

OFFICIAL

Council Meeting

Minutes

26 June 2024 at 6:30pm

Council Chamber, Town Hall, Sturt Street,
Ballarat



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1. OPENING DECLARATION

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

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

2. APOLOGIES FOR ABSENCE

2.1 Present

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

Mr Evan King - Chief Executive Officer
Ms Bridget Wetherall - Director Infrastructure and Environment
Mr Matthew Wilson - Director Community Wellbeing
Mr John Hausler - Director Corporate Services
Ms Natalie Robertson - Director Development and Growth
Mr Martin Darcy - Director Economy and Experience
Mr Cameron Montgomery - Executive Manager Governance and Risk
Ms Rosie Wright - Coordinator Risk, Governance and Compliance
Ms Sarah Anstis - Statutory Compliance Officer
Ms Kirby Broadbent - Administration Assistant Compliance
Mr Stephen Wright - Administration Assistant Compliance

2.2 Apologies

Nil

3. DISCLOSURE OF INTEREST

Nil

4. MATTERS ARISING FROM THE MINUTES

Nil

5. CONFIRMATION OF MINUTES

RESOLUTION:

That the Minutes of the Council Meeting on 22 May 2024 as circulated be confirmed.

Moved: Cr Mark Harris

CARRIED

Seconded: Cr Samantha McIntosh

(R74/24)

Cr Des Hudson, Mayor, raised a condolence motion for the passing of Rex Hollioake.

RESOLUTION:

That Council move a condolence motion for Rex Hollioake.

Moved: Cr Des Hudson

CARRIED

Seconded: Cr Tracey Hargreaves

(R75/24)

6. PUBLIC QUESTION TIME

QT34/24 – Bruce Crawford

Question

My two questions are in regard to a Facebook response on 6.6.24 from Ballarat Council to questions about the printed version of ourballarat. This is an excerpt, "Our recent consultation on the magazine showed that of the 700 responses, the majority would prefer to read ourballarat as a printed magazine (65% of postcard survey respondents and 43% of online respondents).

It also found that the 60+ age bracket are the most engaged in the magazine and content and prefer print to online/digital offerings.

It costs around 75 cents per copy and is distributed to 58,000 households in the City of Ballarat." It still isn't clear if this cost includes distribution and environmental concerns, or these costs were known to the survey respondents beforehand. Do you think that spending \$174,000 per annum represents the best use of Ratepayers money?

Answer

Evan King, Chief Executive Officer, responded that the ourballarat magazine is produced by the City of Ballarat with the cost of print and distribution of the magazine representing just 0.07% of the total cost-base of the Council. The magazine is an important way to keep residents and ratepayers up to date with relevant City of Ballarat news, services, programs, initiatives, and events. The consultation sought to gauge community sentiment on whether the ourballarat magazine should continue in its current form or move to an online or some other iteration. The consultation confirmed that most respondents want the ourballarat magazine to continue in a printed form and would also like to see the online offering improved. It is important that the City of Ballarat has a range of accessible communication tools, platforms and mediums that cater for as many people and demographics as possible. As demonstrated by the consultation results the ourballarat magazine is still a valuable source of information for Ballarat's older residents. Given the strong results from the consultation and the importance of the magazine for Ballarat's older residents, the City of Ballarat's stance is that the ourballarat magazine is still a good use of ratepayer's money. Council will continue to monitor the community sentiment of the magazine and to ensure it continues to be of value to the community. The stated cost of the magazine includes distribution costs. There are no costs associated with the 'environmental concerns' of the magazine. It is important when communicating that there are multiple forums and mediums – there's not just one way of communicating with the community. ourballarat may not be everything to everyone but there's certainly a demographic out there that genuinely appreciates a hard copy of a magazine that goes out to residents.

Question

Given that our population is around 120 000, and this decision was based on feedback from only 700 respondents, do you believe that MySay is the best method to survey our community?

Answer

Evan King, Chief Executive Officer, responded that MySay was not the only method of surveying the community about ourballarat. The engagement took the form of the online survey on MySay, and a short postcard was inserted into the Spring 2023 edition of the ourballarat magazine, once again demonstrating that when you are engaging or communicating with the community it's important to have multiple sources in doing that. The online survey was longer and more comprehensive, while the postcard survey mainly focused on questions relating to the format of the magazine and questions relating to content. The vast majority of respondents filled out the postcard: 536 of the 699, or 76%, of people actually

responded to the postcard in ourballarat to provide feedback. This demonstrates once again the importance of having multiple mediums when engaging and, yes, it was 700 ratepayers out of 118 000 – engagement is only ever an input into what we do. It's not a decision-making exercise, it's just gaining some input into decision-making to determine what is the best way to communicate to the community.

