

1 Step 1: Define the issue and challenge assumptions

The first step in a GIA is to ensure that the issues is understood and defined, and that the assumptions of what is already known are challenged. This step is outlined in Table 1.1 below.

Table 1.1: Summary of GIA Step ‘Define the issues and challenge assumptions

| Step | Description | Guiding questions |
|------|--|---|
| 2 | <ul style="list-style-type: none"> Gendered impacts for use of or access to the project Intersectionality considerations Gendered impacts for project benefits Define scope of GIA | <ul style="list-style-type: none"> Do people of different genders use or access the Project differently? How do their needs vary? What other groups might be affected? What issues or groups are within the scope of the GIA? |

Source: Commission for Gender Equality in the Public Sector 2021.

1.1 Scope of gender impact assessment

The aim of this GIA is to evaluate strategic options for prioritising footpath construction in the City of Ballarat (Ballarat) based on an evidence-informed understanding of the needs and distribution of potential footpath users across Ballarat.

The following section summarises global evidence for differences in footpath user needs related to gender (including individual characteristics that may intersect with gender). In Part 2, evidence for Ballarat is presented. This data includes:

- A summary of footpath usage patterns, values and perceived values for different user groups
- Comparisons of the Ballarat population to Greater Melbourne to identify any LGA-wide population patterns
- Distributions of different user groups within Ballarat to understand the spatial dimension of need.

Four options are presented for strategic prioritisation of the footpath network. These four options are evaluated qualitatively according to how equitably they prioritise footpaths for construction, considering the distribution of need across Ballarat.

At the conclusion of this report, recommendations are made concerning the preferred option. This assessment is analogous to the evaluation that features in the Footpath Construction Strategy. That is, the Footpath Construction Strategy identifies a preferred prioritisation framework considering gender equity.

1.2 Evidence for gender impacts of footpath construction

Footpath construction is a key service of all local governments. Footpaths provide significant benefits to the community in terms of health, access and inclusion. However, the ability of members of the community to access benefits can be affected by differences in mobility patterns and safety needs among other things. A review of global evidence for differences in potential usage patterns and barriers to footpath use among women, gender diverse people and users whose identifying characteristics may affect the way they travel, is provided below. Four key characteristics of equitable footpath provision emerge:

- Connectivity
- Accessibility & inclusion
- Safety from accidents
- Personal security

Connectivity

Women's travel patterns tend to reflect 'trip-chaining' (a series of short, interconnected trips) which are generally prompted by women's household and caring responsibilities and are characterised by stress, many interchanges and access difficulties (Cahill, et al. 2020, Burns, Oram and Claris 2020, Perez 2019). Paths should maximise convenient and effective movement between destinations to minimise the amount of time and money that women are required to spend on individual, chained trips (Cahill, et al. 2020, Burns, Oram and Claris 2020, Perez 2019).

Women are more likely to travel for unpaid work in addition to paid work (Cahill, et al. 2020, Matthews et al. 2012). Paths should offer clear and convenient connections to the type of destinations women access as they engage in unpaid work, with this investment being broadened beyond radial routes into the city or town centre (Burns, Oram and Claris 2020, Matthews, Carey and Evans 2012, Cahill, et al. 2020).

The last mile of travel is often a significant pain point and often acts as a deterrent from using public transport (Cahill, et al. 2020). Last mile connections to public transport should be improved to provide car-free options for travel to local services and between key destinations (Cahill, et al. 2020).

Accessibility and inclusivity

Women are more likely to fulfil family roles as the primary caregiver, often travelling to drop-off/pick-up children at schools or other locations (Kunieda and Gauthier 2007). Women are more likely to travel for unpaid work including caregiving work and household errands (Cahill, et al. 2020, Matthews et al. 2012). Women are thus more likely to travel with children or carrying goods (Terraza, et al. 2020).

Paths should be designed and built with materials that are easily traversed by a stroller, buggy or wheelchair and should be maintained to prevent cracking or buckling (Terraza, et al. 2020). Paths and surrounding open spaces should feature child-friendly design (Cahill, et al. 2020).

Paths should be wide, clear, accessible, and well-paved enough to allow for the comfortable movement of people who are accompanied by adult dependents or children and people who are performing household errands that involve carrying shopping bags or other goods (Australian Human Rights Commission 2018; Buehler and Pucher 2008; Terraza, et al. 2020; Kunieda and Gauthier 2007).

Any required grade changes should ensure accessibility for cyclists and people pushing prams or buggies. A flared curb ramp is the safest option and should not exceed a slope of 1:12 (Burns, Oram and Claris 2020; Australian Human Rights Commission 2018; Terra, et al. 2020).

Seating and shade should be provided in regular increments along paths and should be coupled with shade to maximise pedestrian comfort. Seating should also have good visibility. (Matthews, Carey and Evans 2012; Terraza, et al. 2020).

Safety from Accidents

Women are generally more perceptive to threats to their own or their dependent's safety and also tend to be more risk averse (Aldred, et al. 2017; Pearson, et al. 2022; AitBhiOuali and Klingen 2022). Therefore, close attention should be paid to minimise potential stress to footpath users by ensuring footpaths are provided in low-speed environments with good separation from traffic (Burns, Oram and Claris 2020; Terraza, et al. 2020; Aldred, et al. 2017; Kuneida and Gauthier 2007).

Personal security

Women and gender diverse people generally go through complex decision-making processes when planning their walking routes, often informed by features of the public realm (Matthews, Carey and Evans 2012, Terraza, et al. 2020). Women often change route choice due to issues of safety and harassment (Burns, Oram and Claris 2020, Matthews, Carey and Evans 2012, Terraza, et al. 2020). Access to a range of different paths should be prioritised and these should be clearly signposted and connected to one another (Burns, Oram and Claris 2020, Matthews, Carey and Evans 2012).

Pedestrian tunnels and underground walkways should be avoided. Where necessary, tunnels should have no corners and people should always be able to see a way out (Burns, Oram and Claris 2020, Matthews, Carey and Evans 2012, Terraza, et al. 2020).

Paths should be provided in areas with active frontages that offer natural/passive surveillance. Art installations can increase feelings of safety (Matthews, Carey and Evans 2012, Terraza, et al. 2020).

Vegetation or infrastructure that obstruct visibility or feelings of safety should be minimised around paths. Routes should be permeable, highly connected and offer a way out (Matthews, Carey and Evans 2012, Terraza, et al. 2020, Cahill, et al. 2020).

Women are less likely than men to report feeling safe while walking in public at night (Matthews, Carey and Evans 2012). Paths should be well-lit, including lighting that is both layered and warm. LED lighting in particular is known to encourage a sense of safety (Burns, Oram and Claris 2020, Cahill, et al. 2020, Matthews, Carey and Evans 2012, Terraza, et al. 2020, Yang 2019).

2 Step 2: Understand Context

The second step of undertaking a Gender Impact Assessment requires an understanding of the project context. This step is outlined in Table 2.1 below.

Table 2.1: Summary of GIA Step ‘Understand context’

| Step | Description | Guiding questions |
|------|---|--|
| 2 | <ul style="list-style-type: none"> Understand project context Review existing evidence Identify additional evidence required and/or collection of additional information | <ul style="list-style-type: none"> What is the purpose of the Project? How does it respond to relevant policy guidance? What information is available to understand the context of the Project and the lived experiences of the diverse groups who are likely to be affected by it? What other information or research is needed to understand the lived experiences of the diverse groups who are likely to be affected by the Project? |

Source: Commission for Gender Equality in the Public Sector 2021

2.1 Population characteristics

Table 2.2 below outlines the data sources that inform population characteristics.

Table 2.2: Data source for population individual characteristics

| Characteristic | Attribute levels | Data table (source: ABS 2021) |
|--|-------------------------------------|---|
| Gender (proxy: binary sex ²) | • Male | G04 - Age by sex |
| | • Female | |
| Age | • 0-17 years old | G04 - Age by sex |
| | • 18-24 years old | |
| | • 25-34 years old | |
| | • 35-44 years old | |
| | • 45-54 years old | |
| | • 55-64 years old | |
| | • 65-74 years old | |
| | • 75-84 years old | |
| | • 85+ years old | |
| Caring status | • Did unpaid domestic work | G24 - Unpaid domestic work: number of hours by age by sex |
| | • Did no unpaid domestic work | |
| | • Unpaid domestic work not stated | |
| | • Provided unpaid assistance | G25 – Unpaid assistance to a person with a disability, health condition or due to old age by age by sex |
| | • No unpaid assistance provided | |
| | • Unpaid assistance not stated | |
| | • Cared for | G26 - Unpaid child care by age by sex |
| | • Did not provide child care | |
| | • Unpaid child care not stated | |
| Disability (proxy: need for assistance) | • Has need for assistance | G18 – Core activity need for assistance by age by sex |
| | • Does not have need for assistance | |
| | • Need for assistance not stated | |

Source: M&PC (2024)

Table 2.3 below compares gender distribution across Greater Melbourne and Ballarat. Ballarat was compared to Greater Melbourne to provide a baseline for which Ballarat's demographic features can be compared against.

