

## Her Majesty's Theatre Board

Section 66 Delegated Committee

### Minutes

<b>DATE:</b>	Tuesday 4 <sup>th</sup> June 2024	<b>TIME:</b>	5.30pm
<b>LOCATION:</b>	Civic Hall Upper Foyer		
<b>ACTING CHAIR:</b>	Cr. Samantha McIntosh		
<b>MINUTE TAKER:</b>	Scott Sherritt		
<b>PRESENT:</b>	<p><u>Board:</u> Cr. Daniel Moloney, Cr. Samantha McIntosh, Stephen Bigarelli, Peter Zala, Virginia Wise, Andrea Brown, Kerry Watson AM.</p> <p><u>Staff:</u> Kristy Witmitz (Theatre Manager), Megan Zanker (Acting Venue Business Development Coordinator), Scott Sherritt (Minutes), Jeff Johnson (Executive Manager Arts and Events, City of Ballarat).</p> <p><u>Other:</u> Stephanie Munro,</p>		

#### APOLOGIES:

Tim Gay, Bridget Aitchison, Ron Harrington, Coady Green.

#### DISCLOSURE OF CONFLICTS OF INTEREST:

##### Direct Interests.

##### Indirect Interests.

Royal South Street Society Representatives: Virginia Wise, Andrea Brown, Ron Harrington, and Peter Zala as Royal South Street Society Members (noting removal of references to the RSSS Board to reflect the current role of Peter Zala.)

Cr. Daniel Moloney, Cr. Samantha McIntosh – As Council representatives on the board of Her Majesty's Theatre we have no conflicts of interest under the Local Government Act with the business of Council and therefore are exempt from conflicts, as confirmed by the City of Ballarat Governance Unit

#### CONFIRMATION OF MEETING MINUTES:

The Committee resolves to accept the minutes of the meeting of Tuesday 2<sup>nd</sup> April 2024.

**Moved:** Stephen Bigarelli

**Seconded:** Kerry Watson AM

**CARRIED**

#### MATTERS/ACTIONS ARISING FROM THE MINUTES:

- Nil

**CORRESPONDENCE IN:**

- Nil

**CORRESPONDENCE OUT:**

- Nil

<b>REPORTS</b>	
1. User Group Representative Report	<ul style="list-style-type: none"> <li>• Report provided as Appendix 1 to the Agenda.</li> <li>• Item raised about the Theatre Organ is addressed under General Business.</li> <li>• Additionally it was noted that Kinky Boots will be Lyric's production for early 2025.</li> </ul>
2. HMT Board Chair's Report	<ul style="list-style-type: none"> <li>• Cr. Moloney provided a verbal report noting there had been no updates to Councillors so nothing to report on at this time.</li> </ul>
3. HMT Theatre Manager's Report	<ul style="list-style-type: none"> <li>• A report was provided as Appendix 3 to the Agenda.</li> <li>• Acting Chair noted receiving positive community feedback in relation to the Theatre Manager's leadership. The challenges for Her Majesty's not being accessible and economic / tourism impacts for businesses and user groups are widely recognised in the community. Confidence was also expressed in the HMT team from the community.</li> <li>• The Cultural Venues Review presented to Council some time ago was a catalyst for much of this positive feedback.</li> <li>• Kristy expressed confidence in the HMT team and observed they are contributing positively along the change journey.</li> <li>• Key items from the Theatre Manager's report are; representatives from Studio Round are in attendance tonight for the discussion brand identity and Jade Lillie has been appointed as the Cultural Venues Consultant. Jade is based in Daylesford so can bring a local perspective but also has experience on a national scale.</li> <li>• The Council Budget for the next financial year includes a Venue Management System which will provide efficiencies and client engagement. The Acting Chair praised the layout and content of the Theatre Manager's report.</li> <li>• Queries were put about the planned re-launch for 2025 – in fact there will be three events;             <ol style="list-style-type: none"> <li>1) One to acknowledge the contribution of the current Council prior to the election,</li> <li>2) A formal re-opening event, and</li> <li>3) A separate 150<sup>th</sup> Anniversary event.</li> </ol> </li> </ul>

