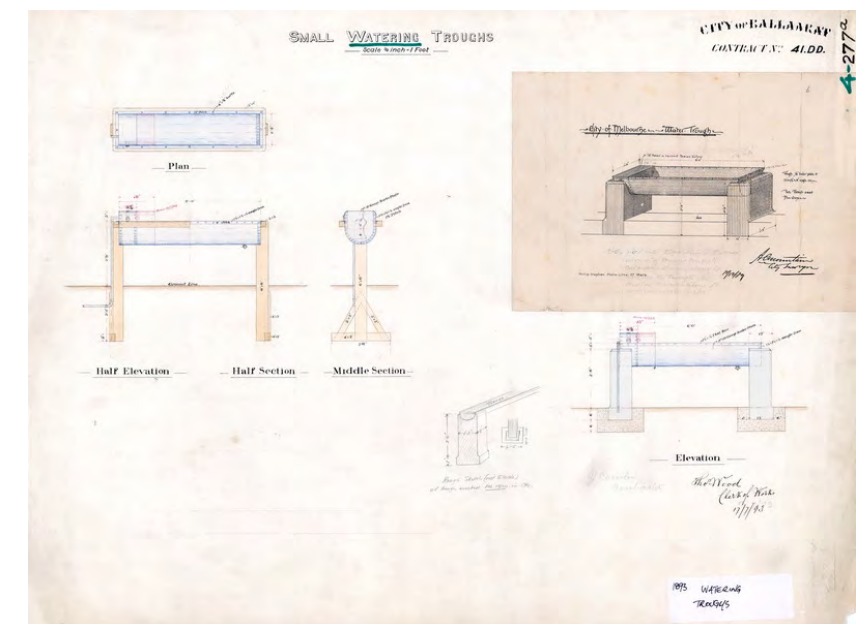
²³ *Ballarat Star*, 22 December 1869, lists the agents identified.

²⁴ The letter head to a letter by R. Crawford of Crawford Dowling Pty Ltd, Stock and Station Agents, Cattle, Sheep, Pig and Land Salesmen, dated 30 December 1935, states that the company was established in 1856. See VPRS 2500, Unit 183, Public Record Office Victoria, Ballarat.

Confidence for carrying out the major and expensive improvements to the sale yards by the Ballarat City Council resulted from the formal Grant of 26 acres 2 roods and 4 perches of the sale yards in 1886.²⁵

Late 19th Century Improvements

Further improvements were made to the sale yards in the later 19th century. They included the provision of small metal watering troughs on timber stands in 1893, the design having been based on the water troughs in the City of Melbourne.²⁶ A small gabled water closet of timber construction was proposed in 1895, and a stable and shed were to be repaired.²⁷



Small Watering Troughs, City of Ballarat, 1893.
Source: Drawing id. 004, Town Hall, City of Ballarat.

Development of the Sale Yards in the 20th Century

Early 20th Century Changes to Yards

In 1903, alterations and additions were proposed to the sheep pens, including a subdivision into smaller pens.²⁸ This was followed in 1911 with a proposal to construct abattoirs to the north-west of the cattle yards.²⁹ By 1920, the sale yards were extensive as shown in the following photograph:

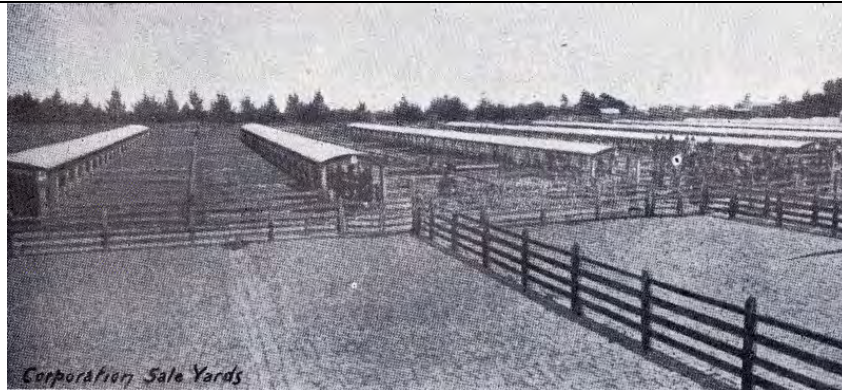
²⁵ See Draft Grant of a Site for Cattle Yards, 1886, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

²⁶ City of Ballarat Contract No. 41.DD, Small Watering Troughs, 17 July 1893, drawing id. 004, Town Hall, City of Ballarat.

²⁷ City of Ballarat Contract No. 25.QQ, For Cattle Yards, Closet, Stable & Shed to be Repaired, 18 February 1896, drawing id. 020, Town Hall, City of Ballarat.

²⁸ City of Ballarat Contract No. 11/1903, Additions and Alterations to Sheep Pens, Corporation Sale Yards, 1903, drawing id. 001, Town Hall, City of Ballarat.

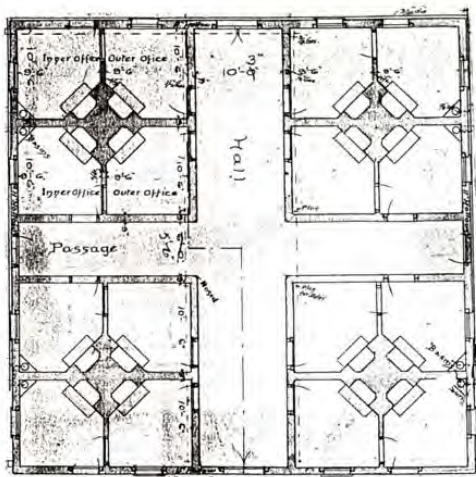
²⁹ Sites Proposed Abattoirs and Nigh Soil Depot, Site Plan, 1911, drawing id. 002, Town Hall, City of Ballarat.



Corporation Sale Yards, c.1920. Source: *Ballarat Illustrated: for enterprise, education & health*, engraved by Wilson Campbell, under the seals of the City & Town Councils of Ballarat, c.1920.

Administration Building

Another important development at the sale yards was the construction of a brick Administration Building near the southern boundary of the original portion of the sale yards (bound by Latrobe, Gillies, Brazenor and Winter Streets). First known as the Cattle Yards Office, the building was not constructed until 1909, probably to a design by the Ballaarat City Council. The original drawing for the building was signed by Arthur Farrei, City Surveyor on 13 February 1909.³⁰ It showed a hipped roof brick building with a crowning lantern, symmetrical chimneys and brick chimneys with rendered banding. The windows and doors were regularly arranged, continuing the balance to the design. Internally, a cruciform passage separated four groups of four offices in the corners (known as inner and outer offices). The building was completed on 23 September 1909.³¹



Plan of Administration Building, 1909. Source: Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, 1980.



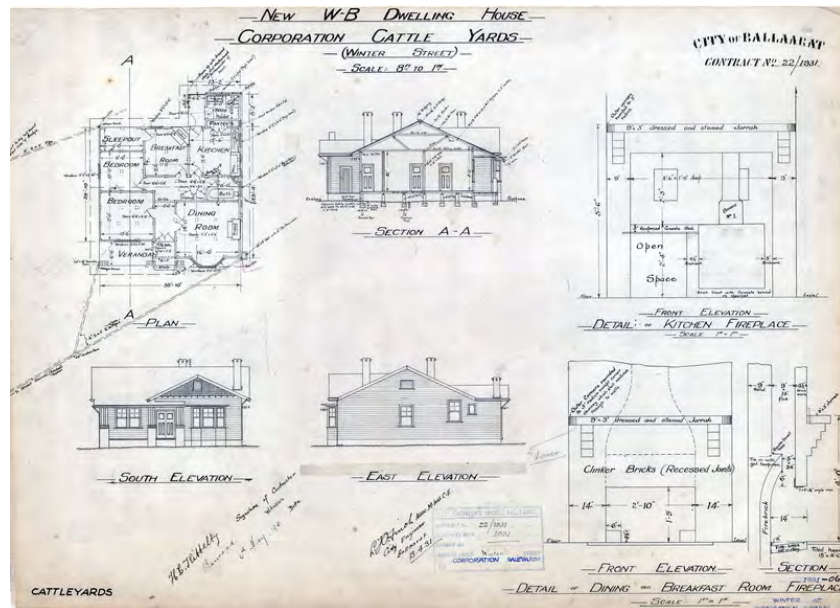
Elevation drawing of the Administration Building, 1909. Source: Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, 1980.

30 Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, prepared for the City of Ballarat, 1980, pp.59-60.

31 Ibid.

Caretaker's Dwelling

A caretaker's dwelling was proposed at the sale yards in 1931.³² The single storey, interwar Californian Bungalow styled dwelling was to be constructed of timber weatherboards and feature a major gabled roof form that was to traverse the site and extend at the front to form a verandah, together with a minor projecting gabled wing. The dwelling was to be located at the north-west corner of Winter and Brazenor Streets.³³ It is unclear whether this dwelling was built (there is no physical evidence of the dwelling on the site today).



New Weatherboard Dwelling, Corporation Cattle Yards, Plan, Elevation & Section Drawings, 1931.

Source: Drawing id. 006, Town Hall, City of Ballarat.

Wartime Railway Easement

In 1941, a railway easement was created over a portion of the sale yards land (the western allotment originally known as Cardigan Square) to serve the Commonwealth Government's Guncotton Factory to the south of the sale yards.³⁴ In 1962, the Imperial Chemical Industries of Australia and Zealand Company took ownership of a portion of the Guncotton Factory land and the right to use and maintain the railway line that traversed the sale yards.³⁵ This railway reserve soon became redundant and in 1971 the railway reserve throughout the sale yards was revoked.³⁶

Other Improvements in the 1940s

In 1946, new calf pens and a sheep loading ramp were proposed. The pens and gates were to be constructed of timber, having timber posts and rails with traditional mortise and tenon joints.

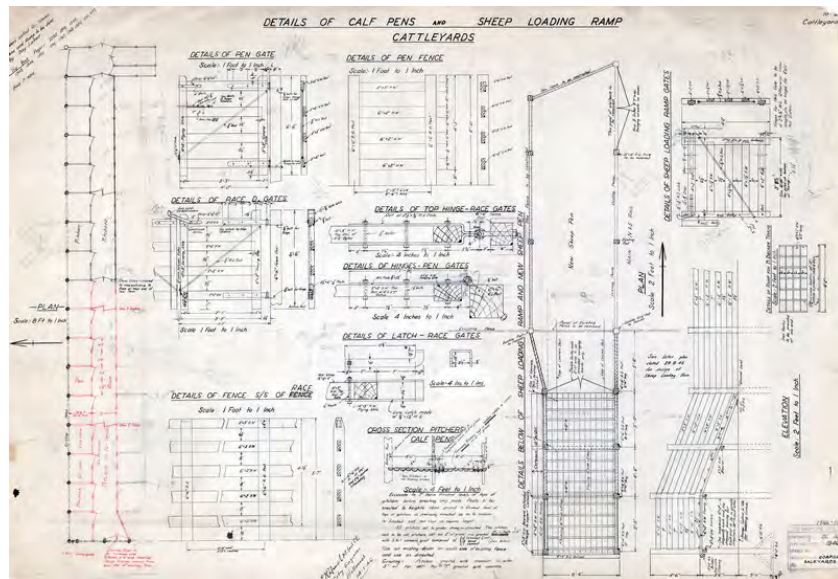
³² City of Ballarat Contract No. 22/1931, New W-B Dwelling House Corporation Cattle Yards (Winter Street), 13 May 1931, drawing id. 006, Town Hall, City of Ballarat.

³³ Cattleyards House at the N.W. Corner of Winter & Brazenor Streets, Ballarat, floor plan, 1931, drawing id. 006A, Town Hall, City of Ballarat.

³⁴ E. Prewett, Chief Estate Officer, Victorian Railways, to the Secretary for Lands, Department of Crown Lands & Survey, 18 August 1971, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

³⁵ Ibid.

³⁶ Ibid.



Details of Calf Pens and Sheep Loading Ramp, Cattleyards, plan, elevation and detail drawings, 1946.
Source: Drawing id. 011, Town Hall, City of Ballarat.

Major Changes from the 1960s

Throughout the early and mid 20th century, the Ballarat sale yards continued to provide a location for the buying and selling of cattle, calves, sheep, lambs, horses, pigs and bulls. In 1953, there were 28,510 cattle, 338,793 sheep and 33,654 pigs that passed through the yards.³⁷ Such large numbers of stock resulted in another major redevelopment program of the site over a ten year period from the early 1960s. In 1964, the *Mayor's Annual Report* described the new development:

The rebuilding of the Corporation Saleyards, which was fully recorded in the Mayor's Report of 1963, advanced a step further this year with the opening of another section of cattle pens, complete with five loading ramps, 140 selling, holding and drafting pens, and ancillary races. The saleyards have had a busy year, with the completion of the new selling yards, and this trend should continue as the facilities become more widely known. In the sheep and lamb selling sections the progressive renewal of drafting yards and holding pens continued, with the assistance of Government subsidies. The loan programme for next year includes the provision of a vehicle washing bay, and extension to the pig selling pavilion to provide added shade to some of the pens, and protection during the wet season.³⁸

Much of the works carried out in the 1960s occurred on the western allotment of the sale yards (former Cardigan Square). A feature of the redevelopment was a selling pavilion constructed in the south-east corner. It was built with a broad gabled roof form with projecting skillion dormers, and inside it contained an octagonal sales area with tiered timber seating. Given the increase in popularity in pig sales, an extension was made to the pig selling pavilion in 1963-64. An area was also concreted for use as a truck wash.³⁹

³⁷ *City of Ballarat Mayor's Annual Report, 1973-74*, Public Record Office Victoria, Ballarat.

³⁸ *Ibid.*, 1963-64.

³⁹ *Ibid.*, 1964.

By 1966, the Corporation sale yards were claimed to be 'one of the best markets in Victoria.'⁴⁰ This led to additional and improved facilities for the selling of sheep and lambs on the eastern allotment of the reserve.⁴¹ A long term loan of \$20,000 had been taken out by the Ballarat Council for the improvements.⁴² With unusually dry weather conditions in 1967, the market expanded even further, and a special grant of \$40,500 for rebuilding the sheep yards was made available by the Victorian State Government, being matched on a \$1 for \$1 basis.⁴³ It was anticipated that the 'new plans will provide modern selling and yarding facilities and necessary drainage work to build an up-to-date stock selling outlet.'⁴⁴



Cattle Yards at the Sale Yards, 1966-67. Source: *Mayor's Annual Report, 1966-67*, PROV, Ballarat.



Sheep Yards at the Sale Yards, 1967-68. Source: *Mayor's Annual Report, 1967-68*, PROV, Ballarat.

By 1968-69, the Ballarat City Council had expended almost \$500,000 on rebuilding and extending the facilities at the sale yards.⁴⁵ In 1970, another extension to the pig pavilion had been completed and in the following year a truck unloading area at the western end of the sale yards was sealed.⁴⁶

Major Changes in the 1970s and 1980s

In 1971, the continuing demand at the sale yards brought about a revision of the master plan. Designs were approved for a number of improvements, with new holding pens and delivery ramps proposed in the cattle section, and the truck wash was to be relocated 'within the Gillies Street Depot area to permit additional unloading and drafting facilities, and an extra 24 selling pens will be constructed.'⁴⁷ Bluestone picher paving was also replaced in the major selling extensions (a replacement process that appears to have begun in the 1960s), bringing 'all pens to a uniform standard.'⁴⁸ These works were completed during the year of 1973-74.⁴⁹ An aerial photograph of the sale yards site at this time reveals the locations and layouts of the selling pens and yards, pig pavilions (to the right in the foreground) and the Administration building south of the sheep pens (to the right in the background). A row of mature Cypress trees formed the southern boundary to Latrobe Street adjacent to the Administration building.

40 *Ibid.*, 1966-67.

41 *Ibid.*

42 *Ibid.*

43 *Ibid.*, 1967-68.

44 *Ibid.*

45 *Ibid.*, 1968-69.

46 *Ibid.*, 1971-72.

47 *Ibid.*, 1972-73.

48 *Ibid.*

49 *Ibid.*, 1973-74.



Aerial view of the Sale Yards, 1973-74. Source: *Mayor's Annual Report, 1973-74*, PROV, Ballarat.

A further redevelopment and extension program was proposed in 1979. The necessary approvals were given and the cost of the works was estimated at \$500,000.⁵⁰ These changes were again due to the increased demand. In 1974, 77,347 cattle, 5,626 calves, 412,691 sheep, 290,863 lambs, 232 horse, 91,551 pigs and 1,435 bulls passed through the yards.⁵¹ The railway reserve at the northern end of the site was surrendered and new yards constructed in this location.⁵² The 'old' sheep yards were rebuilt and additional holding pens and unloading ramps constructed by S.J. Weir and Co. Alsteel Constructions were also involved in the holding yard extensions. The works were completed by 1980.⁵³

In 1981, cattle scales were installed and they were formally opened by the former Minister of Agriculture, the Hon. T Austin.⁵⁴ Scales for the selling of pigs had also been installed and this was 'the first such installation in Victoria.'⁵⁵ At that time, Ballarat had 'the largest pig sales in Victoria, averaging approximately 2,000 per week, and it is remarkable that these pigs come from the extremities of the State and from New South Wales.'⁵⁶

Further major works occurred in 1988. Costing \$598,000, the redevelopment program included the replacement of 98 cattle selling pens and 38 bull pens, the replacement of drafts at the western end of the sheep yards, the rebuilding of pig loading and unloading ramps, and the purchase of the railway reserve on the northern side of the yards.⁵⁷ By this time, the sale yards operated 'at arms length from Council and all revenue' was returned to the yards operation.⁵⁸

50 *Ibid.*, 1979.

51 *Ibid.*, 1973-74.

52 R.J. Meggs, Licensed Surveyor, Department of Crown Lands & Survey, Survey Branch, Division Surveyor's Report, Township of Ballarat, 11 February 1980, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

53 *City of Ballarat Mayor's Annual Report*, 1980, op.cit.

54 *Ibid.*, 1982.

55 *Ibid.*

56 *Ibid.*

57 *Ibid.*, 1988.

58 *Ibid.*

Recent Developments

It appears that the name of the sale yards had changed to the Ballarat Livestock Selling Centre in 1991.⁵⁹ In recent years, the sale yards became known as the Central Victorian Livestock Exchange (CVLX) which continued to be owned by the Ballarat City Council but operated by Regional Infrastructure Pty Ltd. On 1 May 2010, the sale yards were purchased from the Ballarat City Council by Palisade Investments and the site continues to be operated and managed by Regional Infrastructure.⁶⁰

Today, the Ballarat sale yards has a reputation as one of the best known sale yards in Victoria.⁶¹ In 2006-07, over 1.5 million sheep passed through the sale yards and 56,000 cattle.⁶² Palisade and Regional Infrastructure have commenced the development of a new facility at Miners Rest to replace the existing yards.

William Brazenor

William Brazenor was born in 1832 in Shropshire, England, where he was initially educated.⁶³ He later went to Birmingham where he was articled to an architect and surveyor.⁶⁴ For the next ten years he worked as an architect and in 1857 at the age of 25 he emigrated to Australia where he accepted a position as a draftsman under the city surveyor of Melbourne.⁶⁵ Three years later, he resigned from his Government appointment and began contracting work. Throughout the early 1860s he worked on a Government tender for the erection of railway station yards as well as the Ballarat Corporation cattle yards.⁶⁶ During his work at the Ballarat cattle yards, he built a hotel nearby that became known as the Cattle Yards Inn.⁶⁷ As this investment proved highly profitable, he did not return to Melbourne, living instead at the Cattle Yards Inn where he continued a strong interest in the cattle yards and more broadly agricultural practices. Simultaneously, Brazenor practised as an architect and he combined his interest in the agricultural sphere through the re-erection of the Ballarat cattle and sheep yards in the 1880s, as well as H. Bath's carriage factory, offices in Lydiard Street, and Mr. Coghlan's carriage factory in Mair Street.⁶⁸ Between the 1880s and 1900, he designed a show shed, hall, exhibition dog shed and grandstand at the Ballarat Showgrounds for the Ballarat Agricultural and Pastoral Society.⁶⁹ In conjunction with Samuel Valentine, Brazenor won first prize for the Melbourne cattle and sheep yards at Flemington and in 1886 they patented a sheep railway wagon invention.⁷⁰ In 1901, he designed improvements to the Hampden and Heytesbury Pastoral and Agricultural Society showgrounds.⁷¹ Warehouses, stabling and stores were also designed for private properties in Ballarat between 1903 and 1911.⁷² Brazenor also designed many other buildings in Ballarat, including the North Grant Hotel in Bridge Street and Kelsall's Buildings at the corner of Mair and Lydiard Streets (which featured a

59 *Ibid.*, 1991.

60 See <http://www.cvlx.com.au/aboutus.html>

61 *Ibid.*

62 *Ibid.*

63 Kimberley, *op.cit.*

64 *Ibid.*

65 *Ibid.*

66 *Ibid.*

67 *Ibid.*

68 *Ibid.*

69 *Ibid.*. See also *The Argus*, 17 September 1881, p.11, 12 November 1891, p.6 & the *Ballarat Courier*, 22 September 1916, p.7.

70 Kimberley, *op.cit.* & *Victoria Government Gazette*, *op.cit.*

71 *Camperdown Chronicle*, 1 October 1901, p.2.

72 Kimberley, *op.cit.* & G. Sweely, Database of City of Ballarat Building Permit Books, 1900-1912, City of Ballarat.

telescopic lift).⁷³ Brazenor had taken into partnership Arthur Tweedie until Tweedie's untimely death in 1892 at the age of 24.⁷⁴



William Brazenor, c.1888. Source: Album of security identity portraits of members of the Victorian Court, Centennial International Exhibition, Melbourne, 1888, Latrobe Picture collection, State Library of Victoria, accession H28190/402.

In addition to his involvements with the Ballarat sale yards, Cattle Inn Hotel and his architectural practise, Brazenor was a keen follower of the hounds, being one of the founders of the Ballarat Coursing Club. He filled the position of flag steward for many years. In 1894, Brazenor was described as follows:

In appearance Mr Brazenor is a typical English huntsman, and it is from the old country probably that he inherits his love for that oldest noble English pastime. He is a hearty, happy gentleman, full of good-will and laughter. As an architect he holds a prominent position; as a huntsman he is pre-eminent; and as a man he is widely known and respected.⁷⁵

Brazenor died on 21 September 1916, at the age of 84.⁷⁶

COMPARATIVE:

Contextual Background to Early Markets in Ballarat⁷⁷

Influential on the development of markets was the Municipal Institutions Act of 1854 related to the conducting of markets, being one of the most important roles of fledgling municipal governments. In Ballarat, Ben Hepburn commenced a livestock selling business in 1856 when he organized cattle and horse sales at the Turf Yards in Creswick Road, beyond the cemetery. After 1860, Hepburn went into partnership with John Leonard and later H.E. Rowe. A horse bazaar had also been established by O'Farrell and by 1870 it was conducted by Hepburn and O'Farrell.

⁷³ Kimberley, *op.cit.*

⁷⁴ *The Argus*, 22 April 1891, p.1.

⁷⁵ Kimberley, *op.cit.*

⁷⁶ *Ballarat Courier*, *op.cit.*

⁷⁷ Taken from A. Begg Sunter, 'Ballarat Cattleyards and Markets', manuscript, provided June 2007.

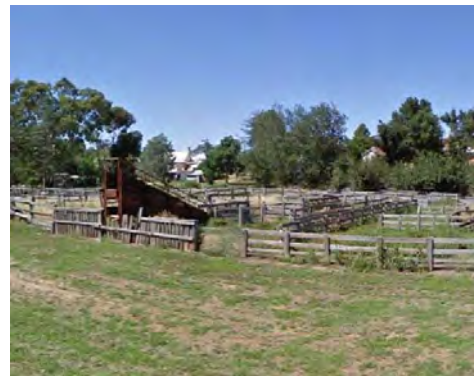
A market was established in the centre of town in Stuart Street in the location of the Thomas Moore statue. In the 1880s, the market was relocated to Armstrong Street next to the Town Hall. There was also a market reserve between Curtis and Mair Streets in 1861 as well as a reserve in the present Civic Hall Site.

Inventory of Sale Yards in Victoria

The following inventory is taken from the 'Geelong Sale Yards' Conservation Management Plan prepared by the authors in 2007. It has relied on the table prepared by R.J. Kaufman of LRGM – Services in the 'Conservation Management Plan and Interpretation Plan for the Rotunda (Sales Ring), Bairnsdale Regional Saleyards', prepared for the Eastern Gippsland Shire Council in 2003. Other rural sale yards have also been identified, particularly through responses from heritagechat (online heritage chat group) in 2007.

Avoca Stock Yards, Avoca, built from 1926. Pyrenees Shire, HO202, municipal yards.

Initially built from bush timber, the Avoca Stock Yards have significance for their associations and characteristic qualities. The stockyards and their unusually close proximity to the main street, clearly illustrate the importance of farming in the local economy. Their construction of bush timber, is typical of a period before iron or aluminium was widely used in fencing structures.



Source: W. Jacobs & K. Twigg, 'The Pyrenees Shire Avoca Shire Heritage Study 1864-1994', prepared for the Pyrenees Shire, 1995, vol.3. Image: Googlemaps, 2010.

Bairnsdale Regional Sale Yards & Rotunda, built 1941.

East Gippsland Shire, HO39, municipal yards. The Bairnsdale Sales Rotunda is of State cultural heritage significance because of its historical associations with the pastoral and horse-breeding industries, typological rarity as a pre-1950s livestock selling ring (and saleyards building), and the aesthetic qualities of its unusual construction.



Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Photo source: Opening Day, Bairnsdale Sale Yards, 1941, La Trobe Picture Collection, State Library of Victoria, image no. b.51134.

Benambra Sale Yards, possibly established during the interwar period. East Gippsland Shire, no heritage status, private yards.



Source: Linda Barraclough, Gippsland Heritage Journal, June 2007.

Photo source: Benambra Sale Yards, 1947, La Trobe Picture collection, State Library of Victoria, image no. b51063.

City of Ballarat Heritage Assessments

2013

PLACE NAME: Central Victorian Livestock Exchange (Sale Yards)

Place No. DEL01

ADDRESS: 1020 Latrobe Street, Delacombe

Assessment Date: July 2013

Bendigo Sale Yards, built 1997 on new site. City of Greater Bendigo, no heritage status, municipal yards.

Early Sale Yards and Abattoirs site redeveloped.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Photo source: Original Bendigo Sale Yards, 1924, La Trobe Picture collection, State Library of Victoria, image no. b14818.



Camperdown Regional Livestock Selling Centre, built in more recent times. Corangamite Shire, no heritage status, municipal yards.

Source: Huefner & Associates Pty Ltd, Camperdown Regional Livestock Selling Centre - Business Plan, December 2006.

Casterton Sale Yards & Stock Selling Ring Building, built 1925. Glenelg Shire, State significance, VHR314.

The centrepiece of the Casterton Sale Yards is the octagonal plan selling ring having tiered timber benches on five sides. The upright timbers that support of the roof of the sale ring building are square red gum posts with stringybark rafters and battens. The posts of the outside yards are also red gum and the rails are stringybark or other local hardwood timbers.

Source (including photos): T. Hubbard, Heritage Matters Pty Ltd, 'Glenelg Shire Heritage Study', Stage 2, 2006.



Cobram Sale Yards, established 1939. Moira Shire, no heritage status, municipal yards.

Cobram Sale Yards were remodeled between 1960-69.

Source (including photo): K. Rogers, *The Story of Cobram: A Social History*, Cobram Historical Society, Cobram, 2002, 155-266.



City of Ballarat Heritage Assessments

2013

PLACE NAME: Central Victorian Livestock Exchange (Sale Yards)

Place No. DEL01

ADDRESS: 1020 Latrobe Street, Delacombe

Assessment Date: July 2013

Colac Livestock, built in 1977. Colac Otway Shire, no heritage status, municipal yards.

The cattle yards have been extensively extended since 1977.

Source: Huefner & Associates Pty Ltd, Geelong Sale Yards – Risk Analysis, prepared for the City of Greater Geelong, March 2004, pp.1-2.

Corryong Sale Yards, building date not known. Towong Shire, no heritage status. Apparently municipal yards in 1985.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Dalgety Sale Yards, Duverney Street, Cressy, built 1906. Colac Otway Shire, private yards.

Dalgety & Co. opened a sub-branch at Cressy in 1906, in conjunction with the sale yards. Fortnightly sales were conducted for fat and store sheep and cattle by 1912. In 1957, the yards saw the largest sale of sheep in Cressy, when 30,000 sheep passed through. The original yards have been replaced by modern construction materials.

Source: M. Sheehan, Colac Otway Heritage Study, prepared for the Colac Otway Shire.

Dingee Sale Yards, Dingee, building date not known. Loddon Shire, no heritage status, possibly private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Echuca Sale Yards, built in 20th century. Campaspe Shire, no heritage status. The yards were to be relocated in 2004.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Photo source: Echuca Sale Yards, 1949, La Trobe Picture collection, State Library of Victoria, image no. a 27813.



Ensay Sale Yards, building date not known. East Gippsland Shire, no heritage status.

Helen Martin, Shearwater Associates Pty Ltd, June 2007.

City of Ballarat Heritage Assessments

2013

PLACE NAME: Central Victorian Livestock Exchange (Sale Yards)

Place No. DEL01

ADDRESS: 1020 Latrobe Street, Delacombe

Assessment Date: July 2013

Geelong Sale Yards, 125 Weddell Road, Norht Geelong, first established on this site in 1869. City of Greater Geelong, State Significance, included as an HO. The site includes 19th century cattle and sheep pens, the layout and design having been modelled on the Newmarket yards at Kensington and the Ballarat yards. A landmark feature is the Federation Market Office building built of corrugated sheet metal. It was damaged by fire in 2013 and is beyond repair.



Source: D. Rowe & W. Jacobs, 'Geelong Sale Yards' Conservation Management Plan, prepared for the City of Greater Geelong, September 2007.

Photo of restored Market Office building in 2010.

Source: David Rowe.

Gelantipy Sale Yards, Gelantipy, building date not known. East Gippsland Shire, no heritage status, private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Goldsbrough Mort-Elder Smith Sale Yards & Sale Rooms, Moyhu, built c.1940s. Wangaratta Rural City, no heritage status (proposed), municipal yards.



Consists of a large block of steel sale yards, with a substantial loading ramp at the south end. The yards are built with welded wire mesh and posts of reclaimed double-headed railway line (dated 1886). The yard is set about with many mature Locust trees for shade in the summer. The gable roofed sale room shed at the south end of the yards contains a bull ring having a semi-circular fence with tiered bench seating behind it around the walls at one end.

The yards, covered sale ring, water tank & toilet are thought to be the only stock yards surviving in the Rural City of Wangaratta.

Source (including photo): C. & M.J. Doring Pty Ltd, 'Rural City of Wangaratta Heritage Study', Inventory, May 2004, study item no. 095.

Hamilton Sale Yards, building date not known. Southern Grampians Shire, municipal yards.

Resources Inventory, Public Land Assets - Historic Places, DSE, June 2007.

Henty Sale Yards, Casterton, built 19th century [?]. Glenelg Shire, private yards.

Source: Mandy Jean, June 2007.

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Heyfield Sale Yards, Heyfield, building date not known.

Wellington Shire, private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Heywood Sale Yards, Heywood, building date not known. Glenelg Shire, no heritage status, privately operated.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Horsham/Wimmera Stock Bazaar, Horsham, built 1936. Horsham Shire, VHR H1985.

The Stock Bazaar building is of architectural significance as a rare and late example of the building type of the stock or horse bazaar. It also has significance for its unusual Moderne facade design, which incorporates abstracted Egyptian style pylons on either side of the main entrance. The building has historical significance as the only standing fabric remaining from the livestock saleyards which were a vital aspect of the physical and economic development of Horsham as a centre servicing the agricultural and pastoral region of the Wimmera. Sale yards removed in the 1990s and relocated to new site in 1999.



Source (including photo): Victorian Heritage Register online, H1985, June 2007.

Kilmore Sale Yards, Derrimut, built c.1959. Mitchell Shire, no heritage status, private yards.

Earlier yards relocated in 1933 and again to Derrimut in the 1950s.

Resources Inventory, Public Land Assets - Historic Places, DSE, June 2007.

Koonawarra Sale Yards, Koonawarra, building 1980-81. South Gippsland Shire.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Kyneton Sale Yards, built 1986. Macedon Ranges Shire, no heritage status, municipal yards.

Covered timber pens with a computerized selling ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Mildura Sale Yards, building date not known. Mildura Rural City, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

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Morang Sale Yards, Mernda, built c.1880s. Whittlesea Shire, HO66.

Source: Meredith Gould Architects, 'Whittlesea Heritage Study 1991 Part 2', prepared for the City of Whittlesea.

Mortlake Sale Yards, building date not known. Moyne Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Murrayville Sale Yards, Murrayville, building date not known. Mildura Rural City, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Myrtleford Sale Yards, Myrtleford, built c.1970s. Alpine Shire, no heritage status.

Private yards upgraded approximately 30 years ago. The c.1970s sales ring survives, although the tiered seating may be older, with new building and ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Newmarket Sale Yards & Abattoirs (former), Kensington, built 1859. Moonee Valley City, HO262, VHR H1430.

In January 1859, the first sales were held at the newly-completed Newmarket sale yards. By 1888, almost half a million animals passed annually through the markets and in the 20th century it became the world's largest livestock auction market. The sale yards were situated on 10 hectares of land. An early brick administration building constructed in c.1874 survives on the sale yards site today. It is a square-planned building designed with a central courtyard in which is a clock tower built in c.1939.

On 26 March 1987, the Newmarket Sale Yards were officially closed and the site was transformed into a medium density residential estate known as the Kensington Banks. Most of the yards were therefore demolished, although a small area of cattle pens and some fencing survives. This building now forms part of the Kensington Community High School. The original stock-route has been interpreted through a walk.

Source: Victorian Heritage Database online.



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Numurkah Sale Yards, Numurkah, building date not known. Moira Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Ormeo Sale Yards, building date not known. East Gippsland Shire, no heritage status, private yards.

Open pens only.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Orbost Sale Yards, building date not known. East Gippsland Shire, no heritage status, private yards.

Small timber and metal pens with an under-cover, open-sided selling pavilion having auctioneer's stand but no seating.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Ouyen Sale Yards, building date not known. Mildura Rural City, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Pakenham Sale Yards, built in 1999, Cardinia Shire, no heritage status.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Rochester Sales Ring, built 1911. Campaspe Shire, HO216, municipal yards.

The sale yards were refurbished in 1954. They consist of rough, wooden, under-cover pens and a separate covered sales ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Shepparton Regional Sale Yards, built in 20th century with covered cattle pens, City of Greater Shepparton, no heritage status.

Source (including photo): David Rowe, 2007.



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South Gippsland Regional Sale Yards, Korumburra, construction date not known. South Gippsland Shire, no heritage status.

Apparently the largest bullock market in Victoria. Leased from Shire to a private company.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Swan Hill Municipal Sale Yards, built 1995. Swan Hill Shire.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Swifts Creek Sale Yards, Swifts Creek, building date not known. East Gippsland Shire.

Source: Helen Martin, Shearwater Associates Pty Ltd, June 2007. Linda Barraclough, East Gippsland Journal, June 2007.

Thorpdale Sale Yards, Thorpdale, built c.1930-40s [?]. Baw Baw Shire, no heritage status, private yards.

Source (including photos): Anne Napier Architect Pty Ltd, June 2007.



Trafalgar Sale Yards, Trafalgar, building date not known, Baw Baw Shire, no heritage status, municipal.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Traralgon Sale Yards, built in 20th century, Latrobe City, private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

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Wangaratta Bull Sale Ring (former), built c.1938.

Wangaratta Rural City, no heritage status (proposed).

New pig sale yards were established at Batchelor's Green in 1928. The early Market and stock yards (established in 1864) were relocated to this site in 1934. The Bull Sale Ring building was constructed in c.1938 at the Batchelor's Green site. The Sale Yard operations were again relocated in the 1970s and in c.1980 the Bull Sale Ring was converted into an art studio for the Artists' Society.



Source (including photo): C. & M.J. Doring Pty Ltd, 'Rural City of Wangaratta Heritage Study', Inventory, May 2004, study item no. 517.

Warrnambool Livestock Exchange, built 1970.

Warrnambool City, municipal yards.

These are the largest yards in the south-west Victoria and were redesigned in the late 1990s.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Warragul Sale Yards, built c.1940s, Baw Baw Shire, no heritage status, municipal yards.

Source (including photos): Anne Napier Architect, June 2007.



Wellington Livestock Exchange, built in later 20th

century. Wellington Shire, no heritage status municipal yards.

Includes an enclosed undercover selling ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

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Wodonga Livestock Exchange, built in the late 20th century, Wodonga Rural City, no heritage status, municipal yards.

Claimed to be Australia's largest cattle sale yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003. See also K. Skeen, *Wodonga Saleyards: The Story 1935-1980*.

Wycheproof Sale Yards, building date not known, Buloke Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Yarram Sale Yards, Yarram, building date not known. Wellington Shire, private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Yarrowonga Sale Yards, building date not known. Moira Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Yea Sale Yards, building date not known. Murrundindi Shire, no heritage status, possibly private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

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RECOMMENDED EXTENT OF HERITAGE OVERLAY

The recommended extent of the heritage overlay is shown in the red lines surrounding the Administration Building and a portion of the sheep yards.



6.0 Appendices

6.01 Australia ICOMOS Burra Charter

6.02 VPP Practice Note: Applying the Heritage Overlay

6.01 Australia ICOMOS Burra Charter

The Burra Charter

(The Australia ICOMOS Charter for Places of Cultural Significance)

Preamble

Considering the International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), and the Resolutions of the 5th General Assembly of the International Council on Monuments and Sites (ICOMOS) (Moscow 1978), the Burra Charter was adopted by Australia ICOMOS (the Australian National Committee of ICOMOS) on 19 August 1979 at Burra, South Australia. Revisions were adopted on 23 February 1981, 23 April 1988 and 26 November 1999.

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australia ICOMOS members.

Conservation is an integral part of the management of places of cultural significance and is an ongoing responsibility.

Who is the Charter for?

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

Using the Charter

The Charter should be read as a whole. Many articles are interdependent. Articles in the Conservation Principles section are often further developed in the Conservation Processes and Conservation Practice sections. Headings have been included for ease of reading but do not form part of the Charter.

The Charter is self-contained, but aspects of its use and application are further explained in the following Australia ICOMOS documents:

- Guidelines to the Burra Charter: Cultural Significance;

- Guidelines to the Burra Charter: Conservation Policy;
- Guidelines to the Burra Charter: Procedures for Undertaking Studies and Reports;
- Code on the Ethics of Coexistence in Conserving Significant Places.

What places does the Charter apply to?

The Charter can be applied to all types of places of cultural significance including natural, indigenous and historic places with cultural values.

The standards of other organisations may also be relevant. These include the Australian Natural Heritage Charter and the Draft Guidelines for the Protection, Management and Use of Aboriginal and Torres Strait Islander Cultural Heritage Places.

Why conserve?

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, that are important as tangible expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations.

The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Articles

Article 1. Definitions

For the purposes of this Charter:

- 1.1 *Place* means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.
- 1.2 *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*.

Places may have a range of values for different individuals or groups.
- 1.3 *Fabric* means all the physical material of the *place* including components, fixtures, contents, and objects.
- 1.4 *Conservation* means all the processes of looking after a *place* so as to retain its *cultural significance*.
- 1.5 *Maintenance* means the continuous protective care of the *fabric* and *setting* of a *place*, and is to be distinguished from repair. Repair involves restoration or reconstruction.
- 1.6 *Preservation* means maintaining the *fabric* of a *place* in its existing state and retarding deterioration.
- 1.7 *Restoration* means returning the existing *fabric* of a *place* to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- 1.8 *Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material into the *fabric*.
- 1.9 *Adaptation* means modifying a *place* to suit the existing use or a proposed use.
- 1.10 *Use* means the functions of a place, as well as the activities and practices that may occur at the place.
- 1.11 *Compatible use* means a use which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.
- 1.12 *Setting* means the area around a *place*, which may include the visual catchment.
- 1.13 *Related place* means a place that contributes to the *cultural significance* of another place.

Explanatory Notes

The concept of place should be broadly interpreted. The elements described in Article 1.1 may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.

The term cultural significance is synonymous with heritage significance and cultural heritage value.

Cultural significance may change as a result of the continuing history of the place.

Understanding of cultural significance may change as a result of new information.

Fabric includes building interiors and sub-surface remains, as well as excavated material.

Fabric may define spaces and these may be important elements of the significance of the place.

The distinctions referred to, for example in relation to roof gutters, are:

- maintenance — regular inspection and cleaning of gutters;
- repair involving restoration — returning of dislodged gutters;
- repair involving reconstruction — replacing decayed gutters.

It is recognised that all places and their components change over time at varying rates.

New material may include recycled material salvaged from other places. This should not be to the detriment of any place of cultural significance.

Articles

- 1.14 *Related object* means an object that contributes to the *cultural significance* of a *place* but is not at the place.
- 1.15 *Associations* mean the special connections that exist between people and a *place*.
- 1.16 *Meanings* denote what a *place* signifies, indicates, evokes or expresses.
- 1.17 *Interpretation* means all the ways of presenting the *cultural significance* of a *place*.

Conservation Principles

Article 2. Conservation and management

- 2.1 *Places* of *cultural significance* should be conserved.
- 2.2 The aim of *conservation* is to retain the *cultural significance* of a *place*.
- 2.3 *Conservation* is an integral part of good management of *places* of *cultural significance*.
- 2.4 *Places* of *cultural significance* should be safeguarded and not put at risk or left in a vulnerable state.

Article 3. Cautious approach

- 3.1 *Conservation* is based on a respect for the existing *fabric, use, associations* and *meanings*. It requires a cautious approach of changing as much as necessary but as little as possible.
- 3.2 Changes to a *place* should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 4. Knowledge, skills and techniques

- 4.1 *Conservation* should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the *place*.
- 4.2 Traditional techniques and materials are preferred for the *conservation* of significant *fabric*. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate.

Explanatory Notes

Associations may include social or spiritual values and cultural responsibilities for a place.

Meanings generally relate to intangible aspects such as symbolic qualities and memories.

Interpretation may be a combination of the treatment of the fabric (e.g. maintenance, restoration, reconstruction); the use of and activities at the place; and the use of introduced explanatory material.

The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.

The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Articles

Article 5. Values

5.1 *Conservation* of a *place* should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.

5.2 Relative degrees of *cultural significance* may lead to different *conservation* actions at a place.

Article 6. Burra Charter process

6.1 The *cultural significance* of a *place* and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy.

6.2 The policy for managing a place must be *based* on an understanding of its *cultural significance*.

6.3 Policy development should also include consideration of other factors affecting the future of a *place* such as the owner's needs, resources, external constraints and its physical condition.

Article 7. Use

7.1 Where the *use* of a place is of *cultural significance* it should be retained.

7.2 A *place* should have a *compatible* use.

Article 8. Setting

Conservation requires the retention of an appropriate visual *setting* and other relationships that contribute to the *cultural significance* of the *place*.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Explanatory Notes

Conservation of places with natural significance is explained in the Australian Natural Heritage Charter. This Charter defines natural significance to mean the importance of ecosystems, biological diversity and geodiversity for their existence value, or for present or future generations in terms of their scientific, social, aesthetic and life-support value.

A cautious approach is needed, as understanding of cultural significance may change. This article should not be used to justify actions which do not retain cultural significance.

The Burra Charter process, or sequence of investigations, decisions and actions, is illustrated in the accompanying flowchart.

The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change, to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of practices which contribute to the cultural significance of the place.

Aspects of the visual setting may include use, siting, bulk, form, scale, character, colour, texture and materials.

Other relationships, such as historical connections, may contribute to interpretation, appreciation, enjoyment or experience of the place.

Articles

Article 9. Location

- 9.1 The physical location of a *place* is part of its *cultural significance*. A building, work or other component of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.
- 9.2 Some buildings, works or other components of *places* were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other components do not have significant links with their present location, removal may be appropriate.
- 9.3 If any building, work or other component is moved, it should be moved to an appropriate location and given an appropriate use. Such action should not be to the detriment of any *place of cultural significance*.

Article 10. Contents

Contents, fixtures and objects which contribute to the *cultural significance* of a *place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring their security and *preservation*; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.

Article 11. Related places and objects

The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained.

Article 12. Participation

Conservation, interpretation and management of a *place* should provide for the participation of people for whom the place has special *associations* and *meanings*, or who have social, spiritual or other cultural responsibilities for the place.

Article 13. Co-existence of cultural values

Co-existence of cultural values should be recognised, respected and encouraged, especially in cases where they conflict.

Explanatory Notes

For some places, conflicting cultural values may affect policy development and management decisions. In this article, the term cultural values refers to those beliefs which are important to a cultural group, including but not limited to political, religious, spiritual and moral beliefs. This is broader than values associated with cultural significance.

Articles

Conservation Processes

Article 14. Conservation processes

Conservation may, according to circumstance, include the processes of: retention or reintroduction of a *use*; retention of *associations* and *meanings*; *maintenance*, *preservation*, *restoration*, *reconstruction*, *adaptation* and *interpretation*; and will commonly include a combination of more than one of these.

Article 15. Change

- 15.1 Change may be necessary to retain *cultural significance*, but is undesirable where it reduces cultural significance. The amount of change to a *place* should be guided by the *cultural significance* of the place and its appropriate *interpretation*.
- 15.2 Changes which reduce *cultural significance* should be reversible, and be reversed when circumstances permit.
- 15.3 Demolition of significant *fabric* of a *place* is generally not acceptable. However, in some cases minor demolition may be appropriate as part of *conservation*. Removed significant fabric should be reinstated when circumstances permit.
- 15.4 The contributions of all aspects of *cultural significance* of a *place* should be respected. If a place includes *fabric*, *uses*, *associations* or *meanings* of different periods, or different aspects of cultural significance, emphasising or interpreting one period or aspect at the expense of another can only be justified when what is left out, removed or diminished is of slight cultural significance and that which is emphasised or interpreted is of much greater cultural significance.

Article 16. Maintenance

Maintenance is fundamental to *conservation* and should be undertaken where *fabric* is of *cultural significance* and its maintenance is necessary to retain that *cultural significance*.

Explanatory Notes

There may be circumstances where no action is required to achieve conservation.

When change is being considered, a range of options should be explored to seek the option which minimises the reduction of cultural significance.

Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.

Articles

Article 17. Preservation

Preservation is appropriate where the existing *fabric* or its condition constitutes evidence of *cultural significance*, or where insufficient evidence is available to allow other *conservation* processes to be carried out.

Article 18. Restoration and reconstruction

Restoration and *reconstruction* should reveal culturally significant aspects of the *place*.

Article 19. Restoration

Restoration is appropriate only if there is sufficient evidence of an earlier state of the *fabric*.