² The Australian Census (2021) only collected information about binary sex

Table 2.3: Comparison of Ballarat and Greater Melbourne binary gender identities

| Gender | Greater Melbourne | Ballarat |
|--------------|-------------------|----------|
| Male | 49% | 48% |
| Female | 51% | 52% |
| Total | 100% | 100% |

Source: M&PC (2024) Analysis of ABS 2021

Male and female population is evenly split across Greater Melbourne and Ballarat, with a slightly higher share of females in both regions.

2.1.1 Population age

Table 2.4 compares the age distribution in Greater Melbourne and Ballarat.

Table 2.4: Ballarat and Greater Melbourne population age composition

| Age bracket | Gender | Greater Melbourne | Ballarat |
|--------------|--------|-------------------|----------|
| 0-17 | Male | 11% | 12% |
| | Female | 10% | 11% |
| 18-24 | Male | 5% | 4% |
| | Female | 4% | 4% |
| 25-34 | Male | 8% | 7% |
| | Female | 8% | 7% |
| 35-44 | Male | 7% | 6% |
| | Female | 8% | 7% |
| 45-54 | Male | 6% | 6% |
| | Female | 7% | 6% |
| 55-64 | Male | 5% | 6% |
| | Female | 6% | 6% |
| 65-74 | Male | 4% | 5% |
| | Female | 4% | 6% |
| 75-84 | Male | 2% | 3% |
| | Female | 3% | 3% |
| 85+ | Male | 1% | 1% |
| | Female | 1% | 2% |
| Total | | 100% | 100% |

Source: M&PC (2024) Analysis of ABS 2021

The shares of males and females were largely similar across all age groups. There was no notable differences between the shares of males and females across all age groups between Ballarat and Greater Melbourne other than Ballarat having a slightly higher share of people over 55.

Table 2.5 below represents the ten SALs with the greatest magnitude and share of population in Ballarat under 24 years of age.

Table 2.5: Top 10 SALs by magnitude and share of population under 24 years of age

| Rank | Top 10 by segment population | | Top 10 by share (%) | |
|------|------------------------------|------|---------------------|-----|
| | SAL name | Pop. | SAL name | % |
| 1 | Alfredton | 4403 | Cardigan Village | 47% |
| 2 | Wendouree | 3098 | Bunkers Hill | 40% |
| 3 | Sebastopol (Vic) | 2984 | Cardigan | 40% |
| 4 | Delacombe | 1661 | Scotsburn | 39% |
| 5 | Ballarat East | 1518 | Winter Valley | 39% |
| 6 | Ballarat Central | 1437 | Lucas | 39% |
| 7 | Miners Rest | 1420 | Bonshaw (Vic) | 38% |
| 8 | Brown Hill (Vic) | 1380 | Mount Helen | 37% |
| 9 | Winter Valley | 1337 | Alfredton | 37% |
| 10 | Mount Clear | 1219 | Miners Rest | 37% |

Source: M&PC (2024) Analysis of ABS 2021

The SALs with greatest magnitude of population under 24 years of age are largely found along the western suburbs of Ballarat. The SALs with the greatest share of population under 24 years of age are generally located in Ballarat's newer estates, or in smaller townships.

Table 2.6 lists the ten SALs with the greatest magnitude and share of population in Ballarat over 65 years of age.

Table 2.6: Top 10 SALs by magnitude and share of population over 65 years of age

| Rank | Top 10 by segment population | | Top 10 by share (%) | |
|------|------------------------------|------|---------------------|-----|
| | SAL name | Pop. | SAL name | % |
| 1 | Wendouree | 2557 | Addington | 41% |
| 2 | Sebastopol | 2205 | Burrumbeet | 33% |
| 3 | Alfredton | 1667 | Lake Wendouree | 32% |
| 4 | Ballarat East | 1517 | Mount Rowan | 31% |
| 5 | Delacombe | 1165 | Lake Gardens | 29% |
| 6 | Ballarat Central | 1017 | Mount Bolton | 27% |
| 7 | Ballarat North | 938 | Invermay Park | 26% |
| 8 | Lake Wendouree | 932 | Scotchmans Lead | 26% |
| 9 | Buninyong | 803 | Ballarat East | 26% |
| 10 | Canadian | 801 | Wendouree | 25% |

Source: M&PC (2024) Analysis of ABS 2021

SALs with the greatest population over 65 years of age by magnitude are generally situated more centrally. There is an even distribution of both categories across suburban and regional Ballarat. The SALs with the greatest population over 65 years of age by share of population are spread throughout the municipality, including inner suburban areas and regional towns such as Burrumbeet.

2.1.2 Population identifying as carers

Caring activities influence the nature, frequency, location and needs that individuals have of transportation and access. Ines Sanches de Madariaga defines mobilities of care to include travel that is in service of another, such as accompanying a dependent to an activity or undertaking an errand, including shopping, on behalf of another (UN Habitat, 2024). The Census collects information on three activities related to the definition of mobilities of care:

- Unpaid domestic work

- Unpaid assistance
- Unpaid childcare

Table 2.7 compares Ballarat and Greater Melbourne's share of populations with unpaid caring or domestic duties.

Table 2.7: Ballarat and Greater Melbourne share of population with unpaid caring or domestic duties

| Caring Status | | Gender | Greater Melbourne | Ballarat |
|----------------------|------------|--------|-------------------|----------|
| Unpaid Domestic work | Did | Male | 31% | 32% |
| | | Female | 36% | 39% |
| | Did Not | Male | 15% | 13% |
| | | Female | 13% | 11% |
| | Not Stated | Male | 3% | 3% |
| | | Female | 3% | 3% |
| Unpaid Assistance | Did | Male | 5% | 5% |
| | | Female | 8% | 9% |
| | Did Not | Male | 41% | 39% |
| | | Female | 41% | 41% |
| | Not Stated | Male | 3% | 3% |
| | | Female | 3% | 3% |
| Unpaid Childcare | Did | Male | 11% | 12% |
| | | Female | 15% | 16% |
| | Did Not | Male | 35% | 33% |
| | | Female | 34% | 34% |
| | Not Stated | Male | 3% | 3% |
| | | Female | 3% | 3% |

Source: M&PC (2024) Analysis of ABS 2021

There is a slightly higher share of women doing caring work across the three categories, in both Ballarat and Greater Melbourne, with similar differences in shares across both regions. Unpaid domestic work was found to be the category with the greatest difference in shares of men and women, with a 7% difference in Ballarat and 5% in Greater Melbourne.

Table 2.8 outlines the ten SALs with greatest average and share of population in Ballarat with unpaid caring or domestic duties.

Table 2.8 - Top 10 SALs by average³ and share of population with unpaid caring or domestic duties

| Rank | Top 10 by segment population | | Top 10 by share (%) | |
|------|------------------------------|---------|-------------------------|-----|
| | SAL name | Ave Pop | SAL name | % |
| 1 | Alfredton | 3699 | Weatherboard | 45% |
| 2 | Sebastopol | 2811 | Mount Bolton | 44% |
| 3 | Wendouree | 2772 | Tourello | 39% |
| 4 | Ballarat East | 1737 | Magpie | 36% |
| 5 | Ballarat Central | 1639 | Bald Hills | 36% |
| 6 | Delacombe | 1563 | Blowhard | 36% |
| 7 | Brown Hill | 1448 | Sulky | 36% |
| 8 | Buninyong | 1303 | Ascot (Ballarat - Vic.) | 35% |
| 9 | Miners Rest | 1239 | Durham Lead | 35% |
| 10 | Ballarat North | 1237 | Learmonth | 35% |

Source: M&PC (2024) Analysis of ABS 2021

The SALs with the greatest share of population with unpaid caring or domestic duties are generally found in the regional townships of Ballarat and predominantly within the north. Many of the SALs with the greatest magnitude of population with unpaid caring or domestic duties are also found within the inner areas.