QT35/24 – Richard Purdy**Question**

Recently I had a motorised vehicle drive along the footpath in my street in Ballarat Central with a person walking behind spraying poison with a wand along the grassed outer edge of the guttering. What is the criteria for the street in which this is to occur, or it is done irrespective as to whether the grass is kept short by the adjacent resident?

Answer

Bridget Wetherall, Director Infrastructure and Environment, responded that the City of Ballarat conducts annual seasonal weed spraying of its network of bluestone gutters and elsewhere in the municipality. Weed spraying is conducted to prevent the growth of weeds, and to eradicate any existing weeds.

Question

In respect of question one, on a previous occasion I question the person spraying the poison, who indicated that it is carried out whether needed or not. Why are resources wasted on this activity where it is not needed?

Answer

Bridget Wetherall, Director Infrastructure and Environment, responded that, to clarify, the use of the word 'poison' is probably not so accurate – it's a glyphosate which is widely used in weed control. However, residents can place their property on Council's No Spray Register, where spraying will not occur at their property. This also applies to the spraying that occurs on the road reserve in front of or alongside their property. Locations on the register are not publicly displayed as it contains private residential details. The responsibility of maintaining weed growth at their property then shifts to the resident.

QT36/24 – Gary Smith**Question**

Regarding the Steinfeld Street path - in August 2022 The Courier reported that 'Based on estimates provided by the Department of Transport, the cost of transforming the roadway into a "safe cycling street" stood in the order of \$35,400, covering such works as new signage, line-marking and minor alterations to road infrastructure.' What we ended up with was a 500-metre-long shared pedestrian and bicycle path which cost more than \$615,000.

Contrary to the conclusions of the Department of Transport, the Ballarat Council CEO said that council had determined the road's width would not safely accommodate a shared cycling car zone.

Prior to this major design change and cost increase, was some sort of report created which detailed the reasoning and justification for these changes, including why or how the council had determined the road's width would not safely accommodate a shared cycling car zone?

Answer

Bridget Wetherall, Director Infrastructure and Environment, responded that in finalising the infrastructure improvements for Steinfeld St, meetings between Council and Regional Roads Victoria were held to discuss this and other paths that were jointly funded. After site visits and

observations, the City of Ballarat engineers took into account pedestrian and cyclist safety and, in particular, the risk of conflict with cars in the area that now incorporates a childcare centre, maternal child health centre, and the Eastwood Leisure Centre. As a result, the City of Ballarat took the decision that a separate bike path was more desirable than on-street upgrades that were within the budget of the original funding. Regional Roads approved this design alteration but could not alter their funding contribution. The City of Ballarat funding contribution for the path was from the Bicycle Strategy program, which is ongoing dedicated funding to upgrade and improve trails and links around Ballarat.

QT37/24 – Ted Lapkin

Question

The redevelopment proposal put forward for the Ballarat Rail Station is an architectural abomination that will transform one of the city's most cherished heritage sites into a post-modernist Legoland eyesore.

What is the position of each Member of Council on this proposal and, if they share my opposition, what do they plan to do to stop this project from ruining the Ballarat Rail Station?

Answer

Natalie Robertson, Director Development and Growth, responded that a briefing is to be provided to Councillors on this matter, which also includes a recommended submission to the Ballarat Station Redevelopment public consultation. Statutory Planning Officers have reviewed the proposal together with Council's Heritage Advisors and will provide an officer recommendation to Councillors which will be considered at the Planning Delegated Committee. Members of the public can make a submission via the Engage Victoria website under the Ballarat Station Upgrade.

RESOLUTION:

That Council extends public question time in accordance with section 3.7.1 of the City of Ballarat Governance Rules.

Moved: Cr Daniel Moloney

CARRIED

Seconded: Cr Samantha McIntosh

(R76/24)

Multiple questions were received that related to the rezoning of 203 York Street. These were considered able to be grouped and answered with a single response in accordance with Governance Rules rule 3.7.1(i). The questions were grouped to QT38/24. The submitters of these questions were Jennifer Paterson, Wayne Cooper, Helen Cooper, Annette McMaster, Aaron Lacy, Julie Paul, Sue Hunt, Nicole Elliott, Natalie Foster, Anthony Brooks, and Lateisha Dixon.