Article 20. Reconstruction

20.1 *Reconstruction* is appropriate only where a *place* is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the *fabric*. In rare cases, reconstruction may also be appropriate as part of a use or practice that retains the *cultural significance* of the place.

20.2 *Reconstruction* should be identifiable on close inspection or through additional *interpretation*.

Article 21. Adaptation

21.1 *Adaptation* is acceptable only where the adaptation has minimal impact on the *cultural significance* of the place.

21.2 *Adaptation* should involve minimal change to significant fabric, achieved only after considering alternatives.

Article 22. New work

22.1 New work such as additions to the *place* may be acceptable where it does not distort or obscure the *cultural significance* of the place, or detract from its *interpretation* and appreciation.

22.2 New work should be readily identifiable as such.

Explanatory Notes

Preservation protects fabric without obscuring the evidence of its construction and use. The process should always be applied:

- where the evidence of the fabric is of such significance that it should not be altered;
- where insufficient investigation has been carried out to permit policy decisions to be taken in accord with Articles 26 to 28.

New work (e.g. stabilisation) may be carried out in association with preservation when its purpose is the physical protection of the fabric and when it is consistent with Article 22.

Adaptation may involve the introduction of new services, or a new use, or changes to safeguard the place.

New work may be sympathetic if its siting, bulk, form, scale, character, colour, texture and material are similar to the existing fabric, but imitation should be avoided.

Articles

Article 23. Conserving use

Continuing, modifying or reinstating a significant *use* may be appropriate and preferred forms of *conservation*.

Article 24. Retaining associations and meanings

- 24.1 Significant *associations* between people and a *place* should be respected, retained and not obscured. Opportunities for the *interpretation*, commemoration and celebration of these associations should be investigated and implemented.
- 24.2 Significant *meanings*, including spiritual values, of a *place* should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

Article 25. Interpretation

The *cultural significance* of many places is not readily apparent, and should be explained by *interpretation*. Interpretation should enhance understanding and enjoyment, and be culturally appropriate.

Conservation Practice

Article 26. Applying the Burra Charter process

- 26.1 Work on a *place* should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.
- 26.2 Written statements of *cultural significance* and policy for the *place* should be prepared, justified and accompanied by supporting evidence. The statements of significance and policy should be incorporated into a management plan for the place.
- 26.3 Groups and individuals with *associations* with a place as well as those involved in its management should be provided with opportunities to contribute to and participate in understanding the *cultural significance* of the place. Where appropriate they should also have opportunities to participate in its *conservation* and management.

Article 27. Managing change

- 27.1 The impact of proposed changes on the *cultural significance* of a *place* should be analysed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes following analysis to better retain cultural significance.
- 27.2 Existing *fabric*, *use*, *associations* and *meanings* should be adequately recorded before any changes are made to the *place*.

Explanatory Notes

These may require changes to significant fabric but they should be minimised. In some cases, continuing a significant use or practice may involve substantial new work.

For many places associations will be linked to use.

The results of studies should be up to date, regularly reviewed and revised as necessary.

Statements of significance and policy should be kept up to date by regular review and revision as necessary. The management plan may deal with other matters related to the management of the place.

Articles

Article 28. Disturbance of fabric

- 28.1 Disturbance of significant *fabric* for study, or to obtain evidence, should be minimised. Study of a *place* by any disturbance of the fabric, including archaeological excavation, should only be undertaken to provide data essential for decisions on the *conservation* of the place, or to obtain important evidence about to be lost or made inaccessible.
- 28.2 Investigation of a *place* which requires disturbance of the *fabric*, apart from that necessary to make decisions, may be appropriate provided that it is consistent with the policy for the place. Such investigation should be based on important research questions which have potential to substantially add to knowledge, which cannot be answered in other ways and which minimises disturbance of significant fabric.

Article 29. Responsibility for decisions

The organisations and individuals responsible for management decisions should be named and specific responsibility taken for each such decision.

Article 30. Direction, supervision and implementation

Competent direction and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.

Article 31. Documenting evidence and decisions

A log of new evidence and additional decisions should be kept.

Article 32. Records

- 32.1 The records associated with the *conservation* of a *place* should be placed in a permanent archive and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.
- 32.2 Records about the history of a *place* should be protected and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.

Article 33. Removed fabric

Significant *fabric* which has been removed from a *place* including contents, fixtures and objects, should be catalogued, and protected in accordance with its *cultural significance*.

Where possible and culturally appropriate, removed significant fabric including contents, fixtures and objects, should be kept at the place.

Article 34. Resources

Adequate resources should be provided for conservation.

Words in italics are defined in Article 1.

The Burra Charter, 1999

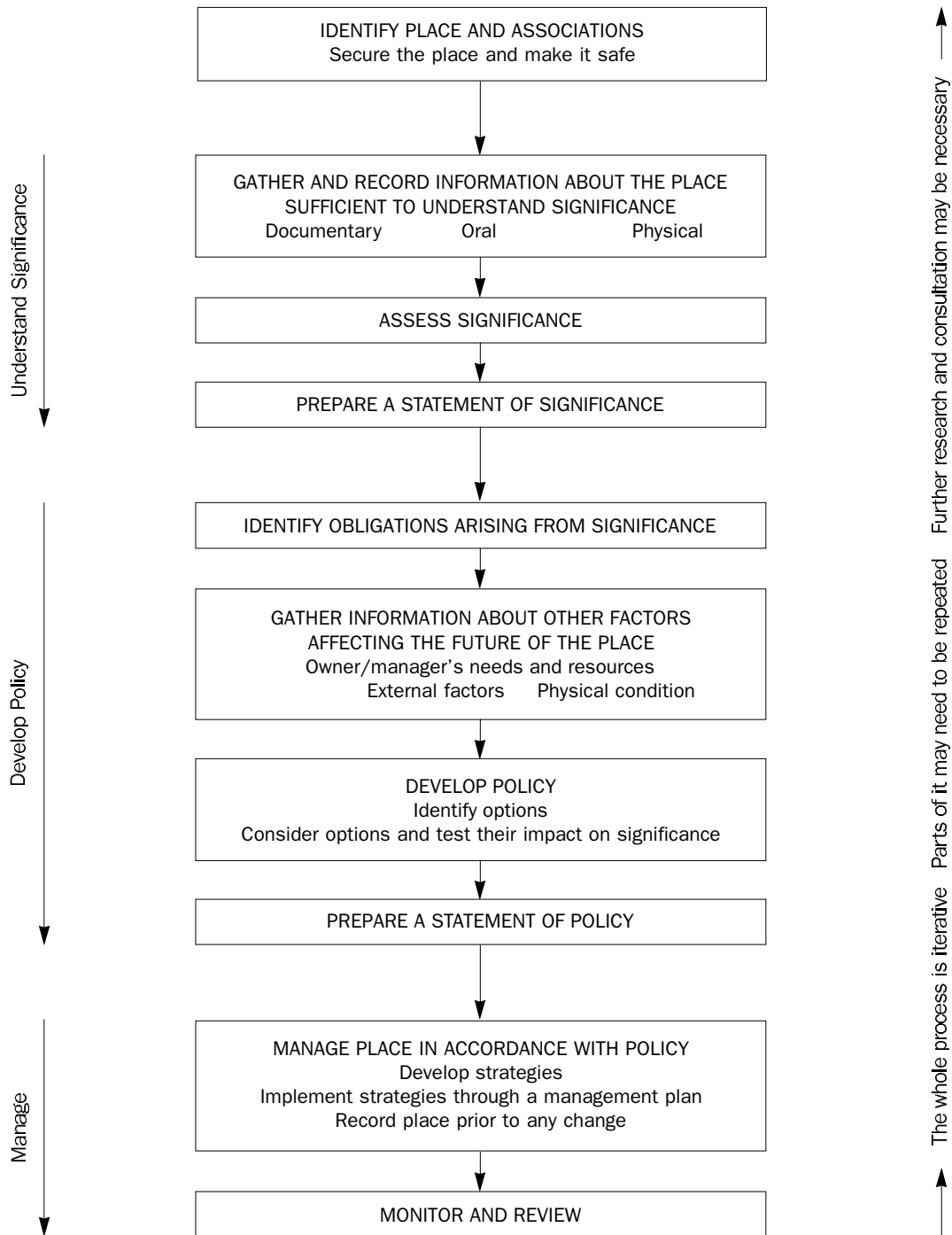
Explanatory Notes

The best conservation often involves the least work and can be inexpensive.

Australia ICOMOS Inc 9

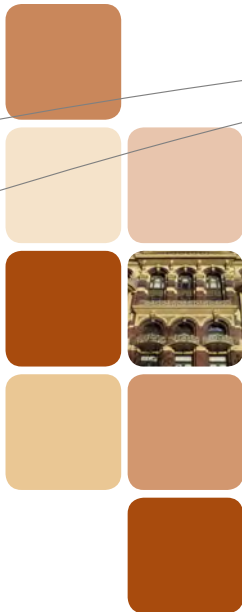
The Burra Charter Process

Sequence of investigations, decisions and actions



6.02 VPP Practice Note: Applying the Heritage Overlay

Applying the Heritage Overlay



This practice note provides guidance about the use of the Heritage Overlay.

What places should be included in the Heritage Overlay?

- Any place that has been listed on the Australian Heritage Council's now closed *Register of the National Estate*.
- Any place that has been referred by the Heritage Council for consideration for an amendment to the planning scheme.
- Places listed on the *National Trust Register of the National Trust of Australia (Victoria)*, provided the significance of the place can be shown to justify the application of the overlay.
- Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Places listed on the former *Register of the National Estate* or on the *National Trust Register of the National Trust of Australia (Victoria)* do not have statutory protection unless they are protected in the planning scheme.

The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place

shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria.

What are recognised heritage criteria?

The following recognised heritage criteria shall be used for the assessment of the heritage values of the heritage place. These model criteria have been broadly adopted by heritage jurisdictions across Australia and should be used for all new heritage assessment work.

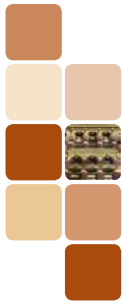
Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).



Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The adoption of the above criteria does not diminish heritage assessment work undertaken before 2012 using older versions of criteria.

The thresholds to be applied in the assessment of significance shall be 'State Significance' and 'Local Significance'. 'Local Significance' includes those places that are important to a particular community or locality. Letter gradings (for example, "A", "B", "C") should not be used.

In order to apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those that have previously been included in a heritage register or overlay. Places identified to be of potential State significance should undergo limited analysis on a broader (Statewide) comparative basis.

Places of significance for historical or social reasons

Planning is about managing the environment and changes to it. An appropriate test for a potential heritage place to pass in order to apply the Heritage Overlay is that it has 'something' to be managed. This 'something' is usually tangible but it may, for example, be an absence of built form or the presence of some other special characteristic. If such things are present, there will be something to manage and the Heritage Overlay may be applied. If not, a commemorative plaque is an appropriate way of signifying the importance of the place to the local community.

Group, thematic and serial listings

Places that share a common history and/or significance but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place. Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay Schedule and a single Heritage Overlay number.

This approach has been taken to the listing of Chicory Kilns on Phillip Island in the Bass Coast Planning Scheme. The kilns are dispersed across the island but share a common significance. Group listing of the kilns also draws attention to the fact that the kilns are not just important on an individual basis, but are collectively significant as a group.

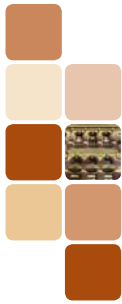
The group approach has also been used for the former Rosella Factory Complex in the Yarra Planning Scheme. This important factory complex had become fragmented through replacement development making it hard to justify a precinct listing. The group listing, with a single Heritage Overlay number, has meant that the extent and significance of the complex can still be appreciated.

Writing statements of significance

For every heritage place (that is, a precinct or individual place) a statement of significance should be prepared using the three-part format of 'What is significant?'; 'How is it significant?' and 'Why is it significant?'.

What is significant? - This section should be brief, usually no more than one paragraph or a series of dot points. There should be no doubt about the elements of the place that are under discussion. The paragraph should identify features or elements that are significant about the place, for example, house, outbuildings, garden, plantings, ruins, archaeological sites, interiors as a guide to future decision makers. Mention could also be made of elements that are not significant.

How is it significant? - A sentence should be included to the effect that the place is important because of its historical significance, its rarity, its research potential, its representativeness, its



aesthetic significance, its technical significance and/or its associative significance. These descriptors are shown in brackets at the end of the heritage criteria listed above. The sentence should indicate the threshold for which the place is considered important.

Why is it significant? - This should elaborate on the criteria that makes the place significant. A separate point or paragraph should be used for each criterion satisfied. The relevant criterion should be inserted in brackets after each point or paragraph. Each point or paragraph may include the threshold for which the place is considered important.

Saving and displaying statements of significance

All statements of significance should be securely stored in the Department of Planning and Community Development's HERMES heritage database.

Where a place (either a precinct or individual place) is included in the Heritage Overlay, the statement of significance for that place should be publicly viewable through the Department of Planning and Community Development's Victorian Heritage Database.

Additional resources may be required

When introducing the Heritage Overlay, a council should consider the resources required to administer the heritage controls and to provide assistance and advice to affected property owners. This might include providing community access to a heritage adviser or other technical or financial assistance.

Drafting the Heritage Overlay schedule

What is a heritage place?

A heritage place could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land. It cannot include movable or portable objects such as machinery within a factory or furniture within a house.

What is the planning scheme map reference number?

In column one of the schedule, the Planning Scheme Map Reference prefix should read HO1, HO2, HO3 and so on. Each heritage place in the schedule will have its own identifying number. The planning scheme maps should also record these numbers as a cross reference between the maps and the schedule.

Street numbers and location descriptions

Street numbers and locality addresses should be included for properties wherever possible. Where a street address is not available, plan of subdivision details (for example, Lot 1 of PS12345) should be used. Avoid using Crown Allotment details, Certificate of Title details or obscure location descriptions if possible.

How should the Heritage Overlay schedule be arranged?

There are two preferred options for arranging the schedule. Heritage places may be grouped according to their suburb, town or location and then arranged alphabetically by street address within each grouping. Alternatively, all places may be listed alphabetically by their street address irrespective of their location. Use the method which most assists users of the planning scheme to find the relevant property by a simple search through the schedule.

Applying external painting controls

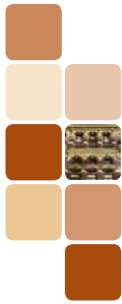
External painting controls over particular heritage places can be applied in the schedule by including a 'yes' in the External Paint Controls Apply? column.

Applying internal alterations controls

Internal alteration controls over specified buildings can be applied in the schedule by including a 'yes' in the Internal Alteration Controls Apply? column. This provision should be applied sparingly and on a selective basis to special interiors of high significance. The statement of significance for the heritage place should explain what is significant about the interior and why it is important.

Applying tree controls

The schedule can apply tree controls over heritage places. The tree controls could apply to



the whole of a heritage place (for example, over a house site or an area) or a tree or group of trees could be specifically nominated as the heritage place. Tree controls are applied by including a 'yes' in the Tree Controls Apply? column.

The control is designed to protect trees that are of intrinsic significance (such as trees that are included on the National Trust Register or trees that contribute to the significance of a heritage place (for example, trees that contribute to the significance of a garden or area). The control is not meant to protect trees for their amenity value. See Practice note 7 – *Vegetation Protection in Urban Areas* for alternative methods of vegetation protection.

How should places on the Victorian Heritage Register be treated in the schedule?

Under Clause 43.01-3, places on the *Victorian Heritage Register* are subject to the requirements of the *Heritage Act 1995* and not the planning provisions of the Heritage Overlay. Places included on the *Victorian Heritage Register* should be listed in the schedule.

A dash should be recorded in columns three (external paint controls), four (internal alteration controls), five (tree controls) and six (outbuildings and fences) to avoid any possible confusion as to whether planning provisions apply to these properties. In column seven ('Included on the *Victorian Heritage Register* ...') the reference number of the property on the *Victorian Heritage Register* should be included as an aid to users of the planning scheme.

Allowing a prohibited use of a heritage place

It is possible to make a prohibited use permissible at specific places by including a 'yes' in the Prohibited uses may be permitted? column.

This provision should not be applied to significant areas because it might result in the *de facto* rezoning of a large area. The provision should only be applied to specific places. For example, the provision might be used for a redundant church, warehouse or other large building complex where it is considered that the normally

available range of permissible uses is insufficient to provide for the future conservation of the building. Currently this provision applies in the metropolitan area of Melbourne to places that are included on the *Victorian Heritage Register*.

Aboriginal heritage places

Scarred trees, stone arrangements and other places significant for their Aboriginal associations can be identified by including a 'yes' in the Aboriginal Heritage Place? column. As with any place listed in the Schedule to the Heritage Overlay, supporting justification is expected to apply this provision.

The standard permit requirements of Clause 43.01-1 of the Heritage Overlay apply to Aboriginal heritage places included in the schedule. Clause 43.01-6 reminds a responsible authority that the requirements of the *Aboriginal Heritage Act 2006* apply to these places.

How are heritage precincts and areas treated?

Significant precincts and areas should be identified in the schedule as well as being mapped.

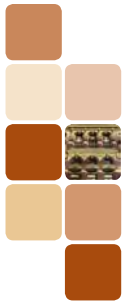
How are individual buildings, trees or properties of significance located within significant areas treated?

The provisions applying to individual buildings and structures are the same as the provisions applying to areas, so there is no need to separately schedule and map a significant building, feature or property located within a significant area.

The only instance where an individual property within a significant area should be scheduled and mapped is where it is proposed that a different requirement should apply. For example, external painting controls may be justified for an individual building of significance but not over the heritage precinct surrounding the building.

Alternatively, tree controls may be justified for a specific tree or property within a significant precinct but not over the whole precinct. In such situations the individual property or tree should be both scheduled and mapped.

Significant buildings or structures within a significant precinct can be identified through a local planning policy.



How is a building, tree or feature on a large parcel of land listed and mapped?

The Heritage Overlay applies to both the listed heritage item and its associated land (refer Clause 43.01 - Scope). It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any new development does not adversely affect the setting or context of the significant feature. In most situations, the extent of the provision will be the whole of the property (for example, a suburban dwelling and its allotment).

However, there will be occasions when the area to which the provision applies should be reduced so that it does not apply to the whole of the property. Examples might include:

- a homestead on a large pastoral property where only the buildings and their immediate surroundings are important but not the remainder of the property
- a significant specimen tree on an otherwise unimportant property
- a horse-trough, fountain or monument in a road reservation
- a grandstand or shelter in a large but otherwise unimportant public park.

Where a heritage place does not encompass the whole of the property, care should be taken to accurately show the area to which the provision applies. For instance, if a homestead is affected by the Heritage Overlay but not the whole of the farm, a polygon should be allocated to the area of affected buildings and associated land. The wording to describe the Heritage Place in the schedule should be specific to identify the area covered by the overlay. (See the example of Heritage Place HO4 in the attached schedule.)

Mapping Heritage places

All heritage places must be both scheduled and mapped.

In each case, care should be taken to ensure that there is an accurate correlation between the Heritage Overlay schedule and the Heritage Overlay map.

If there is a discrepancy between the schedule and the map, the description of the place given in the schedule to the Heritage Overlay, supported by the statement of significance, should be the predominant means of identifying the areas to which the overlay applies.

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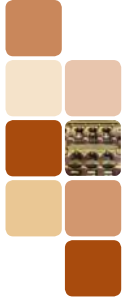
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Schedule to the Heritage Overlay

The requirements of this overlay apply to both the heritage place and its associated land.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are Not exempt under Clause 43.01-3?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2
HO1	House 1 Albert Street, Belmont	Yes	No	No	No	No	No	
HO2	Athol House 57 Albert Street, Belmont	-	-	-	-	-	Yes	
HO3	Jones Foundry 4 William Street, Breakwater		Yes	No	No	No	No	
HO4	Moreton Bay Fig Tree 26 Bryant Street, Ceres The heritage place is the Moreton Bay Fig Tree and land beneath the canopy edge of the tree for a distance of five metres from the canopy edge.	No	No	Yes	No	No	No	
HO5	House 13 Albert Street, Geelong	Yes	No	No	Yes	No	No	
HO6	Bay Villa 122 Middle Street, Geelong	Yes	Yes	No	No	No	No	
HO7	Barwon River Bridge Station Street, Geelong	-	-	-	-	Yes Ref No H789	No	
HO8	William Street Precinct William Street, Geelong	Yes	No	No	No	No	No	
HO9	Mount Rothwell Stone Arrangement Mount Rothwell Station Little River-Ripley, Little River	No	No	No	No	No	No	

BALLARAT PLANNING SCHEME AMENDMENT C222BALL

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the City of Ballarat who is the planning authority for this amendment.

The amendment has been made at the request of the City of Ballarat.

Land affected by the Amendment

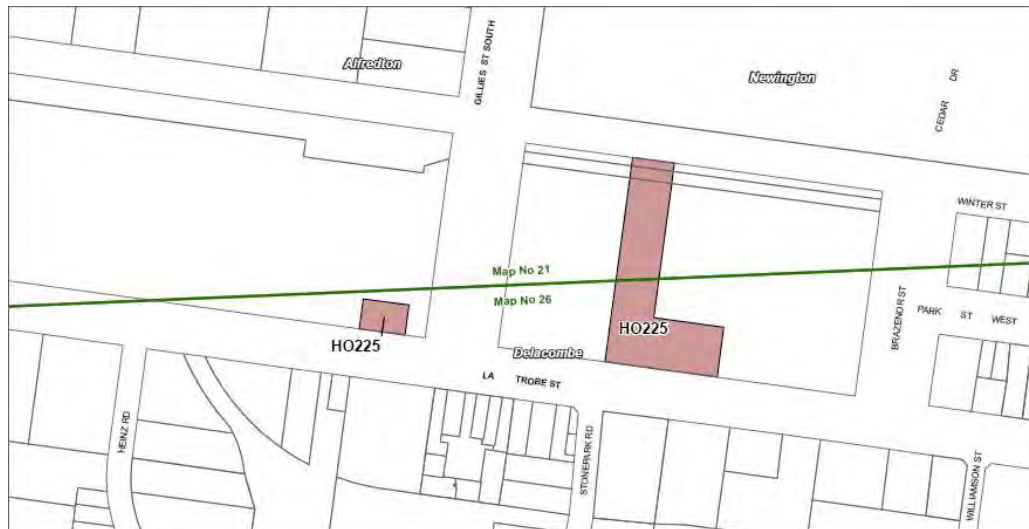
The amendment applies to elements of the 'former Ballarat Saleyards' 1020 La Trobe Street, Delacombe. The site is 11 hectares in size and is host to buildings and infrastructure related to saleyards operation.

The site is zoned Industrial Zone (IN1Z) and Public Use Zone (PUZ4). The site is not affected by any overlays.

In particular, the amendment applies to a section of the saleyards site which covers 0.94 hectares of the site. The amendment affects the following elements at 1020 La Trobe Street, Delacombe as shown in Figure 1 below:

- Administration Building.
- Selling Pavilion.
- An area of sheep yards adjacent to the Administration Building, including bluestone and timber paving, ramps, fencing, early signage and sheltered walkways.

Figure 1: Proposed Heritage Overlay, Ballarat Saleyards (former)



What the amendment does

The amendment inserts a new heritage place HO225, known as 'Ballarat Saleyards (former), 1020 La Trobe Street, Delacombe' in the Heritage Overlay by amending maps 21HO and 26HO and the Heritage Overlay, Schedule to Clause 43.01.

The amendment also inserts a new Incorporated Document in Clause 72.04 of the Ballarat Planning Scheme – 'Ballarat Saleyards (former) - Statement of Significance, November 2019'.

Strategic assessment of the Amendment

Why is the Amendment required?

The Ballarat Saleyards ceased operations in October 2018. The site is owned by the City of Ballarat and prior to its closure, operated by Regional Infrastructure Pty Ltd. The *Ballarat Strategy (July 2015)* identifies the saleyards and surrounding area as an urban renewal area. The *La Trobe Street Saleyards Precinct Urban Renewal Project: Background Analysis Report (June 2019)* identifies the need for statutory protection of heritage elements of the site prior to the decommissioning of the site.

A 2013 preliminary heritage assessment of the La Trobe Street Saleyards Precinct identified elements of the saleyards as locally significant. Council conducted a reassessment of the site in November 2019 as part of the urban renewal planning process. The *Ballarat Saleyards (former) – Heritage Citation (November 2019)* provides evidence that the site is significant to the City of Ballarat at a local level. The report recommends for a Heritage Overlay to be applied to areas of the site which encompasses the identified buildings and features. The areas represent the most intact parts of the site's layout and function and present a full understanding of the site's history as former saleyards.

Evidence suggests that the Ballarat Saleyards is historically significant as the longest running Corporation Saleyards in Victoria. The saleyards had been a regional and state focus for the buying and selling of cattle, sheep and pigs over its 154 years of operation since 1864. Buildings and infrastructure on the site remain substantially intact and are representative of the working arrangements necessary for saleyard operations. The Administrations Building is one of the earliest, substantially built and more intact examples of saleyard administration buildings in Victoria, while the Selling Pavilion retains Victoria's sole remaining selling ring with theatre seating layout.



Photo 1: Former Ballarat Saleyards Administrations Building



Photo 2: Arrangement of bluestone flooring in the older section of the sheep yard.

The amendment is required to provide permanent heritage protection to the following elements at 1020 La Trobe Street, Delacombe:

- Administrations Building;
- Selling Pavilion; and
- An area of sheep yards adjacent to the Administration Building, including bluestone and timber paving, ramps, fencing, early signage and sheltered walkways.

The proposed Heritage Overlay area represents the most intact part of the site's layout and function and represents a comprehensive understanding of the site's history as former saleyards. The amendment will provide direction to inform decommissioning works on the site and ensure the

protection and management of its heritage elements. Clarity around the heritage significance of this highly complex site provides an important pre-cursor to guide future redevelopment.

How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria, in particular, the objectives outlined in section 4(1) (d) of the *Planning and Environment Act 1987* being:

To conserve and enhance those buildings, areas or other places, which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

How does the Amendment address any environmental, social and economic effects?

The preservation of the heritage significant buildings and features on the site will have positive social effects as it will enable the heritage values of the elements to be protected and the history of the site to not be consumed by future urban renewal on and around the site.

The amendment contributes to the retention of character, appeal and interest of Ballarat for the benefit of locals and visitors. Statutory protection in the form of applying a heritage overlay provides certainty and facilitates decision making in the future urban renewal of the site.

No significant environmental effects are expected to result from this amendment.

Does the Amendment address relevant bushfire risk?

The amendment will not result in any increase in bushfire risk, as the amendment only involves the application of permanent heritage protection to existing buildings and features.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with Ministerial Direction on the Form and Content of Planning Schemes, and Direction No. 11 Strategic Assessment of Amendments under Section 7(5) and 12(2)(a) of the *Planning and Environment Act 1987*.

The amendment has been prepared having regard to Ministerial Direction No. 19 On the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health. The Environment Protection Authority (EPA) provided a response on 28 May 2019, in relation to Ministerial Direction 19, regarding the urban renewal of the Saleyards Precinct. The planning authority is advised to:

- Take steps to satisfy itself that the site is suitable for the proposed use.
- Consider how the long-term strategic planning for this area will influence future land use planning in relation to protecting industry and sensitive land uses from encroachment through appropriate application of separation distances.
- Consider the preparation of a decommissioning plan to ensure the remaining infrastructure is disposed of appropriately in a manner that minimises impacts on nearby sensitive uses.

An Environmental Site Assessment (ESA) has been prepared which identifies land directly associated with saleyard use to be potentially contaminated. Further assessment of site contamination is currently underway and is expected to guide the council in determining appropriate future land uses and application of separation distances.

Council is preparing a decommissioning plan to ensure the appropriate disposal of remaining saleyard infrastructure. The amendment will provide direction to the decommissioning works and ensure the protection and management of its heritage elements.

The EPA will be formally notified of the amendment. Further consultation and engagement will be conducted as part of the precinct development process.

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment is consistent with the Planning Policy Framework (PPF) and supports its objectives as follows:

The Amendment supports 15.03 of the Ballarat Planning Scheme, with the objective 'to ensure the conservation of places of heritage significance'. The amendment identifies assesses and documents a place of heritage significance, providing for its protection through the Ballarat Planning Scheme.

The amendment also supports Clause 43.01 of the Ballarat Planning Scheme, as it conserves and enhances elements which contribute to the significance of heritage places.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment is consistent with the Local Planning Policy Framework and in particular supports its objectives as follows:

The amendment supports Clause 21.02-2 Built Form and Amenity, 'identifying and protecting sites of heritage significance; and the importance of heritage to Ballarat's identity.' The amendment is also consistent with the local planning policy 22.05 Heritage Conservation.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by applying a Heritage Overlay on a permanent basis. The heritage overlay is the appropriate planning tool to use to identify any heritage place with a citation that reveals heritage significance.

How does the Amendment address the views of any relevant agency?

Council has been involved in ongoing discussions with State agencies and utility providers regarding the future of the saleyards and surrounding precinct as part of the emerging urban renewal plan. Formal consultation with agencies will occur once a draft Urban Renewal plan is prepared.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will not have impact on the transport system.

Resource and administrative costs

• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment is not expected to result in any significant impact on the resources and administrations costs of the responsible authority.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge at the following places:

- The City of Ballarat website www.ballarat.vic.gov.au
- Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 15 June 2020.

A submission must be sent to City of Ballarat, PO Box 655, Ballarat VIC 3350, or via email to strategicplanningsubmissions@ballarat.vic.gov.au.

Panel hearing dates

In accordance with Clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: 3 August 2020
- Panel hearing: 24 August 2020

ATTACHMENT 1 – Mapping reference table

Location	Land /Area Affected	Mapping Reference
Delacombe	1020 La Trobe Street	Ballarat C222ball 001hoMaps21_26 Exhibition

10.2. BALLARAT STRATEGY REVIEW AND REPORT CARD

Division: Development and Planning
Director: Angelique Lush
Author/Position: James Guy – Executive Manager Economic Partnerships
Lisa Kendal – Manager Strategic Planning

OFFICER RECOMMENDATION

Council resolves to:

1. **Note the review of the Ballarat Strategy.**
2. **Acknowledge the preparation of a new Housing Plan and Neighbourhood Character Study, and associated residential zone amendment, to ensure planning controls achieve a balanced approach to managing demand for residential growth and conserving Ballarat’s distinctive character.**

EXECUTIVE SUMMARY

Today, Tomorrow, Together: the Ballarat Strategy (the Strategy) was adopted in 2015 as the long-term land use vision for Ballarat. It sets the direction for managing change towards 2040. Five years on, an administrative review and audit has been undertaken and a report card has been prepared to show how implementation of the plan is tracking, as well as to identify issues and opportunities (see Attachment 1 – Ballarat Strategy 5 Year Review).

The audit shows the majority of actions have either been completed or embedded in business as usual (58%), a large number are underway (40%) and just 2% of actions remain on the forward work program - to be progressed as part of other integrated and place based projects in due course.

Assumptions around population growth and demographic change have proven accurate and representative. Recommendations in the original strategy for future more detailed land use planning work remain highly relevant, with that work already under development in the form of a new housing framework plan and more detailed guidance on managing neighbourhood character.

This report responds in part to the Council resolution of 15 May 2019 to “Review the Ballarat Strategy” (R105/19).

RATIONALE

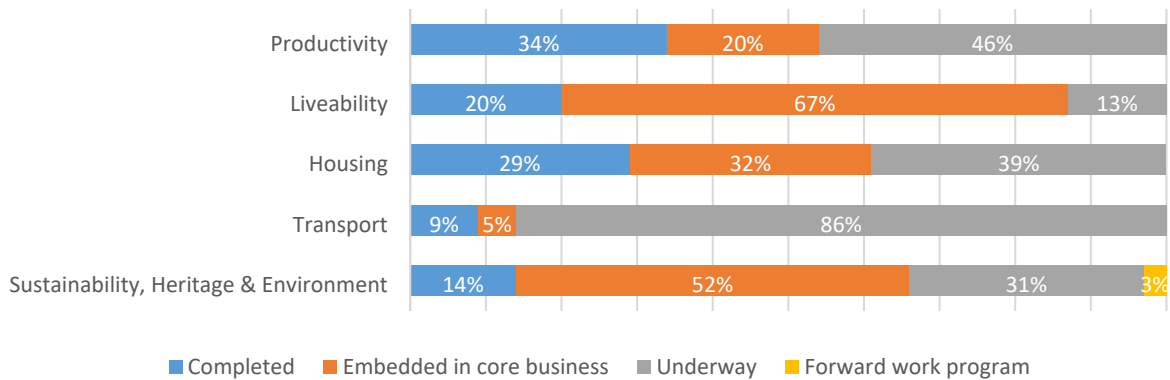
To deliver on the community vision and principles, the Ballarat Strategy adopted two platforms – 10-minute City and City in the Landscape – that underpin five themes, each with their own set of actions. The Strategy was based on more than 6,500 ideas and submissions to Ballarat Imagine, the largest community consultation program ever undertaken in Ballarat.

Summary of audit findings and key achievements

An audit of implementation of the strategy has been completed which shows that of the approximately 190 actions in the plan:

- 38% have been embedded in core business and are therefore complete and ongoing
- 20% were discrete actions that have been completed
- 40% are underway; and
- 2% of actions remain on the forward work program. These items specifically relate to project opportunities to rehabilitate degraded land, successfully encouraging a statewide approach to improving the management of agricultural land interfaces and completing an inventory of biodiversity assets across the municipality. These elements will be progressed within the context of other integrated projects, as opportunities arise.

The following graph shows the implementation status of actions in each of the five themes.



Reflections and key learnings

The review has found the intent of the Strategy is still highly relevant and it continues to provide clear long-term guidance on the aspirations of Ballarat and its residents in relation to land use planning. The directions, initiatives and actions are deeply embedded in current work programs across the City. As with all iterative strategies there is always room for refinement and the review identifies key areas of focus for the short term.

Growth projections which underpin the plan have proven representative of actual growth rates achieved, and changes in household size, diversity and family structure continue to trend in the expected directions. The Strategy’s focus on managing change to facilitate growth and development whilst not losing what makes Ballarat distinctive is even more relevant. Global changes as a result of technology shifts and world events including the COVID-19 Pandemic will change the timing of when some outcomes are achieved, but the fundamentals remain strong.

The intent of the Strategy, particularly regarding infill development, has started to materialise in new development applications which at a macro level achieve its objectives for a more compact city reducing the pace of sprawl.

The Strategy’s adoption of the Historic Urban Landscape or ‘HUL’ approach has seen a critical shift in the way we understand Ballarat’s cultural identity to be more than about only its built heritage. It has also changed the way we converse with our community and integrate what they value about Ballarat into our work. It is a community priority for these values to be better captured in the regulatory framework, and so work is currently being undertaken to ensure that local character, heritage and development controls are implemented into the Ballarat Planning Scheme to effectively manage change.

Greater clarity required on development considerations of neighbourhood character

Convenience Living Corridors were a key feature of the Strategy, denoting general policy support for infill housing within 400m along defined transport corridors across the city. Whilst the intent of encouraging infill development in well located sites and supporting the viability of increasingly frequent and convenient transport corridors remains strong and valid, the blanket nature of these corridors in planning terms have caused some local angst with regard to how planning decisions take into consideration local neighbourhood character.

Revised statutory controls are required to provide clearer guidance on local neighbourhood character when considering applications for higher density developments in suburban settings. The need for this work to be undertaken was flagged in the original Strategy in 2015 and is currently under development. A Neighbourhood Character Study and new Housing Plan for Ballarat will provide clearer guidance on growth/change areas and the form of suitable development across all residential areas of Ballarat. The new updated Housing Framework Plan will be prepared to replace the existing plan and will need to be implemented through a new residential zone amendment.

Communicating the intent and ongoing implementation of the Strategy

The review highlighted the challenges in communicating the intent and interrelationships between strategic land use plans, strategies and other documents, and how more localised actions, developments and other decisions relate to this strategic vision. In response to this finding, relevant information will be made more easily accessible online for people to better understand the future land use vision for the city and how Ballarat is tracking in getting there. Further, a refreshed Ballarat Strategy will be prepared to ensure that our community's long-term aspirations for Ballarat continue to guide Council's strategic direction into the future.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 2020*
- *Local Government Act 1989*
- City of Ballarat Council Plan 2017-2021
- Ballarat Strategy 2015

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	No
Implementation and Marketing	Yes	No
Evaluation and Review	Yes	Yes

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

Social/Cultural – The Ballarat Strategy Review will deliver positive social impacts. The review will provide better guidance over Council’s delivery of community infrastructure and services over the long term.

Environmental/Sustainability – The Ballarat Strategy Review will have positive environmental impacts and help to deliver environmental goals. An up-to-date and highly relevant strategy will ensure that all planning and development consider and respond to environmental and climate risks.

Economic – The Ballarat Strategy Review will support the growth of Ballarat’s economy. It will allow Council and other service and infrastructure providers to meet the needs of our growing economy. The strategy will ensure that services and infrastructure are provided in a timely and cost-effective manner.

Financial/Resources – The Ballarat Strategy Review is not expected to have significant broad financial or economic impacts.

Evaluation and Review – This report responds in part to Council resolution (R105/19) of 15 May 2019 to “Review the Ballarat Strategy”. Existing implementation items will be evaluated to address potential gaps in planning and delivery. A newly refreshed Ballarat Strategy will be prepared to ensure that our community’s long-term aspirations for Ballarat continue to guide Council’s strategic direction into the future.

CONSULTATION

The audit of the Ballarat Strategy has been undertaken as an internal administrative process with engagement with staff across the City of Ballarat.

The key recommendations of the review, pursuing updated and more nuanced guidance on managing neighbourhood character and a new housing framework plan will be released for public comment in due course and there will be extensive opportunity for the community to be involved in setting this revised direction.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

- *Today, Tomorrow, Together: the Ballarat Strategy* (2015)

ATTACHMENTS

1. Ballarat Strategy Review_-_ July 2020 FINAL [10.2.1 - 27 pages]



Today Tomorrow Together
The Ballarat Strategy Our Vision for 2040

BALLARAT STRATEGY

5-YEAR REVIEW

JULY 2020



INTRODUCTION

Today, Tomorrow, Together: the Ballarat Strategy was adopted in 2015 as the long-term spatial vision for Ballarat. It set the direction for managing change towards 2040.

5-years on, a review has been undertaken to assess:

1. what progress has been made in implementing the Strategy?
2. what new issues / opportunities have emerged since the plan was prepared which now need to be considered?
3. what areas of the plan need to be refreshed to deliver the current priorities for the city?

A newly refreshed Ballarat Strategy will be prepared to ensure that our community's long-term aspirations for Ballarat continue to guide Council's strategic direction into the future.

This document consists of:

Part A – Ballarat Strategy 5 Year Review – Overview

Part B - Ballarat Strategy 5 Year Review – Action Audit

Part C – Emerging Opportunities and Focus Areas

The Ballarat Strategy Audit and Review process



City of Ballarat 2020 at a Glance



Ballarat Growth

CITY OF
BALLARAT 

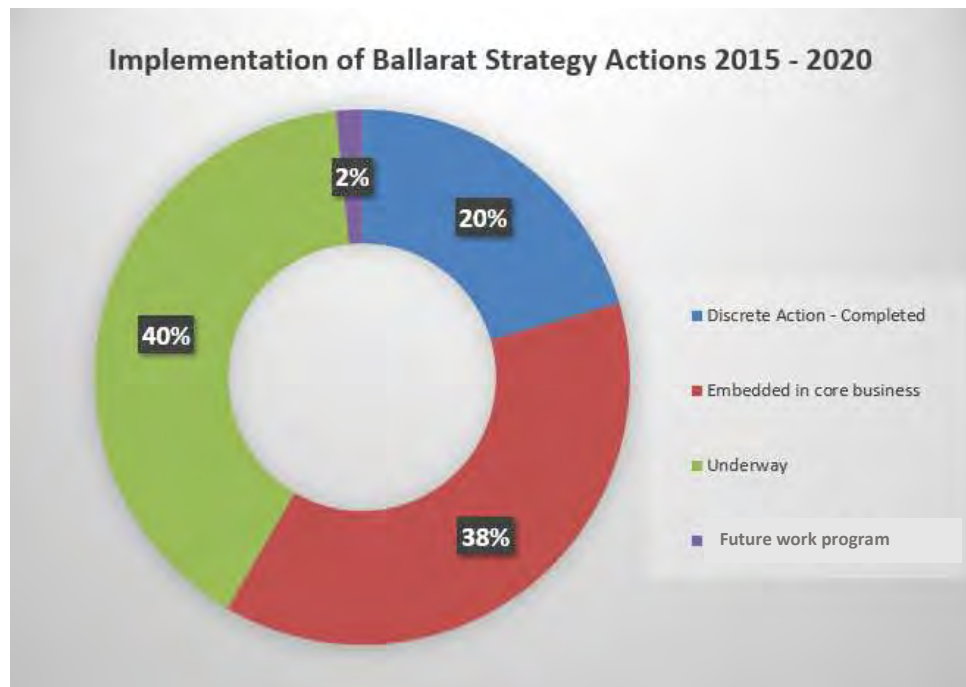
PART A - Ballarat Strategy 5 Year Review – Overview

During 2019, in consultation with departments across Council an audit was undertaken to understand the status of implementation of the Ballarat Strategy.

IMPLEMENTATION

Of the 189 items in the Implementation Plan:

- **58%** were either discrete actions which have been completed or were changes which have now been embedded in core business and are being delivered everyday through core service delivery
- **40%** of actions are currently in progress as part of ongoing projects or partially achieved with more discrete work to be done
- Just **2%** of actions remain on the future work program



KEY CONCLUSIONS

The Ballarat Strategy continues to provide clear long-term guidance on the aspirations of Ballarat and its community in relation to the city's growth and development.

The two key platforms, the '10 Minute City' and the 'City in Landscape' continue to provide the foundation for current work programs across the city and are influencing policy direction, priorities and decision making.

Aspirational projections which underpin the Ballarat Strategy have been highly accurate in predicting actual rates for population growth, changes in household size, diversity and household structure.

The intent of the strategy, particularly regarding infill development, has been successful in stimulating new developments where local connections can be taken advantage of, achieving its objectives for a more compact and efficient city at a macro level.

The application of Convenience Living Corridors, intended to guide infill development towards future rapid public transport routes, has generated concern and confusion amongst the community. Further work is underway through the Neighbourhood Character Study and Housing Plan that will provide clearer guidance on growth/change areas and the form of suitable development across all residential areas of Ballarat. The new updated Housing Framework Plan needs to be prepared to replace the existing plan, and implemented through a residential zone review.

The strategy's adoption of the Historic Urban Landscape or 'HUL' approach has seen a critical shift in the way we understand Ballarat's cultural identity to be more than about only its built heritage. It has also changed the way we converse with our community and integrate what they value about Ballarat into our work. It is a community priority for these values to be better captured in the regulatory framework, and so work is currently being undertaken to ensure that local character, heritage and development controls are implemented into the Ballarat Planning Scheme to effectively manage change.

Since 2015, Council has progressed with a range of significant plans that will need to be considered in any future refresh of the Ballarat Strategy.

A proposed Plan Ballarat website will provide an excellent platform to present the City plan in an engaging and accessible way, with interactive dashboards to present a clear view of the city's performance and liveability indicators.



Snapshot - Implementing the Ballarat Strategy 2015 - 2019





PART B – Ballarat Strategy 5 Year Review - ACTION AUDIT

The Strategy outlined approximately 190 areas of implementation under the themes of Productivity, Liveability, Housing, Connections (transport) and Sustainability, Heritage and Environment.

This section provides an overview of Implementation Status of each of these theme areas.

PRODUCTIVITY

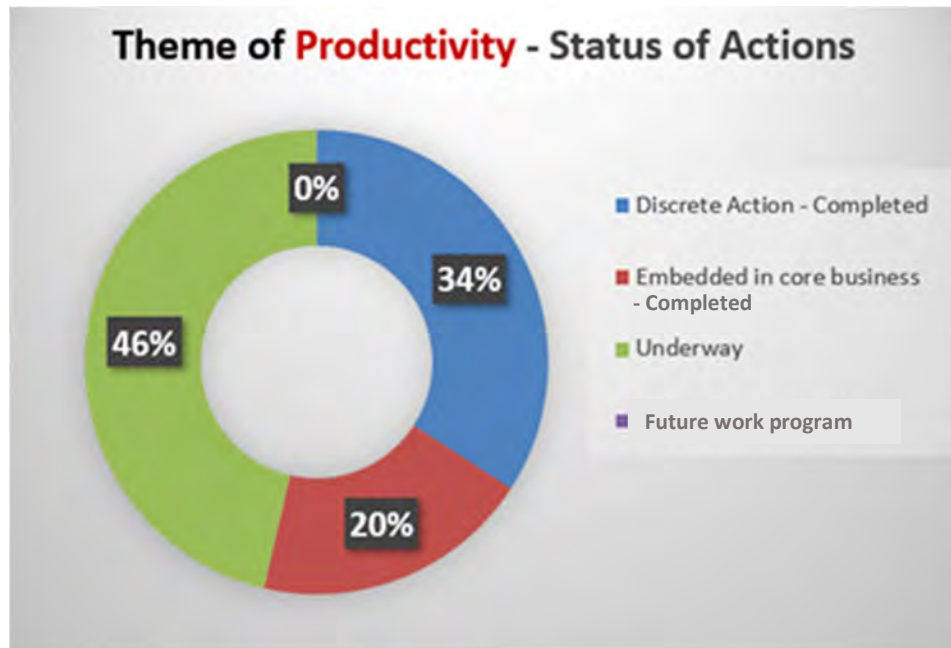
Aims to:

- Plan for a city structure which supports growth and productivity
- Support growth and diversity of development in local centres
- Establish an urban renewal investment pipeline
- Activate the CBD as a vibrant destination for working and living
- Deliver the Ballarat West employment zone as a key regional employment growth area
- Plan for industrial land in appropriate locations
- Streamline planning processes for development applications in key employment areas
- Leverage city shaping and local scale infrastructure
- Achieve a higher quality visitor experience to Ballarat, its culture and key sites
- Empower and support rural and township communities

SUMMARY OF IMPLEMENTATION

Of the implementation items to improve the productivity of Ballarat:

- **54%** were either discrete actions which have been completed or were changes which have now been embedded in core business and are being delivered everyday through core service delivery
- **46%** of actions are currently in progress as part of ongoing projects or partially achieved with more discrete work to be done
- All actions have commenced implementation



KEY ACHIEVEMENTS 2015 - 2020

- ✓ EUREKA STADIUM CONSTRUCTED
- ✓ BALLARAT WEST EMPLOYMENT ZONE – STAGE 1B ALMOST FULLY SUBSCRIBED
- ✓ CIVIC HALL REFURBISHED AND REACTIVATED
- ✓ APPROX. \$160+m CBD INVESTMENT, INCLUDING GOVHUB, BALLARAT STATION PRECINCT RENEWAL, CBD INNOVATION NEIGHBOURHOOD (TECH SCHOOL)
- ✓ AWARD WINNING CREATIVE CITY PLAN and CREATIVE PRECINCT MASTER PLAN
- ✓ BALLARAT WINTER FESTIVAL
- ✓ LIVE MUSIC STRATEGY
- ✓ BUSINESS INNOVATION, E.G. START UP BALLARAT, PAUSE FEST REGIONAL AND OTHER CONTRIBUTIONS TO THE INNOVATION ECOSYSTEM
- ✓ UPDATED CBD PLAN 2017-2021 AND BAKERY HILL PRECINCT URBAN RENEWAL PLAN

KEY REFLECTIONS AND LEARNINGS

Investment in the CBD has been steady, with significant investment from the State government in GovHub, Ballarat Station precinct, the innovation neighbourhood, Eg Ballarat Tech School and Flecknoe Building (Runway) and road upgrades.