2.1.3 Population identifying as needing assistance

When services and the physical environment do not cater to differences in physical or cognitive functions, individuals may be excluded from participating in activities⁴. Data from the census on individuals identifying as needing assistance was examined to understand the distribution of the population who may be excluded from using the footpath network on account of impaired physical or mental cognition. Table 2.9 compares the Greater Melbourne and Ballarat population share identifying as needing assistance.

Table 2.9: Comparison of Ballarat and Greater Melbourne share of population identifying as needing assistance

| Need for assistance | Gender | Greater Melbourne | Ballarat |
|---------------------|--------|-------------------|----------|
| Yes | Male | 2% | 3% |
| | Female | 3% | 4% |
| No | Male | 44% | 42% |
| | Female | 45% | 45% |

Source: M&PC (2024) Analysis of ABS 2021

There were no significant differences among the shares of men and women needing assistance. There were no significant differences among the shares of people needing assistance across Greater Melbourne and Ballarat. Table 2.10 outlines the ten SALs with the greatest magnitude and share of population in Ballarat with need for assistance.

³ Three separate activities were considered relevant for mobilities of care. To avoid double counting, the average population identifying as participating in each was used as the input to rank SALs by caring population.

⁴ Lee, M. 2023. *Lifeboat: Disability, Humanity and the NDIS; Quarterly Essay 91.*

Table 2.10 - Top 10 SALs by magnitude and share of population identifying as needing assistance

| Rank | Top 10 by segment population | | Top 10 by share (%) | |
|------|------------------------------|------|---------------------|-----|
| | SAL name | Pop. | SAL name | % |
| 1 | Sebastopol | 812 | Mount Pleasant | 18% |
| 2 | Wendouree | 683 | Lake Wendouree | 12% |
| 3 | Alfredton | 639 | Mitchell Park | 11% |
| 4 | Ballarat East | 495 | Invermay | 11% |
| 5 | Mount Pleasant | 393 | Mount Helen | 10% |
| 6 | Winter Valley | 347 | Winter Valley | 10% |
| 7 | Lake Wendouree | 346 | Scotsburn | 10% |
| 8 | Ballarat North | 330 | Warrenheip | 8% |
| 9 | Mount Helen | 306 | Ballarat East | 8% |
| 10 | Mount Clear | 304 | Mount Clear | 8% |

Source: M&PC (2024) Analysis of ABS 2021

Population identifying as needing assistance categorised by both, magnitude and share, are largely spread along the outskirts of Ballarat, with the SALs categorised by share being slightly more outer than the SALs categorised by magnitude.

2.1.4 Car ownership

Table 2.11 represents the ten SALs with the greatest magnitude and share of households in Ballarat without cars.

Table 2.11 - Top 10 SALs by magnitude and share of households with zero cars

| Rank | Top 10 by segment population | | Top 10 by share (%) | |
|------|--------------------------------|------|--------------------------------|-----|
| | SAL name | Pop. | SAL name | % |
| 1 | Wendouree | 465 | Redan | 11% |
| 2 | Sebastopol | 391 | Wendouree | 10% |
| 3 | Ballarat Central | 215 | Eureka | 10% |
| 4 | Ballarat East | 206 | Golden Point (Ballarat - Vic.) | 10% |
| 5 | Redan | 155 | Ballarat Central | 9% |
| 6 | Ballarat North | 154 | Sebastopol | 9% |
| 7 | Alfredton | 131 | Ballarat North | 9% |
| 8 | Soldiers Hill | 104 | Soldiers Hill | 8% |
| 9 | Golden Point (Ballarat - Vic.) | 98 | Ballarat East | 8% |
| 10 | Delacombe | 95 | Mount Pleasant | 7% |

Source: M&PC (2024) Analysis of ABS 2021

The SALs with the greatest magnitude and share of households with zero cars were located more centrally than the spread of SALs across other categories, generally not outside of suburban Ballarat.

2.1.5 Socioeconomic disadvantage

Table 2.12 below outlines the IRSD scores of the ten lowest scoring SALs in Ballarat.

Table 2.12 - SALs scoring lowest against Index of Socioeconomic Disadvantage (IRSD)

| Rank (ascending scores) | SAL name | IRSD |
|----------------------------|-----------|------|
| 1 | Wendouree | 856 |

| Rank (ascending scores) | SAL name | IRSD |
|----------------------------|----------------|------|
| 2 | Sebastopol | 877 |
| 3 | Redan | 900 |
| 4 | Mitchell Park | 930 |
| 5 | Delacombe | 930 |
| 6 | Eureka | 941 |
| 7 | Mount Pleasant | 942 |
| 8 | Ballarat East | 944 |
| 9 | Golden Point | 976 |
| 10 | Burrumbeet | 979 |

Source: M&PC (2024) Analysis of ABS 2021

2.2 User needs

To inform this assessment, an understanding of the needs and barriers of footpath use for specific user segments is needed. Evidence was collected through surveys of the residents of the City of Ballarat. Specific demographic questions were asked in order to identify if the respondents were a part of the identified user segments.

Questions in this survey asked about:

- Ways to move
- Use of footpaths
- Places accessed by footpaths
- Values and priorities for use of footpaths
- Barriers to footpath use.

264 responses to the survey were received between 5 February 2024 to 3 March 2024.

Table 2.13 below outlines the average common responses to the survey. Findings from population segments which were above the average from all survey responses are also listed in this table to highlight the unique needs and responses from each segment.

Table 2.13: Survey responses from all responses and population segments

| | All respondents (top responses) | Over 65s | Carers | Need assistance | Youth |
|-----------------------|---|---|---|--|---|
| Access and use | <ul style="list-style-type: none"> Exercise Leisure, nature Transport Shops and produce Nature, parks and open space | <p>More than average:</p> <ul style="list-style-type: none"> Health services Places to play, meet, and gather | <p>More than average:</p> <ul style="list-style-type: none"> Schools Childcare centres Games/ play | <p>More than average:</p> <ul style="list-style-type: none"> Health services Community hubs No specific destination | <p>More than average:</p> <ul style="list-style-type: none"> Transport Access public transport Sport and recreation facilities Places to work and study |
| Value | <ul style="list-style-type: none"> Available In good condition Safe | <p>More than average:</p> <ul style="list-style-type: none"> Cater to a variety of physical mobility requirements | <p>Aligned with average</p> | <p>More than average:</p> <ul style="list-style-type: none"> Cater to a variety of physical mobility requirement | <p>More than average:</p> <ul style="list-style-type: none"> Sealed footpaths |
| Ways to travel | <ul style="list-style-type: none"> Walking Running Bicycle | <p>More than average:</p> <ul style="list-style-type: none"> Walking aid Assisting someone in a wheelchair | <p>More than average:</p> <ul style="list-style-type: none"> Pushing a pram Bicycle (manual) | <p>More than average:</p> <ul style="list-style-type: none"> Walking aid Wheelchair Assisting someone in a wheelchair | <p>More than average:</p> <ul style="list-style-type: none"> Bicycle (manual) Scooter (manual) Rollerskates Skateboards |
| Barriers | <ul style="list-style-type: none"> Lack of connectivity to key destinations such as schools Poor condition of paths Narrow width | <ul style="list-style-type: none"> Poor condition restricts use due to reduced mobility | <ul style="list-style-type: none"> Lack of connectivity and related infrastructure (pram ramps) | <ul style="list-style-type: none"> Poor condition Lack of connectivity | <ul style="list-style-type: none"> Lack of connectivity to key destinations (recreation, open space, schools) Unsealed paths restrict alternate micro-mobility |

Source: M&PC (2024)

These findings show that while the Ballarat community value different things about footpaths, the need for them to be available, connected to where they want to go, and safe to move on were found across all segments.

Population segments appear to be more likely to use footpaths to access key destinations, rather than just for leisure and recreation. Therefore, footpaths being available to access these key destinations is vital for these segments of the community.

Inclusivity of the design of the footpath network is critical for some users. Ensuring the network is surfaced and of a good quality allows people with increased mobility needs or who use additional devices, such as walking aids, prams, or skateboards, to also use the footpath network. Designing the network for these users will ensure that everyone of all mobility levels can use the footpath.

Safety was another important feature for all population segments. Lack of footpath provision can force pedestrians to walk on the nature strip. Some users are physically unable to walk on the nature strip (such as those with physical impairments or people with prams), or the nature strip can often be damp, leading to an uncomfortable walking experience. This then forces pedestrians to walk on the side of the road, significantly impacting safety, and increasing the chance of a crash between a pedestrian and driver.