	<ul style="list-style-type: none"> <li>• The first event is being proposed for the second week of September (8<sup>th</sup> – 13<sup>th</sup> September 2024) but dependent upon availability of the Minister for Regional Development, The Hon. Gayle Tierney MLC.</li> <li>• Cr. Moloney supported planning an event for the period prior to caretaker mode occurring.</li> <li>• Practical completion is tentatively set for 4<sup>th</sup> October 2024 but there is no absolute certainty of meeting that date.</li> <li>• Andrea asked about the possibility of beginning recommissioning the Theatre during the period before practical completion and the ability to perhaps work on site even when it is still a building site. Kristy noted that a lot was still in limbo and any work is subject to access constraints whilst the building contractors have control of the site.</li> <li>• Kerry asked about whether there is a penalty driven contract in place (noting the delays from original planned completion dates) and this was confirmed – however the Project Management Team have agreed to accept extensions due to latent conditions found on the site. Any penalties would arise only through agreement between the parties. Once the building starts being used they can identify any issues identified such as damage. An external theatre consultant has been engaged to audit systems as has someone to advise on recommissioning times and costs. There is a level of overlap and lots to understand about where cables, etc run and systems as the building is re-commissioned.</li> <li>• Peter discussed the previous renovations and asked about numbers of variations to the current contract which are now in the range of 120-130. These have arisen as walls are removed other problems are identified. Council has had to provide an additional \$4.0m to address some of the latent conditions.</li> <li>• It was queried whether any of the delays could have been avoided – it is thought not due to finding new issues. All are comfortable with competency of Nicholson Constructions and there have been robust processes throughout the project including quantity surveyors assessing each element. There is good faith in Nicholsons over their multiple projects in this region over time.</li> <li>• One matter identified was foundational supports of the external fire escape stairs which has been resolved. Materials had to be driven to a specialist tester in Adelaide however.</li> <li>• There was a query about the role of the cultural consultant. The person will be doing a strategy covering all three venues (HMT, Mining Exchange, Civic Hall).</li> </ul>
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	<ul style="list-style-type: none"> <li>• There will be a prescribed engagement process, community workshopping and other methods to be determined with a kick-off meeting on Thursday 6<sup>th</sup> June 2024. The end product will be a four year blueprint for cultural engagement and development. The consultant will engage with the Advisory Board but the project has a wider remit to cover the three venues. It is distinct from the report completed around the operational review of HMT. Work may make recommendations around future management and structure of oversight for the venues.</li> <li>• Kerry suggested looking at what the future management structure would be given the need for management rigour. The Acting Chair suggested there are opportunities to see how better delivery could occur when more data is available. Various models are available about how the asset can be managed. This would be addressed through the consultant's process with no stone unturned.</li> </ul>
4) RSSS Representative Report	<ul style="list-style-type: none"> <li>• Report sent late in the day to Board members – not discussed at meeting.</li> </ul>

**ACCEPTANCE OF REPORTS:**

**The Committee resolves to accept the reports.**

**Moved:** Peter Zala  
**Seconded:** Stephen Bigarelli  
**CARRIED**

**MOVE TO SECTION 66 – in-camera discussion:**

**Motion:** That the meeting move into Section 66 in camera discussion on the basis that the material to be discussed is confidential in nature consistent with the provisions in Section 66(2)(a) of the Local Government Act 2020.

**Moved:** Stephen Bigarelli  
**Seconded:** Andrea Brown  
**CARRIED**

**BUSINESS UNDER SECTION 66**

1. Brand Framework Presentation by Studio Round
2. HMT Trust – Items to address including exterior canopy, furniture, fittings and equipment.
3. HMT Construction Project Update
4. Cultural Venues Strategy Update

**Move out of Section 66 – in camera discussion:**
**Motion:** That the Meeting move out of Section 66 in camera discussion.

**Moved:** Peter Zala

**Seconded:** Stephen Bigarelli

**CARRIED**
**General Business**

 1) Status of Pianos

- The Grand Piano from the library is now at the Civic Hall. An informal assessment is that it is not in good condition with mould related issues. A professional is to come in and assess what needs to be done to it. This piano is owned by HMT.
- There is value in collating pianos owned by the Theatre / municipality and knowing what is available. This piano was previously located in the Reception Room at the Town Hall and used for civic receptions.
- A full report on all instruments held is needed as many are not up to concert standards. Additionally a policy on the use and retention of instruments needs to be considered.
- There was a motion put to collate the background on what pianos are held by HMT, what we commit to what their condition is and how to protect them into the future, to ensure young people can participate in civic receptions and similar events. As several business units of Council are involved in this it was agreed that Jeff would go back and discuss the questions with the relevant business units.
- The location of the Belhausen Organ is not known.

 2) Comments from Ballarat Organ Society

- The User Group Report noted concerns from the Society about the Theatre organ after a prolonged period of disuse. As an update the Project Team have now met with the Society and looked at a path forward on how to service the organ. Pipe Organs Victoria has provided a quote for this and the Society are comfortable with them recommissioning the organ. They will also look at what work is needed so the lag in servicing is addressed.

<b>DATE OF NEXT MEETING:</b>	Tuesday 6th August 2024 at 5.30pm – Civic Hall Upper Foyer
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<b>CLOSE OF MEETING:</b>	7.46pm
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