Urban Renewal Planning for the CBD and Wendouree Station have identified key investment opportunities in these precincts. The Latrobe Street Saleyards Precinct Urban Renewal Plan is currently being prepared and will include a package of research and oral history interviews, to be integrated into the future development to help tell its story.

At the Ballarat West Employment Zone, the initial phase of development of crown land has consisted of a Stage 1 subdivision of 35 hectares (completed in 2016) and a Stage 1B subdivision of 37 hectares (completed in May 2019).

The success of BWEZ in meeting the needs of businesses seeking to grow their enterprises has exceeded all expectations. A key performance indicator of the Business Case for the original development was that at least 5 hectares of land would be contracted for sale for development within five years of the funding date (i.e. by mid-2019). From the Stage 1 and Stage 1B Subdivisions, 53 hectares (13 allotments) have been sold with the total value of permits and infrastructure investment exceeding \$300 million. The remaining parcels of currently available land are under negotiation leading to further investment and jobs.

There has been a steady stream of enquiries in relation to redevelopment potential of industrial zoned sites throughout the City, and there is a need to plan for expansion BWEZ. As a priority, the Industrial Land Strategy should be updated to clearly identify future needs and sites with potential for a change of land use.

To support the visitor and business events economy, there is a need to understand more about barriers and constraints to the potential development of premium hotels and major conference centres to service the visitor and business events economy.

Council has been an active participant in the Better Approvals process to streamline and speed up application processing times for businesses.

LIVEABILITY

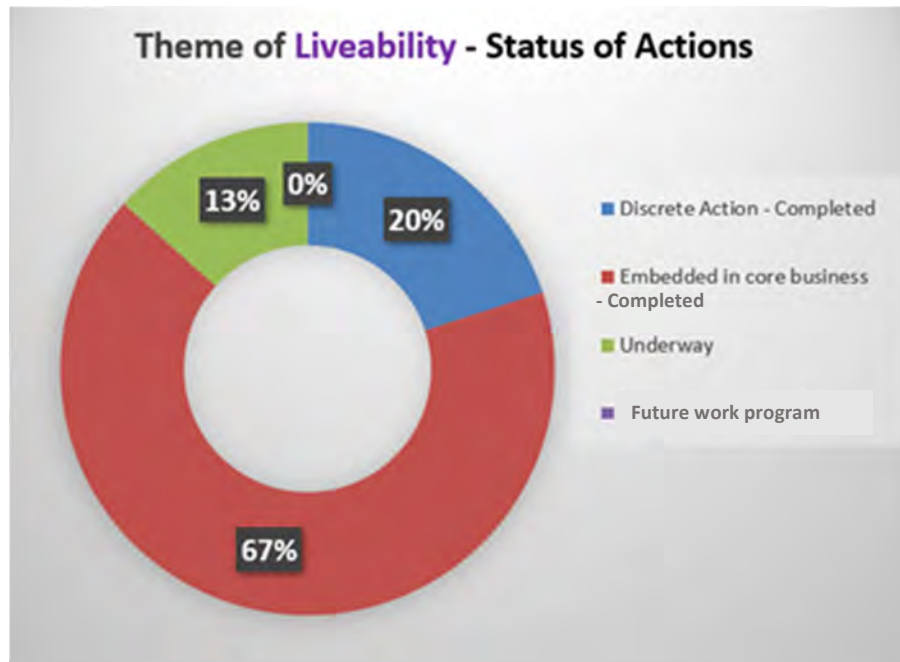
Aims to:

- Facilitate better access to local services and facilities
- Plan for a healthy and inclusive community
- Improve the public realm
- Focus long-term decision-making on the needs of children and communities
- Minimise the harm caused by electronic gaming machines
- Embrace cultural diversity

SUMMARY OF IMPLEMENTATION

Of the implementation items to improve the liveability of Ballarat:

- **87%** were either discrete actions which have been completed or were changes which have now been embedded in core business and are being delivered everyday through core service delivery
- **13%** of actions are currently in progress as part of ongoing projects or partially achieved with more discrete work to be done
- All actions have commenced implementation



KEY ACHIEVEMENTS 2015-2020

- ✓ LUCAS COMMUNITY HUB CONSTRUCTED AND UPGRADE OF THE SEBASTOPOL LIBRARY COMMUNITY HUB
- ✓ TOWNSHIP PLANS COMPLETED FOR LEARMONTH, BURUMBEET, CARDIGAN VILLAGE AND MINERS REST
- ✓ LOCAL AREA PLAN COMPLETED FOR BALLARAT EAST
- ✓ MUNICIPAL HEALTH AND WELLBEING PLAN REVIEWED
- ✓ CITY DESIGN TEAM ESTABLISHED
- ✓ \$10M LOAN PROGRAM TO UPGRADE SPORTS FACILITIES
- ✓ REIMAGING MAIN ROAD PROJECT – STREETSCAPE UPGRADE AND PUBLIC ART/INTERPRETATION
- ✓ DELIVERY OF 9 ENGAGING COMMUNITIES PROGRAMS

KEY REFLECTIONS AND LEARNINGS

Work has commenced to achieve strategic community facilities planning across the City and this will need to be extended to Compact City and new growth areas planning for the City.

Council has undertaken extensive engagement to understand the needs and interests of Ballarat's youth and children. Children can bring unique and valuable perspectives into the planning and design process. Consultation with youth and children has been a focus of many planning projects over the past 5 years.

A commitment has been made to Design-Led City and programs are underway to improve the public realm across the City. It is essential that a design-led focus is embedded in all planning and design processes.

Council has adopted a Social Policy Framework and identified Position Statements that need to be developed, including an update of gaming policy.

HOUSING

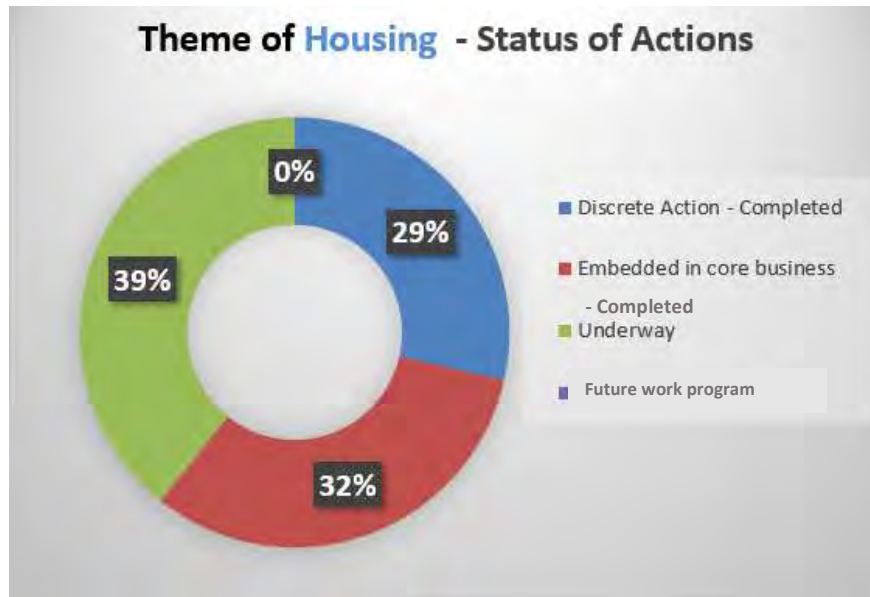
Aims to:

- Provide guidance on the future of convenient living locations
- Provide guidance on the future of strategically important development areas
- Provide guidance on the future of greenfield development
- Provide guidance on the future of dispersed settlement and township areas
- Protect the unique character of Ballarat
- Support affordable and community housing
- Plan for affordable and diverse housing appropriate for an ageing and changing community

SUMMARY OF IMPLEMENTATION

Of the implementation items to improve housing for Ballarat:

- **61%** were either discrete actions which have been completed or were changes which have now been embedded in core business and are being delivered everyday through core service delivery
- **39%** of actions are currently in progress as part of ongoing projects or partially achieved with more discrete work to be done
- All actions have commenced implementation



KEY ACHIEVEMENTS 2015-2020

- ✓ INFILL DEVELOPMENT AND ACTIVITY CENTRE DEVELOPMENT PLANNING APPROVALS
- ✓ GROWTH INVESTIGATION AREAS REPORT
- ✓ URBAN RENEWAL PLANS COMPLETED AND ADOPTED FOR BAKERY HILL AND WENDOUREE STATION PRECINCTS
- ✓ LOCAL AREA PLAN COMPLETED FOR BALLARAT EAST
- ✓ TOWNSHIP PLANS COMPLETED FOR LEARMONTH, BURUMBEET, CARDIGAN VILLAGE AND MINERS REST
- ✓ IMPLEMENTATION OF BALLARAT STRATEGY DIRECTIONS IN THE BALLARAT PLANNING SCHEME (C194)
- ✓ COMPACT CITY HOUSING PLAN AND REVISED HOUSING FRAME WORKPLAN IN PROGRESS
- ✓ AFFORDABLE HOUSING STRATEGY IN PROGRESS
- ✓ NEIGHBOURHOOD CHARACTER PLAN IN PROGRESS

KEY REFLECTIONS AND LEARNINGS

The '10 Minute City' platform continues to be a cornerstone of the Strategy for managing growth and change. The goal of a 50-50 split between infill and greenfield development by 2040 is even more relevant now than ever. Interest in infill development has grown in recent years but remains low. A more interventionist approach to encouraging well located infill will be crucial for Ballarat to make the rapid changes required to remain compact and become more vibrant and liveable.

There remains some confusion about application of the 10 Minute City platform. Further clarity and definition will assist with the application of the principle throughout the city in a fully integrated manner.

The application of Convenience Living Corridors, intended to stimulate infill development around future rapid public transport routes, has also generated concern and confusion.

Greater clarity and guidance on acceptable levels of change is required and further work is underway, through a Compact City Housing Plan and Neighbourhood Character Study, to clarify exactly where and the form of suitable development across Ballarat.

There has been some progress on planning for future strategically important development areas. Further opportunities have been identified through local area and compact city planning and will need to be updated in the refreshed plan.

As a priority, further work needs to be undertaken to ensure that local character and development controls are implemented into the Ballarat Planning Scheme to effectively manage change. Opportunities for affordable and social housing will also need to be identified.

CONNECTIONS (Transport)

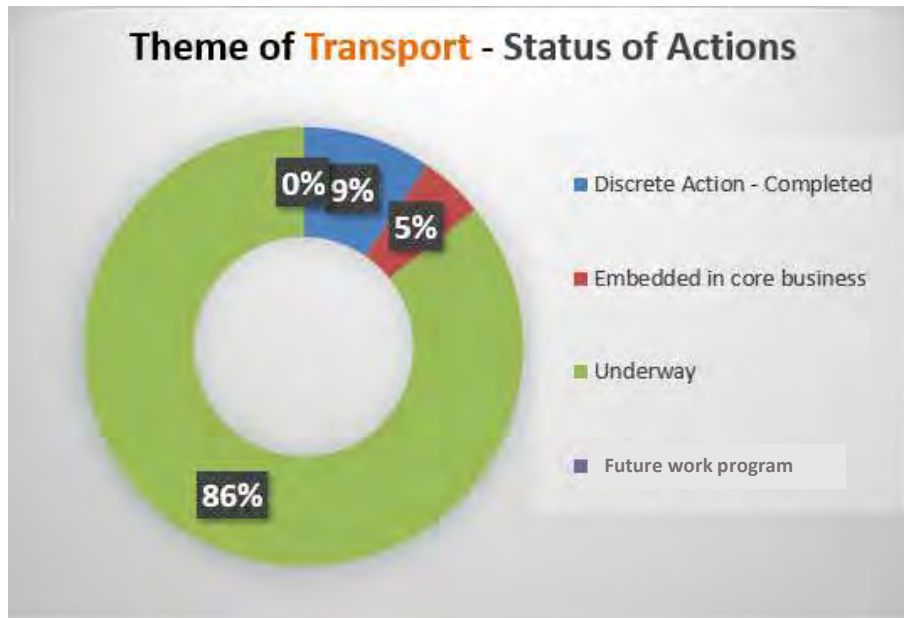
Aims to:

- Build a less car-dependent community with a more sustainable transport system
- Ensure land use supports the viability of frequent public transport
- Support a high-quality walking and cycling network to improve local accessibility
- Plan for future transport capacity and demand
- Make better use of existing transport infrastructure and network capacity
- Support improved connections within the region and to other key jobs and business markets
- Improve the efficiency of moving freight

SUMMARY OF IMPLEMENTATION

Of the implementation items to improve the connectivity of Ballarat:

- **14%** were either discrete actions which have been completed or were changes which have now been embedded in core business and are being delivered everyday through core service delivery
- **86 %** of actions are currently in progress as part of ongoing projects or partially achieved with more discrete work to be done
- All actions have commenced implementation



KEY ACHIEVEMENTS 2015-2020

- ✓ BALLARAT CYCLING ACTION PLAN COMPLETED
- ✓ ADVOCACY FOR INVESTMENT IN TRANSPORT INFRASTRUCTURE AND SERVICES, INCLUDING THE BALLARAT – MELBOURNE SERVICE, WENDOUREE STATION AND BWEZ FREIGHT HUB
- ✓ INNOVATION IN NEW ROAD PAVEMENT TO REDUCE MATERIALS USE AND CONSTRUCTION AND MAINTENANCE COSTS
- ✓ WENDOUREE STATION PRECINCT MASTERPLAN ADOPTED
- ✓ SMART PARKING INITIATIVE AND INVESTMENT IN NEW CBD PARKING
- ✓ BALLARAT SAFER CYCLING CONNECTIONS PROJECT WITH RRV

KEY REFLECTIONS AND LEARNINGS

Ballarat today remains a car-dependent community and there is an urgent need to provide options for more sustainable transport choices. Integrated land use and transport planning is underway to achieve this.

The Ballarat Cycling Action Plan was adopted by Council in 2017 and has formed the basis of an infrastructure upgrade and extension program, which has attracted significant investment. Continued implementation of this program is a priority.

Substantial infrastructure and service investments are required to improve public transport services and walkability across the City.

Significant advocacy has been undertaken to improve rail services and infrastructure across the region.

The Compact City Housing Plan will ensure that provision of housing, activity centres and transport are fully integrated.

SUSTAINABILITY, HERITAGE AND ENVIRONMENT

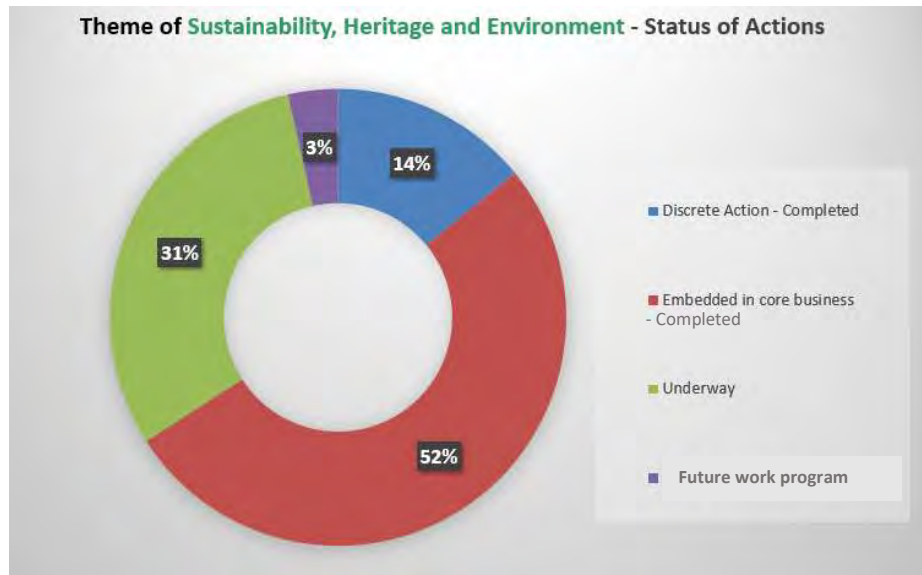
Aims to:

- Manage Ballarat's unique heritage, landscape and character as an integrated historic urban landscape
- Pursue regional solutions to the management of landscape values and biodiversity
- Protect and enhance the natural world in urban areas
- Improve the provision of quality open space to achieve environmental, social and economic benefits
- Support regional and state based sustainable water management approaches
- Ensure sustainable water management of the city through urban design and operational programs
- Manage the risk of flooding through avoidance where possible, adaptation where necessary
- Ensure appropriate management of land and soil resources
- Ensure ongoing management of agricultural land for agriculture and food security
- Improve energy efficiency
- Reduce waste taken to landfill and associated community impacts
- Proactively reduce noise impact and air emissions
- Collaborate to adapt to a changing climate
- Embed sustainability as a part of everyday decision-making

SUMMARY OF IMPLEMENTATION

Of the implementation items to improve the sustainability, heritage and environment of Ballarat:

- **66%** were either discrete actions which have been completed or were changes which have now been embedded in core business and are being delivered everyday through core service delivery
- **31%** of actions are currently in progress as part of ongoing projects or partially achieved with more discrete work to be done
- **3%** of actions are yet to commence implementation



KEY ACHIEVEMENTS 2015-2020

- ✓ HERITAGE PLAN ADOPTED
- ✓ WORLD HERITAGE BID COMMENCED
- ✓ URBAN FOREST PLAN ADOPTED
- ✓ EUREKA CENTRE AND FORMER BALLARAT DISTRICT ORPHAN ASYLUM, BALLARAT ORPHANAGE AND BALLARAT CHILDREN'S HOME INTERPRETATION PLANS
- ✓ LATROBE STREET SALEYARDS RESEARCH AND ORAL HISTORY INTERVIEWS
- ✓ BURRUMBEET FLOOD STUDY AND AMENDMENT
- ✓ INTEGRATED WATER MANAGEMENT PLAN
- ✓ CARBON NEUTRALITY AND RENEWABLE ENERGY PLAN
- ✓ FUTURE LANDSCAPES RESEARCH PLAN
- ✓ 160KW+ SOLAR INSTALLATIONS ON COUNCIL BUILDINGS
- ✓ CONTINUED SUPPORT FOR BALLARAT SMART LIVING
- ✓ DELIVERY OF BALLYMANUS PARK (4HA)
- ✓ LANDSCAPE PLANS - BLACK HILL RESERVE, MINERS REST COMMUNITY PARK, MR POWER PARK, WENDOUREE WEST RECREATION RESERVE, MT PLEASANT RESERVE, AND MANY OTHER SMALLER NEIGHBOURHOOD PARKS.

KEY REFLECTIONS AND LEARNINGS

The city's heritage assets and stories are highly valued by the community and must continue as a foundation for city planning and management of change.

Current heritage planning controls are often verbose and difficult to implement. A major review and update has commenced to ensure all parties are clear on what needs to be protected and the level of acceptable change in this dynamic city.

Council has commenced a Neighbourhood Character Study and Skyline and Views Study to introduce planning controls to protect the city's unique values and desired characteristics.

Community engagement has clearly demonstrated local interest and commitment to maintaining the city's natural environment and progressing towards a more sustainable future. Council's urban forest program will be crucial to achieving the urban cooling benefits required for climate adaptation.

There are concerns about current controls and impacts of development on private land. Developments on land already zoned for housing along Geelong Rd, for example, have seen significant loss of native vegetation as part of the development. ESO5 and VPO planning controls protecting koala habitat and native vegetation are proving ineffective in their current form. Bushfire exemptions allow vegetation removal close to houses and buildings, which further undermines existing controls. The Living Corridors Action Plan has commenced to review and strengthened planning controls.

The Open Space Strategy is over 10 years old and needs to be updated to reflect local area planning and other Council commitments that have since been made.

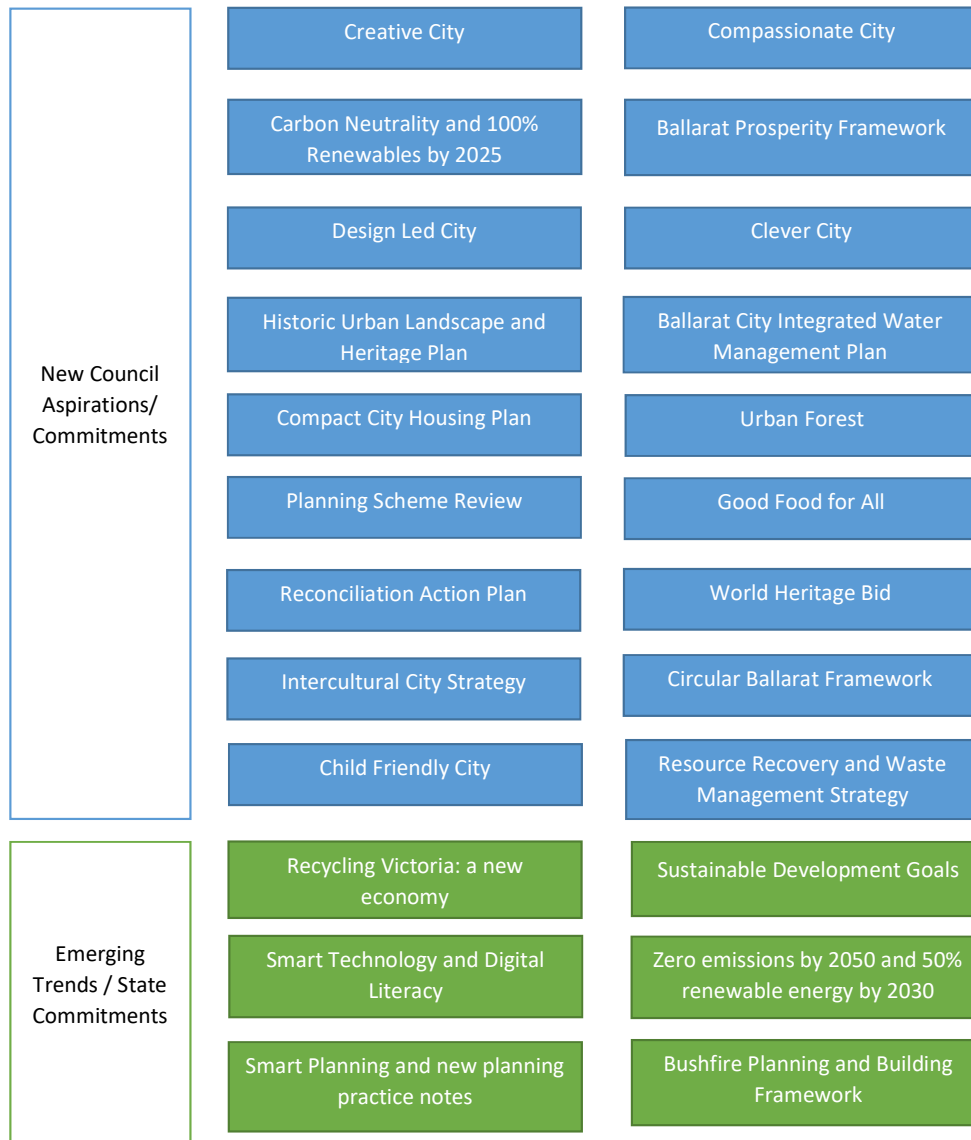
Council's commitment to Carbon Neutrality and the emerging Circular Economy will have significant implications for sustainability planning and future delivery of projects.

Ballarat is extremely well positioned geographically and climatically to continue to be a highly productive centre for agriculture and agricultural and food manufacturing.

City resilience planning is crucial with emerging climate risks. Recent bushfire events have heightened the awareness and understanding of risk. New State commitments to fire management regulations need to be considered in future City Planning. City-wide flood modelling has been undertaken and should be implemented into the Ballarat Planning Scheme as a priority.

PART C – Emerging Opportunities and Focus Areas

Since 2015, Council has committed to a number of plans and aspirational goals that will influence planning for the city. Several broader emerging trends will also need to be considered as part of future implementation and refreshed version of the Ballarat Strategy.



Creative City

In 2019, Council adopted the Creative City Strategy which presents a long-term vision for the City, to guide policy and investment in cultural and creative industries. The strategy is built upon comprehensive research and extensive engagement with community and expert stakeholders.

To support the objectives of Ballarat's Creative City Strategy, the Ballarat's Creative Precinct Master Plan has also been created to guide future development of the city's creative precinct.

Collectively, and with community support, the strategy and masterplan position Ballarat as one of Australia's leading creative cities. This will be done by increasing creative participation, attracting and supporting creative talent and developing a world-class creative industry and precinct.

The Creative City Strategy aims to take Ballarat's intrinsic creative spirit and apply it not just to consolidating Ballarat as an internationally renowned centre for arts and culture, but also applying it to our city's continuous innovation, economic growth and social sustainability. It strives to make Ballarat the city of the sustainable creative practitioner.

In November 2019, Ballarat was declared as a Creative City of craft and folk art (the first in Australia). Ballarat's submission to the UNESCO Creative City network included the city's focus on capturing and retaining both the old techniques of Indigenous peoples and fostering the techniques and skills brought by subsequent waves of people to the city.

Recommendation:

- ***Prioritise support for Creative Industries to position Ballarat as one of Australia's leading Creative City.***
- ***Implement planning actions from the Creative City Strategy.***

Compassionate City

In October 2019, Ballarat joined a worldwide movement designed to restore compassionate thinking and action by signing the global Charter for Compassion. The charter comprises of more than 430 cities in 53 countries that are working to make the world a more compassionate place. The Charter for Compassion is based on the fundamental principles of universal justice and respect.

The Compassionate Ballarat network establishment aims to:

- Help Ballarat residents to see, notice and take compassionate action
- Engage city leaders in applying compassion throughout their organisations
- Contribute to the global charter outcomes by testing international compassionate city measures
- Provide a framework and resources for residents wanting to participate in Compassionate Ballarat
- Create opportunities for the City of Ballarat to contribute to the Charter for Compassion

Recommendation:

- ***Identify opportunities and embed Compassionate Thinking into city planning and design.***

Carbon Neutrality and Renewable Energy

Ballarat Council has made a number of commitments to action on climate change and transition to renewable energy, through:

- Becoming a member of the Cities Power Partnership (2018)
- Declaring a climate emergency (2018), in line with the Municipal Association Victoria's (MAV) formal recognition that we are in a state of 'climate emergency' that requires urgent action from all levels of government, including local councils
- Adoption of the Carbon Neutrality and 100% Renewables Action Plan 2019 – 2025.

The commitments require that action on climate change is embedded in the Council Plan review and further strategies. The Victorian Climate Change Act 2017 establishes a long-term target of net zero greenhouse gas emissions by 2050, and 50% renewable energy by 2030.

The Carbon Neutrality and 100% Renewables Action Plan 2019-2025 identifies a number of key enabling and partnership priorities which will need to be considered in the refresh of the Ballarat Strategy.

Additionally, Council is a partner in the Sustainable Design Assessment in the Planning Process (SDAPP) for Subdivisions: Voluntary Assessment Framework Proof of Concept with Wodonga and 11 other regional councils across Victoria to develop tools for best practice outcomes for new development.

Recommendation:

- ***Ensure actions are delivered to achieve Council's carbon neutrality and renewable energy goals.***

Circular Economy

The Circular Economy aims to minimise waste and incentivise recycling and continual use of resources. Waste is a major feature of the Ballarat Strategy, but the focus is on reducing the amount of waste that is sent to landfill. Since that time, opportunities for Ballarat to adopt a circular economic platform has come to a major priority. A refresh of the strategy should significantly expand the lens through which opportunities are seen as they relate to a circular economic platform.

Council also adopted a Resource Recovery and Waste Management Strategy in 2018 which established an aspirational plan to improve resource management in the city

The principles, materials and guidance provided by the Ellen Macarthur Foundation is a great example of how such an approach can be fully integrated across a city, into all aspects of its function, form, design and growth - <https://www.ellenmacarthurfoundation.org/circular-economy/what-is-the-circular-economy>.

Recommendation:

- ***Prioritise the Circular Economy as a key platform for the future of Ballarat.***
- ***Identify opportunities to prioritise climate action and adoption of renewable energy.***
- ***There is a need to ensure that all planning and development consider and respond to environmental and climate risks.***
- ***Embed ESD development requirements in the Ballarat Planning Scheme for all new developments.***

Ballarat is Open / Prosperity Framework

The Ballarat is Open project seeks to gain an understanding of our various brands and identities throughout the city, as well as looking broadly at how the city ticks, what drives its growth, how we present the city to others, and how our businesses and residents can benefit from the prosperity of a rapidly growing regional city.

The Ballarat Prosperity Framework will be released in 2020 as an opportunity to shape this vision and message.

Recommendation:

- ***Ensure the Prosperity Framework is used as a foundation for planning and decision making.***

Design Led City

As a Design-Led City, the City of Ballarat is focused on elevating the quality of design across both the public and private realms. This includes encouraging a higher level of design outcomes for public and capital works, in addition to raising the bar of design for new buildings across the city.

The City Design Studio continues to show leadership by empowering and upskilling Council staff through the creation of a design champion program. The program will deliver a diversity of ideas across the full range of design; support design quality and values across all Council-led projects including consideration of eco design; celebrate good design through proactively leading award events and public forums; embrace new technologies to create a distinctively 'Smart City'; and to lead by example through the delivery of our urban renewal and strategic place design projects.

An Urban Design Palette has been established as a way to achieve integrated design outcomes across a wide range of urban design projects and will be utilised as a key element in the Design-Led program. The City of Ballarat will be proactive in marketing and celebrating the creative successes of the City.

Recommendation:

- ***Prioritise the Design-Led City as a key platform to support the future growth of Ballarat.***

Clever City – Smart Technology

Ballarat is committed to a Smart City Framework with a goal of embedding smart technology and learnings into the city's core business. Foundations of this approach include:

- Shared understanding of community challenges
- An engaged innovator ecosystem
- Building city data assets
- Co-creation and delivery support
- Branding and storytelling: Ballarat is a smart city.

Council has been working on a digital transformation for the delivery of its programs and services. There will be significant opportunities to streamline and speed up land-use planning approvals. The

Victorian State government is also delivering a Smart Planning program that includes the digital transformation of the planning system.

Recommendation:

- **Ensure that Smart City transformation is considered and embedded in planning and change management.**

Historic Urban Landscape and Heritage Plan

At the time of preparing the Ballarat Strategy, the Historic Urban Landscape (HUL) approach to managing change in a historic city was just beginning to be embedded in core business. HUL, as both a methodology and way of thinking, has since been applied in Ballarat to explore what it means in this context. This has led to a much more comprehensive understanding of our people, culture and place and how we prepare and support this to change sustainably over time. Ballarat is considered a world leader in this regard. It is now the next phase of implementation - looking to ensure character, heritage and development controls and protections are both targeted and effective.

The Heritage Plan: *Our People, Culture & Place: A plan to sustain Ballarat's heritage 2017 – 2030* has been adopted as a whole-of-city action plan which details locally and collaboratively developed projects and programs under three priority areas:

- Regeneration
- Celebrating and inspiring with Ballarat's stories
- Managing change and safeguarding heritage.

Recommendation:

- **Undertake a review and update character, development and heritage planning controls which apply to Ballarat.**
- **Progress planning priorities in the Heritage Plan.**

Urban Forest Plan

The Ballarat Strategy raised the concern of ongoing vegetation loss in areas being developed for housing, setting a target of 40% canopy cover by 2040. The 2020/21 council budget saw a funding increase of \$500,000 per annum for street tree planting, particularly focusing on areas where residents are most vulnerable to heat stress. Significant progress has been made on developing the Urban Forest on public land.

In 2018, Ballarat participated in the Cool It project through the Central Victorian Greenhouse Alliance to inform better decision making for landscape-based cooling solutions to manage social vulnerability and heat exposure.

A new bushfire planning and building framework was introduced into the Victorian Planning Scheme in 2018 with an objective “to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life”.

Recommendation:

- **Provide detailed guidance on living corridors and the adoption of Urban Forest principles on private land.**
- **Ensure that management of bushfire risk is considered as required by State Planning Policy.**

Ballarat City Integrated Water Management Plan

The Ballarat City Integrated Water Management (IWM) Plan explores and sets out recommendations for future water management in the city. The plan will deliver on broader liveability and community benefits by considering the whole urban water cycle, including management of stormwater, wastewater, water supplies (surface water and groundwater) and waterways.

The vision of the plan is for “A greener, more liveable and prosperous water future for the city and towns and Ballarat region”.

The eight guiding IWM objectives are to:

1. Support river health priorities and mitigate flooding risks
2. Optimise the use of local water sources
3. Maintain and influence water efficiency
4. Support a safe and secure urban water supply and demand future
5. Generate improved liveability outcomes, recreational opportunities and increase green infrastructure
6. Support a sustainable and productive economy
7. Deliver strategic direction to enhance IWM outcomes within land use planning
8. Develop a plan that reflects community and stakeholder values and outlines clear implementation pathways

Recommendation:

- **Embed integrated water management principles and outcomes in planning and design.**

Compact City Housing Plan – Growth Areas and Neighbourhood Character Management.

A Compact City Housing Plan is being prepared to implement the vision of the Ballarat Strategy. The plan will identify suitable locations and types of growth that should occur across the city and provide clarity on implementing the 10 Minute City principle. The plan will also review the application of Convenience Living Corridors and clarify the acceptable level of change.

The plan will also review application of residential zones across the city, review design and character controls and feature Council’s recent commitment to residential growth areas in Ballarat’s north and west. A Planning Scheme Amendment is being prepared to introduce these areas into the local policy, while precinct structure for each area will soon commence.

The Victorian Government has released new planning practice notes to provide advice to planners for the preparation, use and application of Victorian Planning Provisions for residential development. Two new Planning Practice Notes address important topics, including how to plan for housing and how to make best use of planning controls to balance housing growth with the protection of neighbourhood character.

Council has commenced a Neighbourhood Character Study and Skyline and Views Study to introduce planning controls to protect the city's unique values and desired characters.

While the Ballarat Strategy makes note of the importance of housing affordability and provides guidance on increasing housing diversity, the market has shifted significantly and now requires much greater focus on affordability issues. New mechanisms for managing affordable housing within new development need to be introduced as part of the refresh.

Recommendation:

- ***Clarify and better define the 10 Minute City principle to guide its implementation.***
- ***Include detailed local character controls and guidance and identify acceptable levels of change across all residential areas in the City.***
- ***Change the Housing Framework Plan to better represent the intent of the policy, better articulating their priority status in the context of other considerations such as heritage, local character and proximity to urban centres.***
- ***Embed State Planning Practice Notes 90 and 91 for managing housing growth and the application of residential zones.***
- ***Consider more detailed guidance on affordable housing provision, including mechanisms within new developments.***

Good Food for All: Food Strategy 2019-2022

The Good Food for All Strategy includes a vision for “all community members to have access to and celebrate a vibrant, nutritious and sustainable food system”.

To achieve this vision, the City of Ballarat will work with community and partner organisations to undertake advocacy and action which support the following priorities:

- Increase access to and promotion of safe and nutritious food
- Support a sustainable local food system
- Celebrate a vibrant, inclusive food culture Local governments are required under the Victorian Public Health and Wellbeing Act to protect public health, prevent disease and illness, promote conditions in which people can be healthy and reduce health and wellbeing inequalities.

Recommendation:

- ***Ensure that planning supports the principles of Good Food for All.***

Reconciliation Action Plan

The City of Ballarat’s vision for reconciliation is to acknowledge through actions, as well as words, the histories and continuing contributions made by Aboriginal and Torres Strait Islander peoples – in particular the Wadawurrung and Dja Dja Wurrung people.

The City of Ballarat will support, foster and encourage the sharing of walking together with Aboriginal and Torres Strait Islander peoples as well as non-Indigenous community members. Our vision for reconciliation is also built on a strong relationship with Aboriginal and Torres Strait Islander peoples within our municipality and demonstrates our commitment to further listen to the diverse voices of our community, including youth and children.

At the City of Ballarat, we are committed to reconciliation and believe that it is everyone’s business. We value, understand and promote the full landscape of our community, including Aboriginal and Torres Strait Islander people’s cultural heritage and knowledge.

Recommendation:

- ***Continue to include a focus on reconciliation in city planning.***

Measuring City Performance and Liveability

It is important to measure city performance and liveability to ensure that the Ballarat Strategy is achieving the desired outcomes, and to assist with work programming.

The plan currently identifies some measures/data sources but does not include a comprehensive set of indicators to guide measurement of performance.

There are a number of new tools available to assist Councils and communities to measure City Performance.

The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries - developed and developing - in a global partnership. They recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests.



The SDGs are being used in many communities to measure community health and city performance.

Recommendation:

- ***Establish Indicators of City Performance and Liveability which are aligned with the SDGs, and provide interactive reporting.***

10.3. PART REDAN STREET, NEWINGTON ROAD DISCONTINUANCE/SALE

Division: Infrastructure and Environment
Director: Darren Sadler
Author/Position: Linda Skewes – Property Officer

OFFICER RECOMMENDATION

Council resolves to:

- 1. Exercise the powers conferred by Clause 3 of Schedule 10 of the *Local Government Act 1989* to sell a 158m² strip of land to the abutting landowners at 5 Inkerman Street, Newington.**
- 2. Approve the Chief Executive Officer under delegated authority to complete the sale of a 158m² strip of land to the abutting landowners at 5 Inkerman Street, Newington for the current market valuation of \$47,000.**

EXECUTIVE SUMMARY

A request has been received for the realignment of a residential title boundary for the property at 5 Inkerman Street, Newington. As a result of historical circumstances, the residential parcel has extended beyond the formal title boundary and occupied an area of 158m² of the Redan Street Road Reserve. Having reviewed the options in respect to rectifying this situation, it is considered that the consolidation of this portion of land into the residential title is the most appropriate course of action.

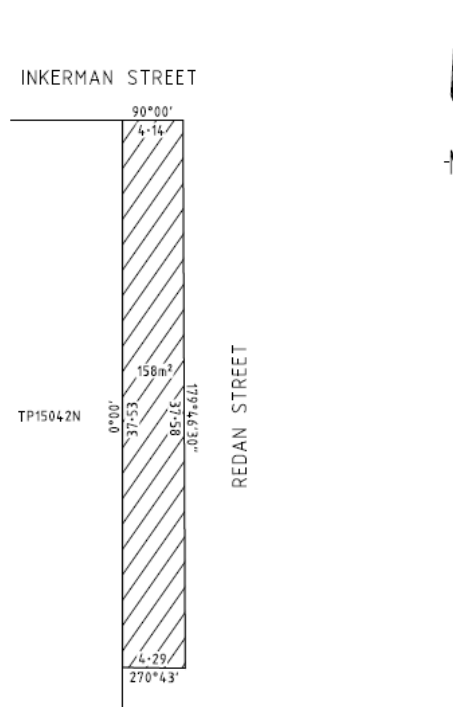
The statutory process to remove the status of road from part of Redan Street, Newington has been completed, and this report recommendation enables the finalisation of the sale.

Further it is recommended that the Chief Executive Officer be approved to formalize the disposal of the portion of the road reserve.

RATIONALE

A request has been received from the current owners of the residential title of 5 Inkerman Street, Newington for the realignment of the title boundary to accord with the residential parcel boundaries which have been fenced and controlled by the previous owners for decades. The owners of the current title (recent purchasers) bought the site with the understanding that the fenced parcel was titled accordingly.

Having undertaken a title re-establishment survey, it has been determined that the title does not include an area which has been fenced, managed and built on as part of the residential parcel for decades (the buildings have been located on a portion of the road reserve for over 50 years). The portion of land which is excluded from the current title is detailed in the aerial photograph depicted below, along with the formal survey plan detailed below. This area has been rated by Council for decades.



As a result of this discovery the owners of the existing parcel have made a request to Council to consider the realignment of the road reserve to include the portion into the title of 5 Inkerman Street. That is, to formally include the area currently fenced and managed as part of the residential parcel into the title proper. This requires statutory discontinuance of the section of road reserve which is currently fenced as part of the residential parcel so that it can be consolidated into the existing residential title.

The anecdotal advice from long-term residents is that realignment of the boundary was a tradeoff for the provision of rear access to adjacent properties and sanctioned by a former

Council. A search of Council's records has not revealed any specifics around this anecdotal advice.

Council resolved at its Ordinary Council Meeting dated 29 January 2020 to undertake the formal Gazettal process in respect to the discontinuance and closure of this portion of Redan Street, Newington and to delegate to the Chief Executive Officer the disposal of the land at market value.

The City of Ballarat has completed the Gazettal process to discontinue the portion of the road and has given notice under section 189 of the *Local Government Act 1989* of its intention to sell part of the road known as Redan Street, Newington on the 12 March 2020.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	Yes	No
Environmental/Sustainability	Yes	No
Economic	Yes	No
Financial/Resources	Yes	Yes
Risk Management	Yes	No
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

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

Social/Cultural – It is considered that there are no adverse social/cultural consequences associated with the consolidation of the portion of road reserve affected into the title of 5 Inkerman Street, Newington.

Environmental/Sustainability – Given the established position of the portion of road reserve affectively forming part of the residential parcel it is considered that there will be no environmental/sustainability consequences.

Economic – There are no adverse impacts envisaged from an economic perspective.

Financial/Resources – The costs associated with the process recommended in this instance can be managed within operational budgets, with any resultant income from the sale of the property to go to Council's land sales reserve.

Risk Management – The Gazettal process has identified that there are no risks associated with the recommended approach.

Implementation and Marketing – As recommended, the discontinuance and closure of this portion of the road reserve has been subject to the formal Government Gazette process and public notification.

Evaluation and Review – The process identified includes the review mechanism of the public notification exercise.

CONSULTATION

The sale of land that formed part of a road that has been discontinued is subject to the provisions of section 189 except for public consultation under section 223. Public consultation under section 223 is specifically provided for under clause 3, Schedule 10 and section 207A.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

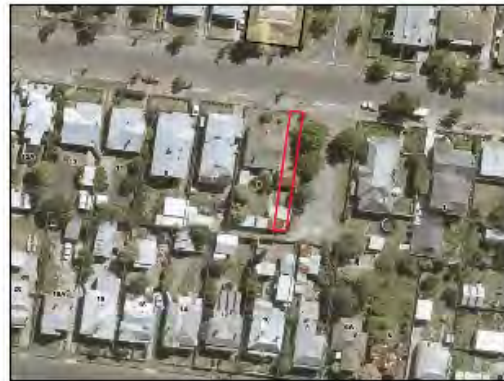
REFERENCE DOCUMENTS

- Valuation Report

ATTACHMENTS

1. VALUA T~1 [10.3.1 - 43 pages]

Valuation Report



**Part Road Reserve of 158 sqm
Part Redan Street
(Abutting 5 Inkerman Street)
Newington VIC 3350**

Under Instructions from:

Ms Linda Skewes
Property Officer
City of Ballarat
PO Box 655
Ballarat VIC 3353

Our Reference:

4449

30th March 2020

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Appendices

1. Letter of instruction
2. Proposed Plan for Gazettal
3. 5 Inkerman Street, Newington - Certificate of Title & Title Plan TP015042N1
4. Property Planning Report

Executive Summary:

- Property:** Part Road Reserve of 158 square metres
Part Redan Street, (Abutting 5 Inkerman Street), Newington VIC 3350
- Instructed By:** Ms Linda Skewes
Property Officer
City of Ballarat
PO Box 655
Ballarat VIC 3353
- Instructions:** We have acted on written instructions from Ms Linda Skewes of City of Ballarat, dated 10th March 2020 to provide an assessment of current market value of part Road Reserve of 158 sqm, Part Redan Street (immediately east of 5 Inkerman Street), Newington for pre-sale purposes.
- We have specifically been requested to provide an assessment of current market value of the subject property (part Road Reserve of 158 sqm) on the following basis:
- Assume the land area is 158 square metres (approximately 4.2 metres wide by 37.5 metres long) as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and provided with our instructions.
 - Assume the location of the property is as per:
 - Proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and
 - Area highlighted "Part Redan Street to be sold" on Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions.
 - At the date of valuation, no Certificate of Title exists as the property forms part of a road reserve.
 - Assume the subject property (part Road Reserve of 158 sqm) is to be sold to the abutting land owner of 5 Inkerman Street, Newington (Lot 1 TP15042N Volume 10473 Folio 115) for consolidation with their existing title.
 - Assume the roadway will be discontinued prior to any notional sale.
 - Ballarat City Council may be required to publicly advertise the sale as part of the provisions of the Local Government Act.

The valuation report has been prepared for the private and confidential use only of Ballarat City Council for pre-sale purposes and it should not be reproduced in whole or in part or relied upon for any other purpose or by any other party. It is subject to the terms and conditions, disclaimers, qualifications, limitations and assumptions contained in the report and any annexures thereto. Only the client, who the report is specifically addressed, may rely upon the report, and only for the sole purpose as specified in the report.

The report is not to be used or relied upon by any other person or for any other purpose. We accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. VRC Property and the Valuer accepts no liability for negligence and / or any other cause of action for any loss or damage suffered by a third party to whom the valuation report was not addressed.

No responsibility is accepted by the Valuer and/or Valuation Firm in the event that the client to which this report is specifically addressed, relies, uses and/or otherwise represents anything contained in the report for any other purpose apart from that expressly noted previously.

No responsibility is accepted by the Valuer and/or Valuation Firm to any other parties who rely, use, distribute, publish and/or otherwise represent anything contained in the report for any purpose.

This valuation has been prepared in accordance with the Valuation of Land Act 1960 and the Australian Property Institutes Practice Standards and Guidance Notes.

Basis of Valuation:

This valuation has been prepared on the basis of market value, as defined within the International Valuation Standards 1 (IVS1), and endorsed by the Australian Property Institute, as:

"Market value is the estimated amount for which an asset should exchange on the date of valuation between a willing buyer and a willing seller in an arm's length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion".

Brief Description:

The subject property (part Road Reserve) is a rectangular shaped parcel located on the eastern side of 5 Inkerman Street in close proximity to the Ballarat CBD

The property (part Road Reserve) has a land area of approximately 158 square metres (as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1) with dimensions of approximately 4.2 metres wide by 37.5 metres long.

The property (part Road Reserve) appears to be exclusively used by the land owners of 5 Inkerman Street, with a garage and carport partially built over the land. In this instance the most likely purchaser of the part Road Reserve is the property owner of 5 Inkerman Street.