Personal security was not commonly recorded as one of the top features of the footpath network that users value. This may be due to a perceived lack of impact that footpath design can have on personal security. However, this may also be due to some users not considering personal security, as they have already changed their behaviour to avoid travelling when or where they feel their security is threatened. Therefore, it is important to always consider how the design and provision of footpaths impact personal security.

This data and analysis does have some limitations. 264 responses were provided to this survey, with each population segment a portion of those 264 responses. This is not a representative sample of Ballarat and cannot be used as a primary decision-making tool. This data has been used as one input to a framework to inform the Footpath Construction Strategy. To complement this, a detailed demographic analysis of Ballarat has also been undertaken. However, this analysis also has limitations, due to the transient nature of these demographics.

2.3 Spatial distribution of need

A combined index of footpath need was developed for suburbs and localities, to understand the distribution of users with different needs throughout Ballarat. The index is defined using the equation below.

$$Suburb\ and\ Locality\ Footpath\ Need\ Index = \frac{\sum \widehat{Tot} + Share}{10} + \frac{Rank_{RSD}}{62} (1 - \%FP)$$

Where:

- The expression $\sum \widehat{Tot} + Share$ represents the sum of the normalised total plus the share of the population within each SAL identifying as a person in each of the five user categories outlined in

- Table 2.5 to Table 2.12 above.
- $Rank_{IRSD}$ is the rank of each SAL when ordered from highest IRSD score to lowest (greatest disadvantage), with a higher rank signifying greater disadvantage.
- %FP is the proportion of traversable roads within the SAL that have an adjacent footpath

Table 2.14 provides a ranked summary of suburb and locality footpath need index in order of highest to lowest need.

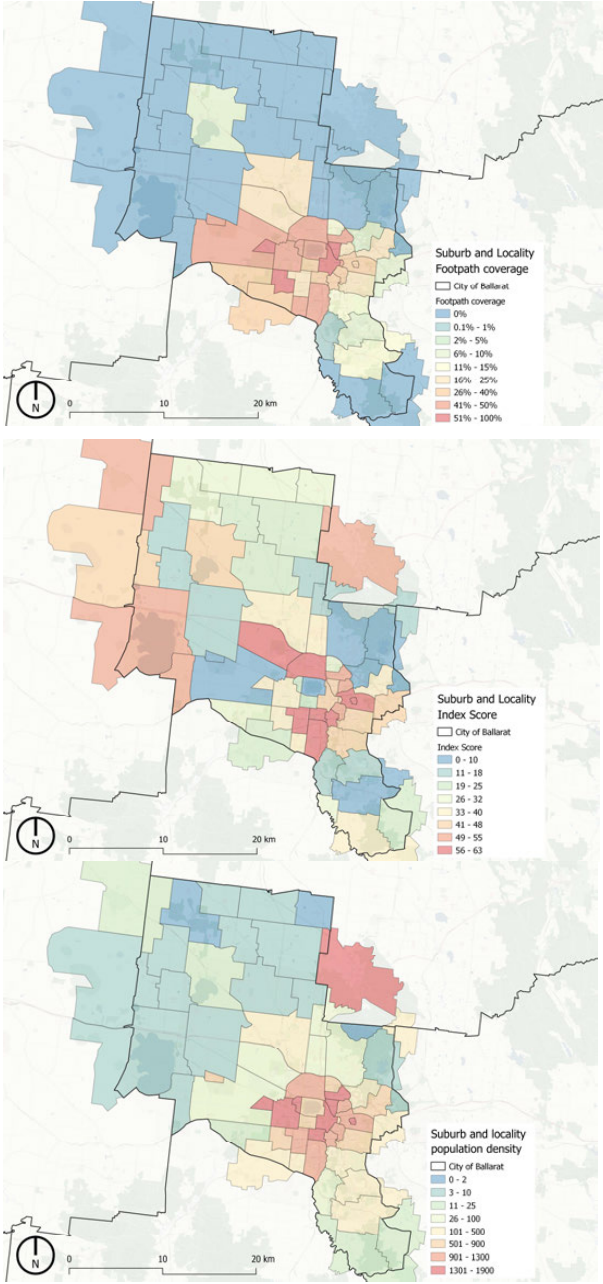
Table 2.14: Ranked Suburb and locality footpath need index (highest to lowest)

| Rank | Suburb Name | Index Score | Population density (p/sqkm) | Footpath Coverage (approx.) |
|------|--------------------------------|-------------|-----------------------------|-----------------------------|
| 1 | Wendouree | 63.0 | 1091.3 | 50% |
| 2 | Sebastopol | 62.0 | 1196.2 | 47% |
| 3 | Redan | 60.8 | 1364.6 | 38% |
| 4 | Mitchell Park | 60.0 | 44.8 | 17% |
| 5 | Delacombe | 59.1 | 1017.3 | 20% |
| 6 | Eureka | 57.8 | 1491.7 | 33% |
| 7 | Mount Pleasant | 56.9 | 1091.8 | 28% |
| 8 | Ballarat East | 56.0 | 991.8 | 32% |
| 9 | Golden Point (Ballarat - Vic.) | 52.8 | 1196.9 | 32% |
| 10 | Burrumbeet | 52.1 | 4.6 | 0% |
| 11 | Bo Peep | 51.0 | 2.4 | 0% |
| 12 | Black Hill | 49.9 | 1209.0 | 23% |
| 13 | Ballarat North | 48.9 | 1519.3 | 41% |
| 14 | Mount Clear | 48.1 | 361.5 | 12% |
| 15 | Canadian | 47.1 | 525.3 | 17% |
| 16 | Bakery Hill | 45.6 | 745.3 | 46% |
| 17 | Ercildoune | 45.1 | 8.3 | 0% |
| 18 | Warrenheip | 44.0 | 103.3 | 8% |
| 19 | Ballarat Central | 42.7 | 1422.6 | 55% |
| 20 | Learmonth | 42.0 | 11.4 | 10% |
| 21 | Soldiers Hill | 40.5 | 1832.0 | 66% |
| 22 | Alfredton | 40.0 | 1476.4 | 46% |
| 23 | Bonshaw | 38.6 | 294.1 | 46% |
| 24 | Winter Valley | 37.6 | 700.7 | 53% |
| 25 | Lucas | 36.6 | 1304.9 | 59% |
| 26 | Brown Hill | 36.0 | 605.4 | 23% |
| 27 | Mount Rowan | 35.1 | 34.2 | 0% |
| 28 | Durham Lead | 34.1 | 21.5 | 0% |
| 29 | Miners Rest | 32.9 | 127.4 | 24% |
| 30 | Invermay Park | 32.0 | 673.8 | 13% |
| 31 | Scotchmans Lead | 31.1 | 24.9 | 0% |
| 32 | Bunkers Hill | 29.8 | 21.7 | 28% |
| 33 | Tourello | 29.1 | 2.5 | 0% |
| 34 | Mount Bolton | 28.1 | 1.0 | 0% |
| 35 | Glendonald | 27.0 | 0.4 | 0% |

| Rank | Suburb Name | Index Score | Population density (p/sqkm) | Footpath Coverage (approx.) |
|------|-------------------------|-------------|-----------------------------|-----------------------------|
| 36 | Glendaruel | 26.1 | 3.5 | 0% |
| 37 | Coghills Creek | 25.1 | 4.7 | 0% |
| 38 | Ascot (Ballarat - Vic.) | 24.1 | 2.6 | 0% |
| 39 | Lake Gardens | 22.7 | 1501.9 | 42% |
| 40 | Newington | 21.9 | 770.3 | 30% |
| 41 | Scotsburn | 21.1 | 18.8 | 0% |
| 42 | Smythes Creek | 19.8 | 209.9 | 36% |
| 43 | Blowhard | 19.1 | 2.9 | 0% |
| 44 | Wattle Flat | 18.1 | 118.8 | 0% |
| 45 | Sulky | 17.1 | 45.1 | 0% |
| 46 | Bald Hills | 16.1 | 10.0 | 0% |
| 47 | Windermere | 15.1 | 2.2 | 0% |
| 48 | Addington | 13.1 | 3.7 | 0% |
| 49 | Weatherboard | 13.1 | 3.4 | 100% |
| 50 | Mount Helen | 12.1 | 244.2 | 7% |
| 51 | Magpie | 11.1 | 37.1 | 0% |
| 52 | Lake Wendouree | 9.8 | 631.0 | 49% |
| 53 | Buninyong | 9.1 | 189.3 | 10% |
| 54 | Cardigan Village | 7.6 | 552.2 | 47% |
| 55 | Cardigan | 6.7 | 26.1 | 43% |
| 56 | Nerrina | 6.0 | 143.2 | 9% |
| 57 | Invermay | 5.1 | 40.2 | 0% |
| 58 | Gong Gong | 4.0 | 2.6 | 0% |
| 59 | Glen Park | 3.1 | 6.7 | 0% |
| 60 | Chapel Flat | - | No recorded population | 0% |

There is no strong relationship between footpath coverage and the spatial distribution of the footpath index of need. It is clear from the ranked table that population density alone is not a sufficient indicator of demand or need for footpaths: some of the suburbs with the greatest footpath need have low densities. The suburbs with low densities generally have less coverage than high population density areas. The figure below illustrates the variation in scores for needs index, population density and footpath coverage.