QT38/24 - Jennifer Paterson

Question

After consultation with the Planning Minister, Michaela Seattle MP has made it clear the only way to get 203 York Street rezoned is for Council to make a planning scheme amendment to the Minister. Ballarat East has always felt like the poorest sister of the other Ballarat suburbs and very little is spent in the East. So, to my question, it's a fairly long one. Is Council prepared to spend some of our rate money to at least try to rezone that piece of land by submitting a planning scheme amendment? Please bear in mind the amount being quoted is minuscule

compared to the loss of value in surrounding homes alone. This cannot be done by landowners or the public. The Minister also can't call in something that does not require a permit, as is the case with York Street, it has to be Council. Apparently, this is, and was always, our only option for rezoning 203 York Street. Thank you.

Answer

Natalie Robertson, Director Development and Growth, responded that embarking on a rezone does not change the ownership and does not prohibit Powercor from development of the substation. Director Robertson anticipates that Powercor would embark on litigation that would seek a declaration to prevent Council and/or the Minister from the rezone. And in this instance, a substation on appropriately zoned public-use land cannot be called in by the Minister. However, consideration of a planning scheme amendment to rezone the land to residential can be considered by the Minister for Planning without Council instigating the rezoning. She may also exercise her rights under section 20, part 4 of the Planning and Environment Act to waive a public exhibition and to go straight to a rezoning with a permit if the Minister is convinced there is enough community knowledge and support for the amendment. However, the Minister will be bound, or is bound, by the same considerations that Council must consider during an amendment application.

QT39/24 – Maureen Gilbert**Question**

I live in the area close to the Proposed Sub Station at 203 York Street, Ballarat East. I would like to ask the Council how they approved a number of new dwellings, including a large multi-unit development beside and close to the site that is being developed by Powercor. These substations have in the past had explosions and fires, which has caused evacuations, and health risks to close neighbours.

Answer

Natalie Robertson, Director Development and Growth, responded that there are no setback requirements within the Victorian Planning provisions that prevent residential development adjoining substation sites. It is why substations are exempt from planning requirements within the planning scheme, and it is not listed as a use with potential adverse impacts under clause 53.10 of the planning scheme, which sets out necessary threshold distances.

QT40/24 – Michael John Tregonning**Question**

You mentioned that you have written to the ministers. My question therefore is have you had a written reply from these Ministers?

Answer

Cr Des Hudson, Mayor, responded that to the best of his recollection, he didn't believe he had formal correspondence back from those ministers that were asked or offered the opportunity to come to Ballarat to inspect the site.

Natalie Robertson, Director Development and Growth, added that Council has written on numerous occasions. The only one response in the very early days was from Minister Kilkenny, which is the Minister for Planning, who did indicate if there was to be a rezone of this site that she would direct it to the Development Facilitation office. If parties agreed to the rezone, now remember there's another party that owns this land, and that is Powercor. And also, the Minister for Climate Action, Energy and Resources, and the State Electricity Commission would also have to agree to the rezone, and that Minister has not responded.

QT41/24 – Robert Gallo**Question**

How does the Ballarat City Council plan to address concerns from residents about the potential devaluation of their properties due to the construction of a Powercor substation in a residential area? Specifically, what assessments have been conducted to understand the economic impact on property values, and what compensation or mitigation strategies are being considered for affected homeowners?

Answer

Natalie Robertson, Director Development and Growth, responded that the City of Ballarat officers have not conducted any assessments on the economic impacts on property values. She noted that within the planning provisions, particularly when applying for a planning scheme amendment, or to VCAT, devaluation is not considered a planning consideration and it is not given any weight.

Question

What measures are being taken by the Council to mitigate potential hazards associated with the substation, such as exposure to electromagnetic fields (EMFs) and the risk of fires? Can the Council provide detailed information on safety protocols, health risk assessments, and emergency response plans to ensure the well-being of residents living in close proximity to the proposed substation?

Answer

Natalie Robertson, Director Development and Growth, responded that Council officers have not done any investigation, as Council is not the authority to embark on this analysis and in the current circumstances the authority is state government and Powercor would have to justify that to state government.