If the property (part Road Reserve) is consolidated with 5 Inkerman Street, Newington, then the land area will increase from 524 square metres to 682 square metres.

Location:

The property is centrally located within Newington, approximately 1.2 kilometres from the Ballarat CBD. More specifically, the property is located on the south western corner of Inkerman Street and the southern end of Redan Street, Newington approximately 110 metres west of the Pleasant Street South intersection.

Planning:

General Residential Zone – Schedule 1 (GRZ1)
Design & Development Overlay – Schedule 20 (DDO20)
Heritage Overlay (HO164)

Title Particulars:

The subject property does not have a separate Certificate of Title as it currently forms part of a roadway.

We have assumed the property once the roadway is discontinued, is not affected by any easements or restrictions that would affect the highest and best use of the property.

Upon inspection of the property, we make note part of the property is encumbered by the construction of a garage and carport of the abutting land owner at 5 Inkerman Street, Newington

Registered proprietor: As the subject property is not subject to a Certificate of Title, we are unaware of who the registered proprietor is. Given we are completing the valuation for the City of Ballarat, we have assumed that they are the registered proprietor.

Land Area: 158 square metres (approximately)

No Certificates of Title exists. We have been provided with a proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 which has a total land area of 158 square metres.

For the purpose of our valuation, we have been instructed to adopt the land area of 158 square metres (as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1) with dimensions of approximately 4.2 metres wide by approximately 37.5 metres long. We recommend a formal survey be performed and we reserve the right to review our valuation upon review of the formal survey.

Occupancy Status: Vacant land.

At the date of inspection, we make note part of the property is encumbered by the construction of a garage and carport of the abutting land owner at 5 Inkerman Street, Newington

The property (part Road Reserve) appears to be used exclusively by the abutting owner at 5 Inkerman Street, Newington and we have assumed the part Road Reserve is not subject to adverse possession claims and there are no implied carriage way easement over part of the land.

Interest Valued: Freehold

Date of Inspection: 13th March 2020

Date of Valuation: 13th March 2020

Valuation: **\$47,000**

FORTY-SEVEN THOUSAND DOLLARS

The above value is inclusive of Goods and Services Tax, if applicable.

Important Notes: Given the unknown impact the current COVID-19 outbreak will have on the market that the property/asset is transacted and/or valued in, we have included a Significant Valuation Uncertainty Disclosure in our valuation report. This valuation is subject to the terms and conditions, disclaimers, qualifications, assumptions and limitations contained in this valuation report and any annexures thereto.

This executive summary must not be read in isolation and must be read in conjunction with the entire report, including all Annexures, 'Assumptions and Limitations' and 'Qualifications and Disclaimers'.

Assumptions and Limitations:

We detail the assumptions made by the valuer in performing this valuation:

- In accordance with our instructions, part Road Reserve has an area of approximately 158 square metres (as proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1) with dimensions of approximately 4.2 metres wide by 37.5 metres long. If there is a change in the area of land, or the location of the discontinued road, then we reserve the right to review our valuation.
- We have not been provided with a survey plan. This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property is not given in the capacity as an expert, however, is based on our inspection of the property and review of proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions. We recommend that a survey be undertaken by a qualified surveyor. We reserve the right to review our valuation once a survey is undertaken by a qualified surveyor, and we receive a copy of the survey plan.
- Due to the overall shape of the property (part Road Reserve), distance of boundaries and fencing, actual dimensions could not be verified and this assessment relies on the land area as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1
- At the date of valuation, the subject property is not subject to a Certificate of Title. We have completed a search for Title Plan 15042N (for abutting property of 5 Inkerman Street, Newington) which does not show the subject property (part Road Reserve) to have a separate allotment; however, is simply part of a Road Reserve. As we are providing a current market valuation for pre-sale purposes, we have assumed that if the subject property (part Road Reserve) was to be sold, Ballarat City Council would waive their rights to use the property as a road reserve and therefore the property could be used as the new owner wishes (subject to council approval)
- As no Certificate of Title exists for the subject property (part Road Reserve), we have assumed:
 - The subject property (part Road Reserve) is not subject to any reservations, restrictions, encroachments, encumbrances, caveats, notices, easements, leases nor rights of way, other than those disclosed in the report, that adversely affect the subject property. If a land reservation, encroachment, encumbrance, caveat, notice, easement, lease or right of way exists on the land parcel (other than noted in the report), or if there are errors known on the title information, then VRC Property must be notified, and we reserve the right to review our valuation. We reserve the right to review our assessment of value upon the provision of the single (consolidated) certificate of title.
 - Ballarat City Council is the administrator and is authorised to deal with the sale of the subject property (part Road Reserve).
 - The land area and location of subject property (part Road Reserve) is as per our instructions. If the land area or location is found to be different than that disclosed in the report, then VRC Property must be notified, and we reserve the right to review our assessment of market value.
 - The subject property (part Road Reserve) is currently exclusively occupied by the abutting land owner at 5 Inkerman Street, Newington and is partially built upon with a carport and garage situated on part of the land. A current survey has not been sighted and this valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor. We recommend a formal survey be performed and we reserve the right to review our valuation upon review of the formal survey.
- No investigation has been made of and no responsibility is assumed for, the legal description or for legal matters, including the title or encumbrances.
- At the date of valuation, the subject property is currently not titled as a single parcel of land. In accordance with our instructions we have assumed the property will be consolidated with 5 Inkerman Street, Newington. We reserve the right to review and, if necessary, vary the valuation upon receipt of an approved Title Plan.
- At the date of inspection, we note part of the property is encumbered by the construction of a garage and carport of the abutting land owner at 5 Inkerman Street, Newington. The property (part Road Reserve) appears to be used exclusively by the abutting owner at 5 Inkerman Street,

Newington and we have assumed the part Road Reserve is not subject to adverse possession claims and there are no implied carriageway easement over part of the land.

- The property has been valued as if unencumbered by any lease and on a vacant possession basis.
- VRC Property does not carry out any investigations on site or off site or by enquiry to determine the ground/soil beneath the surface or undertaken any vegetation or soil sampling. This report is on the basis that no contamination of the land exists. The client should engage appropriate professionals to advise in this regard.
- Our valuation is completed on the assumption that there are no environmental problems in any way affecting the subject property, including soil contamination, surface or sub surface conditions, toxic or hazardous wastes or building material hazardous in the property that may adversely affect its existing or potential use and our assessment of value. Should it subsequently transpire that an expert report establishes that there are such matters of environmental concern, or such matters become known or discovered, no reliance should be placed on our assessment of value unless we have been advised of such matters and we have confirmed that our assessment of value is not affected. We reserve the right to review this valuation to determine the impact such environmental matters has on the property and our assessment of value
- The client acknowledges and recognises that VRC Property is not an expert in identifying environmental hazards and compliance requirements affecting the property. VRC Property does not have the expertise to be able to prepare an environmental audit report and any valuation report by VRC Property will not in any way constitute an environmental audit. Any comments given as to environmental factors in relation to the property are not given in the capacity as an expert. VRC Property will not be liable nor responsible for failure to identify all such matters of environmental concern and the impact which an environmental related issue has on the property and its value including loss arising from;
 - site contamination;
 - the non-compliance with any environmental laws; or
 - costs associated with the clean-up of a property in which an environmental hazard has been recognised, including action by the Environmental Protection Authority to recover clean-up costs pursuant to the Environmental Protection Act.
- VRC Property does not carry out investigations on site in order to determine the suitability of ground conditions and services for new developments. This report is on the basis that these aspects are satisfactory.
- Any notional sale would have the terms of ten percent (10%) deposit upon signing the contract of sale with balance payable in 60/90 days.
- The valuation is determined upon the property information, title information and information supplied by client is correct and full disclosure of all information and facts and expert advice which may affect the valuation has been made to us.
- Significant Valuation Uncertainty Disclosure.
 - The market that the property/asset is transacted and/or valued in is being impacted by the uncertainty that the COVID-19 outbreak has caused. Market conditions are changing daily at present. As at the date of valuation we consider that there is a market uncertainty resulting in significant valuation uncertainty.
 - This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.
 - Given the valuation uncertainty noted, we recommend that the user (client) of this report review this valuation periodically.
- This valuation has been prepared on the assumptions outlined in the 'Qualifications & Disclaimers' section at the end of this report.

We detail the assumptions required by the client or limitations imposed on the valuer in performing this valuation:

- We have specifically been requested to provide an assessment of current market value of the subject property (part Road Reserve of 158 sqm) on the following basis:
 - Assume the land area is 158 square metres (approximately 4.2 metres wide by 37.5 metres long) as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and provided with our instructions.

- Assume the location of the property is as per:
 - Proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and
 - Area highlighted "Part Redan Street to be sold" on Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions.
- At the date of valuation, no Certificate of Title exists as the property forms part of a road reserve.
- Assume the subject property (part Road Reserve of 158 sqm) is to be sold to the abutting land owner of 5 Inkerman Street, Newington (Lot 1 TP15042N Volume 10473 Folio 115) for consolidation with their existing title.
- Assume the roadway will be discontinued prior to any notional sale.
- Ballarat City Council may be required to publicly advertise the sale as part of the provisions of the Local Government Act.

Liability limited by a scheme approved under Professional Standards Legislation.

VRC Property Pty Ltd



Adam Sanders AAPI
Certified Practising Valuer
API Member No. 4033

Dated: 30th March 2020

1. Instructions:

We have acted on written instructions from Linda Skewes of Wyndham City Council dated 10th March 2020 to provide an assessment of current market value of part Road Reserve of 158 sqm, Part Redan Street (immediately east of 5 Inkerman Street), Newington for pre-sale purposes.

We have specifically been requested to provide an assessment of current market value of the subject property (part Road Reserve of 158 sqm) on the following basis:

- Assume the land area is 158 square metres (approximately 4.2 metres wide by 37.5 metres long) as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and provided with our instructions.
- Assume the location of the property is as per:
 - Proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and
 - Area highlighted "Part Redan Street to be sold" on Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions.
- At the date of valuation, no Certificate of Title exists as the property forms part of a road reserve.
- Assume the subject property (part Road Reserve of 158 sqm) is to be sold to the abutting land owner of 5 Inkerman Street, Newington (Lot 1 TP15042N Volume 10473 Folio 115) for consolidation with their existing title.
- Assume the roadway will be discontinued prior to any notional sale.
- Ballarat City Council may be required to publicly advertise the sale as part of the provisions of the Local Government Act.

The valuation report has been prepared for the private and confidential use only of Ballarat City Council for pre-sale purposes and it should not be reproduced in whole or in part or relied upon for any other purpose or by any other party. It is subject to the terms and conditions, disclaimers, qualifications, limitations and assumptions contained in the report and any annexures thereto. Only the client, who the report is specifically addressed, may rely upon the report, and only for the sole purpose as specified in the report.

The report is not to be used or relied upon by any other person or for any other purpose. We accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. VRC Property and the Valuer accepts no liability for negligence and / or any other cause of action for any loss or damage suffered by a third party to whom the valuation report was not addressed.

No responsibility is accepted by the Valuer and/or Valuation Firm in the event that the client to which this report is specifically addressed, relies, uses and/or otherwise represents anything contained in the report for any other purpose apart from that expressly noted previously.

No responsibility is accepted by the Valuer and/or Valuation Firm to any other parties who rely, use, distribute, publish and/or otherwise represent anything contained in the report for any purpose.

This valuation has been prepared in accordance with the Valuation of Land Act 1960 and the Australian Property Institute's Practice Standards and Guidance Notes.

We have been provided with the following information in undertaking our valuation:

- Letter of instruction from Ballarat City Council.
- Proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1
- Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020
- Email from Linda Skewes of Ballarat City Council dated 10th March 2020.

We confirm that the valuer does not have any pecuniary interest that would conflict with the proper valuation of the property, has the appropriate experience in the valuation of this style of property, and is legally permitted to value such property in the State of Victoria.

Assumptions and Limitations

We detail the assumptions made by the valuer in performing this valuation:

- In accordance with our instructions, part Road Reserve has an area of approximately 158 square metres (as proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1) with dimensions of approximately 4.2 metres wide by 37.5 metres long. If there is a change in the area of land, or the location of the discontinued road, then we reserve the right to review our valuation.
- We have not been provided with a survey plan. This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property is not given in the capacity as an expert, however, is based on our inspection of the property and review of proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions. We recommend that a survey be undertaken by a qualified surveyor. We reserve the right to review our valuation once a survey is undertaken by a qualified surveyor, and we receive a copy of the survey plan.
- Due to the overall shape of the property (part Road Reserve), distance of boundaries and fencing, actual dimensions could not be verified and this assessment relies on the land area as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1.
- At the date of valuation, the subject property is not subject to a Certificate of Title. We have completed a search for Title Plan 15042N (for abutting property of 5 Inkerman Street, Newington) which does not show the subject property (part Road Reserve) to have a separate allotment; however, is simply part of a Road Reserve. As we are providing a current market valuation for pre-sale purposes, we have assumed that if the subject property (part Road Reserve) was to be sold, Ballarat City Council would waive their rights to use the property as a road reserve and therefore the property could be used as the new owner wishes (subject to council approval).
- As no Certificate of Title exists for the subject property (part Road Reserve), we have assumed:
 - The subject property (part Road Reserve) is not subject to any reservations, restrictions, encroachments, encumbrances, caveats, notices, easements, leases nor rights of way, other than those disclosed in the report, that adversely affect the subject property. If a land reservation, encroachment, encumbrance, caveat, notice, easement, lease or right of way exists on the land parcel (other than noted in the report), or if there are errors known on the title information, then VRC Property must be notified, and we reserve the right to review our valuation. We reserve the right to review our assessment of value upon the provision of the single (consolidated) certificate of title.
 - Ballarat City Council is the administrator and is authorised to deal with the sale of the subject property (part Road Reserve).
 - The land area and location of subject property (part Road Reserve) is as per our instructions. If the land area or location is found to be different than that disclosed in the report, then VRC Property must be notified, and we reserve the right to review our assessment of market value.
 - The subject property (part Road Reserve) is currently exclusively occupied by the abutting land owner at 5 Inkerman Street, Newington and is partially built upon with a carport and garage situated on part of the land. A current survey has not been sighted and this valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor. We recommend a formal survey be performed and we reserve the right to review our valuation upon review of the formal survey.
- No investigation has been made of and no responsibility is assumed for, the legal description or for legal matters, including the title or encumbrances.
- At the date of valuation, the subject property is currently not titled as a single parcel of land. In accordance with our instructions we have assumed the property will be consolidated with 5 Inkerman Street, Newington. We reserve the right to review and, if necessary, vary the valuation upon receipt of an approved Title Plan.
- At the date of inspection, we note part of the property is encumbered by the construction of a garage and carport of the abutting land owner at 5 Inkerman Street, Newington. The property (part Road Reserve) appears to be used exclusively by the abutting owner at 5 Inkerman Street,

Newington and we have assumed the part Road Reserve is not subject to adverse possession claims and there are no implied carriageway easement over part of the land.

- The property has been valued as if unencumbered by any lease and on a vacant possession basis.
- VRC Property does not carry out any investigations on site or off site or by enquiry to determine the ground/soil beneath the surface or undertaken any vegetation or soil sampling. This report is on the basis that no contamination of the land exists. The client should engage appropriate professionals to advise in this regard.
- Our valuation is completed on the assumption that there are no environmental problems in any way affecting the subject property, including soil contamination, surface or sub surface conditions, toxic or hazardous wastes or building material hazardous in the property that may adversely affect its existing or potential use and our assessment of value. Should it subsequently transpire that an expert report establishes that there are such matters of environmental concern, or such matters become known or discovered, no reliance should be placed on our assessment of value unless we have been advised of such matters and we have confirmed that our assessment of value is not affected. We reserve the right to review this valuation to determine the impact such environmental matters has on the property and our assessment of value
- The client acknowledges and recognises that VRC Property is not an expert in identifying environmental hazards and compliance requirements affecting the property. VRC Property does not have the expertise to be able to prepare an environmental audit report and any valuation report by VRC Property will not in any way constitute an environmental audit. Any comments given as to environmental factors in relation to the property are not given in the capacity as an expert. VRC Property will not be liable nor responsible for failure to identify all such matters of environmental concern and the impact which an environmental related issue has on the property and its value including loss arising from;
 - site contamination;
 - the non-compliance with any environmental laws; or
 - costs associated with the clean-up of a property in which an environmental hazard has been recognised, including action by the Environmental Protection Authority to recover clean-up costs pursuant to the Environmental Protection Act.
- VRC Property does not carry out investigations on site in order to determine the suitability of ground conditions and services for new developments. This report is on the basis that these aspects are satisfactory.
- Any notional sale would have the terms of ten percent (10%) deposit upon signing the contract of sale with balance payable in 60/90 days.
- The valuation is determined upon the property information, title information and information supplied by client is correct and full disclosure of all information and facts and expert advice which may affect the valuation has been made to us.
- Significant Valuation Uncertainty Disclosure.
 - The market that the property/asset is transacted and/or valued in is being impacted by the uncertainty that the COVID-19 outbreak has caused. Market conditions are changing daily at present. As at the date of valuation we consider that there is a market uncertainty resulting in significant valuation uncertainty.
 - This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.
 - Given the valuation uncertainty noted, we recommend that the user (client) of this report review this valuation periodically.
- This valuation has been prepared on the assumptions outlined in the 'Qualifications & Disclaimers' section at the end of this report.

We detail the assumptions required by the client or limitations imposed on the valuer in performing this valuation:

- We have specifically been requested to provide an assessment of current market value of the subject property (part Road Reserve of 158 sqm) on the following basis:
 - Assume the land area is 158 square metres (approximately 4.2 metres wide by 37.5 metres long) as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and provided with our instructions.

- Assume the location of the property is as per:
 - Proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and
 - Area highlighted "Part Redan Street to be sold" on Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions.
- At the date of valuation, no Certificate of Title exists as the property forms part of a road reserve.
- Assume the subject property (part Road Reserve of 158 sqm) is to be sold to the abutting land owner of 5 Inkerman Street, Newington (Lot 1 TP15042N Volume 10473 Folio 115) for consolidation with their existing title.
- Assume the roadway will be discontinued prior to any notional sale.
- Ballarat City Council may be required to publicly advertise the sale as part of the provisions of the Local Government Act.

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2. Basis of Valuation:

This valuation has been prepared on the basis of market value, as defined within the International Valuation Standards 1 (IVS1), and endorsed by the Australian Property Institute, as:

"Market value is the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion".

3. Date of Valuation:

Our valuation has been assessed as at 13th March 2020 based on our inspection of the same date.

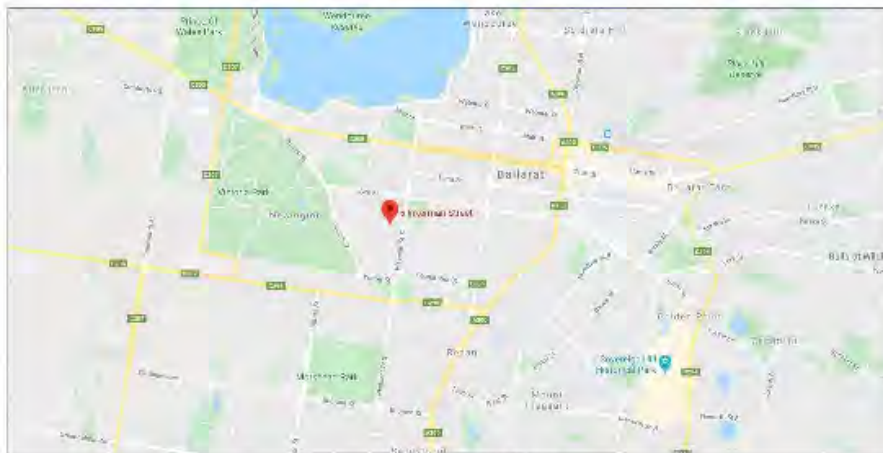
4. Location and Locality

4.1. Overview:

The property is centrally located within the inner Ballarat suburb of Newington, approximately 1.5 kilometres to the south west of the Ballarat CBD.

More specifically, the property is located on the southern side of Inkerman Street and runs parallel to the southern end of Redan Street, Newington approximately 110 metres west of the Pleasant Street South intersection.

The following map highlights the location of the subject property.



Source: Google Maps

4.2. Surrounding development:

Properties within the immediate surrounding area comprise well established residential dwellings of varying construction types and styles. Surrounding amenities include the Western Oval, Urquhart Park Primary School and Victoria Park. Newington is considered a well-regarded "Inner Ballarat" suburb.

The Ballarat Railway Train Station is approximately 2.5 kilometres to the north east.

4.3. Transport infrastructure:

The property features excellent access to arterial roads such as Sturt Street, Midland Highway and the Western Highway to the north.

4.4. Aerial Photo of Subject Property:

The following aerial photo highlights the location of the property (part Road Reserve), outlined in red for illustrative purposes only.



Source: Google Maps

5. Photos of the Subject Property:

Garage onsite, Eastern Boundary – Facing East



Rear aspect- Southern Boundary



6. Title and Property Detail:

6.1. Legal Description:

The subject property does not have a separate Certificate of Title as it currently forms part of a roadway.

6.2. Restrictions, Encumbrances, etc noted on Title:

As no Certificate of Title exists for the subject property (part Road Reserve), we have assumed:

- The subject property (part Road Reserve) is not subject to any reservations, restrictions, encroachments, encumbrances, caveats, notices, easements, leases nor rights of way, other than those disclosed in the report, that adversely affect the subject property. If a land reservation, encroachment, encumbrance, caveat, notice, easement, lease or right of way exists on the land parcel (other than noted in the report), or if there are errors known on the title information, then VRC Property must be notified, and we reserve the right to review our valuation. We reserve the right to review our assessment of value upon the provision of the single (consolidated) certificate of title.
- Ballarat City Council is the administrator and is authorised to deal with the sale of the subject property (part Road Reserve).
- The land area and location of subject property (part Road Reserve) is as per our instructions. If the land area or location is found to be different than that disclosed in the report, then VRC Property must be notified, and we reserve the right to review our assessment of market value.
- The subject property (part Road Reserve) in question is currently exclusively occupied by the abutting land owner at 5 Inkerman Street, Newington and is partially built upon with a carport and garage situated on part of the land. A current survey has not been sighted and this valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor. We recommend a formal survey be performed and we reserve the right to review our valuation upon review of the formal survey.

6.3. Registered Proprietor:

As the subject property is not subject to a Certificate of Title, we are unaware of who the registered proprietor is. Given we are completing the valuation for the City of Ballarat, we have assumed that they are the registered proprietor.

6.4. Identification:

We have relied upon the provided Proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions to identify the property (part Road Reserve).

6.5. Land Area:

For the purpose of our valuation, we have been instructed to adopt the land area of 158 square metres (as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and provided with our instructions) with dimensions of approximately 4.2 metres wide by approximately 37.5 metres long. We recommend a formal survey be performed and we reserve the right to review our valuation upon review of the formal survey.

6.6. Encroachments:

This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property are not given in the capacity as an expert.

At the date of inspection, we make note the property (part Road Reserve) is currently exclusively occupied by the abutting land owner at 5 Inkerman Street, Newington and is partially built upon with a carport and garage situated on part of the land, which suggests possible encroachment; however a survey has not been sighted to verify the exact location of boundaries and any possible encroachments.

This valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor. We recommend a formal survey be performed and we reserve the right to review our valuation upon review of the formal survey.

6.7. Topography:

The subject property is level in topography.

The property does not appear to be subject to significant excavation or filling.

6.8. Road Construction:


The property has frontage to Inkerman Street, a single lane bitumen sealed road carrying two-way traffic in an East-West direction.

7. Planning Control

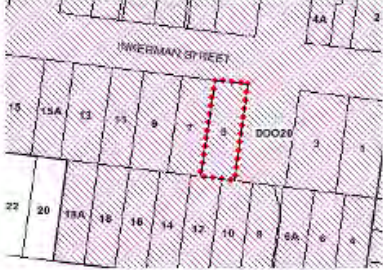

7.1. Zone and Scheme Reference:

The property is currently zoned "General Residential – Schedule 1" by virtue of the Ballarat Planning Scheme.

(We make note the maps below highlight 5 Inkerman Street for illustrative purposes only)

Zone:	Purpose of zone:
"General Residential Zone – Schedule 1" 	<ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To encourage development that respects the neighbourhood character of the area. To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport. To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The subject property is subject to the following planning overlays:

Zone:	Purpose of Overlay:
"Design and Development Overlay – Schedule 20" 	<ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To identify areas which are affected by specific requirements relating to the design and built form of new development
"Heritage Overlay Schedule HO164" 	<ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework. To conserve and enhance heritage places of natural or cultural significance. To conserve and enhance those elements which contribute to the significance of heritage places. To ensure that development does not adversely affect the significance of heritage places. To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

We have not sighted a current planning certificate for the subject property.

The planning information contained in this report has been obtained from the Department of Environment, Land, Water and Planning website. We have relied upon this information in assessing the value of the property. We do not accept responsibility for any consequential error or defect in the valuation which has resulted from any error, omission or inaccuracy in this information.

7.2. Allowable Uses without Consent:

The General Residential zone encourages residential redevelopment.

7.3. Existing, Prior and/or Proposed uses:

The highest and best use of the property (part Road Reserve) is regarded to be utilised for residential purposes in conjunction with 5 Inkerman Street, Newington.

7.4. Environmental and contamination:

We take this opportunity to advise that VRC Property Pty Ltd and its staff are not environmental auditors and will not be liable nor responsible for failure to identify all matters of environmental concern and the impact which an environmental related issue has on the property and its value.

This report is not an environmental audit and no advice given in any way relating to environmental matters. Any comments given as to environmental factors in relation to the property are not given in the capacity as an expert.

The use and occupation of the land recently has been a road reserve however exclusively by the abutting land owner at 5 Inkerman Street, Newington and is partially built upon with a carport and garage situated on part of the land vacant land and used for a carriageway and walkway.

At the date of inspection, we have no knowledge of any contamination of the land. Based on our site observations, no obvious environmental problems were apparent.

We have not been provided with an environmental audit, nor are we aware of the property valued being affected by soil contamination, environmental problems including soil contamination, surface and ground conditions, toxic or hazardous wastes or building material hazards. We have not investigated the site beneath the surface or undertaken vegetation or soil sampling. If contamination of the land is found to exist this would seriously impact upon the assessed value resulting in a reduction of our valuation.

Accordingly, our valuation is made on the assumption that there a no environmental problems in any way affecting the property.

We therefore reserve the right to review and if necessary, vary the valuation figure if any contamination or other environmental hazard is found to exist.

8. Services:

The subject property has the following services available including electricity, sewerage, reticulated water, gas and telephone.

The services are considered adequate.

9. Occupancy:

The property is a strip of land which is partly built up by the adjoining land owners shed and carport.

10. Sales History:

The property has not been subject to any recent transactions.

11. Sales Analysis:

In forming our assessment of market value of the underlying land that is applicable to the subject property, we have researched sales of vacant residential land within central Ballarat.

Our analysis has been based on various sources of information. While we believe the information to be accurate, not all details have been formally verified. The properties have been inspected externally.

Address	Sale Price	Sale Date	Land Area Rate	Comments
1A Shelley Street, Wendouree	\$138,000	Feb 2020	296 sqm \$466/sqm	The property comprises a rectangular shaped and level General Residential 1 zoned vacant parcel located on the western side of Shelley Street within a sought-after location in Wendouree approximately 500 metres from Lake Wendouree and 2.4 kilometres north west of the Ballarat CBD.
3 Richardson Street, Ballarat East	\$140,000	July 2019	328 sqm \$427/sqm	The property comprises an irregular shaped and level General Residential 1 zoned vacant parcel located on the western side of Richardson Street, within an established residential area approximately 2 kilometres east of the Ballarat CBD.
22 Dunn Street, Golden Point	\$152,000	Nov 2019	496 sqm \$306/sqm	The property comprises a battle axe shape, sloping General Residential Zone 1 vacant parcel located on the western side of Dunn Street within the Ballarat suburb of Golden Point, approximately 4 kilometres south east of the Ballarat CBD.
208A Hickman Street, Ballarat Central	\$170,000	Feb 2020	797 sqm \$213/sqm	The property comprises a battle axe shape, sloping General Residential Zone 1 vacant parcel located on the western side of Hickman Street, on the southern fringe/outskirts in the suburb of Ballarat Central, approximately 1.4 kilometres south east of the Ballarat CBD.
37 Scarlet Drive, Lake Gartlens	\$290,000	Jan 2020	448 sqm \$647/sqm	The property comprises a rectangular shaped and level General Residential 1 zoned vacant parcel located on the southern side of Scarlet Drive within a sought-after location in Botanica Estate (Lake Wendouree end) and 5 kilometres north west of the Ballarat CBD.
701 South Street, Ballarat Central	\$400,000	Nov 2019	710 sqm \$563/sqm	The property comprises a battle axe shaped and level General Residential Zone 1 vacant parcel located on the southern side of South Street, on the southern fringe/outskirts in the suburb of Ballarat Central, approximately 900 metres south of the Ballarat CBD.
35 Inkerman Street, Newington	\$545,000	Nov 2019	562 sqm \$445 sqm Excl. Imps	The property comprises a rectangular shaped allotment of land that is generally level in topography and accessed via a bitumen sealed roadway. The site is improved with a single level, four (4) bedroom brick veneer dwelling constructed circa in the 1980's that presents in good condition that has been renovated internally to a good standard. The property is further improved with a verandah and single carport. General Residential Zone 1. We have notionally apportioned a value of \$295,000 for the improvements on site, which equates to an analysed land value of \$250,000 (\$445/sqm.)
404 Pleasant Street, Newington	\$585,000	Mar 2020	531 sqm \$461 sqm Excl. Imps	The property comprises a rectangular shaped allotment of land that is generally level in topography and accessed via a bitumen sealed roadway. The site is improved with a single level, three (3) bedroom period weatherboard dwelling constructed circa in the 1920's that presents in excellent condition being fully renovated. The site is further improved with garage, study and landscaping. General Residential Zone 1. We have notionally apportioned a value of \$340,000 for the improvements on site, which equates to an analysed land value of \$245,000 (\$461/sqm.)

12. Valuation Rationale:

In forming our assessment of market value for the subject property, we have firstly considered the highest and best use of the property along with the most likely purchaser to determine what valuation methodology is most appropriate in this instance.

Whilst the property is long and narrow in shape, it is proposed to be sold and consolidated with the abutting land of 5 Inkerman Street, Newington (Lot 1 TP15042N Volume 10473 Folio 115) to create a larger parcel. Therefore, the subject property (part Road Reserve of 158 sqm), otherwise undevelopable in isolation becomes developable in conjunction with the abutting land.

Therefore, we regard the Direct Comparison approach to be the most appropriate method of valuation in this instance.

The International Valuation Guidance Note No 1, and endorsed by the Australian Property Institute states that the sales comparison technique for land valuation involves direct comparison of the subject property with similar properties for which actual data on recent market transactions are available. The comparable market evidence is broken down into units of comparison and could include dollars per square metre (for retail, office and residential properties) and per hectare for rural and englobo development land properties. The units of comparison that are applicable to a particular valuation task depends upon the market behaviour.

To make direct comparisons between a comparable sale property and the subject property, quantitative and/or qualitative adjustments based on differences in the elements of comparison may be required by the valuer. Adjustments can narrow the differences between each comparable and the subject. We have analysed the sales evidence using a unit of comparison of rate per square metre of land area.

In forming our valuation for the subject property as a single titled cleared vacant parcel, the following have been central in our deliberations:

- We have specifically been requested to provide an assessment of current market value of the subject property (part Road Reserve of 158 sqm) on the following basis:
 - Assume the land area is 158 square metres (approximately 4.2 metres wide by 37.5 metres long) as per proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and provided with our instructions.
 - Assume the location of the property is as per:
 - Proposed 'Plan for Gazettal', prepared by Ben Long for Beveridge Williams Development & Environment Consultants, version 0.1 and
 - Area highlighted "Part Redan Street to be sold" on Map View and Aerial View Plans prepared by City of Ballarat dated the 10th March 2020 and provided with our instructions.
 - At the date of valuation, no Certificate of Title exists as the property forms part of a road reserve.
 - Assume the subject property (part Road Reserve of 158 sqm) is to be sold to the abutting land owner of 5 Inkerman Street, Newington (Lot 1 TP15042N Volume 10473 Folio 115) for consolidation with their existing title.
 - Assume the roadway will be discontinued prior to any notional sale.
 - Ballarat City Council may be required to publicly advertise the sale as part of the provisions of the Local Government Act.
- The property is centrally located within Newington, approximately 1.2 kilometres from the Ballarat CBD. More specifically, the property is located on the southern side of Inkerman Street, Newington and immediately east of 5 Inkerman Street, Newington approximately 110 metres west of the Pleasant Street South intersection.
- The property is proposed to be purchased for consolidation with 5 Inkerman Street, Newington. Therefore, while the property is a narrow strip of land (road reserve), the subject property, when consolidated will form part of a residential property. It is for this reason we regard the highest and best use of the property to be for single residential use in conjunction with 5 Inkerman Street, Newington. When the property is consolidated with 5 Inkerman Street, Newington, then the land

area of 5 Inkerman Street will increase from 524 square metres to 682 square metres and be more attractive as a single residential dwelling site.

- At the date of inspection, we note that a garage and carport of the abutting land owner at 5 Inkerman Street, Newington is situated over part of the property. The property (part Road Reserve) appears to be used exclusively by the abutting owner at 5 Inkerman Street, Newington.
- As no Certificate of Title exists for the subject property (part Road Reserve), we have assumed:
 - The subject property (part Road Reserve) is not subject to any reservations, restrictions, encroachments, encumbrances, caveats, notices, easements, leases nor rights of way, other than those disclosed in the report, that adversely affect the subject property. If a land reservation, encroachment, encumbrance, caveat, notice, easement, lease or right of way exists on the land parcel (other than noted in the report), or if there are errors known on the title information, then VRC Property must be notified, and we reserve the right to review our valuation. We reserve the right to review our assessment of value upon the provision of the single (consolidated) certificate of title.
 - Ballarat City Council is the administrator and is authorised to deal with the sale of the subject property (part Road Reserve).
 - The land area and location of subject property (part Road Reserve) is as per our instructions. If the land area or location is found to be different than that disclosed in the report, then VRC Property must be notified, and we reserve the right to review our assessment of market value.
 - The subject property (part Road Reserve) is currently exclusively occupied by the abutting land owner at 5 Inkerman Street, Newington and is partially built upon with a carport and garage situated on part of the land. A current survey has not been sighted and this valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor. We recommend a formal survey be performed and we reserve the right to review our valuation upon review of the formal survey.
- The sales evidence of sites detailed within Section 11 of this report shows land value rates for residential sites range between \$213 and \$647 per square metre which we summarise as follows:
 - \$213 per square metre for a battle axe allotment in Ballarat Central. Considered a comparable location however inferior in relation to shape and topography. Regarded as inferior on a land value rate basis.
 - \$306 per square metre for a battle axe allotment in Dunn Street, Golden Point. Considered comparable overall, albeit considered a slightly inferior location. Regarded as comparable on a land value rate basis.
 - \$427 per square metre for a well-located inner-city residential allotment. Regarded as superior on a land value rate basis due to location, size and utility of the allotment.
 - \$445 and \$461 per square metre (Excl. Improvements) for underlying land of improved sales both located in comparable positions within the suburb of Newington. Regarded as superior on a land value rate basis due to size and utility of the allotment.
 - \$466 and \$647 per square metre for three allotments all within nearby Ballarat suburbs. Regarded as superior on a land value rate basis due to location, size and utility of all three allotments.

After careful consideration of the above and having regard to the sales evidence, we believe the most likely selling range for the subject property (part Road Reserve – 158 sqm) to be between \$300 and \$350 per square metre.

Given the location of the property (part Road Reserve), we have adopted the lower end of the range, being \$300 per square metre over the land area of 158 square metres to calculate an assessed land value of \$47,400, which we have rounded to \$47,000.

We have not made any discount for the road reserve designation as the road reserve will be discontinued prior to sale which will enable consolidation.

We summarise our calculation as follows:

Part Roadway Reserve – 158 sqm Part Redan Street Abutting 5 Inkerman Street, Newington Market Value - Direct Comparison Approach		
Land Area: 158 sq.m	@ \$300 p.s.m	\$47,400
Less discount for:		
Small shape and size	Nil	(\$0)
		<u>\$47,400</u>
Adopt:		\$47,000

The above valuation is inclusive of GST, if applicable.

Significant Valuation Uncertainty Disclosure.

- The market that the property/asset is transacted and/or valued in is being impacted by the uncertainty that the COVID-19 outbreak has caused. Market conditions are changing daily at present. As at the date of valuation we consider that there is a market uncertainty resulting in significant valuation uncertainty.
- This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.
- Given the valuation uncertainty noted, we recommend that the user (client) of this report review this valuation periodically.

13. Conclusion:

After careful consideration, subject to the overriding stipulations and assumptions contained within the body of this report, I advise the market value of the part Road Reserve of 158 square metres, Part Redan Street (immediately east of 5 Inkerman Street), Newington as at 13th March 2020 to be:

\$47,000

(FORTY-SEVEN THOUSAND DOLLARS)

The above valuation is inclusive of GST, if applicable.

Important Note:

Given the unknown impact the current COVID-19 outbreak will have on the market that the property/asset is transacted and/or valued in, we have included a Significant Valuation Uncertainty Disclosure in our valuation report. This valuation is subject to the terms and conditions, disclaimers, qualifications, assumptions and limitations contained in this valuation report and any annexures thereto. This valuation report should be read in its entirety, including all Annexures, 'Assumptions and Limitations' and 'Qualifications and Disclaimers'.

14. Qualifications and disclaimers:

Qualifications and Disclaimers

Significant Valuation Uncertainty Disclosure	<p>The market that the property/asset is transacted and/or valued in is being impacted by the uncertainty that the COVID-19 outbreak has caused. Market conditions are changing daily at present. As at the date of valuation we consider that there is a market uncertainty resulting in significant valuation uncertainty.</p> <p>This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.</p> <p>Given the valuation uncertainty noted, we recommend that the user(client) of this report review this valuation periodically.</p>
Market Movement Clause	<p>This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of 3 months from the date of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.</p>
No Financial Interest	<p>We certify that the Valuer and/or the valuation firm does not have any direct, indirect or financial interest in the property or client described in this report.</p>
Third Party Disclaimer	<p>This valuation report has been prepared on specific instructions from Ms Linda Skewes of City of Ballarat for pre - sale purposes it is subject to the terms and conditions, disclaimers, qualifications, assumptions and limitations contained in the report and any annexures thereto. Only the client, who the report is specifically addressed, may use and rely upon the report, and only for the sole purpose as specified in the report.</p> <p>The report is not to be used or relied upon by any other person or for any other purpose. VRC Property Pty Ltd (VRC Property) and the Valuer accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. VRC Property and the Valuer accept no liability for negligence and/or any other cause of action for any loss or damage suffered by a third party to whom the valuation report was not addressed.</p> <p>The report has been prepared for the private and confidential use only of Ms Linda Skewes of City of Ballarat for pre - sale purposes and it should not be reproduced in whole or in part or relied upon for any other purpose or by any other party.</p> <p>No responsibility is accepted by the Valuer and/or Valuation Firm in the event that the client to which this report is specifically addressed, relies, uses and/or otherwise represents anything contained in the report for any other purpose apart from that expressly noted previously.</p> <p>No responsibility is accepted by the Valuer and/or Valuation Firm to any other parties who rely, use, distribute, publish and/or otherwise represent anything contained in the report for any purpose.</p>
Mortgage, Solicitor Loans and Managed Investment Schemes Clauses	<p>This valuation report is NOT to be used or relied upon by any person for the purpose of:</p> <ul style="list-style-type: none"> • Mortgage purposes. This includes any use: <ul style="list-style-type: none"> ○ For or on behalf of any person or entity lending money by way of loan or involved in the making of any loan; or ○ For which responsibility is accepted to any person or entity lending money by way of a loan or involved in the making of any loan. • Solicitor Loan purposes. This includes any use: <ul style="list-style-type: none"> ○ For or on behalf of a Solicitor Lender or any person lending money through a Solicitor Lender; or ○ For which responsibility is accepted to any Solicitor Lender or any person lending money through a Solicitor Lender; or ○ For any solicitor's mortgage facility or any loan or mortgage arranged on behalf of a solicitor's mortgage facility; • Managed Investment Scheme purposes. This includes any use in connection with any Managed Investment Scheme, as defined under section 9 of the Corporations Act 2001 (Cth) which; <ul style="list-style-type: none"> ○ has as its prime or substantial purpose, the provision of tax benefits to investors; or ○ is involved in any form of direct or indirect investment in primary production (including property used for primary production). <p>This valuation report has been made on the understanding that the valuation is not used or relied upon by any person for mortgage purposes, solicitor loan purposes or in connection with any managed investment scheme purposes. We do not assume any responsibility or accept any liability where this</p>

	valuation is used or relied upon by any person for mortgage purposes, solicitor loan purposes or in connection with any managed investment scheme purposes.
Assumption Disclaimer	This valuation is made on the assumptions disclosed in this section and within this report. Should the client be aware of any information, or should it subsequently transpire that expert advice establishes information, which differs from assumptions made or information referred to in this valuation report, no reliance should be placed on this report (including the value assessed herein) unless the Valuer has been advised of such information and we have confirmed that this valuation is not affected. This report is to be referred back to the Valuer for comments and amendment, if needed. We reserve the right to review this valuation in the event that expert advice differs from assumptions made or information referred to in the valuation report.
Entire Report Disclaimer	This valuation report should be read in its entirety, including all Annexures, the Valuers' Assumptions and Limitations' and 'Qualifications and Disclaimers'.
Copying or Publication of Report	This report has been made only for the purpose stated and shall not be used for any other purpose. Neither this report nor any portions thereof (including without limitation any conclusions as to value, the identity of VRC Property or any individuals signing or associated with this report, or the professional associations or organisations with which they are affiliated) shall be disseminated to third parties by any means. Neither the whole nor any part of any valuation report may be copied nor included in any document, circular or statement. VRC Property does not consent to any valuation report in whole nor any part being copied or published on the internet, social media or any other computer system by any means.
Full Disclosure of Information by Client Disclaimer	This valuation has been prepared on the basis that full disclosure of all information and facts which may affect the valuation has been made to us. We do not accept any liability or responsibility whatsoever for the valuation if full disclosure has not been made. This valuation assumes the instructions and information supplied has been provided in good faith. We do not accept responsibility for any consequential error or defect in the valuation which has resulted from any error, omission or inaccuracy in data or information supplied by the client or its officers and agents.
Information Availability	This valuation is based on information reasonably available to the Valuer as at the date of valuation in accordance with usual valuation practices. By reason of the operation of privacy laws, the Valuers' enquiries in respect of recent transactions have been constrained. Accordingly, the Valuer may not have had access to information on recent transactions which have not yet been published in information sources available to the Valuer. In the event that other transactions have taken place, knowledge of those transactions may affect the opinion expressed by the Valuer. Information furnished by others, upon which all or portions of this report are based, is believed to be reliable but has not been verified in all cases. No warranty is given as to the accuracy of such information. This valuation is completed on the basis of information provided to us by various third parties. We reserve the right to review and amend this valuation should there be any revision or change to any provided information utilised in the undertaking of this valuation.
Market Conditions Disclaimer	No responsibility is taken for changes in market conditions and no obligation is assumed to revise this report to reflect events or conditions which occur subsequent to the date of valuation.
Structural Condition Disclaimer	The Valuer is not a building construction or structural expert and is therefore unable to certify the structural soundness of the improvements. We recommend readers of this report should make their own enquiries. VRC Property does not carry out structural surveys of buildings or improvements nor testing of building services. VRC Property is not able to give any assurance that a property (including building services) is free from defect. This report is on the basis that no impediment including timber infestation, structural deficiencies, concrete cancer and the like, which could only be known following such survey, exists. Unless otherwise stated, this report assumes the building and all improvements to the property are structurally sound and comply with the terms and conditions of all relevant statutory and other authorities. Furthermore, the building services are assumed to be comply with applicable codes, satisfactorily maintained and in good working condition. The client should engage appropriate professionals to advise on structural soundness and state of services. If expert advice is sought in this regard, the expert advice should be referred to VRC Property, and we reserve the right to review our valuation.
Compliance	Full compliance with all applicable federal, state and local zoning, use, environmental and similar laws and regulations including relevant building codes is assumed, unless otherwise stated. It is assumed that all required licences, certificates of occupancy, consents, or other legislative or administrative authority from any local, state or national government or private entity or organisation have been or can be obtained or renewed for any use on which the value contained in this report is based. Responsible ownership and competent property management are assumed.