Figure 2-1: Spatial distribution of footpath coverage, population density and index of need



Source: M&PC (2024)

3 Step 3: Options Analysis

This Strategy considered four possible sets of criteria that could be used to prioritise footpath construction. These are referred to as options. These options are assessed in line with the guidance set out in Table 3.1 below.

Table 3.1: Summary of GIA Step ‘Options analysis’

| Step | Description | Guiding questions | Evidence |
|------|---|---|----------|
| 3 | <ul style="list-style-type: none"> Develop or describe proposed policy options Undertake options analysis to consider the gendered benefits, costs and overall gendered impact of the options | <ul style="list-style-type: none"> How well does each option meet the needs of different users? Which option distributes benefits most equitably among different population groups? | |

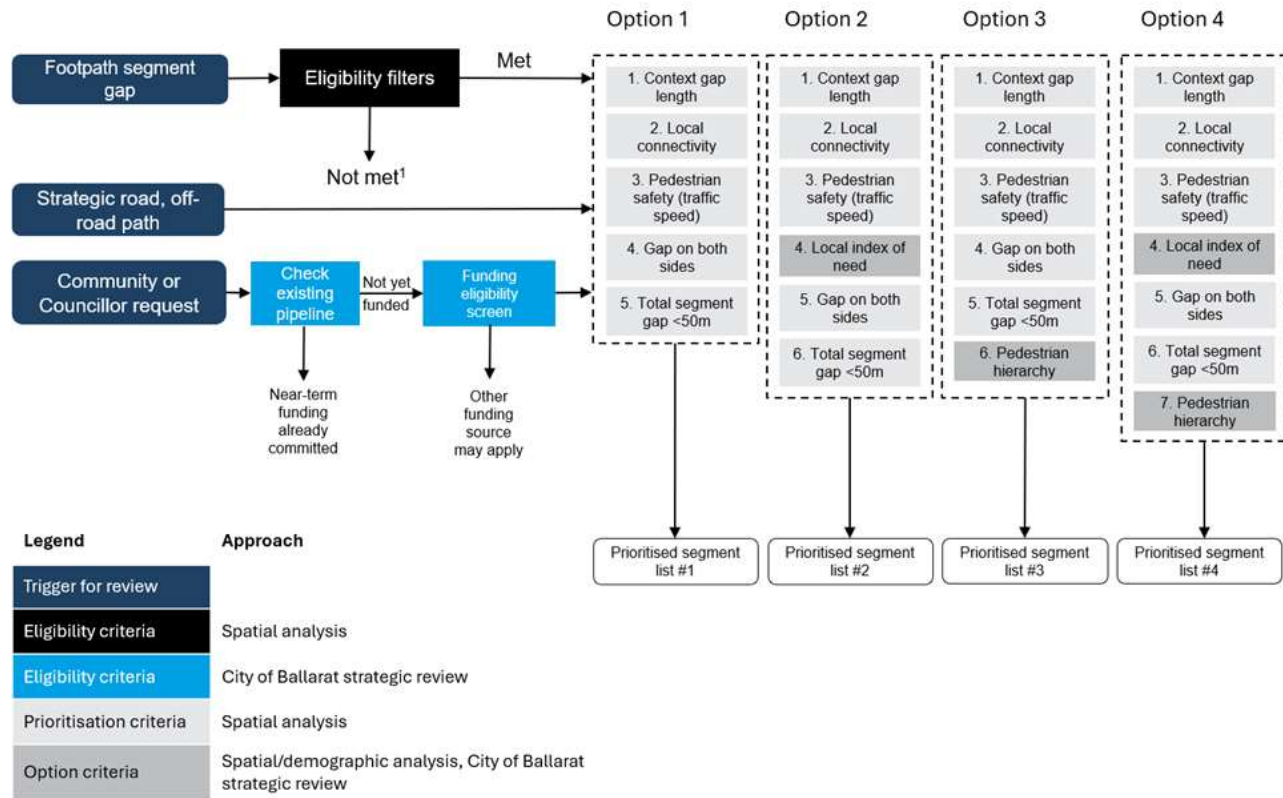
Source: Commission for Gender Equality in the Public Sector 2021

Figure 2 situates the four options in the context of the prioritisation framework.

The four options are distinguished by the inclusion of one or more prioritisation criteria, as follows:

- **Option 1** prioritises footpath gaps that are isolated and small, in areas with good connectivity to local living destination
- **Option 2** balances the accessibility imperative of Option 1 by including the local index of need
- **Option 3** focuses on local connectivity with an added strategic overlay to prioritise a connected network of primary and secondary footpaths
- **Option 4** includes all criteria: gaps size and isolation, local connectivity, local index of need and strategic pedestrian hierarchy.

Figure 2: Decision-making framework for footpath construction, including four prioritisation options





The index of need can ensure that footpath construction does not further entrench disadvantage in areas where accessibility is poor. Whereas options 1 and 3 might herald considerable benefits to the Ballarat Community, they may also reduce equity by further disadvantaging users who already face complex barriers. Options 2 and 4 are more likely to distribute benefit equally among the population.

| | | Option 1 | Option 2 | Option 3 | Option 4 |
|-------------------|----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Criteria included | Local connectivity | ✓ | ✓ | ✓ | ✓ |
| | Pedestrian safety | ✓ | ✓ | ✓ | ✓ |
| | PPN | | | ✓ | ✓ |
| | Index of Need | | ✓ | | ✓ |
| | Gap size and context | ✓ | ✓ | ✓ | ✓ |
| Equity | | Minor negative impact | Minor positive impact | Minor negative impact | Minor positive impact |

The prioritisation criteria are limited by data that cannot capture the nuances of individual users. It is for this reason that it remains important for the City of Ballarat to proactively solicit and address individualised needs and requests for footpath. Furthermore, the current scope of the Footpath Construction Plan omits features of the footpath which may present barriers to some users.

4 Step 4: Make recommendations

Table 4.1: Summary of GIA Step ‘Make recommendations’

| Step | Description | Guiding questions | Evidence |
|------|---|---|--------------|
| 2 | <ul style="list-style-type: none"> Make recommendations about the preferred option based on assessment | <ul style="list-style-type: none"> Do the options need to be altered to ensure benefits are distributed equitably to the population? | Samples Text |

Source: Commission for Gender Equality in the Public Sector 2021

The gender impact assessment presented in this report suggests that Options 2 and 4 convey a minor positive impacts in terms of improving equity of access to footpaths in Ballarat. It is important that any decision involving footpath construction considers area-based need, in terms of socioeconomic factors and the share of users with particular mobility needs that reside in an area. However, the proposed framework does not capture all aspects of footpath design that might determine users’ ability to benefit. Hence to residual recommendations emerge:

GIA Recommendation 1: where certain needs are not able to be met by the existing strategy, consider alternate funding mechanisms to prioritise footpath provision.

GIA Recommendation 2: Investigate opportunities to improve personal security, physical safety, accessibility and connectivity of footpaths to ensure women have equal opportunities to benefit from footpath construction.

Considerations and treatments may include:

- Connectivity:** Women’s travel patterns are more likely to consist of short, interconnected trips related to household and caring responsibilities. Paths should maximise convenient and effective movement between local destinations⁵.
- Accessibility and inclusivity:** Paths should be wide, clear, accessible, and well-paved enough to allow for the comfortable movement of people who are accompanied by adult dependents or children and people who are performing household errands that involve carrying shopping bags or other goods⁶.
- Safety from accidents:** Women are generally more perceptive to threats to their own or their dependent’s safety and also tend to be more risk averse⁷. Therefore, close attention should be paid to minimise potential stress to footpath users by ensuring footpaths are provided in low-speed environments with good separation from traffic.
- Personal security:** Women often change route choice due to issues of safety and harassment⁸. Access to a range of different paths should be prioritised and these should be clearly signposted and connected to one another. Paths should be provided in areas with active frontages that offer natural/passive surveillance. Art installations can increase feelings of safety.