RESOLUTION:

That Council extends public question time in accordance with section 3.7.1 of the City of Ballarat Governance Rules.

Moved: Cr Mark Harris

CARRIED

Seconded: Cr Amy Johnson

(R77/24)

QT42/24 – Gonzalo Filippini**Question**

Given the likely increase in noise pollution from the substation, what steps will the Council take to minimize this impact on the quality of life for residents in the surrounding area? Are there specific noise reduction technologies or operational restrictions being considered, and how will the Council monitor and enforce noise level compliance?

Answer

Natalie Robertson, Director Development and Growth, responded that the Environment Protection Authority (EPA) is the appropriate authority for noise pollution. The most likely sources of noise from this facility are the transformer and ventilation fans and she referred Mr Filippini and members of the public to the Ballarat East Noise Level report conducted by Powercor, which demonstrates the level of acceptable noise limits within EPA standards and that, should the substation be developed, it must be in accordance with those noise levels and

it must be monitored to demonstrate compliance to that. However, if there are any complaints related to noise, they can come to City of Ballarat but the EPA is used as the authority to investigate.

Question

Considering the substation's location on a tourist route, just 800 metres from the CBD, what strategies does the Council have in place to address the aesthetic and environmental concerns related to flooding and the presence of unattractive industrial infrastructure? How will the Council ensure that the substation does not detract from the visual appeal and overall visitor experience in Ballarat, which could negatively affect local tourism and businesses?

Answer

Natalie Robertson, Director Development and Growth, responded that officers have requested that Powercor involve City of Ballarat in any design consultation. And officers would give consideration to improvements to surrounding landscaping and the aesthetics within the public realm should the substation come to fruition.

QT43/24 – Annette McMaster**Question**

Can Council request Corangamite Catchment Management Authority, working with their flood modelling, show what we can expect if the site at 203 York Street were to be built up a metre at least a metre? And also, working with their flood modelling, show what we could expect if the site were hollowed out a metre deep as a public reserve, a retention basin, as per the Gregory Street Crompton Street Reserve and the new Wendouree Storm Water in Dowling Street to keep Lake Wendouree in water and swales in Lucas, etcetera?

Answer

Natalie Robertson, Director Development and Growth, responded that she has had this discussion. She is happy to make enquiries with the CMA, but anticipate that through development of the site, drainage can be mitigated on the site as the development of the substation would require drainage infrastructure to accommodate any potential flooding, as with any development scenario including a dwelling. Development is not prohibited in areas of potential flooding and the modelling just has to demonstrate the appropriate works and infrastructure to mitigate this.

QT44/24 – Lateisha Dixon**Question**

I live in Callow Street directly across from the planned substation with my 9-month-old son and his father. I am concerned about the plans to build a major substation inside a residential area in such close proximity to the CBD, Bridge Mall, Sovereign Hill, Lake Esmond, Eureka Stockade, primary school, supported housing and my home. Not only will it be an eyesore but, with our growing population and lack of housing, is it really wise to put a major substation on land that could be better used for housing. During this housing crisis at some point we need to build more homes so I can't understand how a major substation in the middle of a residential area is a good idea. Not to mention the concerns for EMF, what do we really know, just like asbestos there's little research on long term exposure, in fifty years' time a lot of people will be suing from such exposure. We are not Melbourne and have a beautiful city, please don't let this happen to a suburb that doesn't even have traffic lights. Is Council aware that this block already has all services, even sewer?

Answer

Natalie Robertson, Director Development and Growth, responded that yes, Council is aware all services are provided to the location.

7. CHIEF EXECUTIVE OFFICER REPORT

7.1. CHIEF EXECUTIVE OFFICER REPORT

Division: Executive Unit
Director: Evan King
Author/Position: Evan King – Chief Executive Officer

PURPOSE

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

RESOLUTION:

12. That Council:

12.1 Receive and note the CEO's Operational Report.

Moved: Cr Belinda Coates
Seconded: Cr Samantha McIntosh

CARRIED
(R78/24)

8. OFFICER REPORTS

8.1. BIODIVERSITY STRATEGY

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Heath Steward – Senior Sustainable Policy and ESD Officer

Public representation was made by Jeff Rootes.

PURPOSE

1. To present the Ballarat Biodiversity Strategy – *Healing Country Together* and associated documents for Council endorsement.