Title Disclaimer	<p>We have assumed that the title information is correct. No investigation has been made of and no responsibility is assumed for, the legal description or for legal matters, including the title or encumbrances. Title to the property is assumed to be good and marketable unless otherwise stated.</p> <p>We have assumed there are no reservations, encroachments, encumbrances, caveats, notices, easements, leases nor rights of way, other than those disclosed in the report, that adversely affect the property. If a reservation, encroachment, encumbrance, caveat, notice, easement, lease or right of way exists on the land (other than noted in the report), or if there are errors known on the title information, then VRC Property must be notified, and we reserve the right to review our valuation.</p>
Native Title Disclaimer	<p>No expert advice or reports were provided or been made available to us in regards to native title. We take this opportunity to advise that VRC Property Pty Ltd are not experts in native title or the property rights and interests there from and will not be liable nor responsible for failure to identify all matters and the impact which native title issues has on the property and its value. The client should engage appropriate professionals to advise on this area. If expert advice is sought in this regard, the expert advice should be referred to VRC Property, and we reserve the right to review our valuation.</p>
Planning Disclaimer	<p>The planning information contained in this report has been obtained from the Department of Environment, Land, Water and Planning website. We have relied upon this information in assessing the value of the subject property. We do not accept responsibility for any consequential error or defect in the valuation which has resulted from an error, omission or inaccuracy in this information.</p> <p>We have not sighted a current planning certificate for the subject property. Should the Client require confirmation of planning information, we recommend the client applies to the relevant authorities to obtain a current planning certificate.</p>
Land and Building Area Disclaimer	<p>Identification of the land sufficient for valuation purposes was possible, however due to the overall shape of the property, distance of boundaries, topography, vegetation and buildings (if applicable), actual dimensions could not be verified and this assessment relies on the measurements provided by Certificate of Title plan/s and/or public records. Maps or sketches, if included in this report, are only to assist the reader in visualising the property and no responsibility is assumed for their accuracy. No independent surveys were conducted.</p> <p>All land areas, building areas and lettable areas referred to in the valuation report are approximate. Should the Client subsequently ascertain that areas referred to in the valuation report differ from other information provided to the Client, the Client agrees to provide this information to the Valuer and refer the valuation back to the Valuer. We reserve the right to review this valuation in the event that surveyed areas differs from those areas referred to in the valuation report.</p>
Survey	<p>This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property are not given in the capacity as an expert, however, are based on our inspection of the property and review of Certificate of Title plan/s</p> <p>A current survey has not been sighted and this valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor.</p> <p>If there is any doubt in respect of survey matters, we recommend that a check survey be undertaken by a qualified surveyor. If expert advice is sought in this regard, the expert advice should be referred to VRC Property, and we reserve the right to review this valuation.</p>
Environmental Disclaimer	<p>This report is not an environmental audit and no advice is given in any way relating to environmental matters. Any comments given as to environmental factors in relation to the property are not given in the capacity as an expert.</p> <p>We take this opportunity to advise that VRC Property Pty Ltd are not environmental auditors and will not be liable nor responsible for failure to identify all matters of environmental concern and the impact which an environmental related issue has on the property and its value.</p> <p>No soil tests nor environmental studies or reports have been made available to us. Our valuation is completed on the assumption that there are no environmental problems in any way affecting the subject property, including soil contamination, surface or sub surface conditions, toxic or hazardous wastes or building material hazardous in the property that may adversely affect its existing or potential use and our assessment of value. Should it subsequently transpire that an expert report establishes that there are such matters of environmental concern, or such matters become known or discovered, no reliance should be placed on our assessment of value unless we have been advised of such matters and we have confirmed that our assessment of value is not affected. We reserve the right to review this valuation to determine the impact such environmental matters has on the property and our assessment of value.</p> <p>No soil analysis or geological studies were ordered or made in conjunction with this report.</p> <p>The client acknowledges and recognises that VRC Property is not an expert in identifying environmental hazards and compliance requirements affecting properties. VRC Property does not have the expertise to be able to prepare an environmental audit report and any valuation report by VRC Property will not in any</p>

way constitute an environmental audit. Any comments given as to environmental factors in relation to the property are not given in the capacity as an expert. VRC Property will not be liable nor responsible for failure to identify all such matters of environmental concern and the impact which an environmental related issue has on the property and its value including loss arising from:

- i. site contamination;
- ii. the non-compliance with any environmental laws; or
- iii. costs associated with the clean-up of a property in which an environmental hazard has been recognised, including action by the Environmental Protection Authority to recover clean-up costs pursuant to the Environmental Protection Act.

VRC Property does not carry out investigations on site or by enquiry to determine whether any building was constructed or altered using hazardous materials (eg. asbestos). The client should engage appropriate professionals to advise on the existence and state of such material.

We must point out that we are not experts in this area and therefore, in the absence of an environmental consultant's report concerning the presence of any asbestos fibre within the subject property, this valuation is made on the assumption that there is no health risk from asbestos within the property. Should it subsequently transpire that an expert report establishes that there is an asbestos related health risk and/or repairs, removal, remediation of asbestos is known to be required in the foreseeable future, we reserve the right to review this valuation.

VRC Property does not carry out any investigations on site or off site or by enquiry to determine the ground/soil beneath the surface or undertaken any vegetation or soil sampling. This report is on the basis that no contamination of the land exists. The client should engage appropriate professionals to advise in this regard.

VRC Property does not carry out investigations on site in order to determine the suitability of ground conditions and services for new developments. This report is on the basis that these aspects are satisfactory and that where development is proposed, no extraordinary expense or delays will be incurred during the construction period.

**Native
Vegetation
Disclaimer**

We have not been provided with any native vegetation assessment reports nor any information regarding native vegetation or habitat type on the subject property, therefore we assume that the property is free of native vegetation.

We must point out that we are not experts in this area and therefore unable to make any comment without expert reports. Should it subsequently transpire that an expert report establishes that there are such matters of native vegetation or protected fauna habitat or rare/threatened flora species on the subject property, or such matters become known or discovered, no reliance should be placed on our assessment of value unless we have been advised of such matters and we have confirmed that our assessment of value is not affected.

GST

In relation to any potential GST liability, we must point out that we are not legal or taxation experts. Any comments given as to GST position are not given in the capacity as an expert. We recommend the client should engage appropriate legal or taxation experts to obtain qualified advice. We recommend that any intending purchaser of the property should obtain their own legal and taxation advice on the GST position. Should it subsequently transpire that expert advice varies from our interpretation of the legislation and ATO rulings as the date of this valuation, we reserve the right to review this valuation.

Liability limited by a scheme approved under Professional Standards Legislation

VRC Property Pty Ltd



**Adam Sanders AAPI
Certified Practising Valuer
API Member No. 4033**

Dated: 30th March 2020

VRC Property

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Appendix 1:

Chris Barrett

From: Linda Skewes <lindaskewes@ballarat.vic.gov.au>
Sent: Tuesday, 10 March 2020 1:58 PM
To: Chris Barrett
Subject: Request for Valuation: Part Redan Street, Newington (Road Reserve)
Attachments: 1800834gz.pdf; Redan Street_Location Map.pdf

Hi Chris,

We would like to engage your services to undertake a kerbside market valuation for part of the road reserve known as Redan Street, Newington. Council are considering selling this land to the adjoining owners, 5 Inkerman Street, Newington, as they are already occupying part of the road reserve and have fenced off this area.

Can you please provide a quote for this job and I will arrange the purchase order?

I have attached the following documentation for your reference:

- Gazettal plans
- Location Map

Please advise if you require further information.

Kind regards

Linda Skewes | Property Officer - Monday, Tuesday and Friday

City of Ballarat | PO Box 655, Ballarat, Victoria, 3353
P: (03) 5320 5540 | M: 0428 330 376 | <http://www.ballarat.vic.gov.au>



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The City of Ballarat respectfully acknowledges the Wadawurrung and Dja Dja Wurrung people - traditional custodians of the land on which we live and work.

Please consider the environment before printing this email.

Attention: This message is intended only for the use of the individual or entity named above and may contain information that is confidential and privileged. If you have received this e-mail in error, please notify the sender immediately and delete the message. Any views or opinions presented are solely those of the author.

Redan Street, Newington – Map View



	<p>Disclaimer The City of Ballarat nor the State of Victoria does not warrant the accuracy or completeness of the information in the Publication and any Person using or relying upon such information does so on the basis that the City of Ballarat and the State of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p>	10/03/2020	
		SCALE:1:250	

Redan Street, Newington – Aerial View



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 The City of Ballarat nor the State of Victoria does not warrant the accuracy or completeness of the information in the Publication and any Person using or relying upon such information does so on the basis that the City of Ballarat and the State of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

10/03/2020

SCALE:1:250



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Appendix 2:

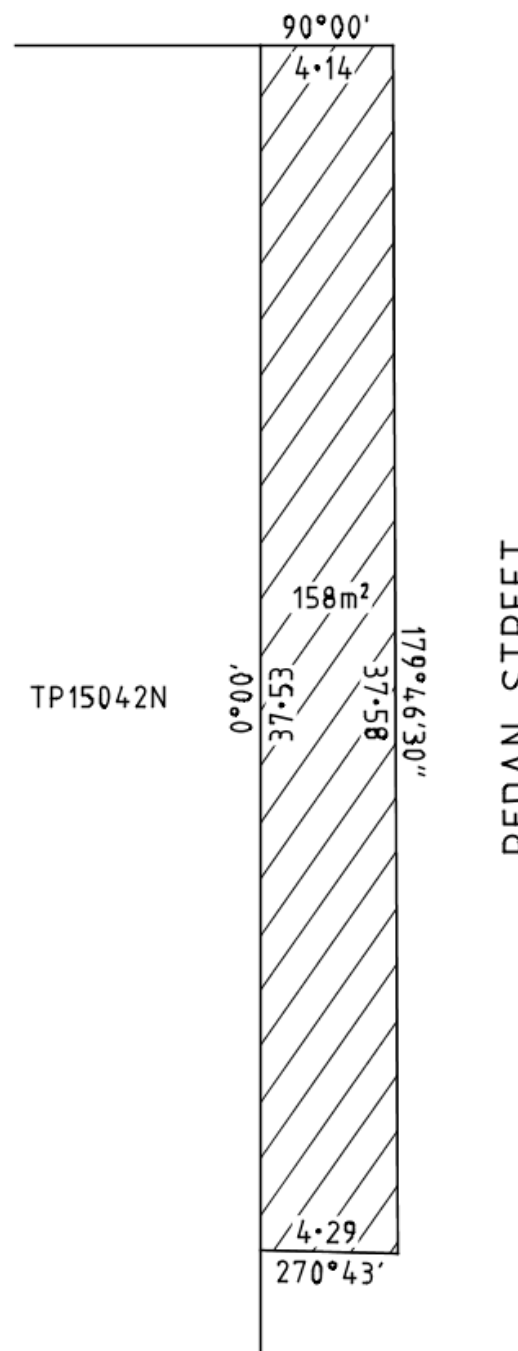
PLAN FOR GAZETTAL

LOCATION OF LAND

COUNTY : GRENVILLE
 PARISH : BALLARAT
 TOWNSHIP : BALLARAT

NOTATIONS

INKERMAN STREET



Beveridge Williams
 development & environment consultants
 96 Main Road Ballarat
 PO Box 1465 Bakery Hill 3354
 Ph:53272000 Fax:53272099

Microstation File : 1800834gz.dgn

www.beveridgewilliams.com.au

SCALE
 1:200



ORIGINAL SHEET
 SIZE: A3

SHEET 1 OF 1

Ben Long, Version 01

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Appendix 3:



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VOLUME 10473 FOLIO 115

Security no : 124082262474V
Produced 23/03/2020 09:09 AM

LAND DESCRIPTION

Lot 1 on Title Plan 015042N.
Created by Application No. 083381Q 21/09/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
DEMI-JADE MCINTOSH
LUKE WILLIAM JOHNSTONE both of 5 INKERMAN STREET NEWINGTON VIC 3350
AQ739477P 16/02/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AQ739478M 16/02/2018
COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

Warning as to Dimensions

Any dimension and connecting distance shown is based on the description of the land as contained in the General Law Title and is not based on survey information which has been investigated by the Registrar of Titles.

DIAGRAM LOCATION

SEE TP015042N FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 5 INKERMAN STREET NEWINGTON VIC 3350

ADMINISTRATIVE NOTICES

NIL

eCT Control 15771K COMMONWEALTH BANK OF AUSTRALIA - CONSUMER
Effective from 16/02/2018

DOCUMENT END



Imaged Document Cover Sheet


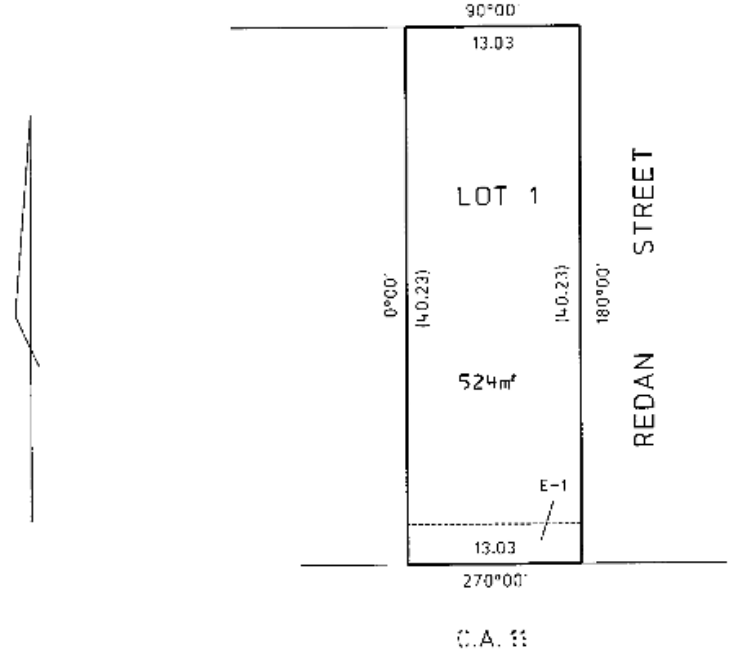
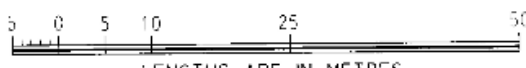
The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	Plan
Document Identification	TP015042N
Number of Pages (excluding this cover sheet)	2
Document Assembled	23/03/2020 09:12

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The document is invalid if this cover sheet is removed or altered.

TITLE PLAN		EDITION 2	TP15042N	
<p style="text-align: center;">LOCATION OF LAND</p> <p>PARISH : BALLARAT TOWNSHIP : BALLARAT SECTION : 3B CROWN ALLOTMENT : 12 (PART) CROWN PORTION :</p> <p>LTO BASE RECORD : SOMB-C (RURAL) LAST PLAN REFERENCE : TITLE REFERENCE :</p> <p>DEPTH LIMITATION : NIL</p>		<p style="text-align: center;">NOTATIONS</p> <p>Warning as to dimensions</p> <p>Any dimension and connecting distance shown is based on the description of the land as contained in the General Law Title and is not based on survey information which has been investigated by the Registrar of Titles.</p> <div style="text-align: right;">  5PTP015042N-1-3 </div>		
EASEMENT INFORMATION				
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / in favour of
E-1	CARRIAGE WAY	3.05	BK. 519 No. 920	SEE BK. 519 No. 920
Legend : A - Appurtenant E : Encumbering Easement R : Encumbering Easement (Road)				
THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES Checked by <i>S. Salmon</i> Date 7/10/22 Assistant Registrar of Titles				
<div style="display: flex; justify-content: space-between;"> INKERMAN STREET </div> <div style="text-align: center;">  <p style="text-align: center;">LOT 1</p> <p style="text-align: center;">524m²</p> <p style="text-align: center;">E-1</p> <p style="text-align: center;">270°00'</p> <p style="text-align: center;">C.A. 11</p> </div>				
				Sheet 1 of 1 sheets
 LENGTHS ARE IN METRES		SHEET SIZE A3	APPLICATION No. : DEALING CODE No. : 14	AP83381Q

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Appendix 4:

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au on 23 March 2020 08:48 AM

PROPERTY DETAILS

Address: **5 INKERMAN STREET NEWINGTON 3350**
Lot and Plan Number: **Lot 1 TP15042**
Standard Parcel Identifier (SPI): **1\TP15042**
Local Government Area (Council): **BALLARAT**
Council Property Number: **2016640**
Planning Scheme: **Ballarat**
Directory Reference: **VicRoads 565 U9**

www.ballarat.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/ballarat

UTILITIES

Rural Water Corporation: **Southern Rural Water**
Urban Water Corporation: **Central Highlands Water**
Melbourne Water: **outside drainage boundary**
Power Distributor: **POWERCOR**

STATE ELECTORATES

Legislative Council: **WESTERN VICTORIA**
Legislative Assembly: **WENDOUREE**

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



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0 50m
GRZ - General Residential
PPRZ - Public Park & Recreation
Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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PLANNING PROPERTY REPORT: 5 INKERMAN STREET NEWINGTON 3350

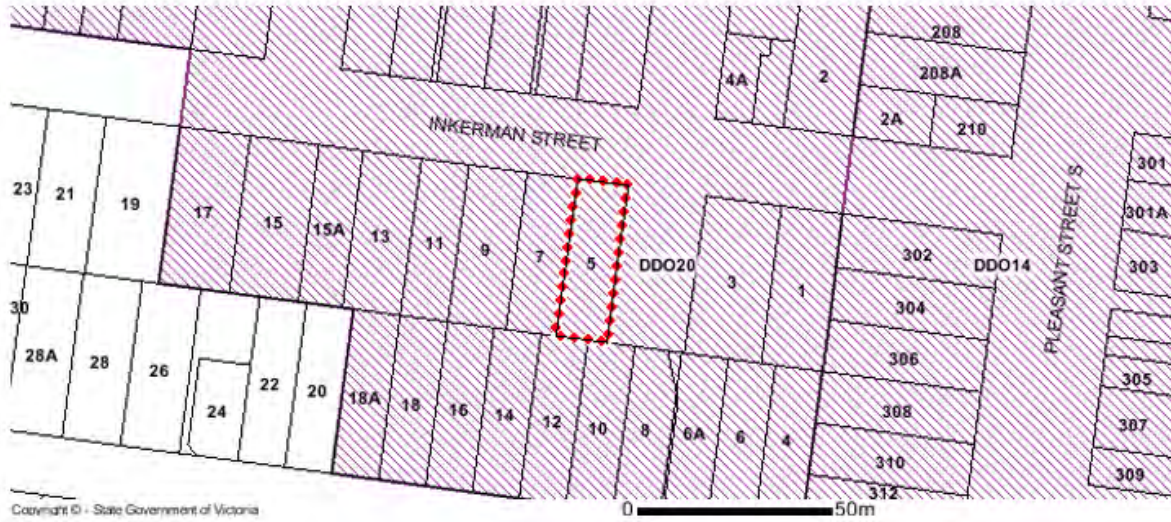
Page 1 of 4

PLANNING PROPERTY REPORT

Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 20 (DDO20)



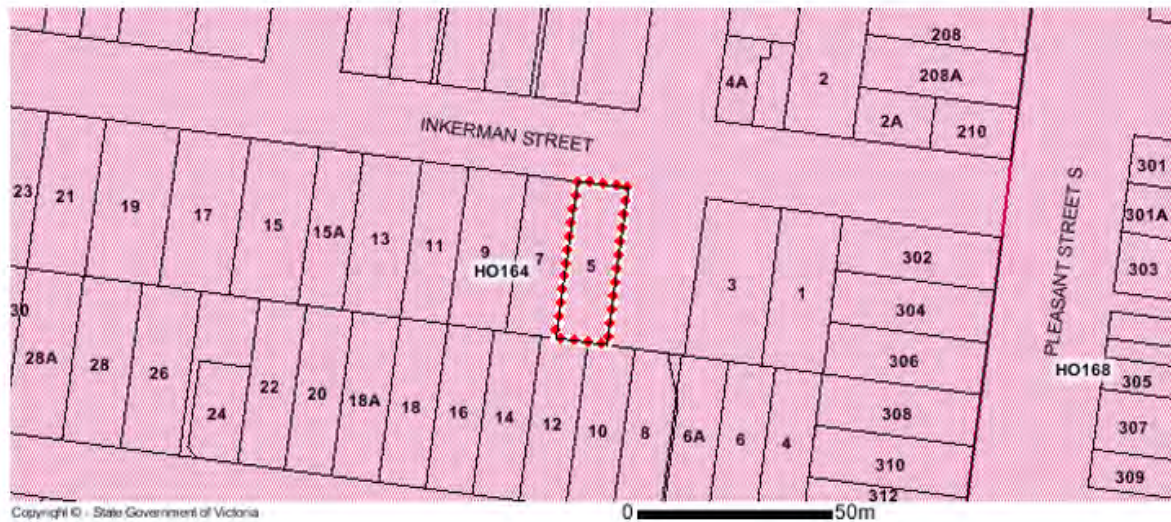
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 DDO - Design and Development


Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

HERITAGE OVERLAY (HO)

HERITAGE OVERLAY SCHEDULE (HO164)



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 HO - Heritage

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Planning Overlays


OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

VEGETATION PROTECTION OVERLAY (VPO)



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 VPO - Vegetation Protection

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

Further Planning Information

Planning scheme data last updated on 20 March 2020.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme

that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987*.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <http://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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PLANNING PROPERTY REPORT: 5 INKERMAN STREET NEWINGTON 3350

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PLANNING PROPERTY REPORT



Environment
Land, Water
and Planning

Designated Bushfire Prone Area

This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <http://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note, prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

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PLANNING PROPERTY REPORT: 5 INKERMAN STREET NEWINGTON 3350

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10.4. STATE OF THE BUILDINGS REPORT 2019/20

Division: Infrastructure and Environment
Director: Darren Sadler
Author/Position: Darren Sadler – Acting Director Infrastructure and Environment

OFFICER RECOMMENDATION

Council resolves to:

Receive and note the State of the Buildings Report 2019/20

EXECUTIVE SUMMARY

The purpose of this report is to provide an update to Council regarding the current state of Council's building asset portfolio.

RATIONALE**Status:**

Council currently has a building portfolio of 784 buildings worth an overall value of approximately \$250M. This represents around 14% of Council's assets by value. These values will be reviewed in 2020-21.

660 of these assets currently have condition ratings applied. These are assets reported in the data, a number of assets have not yet been condition rated but are currently all being assessed.

Facilities Management is currently undertaking work that will impact this years and next year's data, these being:

- 5 Yearly Building Condition Audit
- Internal Audit of the Data in Councils Asset Management System (Confirm) (This may cause some assets to be reclassified)

Categories:

Building assets are categorised into 15 unique asset categories.

'Table 1 – Building Asset Categories and Current Value' shows the quantities of building assets in each category that have been assigned a condition rating and their respective current value.

Table 1 – Building Asset Categories and Current Value.
(Table only reflects condition rated assets, not all 784 assets have been rated)

Building Category	Example Building	Quantity in Category - Rated	Current Value of Category
Amenities	Ascot Hall Amenities Building	18	\$1,963,500
Arts/Exhibition Venue	Art Gallery of Ballarat	6	\$100,600,000
Astronomy Building	Ballarat Observatory	6	\$645,000
Child Centre/ELC	Girrabanya Children's Centre	27	\$6,605,000
Commercial	303 Gillies Street	20	\$5,693,500
Community Centre	Ballarat Senior Citizens	35	\$17,187,000
Community Club Room	Airport Huts	34	\$3,565,000
Horticultural Structure	Glass Houses	8	\$740,000
Libraries	Ballarat Library	3	\$4,500,000
Misc Structures	Weighbridge, Timekeepers Box	35	\$1,515,000
Office	The Phoenix	23	\$32,465,000
Public Toilet	Alfred Deakin Place	55	\$4,870,000
Shed	Llanberris Athletic Store Shed	174	\$7,348,000
Shelter	Alexander Park Picnic Rotunda	134	\$4,835,500
Sports Amenities	Ballarat Regional Soccer Facility	82	\$43,672,946

The condition of Council's buildings is assessed regularly, based on Building Category, using industry standard scales in line with the International Infrastructure Maintenance Manual (IIMM). This utilises a 1 to 5 scale as shown in 'Table 2 – Condition Rating Guide'.

Table 2 – Condition Rating Guide

Score	Rating	Basic Description
1	Excellent	Generally new assets
2	Good	Some deterioration evident
3	Fair	Reasonable deterioration evident
4	Poor	Significant deterioration evident
5	Failed	Asset has reached end of life

This scale is used to rate building assets overall (Public Toilet, Community Hall, etc.) as well as parts of individual components of each building (internal office walls, office floor coverings, hall ceilings, etc.).

Council's buildings portfolio of assets has been reviewed, and the following table shows the distribution of building assets within the 5 audited categories, for overall building condition.



This graph shows that Council's building assets on average are currently in Good to Fair condition, reflecting a status that is generally accepted for the management of building assets, according to IIMM principles. The intention of further renewal works is to eliminate any Failed assets, reduce assets in Fair and Poor categories, and increase assets in the Excellent category. The graph indicates a slight increase in the excellent ratings, offset by a slight decrease in the poor ratings.

It is important to note that this represents the current average condition of Council's buildings and will change quickly over time without appropriate renewal funding.

As building assets are used (consumed) their condition deteriorates. This deterioration, if allowed to continue unaddressed, will eventually affect the level of service the building provides to the public. Levels of service (LOS) are the key mechanisms that define the services being provided by Council now and into the future. They are targets to be achieved with a benchmark to measure performance. There is always a cost associated with the provision of a LOS.

The challenge is to identify appropriate LOS targets and measures, whilst maintaining affordability within realistic budgets.

Council's facility renewal capital budget exists to fund renewal works to Council's buildings, in order to address their gradual deterioration (the LOS shortfall). This ensures adequate funding is available to fund renewal works and maintain levels of service expected by the public. A typical annual renewal rate applied to buildings assets portfolio is 1% to 1.5% of the portfolio value. Indicatively, a conservative estimate for Council would be \$2.4M to \$3.6M/year. The current budget for the 2019/20 financial year is currently \$3.2M.

Renewal works typically affect building component condition, rather than overall building condition. For example, an investment of \$100k in floor replacement of a community hall will change the floor condition from (say) '4 - Poor' to a new condition rating of '1 - Excellent'. However, this work may not affect the overall condition rating of the building, unless all components were already of equivalent condition.

Changes in Past 12 Months

Works completed within Council over the past 12 months, and the impact on the Building asset portfolio, are summarized in ‘Table 3 – Building Asset Works & Impacts’.

Table 3 – Building Asset Works & Impacts

Works Description	Impact on Management of Building Asset Portfolio
<p>New Assets:</p> <ul style="list-style-type: none"> ▪ Ballarat Sports & Events Centre ▪ Ballymanus Reserve Public Toilet ▪ Western Oval Changerooms & Public Toilet ▪ Gatekeepers Cottage 	<ul style="list-style-type: none"> ▪ Increases overall recurrent maintenance costs ▪ Increases renewal funding requirements ▪ Allows decommissioning of some end-of-life assets ▪ Increases auditing costs (compliance & safety) ▪ Increases insurance liability

Works Description	Impact on Management of Building Asset Portfolio
<p>Upgraded Assets:</p> <ul style="list-style-type: none"> ▪ Art Gallery BMS Renewal, Relocation of Mechanical Switchboards and Various Minor Works ▪ BALC Plant Improvements, Flooring Renewal, Learn to Swim Pool Renewal and Steam Room Renewal ▪ Ballarat Airport Hut 48 Community Building Kitchen ▪ Ballarat Squash & Racquet Centre Renewal of Lower Roof, Façade and Mechanical Services ▪ Brown Hill Hall Renewal of Heating/Cooling to Main Hall ▪ Buninyong RSL Hall Internal Works ▪ Buninyong Bowls Club Heritage Building/ Greenkeepers Renewal of External Cladding and Painted ▪ Buninyong Recreation Reserve Community Building Heating/Cooling Installation for Emergency Relief Centre Function ▪ Buninyong Community Centre Changerooms Lights and Ceiling Renewal ▪ Depot Building Amenities Renewal ▪ Depot Building LED Lighting Upgrade ▪ Depot Building Removal of Asbestos and External Cladding Renewal ▪ Lake Boatshed Heating/Cooling Renewal 	<ul style="list-style-type: none"> ▪ May increase or decrease overall recurrent maintenance costs, and renewal funding requirements (depending on extent of upgrade) ▪ Improves amenity ▪ May increase or decrease insurance liability (increase value or reduce risk)

<ul style="list-style-type: none"> ▪ Learmonth Caravan Park New Cabins ▪ Miners Rest Hall Storage Renewal ▪ North Ballarat Community Centre Internal Hall Finishes ▪ North Ballarat Football Club Various Works ▪ Pipers Restaurant Renewal of Failed Inground Stormwater ▪ Phoenix Building Interior Renewal ▪ Phoenix Building Boiler Replacement ▪ Titanic Bandstand Paint Renewal ▪ Town Hall Interior Renewal ▪ White Flat Oval Public Toilet Renewal ▪ White Flat Grandstand Renewal and Storage ▪ Yacht Club Roof Renewal 	
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

Works Description	Impact on Management of Building Asset Portfolio
<p>Asset Decommissioning:</p> <ul style="list-style-type: none"> ▪ Marty Busch Gun Club Toilets ▪ 2 x Cabins at Learmonth Caravan Park ▪ White Flat Oval Public Toilets ▪ North Gardens Disabled Toilet <p>Asset Disposal:</p> <ul style="list-style-type: none"> ▪ Occasional Child Care ▪ Kohinoor Community Centre 	<ul style="list-style-type: none"> ▪ Reduces overall maintenance costs ▪ Reduces renewal funding requirements ▪ Reduces risk ▪ Improves amenity ▪ Demonstrates good asset management practices ▪ Decreases insurance liability

Council has a number of responsibilities regarding the management of its building asset portfolio. The addition (or removal) of a building to Council’s building asset portfolio will have an effect on each of these functions in some way, and the cost of this change must be considered prior to acceptance of this asset portfolio change.

Essential Safety Measures – Under the Building Code of Australia, Council has an obligation to ensure prescribed components/functions of its buildings are keep in a condition meeting related standards and regulations. These include fire detection equipment (smoke detection systems), firefighting equipment (hose reels, hydrants, sprinkler systems, etc.), paths of travel (exits and walkways), and exit/emergency lighting.

Condition Auditing – Each building is subject to programmed condition auditing based on it’s Building Asset Category, which may be annual, every 2 years, or up to every 5 years. Council are also progressively working through condition auditing of non-council managed buildings on Council land (not previously completed) to gauge possible liability in these assets and include these assets on Council’s asset register.

Asbestos Register Compliance – Council has an obligation to ensure all buildings contain an asbestos register, detailing the presence (or absence) of asbestos within the building. This consists of an electronic database, maintained by Facility Management, and a hard copy in each building of that particular building’s asbestos audit. This register is required

to be reviewed (new audit undertaken) at least every 5 years, an audit was recently completed during 2016-17.

Programmed Maintenance Regimes – a number of maintenance activities are programmed to occur on a cyclical basis, across Council's building assets. These include servicing of gas appliances, cleaning of roofs and gutters, door locks & hinges, operable walls, Heating/ventilation and Air-conditioning (HVAC) servicing, Roller door servicing, domestic water backflow valve servicing, auto-door servicing, and electrical safety switch testing.

Reactive Maintenance – this may include plant and equipment that fail without notice, vandalism, graffiti, or damage due to storm or fire. Such expenses are difficult to budget for. However, any increase in building facility stock will require some budgetary allocation in this area.

Operational Costs – this includes activities such as cleaning, security monitoring and surveillance, and utilities.

Thermography Auditing – to reduce the risk of electrical failure and fire in electrical switchboards, Council uses thermal detection photograph. This assist in identifying faults such as poor connections, over loaded circuits, and faulty components.

Current Works & Challenges

New Assets

New assets attract ongoing costs including maintenance, auditing, capital renewal, and regulatory compliance costs. The relevant building type and function will dictate the degree and complexity of these requirements. Taking over of the management of the Eureka Centre will have an impact on budgets.

When considering the construction/installation of new building assets, Council must not only consider the capital costs associated with construction but must also consider the ongoing cost to maintain and renew these assets through the entire life cycle of the asset.

With the recent pace of construction of new Council assets (additional new sport and active living assets for example) the challenge to Council is to ensure all ongoing costs are identified early enough in the project concept stages, so as to ensure long term financial planning can be initiated.

Gifted Assets

Gifted Assets include buildings built some years ago with community support, which have not been part of Councils maintenance/management responsibility, but have now been identified as 'at risk' of not being able to continue to provide community benefit without Council assistance. They are typically built on Council controlled property (freehold, or committee of management) and have historically been managed by community groups.

These assets become a challenge to Council due to the unplanned and unexpected nature of the associated maintenance liabilities. Once included in the building portfolio, they require auditing, maintenance planning, capital renewal allowance, and ongoing maintenance budget allocations.

Asset Decommissioning

Council is currently in the planning process for decommissioning a number of building assets that have reached end of life. These works often involve considerable community consultation.

Assets identified for decommissioning include:

- North Gardens Sound Shell – this asset is now considered pasts its life and functionality
- Lake Wendouree Underground Toilets – this asset is now considered pasts its life and functionality
- South Gardens Glasshouse – this asset is now considered pasts its life and functionality
- Tourello Reserve Shelter & Amenities Buildings – historically these assets are in very poor condition and are beyond repair

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	Yes	Yes

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

Social/Cultural - The community have an expectation that existing levels of service (building condition and availability in particular) will be maintained or improved. A decrease in the level of service to the community may have social implications, such as unavailability of sporting club facilities, community hall facilities, or public toilets. This would affect participation in sport, community and social activity, as well as the availability and quality of public amenities.

Council also has committed to maintaining its stock of heritage building assets. Without adequate renewal funding, there is a risk that some heritage assets may not be maintained to required levels, to ensure their ongoing viability.

Environmental/Sustainability – Given the Council resolution for 0% emissions by 2025 the focus on upgrading plant and equipment within Council's facilities is essential. The 2019/20 capital budget allocation reflects the intent of the Property and Facilities Management

department endeavor to introduce initiatives to attempt to meet this target. Further increase in budgetary allocations for years 2020 through to 2025 will need to be significant.

Financial/Resources - All new assets constructed by Council have an associated ongoing maintenance and renewal cost. Often, this is not identified adequately during the initial cost analysis stage of a project. The consequence is that the ongoing costs are either 'absorbed' into existing budgets, or service levels are reduced in other areas. With the impact of rate capping, it is even more important that financial resources are continually scrutinized, and all opportunities to reduce maintenance and renewal burdens are considered. This may also include rationalisation and realisation of assets.

For building assets, it is common to attribute an annual expenditure of around 1.5% of the assets capital value, towards renewal, over the life of the asset. However, it is expected that Council will over time improve processes to ensure life cycle costs are identified earlier in the project development phases and better budget for maintenance and renewal.

Property & Facilities Management 2018/19 budgets were, \$3,262,471K for Facility Maintenance & \$2,654,040K for Facilities Management Capital.

Risk Management - It is expected that Council will increase capital renewal funding to maintain existing levels of service. Depending on the availability of funds to perform these works and the timing of their availability, there is a risk that Council will be unable to meet the communities' expectations of the service levels currently afforded.

There are also risks in Council failing to meet its regulatory compliance obligations – in particular, regarding essential safety measures (fire services, access and egress). A number of facilities have been identified early in the auditing process, as requiring additional funding to meet regulatory compliance (such as some showgrounds and airport buildings), if they are to operate as publicly accessible buildings.

Evaluation and Review – During 2019/20 a 5 yearly condition audit was conducted on all building assets.

CONSULTATION

Ongoing consultation will occur with the development of master plans for various precincts of the municipality, which will include conversations pertaining to assets.

External consultation will also occur as the proposed levels of service are reviewed, in consultation with the community and facility stakeholders.

OFFICERS DECLARATIONS OF INTEREST

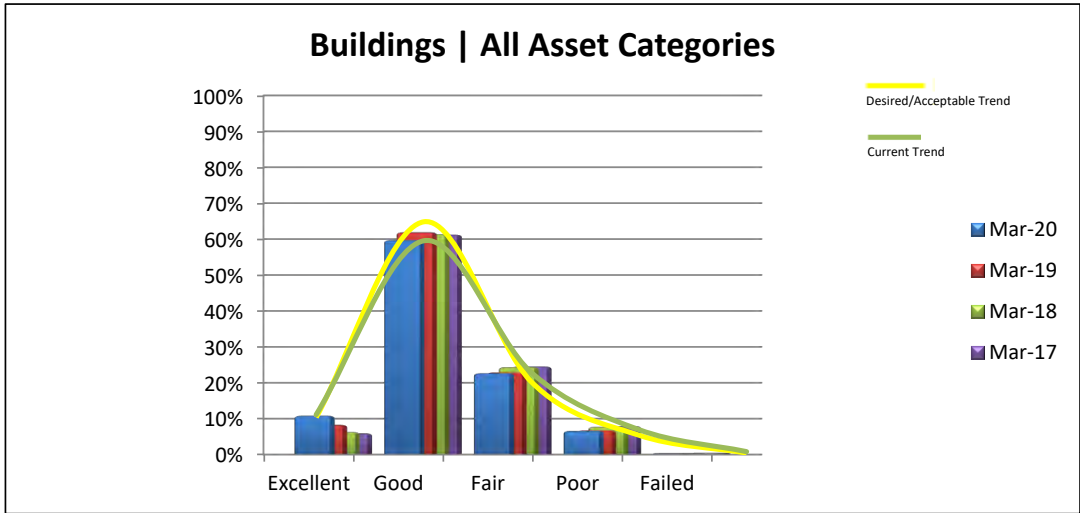
Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- City of Ballarat Council Plan 2017-2021
- City of Ballarat Asset Management Policy
- City of Ballarat Asset Management Strategy

ATTACHMENTS

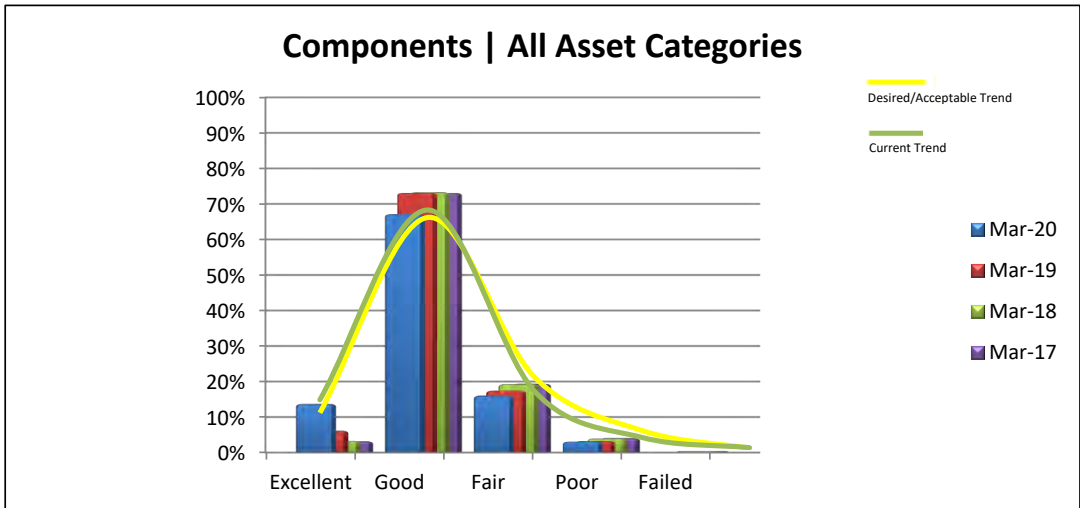
1. State of the Buildings Condition Graphs 2019-20 [**10.4.1** - 16 pages]



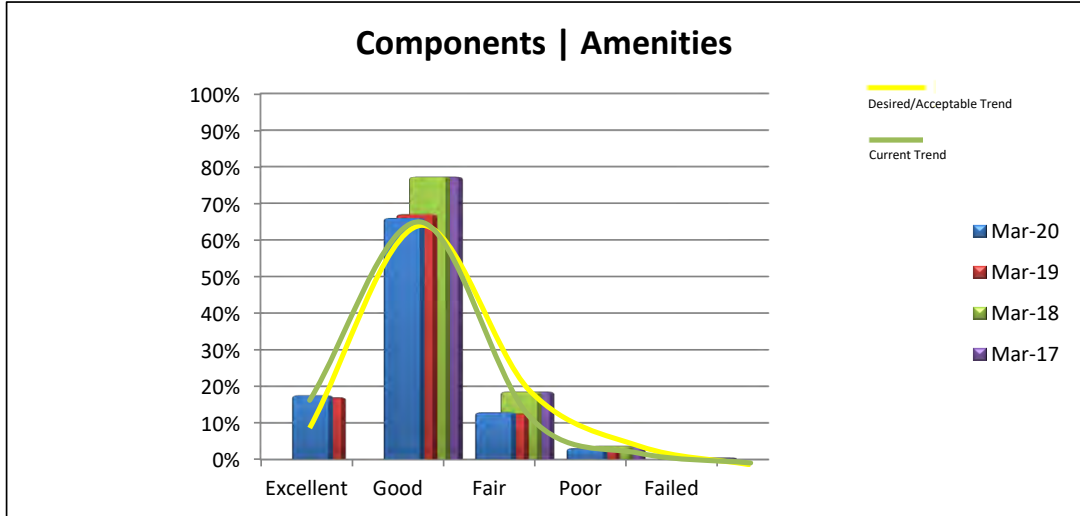
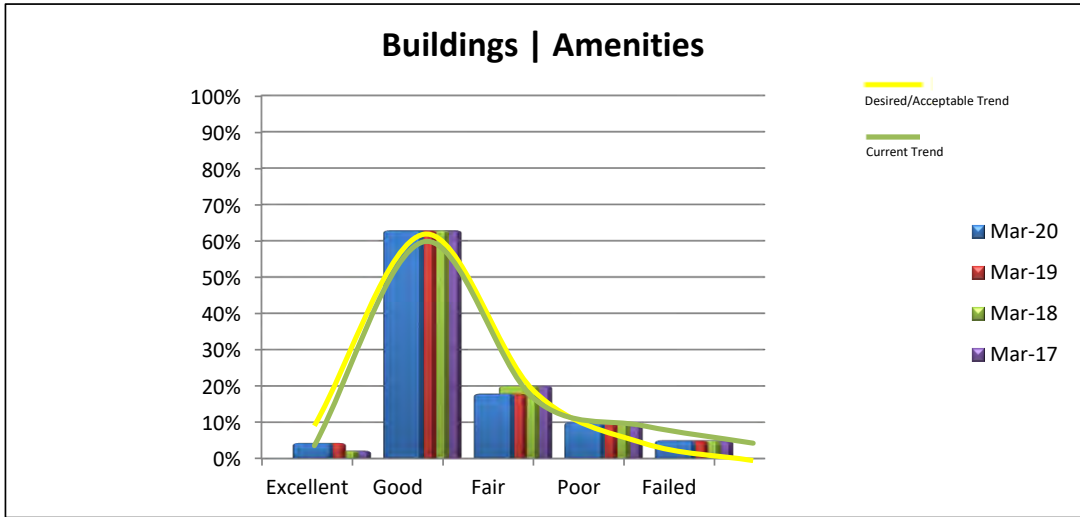
Building conditions relate to the external components of a building.
 Component conditions relate to all internal components (e.g. rooms) of a building.

Desired Percentages:

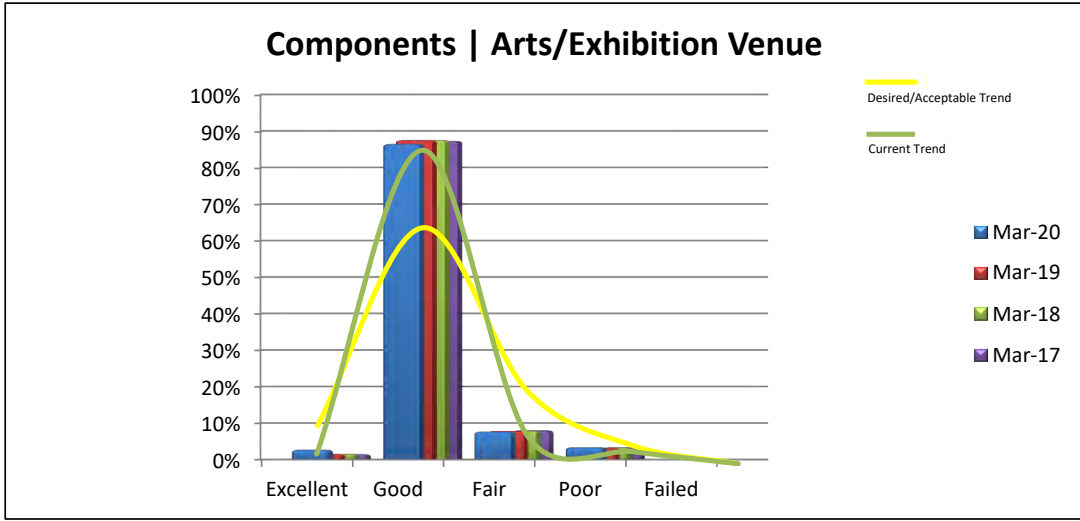
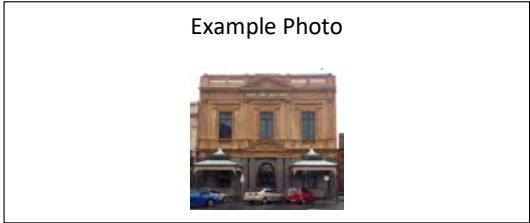
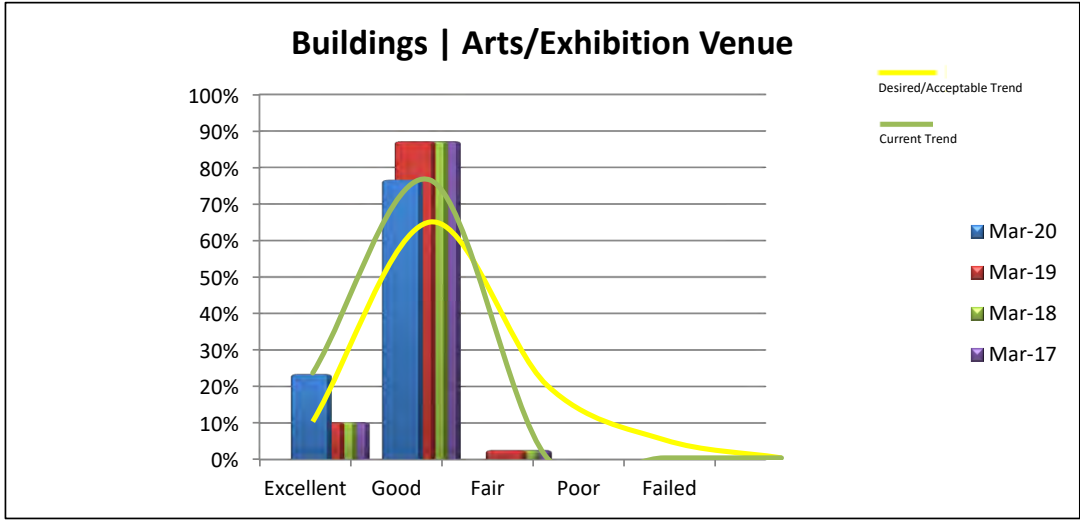
Excellent	10%
Good	65%
Fair	20%
Poor	5%
Failed	0%



No. of Categories	15
No. of Assets	660
Value of Portfolio	\$236,205,446.00
Average Condition	Good
Excellent %	Building: 10.78% Components: 13.65%
Comment:	Buildings are predominantly in the Good category. Overall, the Actual Condition trendline is tracking closely with the Desired/Acceptable Condition trend with the Excellent rating slightly exceeding it's target of 10%. A number of new assets has partly attributed to this increase.

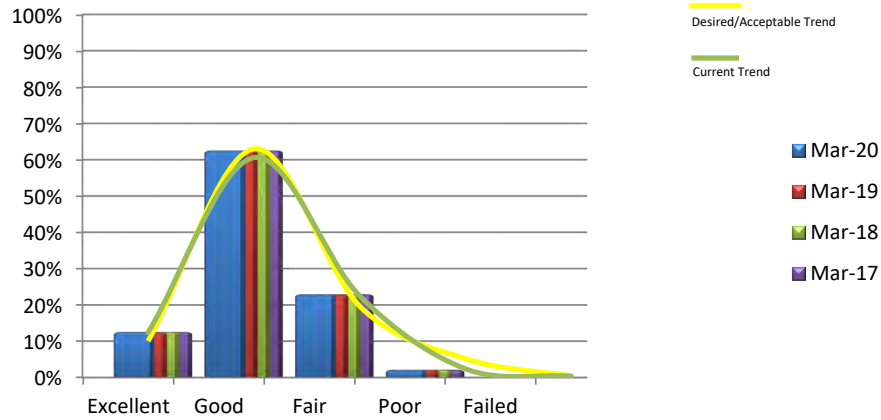


Amenities	A building that's primary purpose is to provide toilets and/or showers, eating areas, and change rooms for employed staff or Commercial Purposes. Will have toilets. May have meeting rooms, open indoor flexible space, and a kitchen. Not used by sporting groups.
No. in Category	18
Value of Category	\$1,963,500.00
Average Condition	Good
Excellent %	Building: 4.29% Components: 17.5%
Comment	Buildings excellent rating holding. Components has a good increase in Excellent rating. 1 asset in Failed condition. (Tourello Reserve)



Arts/Exhibition Venue	A building that's primary purpose is to accommodate Arts, arts related activities or Exhibitions (Art Galley or Theatre). Not a commercial entity.
No. in Category	6
Value of Category	\$100,600,000.00
Average Condition	Good
Excellent %	Building: 23.40% Components: 2.65%
Comment	Good increase Building Excellent rating. Slight increase in components Excellent rating.