⁵ Cahill, et al. 2020; Burns, Oram and Claris 2020; Perez 2019

⁶ Australian Human Rights Commission 2018; Buehler and Pucher 2008; Terraza, et al. 2020; Kunieda and Gauthier 2007.

⁷ Aldred, et al. 2017; Pearson, et al. 2022; AitBhiOuali and Klingen 2022

⁸ Burns, Oram and Claris 2020, Matthews, Carey and Evans 2012, Terraza, et al. 2020



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– ENDS –

8.5. 2023/24 CARRYOVERS TO 2024/25

Division: Corporate Services
Director: John Hausler
Author/Position: Jason Clissold – Executive Manager Financial Services

PURPOSE

1. The purpose of this report is to present the items that are required to be carried forward to the 2024/25 Budget from the previous financial year, due to timing issues relating to:
 - a. Funded projects still in progress as at 30 June 2024.
 - b. Grants being received in advance.
 - c. Additional unbudgeted grants received.
2. This report also highlights projects that were included in the adopted 2024/25 budget that require reforecasting to 2025/26, or later.

BACKGROUND

3. Carryovers result from recognising timing differences in the delivery of already committed or funded projects.
4. Carryovers allow for projects that were funded in the 2023/24 budget, to continue to be delivered in the 2024/25 financial year.
5. Revenue recognition accounting standards require Council to make an adjustment for any unexpended grant funding. This is grant funding that is received with obligations of Council, which are yet to be met.
6. The level of carryovers from the previous financial year required a review of the projects included in the 2024/25 adopted budget, to ensure Council has the capacity to deliver them.

KEY MATTERS

7. Attachment 2 details a proposed increase of \$28.543 million to carryovers in the 2024/25 budget. \$28.313 million to capital projects and \$0.230 million relating to operating programs. The major items to note in the \$28.543 million of net adjustments are:
 - a. Carryover calculations for multi-year projects including Bridge Mall (\$7.61m) and Her Majesty's Theatre (\$1.9m).
 - b. \$5.64 million for road infrastructure projects including delivery of some government funded programs.
 - c. \$1.62 million relating to various facility and play space upgrades.
 - d. \$1.02 million for various community infrastructure projects including community hubs, kindergarten and childcare facility upgrades.
8. In addition to the above carryovers, there will be an adjustment relating to unearned grant funding of \$11.238 million (Attachment 3 - \$3.632 million operating and \$7.606 million capital), which will have the effect of increasing both revenue and expenditure

in 2024/25 by this same amount. Hence, there is no permanent impact on Council's cash balance.

9. After consideration of the recommended carryovers attached, a review of the 2024/25 unaudited results indicates an estimated net permanent positive variance of \$1.937 million. This final 2023/24 amount of \$1.937 million includes \$0.935 million identified during the March 2024 Quarterly Financial report that was presented to Council. As per previous Council reports, it is recommended that these funds be held to support partial repayment of the \$23.1 million interest only loan that matures in 2025/26.
10. It is acknowledged that carrying over a further \$28.543 million into the 2024/25 budget will impact the capacity to deliver the programs and projects that have already been included in the adopted budget. After reviewing the status of current projects and programs as at the end of the financial year, it is proposed that \$32.657 million of projects (attachment 4) be removed from the 2024/25 forecast and allocated to the 2025/26 budget.

OFFICER RECOMMENDATION

11. That Council:

- 11.1 Approve the \$28.543 million of funds to be carried over to the 2024/25 adopted budget.
- 11.2 Approve the proposed accounting adjustments totaling \$11.238 million, relating to new and unexpended grants as at 30 June 2024.
- 11.3 Approve the proposed 2024/25 forecast amendments into the 2025/26 financial year totalling \$32.657 million, to recognise the latest understanding of the expected delivery timeframes of projects.
- 11.4 Note that after approving the funds to be carried over to the 2024/25 adopted budget that \$1.937 million remains which will be allocated to Council's retained earnings and set aside for future debt repayment.

ATTACHMENTS

1. Governance Review [8.5.1 - 2 pages]
2. Attachment 2 - Total Proposed Carryovers 2024-25 (4) [8.5.2 - 4 pages]
3. Attachment 3 - Unearned Grants 2024 [8.5.3 - 2 pages]
4. Attachment 4 - Proposed Capital Works Reduction 2024-25 [8.5.4 - 1 page]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This report supports Goal 6 of the Council Plan 'A council that provides leadership and advocates for its community'. Specifically, within the Annual Plan, it contributes to the achievement of action 6.6 and 6.7
 - 6.6 - Ensure accountability with public resources
 - 6.7 - Ensure good governance and leadership

COMMUNITY IMPACT

2. This report details how programs and/or projects that were budgeted for, but unable to be finalised, in the 2023/24 financial year will be funded and delivered to the community.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. No climate emergency or environmental sustainability implications are relevant to the subject of this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. No economic sustainability implications are relevant to the subject of this report.

FINANCIAL IMPLICATIONS

5. There are no material financial implications as a result of this report.
6. The details contained in this report primarily relate to the timing of revenue and expenditure recognition and have no negative impact on Council's long term financial sustainability.

LEGAL AND RISK CONSIDERATIONS

7. No legal or risk implications are relevant to the subject of this report.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

9. The content of this report has principally been generated from the 2023/24 adopted budget of Council, which was subject to a community engagement process.

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GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

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CITY OF BALLARAT
RECOMMENDED CARRYOVERS TO 2024/25

| Project Description | Expense \$'000 | Revenue \$'000 | Net \$'000 |
|---|-------------------|-------------------|---------------|
| Capital Carryovers | | | |
| AGB Humidifiers | 278 | - | 278 |
| AGB Upgrade - Toilet facilities | 50 | - | 50 |
| Age Friendly Strategy Project - Delivery of a Seniors Exercise Park | 85 | - | 85 |
| Air Purifiers for various F&CS venues | 21 | - | 21 |
| Airport Runway Upgrade | 318 | 1,149 | 831 |
| Alfredton Rec Reserve Netball Court | 271 | - | 271 |
| Alfredton Recreation Reserve Upgrade | 497 | - | 497 |
| Art Gallery Lighting Upgrade | 43 | - | 43 |
| Asset Management & Renewal Theatre | - 25 | - | 25 |
| BALC Assets & Equipment | 119 | - | 119 |
| Ballarat Animal Shelter | 92 | - | 92 |
| Biodiversity Strategy Flagship Project | 125 | - | 125 |
| Black Hill Kindergarten Expansion | 151 | - | 151 |
| Black Hill Landfill Capital | 50 | - | 50 |
| Boer War Monument | 250 | - | 250 |
| Bonshaw Kindergarten Facility Improvements | 92 | - | 92 |
| Bridge Mall Redevelopment | 7,612 | - | 7,612 |
| Bridge Rehabilitation Infrastructure | 268 | - | 268 |
| BRL Capital Expenditure - Capping Stage 1; Master Plan; Cell J | 723 | - | 723 |
| Brown Hill Hall Redevelopment | 25 | - | 25 |
| Brown Hill Reserve - Master Plan Implementation Stage 1 | 543 | 1,000 | 457 |
| Buninyong Bowls Surface | 6 | - | 6 |
| Buninyong Kindergarten Expansion | 52 | - | 52 |
| Changing Places | - 170 | - | 170 |
| Charlesworth St Retarding Basin | - 1,000 | - | 1,000 |
| Cherry Flat Road Upgrade | 255 | - | 255 |
| City Oval Bowls Surface | 119 | - | 119 |
| Community and Industry Resources & Recycling Centre | 347 | - | 347 |
| Cornish Street Dam Wall Construction, Buninyong | 72 | - | 72 |
| Delacombe Community Kindergarten Expansion | 43 | - | 43 |
| Doug Dean Facility Upgrade | 360 | - | 360 |
| Drainage Basin RB11 - Council Resolution | 970 | - | 970 |
| Elevating Integrated Water Management | 586 | - | 586 |
| Art Gallery Goods Lift renewal | 150 | - | 150 |
| Mining exchange plant platform | 20 | - | 20 |
| Ballarat Mining exchange facade renewal | 350 | - | 350 |
| Depot - Yard toilet upgrade | 200 | - | 200 |
| Pipers restaurant DDA improvements | 82 | - | 82 |
| Golden City Paddle steamer DDA and egress works | 16 | - | 16 |
| Tourello Reserve - shelter renewal | 300 | - | 300 |
| Botanic Gardens Soundshell Demolition | 54 | - | 54 |
| Alfredton Recreation reserve changeroom demolition | 28 | - | 28 |
| Safer Cities Camera upgrade | 231 | - | 231 |
| Facilities Upgrade - Floor Renewal - Town Hall Trench Room Carpet | 30 | - | 30 |
| Facilities Upgrade - Auto Door Renewals | 2 | - | 2 |
| Fast Track Recreation Projects | 390 | - | 390 |
| Rubicon Street Talbot Street Roundabout - Blackspot | 651 | 454 | 197 |
| Dana Raglan Street Roundabout - Black spot | 676 | 561 | 115 |
| Ripon St Urquhart St Roundabout - Blackspot | 494 | 423 | 70 |
| Dyson Drive Coltman Plaza - Blackspot | 39 | 39 | 0 |
| Footpath Works | - 129 | - | 129 |
| Free the Yarrowee GPT | - 639 | - | 639 |
| Greenhalghs Rd Upgrade | 2,546 | - | 2,546 |