RESOLUTION:

10. That Council:

10.1 Adopt the Ballarat Biodiversity Strategy – *Healing Country Together*.

Moved: Cr Belinda Coates
Seconded: Cr Ben Taylor

CARRIED
(R79/24)

8.2. CONTINUOUS VOICES MEMORIAL FINAL DESIGN

Division: Economy and Experience
Director: Martin Darcy
Author/Position: Anindita Banerjee – Public Art Officer

Public representation was made by Trevor Coad, Livio Turkstra, Maureen Hatcher, Rebecca Russell, Michael Constable, Paul Auchettl, and Blake Curran.

PURPOSE

1. To seek Council endorsement of the recommended design for the Continuous Voices Memorial.

RESOLUTION:

9. That Council:

- 9.1 Endorses the design for the Continuous Voices memorial by AMASS Architects, as recommended by the Expert Panel.

Moved: Cr Belinda Coates
Seconded: Cr Samantha McIntosh

CARRIED
(R80/24)

RESOLUTION:

That Council adjourn at 8:55pm for a 5-minute comfort break.

Moved: Cr Belinda Coates
Seconded: Cr Tracey Hargreaves

CARRIED
(R81/24)

RESOLUTION:

That Council resumes at 9:04 pm.

Moved: Cr Mark Harris
Seconded: Cr Daniel Moloney

CARRIED
(R82/24)

RESOLUTION:

That item number '8.7. Draft Prince Of Wales Park Master Plan' be brought forward.

Moved: Cr Amy Johnson
Seconded: Cr Daniel Moloney

CARRIED
(R83/24)

8.7. DRAFT PRINCE OF WALES PARK MASTER PLAN

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Mitch Jenkins – Coordinator Sport & Recreation Strategic Planning

Public representation was made by Cristin Ruyg (representing Hockey Ballarat) and Greg Quayle (representing Alfredton Baseball Club).

PURPOSE

1. The purpose of this report is to present the draft Prince of Wales Park (POWP) Master Plan and seek Council endorsement to release the draft Master Plan for public exhibition.

RESOLUTION:

18. That Council:

18.1 Note the draft Prince of Wales Park (POWP) Master Plan.

18.2 Endorse the draft Prince of Wales Park (POWP) Master Plan for public exhibition.

18.3 Note that the Master Plan will be presented to Council upon completion of community consultation for consideration of submissions and adoption.

Moved: Cr Daniel Moloney

Seconded: Cr Peter Eddy

CARRIED

(R84/24)

RESOLUTION:

That item number '8.6 Draft Recreation Infrastructure Plan' be brought forward.

Moved: Cr Ben Taylor

Seconded: Cr Samantha McIntosh

CARRIED

(R85/24)

8.6. DRAFT RECREATION INFRASTRUCTURE PLAN

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Mitch Jenkins – Coordinator Sport & Recreation Strategic Planning

Public representation was made by Cristin Ruyg (representing Hockey Ballarat)

PURPOSE

1. The purpose of this report is to present the draft Recreation Infrastructure Plan 2024-2039 and seek Council endorsement to release the draft plan for public exhibition.

RESOLUTION:

28. That Council:

28.1 Note the draft Recreation Infrastructure Plan.

28.2 Endorse the draft Recreation Infrastructure Plan for public exhibition.

28.3 Note that the plan will be presented to Council upon completion of community consultation for consideration of submissions and adoption.

Moved: Cr Daniel Moloney
Seconded: Cr Ben Taylor

CARRIED
(R86/24)

8.3. ART GALLERY OF BALLARAT YEAR IN REVIEW 2022/23

Division: Economy and Experience
Director: Martin Darcy
Author/Position: Louise Tegart – Director, Art Gallery of Ballarat

PURPOSE

1. The Art Gallery of Ballarat Board is required to provide Council with an annual report on the activities of the previous year covering:
 - Reporting on the number of visitors to the Gallery;
 - Engagement, including public programs and education visitation;
 - Acquisition and lending of the artworks; and
 - Reporting on donated funds.
2. The Art Gallery of Ballarat Year in Review 2022-2023 reports on the activities of that financial year and responds to the key priorities identified in the Art Gallery of Ballarat Strategic Plan 2019-2022.