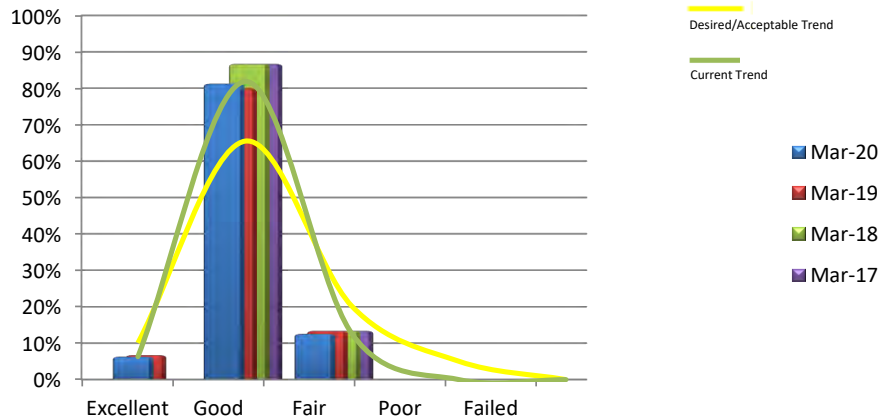
Buildings | Astronomy Building



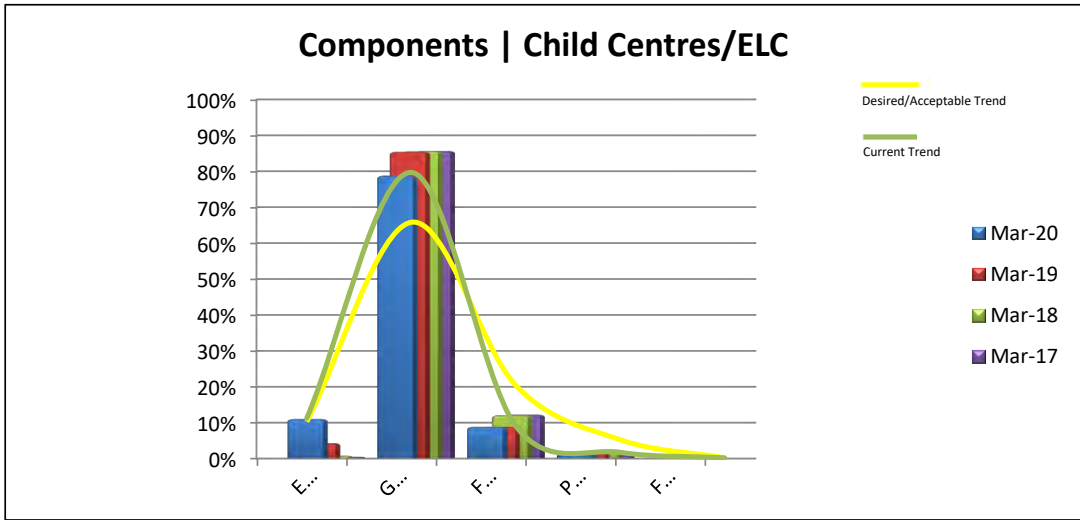
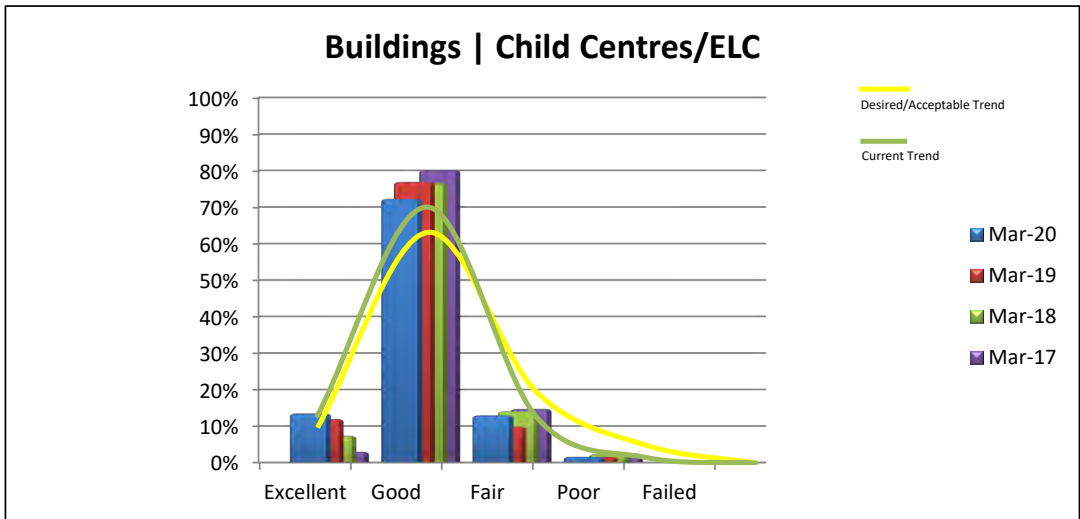
Example Photo



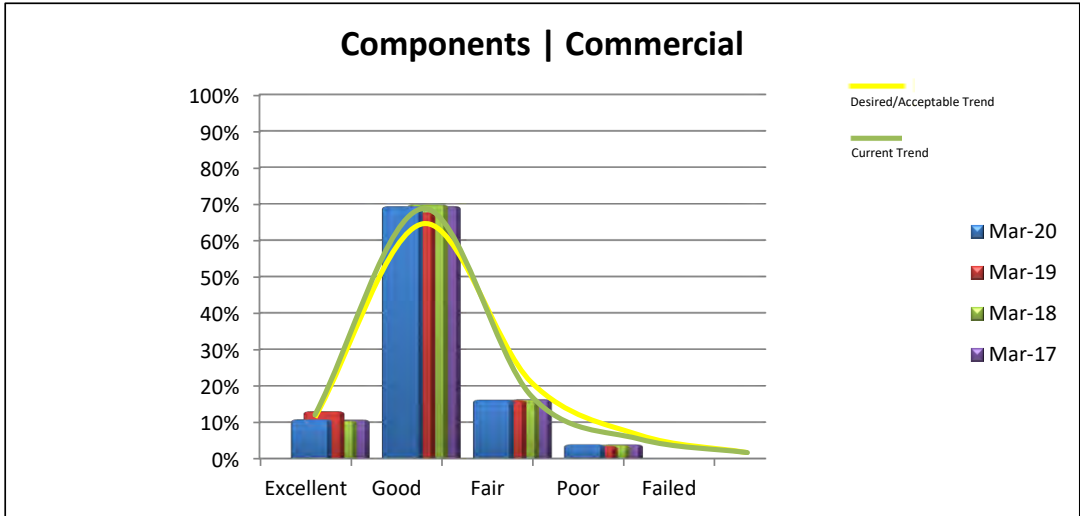
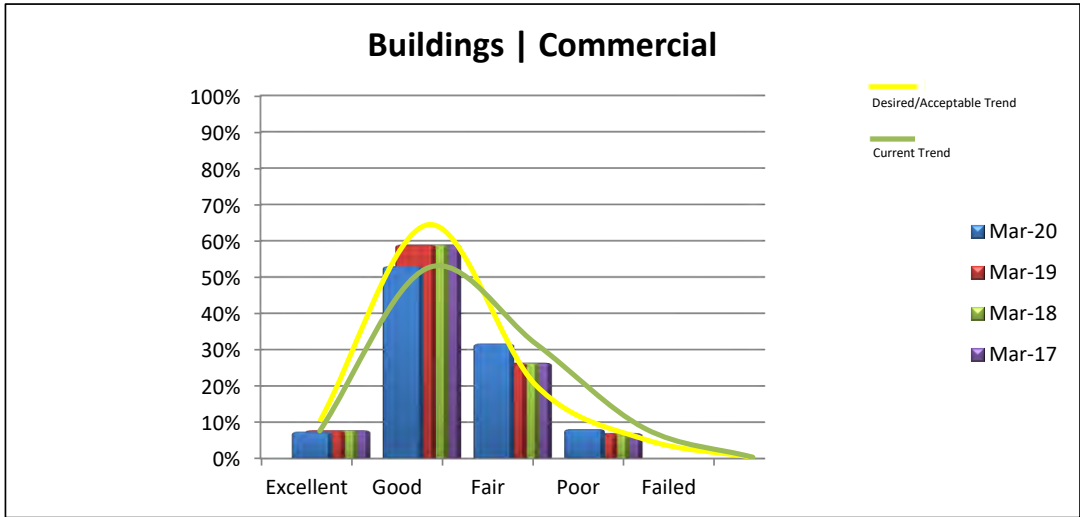
Components | Astronomy Building



Astronomy Building	A building constructed solely for the purpose of housing a telescope (or astronomy equipment), located at the Ballarat Observatory. Not an office or amenities building.
No. in Category	6
Value of Category	\$645,000.00
Average Condition	Good
Excellent %	Building: 12.50% Components: 6.25%
Comment	Building condition stable. Components require works to increase the % of Excellent rating.

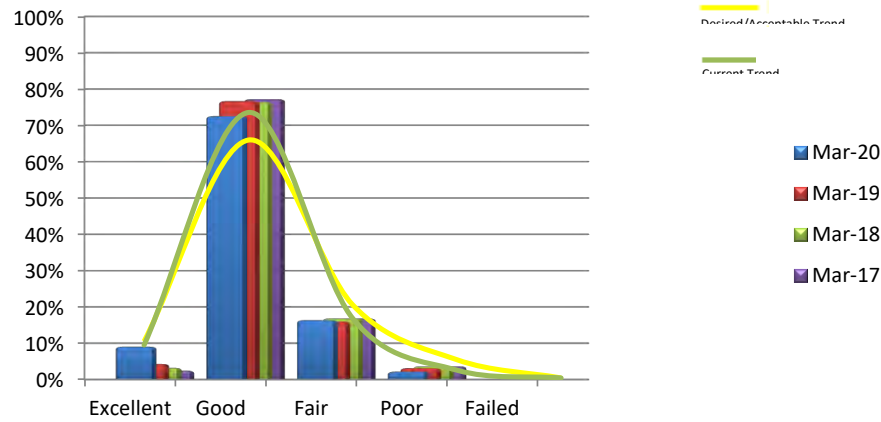


Child Centres/ELC	A building that's primary purposes is for child care/minding, Maternal Children's Health, playgroup activities or Early Learning Centre (Kindergarten or Pre-School)
No. in Category	27
Value of Category	\$6,605,000.00
Average Condition	Good
Excellent %	Building: 13.40% Components: 10.95%
Comment	Slight increase in building excellent rating. Good increase in component excellent rating.



Commercial	A building that's primary purpose is to accommodate commercial/for-profit activities. May contain offices, toilets, meeting rooms, kitchen, open flexible space.
No. in Category	20
Value of Category	\$5,693,500.00
Average Condition	Good
Excellent %	Building: 7.35% Components: 10.74%
Comment	Very small decrease in building Excellent rating. Components conditions slight decrease.

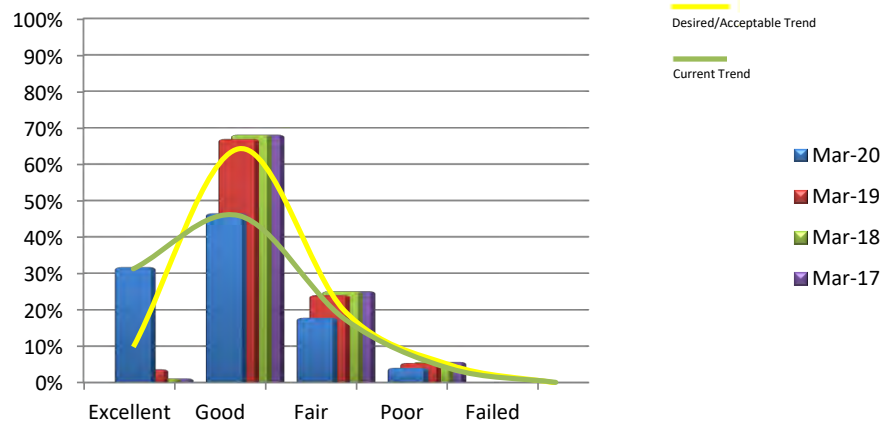
Buildings | Community Centre



Example Photo

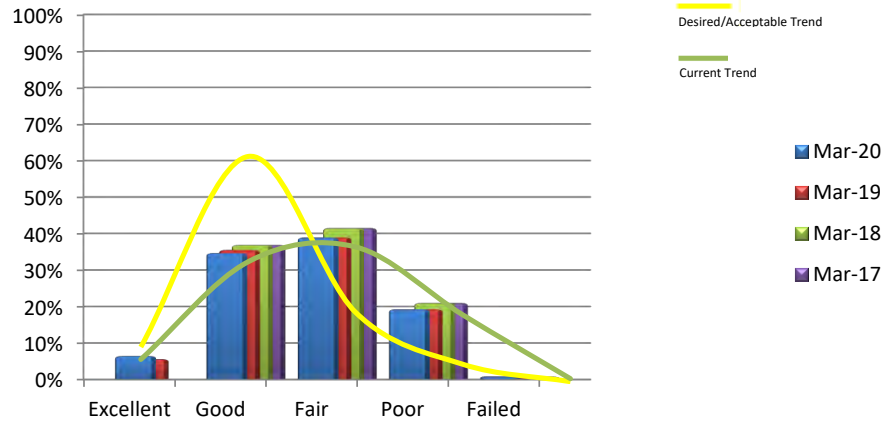


Components | Community Centre



Community Centre	A building that's primary purpose is to facilitate social engagement of community members. Will have toilets. May have meeting rooms, open flexible indoor space, and a kitchen. Not used (solely) by sporting groups. Not a Commercial entity.
No. in Category	35
Value of Category	\$17,187,000.00
Average Condition	Good
Excellent %	Building: 9.01% Components: 31.66%
Comment	Good increase in building Excellent rating. Good increase in component excellent rating.

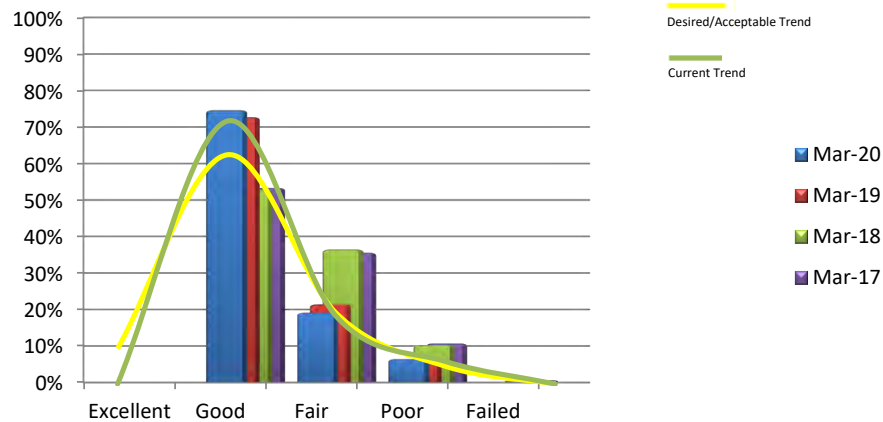
Buildings | Community Club Room



Example Photo

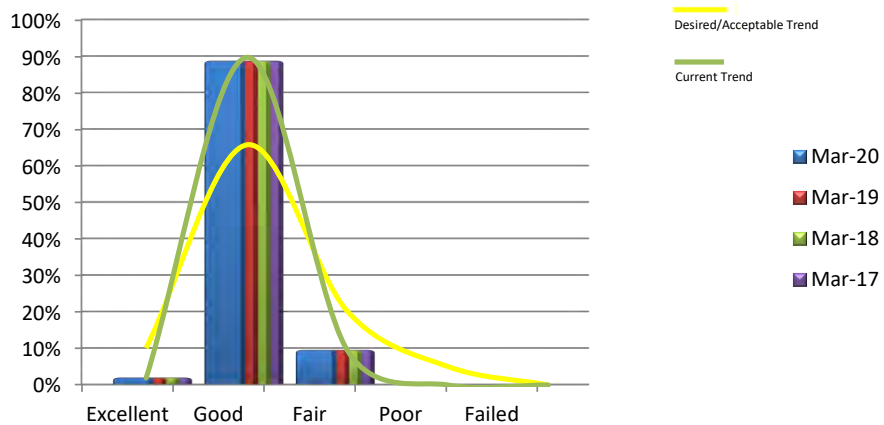


Components | Community Club Room



Community Club Room	A building that's primary purpose is to facilitate social engagement of a specific Community/not-for-profit group. May have toilets, meeting rooms, open flexible indoor space, and a kitchen. Not used by sporting groups. Not a Commercial entity.
No. in Category	34
Value of Category	\$3,565,000.00
Average Condition	Good
Excellent %	Building: 6.41% Components: 0%
Comment	Slight increase in building excellent rating. Components require works to increase the % of Excellent rating (a number of components have not been assessed).

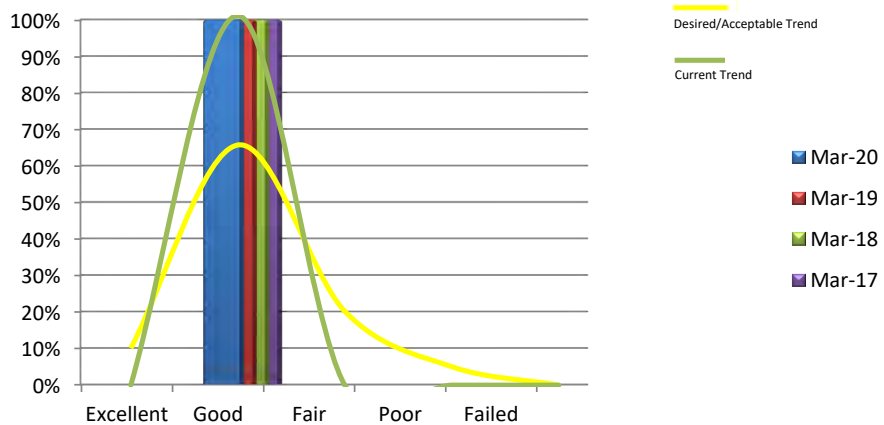
Buildings | Horticulture Structure



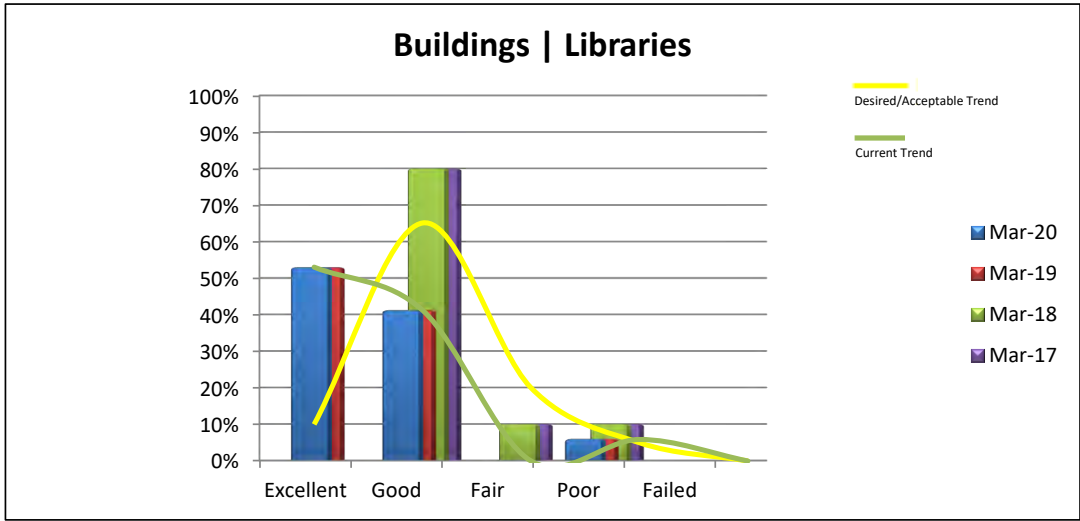
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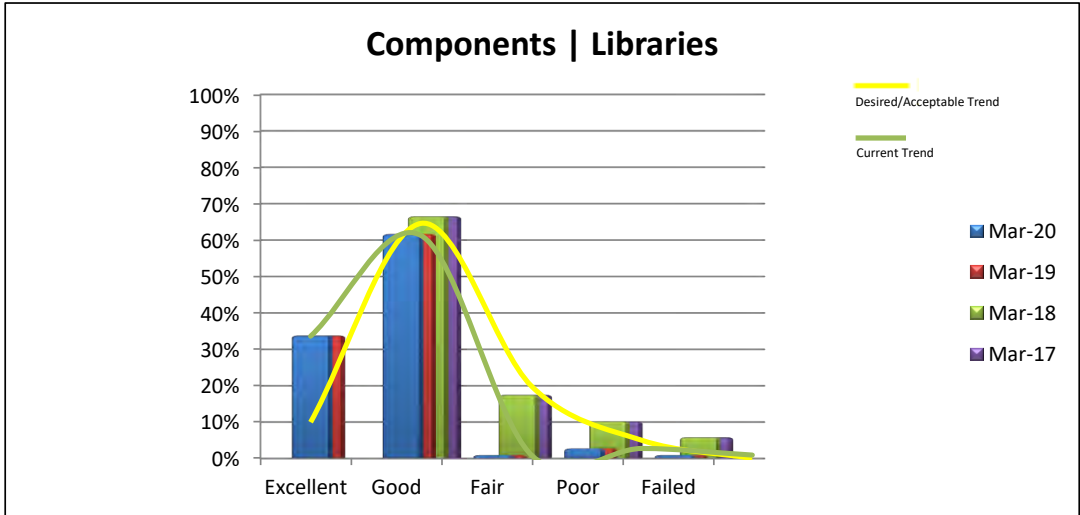
Components | Horticulture Structure



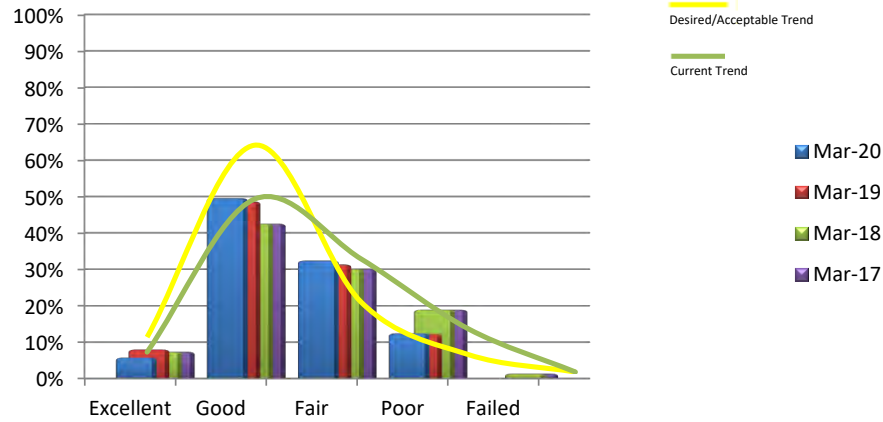
Horticulture Structure	A building constructed predominantly of glass, for the primarily purposes of plant propagation.
No. in Category	8
Value of Category	\$740,000.00
Average Condition	Good
Excellent %	Building: 1.89% Components: 0%
Comment	Condition stable. Buildings require works to increase the % of Excellent rating. Components are minimal, ratings are for floor structure only.



Libraries	A building that's primary function is to provide library services to the public. May contain toilets, a kitchen, meeting rooms, open flexible space, and office areas.
No. in Category	3
Value of Category	\$4,500,000.00
Average Condition	Good
Excellent %	Building: 52.94% Components: 33.79%
Comment	All conditions stable.



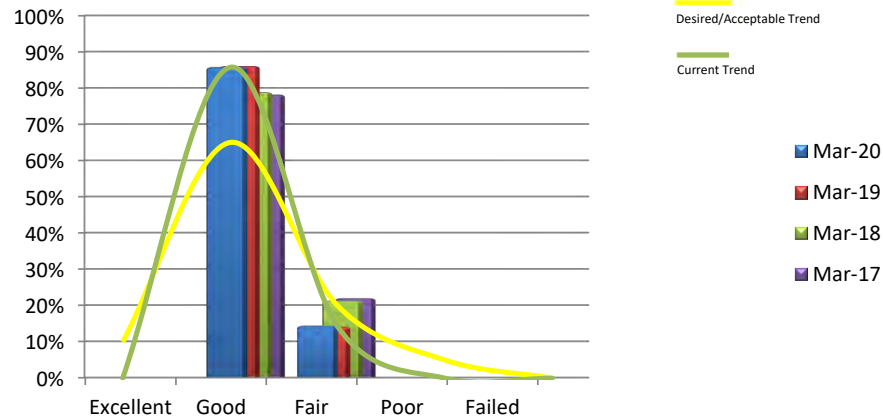
Buildings | Misc Structures



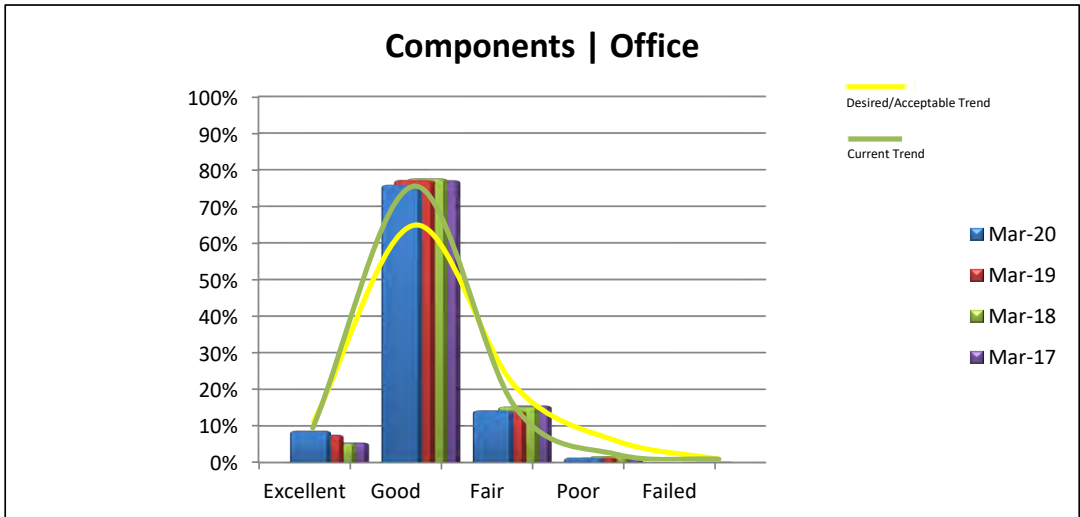
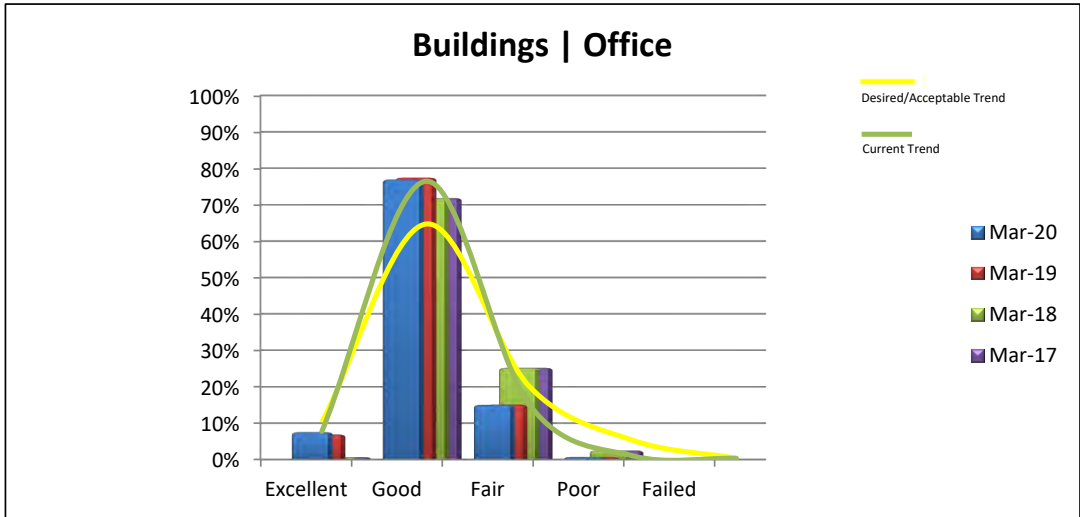
Example Photo



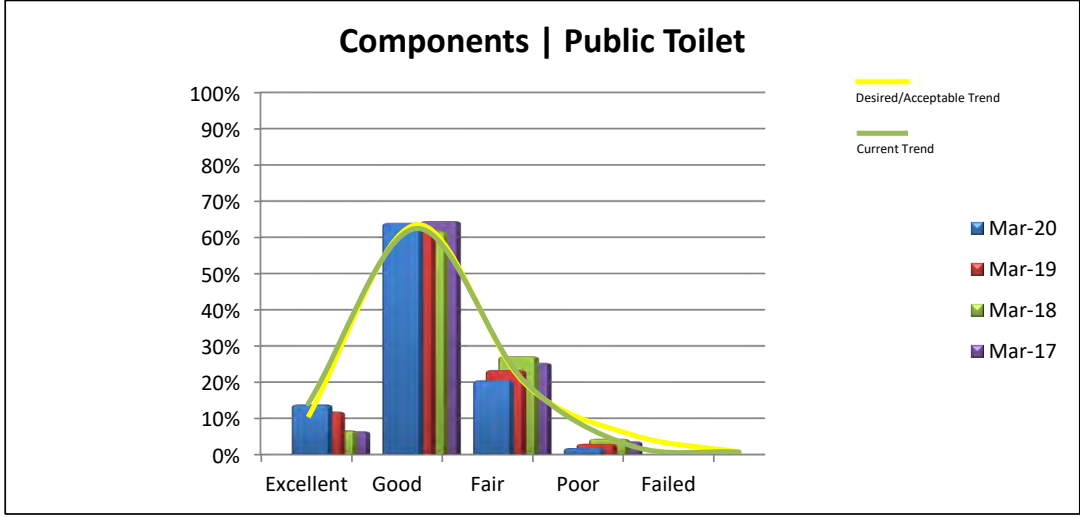
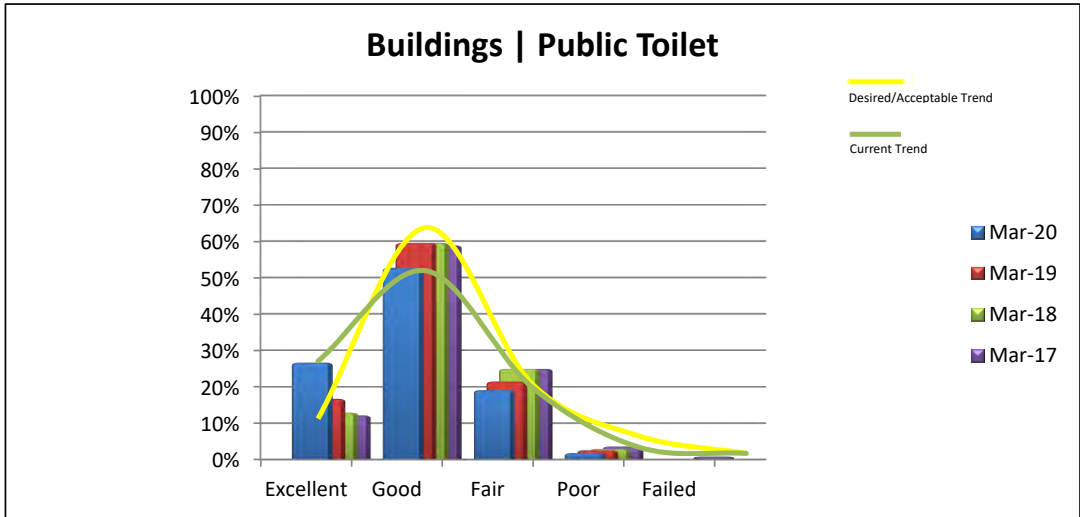
Components | Misc Structures



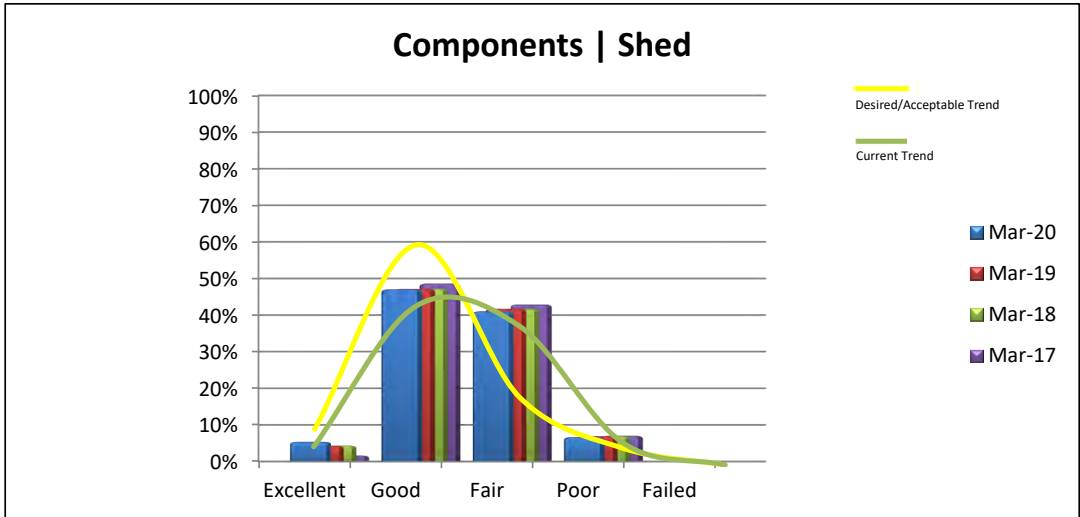
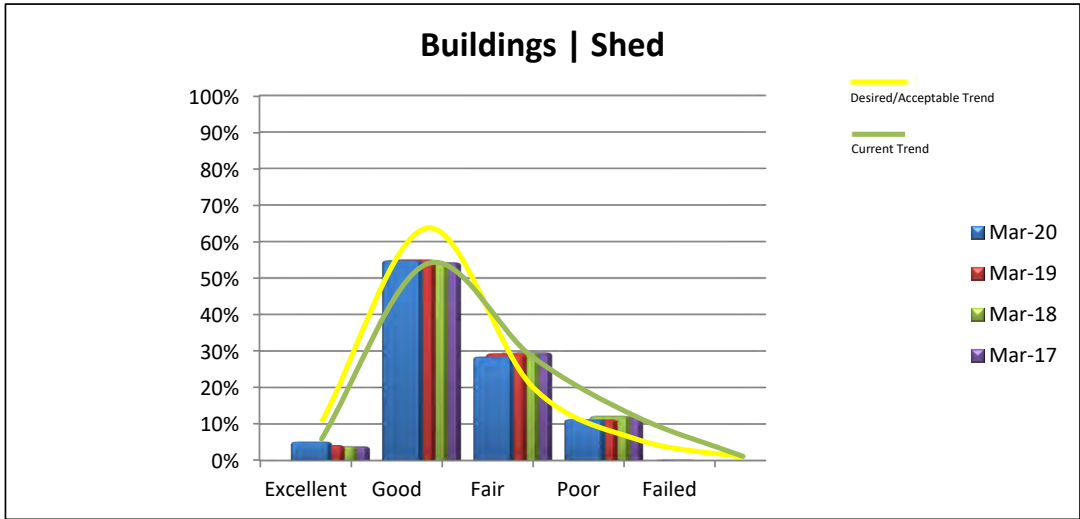
Misc Structures	Any structure/building/facility that does not fall into any other Buildings Feature Type category and has only minimal quantity (less than 4). For example: Tower, Scoreboard
No. in Category	35
Value of Category	\$1,515,000.00
Average Condition	Good
Excellent %	Building: 5.71% Components: 0%
Comment	Slight decrease in building Excellent rating. Minimal components.



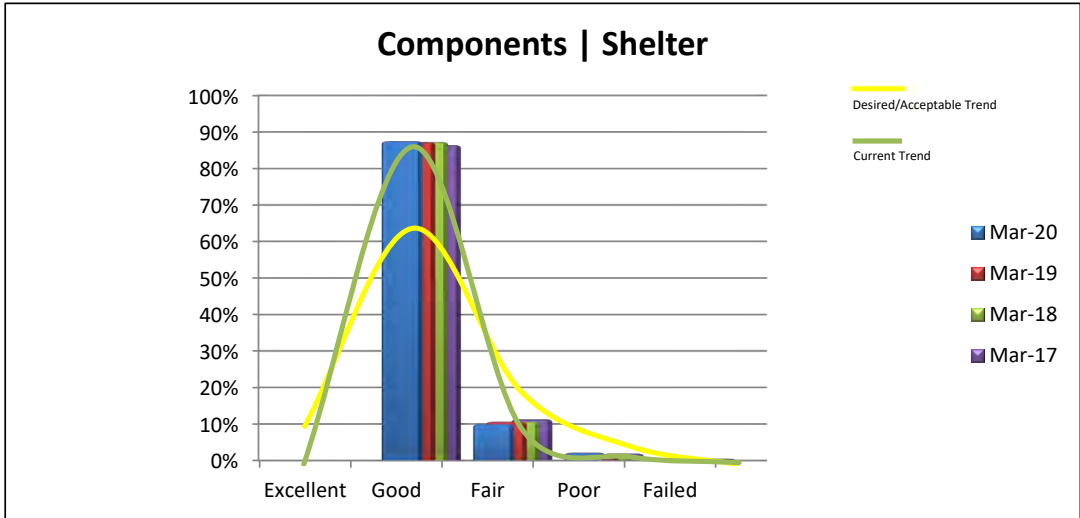
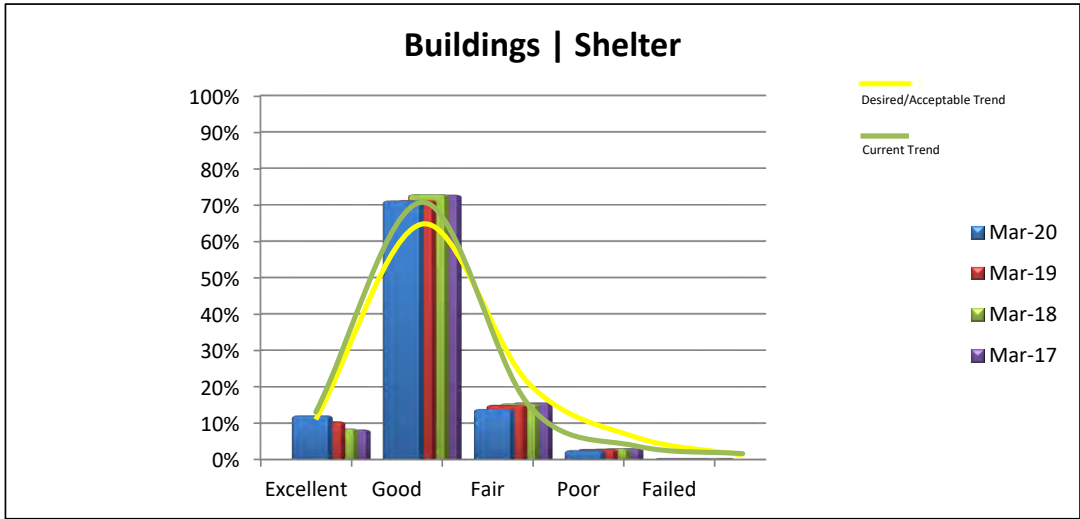
Office	A building that's primary function is to provide office space for Council staff/employees/volunteers. May contain toilets, shower, kitchen, meeting rooms, open flexible space. Not a Commercial entity.
No. in Category	23
Value of Category	\$32,465,000.00
Average Condition	Good
Excellent %	Building: 7.48% Components: 8.66%
Comment	Slight increase in building excellent rating. Good increase in component excellent rating.



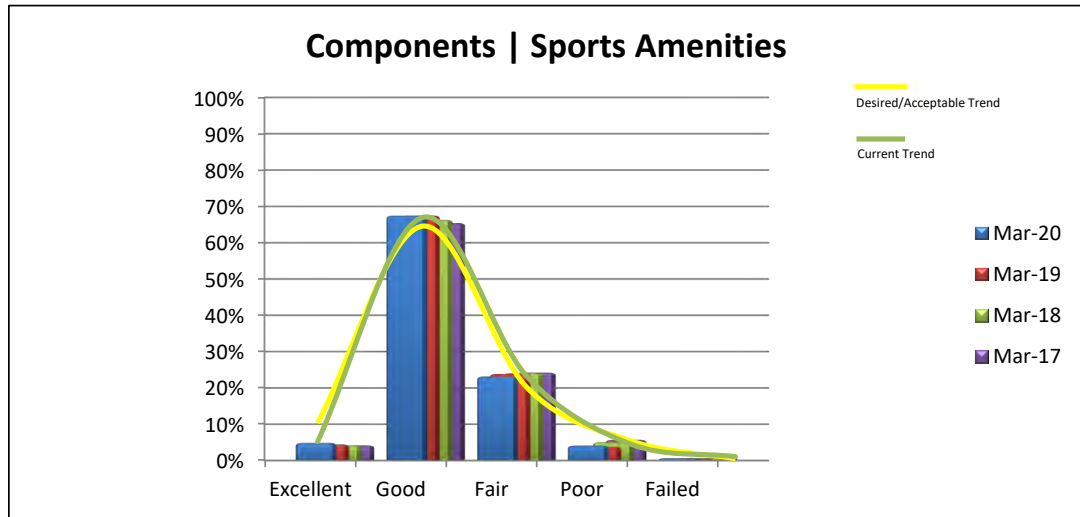
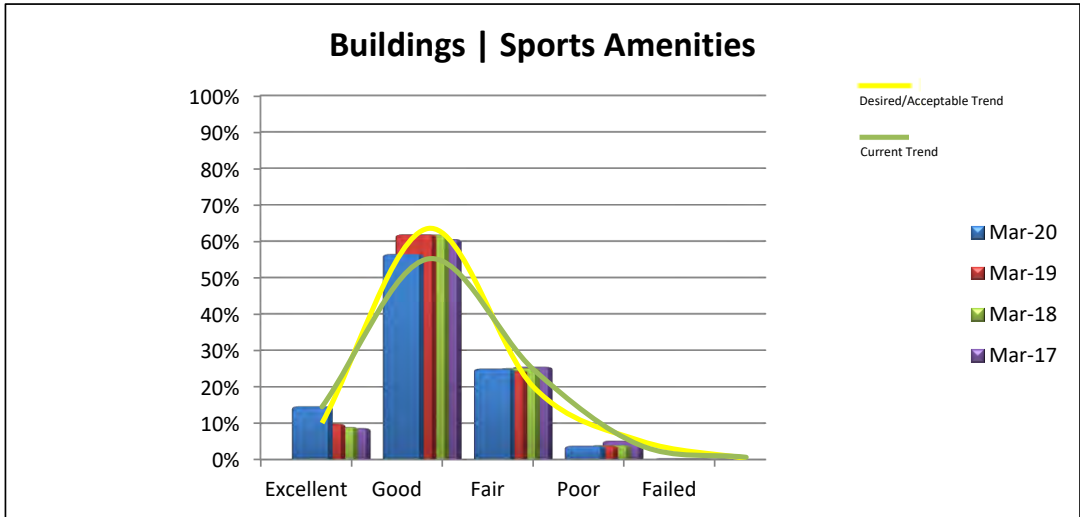
Public Toilet	A building constructed solely for the purpose of providing public access to toilet facilities, and not for the exclusive use of any particular group/s. Not a facility for the sole use of a specific user group. May be locked during night hours.
No. in Category	55
Value of Category	\$4,870,000.00
Average Condition	Good
Excellent %	Building: 26.57% Components: 13.81%
Comment	Good increase in building excellent rating. Good increase in component excellent rating.



Shed	A stand-alone structure constructed primarily for the purposes of storing goods and/or equipment. May have separable areas, and power connected. Will not have amenity facilities (toilets, kitchen, sinks, etc).
No. in Category	174
Value of Category	\$7,348,000.00
Average Condition	Good
Excellent %	Building: 5.16% Components: 5.36%
Comment	Slight increase in building excellent rating. Slight increase in component excellent rating.



Shelter	A stand-alone structure constructed for the purposes of protecting occupants from weather. Will not be fully enclosed.
No. in Category	134
Value of Category	\$4,835,500.00
Average Condition	Good
Excellent %	Building: 12.09% Components: 0%
Comment	Slight increase in building excellent rating. Minimal components.



Sports Amenities	A facility constructed primarily for the purposes of providing change and amenity facilities, for sport activities. Will contain toilet facilities. May contain showers, change rooms, store area, meeting room, office, kitchen, canteen, open flexible space.
No. in Category	82
Value of Category	\$43,672,946.00
Average Condition	Good
Excellent %	Building: 14.59% Components: 4.80%
Comment	Good increase in building excellent rating. Components require works to increase the % of Excellent rating.

10.5. ADOPTION OF REVISED CITY OF BALLARAT PROCUREMENT POLICY

Division: Business Services
Director: Sean Portelli
Author/Position: Trevor Harris - Procurement Coordinator

OFFICER RECOMMENDATION

Council resolves to:

Adopt the revised Procurement Policy (Version 9.1)

EXECUTIVE SUMMARY

Pursuant to Section 186A (7) of the *Local Government Act 1989*:

"At least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy"

The Chief Executive Officer formed a working group to undertake a formal review of the City of Ballarat Procurement Policy.