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CITY OF BALLARAT
RECOMMENDED CARRYOVERS TO 2024/25

| Project Description | Expense \$'000 | Revenue \$'000 | Net \$'000 |
|---|-------------------|-------------------|---------------|
| Hard Court Surfaces Renewal | 50 | - | 50 |
| HMT Conservation Works | 108 | - | 108 |
| HMT Stage 3 | 1,900 | - | 1,900 |
| Hockey Facility Upgrade POWP | 430 | - | 430 |
| ICT AV VC Technology Refresh | 103 | - | 103 |
| ICT Initiatives | 453 | - | 453 |
| Irrigation Renewal Botanical Gardens | 822 | - | 822 |
| Kerb and channelling | - 6 | - | 6 |
| Lake Burrumbeet Boat Ramp Upgrades | - | 50 | 50 |
| Lake Lighting & Fitness Equipment | 90 | - | 90 |
| Lake Wendouree Infrastructure Works | - 14 | - | 14 |
| Land Ballarat Major Events Precinct | 495 | - | 495 |
| Latrobe St Saleyards Renewal | 200 | - | 200 |
| Learmonth Community Skills Shed | 384 | - | 384 |
| Len T Fraser Skate Park | 69 | - | 69 |
| Library Books | - 53 | - | 53 |
| Library Outreach Pop-Up Self-Service Kiosk | 51 | - | 51 |
| Lining Gallery Walls Project | 32 | - | 32 |
| Major Community Infrastructure Plan Implementation | 305 | - | 305 |
| Lucas Integrated Children's Centre | 72 | - | 72 |
| Eastwood Leisure Complex Redevelopment | 299 | - | 299 |
| Alfredton Community Hub | 75 | - | 75 |
| Major Infrastructure Renewal Project - Nyora Grove/Yarana Drive | 236 | - | 236 |
| Major Infrastructure Renewal Project - Buninyong Botanical Gardens Pool Wall | 246 | - | 246 |
| Major Infrastructure Renewal Project - Ryan Street Brown Hill | 370 | - | 370 |
| Major Infrastructure Renewal Project - Windermere Street road reconstruction | 451 | - | 451 |
| Major Infrastructure Renewal Project - Edwards St Kelvin Ave intersection | 31 | - | 31 |
| Major Infrastructure Renewal Project - Holly Drive Wendouree | 240 | - | 240 |
| Major Infrastructure Renewal Project - Nolan Street Lydiard to Traffic Lights | 323 | - | 323 |
| Major Infrastructure Renewal Project - Cuthberts Rd / Towong St | 141 | - | 141 |
| Major Infrastructure Renewal Project - Pleasant St / Rubicon St | 214 | - | 214 |
| Major Infrastructure Renewal Project - Lydiard St / Chisholm St | 166 | - | 166 |
| Major Infrastructure Renewal Project - Macarthur St / Doveton St | 241 | - | 241 |
| Major Infrastructure Renewal Project - Doveton St / Swingers St | 185 | - | 185 |
| Major Infrastructure Renewal Project - Norman St / Doveton St | 200 | - | 200 |
| Major Infrastructure Renewal Project - Finlay Street | 60 | - | 60 |
| Major Infrastructure Renewal Project - Lydiard St / Macarthur St | 180 | - | 180 |
| Major New Capital Road Projects - Nolan Street Buninyong Manna Gum Preservation | 495 | - | 495 |
| Marty Busch Reserve - Master Plan Implementation Stage 1 | - 408 | 100 | 508 |
| Miners Rest Drainage plan | 175 | - | 175 |
| Minor Community Infrastructure Plan Implementation - Brown Hill Kindergarten | 5 | - | 5 |
| Mt Clear CC Net renewal | 38 | - | 38 |
| Municipal Recycling Facility | 245 | - | 245 |
| My Neighbourhood Capital - Intercultural Garden | 155 | - | 155 |
| My Neighbourhood Capital - Inclusive Playspace | 88 | - | 88 |
| Plant Replacement Program | 661 | - | 661 |
| Playspace Renewal Strategy Program Victoria Park Playmatta Replacement Project | 78 | - | 78 |
| Playspace Renewal Strategy Program Victoria Park Inclusive Playspace Carousel Replacement | 80 | - | 80 |
| Pleasant Street Soccer Pitch Renewal | 8 | - | 8 |
| Precinct 2 CF & EYH | 20 | - | 20 |
| Public Art Program - Intercultural Garden and Time Lane Public Art | 30 | - | 30 |
| Public Art Program - PMBUST rollover | 10 | - | 10 |
| Public Art Program - New Commission for North Gardens Sculpture Park - Kait James | 16 | - | 16 |
| Public Art Program - Continuous Voices - Design Contract | 26 | - | 26 |

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CITY OF BALLARAT
RECOMMENDED CARRYOVERS TO 2024/25

| Project Description | Expense \$'000 | Revenue \$'000 | Net \$'000 |
|---|-------------------|-------------------|---------------|
| Public Art Program - Hercules Statue | - 72 | - | - 72 |
| Burrumbeet Cricket Club | 125 | - | 125 |
| Replacement of Failing Emergency Comms on UHF Bandwidth | 80 | - | 80 |
| Sebastopol South Kindergarten Refurbishment | 35 | - | 35 |
| Skate Facility upgrades | 50 | - | 50 |
| Solar installation at Council facilities | 201 | - | 201 |
| Sports Infrastructure Minor Improvements | 12 | - | 12 |
| Street Furniture Renewal Program Victoria Park Inclusive Playspace BBQ and Picnic area | 84 | - | 84 |
| Town Hall restoration | 84 | - | 84 |
| Trails and Connections - Sutton Street | 964 | - | 964 |
| Upgrades for sporting events | 161 | - | 161 |
| Visitor Arrival Master Plan Catalyst Project Implementation - Goldfields Gateways project | 400 | - | 400 |
| Waste Fleet Replacement Program | - 80 | - | - 80 |
| Waste Mapping | 270 | - | 270 |
| Whitehorse Rd Landfill Capital | 30 | - | 30 |
| Yarrowee River Places & Connections | 156 | - | 156 |
| | | - | |
| Total Capital Carryovers | 32,090 | - 3,776 | 28,313 |
| | | | |
| Operating Carryovers | | | |
| Ballarat East Local Area Plan Design | 86 | - | 86 |
| Bike Path Design | 54 | - | 54 |
| Botanical Gardens Master Plan | 88 | - | 88 |
| Business Improvement Projects - BI DAS project | 93 | - | 93 |
| Community Engagement & Partnerships - Meet Your Neighbour | 14 | - | 14 |
| Community Grants | 43 | - | 43 |
| Digital improvements: EPMO, Visit Ballarat website redevelopment project. | 10 | - | 10 |
| Dowling Forest Equine Precinct | 30 | - | 30 |
| Early Investigations - Link Road Preliminary Business Case Development | 15 | - | 15 |
| Financial Services - Contractors - D365/ExFlow Enhancement | 49 | - | 49 |
| Flood Planning | 91 | - | 91 |
| Graffiti Management Program | 92 | - | 92 |
| GTS waste disposal | 476 | - | 476 |
| Heritage Policy and Gaps Review | 88 | - | 88 |
| Housing Strategy | 168 | - | 168 |
| Enterprise HR Information System Procurement, Configuration and Deployment | 250 | - | 250 |
| Marketing Visitor Collateral | 100 | - | 100 |
| OCC Online Booking System | 15 | - | 15 |
| Open Space Strategy | 54 | - | 54 |
| Preserving our Heritage | 15 | - | 15 |
| Procurement and Contract Management System (PCMS) | 160 | - | 160 |
| Intercultural Gardens Plinth Temporary Public Art Sculpture | 30 | - | 30 |
| Sale of 14 & 16 Boak Avenue Mount Helen - Land sales | - | 600 | - 600 |
| Sale of 2a Ealing Avenue Wendouree - Land sales | - | 1,500 | - 1,500 |
| Sale of 507 Humffray Street North Golden Point - Land sales | - | 500 | - 500 |
| Community Transport Feasibility Study (CAMMS Project PR-641), | 20 | - | 20 |
| Service Review - Airport Community Facilities, Caravan Parks and Field Force Depot | 150 | - | 150 |
| Social Research & Planning - EGM Planning Amendment Research Project | 22 | - | 22 |
| Strategic Partnerships | 112 | - | 112 |
| Tourism Marketing - Brand development | 41 | - | 41 |
| Transport Planning | 13 | - | 13 |
| Ballarat Visitor Arrival Master Plan | 163 | - | 163 |
| Visitor Economy Research and Monitoring | 54 | - | 54 |
| Victorian Goldfields World Heritage Bid | 113 | - | 113 |