RESOLUTION:**11. That Council:****11.1 Note the Art Gallery of Ballarat Year in Review 2022-2023.**

Moved: Cr Mark Harris
Seconded: Cr Peter Eddy

CARRIED
(R87/24)

8.4. TOURISM MIDWEST VICTORIA SUSTAINABLE DESTINATION MANAGEMENT PLAN AND BALLARAT LOCAL AREA ACTION PLAN

Division: Economy and Experience
Director: Martin Darcy
Author/Position: Joel Chadwick – Sustainable Destination Development Coordinator
Sarah Pilgrim – Executive Manager Visitor Economy

PURPOSE

1. To inform Council of the process in the development of the Tourism Midwest Victoria Sustainable Destination Management Plan 2024-2033 and Ballarat Local Area Action Plan 2024-2033.
2. To seek adoption of the Tourism Midwest Victoria Sustainable Destination Management Plan 2024-2033 and Ballarat Local Area Action Plan 2024-2033.

RESOLUTION:

36. That Council:

36.1 Adopt the attached Tourism Midwest Victoria Sustainable Destination Management Plan 2024-2033.

36.2 Adopt the attached Ballarat Local Area Action Plan 2024-2033.

Moved: Cr Samantha McIntosh
Seconded: Cr Peter Eddy

CARRIED
(R88/24)

8.5. GROWTH AREAS QUARTERLY UPDATE

Division: Development and Growth
Director: Natalie Robertson
Author: Fiona Koutsivos – Principal Planner

PURPOSE

1. The purpose of this report is to provide an update on the progress of rezoning the proposed growth areas to Urban Growth Zone (UGZ) and the project plan including timeframes for the Growth Areas Framework Plan.

RESOLUTION:

18. That Council:

18.1 Note the contents of this update report.

Moved: Cr Ben Taylor
Seconded: Cr Tracey Hargreaves

CARRIED
(R89/24)

8.8. AINARO COMMUNITY DEVELOPMENT ACTION PLAN

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Suzannah Burton – Coordinator Social Inclusion

PURPOSE

1. The purpose of this report is to seek endorsement of the Ainaro Community Development Action Plan 2024-2029 (the Action Plan).
2. The Action Plan outlines the vision and the four priority areas of establishing robust governance arrangements between the City of Ballarat (CoB) and the Ainaro Municipality, contributing to local infrastructure, building community capacity and promoting the health and wellbeing of the Ainaro community.
3. The Action Plan was developed in consultation with the Ballarat Friends of Ainaro Community Committee (BFACC).
4. The Action Plan details how CoB intends to collaborate and work in partnership with the Ainaro community.

RESOLUTION:

12. That Council:

12.1 Adopt the Ainaro Community Development Action Plan 2024-2029.

Moved: Cr Peter Eddy
Seconded: Cr Belinda Coates

CARRIED
(R90/24)

8.9. ANNUAL COMMUNITY SATISFACTION SURVEY

Division: Corporate Services
Director: John Hausler
Author/Position: Michael Riseley – Executive Manager Business Services

PURPOSE

1. This report presents Council with the 2024 Community Satisfaction Survey results.

RESOLUTION:

18. That Council:

**18.1 Receive and note the attached 2024 Community Satisfaction Survey results;
and**

18.2 Place the 2024 Survey Report on Council's website for public viewing.

Moved: Cr Des Hudson
Seconded: Cr Tracey Hargreaves

CARRIED
(R91/24)

8.10. OUTDOOR TRADING GUIDELINES

Division: Economy and Experience
Director: Martin Darcy
Author/Position: Amelia Ryan – Economic Development Officer

PURPOSE

1. To recommend Council revoke the existing Outdoor Dining and Trading Policy, adopted in 2017, and note the new Outdoor Trading Guidelines.

RESOLUTION:

10. That Council:
 - 10.1 Revoke the existing City of Ballarat Outdoor Dining and Trading Policy.
 - 10.2 Note the attached City of Ballarat Outdoor Trading Guidelines.

Moved: Cr Daniel Moloney
Seconded: Cr Samantha McIntosh

CARRIED
(R92/24)

8.11. FAIR ACCESS POLICY

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Breanna Doody – Coordinator Health & Social Planning

PURPOSE

1. The purpose of this report is to:
 - a. Summarise the outcomes of community engagement and Gender Impact Assessment.
 - b. Present Council with the proposed Fair Access Policy for adoption.