RATIONALE

The working group has recommended several amendments to the Procurement Policy and these are summarised below:

- Now using the standard Council Policy Template
- Clause 3.2.6 Added financial limits when using Approved Suppliers
- Clause 3.3.4 Added exemptions to obtaining Quotes (NEW CLAUSE) – this will make it clearer when a request for quote may not be practical
- Clause 3.3.5 Insufficient quotations (DELETED) – now covered under Clause 3.3.4
- Clause 3.4 Separated from 3.5 to clearly define how late tenders will be handled
- Clause 3.5 Outlines requirements for evaluating tenders and quotations
- Clause 3.5.1 Outlines a new way of evaluating price for both tenders and quotes using the 'Value for Money' formula. Submissions will be fully evaluated on project qualitative/comparative criteria before pricing is considered.
- Clause 3.5.2 Project qualitative/comparative Criteria (NEW CLAUSE) – outlines suggested project specific evaluation criteria to be used when evaluating both tenders and quotes.
- Clause 3.5.3 Weighted scoring method (NEW CLAUSE) – outlines circumstances when submitted tenders may be omitted from evaluation. Other than non-conformance a submission can be omitted if the tendered price is 50% or greater than the allocated budget. This clause incorporates a guide to scoring tender submissions for qualitative/comparative criteria
- Clause 3.5.5 Sustainability Specifications – Updated clause with input from Council's Sustainability Officer.
- Clause 3.10 Sustainability – added new ways to achieve sustainability
- Clause 3.10.2 Environmental Purchasing - Updated clause with input from Council's Sustainability Officer
- Clause 3.11 Support of Local Business – added breakdown on how Local Content is scored

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	Yes	No
Economic	No	No
Financial/Resources	No	No
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	Yes	No

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

Environmental/Sustainability – The policy has included possible ways to increase the purchase of goods, services and works that use recycled or reusable content, are locally and ethically produced, are water or energy efficient, or use low impact materials.

Evaluation and Review – The policy has been reviewed by an independent working group of Council officers from various business units.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Victorian Local Government Best Practice Guidelines 2013

ATTACHMENTS

1. Procurement Policy V9.1 FINAL [10.5.1 - 31 pages]

PROCUREMENT POLICY (VERSION 9.1)

1.0 Purpose

This Policy represents the principles, processes and procedures that will be applied to the purchase of all goods, service and works by council. The scope of this Policy commences from when council has identified a need for procurement requirements. It continues through to the delivery of goods or completion of works or services.

2.0 Scope

This Policy will apply to Councillors, council staff and all persons undertaking procurement on council's behalf and they are accountable for complying with all relevant procurement legislative and policy requirements.

Ballarat City Council recognises that a procurement strategy and appropriate best practice contract and procurement principles, policies, processes and procedures, will enhance achievement of Council objectives such as socially responsible procurement, value for money, achieving innovation providing best value services to the community and enhancing environmental sustainability.

In November 2008, amendments to the Local Government Act 1989 were passed which included a new section 186a that requires Council to 'prepare and approve a Procurement Policy'. A Procurement Policy must include any prescribed matter and Council must have regard to Ministerial Guidelines made under the section when preparing its policy. Council must review its procurement policy annually and make it available for public inspection. This policy does not reflect the Local Government Act 2020 which the implementation for Procurement will come into force on the 1st July 2021.

The objectives of this Policy are to:

- establish a procurement framework for Council to achieve value for money and continuous improvement in the provision of services for the community;
- ensure that council resources are used efficiently and effectively to improve the overall quality of life of people in the local community;
- achieve compliance with relevant legislative requirements;
- achieve high standards of probity, transparency, accountability and risk management;
- give preference to the procurement of environmentally sustainable goods, services and works wherever possible;
- where practicable, advance the use of responsibly sourced resources that have greater recycled or reused content and have a lower environmental footprint throughout their life cycle;
- Support local industry that actively recycles local materials generated within the Ballarat Region;
- give preference to the procurement of goods, services and works from within City of Ballarat and surrounding municipalities where price, quality, services standards and delivery is comparable to other suppliers.

This policy encompasses all elements of the procurement of goods and services and requires compliance from Councillors, Special Committee members, Staff, Contractors, Consultants and other members as required by the Chief Executive Officer.

2.1 Conduct of Councillors and Council staff

Councillors and members of staff (and all persons engaged in procurement on Council's behalf) must exercise the highest standards of integrity in a manner able to withstand the closest possible scrutiny.

All members of staff have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest (Section 95 Local Government Act 1989).

In procurement matters:

- Treat potential and existing suppliers with equality and fairness;
- Maintain confidentiality of Commercial in Confidence matters and information such as contract prices and other sensitive information;
- Members of staff must disclose a direct or indirect interest (and the type of interest) before providing advice or reports (or any other matter) (Section 80C LGA)
- Council officers with delegated Council powers or duties are prohibited from exercising those powers, duties or functions if they have conflicts of interest (Section 80B LGA).
- A Councillor must comply with the Primary Principle of Councillor Conduct and avoid conflicts between his or her public duties as a Councillor and his or her personal interests and obligations. (Section 76BA LGA). Councillors (and members of audit committees) must disclose a conflict of interest (Section 79 LGA).
- Councillors must also comply with the Councillor Code of Conduct.
- Councillors must not improperly direct or improperly influence a member of council staff in the exercise of any power on/ in the performance of any duty or function. (Section 76E LGA)
- Members of staff must also comply with the Code of Conduct for Council Staff (Section 95AA LGA)
- All staff engaged in the evaluation of quotation or tender evaluations must adhere to this Policy and complete and lodge a Conflict of Interest Declaration and a Deed of Confidentiality.
- All Councillors and Staff must adhere to councils Gifts and Hospitality Policy in matters of procurement.

Councillors and staff members should make their interests known in any situation where it could be perceived that an interest might unduly influence them.

2.2 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the Act.

2.3 Influencing the Tender Process

Any attempts which may be reasonably construed as intended to influence the tender process in any way such as any direct or indirect approach by tenderers themselves or through other parties on their behalf to persons other than those nominated in the tender document will invalidate the tender.

For the avoidance of doubt any Tenderer found to have:

- a. Offered a bribe, gratuity, bonus, discount of any sort or enticement to or otherwise attempt to influence any Council officer, Councillor or any persons who are either directly or indirectly involved in the evaluation of the Tender or in the awarding of an associated Contract; or
- b. Approached, discussed or solicited support for their Tender with any Council officer (with the exception of the designated Council Contact Officer) or Councillor of the Council, individually or collectively; at any time prior to the awarding of the Contract to the successful Tenderer will have their Tender excluded from the contract award process.

The tender of any tenderer which engages in conduct prohibited under this clause will be deemed informal and will be rejected without further consideration.

Tenderers shall declare any actual or potential conflict of interest.

Tenderers shall not participate in collusive tendering practices or any other anti-competitive practices with any other Tenderer. Council shall take action where it becomes aware of collusive practices. Collusive practices are anti-competitive in nature, and can result in criminal prosecution

The above clause will be included in the Conditions of Tender

2.4 Conflict of Interest

Councillors and Council staff shall at all times avoid situations in which private interest's conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff must not participate in any action or matter associated with the arrangement of a contract (i.e. evaluation, negotiation, recommendation, or approval), where that person or any member of their immediate family has a significant interest or holds a position of influence or power in a business undertaking tendering for the work.

The onus is on the Councillor and the member of Council staff involved being alert to and promptly declaring an actual or potential conflict of interest to Council.

2.5 Fair and Honest Dealing

During a public tender process, all prospective contractors and suppliers must be afforded an equal opportunity to tender or quote. Impartiality must be maintained throughout the procurement process so that it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must always be maintained, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

2.6 Accountability and Transparency

Accountability in procurement means being able to explain and evidence what has happened. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore, the processes by which all procurement activities are conducted will be in accordance with the Council's procurement policies and procedures as set out in this policy and related Council policies and procedures.

Additionally:

- The responsible Council staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by the Council;
- Where necessary, brief tenderers regarding the documented decision-making process, and
- All procurement activities are to leave an audit trail for monitoring and reporting purposes.

2.7 Gifts and Hospitality

No Councillor or member of Council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public who is involved, either directly or indirectly, with any matter that is connected with the duties of the officer, or in which Council is interested.

Councillors and Council staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings.

Councillors and Council staff should also avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how insubstantial the evidence available), must be promptly brought to the attention of the CEO.

2.8 Disclosure of Information

Information received by Council that is Commercial in Confidence must not be disclosed and must be stored in a secure location. Councillors and Council staff are to protect, by refusing to release or discuss information to the extent that it is Commercial in Confidence.

This may include:

Information disclosed by organisations in tenders, quotation or during tender negotiations:

- Pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations,
- Councillors and Council staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests,
- Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier,
- At no stage should any discussion be entered into with any tendering party or its representative or agent that could have potential contractual implications prior to the contract approval process being finalised, other than authorised pre-contract negotiations.

2.9 Governance Structure

Council shall:

- Establish a procurement management responsibility structure and delegations ensuring accountability, traceability and auditability of all procurement decisions made over the lifecycle of all goods, services and works purchased by Council.

Ensure that Council's procurement structure is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council.

Ensures that prospective contractors and suppliers are afforded an appropriate opportunity to tender/quote;

- Encourages competition; and
- Ensures that policies that impinge on the purchasing policies and practices are communicated and implemented.

3.0 Policy Statement

Responsible Financial Management

The principle of responsible financial management must be applied to all procurement activities. Accordingly, to give effect to this principle: the availability of existing funds within an approved budget, or source of funds, must be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegation or split funds to fit their financial delegation. Council staff that breach their delegated authority may face action under Council's Discipline and Termination Policy (the decision to initiate disciplinary action or other action will be taken by the CEO based on a recommendation by the Director Business Services following consultation with the relevant Director or Executive Manager).

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

3.1 Methods of Purchasing

Council's standard methods for purchasing goods, services and works shall be by:

- Flexi-Purchase Card
- Purchase Order following a quotation process;
- Under contract following a tender process; or
- Where Council is satisfied that Value for Money requirements have been satisfied, under purchasing schemes including collaborative purchasing arrangements with other Councils and commercial schemes such as provided by Procurement Australia, the Municipal Association of Victoria and the State Government Purchasing Panel;
- Unless other arrangements otherwise authorised by Council or the CEO on a needs basis as required by abnormal circumstances such as emergencies.
- No person is permitted to purchase an item in excess of their transaction limit under any circumstance. Any occurrence of this will be considered a breach of policy and appropriate action taken for a breach of policy. If an item is in excess of your transaction limit it will be necessary for your direct manager to purchase the goods or services;
- The purchasing of gift cards can only be completed by Financial Services once approved by the Director of Business Services or Chief Executive Officer.

Council may, at its discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders. Typically, a multi-stage tender process will commence with a registration of interest stage followed by a tender process involving the organisations selected as a consequence of the registration of interest stage.

A Council Director, Executive Manager or Manager may determine to seek **Expressions of interest** (Section 186(1) of the Act) where:

- there is likely to be many tenderers and tendering will be costly or the procurement is complex; and council does not wish to impose the costs of preparing full tenders on all tenderers
- there is uncertainty as to the willingness and/or interest of parties or vendors to offer the potential products or services or to undertake the proposed works
- The requirement is complex, difficult to define, unknown or unclear,
- The requirement is capable of several technical solutions

- The requirement is generally known but there is still considerable analysis, evaluation and clarification required (both of the objective and the solution).

An **Expression of Interest** or a **Request for Proposal** process may be undertaken where determined by the CEO, a Director, Executive Manager or Manager and where Council advertises publicly

- the purpose and nature of the contract
- the date by which it will invite tenders.

Tenders and Expression of Interests should not be used to compensate for a lack of understanding as to council's needs. If uncertain what is required; a simple **Request for Information** should be undertaken. A Request for Information may be undertaken for reasons which include establishing:

- the availability of technologies, products or service available in the marketplace to meet council needs
- whether proposed terms and conditions or deliverable expectations are acceptable in the marketplace
- whether proposed budgets are adequate to meet non-standard procurement needs – inadequate budgets should not become apparent when tenders are opened

A Request for Information should be used rather than a Request for Tender or Expression of Interest in order to improve understanding of needs, availability and likely costs.

A Request for Information will be undertaken similar to an Expression of Interest and advertised accordingly. Care must be taken when writing a specification for a Request for Information to ensure there is no commitment to purchase inadvertently included.

3.2 Procurement Thresholds and Competition Requirement

Council will decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be dependent on the size and complexity of the proposed procurement activities.

Minimum Spend Competition Thresholds (Inclusive of GST)

Financial Thresholds (AUS\$ inc GST)	Requirements			
	Process Managed by	Market Engagement	Agreement Type	Documentation
< \$5,000	Business Unit	1 Verbal Quote	P-Order P-Card	Quote details to be diarised
\$5,001 to \$25,000		1 Written Quote		Quotes must be registered in eBMS
\$25,001 to \$150,000 for goods & services or \$200,000 for works ¹		3 Written Quotes [#]		
> \$150,000 for goods & services and > \$200,000 for works	Procurement Unit	Tender	Contract	Evaluation Report

[#] A minimum of one of the three quotes **must be** obtained from a local supplier/provider wherever possible.

¹ As set under the Local Government Act 1989 Section 186(1)

3.2.1 Threshold Margin

If a procurement budget is within 5% of the nearest threshold, then the greater threshold requirements must be adhered to.

3.2.2 Payments

Payment for Works or Services will be made by the Principal on submission of Tax invoices by the Contractor in accordance with Council's payment policies.

Payment of all claims shall be subject to approval by the Principal's Authorised Officer that requested the works. All invoices shall be submitted in accordance with the Schedule of Rates forming part of the contract.

3.2.3 Prepayments

Prepayments for any goods, services or works cannot be made without the prior approval of the Director Business Services or the Chief Executive Officer

3.2.4 Use of Agents

Council encourages (when available) the services of a third-party agent such as MAV Procurement or Procurement Australia to undertake the Tender process on behalf of Council where it can be shown that Best Value for Money would be achieved.

The Act allows for councils to form groups for the procurement of goods, services or works with one member of the group, acting as an agent for the other councils, undertaking a single competitive process. Each of the members of this group may enter into a contract with the preferred service provider identified through this competitive process. Council encourages group tenders with surrounding municipalities, particularly where it can be shown that Best Value for Money would be attained.

When procurement is being planned, due diligence should be undertaken to evaluate if Best Value for Money can be achieved by using an Agent or a collective group tender.

Procurement Unit is to be notified when a third-party agent is appointed.

3.2.5 Total Cumulative spend

Care should be taken when reviewing the limits at 3.2 (above). In order to comply with the requirements of the Act where significant sums are spent in aggregate with one supplier or on one service, it is necessary to structure procurement proposals (as requests for tenders, quotations or prices) in order to achieve greatest value and supplier performance by leveraging this cumulative spend, rather than treating each discrete arrangement as a separate procurement exercise. Council has determined that the Cumulative expenditure to a supplier or for a specific product/service for a period of up to one year is to be considered unless an exemption is approved by the Chief Executive Officer or the Business Services Director.

Should the CEO consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for the council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below the thresholds set under this Policy.

3.2.6 Approved Suppliers (Panel)

An Approved Supplier is a contractor/company that has been appointed following an open Tender process.

Approved Suppliers cannot be appointed in any other manner.

Unless specified during a tender process no minimum quantity of sales or turnover is guaranteed to an Approved Supplier Panel member.

Benefits of appointing a Panel of Approved Suppliers may include:

- Savings in time and money
- Provide higher level of quality
- Faster turnaround times
- Increased confidentiality

Approved Suppliers should be appointed for one (1) year with a further option to extend for two (2) x two (2) years to a maximum of five (5) years, subject to contract requirements. This term may be varied in consultation with the Procurement Unit dependant on contract requirements.

Council's Approved Suppliers should always be utilised whenever possible. A full list is available from the Intranet. When utilising Approved Suppliers "best value for money" should always be the first consideration.

If an Approved Supplier has provided a Schedule of Rates for services during the Tender process, direct appointment may be made up to a maximum of \$50,000 for any single venture. For works exceeding \$50,000 three quotes must be obtained to ensure value for money. Any project, single purchase or a combination of Approved Suppliers are not to be utilised to bypass the requirements to tender where the total project cost may exceed the Legislated limits for tendering. If a Schedule of Rates was not provided the quoting requirements outlined in Clause 3.2 must be adhered to.

3.3 Determining the Procurement Vehicle

3.3.1 Tender

The acquisition of goods and services for which the estimated expenditure exceeds \$150,000 and carrying out of works for which the estimated expenditure exceeds \$200,000² must be undertaken by public tender.

3.3.2 Expression of Interest

An expression of interest is a two-step process. When the thresholds are met an Expression of Interest process does not replace the need to call tenders. It simply precedes the calling of tenders and generally seeks to constrain the number of, and focus the quality and detail, of tenders received. An Expression of Interest process is generally structured with the following components:

- overview of requirements
- invitation to submit
- criteria for evaluating
- form of (respondents form)

An expression of interest should be used in circumstances where –

- there is likely to be many tenderers, tendering will be costly, or the procurement is complex
- there is uncertainty as to the interest of suppliers or vendors to offer the potential products or services or to undertake the proposed work

² As set under the Local Government Act 1989 Section 186(1)

3.3.3 Quotations

Purchase of goods and services up to \$150,000 and \$200,000 for works in a single contract or supply arrangement may be undertaken using the procurement by quotation method as described below. Payment for these purchases up to your delegated financial authority may either be by City of Ballarat Purchase Card or through Accounts Payable (A purchase order must be raised if using Accounts Payable).

3.3.3.1 Items of value up to \$5,000

To achieve best value for the City of Ballarat the seeking of verbal and/or written quotations is encouraged. As a minimum one verbal quotation should be obtained. Verbal quotations should be diarised.

3.3.3.2 Items with a value – \$5,001 to \$25,000

One written quotation must be obtained and registered in eBMS

3.3.3.3 Items with a value – \$25,001 up to \$150,000 for goods and services and \$200,000 for works

Three written quotations to be obtained, one of the three quotes (as a minimum) must be obtained from a local supplier wherever possible. In the event that this is not possible the officer is to advise the Economic Development Unit so that supply gaps can be tracked.

Public advertising of quotations should be considered when judged to be sufficiently advantageous to Council. This will ensure transparency and best value to Council.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome. All Quotes over \$5,000 must be registered in the eBMS system.

Reasons for any non-conformance to this requirement must be documented and filed within Council's records system for audit purposes.

3.3.4 Exemptions for obtaining Quotes:

All areas of expenditure identified below are exempt from the requirements of clause 3.3.3 of this policy. However, transactions must still comply with clause 3.3.1 if it fits within the tendering threshold.

- Ministerial Approval - The requirements of Section 186 of The Act do not apply if a contract is entered into by the City in accordance with arrangements approved by the Minister.
- Shop Supplies - Units of the City that operate a retail outlet within its Unit that are required to purchase stock for resale to the public. Goods purchased for the purpose of resale are exempt from obtaining quotes. This is due to the nature of the goods that are offered for resale, which may be of a unique nature.
- Performers/Events – Where Performers and ticketed events are sourced for resale and these performances/events will return an income to the City of Ballarat quotations are not required.
- Artworks and transportation of Artworks - The City is in a unique position of operating an Art Gallery. It is not practical to obtain quotes for the purchase of artworks as each piece of work is unique. These Items are to be purchased within annual budget restraints. If an artwork is commissioned to be created, then this exemption does not apply, and quotations must be sought. Artworks are often borrowed from or loaned to other Galleries and the transport of Artworks is a

specialised service with a limited number of reputable providers. Some Galleries specify the company that must be used.

- Sole Supplier (Core Service) - The City deals with several core service sole suppliers where there is no market to test and obtain multiple quotations. Examples of core service sole suppliers are:
 - (a) Professional membership payments (must relate to position held at the City);
 - (b) Where the supplier is the sole source of specific intellectual property; and
 - (c) Advertising (newspapers, magazines, TV and radio);
- Plant and Equipment Servicing and Spare Parts - plant and equipment purchased by the City require servicing at regular intervals. To maintain a valid warranty, works need to be carried out by recognised suppliers using genuine parts. To achieve this, the City utilises servicing by the manufacturers from whom the plant and equipment was originally purchased;
- Legal Services - Legal services are exempt from the requirements of Section 186 of the Act;
- Other circumstances when authorised by the CEO or Director of Business Services on receipt of a compliant Exemption request;
- The situation may arise where insufficient quotations are received. This may occasionally occur where there are few suppliers for the goods, services or works being sought. In this case, the details of the contacted suppliers must be recorded in eBMS or recommendation and an appropriate comment recorded;
- Emergency Situations – If the CEO or delegated key emergency management employees have determined that an emergency exists, purchases may be made without the need to initially follow policy. Emergency situations may arise due to unforeseen events or occurrences relating to, but not limited to life threatening situations, genuine concerns for public safety, security, building specific critical works, loss of essential services and, invoking an emergency response plan.

3.4 Late Tenders

Late tenders will not be accepted under any circumstances.

CLARIFICATION If an electronic tender submission has been commenced using eProcure prior to the closing date/time, and the transmission is interrupted due to tender closing time and the commencement of submission transfer can be verified by eProcure, the submission will be deemed to be received

3.5 Evaluation of Tenders/Quotes

Tenders

- A Tender evaluation panel will be established to evaluate each tender against the selection criteria and its composition will be determined by the respective Director or Executive Manager. Consideration must be given to gender diversity in the makeup of the panel
- Evaluation Panel must have a minimum of three members (minimum two Council staff) and may include external consultants who are specialist in the area
- Evaluation Panel must have an independent (non-scoring) member as appointed by the Procurement Unit
- The evaluation process must be robust, systematic and unbiased
- Once a preferred tenderer is selected negotiations may be conducted in order to obtain the optimal solution and commercial arrangements, providing they remain within the intent and scope of the tender. Such negotiations must be exhausted with one tenderer before beginning with another tenderer

- Tender evaluation panels will produce a written report of their evaluation using the prescribed evaluation template.
- Tender Evaluation must be updated in eBMS Tender & Contract Management System

Quotes

- An Evaluation Panel will be established to evaluate each quote against the selection criteria and its composition will be determined by the respective Director or Executive Manager. Consideration must be given to gender diversity in the makeup of the panel
- Evaluation Panel will be made up as indicated below:
 - Quotes >\$25,000 and <\$100,000 must be reviewed by a minimum two Council Officers
 - Quotes >\$100,000 and <\$150,000 (Goods & Services) or <\$200,000 (works) must be reviewed by a minimum of three Council Officers and must produce a written report of their evaluation which is to be approved by the Director of the Business Unit
- The evaluation process must be robust, systematic and unbiased
- Once a preferred supplier is selected negotiations may be conducted in order to obtain the optimal solution and commercial arrangements, providing they remain within the intent and scope of the Request for Quote. Such negotiations must be exhausted with one supplier before beginning with another

3.5.1 Evaluation of Tenders and Quotations

All tenders and quotations are to be evaluated by an evaluation panel as outlined in 3.5, in a two staged process:

1. Quantitative assessment of a weighted score totalling 100%, which includes mandatory 10% Local Content; and
2. Evaluation of price against weighted score
 - $VFM = \text{Tendered Price} \div \text{Weighted Score}$

VFM is in index used to calculate the lowest calculated score which will represent the best outcome from both the comparative scoring and price. The Preferred Tenderer should be appointed based on this outcome.

3.5.2 Occupational Health & Safety (OH&S)

OH&S is a mandatory evaluation criterion with a pass/fail weighting. The determination if a company meets the required standard is determined by the responses provided by the contractor from the information provided in the returned OH&S Schedule (Appendix 1). This may also be subject to review by the Safety and Risk Unit.

3.5.3 Project qualitative/comparative Criteria

Evaluation criteria provide a mechanism for comparing offers through assessment of the relative worth of different submissions. The evaluation criteria for each project may address a number of the below subject to actual procurement requirements:

- Previous Relevant Experience
 - Experience relevant to the works over past three years
- Past Performance
 - Past documented performance with City of Ballarat or other Councils
- Capability
 - Proposed plant and equipment
 - Proposed staffing levels

- Management capability
- Technical capability
- Capacity
 - Extent of sub-contracting
 - Ability to resource project
- Ability to adhere to the specification
- Project Timeline
 - Methodology/Plan including Gantt Chart
- Qualifications
- Quality
 - Quality of goods and services to be provided
 - Quality Management Plan
 - Quality and Audit Systems
- Risk Management
 - OH&S (refer 3.5.2)
 - Regulatory compliance
 - Means of controlling quality of sub-contractors
 - Extent of Risk
- Human Resource Management
- Customer Service
 - Processes
 - complaints
- Sustainability/Environmental
 - Waste management
 - Recycling
 - Energy management
 - Emission management
 - Water conservation
 - Green building design
 - Ecologically sustainable design
 - Sustainable supply and consumption
- Value Adding
- Social Procurement

NOTE: *The criteria listed in 3.5.3 is a guide only and selection of evaluation criteria must be specific to the project being procured.*

It is important that the information requested from suppliers is sufficient to enable proper evaluation and comparison of submissions.

The evaluation criteria should not change once the procurement documents are issued. If they are, then addenda must be issued advising suppliers of the change. The criteria cannot be changed once submissions are received/opened.

3.5.4 Weighted scoring methodology

This is the preferred method for most procurement processes. Each evaluation criterion is allocated a percentage weighting - adding up to a total of 100 per cent. Care needs to be taken to assign meaningful relative weightings.

Upon receipt of submissions, after screening out those offers where:

- the tendered/quoted price is 50% or greater than the allocated budget and/or
- does not comply with the conditions for participation
- does not meet the requirements outlined in the specification/brief

Each qualitative criterion is allocated a score. The score is then weighted, which is calculated by multiplying the weighting factor by the score. The weighted scores can then be totalled, allowing for comparison between offers.

As a guide this method will use the below table to objectively evaluate each of the Project qualitative/comparative criteria.

Definitive	Score	Value Judgement
Excellent	5	Full achievement of the requirements for the criterion. Demonstrated strengths, no errors, weaknesses or omissions
Very Good	4	Sound achievement of the requirements. Some minor errors, risks, weaknesses or omissions, which may be acceptable as offered
Good	3	Reasonable achievement of the requirements. Some errors, risks, weaknesses or omissions, which can be corrected/overcome with minimum effort
Satisfactory	2	Minimal achievement of the requirements. Some errors, risks, weaknesses or omissions, which are possible to correct/overcome and make acceptable
Poor	1	No achievement of the requirements. Existence of numerous errors, risks, weaknesses or omissions, which are difficult to correct/overcome and make acceptable
Totally Deficient	0	Totally deficient and non-compliant

3.5.5 Sustainability Specifications

In ensuring all relevant procurement contracts and tenders contain sustainability specifications as appropriate to the product or service being procured, as stipulated in Section 3.10, selection criteria may include Supplier Environmental Sustainability and Contribution to Local Sustainability. Consideration of sustainability specifications could contribute to least impact on the environment and human health. When evaluating Environmental Sustainability, evaluation panels may consider, but not limited to, the following:

- Reduction of energy and water consumption
- Improvement of resource use efficiency
- Waste reduction
- Prevention of pollution

3.5.6 Evaluation Process

1. Evaluation Panel to review OH&S Schedule to ensure conforming. If not conforming the submission will be considered to fail the mandatory requirements and will not be evaluated further
2. Evaluation Panel to review all submissions received (except as outlined in 3.5.3 above) and rate each submission based on clause 3.5.1 above.
3. eBMS Tender & Contract Management System to be updated with Evaluation scores
4. Top two (2) submissions from previous step to have Financial Assessment undertaken – contact Procurement Unit or Finance Unit to organise
5. Result of Financial Assessment will be reviewed by Procurement and Finance Units and will be classified as either Pass or Fail
 - a. A pass indicates that the Financial Assessment has shown the financial ability of the applicant to provide goods/services
 - b. A fail indicates that the Financial Assessment has shown the inability of the applicant to provide goods/services
6. Dependant on the outcome of the Financial Assessment the Evaluation Panel will either finalise the evaluation process and proceed with relevant reporting, or, on the off chance Financial Assessment fail for the tested applicants; readdress the evaluation process
7. Financial Assessment should be completed prior to Recommendation being submitted to the Contracts Committee or Council. If not, recommendation will be “subject to positive Financial Assessment”
8. Due to the confidentiality of the Financial Assessment the documents will be held by the Procurement Unit electronically and not distributed.

For projects where the same applicants submit and are awarded contracts; the Financial Assessment process would only need to be undertaken on an annual basis. An example of this would be road works/Infrastructure. VicRoads pre-approved contractors will not require a Council Financial Assessment.

3.5.7 Non-Conforming Tenders

Upon receipt all tender submissions will be reviewed by the Procurement Unit to ensure that required schedules have been submitted.

A tender submission will be deemed non-conforming if:

1. Required schedules have not been included or are incomplete
2. Submission has not met specification requirements

A tender submission may be deemed non-conforming during the Evaluation process. In this case, the evaluation panel should quarantine the submission and refer to the Procurement Unit for further review/confirmation.

Council may sometimes receive tenders which offer one or more alternatives where these were not sought in the tender documentation. Council should always be open to innovative proposals as they may offer excellent opportunities for improvements and are consistent with the legislative objectives for councils to achieve continual improvement. Tender documentation where innovative solutions are sought should specifically invite non-conforming tenders which council can consider along with all other tenders.

A Tenderer submitting a non-conforming tender shall fully detail the extent of any variance from the tender documents in tender Schedule headed "Statement of Conformance". If the "Statement of Conformance" is not correctly completed the tender may not be further considered.

3.5.8 Acceptance of Tenders:

The chairperson of the evaluation panel will:

- maintain detailed records of all commercial-in-confidence negotiations, if any occur
- obtain approval for public tenders according to the below Delegation of Authority Requirements.

3.5.9 Delegation of Authority Requirement

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to Council. This enables Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level.

As such, Council has delegated responsibilities as detailed below relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotes and tenders and for contract management activities.

3.5.10 Delegations Reserved for the Council

3.5.10.1 Council Staff

Council shall maintain a documented scheme of procurement delegations, identifying the Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of Council and their respective delegations contained in financial delegation's policies:

- Acceptance of tenders;
- Acceptance of quotes;
- Contract term extensions (within authorised budget);
- Contract amendment (financial and non-financial);
- Appointment to register of pre-qualified suppliers;
- Flexi purchase Card purchases; and
- Procedural exceptions.

3.5.10.2 Delegations Reserved for the Council

Commitments and processes which exceed the CEO's delegation, and which must be approved by Council are:

- Signing and sealing of contract documents; and
- Tender recommendations and Contract approval for all expenditure over \$250,000

3.5.11 Internal Controls

Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- A clearly documented audit trail exists for procurement activities;
- Appropriate authorisations are obtained and documented;
- Systems are in place for appropriate monitoring and performance measurement.
- All persons engaged in procurement processes must diligently apply all internal controls.

3.5.12 Commercial Information

Procurement activities will be carried out in a way that supports Council staff in meeting their obligations - to ensure information of a commercially sensitive or confidential nature is obtained, stored, processed, published (where applicable) in an appropriate manner in accordance with the relevant Council guidelines.

3.6 Tender/Contract Management

3.6.1 Risk Management

Council will manage all aspects of its procurement processes in accordance with its adopted Risk Management Policy and in such a way that all risks are identified, analysed, evaluated, treated, monitored and communicated to the standard required by the law, in accordance with Australian Standards and council policy.

3.6.2 Health and Safety

To ensure the health and safety of our workers and visitors, procurement will be undertaken in accordance with requirements set out in the City of Ballarat Health and Safety Management System and approved policies (eg. HS-12 Contractor Management / D-20-2519 Chemical Management / D-20-5252 Plant & Equipment) and as required by the law.

3.6.3 Supply by Contract

The provision of goods, services and works by contract, potentially exposes the Council to risk. Council will minimise its risk exposure by measures such as:

- Standardising contracts to include current, relevant clauses;
- Requiring Bank Guarantees or Security Deposits where appropriate;
- Referring specifications to relevant experts;
- Requiring contractual agreement before allowing the commencement of work;
- Use of or reference to relevant Australian Standards (or equivalent); and
- Effectively managing the contract including monitoring and enforcing performance.

3.6.4 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be sought from the Director Business Services. A request for such an approval should be supported with procurement and legal advice as relevant.

To protect the best interests of Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose Council to risk and thus must be authorised by the appropriate member of Council staff listed in the delegation's section above.

3.6.5 Endorsement

Council staff must not endorse any products or services. Individual requests received for endorsement must be referred to Director Level or above.

3.6.6 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes escalating to legal action.

3.6.7 Contract Management

The purpose of contract management is to ensure that Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- Establishing a system reinforcing the performance of both parties' responsibilities and obligations under the contract; and
- Providing a means for the early recognition of issues and performance problems and the identification of solutions.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure Council receives value for money.

3.6.8 Variances

On occasions there may be valid reason(s) when a contract needs to be varied; this variance to the contract normally comes with a cost. All claims for variances must be in writing and approved by the officer with delegated authority as set out in Clause 3.5.9 above. Any cumulative variance greater than ten percent (10%) of the original contract price must be reported to the following, dependant on the initial approval:

- Director
- Contracts Committee or Council

3.7 Demonstrate Sustained Value, Integration with Council Strategy

Council's procurement strategy shall support its corporate strategy, aims and objectives, including but not limited to those related to sustainability, protection of the environment, corporate social responsibility and meeting the needs of the local community such as:

- Feeling safe,
- Living in a clean and pleasant environment, and
- Receiving good quality well managed Council services that are Value for Money

3.7.1 Achieving Best Value for Money

The Council's procurement activities will be carried out on the basis of obtaining Best Value for Money. This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations.

Lowest price is not the sole determinate of Best Value for Money.

3.7.2 Approach

This will be facilitated by:

- Developing, implementing and managing procurement strategies that support the coordination and streamlining of activities throughout;
- Effective use of competition;
- Using centralised contracts and Standing Offers Agreement where appropriate;
- Identifying and rectifying inefficiencies in procurement processes;
- Developing cost efficient tender process including appropriate use of e-solutions;
- Council staff responsible for providing procurement services or assistance within Council providing competent advice in terms of available products and agreements; and

- Working with suppliers to create relationships that are professional and productive and are appropriate to the value and importance of the goods, services and works being acquired.

3.8 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to Council’s Best Value for Money objectives through being written in a manner that:

- Ensures impartiality and objectivity;
- Encourages the use of standard products;
- Encourages sustainability;
- Eliminates unnecessarily stringent requirements; and
- Wherever possible specifies technical standards and requirements that are within the capabilities of local and other suppliers.

3.9 Performance Measure and Continuous Improvement

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs will be benchmarked externally. Internal service standards will be agreed within Council and performance against these targets will be measured and reviewed regularly to support continuous improvement. The performance measurements developed will be used to:

- Highlight trend and exceptions where necessary to enhance performance;
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers;
- Facilitate relevant programs to drive improvement in procurement to eliminate waste and inefficiencies across key expenditure categories.

3.10 Sustainability

Council is committed to achieving sustainability and ensuring it monitors and reports on Council activities and programs that have an impact on or contribute to the environment including but not limited to:

- Waste management,
- Recycling,
- Energy management,
- Emission management,
- Water conservation,
- Green building design
- Procurement
- Ecologically sustainable design
- Sustainable supply and consumption

3.10.1 Sustainable Procurement

Sustainable procurement is the acquisition of necessary goods and services that have least impact on the environment and human health, within the purchaser’s capacity to do so.

The City of Ballarat recognises it has an implicit role in furthering sustainable development, through its procurement of goods, and services and works.

In addition, the City of Ballarat recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. The Council aims to achieve this by:

- Considering the need to minimise emissions and reducing the negative impacts of transportation when purchasing goods and services
- Taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products and services procured
- Considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner
- Considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products
- Selecting products / services that have minimal effect on the depletion of natural resources and biodiversity
- Working more effectively with local suppliers to ensure they are encouraged to bid for the Council’s business in line with the Procurement Policy
- Ensuring all relevant procurement contracts and tenders contain sustainability specifications as appropriate to the product or service being procured.

3.10.2 Environmental Purchasing

Environmental purchasing is the inclusion of environmental factors in decisions on the purchase of products and/or services. It is sometimes called “green”, “sustainable” or “environmentally preferable” purchasing. The aim of considering environmental factors is to buy products or services that have less impact on the environment and human health than otherwise comparable products or services.

Council is committed to adopting a sustainable Procurement approach within the context of purchasing Best Value for Money. This includes but is not limited to the purchases of goods, services and works that use recycled or reusable content, are locally and ethically produced, are water or energy efficient, or use low impact materials.

Council prefers to purchase goods, services and works with independent Sustainability certification whenever they achieve the same function and Best Value for Money. Council will commit to actively reducing the use of plastic bags, packaging and other single use items across Council business.

Council may consider all or some of the following Environmental Sustainability factors during the Evaluation process:

- reduced energy and water consumption (which can reduce costs)
- improved resource use efficiency
- reduced waste (which can reduce waste disposal costs)
- reduced environmental health impacts of products and services
- reduced pollution

- markets for new environmentally preferable products
- “close the loop” on recycling, improving the viability of recycling
- providing leadership to the community
- encouraging industry to adopt cleaner technologies and produce products with lower environmental impacts
- encourage industry to minimise transportation of goods and services to reduce pollution omissions

3.11 Support of Local Business

Council is committed to buying from local businesses where such purchases may be justified on Best Value for Money grounds.

Wherever practicable, Council will fully examine the benefits available through purchasing goods, services or works from suppliers/contractors within the Ballarat Region. Council will also seek from prospective suppliers/contractors where applicable what economic contribution they will make to the Ballarat region. All tenders/quotes should allow a ten percent (10%) evaluation allowance for local businesses.

The Local Content component of the evaluation criteria will be scored as below:

Local Presence – in the form of depot/retail outlet/warehouse etc. within the specified group of municipalities

Score	Judgement
3	Locally owned business
2	Not locally owned with local presence
0	No local presence

Economic Benefit – Average percentage (%) of combined labour, materials, plant and equipment sourced from within the specified group of municipalities

Score	Definitive	Average Percentage
7	Excellent	95 to 100%
6	Very Good	90 to 94%
5	Good	80 to 89%
4	Average	60 to 79%
3	Below Average	40 to 59%
2	Inadequate	20 to 39%
1	Deficient	1 to 19%
0		0%

Local Content Score = Local presence + Economic benefit

Council will endeavour to obtain a minimum of one of the three quotes for purchases between \$25,000 and \$150,000 for goods and services and \$200,000 for works from a local supplier. If this is not possible, the purchasing officer will advise the Economic Development Unit so that supply gaps can be tracked and matched with future business opportunities.

3.12 Social Procurement

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works. For Local Government, social procurement builds on initiatives already undertaken by the sector in enhancing sustainable and strategic procurement practice, enabling procurement to effectively contribute to building stronger communities. Social procurement is a key mechanism by which to generate wider social benefits by providing a mechanism for linking and integrating social and economic agendas.

City of Ballarat supports social procurement when engaging local suppliers, contractors and/or service providers and would seek Ministerial Exemption when the required works provide value for money to Council and would be advantageous to any of the following:

- Employment of disadvantage groups
- Employment of Apprentices
- Employment of recognised Youth Traineeships
- Employment of Youth labour
- Benefits to local community

3.13 Diversity

Promoting equality through procurement can improve competition, Best Value for Money, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

3.14 Apply a Consistent and Standard Approach

Council will provide effective and efficient commercial arrangements for the requisition of goods and services.

3.15 Standard Processes

Council will provide effective commercial arrangements covering standard products and provision of standard services across Council to enable employees to source requirements in an efficient manner.

This will be achieved via establishing the following:

- Pricing where relevant;
- Processes, procedures and techniques;
- Tools and business systems (e.g. implementing the appropriate e-catalogue arrangements or e-sourcing arrangements);
- Reporting requirements;
- Application of standard contract terms and conditions.

3.16 Performance Indicators

A list of performance indicators will be developed to measure procurement performance.

They will include criteria such as:

- The proportion of expenditure against corporate contracts;
- User and supplier satisfaction levels;
- Knowledge and skill of Council employees in procurement process;
- Level of compliance and understanding of Council procurement policies.

3.17 Management Information

Council seeks to improve its performance by capturing and analysing procurement management information in a variety of areas, including:

- Volume of spend;
- Number of transactions per supplier;
- Supplier performance;
- User satisfaction;
- Category management; and
- Green spend

Council will also use external sources of management information to assist with the procurement decision making process including:

- Benchmarking data;
- Information from professional bodies such as the Chartered Institute of Purchasing and Supply Australia;
- Supplier reports.

3.18 Build and Maintain Supply Relationships

Council recognises that in order to achieve sustainable value, a strategic assessment of the appropriate 'channel to market' should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or panels, access State Government panel agreements or other means. Council will consider supply arrangements that deliver the best value outcomes in terms of time, expertise, cost, value and outcome.

3.18.1 Developing and Managing Suppliers

Council recognise the importance of effective and open working relationships with its suppliers, and is committed to the following:

- Managing existing suppliers, via the appropriate development programs and performance measurements to ensure the benefits are delivered,
- Maintaining approved supplier lists,
- Developing new suppliers and improving the capability of existing suppliers where appropriate.

3.18.2 Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger more familiar businesses. Other types of organisations, offering business diversity include:

- Local businesses
- Green suppliers
- Small to medium sized enterprises
- Social enterprises
- Ethnic and minority business
- Voluntary and community organizations.
- Local Content.

3.18.3 Relationship Management

Council is committed to developing constructive long-term relationships with suppliers. It is important that Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- Size of spend across Council;
- Criticality of goods / services supplier, to the delivery of Council's services;
- Availability of substitutes;
- Market share and strategic share of suppliers.

3.18.4 Communication

External communication is very important in ensuring a healthy interest from potential suppliers and partners to Council. The external website will provide:

- Information about Council and how to become an approved supplier,
- A list of existing and forthcoming contract opportunities, projected over a number of years,
- Guidelines for doing business with Council,
- Standard documentation used in the procurement process,
- Links to other relevant sites.

3.19 Continual Improvement

Council is committed to continuous improvement and will review the procurement policy on an annual basis, to ensure that it continues to meet its wider strategic objectives.

3.20 Compliance Responsibilities

- Council staff
- Councillors
- Special Committees
- Contractors

4.0 Supporting documents and references

4.1 Legislation

- *Local Government Act 1989*
 - Section 186 of the Act (Power to enter into Contracts)
 - Section 186A of the Act (Procurement Policy)
 - Section 3C of the Act (Objectives of a Council)
 - Sections 208C of the Act (Best Value Principles)
 - Sections 77A, 77B, 78, 78A to 78E, 79 79B to D, 80, 80A to C and 95 of the Act (Conflict of Interest)
 - Section 98 of the Act (Delegations)
 - Section 140 of the Act (Accounts and Records)
- The relevant provisions of the Competition and Consumer Act 2010

4.2 Section 186 – Restriction on power to enter into contracts

(1) Before a Council enters into a contract for the purchase of goods or services, or for the carrying out of works, to the value of \$100 000 (or such higher amount as may be fixed by Order in Council) or more, it must—

- (a) give public notice of the purpose of the contract and invite tenders from any person wishing to undertake the contract; or
- (b) give public notice of the purpose of the contract or the project to which the contract relates and invite expressions of interest from any person interested in undertaking the contract or all, or any part of, the project.

(2) If a Council invites expression of interest-

- (a) it must register those expressions of interest; and
- (b) when it is ready to enter into the contract, it must invite tenders from some or all of those who registered their interest in undertaking the contract (or the part of the project to which the contract relates).

4.3 Orders in Council (Victorian Government Gazette - 7 August 2008 – 1908 G32)

Local Government Act 1989
ORDER FIXING THE VALUE OF
CONTRACTS FOR WHICH A
PRIOR PUBLIC TENDER IS TO BE
CONDUCTED BY LOCAL COUNCILS

Order in Council

The Governor in Council under section 186(1) of the **Local Government Act 1989** sets the value of –

- a) \$150,000 for contracts for the purchase of goods and services; and
- b) \$200,000 for contracts for the carrying out of works,

for which a Council must, before entering into the contract, give public notice of the purpose of the contract and invite tenders from any person wishing to undertake the contract, or give public notice of the purpose of the contract or the project to which the contract relates and invite expressions of interest from any person interested in undertaking the contract or all, or any part of, the project.

This Order comes into operation on the day it is made.

Dated 5 August 2008

Responsible Minister

RICHARD WYNNE MP

Minister for Local Government

RYAN HEATH

Clerk of the Executive Council

4.4 Associated Documents

- Victorian Local Government Best Practice Procurement Guidelines 2013
- Councillor Code of Conduct
- HR-07 Code of Ethics and Conduct
- Ballarat Industry Participation Program
- GV-04 Gift and Hospitality Policy
- Social Procurement: A Guide for Victorian Local Government

4.5 Charter of Human Rights Compliance

Council will ensure that all of its procurement operations are fully consistent with the prescribed rights and responsibilities and that they respect the fundamental rights within the Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic).

4.6 Definitions

Act (The):	Local Government Act 1989 (as amended)
Ballarat Industry Participation Program (BIPP)	A program adopted by the Ballarat City Council which seeks to maximise the local content achieved through Council's procurement processes.
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party eg: discounts, rebates, profits, methodologies and process information. It is information provided for a specific purpose that is not to be used for any other purpose than set out in the initial document
Conflict of Interest	In Victorian local government, the law provides that a staff member holding a delegation or advising council, or a special committee has a conflict of interest which they must disclose in writing when they have a personal or private interest of the type specified in the legislation
Contract	An agreement between two or more authorised persons on behalf of their organisations to perform or not perform a specific act/s that is enforceable in law. A contract may be verbal or written or inferred by conduct. A contract is to be distinguished from a 'contract pursuant to section 186 of the Local Government Act'
Contract Documents	Documents construed together as an instrument of contract. They may include terms & conditions, specifications, drawings, tender responses, delivery schedules and payment schedules
Contract Management:	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Contractor	Respondent (person, firm etc) whose tender/quotation offer has been accepted by the council with or without modification
Council Staff:	Includes full time and part-time Council officers, and temporary employees, contractors and consultants while engaged by the Council.
CSR Practices:	Corporate Social Responsibility. Relates to Council's supply chain being ethical, knowledgeable, reputable and where possible supporting green and sustainable products.
Emergency	<ul style="list-style-type: none"> • Any urgent circumstance which may present a risk to public health and/or safety • The failure of a 'key service provider' • Significant damage to municipal building (where it is no longer safe) • Major business disruptions such as an extensive IT failure resulting in a loss of services to the community

Evaluation Criteria	The criteria used to evaluate the compliance and/or relative ranking of tender responses. All evaluation criteria must be clearly stated in the request documentation
Expression of Interest:	A response to an open approach, usually by public advertisement, to the market requesting submissions from prospective suppliers interested in procurement. The list of potential suppliers who have provided expressions of interest may be used as the basis for conducting a select tender process
Late Tender	A late tender is one that it is not received in the Tender Box prior to the advertised closing date/time.
Local Content	Defined as labour, materials, plant and supervision which are sourced from within the following municipalities: <ul style="list-style-type: none"> • Ararat Rural City Council, • Ballarat City Council, • Golden Plains Shire Council, • Hepburn Shire Council, • Moorabool Shire Council, • Pyrenees Shire Council.
Prepayment	A payment made for goods/services prior to any works being undertaken
Probity:	A procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Procurement:	Procurement is the whole process of acquisition of goods, services and works. It can include planning, design, standards determination, specification writing, preparation of quotation and tender documentation, selection of suppliers, financing, contract administration, disposals and other related functions. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
Specification	The statement which clearly and accurately describes the essential requirements for goods, services or works. It may also include the procedures by which it will be determined that the requirements have been met and performance required in a contract
Standing Offer Agreement	A contract that sets out rates for goods and services that are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.
Sustainability:	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs, while creating resilient and prosperous communities and protecting the environment.
Tender	An offer in writing to supply goods and/or services, usually submitted in response to a public or selective invitation such as a Request for Tender

Tender Opening Panel Will consist of three Council officers, ideally one of which should be a Senior Manager

Tender Process: The process of inviting parties to submit a quotation or tender by public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.