RESOLUTION:

14. That Council:

14.1 Adopt the Fair Access Policy attached to this report.

Moved: Cr Belinda Coates
Seconded: Cr Daniel Moloney

CARRIED
(R93/24)

8.12. AIRPORT RUNWAY - ROAD DISCONTINUANCE OF AIRPORT ROAD

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Phillip Barnett – Project Manager

PURPOSE

1. The purpose of this report is to seek Council approval to commence the statutory process in accordance with clause 3 of schedule 10 of the *Local Government Act 1989* to discontinue a portion of Airport Road.

RESOLUTION:

9. **That Council:**
 - 9.1 **Support the discontinuance of a portion of Airport Road (identified in black on the plan in this report).**
 - 9.2 **Authorise the Chief Executive Officer to commence the appropriate statutory process conferred by clause 3 of schedule 10 of the *Local Government Act 1989* to discontinue the identified portion of Airport Road.**

Moved: Cr Samantha McIntosh
Seconded: Cr Ben Taylor

CARRIED
(R94/24)

8.13. VINTAGE AND CLASSIC CAR CLUB ROAD DISCONTINUANCE PROPOSAL

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Nick Venville – Property Coordinator

PURPOSE

1. The purpose of this briefing is for Council to consider the road discontinuance proposal by the Vintage and Classic Car Club for the government road depicted below in yellow (portion of Gladstone Street, Golden Point).



RESOLUTION:

8. That Council:
 - 8.1 Commence the statutory process conferred by clause 3 of schedule 10 of the *Local Government Act 1989* to discontinue a portion of unused government road identified in yellow on the plan in this report.

Moved: Cr Peter Eddy
Seconded: Cr Mark Harris

CARRIED
(R95/24)

8.14. BROWN HILL COMMUNITY ASSET COMMITTEE MEMBERS

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Natalie Grero – Community Development Officer

PURPOSE

1. This report seeks Council support to ratify the revised membership of the Brown Hill Hall Community Asset Committee.
2. The elected membership of Brown Hill Hall Community Asset Committee has altered since previously being endorsed.

RESOLUTION:

7. That Council:

7.1 Endorse the revised membership of the Brown Hill Hall Community Asset Committee with the addition of John Morris and David Eden:

- Dianne Eden
- Merrilyn Harlock
- Reg Eden
- Kevin Norman
- Karen Norman
- Miles Hingston
- John Morris
- David Eden

Moved: Cr Peter Eddy
Seconded: Cr Belinda Coates

CARRIED
(R96/24)

8.15. CONTRACTS APPROVAL DELEGATED COMMITTEE MINUTES

Division: Corporate Services
Director: John Hausler
Author/Position: Lorraine Sendall – Executive Assistant Director Corporate Services

PURPOSE

1. The purpose of this report is to provide Council with minutes of Council's Contracts Approval Delegated Committee in accordance with the adopted Terms of Reference. This report provides minutes of the meetings held on 27 March 2024, 24 April 2024 and 8 May 2024 and provides a summary of information in relation to these minutes.

RESOLUTION:

4. **That Council:**
 - 4.1 **Note, in accordance with section 66 of the *Local Government Act 2020*, that the material contained in the Contracts Approval Delegated Committee agendas has been designated confidential.**
 - 4.2 **Receive the Contracts Approval Delegated Committee minutes of the meetings held on 27 March 2024, 24 April 2024 and 8 May 2024.**

Moved: Cr Mark Harris
Seconded: Cr Ben Taylor

CARRIED
(R97/24)

8.16. CITY PARTNERSHIP DELEGATED COMMITTEE MINUTES

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Nicky Davidge – Coordinator Community Development

PURPOSE

1. To present to Council the minutes from the City Partnerships Delegated Committee meeting held on 8 May 2024.

RESOLUTION:

6. That Council:
 - 6.1 Note, in accordance with section 66 of the *Local Government Act 2020*, that the material contained in the City Partnerships Delegated Committee agenda has been designated confidential.
 - 6.2 Receive the minutes from the City Partnerships Delegated Committee meetings held on 8 May 2024.

Moved: Cr Tracey Hargreaves
Seconded: Cr Peter Eddy

CARRIED
(R98/24)

8.17. OUTSTANDING QUESTION TIME ITEMS

Division: Corporate Services
Director: John Hausler
Author/Position: Stephen Wright – Administration Assistant Compliance

PURPOSE

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

RESOLUTION:

4. That Council:
 - 4.1 Endorse the Outstanding Question Time Report.

Moved: Cr Daniel Moloney
Seconded: Cr Peter Eddy

CARRIED
(R99/24)

9. NOTICE OF MOTION

Nil

10. REPORTS FROM COMMITTEES/COUNCILLORS

GB27/24 Cr Samantha McIntosh

Cr Samantha McIntosh requested a future Briefing from officers on the possibility of creating an overarching plan for the visual and performing arts. She is cognisant of the time that this might take to prepare but would just like to get an idea of the process and what Council might need to be planning.

Cr Des Hudson, Mayor, suggested that this would be part of the next term's Council Plan, but in the meantime, it could be discussed at an Economy and Experience Portfolio meeting.

GB28/24 Cr Samantha McIntosh

Cr McIntosh mentioned the masses of temporary fencing around sites where houses were demolished in Leawarra Crescent area in Delacombe. She is concerned about the long time that the sites have been like this when there is a such a need for houses to be built there. She said that it is worth noting that this is of concern and asked that the Mayor raise it with the local state MPs when he next meets with them.

Cr Hudson agreed and said that it is on the list of issues to be raised.

GB29/24 Cr Samantha McIntosh

Cr McIntosh said that there has been significant conversation around community involvement in Heritage Gaps Review. She mentioned the example discussed in the Heritage Advisory Committee that involved the demolition of a house in the White Flat oval area where some local community representatives approached Council and described heritage in the house such as wallpaper that Council was not aware of. Cr McIntosh recognised that the Heritage Gaps Review is years in the making and has the challenge of missing really important parts like this. There is a will from the community to share the information that they have, but there are not enough Council officers in that space to deal with that work any quicker than what they are doing. However, it may have been a couple of Council officers and a couple of community representatives that mentioned calling community in to provide information that might help with the Heritage Gaps Review so that the pressure is not so enormous on just a few Council officers. Then Council is also engaging the community and asking them for help. There will be much information out there that Council is not aware of and can't be gathered all at once. Cr McIntosh wanted to, through the Council chamber, make sure that it is noted. There is a will from the Heritage Advisory Committee members and others in the community to help with the Heritage Gaps Review process and a forum may be the way forward.

Natalie Robertson, Director Development and Growth, responded that this discussion is minuted in the Heritage Advisory Committee. Officers are looking at facilitating a forum where members of the community can come and share documentation, stories, or whatever they like. Hopefully reaching out to that community will broaden the community that will provide input as well. It is in the process of being planned and there is a sense of urgency.

11. URGENT BUSINESS

Nil

12. SECTION 66 (IN CAMERA)

RESOLUTION:

That Council resolve, pursuant to section 66 of the *Local Government Act 2020*, that the meeting be closed to members of the public at 10:30 pm whilst the Council is dealing with the following matters:

Moved: Cr Mark Harris
Seconded: Cr Amy Johnson

CARRIED
(R100/24)

8.15 CONTRACTS APPROVAL DELEGATED COMMITTEE

Division: Corporate Services
Director: John Hausler
Author/Position: Lorraine Sendall – Executive Assistant, Director Corporate Services

(Confidential attachments to report in Council Agenda.)

Pursuant to sub rule 3.13.2 of the Governance Rules the information contained within this document is designated as confidential information for the purposes of the Local Government Act 2020 (the Act). That is “confidential information” that in accordance with section 3 of the Act, is:

- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

12.1 ROAD ACQUISITION PROPOSAL 1

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Nick Venville – Property Coordinator

(Confidential Report)

Pursuant to sub rule 3.13.2 of the Governance Rules the information contained within this document is designated as confidential information for the purposes of the *Local Government Act 2020* (the Act). That is “confidential information” that in accordance with section 3 of the Act, is:

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 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

12.2 ROAD ACQUISITION PROPOSAL 2

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Nick Venville – Property Coordinator

(Confidential Report)

Pursuant to sub rule 3.13.2 of the Governance Rules the information contained within this document is designated as confidential information for the purposes of the *Local Government Act 2020* (the Act). That is “confidential information” that in accordance with section 3 of the Act, is:

- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

RESOLUTION:

That Council move out of closed Council at 10:33 pm and adopt the resolutions made therein.

Moved: Cr Mark Harris
Seconded: Cr Ben Taylor

CARRIED
(R103/24)