Treatment of GST All monetary values stated in this policy include GST; unless specifically stated otherwise.

Value for Money: Value for Money in Procurement is about selecting the supply of goods, services and works considering both cost and non-cost factors including:

- contribution to the advancement of the Council’s priorities, including the Ballarat Industry Participation Program;
- non-cost factors such as fitness for purpose, quality, service and support; and cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.

Variance Is an alteration to the scope of works in a construction contract in the form of an addition, substitution or omission from the original scope of work.

5.0 Policy owner

The owner of this policy is the Chief Executive Officer. Enquiries regarding this policy should be directed to Council’s Manager Revenue & Procurement Services.

6.0 Authorisation

Adopted by Ballarat City Council on XX.

Appendix 1 – Occupational Health & Safety Schedule

		YES	NO
1.1	Does your organisation have >\$20 Million Public Liability Insurance ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Where applicable to the works or services being provided does your organisation have Product Liability Insurance ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.3	Where applicable to the services being provided, does your company have Professional Indemnity Insurance ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.4	Is your organisation WorkCover Certified ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.5	Does the works being tendered for require High Risk Licences? If Yes, please provide copies.	<input type="checkbox"/>	<input type="checkbox"/>

		YES	NO
2.1	Do you currently have an accredited OH&S System to AS/NZS 4801, OHSAS 18001 or ISO 45001 ? If Yes, please provide a copy of your certification and evidence of most recent audit	<input type="checkbox"/> 15 Points	<input type="checkbox"/> 0 Points

If yes move to section 4

		YES	NO
3.1	MANDATORY - Do you have an Occupational Health & Safety Policy? If Yes, provide a copy of the policy	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.2	Do you have and use an OH&S Manual or Work Plan? If Yes, provide a copy of the front page and contents page	<input type="checkbox"/> 2.0 Points	<input type="checkbox"/> 0 Points
3.3	Do you use a SWMS (Safe Work Method Statement), JSA (Job Safety Analysis) or SOP (Safe Operating Procedure) for the proposed works? If Yes, please provide a copy.	<input type="checkbox"/> 1.5 Points	<input type="checkbox"/> 0 Points
3.4	Are records kept of operator training, inductions and competencies, such as licences and qualifications? If Yes, please provide a register of relevant qualifications and Licenses	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.5	Do you have and use procedures for identifying, assessing and controlling manual handling risks? If Yes, please provide a copy of procedure.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.6	Do you have and use procedures for storing and handling hazardous substances? This also includes office based substances. If Yes, please provide a copy of hazardous substance register.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points

3.7	Do you have a Roles & Responsibility Plan? If Yes, please provide a copy.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.8	Is there a formal mechanism for OH&S consultation in your Organisation? If Yes, please provide a copy of recent OH&S minutes or toolbox meeting.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.9	Do you have and use procedures by which employees can report hazards? If Yes, please provide details below and a recent example.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.10	When a hazard is identified, do you conduct a risk assessment of that hazard? If Yes, please provide a copy of your Risk Assessment form.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.11	Do you have an Incident Investigation Procedure and Incident Reporting form? If Yes, please provide a copy of each.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.12	Do you use Equipment inspection checklists? If Yes, please provide a copy of inspection checklist.	<input type="checkbox"/> 1.5 Point	<input type="checkbox"/> 0 Points
3.13	Do you use workplace inspection checklists? If Yes, please provide a copy of inspection checklist.	<input type="checkbox"/> 1.0 Point	<input type="checkbox"/> 0 Points
3.14	Does your business have and use any permit to work systems? <i>For example, hot works, electrical isolation and working at heights etc.</i> If Yes, please provide an example of a recent permit.	<input type="checkbox"/> 1.0 Point	<input type="checkbox"/> 0 Points
3.15	Do you have elected Health & Safety Representatives (HSR)? If so, please provide names(s) and details of initial training and any refresher training, if not listed in training register from 6.3	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points

		Number	Points
4.1	Have you had any prosecutions for breaches of the OHS Act 2004 in the last 5 years? Detail:	0 1 2 3+	10 5 1 0
4.2	Have you had issued any enforceable undertakings in the last 5 years? Detail:	0 1 2 3+	10 5 1 0
4.3	Value of enforceable undertaking: \$	\$0-10,000 <\$50,000 <\$100,00 >\$100,000	10 5 1 0
4.4	How many improvement notices or prohibition notices have you had in the last 5 years: Number:	0-5 6-10 11-15 16-20 20+	10 9 8 7 5
4.5	How many notices in the last 5 years have you had that required you to cease work until issue was rectified: Number:	0 1 2 3+	10 5 1 0
		Total = X/10	

10.6. S5 INSTRUMENT OF DELEGATION - COUNCIL TO CEO

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

OFFICER RECOMMENDATION

In the exercise of the powers conferred by section 11(1)(b) of the *Local Government Act 2020*, Ballarat City Council resolves that:

1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
3. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
4. 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 it may from time to time adopt.

EXECUTIVE SUMMARY

The purpose of this report is to enable Council to revoke the S5. Instrument of Delegation (Instrument) to the Chief Executive Officer (CEO) that was endorsed at the Council meeting held on 23 March 2020 (R73/20) and to endorse the S5. Instrument of Delegation (Instrument) to the Chief Executive Officer (CEO).

RATIONALE

Section 11 of the *Local Government Act 2020* (the 2020 Act) enables Councils to delegate any power, duty or function of a Council under this Act or any other Act other than:

- The power of delegation;
- The power to elect a Mayor or Deputy Mayor;
- The power to grant a reasonable request for leave under section 35;
- Subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;
- The power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
- The power to approve or amend the Council Plan;
- The power to adopt or amend any policy that the Council is required to adopt under the Act;
- The power to adopt or amend the Governance rules;
- The power to appoint the chair or the members to a delegated committee
- The power to make, amend or revoke a Local Law;

- The power to approve the budget or revised budget;
- The power to borrow money;
- Subject to section 181H(1)(b) of the *Local Government Act 1989* (the 1989 Act), the power to declare general rates, municipal charges, service rates and charges and special rates and charges; and
- Any power, duty, or function prescribed by the regulation for the purposes of this subsection.

Council is a legal entity composed of its Councillors, which acts in one of two ways, by resolution or through another acting on Council's behalf. Where Council chooses to act through others, this must be formalised through a written means known as an Instrument of Delegation. Wherever practical, that Instrument clearly articulates the nature of the delegation and any condition or limitation under which the delegation is to be exercised.

The changes to the S5 Instrument of Delegation to the Chief Executive Officer reflect the changes to the 2020 Act and are as follows:

- Updated Condition and Limitations Schedule (see above from section 11(2) of the 2020 Act);
- Inclusion of the power to appoint an Acting Chief Executive Officer for a period not exceeding 28 days in accordance with section 11(3) of the 2020 Act;
- Removal of "*The member of Council staff occupying the position or title of or acting in position of the Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her*" as the Chief Executive Officer and Acting Chief Executive Officer no longer require delegation from Council in order to delegate to staff as this is now specially authorised in section 47 of the 2020 Act; and
- Updated references from the 1989 Act to the 2020 Act.

The impact of COVID-19 pandemic is still developing and could result in the inability to conduct the business of Council via Ordinary Council meetings due to restrictions imposed externally; or the failure to gain a quorum owing to Councillors not able to participate in person due to an inability to attend, illness or complying with isolation requirements. This clause remains in the Instrument and will be removed after the COVID-19 pandemic.

The new powers of delegation outlined in the 2020 Act commenced on 1 May 2020. However, unless revoked sooner, existing delegations made by Council or the Chief Executive Officer under the 1989 Act continue in force until 1 September 2020 which is when Council is required to update the delegations.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Local Government Act 1989*;
- *Local Government Act 2020*;
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	Yes	No
Implementation and Marketing	Yes	No
Evaluation and Review	Yes	No

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

Risk Management - The endorsement of a revised Instrument of Delegation to the Chief Executive Officer ensures that the core operational functions of the Council are not impeded.

Council's delegations are continuously maintained and periodically monitored to ensure that appropriate Council Officers have the power to carry out their duties lawfully. This is a key component in Council meeting its essential legislative compliance obligations.

Section 11(7) of the *Local Government Act 2020* requires Council to review all delegations within 12 months of a general election. Section 11(9) of the *Local Government Act 2020* also requires Council to update all their delegations by 1 September 2020.

Implementation/Marketing - Section 11(8) of the *Local Government Act 2020* requires Council to keep a public register of delegations which will be made available on Council's website.

Evaluation and Review - Council has conducted a substantial review of all Council delegations to align with the new *Local Government Act 2020* requirements. Other delegations will be brought to upcoming Council Meetings for endorsement, including the C4 Council to Delegated Committees, S6 Instrument of Delegation from Council to officers and various authorisations.

CONSULTATION

The revocation and conferring of delegations does not require any public consultation, however, Council is required to keep a public register of all delegations.

Council subscribes to the Maddocks Delegations and Authorisations Service which allows for regular updates to keep abreast of changes in legislation and to ensure the effective allocation and control of decision-making powers.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

- Council Report and Minutes from 23 March 2020 Council Meeting.

ATTACHMENTS

1. S5 Instrument of Delegation - Council to CEO [**10.6.1** - 4 pages]



S5 Instrument of Delegation to Chief Executive Officer

Ballarat City Council

Instrument of Delegation

to

The Chief Executive Officer

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

3. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 3.1 awarding a contract exceeding the value of \$250,000, unless:
 - (a) the Contracts Delegated Committee is unable to meet to consider and approve contracts with a value of up to \$1,000,000; and/or
 - (b) Council is unable to meet to consider and approve contracts exceeding \$250,000, in which case, the financial limit that applies under this condition is \$5,000,000;
 - 3.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 3.3 electing a Mayor or Deputy Mayor;
 - 3.4 granting a reasonable request for leave under s 35 of the Act;
 - 3.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 3.6 approving or amending the Council Plan;
 - 3.7 adopting or amending of any policy that Council is required to adopt under the Act;
 - 3.8 adopting or amending of the Governance Rules;
 - 3.9 appointing the chair or the members to a delegated committee;
 - 3.10 making, amending or revoking a local law;
 - 3.11 approving the Budget or Revised Budget;
 - 3.12 approving the borrowing of money;
 - 3.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
4. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;

5. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
6. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 6.1 policy; or
 - 6.2 strategyadopted by Council;
7. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
8. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

10.7. C4 INSTRUMENT OF DELEGATION - DELEGATED COMMITTEES

Division: Business Services
Director: Sean Portelli
Author/Position: Sarah Anstis - Statutory Compliance Officer

OFFICER RECOMMENDATION

In exercise of the powers conferred by s63 of the *Local Government Act 2020* (the Act), Council resolves to:

1. **Adopt the following C4 Instrument of Delegations to the members of the Delegated Committee the powers, duties and functions set out in the attached delegation (the Instruments):**
 - a. **Contracts Approval Delegated Committee;**
 - b. **Community Grant Allocations Delegated Committee;**
 - c. **Her Majesty's Theatre Board Delegated Committee; and the**
 - d. **Planning Delegated Committee.**
2. **The Instruments:**
 - a. **comes into force immediately the common seal of Council is affixed to the Instrument; and**
 - b. **remains in force until Council determines to vary or revoke it.**
3. **The powers, duties and functions conferred on the members of the Delegated Committee by the Instruments must be exercised in accordance with any guidelines or policies Council may from time to time adopt.**
4. **The Instruments be sealed.**

EXECUTIVE SUMMARY

The purpose of the report is to adopt the C4 Instrument of Delegations for the following delegated committees:

- Contracts Approval Delegated Committee;
- Community Grant Allocations Delegated Committee;
- Her Majesty's Theatre Board Delegated Committee; and the
- Planning Delegated Committee.

RATIONALE

Section 11 of the *Local Government Act 2020* enables Councils to delegate any power, duty or function of a Council under this Act or any other Act other than:

- The power of delegation;
 - The power to elect a Mayor or Deputy Mayor;
 - The power to grant a reasonable request for leave under section 35;
 - Subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;
 - The power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - The power to approve or amend the Council Plan;
-

- The power to adopt or amend any policy that the Council is required to adopt under the Act;
- The power to adopt or amend the Governance rules;
- The power to appoint the chair or the members to a delegated committee;
- The power to make, amend or revoke a Local Law;
- The power to approve the budget or revised budget;
- The power to borrow money;
- Subject to section 181H(1)(b) of the *Local Government Act 1989*, the power to declare general rates, municipal charges, service rates and charges and special rates and charges; and
- Any power, duty, or function prescribed by the regulation for the purposes of this subsection.

Council is a legal entity composed of its Councillors, which acts in one of two ways – by resolution or through another acting on Council's behalf. Where Council chooses to act through others, this must be formalised through a written means known as an *Instrument of Delegation* wherever practical, that articulates the nature of the delegation, and any condition or limitations under which the delegation is to be exercised. The exercising of those delegations should also be faithfully recorded in the minutes of the meeting.

Section 63 of the *Local Government Act 2020* was proclaimed on 1 May 2020 allowing Council to establish Delegated Committees. Concurrent with this provision being proclaimed, Section 86 of the *Local Government Act 1989* was repealed with a 1 September 2020 deadline to review and transition any Special Committees to the newly constituted Delegated Committee structure. Section 11 of the *Local Government Act 2020* allows Council to delegate to members of a Delegated Committee rather than the specific committee as indicated in the *Local Government Act 1989*.

The Instruments of Delegations have been updated in the new template to meet the requirements in the *Local Government Act 2020*.

Council have reviewed each Special Committee and have decided the following Special Committees will transition to Delegated Committees and the members will have delegations as recommended; Community Impact, Contracts Approval, Her Majesty's Theatre Board and the Planning Committee.

Based on the review, the Ballarat Friends of Ainaro Special Committee has resolved to become an Advisory Committee; and the Invermay Recreation Reserve Special Committee resolved to become a Community Asset Committee; and will be established at the 12 August 2020 Council Meeting.

The establishment of the Delegated Committees, adoption of the Terms of Reference, endorsement of members, appointments to the Chairpersons and adoption of the revised Committee Policy will be presented to the 12 August 2020 Council Meeting.

The Special Committees remain in force until disbanded by Council and their delegations will remain in force until 1 September 2020 or unless Council revokes them sooner.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- City of Ballarat Council Plan 2017 – 2021; and
- *Local Government Act 2020*.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

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

Risk Management – The endorsement of revised Instruments of Delegation to Council's Delegated Committees ensures that the core operational functions of the Council are not impeded.

Implementation and Marketing – Section 11(8) of the *Local Government Act 2020* requires Council to keep a public register of delegations which will be made available on Council's website.

Evaluation and Review - Council has conducted a substantial review of all Council delegations to align with the new *Local Government Act 2020* requirements.

CONSULTATION

The revocation and conferring of delegations does not require any public consultation; however, Council is required to keep registers of all delegations and authorisations made and revoked.

Council subscribes to the Maddocks Delegations and Authorisations Service which allows for regular updates to keep abreast of changes in legislation and to ensure the effective allocation and control of decision-making powers.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

- C4 Instrument of Delegation to the Community Impact Special Committee – 23 August 2017
- C4 Instrument of Delegation to the Contracts Approval Special Committee – 24 October 2018
- C4 Instrument of Delegation to the Her Majesty's Theatre Board Special Committee – 23 August 2017
- C4 Instruments of Delegation to the Planning Special Committee – 3 July 2019

ATTACHMENTS

1. C4 Delegation Community Grant Allocations Delegated Committee [**10.7.1** - 3 pages]
2. C4 Delegation Contracts Approval Delegated Committee [**10.7.2** - 3 pages]
3. C4 Delegation Her Majesty's Theatre Board Delegated Committee [**10.7.3** - 3 pages]
4. C4 Delegation Planning Delegated Committee [**10.7.4** - 3 pages]



C4 Instrument of Delegation (Delegated Committees)

Ballarat City Council

Instrument of Delegation

Community Grant Allocations Delegated Committee

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the community funds in the form of grants and for these purposes:

1. to function in accordance with the Council Terms of Reference;
2. the power to establish an evaluation framework and/or policy for the assessment of all applications for funding (to be approved by Council's Audit and Risk Committee);
3. to engage community expertise in the planning and development of funding programs;
4. the power to apportion and disburse all funds allocated to the Delegated Committee each year as part of Council's budget;
5. the power to evaluate variation request of funding allocations above \$500.00 to grant recipients as, and when, requested by grant applicants;
6. to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

Exceptions, conditions and limitations

The members of the Delegated Committee are not authorised by this Instrument to:

1. enter into contracts, or incur expenditure, for any amount which exceeds the approved budget; and;
2. exercise the powers which, by force section 11(2) of the *Local Government Act 2020*, cannot be delegated.



C4 Instrument of Delegation (Delegated Committees)

Ballarat City Council

Instrument of Delegation

Contracts Approval Delegated Committee

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of streamlining Council's contracts procurement process and improve Council's ability to deliver its capital works program and for these purposes:

1. to function in accordance with the Council Terms of Reference;
2. the power to consider and/or approve contracts between the values of \$250,000 and \$1,000,000 that form part of the Council budget;
3. The power to refer any contract submitted to the Committee to the full Council for decision;
4. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

Exceptions, conditions and limitations

The members of the Delegated Committee are not authorised by this Instrument to:

1. Consider and/or approve contracts greater than the value of \$1,000,000;
2. Consider and/or approve contracts which are not within the Council approved budget for the relevant year;
3. Consider and/or approve contracts for which full evaluation reports have not been prepared in accordance with Council's Procurement Policy, including the consideration of local content;
4. Consider and/or approve contracts which have not been authorised by the relevant Director and the Chief Executive Officer of Council; and
5. exercise the powers which, under section 11(2) of the *Local Government Act 2020*, cannot be delegated.



C4 Instrument of Delegation (Delegated Committees)

Ballarat City Council

Instrument of Delegation

**Her Majesty's Theatre Board
Delegated Committee**

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Her Majesty's Theatre Board Delegated Committee, and for those purposes:

Her Majesty's Theatre Board Delegated Committee has been established by Council to provide industry advice regarding the Her Majesty's Theatre and on priorities for performing arts and activities that will enhance the role of Ballarat as a place for performing arts. The Board also makes recommendations to Council for funding projects through the Arts Grants program.

1. to function in accordance with the Council Terms of Reference;
2. to provide advice and recommendations to Council on the development of strategies, policies and projects pertaining to Her Majesty's Theatre and the performing arts in Ballarat;
3. to promote the participation of Her Majesty's Theatre and the performing arts in strategic planning and development activities within the municipality;
4. to support the City of Ballarat in its leadership role in the performing arts;
5. to support the work of the Council, in particular Her Majesty's Theatre and the performing arts in developing partnerships with the wider community and government sector to promote and develop the performing arts in the municipality;
6. to make recommendations regarding the expenditure of grant monies and contracts undertaken to further Her Majesty's Theatre and the performing arts activities in the municipality; and
7. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

Exceptions, conditions and limitations

The members of the Delegated Committee are not authorised by this Instrument to:

1. enter into contracts, or incur expenditure, for an amount and;
2. exercise the powers which, under section 11(2) of the *Local Government Act 2020*, cannot be delegated.



C4 Instrument of Delegation (Delegated Committees)

Ballarat City Council

Instrument of Delegation

Planning Delegated Committee



Instrument of Delegation

Ballarat City Council (**Council**) delegates to each person who is from time to time appointed as a member of the Committee established by resolution of Council passed on ## [##date] and known as the *Planning Delegated Committee* (**the Committee**), the powers, discretions and authorities set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on ## [##date];
2. the delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 remains in force until Council resolves to vary or revoke it; and
 - 2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Delegated Committee will have voting rights on the Delegated Committee.
4. Council Officers who attend the meetings of the Committee are to provide advice and support the Committee and are not classed as Committee members.

Date:

The Common Seal of Ballarat City Council)
 was affixed by authority of the Council in the)
 presence of:)

..... Mayor/Councillor

..... Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's powers, discretions and authorities to perform Council's functions under the *Planning and Environment Act 1987* in accordance with relevant policies and guidelines of the Council and do things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

1. to function in accordance with the Planning Committee Terms of Reference;
2. to assess and determine any applications for planning permits that are referred to it as the responsible authority under the *Planning and Environment Act 1987*;
3. in relation to strategic planning matters, the power to:
 - 3.1 consider strategic planning matters;
 - 3.2 hear from submitters;
 - 3.3 seek authorisation from the Minister for Planning to proceed with a proposed Planning Scheme amendment;
 - 3.4 refer submissions to a panel under Part 8 of the *Planning and Environment Act 1987*;
 - 3.5 make recommendations to Council in respect of strategic planning issues; and
4. to refer any submission to Council for further consideration and decision.

Exceptions, conditions and limitations

The members of the Delegated Committee are not authorised by this Instrument to:

1. enter into contracts.
2. exercise the powers which, under section 11(2) of the *Local Government Act 2020*, and section 188 of the *Planning and Environment Act 1987*, cannot be delegated.

10.8. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION

Division: Business Services
Director: Sean Portelli
Author/Position: Sarah Anstis - Statutory Compliance Officer

OFFICER RECOMMENDATION

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 instruments of appointment and authorisations (the instrument), and that;
 - a. The following Officers be appointed and authorised as set out in the instruments.
 - Andrea Watkins
 - Angelique Lush
 - Chloe Moorcroft
 - Clare Douglas – Haynes
 - Colleen Evans
 - Edwin Wyman
 - Heath Steward
 - Jade Erwin
 - James Guy
 - Jane Archer
 - Joanna Cuscaden
 - John Ciavarella
 - Katherine Gertners
 - Kimberley Purvis
 - Leah Slater
 - Lisa Kendal
 - Lynne Souter
 - Michelle Watt
 - Natalie Robertson
 - Nicole Burns
 - Paul Judge
 - Peri Bowman
 - Peter Jones
 - Rachel Blackwell
 - Rebecca Carter
 - Rhett English
 - Stephanie Durant
 - Tegan Bruty
 - Terry Natt
 - Vanessa O’Shea
 - Virginia McLeod
 - b. The instruments come 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 instruments be sealed.

2. Revoke the S11A Instrument of Appointment and Authorisation for the following officers.

- **Andrea Watkins (R354/16)**
- **Angelique Lush (R354/16)**
- **Chloe Moorcroft (R231/18)**
- **Christine Jones (R413/17)**
- **Clare Douglas - Haynes (R270/16)**
- **Colleen Evans (R354/16)**
- **Edwin Wyman (R117/19)**
- **Heath Steward (R228/19)**
- **Jade Erwin (R354/16)**
- **James Guy (R354/16)**
- **Jane Archer (R156/17)**
- **Joanna Cuscaden (R342/18)**
- **John Ciavarella (R354/16)**
- **Katherine Gertners (R344/17)**
- **Kimberley Purvis (R65/20)**
- **Leah Slater (R263/18)**
- **Lisa Kendal (R232/17)**
- **Lynne Souter (R20/18)**
- **Michelle Watt (R87/20)**
- **Natalie Robertson (R354/16)**
- **Nicole Burns (R354/16)**
- **Paul Judge (R65/20)**
- **Peri Bowman (R18/19)**
- **Peter Jones (R332/19)**
- **Rachel Blackwell (R354/16)**
- **Rebecca Carter (R354/16)**
- **Rhett English (R117/19)**
- **Stephanie Durant (R20/18)**
- **Tegan Bruty (R354/16)**
- **Terry Natt (R117/19)**
- **Vanessa O'Shea (R185/19)**
- **Virginia McLeod (R19/20)**

EXECUTIVE SUMMARY

The purpose of the report is to seek Council's endorsement of the above S11A. Instrument of Appointment and Authorisations under the *Planning and Environment Act 1987*.

The purpose of this report is to also revoke the above S11A. Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*.

RATIONALE

The Chief Executive Officer appoints the majority of authorised officers under section 224 of the *Local Government Act 1989*, through Council's delegation to the Chief Executive Officer. However, the appointment of authorised officers under the *Planning and Environment Act*

1987 cannot be delegated by the Chief Executive Officer and must be made through a resolution of Council.

The S11A Instruments of Appointments and Authorisations have been updated in a new template which refers to the updated Section of the *Local Government Act 2020*.

“Under section 313 of the Local Government Act 2020 authorises the officer either generally or in particular case to institute proceedings for offences against the Acts and regulations described in this Instrument.”

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006;*
- *Local Government Act 1989;*
- *Local Government Act 2020;*
- *Planning and Environment Act 1987;* and
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	Yes	Yes

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

Risk Management - It is essential that Council’s authorisations are constantly maintained and periodically monitored so that appropriate officers have the power to carry out their duties lawfully. This is a key component in Council meetings, as legislation requires Council to approve authorised officers under the *Planning and Environment Act 1987*.

Implementation/Marketing – As per section 12(f) of the *Local Government (General) Regulations 2015*, Council will make the details of the current authorised officers under section 224(1A) of the Act available for public inspection.

Council will make the register of authorised officers available on Council’s website for public transparency purposes.

Evaluation and Review - Council’s authorisations are reviewed and updated upon changes to the role of a Council Officer, legislative changes and at cessation of employment.

CONSULTATION

There has been consultation with relevant managers and officers to ensure the correct officers have been authorised to complete tasks.

The revocation and conferring of authorisations does not require any public consultation, however, Council is required to keep a register of all authorised officers available for public inspection.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

- Council Meeting Minutes from 14 September 2016
- Council Meeting Minutes from 14 December 2016
- Council Meeting Minutes from 10 May 2017
- Council Meeting Minutes from 12 July 2017
- Council Meeting Minutes from 27 September 2017
- Council Meeting Minutes from 8 November 2017
- Council Meeting Minutes from 13 January 2018
- Council Meeting Minutes from 31 January 2018
- Council Meeting Minutes from 23 May 2018
- Council Meeting Minutes from 22 August 2018
- Council Meeting Minutes from 12 September 2018
- Council Meeting Minutes from 21 November 2018
- Council Meeting Minutes from 30 January 2019
- Council Meeting Minutes from 15 May 2019
- Council Meeting Minutes from 31 July 2019
- Council Meeting Minutes from 30 October 2019
- Council Meeting Minutes from 11 December 2019
- Council Meeting Minutes from 29 January 2020
- Council Meeting Minutes from 1 April 2020
- Council Meeting Minutes from 11 March 2020

ATTACHMENTS

1. S11A Instrument of Appointment and Authorisation - Andrea Watkins [10.8.1 - 2 pages]
2. S11A Instrument of Appointment and Authorisation - Angelique Lush [10.8.2 - 2 pages]
3. S11A Instrument of Appointment and Authorisation - Chloe Moorcroft [10.8.3 - 2 pages]
4. S11A Instrument of Appointment and Authorisation - Clare Douglas- Haynes [10.8.4 - 2 pages]
5. S11A Instrument of Appointment and Authorisation - Colleen Evans [10.8.5 - 2 pages]
6. S11A Instrument of Appointment and Authorisation - Edwin Wyman [10.8.6 - 2 pages]
7. S11A Instrument of Appointment and Authorisation - Heath Steward [10.8.7 - 2 pages]
8. S11A Instrument of Appointment and Authorisation - Jade Erwin [10.8.8 - 2 pages]
9. S11A Instrument of Appointment and Authorisation - James Guy [10.8.9 - 2 pages]
10. S11A Instrument of Appointment and Authorisation - Jane Archer [10.8.10 - 2 pages]
11. S11A Instrument of Appointment and Authorisation - Joanna Cuscaden [10.8.11 - 2 pages]
12. S11A Instrument of Appointment and Authorisation - John Ciavarella [10.8.12 - 2 pages]
13. S11A Instrument of Appointment and Authorisation - Katherine Gertners [10.8.13 - 2 pages]
14. S11A Instrument of Appointment and Authorisation - Kimberley Purvis [10.8.14 - 2 pages]
15. S11A Instrument of Appointment and Authorisation - Leah Slater [10.8.15 - 2 pages]
16. S11A Instrument of Appointment and Authorisation - Lisa Kendal [10.8.16 - 2 pages]
17. S11A Instrument of Appointment and Authorisation - Lynne Souter [10.8.17 - 2 pages]
18. S11A Instrument of Appointment and Authorisation - Michelle Watt [10.8.18 - 2 pages]
19. S11A Instrument of Appointment and Authorisation - Natalie Robertson [10.8.19 - 2 pages]
20. S11A Instrument of Appointment and Authorisation - Nicole Burns [10.8.20 - 2 pages]
21. S11A Instrument of Appointment and Authorisation - Paul Judge [10.8.21 - 2 pages]
22. S11A Instrument of Appointment and Authorisation - Peri Bowman [10.8.22 - 2 pages]
23. S11A Instrument of Appointment and Authorisation - Peter Jones [10.8.23 - 2 pages]
24. S11A Instrument of Appointment and Authorisation - Rachel Blackwell [10.8.24 - 2 pages]
25. S11A Instrument of Appointment and Authorisation - Rebecca Carter [10.8.25 - 2 pages]
26. S11A Instrument of Appointment and Authorisation - Rhett English [10.8.26 - 2 pages]
27. S11A Instrument of Appointment and Authorisation - Stephanie Durant [10.8.27 - 2 pages]
28. S11A Instrument of Appointment and Authorisation - Teagan Bruty [10.8.28 - 2 pages]
29. S11A Instrument of Appointment and Authorisation - Terry Natt [10.8.29 - 2 pages]
30. S11A Instrument of Appointment and Authorisation - Vanessa O'Shea [10.8.30 - 2 pages]
31. S11A Instrument of Appointment and Authorisation - Virginia McLeod [10.8.31 - 2 pages]



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Andrea Watkins

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
was affixed by authority of the Council in the)
presence of:)

..... Mayor/Councillor

..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Angelique Lush

By this instrument of appointment and authorisation Ballarat City Council -

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..... Mayor/Councillor

..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987* only)**



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Clare Douglas-Haynes

By this instrument of appointment and authorisation Ballarat City Council -

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..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Colleen Evans

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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..... Mayor/Councillor

..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



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Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

John Ciavarella

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
 was affixed by authority of the Council in the)
 presence of:)

..... Mayor/Councillor

..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Katherine Gertners

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

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Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Lisa Kendal

By this instrument of appointment and authorisation Ballarat City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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..... Mayor/Councillor

..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

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S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Michelle Watt

By this instrument of appointment and authorisation Ballarat City Council -

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..... Mayor/Councillor

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S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Natalie Robertson

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

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(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Peter Jones

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

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..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Rachel Blackwell

By this instrument of appointment and authorisation Ballarat City Council -

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S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Rhett English

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

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..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Stephanie Durant

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Teagan Bruty

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
was affixed by authority of the Council in the)
presence of:)

..... Mayor/Councillor

..... Chief Executive Officer



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Virginia McLeod

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

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- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
was affixed by authority of the Council in the)
presence of:)

..... Mayor/Councillor

..... Chief Executive Officer

10.9. OUTSTANDING QUESTION TIME ITEMS

Division: Business Services
Director: Sean Portelli
Author/Position: Sarah Anstis -Statutory Compliance Officer

OFFICER RECOMMENDATION

Council resolves to:

Endorse the Outstanding Question Time report.

EXECUTIVE SUMMARY

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

RATIONALE

The City of Ballarat Meeting Procedure Local Law, Division 8, calls for a standard agenda item at each Council Meeting that reflects unanswered questions from public question time.

LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS

- City of Ballarat Meeting Procedure Local Law

CONSULTATION

Nil

OFFICERS DECLARATION OF INTERESTS

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

Nil

ATTACHMENTS

1. Outstanding Question Time Items [**10.9.1** - 1 page]
2. QT44/20 - John Barnes [**10.9.2** - 1 page]
3. QT45/20 - John Barnes [**10.9.3** - 2 pages]
4. QT48/ 20 - Merle Hathaway [**10.9.4** - 1 page]
5. QT52/20 - Sally Missing [**10.9.5** - 1 page]
6. QT53/20 - Karolina Kuzmich [**10.9.6** - 1 page]
7. QT54/20 - John Barnes [**10.9.7** - 1 page]
8. QT55/20 - Jane Neville [**10.9.8** - 1 page]

Outstanding Question Time Items					
Meeting	Status	Requested	Question	Officer Responsible	Response
QT44/20 27/05/2020	Closed	John Barnes Brown Hill	Is this same return sought for the National Road Cycling Championships which are reviewed in Item 10.12 on tonight's agenda, and what have been the returns for the three years of the review, and what is the return anticipated for the 2021 championships (particularly in light of mass gatherings still being prohibited)? If another method of assessing the return on the total investment as outlined in the Financial/Resources section of tonight's report is used, what is it, and what are the relative figures for the four years mentioned above?	Angelique Lush Director Development and Planning	Angelique Lush, Director Development and Planning provided a written response (see attached)
QT45/20 27/5/2020	Closed	John Barnes Brown Hill	What is the methodology and targets used for assessment of the ROI on Mars Stadium (taking account of the full cash and in-kind support of BCC via sponsorships, ground maintenance, marketing and other costs, including asset depreciation) and what are the figures since it commenced operation, including projections for the current and next financial years?	Neville Ivey Director Community Development	Neville Ivey, Director Community Development provided a written response (see attached)
QT48/20 27/5/2020	Closed	Merle Hathaway	Will the general community be consulted in the next phase of developing a Masterplan for this entire heritage area, or it is to be only a handpicked selection of people?	Angelique Lush Director Development and Planning	Angelique Lush, Director Development and Planning provided a written response (see attached)
QT52/20 24/6/2020	Closed	Sally Missing Buninyong	Can Council advise whether mitigation of climate change will be a priority for any newly developed strategies and newly allocated resources for Covid19 recovery - to ensure economic recovery is encouraged in a way that reduces the impact of climate change? For example, projects that improve the energy efficiency of new and existing housing stock and businesses, cycling infrastructure and re-forestation projects?	Angelique Lush Director Development and Planning	Angelique Lush, Director Development and Planning provided a written response (see attached)
QT53/20 24/6/2020	Closed	Karolina Kuzmich Wattle Flat	Why was the Western Victoria transmission network project approved with no detail of what the project involves? Why did Council place no importance on the environmental overlays of our area when approving the Western Victoria transmission network project, especially as we are in a high risk fire zone and there were major concerns with the environmental damage to the White Swan Reservoir after our last major fire?	Angelique Lush Director Development and Planning	Angelique Lush, Director Development and Planning provided a written response (see attached)
QT54/20 24/6/2020	Closed	John Barnes Brown Hill	My question relates to Item 10.1 on the Council Plan Annual Review. The original Council Plan 2017-21 listed a number of performance indicators under the headings "We'll track progress in terms of...". Why does this review make NO reference to these indicators, when will they be reported upon, and how is progress being tracked in the meantime?	Cameron Cahill Director Innovation and Organisational Improvement	Cameron Cahill, Director Innovation and Organisational Improvement provided a written response (see attached)
QT55/20 24/6/2020	Closed	Jane Neville Wattle Flat	Can you please explain why Council as not at any stage communicated with landowners in Bush Inn Road Wattle Flat as to the potential environmental impact of the Western Victoria Transmission Project? Can Council please explain why such a high environmental risk is being tolerated with the option of taking the WVTP through Bush Inn Road? Can Council please set out the actual economic and employment benefits to the Council region brought by this project? Can Council please make available now the reasoning behind their approval of this project? Can council please explain why over the past week, Councilors have repeatedly stated they knew nothing about the WVTP and yet Mayor Ben Taylor is quoted as welcoming it (December 17 2019)?	Angelique Lush Director Development and Planning	Angelique Lush, Director Development and Planning provided a written response (see attached)

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 17 June 2020

Our Ref: AL:jj;kr

Your Ref: QT44/20

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Mr John Barnes



Dear Mr Barnes,

RE: NATIONAL ROAD CYCLING CHAMPIONSHIPS

Thank you for your question at the 27 May 2020 Council Meeting regarding the measurement and evaluation of the Cycling Australia Road National Championships (RoadNats) event.

The application of the 20:1 ratio for the measurement of Return on (council funding) Investment is an indicative benchmark. There are also a range of factors that may be considered to identify the financial and non-financial return on investment for Ballarat. These can include; does the event leave a legacy for our community, does it align with the brand of Ballarat, does it support or promote the health and wellbeing of our community, does it provide significant media exposure, and does it allow us to leverage or expand new markets and opportunities.

Both 2019 and 2020 events attracted over 25,000 people to Ballarat and produced a significant level of national and international media coverage. From the event marketing and promotional activities, Ballarat gained exposure in 2019 to an audience of 28,704,403 people, and 30,954,928 in 2020.

Since 2018 the event has also provided the opportunity for Ballarat to enter a co-funding partnership with the State government for the RoadNats. This relationship coupled with our event management expertise and experience was critical in gaining State government confidence to host the first and second of regional Victoria's only White Night events.

Scenario planning for 2021 is currently underway and we are working closely with Cycling Australia to identify what shape and size the event may be this coming January. Ultimately this will be determined by State Gov Covid restrictions, but officers will maintain the position of seeking the best outcome for Ballarat.

Yours sincerely

A handwritten signature in black ink, appearing to read "A. Lush".

Angelique Lush
Director Development and Planning

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
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Date: 23 June 2020

Our Ref:

Your Ref:

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Mr John Barnes

Dear John

Thank you for your questions raised at Ordinary Council Meeting 27 May 2020.

The stage one upgrades to Mars Stadium were funded by the Victorian State Government. The total investment was \$24.0m and this enabled the venue to comply with conditions that would enable AFL matches to be hosted in Ballarat. In separate agreements the AFL and Western Bulldogs committed to an initial five-year agreement to play a minimum of 2 matches per season in Ballarat. City of Ballarat is now delivery the \$5.3m stage two development works also funded by the State Government. This will provide improved spectator amenity, accessibility of female friendly change facilities.

The venue continues to be the home venue of the North Ballarat Football Club and the Greater Western Victoria Rebels NAB league teams. Mars Stadium continues to host local community Grand Final events for the Ballarat senior and junior leagues and the Central Highlands Football League.

Mars Stadium has also become an attractive proposition for other professional sporting codes with A League soccer and Super Rugby also hosting major events at the venue.

The benefits of attracting major national sporting events to Ballarat are multi- faceted and come in forms of direct economic return to business in Ballarat along with National promotion of Ballarat through national telecast events and lifestyle benefits where Ballarat is able to provide major capital City experiences for local and regional residents in Ballarat. The large events held at MARS stadium generate additional activity in the Ballarat economy. Indicative economic returns for example include that over the weekend of the AFL Match held on the 11 May 2019, total expenditure on Dining and Entertainment was \$3.9m, \$570,000 more (or 17%) than the average weekend spend in May. Visitors to Ballarat accounted for \$270,000 of this increase.

The management of Mars Stadium has been undertaken by the City of Ballarat. This role is primarily a facilitation and coordination role whereby the responsibilities of the venue to host major events are managed. The costs associated with all events are reimbursed by event promoters. This role was assumed following the stage one upgrade within an existing role at Council at did not require the employment of an additional resource.

Council has not, to this time implemented a venue specific marketing campaign for Mars Stadium as there has been significant organic growth in utilisation by national sports on the back of its reputation built from hosting AFL games.\

Community user groups enter into separate seasonal and longer-term user agreements and take responsibility for event management and related responsibilities as would be the case for any local community user at council facilities. i.e. North Ballarat Football Club.

The costs of maintaining the playing surface is undertaken in the same way as all playing venues across each of the City of Ballarat's sporting venues. Importantly the reputation of Ballarat across the AFL and other sporting industries has resulted in exemplary comments by senior AFL coaches and players along the lines "The Ballarat surface is the best we've play on in the AFL this year".

The City of Ballarat also receives \$40,000 per year as its share of the venue naming rights. This income has supported investment to expand the sports code users by enabling the purchase and installation of goal scoring infrastructure for soccer and rugby.

Furthermore, by working with event organisers the City of Ballarat has negotiated some innovative agreements that also generate income. This has offset any general maintenance operational costs that may arise from time to time. Council earned catering rights revenue of \$20,000 from the Nitro Circus event hosted early in 2020.

The key fixed and reoccurring operational cost that has been identified – outside of direct event based and reimbursed costs is the annual cost of cleaning the grandstand canopy. This cost has averaged \$4,800 per annum.

Mars Stadium is a unique AFL venue because it continues to provide local community sports with a fantastic facility. Key local user groups include;

- North Ballarat FNC home venue
- Greater Western Victoria Rebels
- Ballarat Football Netball league Grand Finals
- Ballarat Junior Football league Grand Finals
- Central Highlands FNL Grand Finals

City of Ballarat Investments – strategic partnership

- A component of the strategic partnership between CoB and the Western Bulldogs that whilst it specifically funds important community programs also supports the continued relationship between the City of Ballarat and the Western Bulldogs that solidifies the commitment between the community and the Bulldogs that culminates in AFL matches being played in Ballarat. The direct community program benefits include the following;
 - Youth leadership program
 - Junior school clinics, visits to community health services
 - Bulldogs read program
 - Player visits

Yours sincerely

Neville Ivey
Director Community Development

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 9 July 2020

Our Ref: AL:dt;kr

Your Ref: QT48/20

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Ms Merle Hathaway

Email: [REDACTED]

Dear Ms Hathaway,

RE: HERITAGE MASTERPLAN

Thank you for your question at the 27 May 2020 Council Meeting regarding the Buninyong Botanic Gardens Masterplan.

We are currently finalising an engagement strategy for the preparation of the Master Plan inclusive of the Buninyong Gardens, the dam wall and the Gong area. We will be engaging with the Friends of Buninyong Botanic Gardens as the key stakeholder group and the broader community through this process.

Thank you for your enquiry.

Yours sincerely

A handwritten signature in black ink, appearing to read "A. Lush".

Angelique Lush
Director Development and Planning

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 9 July 2020

Our Ref: AL:sd;kr

Your Ref: QT52/20

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Ms Sally Missing

Email: [REDACTED]

Dear Ms Missing,

RE: OUTSTANDING QUESTION TIME ITEM – QT52/20

Thank you for your question. City of Ballarat's strategic commitment to mitigate the impact of climate change is highlighted by our Carbon Neutrality and 100% Renewables Action Plan 2019-2025 and the recently adopted Circular Ballarat Framework. Our city-wide long-term economic recovery plan will put liveability, sustainability and the creation of jobs in new and emerging industries at the forefront of our efforts – which will without doubt include opportunities in renewable energy, advanced manufacturing, innovation and technology sectors linked to a lower emissions future.

Our adopted Urban Forest Action Plan sets a target of 40% canopy cover by 2040, and during this current planting season City of Ballarat is undertaking the largest tree planting program ever undertaken, targeted at our most vulnerable communities. We are also continuing to make our city more amenable to cycling and walking.

Council is committed to creating an environmentally sustainable and liveable city. Whilst the regulation of building design standards is a responsibility for the State Government, we will continue to support the development of a state-wide Environment Sustainable Design policy within both the planning and building systems which improves standards for the future.

Yours sincerely

A handwritten signature in black ink, appearing to read "A. Lush".

Angelique Lush
Director Development and Planning

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 9 July 2020

Our Ref: AL:jg;kr

Your Ref: QT53/20

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Ms Karolina Kuzmich

Email: [REDACTED]

Dear Ms Kuzmich,

RE: OUTSTANDING QUESTION TIME ITEM – QT53/20

Thank you for your question. To be clear, Council has not approved anything to do with this project, and in fact is in the same boat as landowners by not knowing what route the proposed transmission line will take, and even what technology will be used. This is a State Government project being progressed by AusNet services, and I would encourage everyone with an interest in the project to engage with AusNet during their current consultation phase.

Yours sincerely

A handwritten signature in black ink, appearing to read "A. Lush".

Angelique Lush
Director Development and Planning

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Mr John Barnes
Email: [REDACTED]

Date: 29 June 2020

Our Ref:

Your Ref:

Enquiries: 03 5320 5500

Direct Email: [REDACTED]

Dear Mr Barnes

RE: QT54/20, Council Meeting 24/6/2020

Below is the response to your question in regard to item 10.1 (Council Plan Review).

"The original Council Plan 2017-21 listed a number of performance indicators under the headings "We'll track progress in terms of...". Why does this review make NO reference to these indicators, when will they be reported upon, and how is progress being tracked in the meantime?"

As detailed in the report no adjustments to the strategic indicators are proposed as part of this review.

Council reports on these indicators on a quarterly basis as part of our quarterly Council Plan Reports and annually as part of the Annual Report.

The Council Plan has over 30 indicators detailed in the Council Plan with data for those indicators being released on a variety of schedules from a variety of agencies, when this data becomes available it is tracked and reviewed by Officers and provided to the Council and community through quarterly or annual reporting or through other appropriate means such as published on our website or the Victorian Government's Know Your Council Website.

Kind regards

Cameron Cahill
Director Innovation and Organisational Improvement

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 9 July 2020

Our Ref: AL:jg;kr

Your Ref: QT55/20

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Ms Jane Neville

Email: [REDACTED]

Dear Ms Neville,

RE: OUTSTANDING QUESTION TIME ITEM – QT55/20

Thank you for your question. To be clear, Council has not approved anything to do with this project, and in fact is in the same boat as landowners by not knowing what route the proposed transmission line will take, and even what technology will be used. This is a State Government project being progressed by AusNet services, and I would encourage everyone with an interest in the project to engage with AusNet during their current consultation phase.

In relation to your query regarding the Mayor's quote welcoming the project in December last year relates to the awarding of the contract – 'Western Victoria is a powerhouse of renewable energy, and one of the most significant renewable energy regions in the Country. Getting this power into the national network is a great thing for this region, in terms of jobs, investment and a greener future for this State'. The Mayor's comments remain true that having someone on board to progress the connection is important, however, this is the first time there has been any discussion about where the connection may go. We have not made any comments about support for large towers along a specific route and will continue to advocate strongly for our community in engaging in this process at this early stage.

Yours sincerely

A handwritten signature in black ink, appearing to read "A. Lush".

Angelique Lush
Director Development and Planning

11. NOTICE OF MOTION

Nil

12. URGENT BUSINESS

Nil

13. SECTION 66 (IN CAMERA)

13.1 TENDER 2019/20-393 ROUNDABOUT CONSTRUCTION AT THE INTERSECTION OF CUTHBERTS RD & WHITES RD

Division: Infrastructure and Environment
Director: Darren Sadler
Author/Position: Robin Hand - Contracts Administration Officer

(Confidential information)

14. CLOSE