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CITY OF BALLARAT
RECOMMENDED CARRYOVERS TO 2024/25

| Project Description | Expense \$'000 | Revenue \$'000 | Net \$'000 |
|-----------------------------------|-------------------|-------------------|---------------|
| Yarrowee River Master Plan | 122 | - | 122 |
| Total Operating Carryovers | 2,830 | - 2,600 | 230 |
| Total Proposed Carryovers | 34,920 | - 6,376 | 28,543 |

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CITY OF BALLARAT
UNEARNED INCOME 30 JUNE 2024

| Grant Project & Description | Unexpended June 2024 \$'000 |
|--|--|
| CAPITAL UNEARNED GRANTS | |
| Federal Blackspot Eureka/Fussell | 59 |
| Federal Blackspot Eureka/Otway | 26 |
| Finches Rd | 613 |
| MacArthur St | 154 |
| Federal Roads to Recovery Funding Cromwell St | 25 |
| Public Art Program | 500 |
| Frank Bourke Oval Changerooms | 2,500 |
| Better Boating | 21 |
| North Shore Fishing Access | 1 |
| Charlesworth St Retarding Basin | 912 |
| Bakery Hill | 196 |
| Airport Runway Upgrade | 253 |
| AGB Upgrade - Skylights | 151 |
| Spotlight on Sebastopol | 1,388 |
| Exceptional Assistance Grants - Emergency Mangement | 29 |
| Elevating Integrated Water Management | 149 |
| Yarrowee River Places & Connections | 36 |
| Boer War Monument | 50 |
| Learmonth Community Skills Shed | 8 |
| Lake Burrumbeet Boat Ramp Upgrades | 33 |
| Ballarat Sports Events Centre - Regional Sports Infrastructure | 502 |
| TOTAL CAPITAL UNEARNED GRANTS | <u>7,606</u> |
| OPERATING UNEARNED GRANTS | |
| Seniors Festival | 16 |
| Best Start | 94 |
| Youth Festival | 4 |
| Empowering Communities | 23 |
| M.E.R.P. | 1 |
| Supported Playgroups | 64 |
| Eureka Centre Education | 11 |
| Goldfields Gateways Project | 469 |
| Kerbside Reform Support Fund | 1 |
| CE Household Education Fund | 27 |
| Free From Violence Project | 49 |
| Walk to School Program | 10 |
| Ballarat Regional Strategic Transport Assessment Project | 45 |
| MCH Special Projects | 665 |
| Early Childhood Language Program | 16 |
| Community Education | 28 |
| AGB School Education | 17 |
| Women In Building Surveying | 65 |
| Vic Health Funding | 14 |
| Monash Student Placement | 3 |

OFFICIAL

OFFICIAL
CITY OF BALLARAT
UNEARNED INCOME 30 JUNE 2024

| | |
|--|---------------|
| Parent Place Outreach | 16 |
| Vic Health Funding | 59 |
| VicHealth Vaping Prevention Grant | 180 |
| EPA Sebas Gun Club | 19 |
| Enhanced Maternal Child Health | 267 |
| Central Kindergarten Enrolment | 114 |
| School Readiness Funding GIRRABANYA | 14 |
| School Readiness Funding Wendouree | 53 |
| Innovation Grant to Support Early Career Teacher Retention | 1 |
| Safe Haven Program (Grant) | 816 |
| Safe Haven Program | 101 |
| MCH Lactation Consulting | 10 |
| Assessment for Learning | 2 |
| ECEC Workforce Paid Practicum & PD Grants | 53 |
| ECKA Indigenous Funding | 1 |
| 3 year old Kinda Assessment | 9 |
| Latrobe St Sale Yards | 93 |
| Live4Life | 8 |
| Design Projects | 25 |
| Safe Routes to School Program | 2 |
| World Heritage Listing | 169 |
| TOTAL OPERATING UNEARNED GRANTS | 3,632 |
| TOTAL UNEARNED GRANTS 2023/24 | 11,238 |

OFFICIAL

OFFICIAL
CITY OF BALLARAT
PROPOSED FORECAST AMENDMENTS
2024/25 CAPITAL WORKS

| Project Name | 2024/25 Reduction \$'000 |
|--|--------------------------------|
| Community and Industry Resources & Recycling Centre | 2,747 |
| Charlesworth St Retarding Basin | 3,500 |
| Cornish Street Dam Wall | 2,100 |
| Miners Rest Drainage Plan | 172 |
| Plant Replacement | 2,000 |
| Waste Fleet | 1,000 |
| Cherry Flat Road Upgrade | 1,000 |
| Drainage Scheme BU/CP | 469 |
| Eastwood Leisure Complex | 4,199 |
| Irrigation Renewal Botanical Gardens | 822 |
| Art Gallery Improvements HVAC | 50 |
| Tourello Reserve shelter renewal | 250 |
| Airport Hut 54 & 55 fit out | 100 |
| Airport Renewal Works extension of fire service | 100 |
| Buninyong Town Hall - DDA compliant access | 400 |
| Airport hut 51 & 53 Toilet block renewal | 450 |
| Alfredton Social Rooms Extension | 450 |
| Buninyong Netball Courts & Lighting | 1,200 |
| City Oval Changerooms | 1,000 |
| Continuous Voices | 50 |
| Nolan Street Buninyong | 495 |
| Sturt Street / Drummond Street | 500 |
| Gillies Rd | 1,200 |
| Kurrajong Rd Wendouree West | 320 |
| Ring Road - Design & Survey | 50 |
| Buninyong Botanical Gardens Pool Wall | 246 |
| Truncation (closure) of Ring Rd | 200 |
| Brown Hill Kindergarten | 423 |
| Airport Runway Upgrade | 1,300 |
| AGB Humidifiers | 3,000 |
| Ballarat Connections - \$550k Grenville St & BP025 \$520k Macarthur St | 1,070 |
| Local Area Plan Implementation - MR Power Park | 644 |
| Trails and Connections - Woowookarung Connections | 400 |
| Open Space Contributions Projects | 750 |
| | 32,657 |

OFFICIAL

8.6. 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.

BACKGROUND

2. On 23 February 2022, Council resolved (R14/22) to:
 1. Apply to the Minister for Planning in accordance with section 8A (2) and (3) of the *Planning and Environment Act 1987* to obtain authorisation to prepare Amendment C221ball to the Ballarat Planning Scheme, by:
 - a. Rezoning the growth areas to the Urban Growth Zone in accordance with Attachments E, F and G; and
 - b. Preparing a policy amendment which introduces a new 'Housing Framework Plan' to support the next phases of planning.
 2. If authorised by the Minister for Planning under section 8A (2) and (3) of the *Planning and Environment Act 1987*, exhibit Amendment C221ball to the Ballarat Planning Scheme in accordance with the notice requirements under section 19 of the *Planning and Environment Act 1987*.
 3. Commence preparation of a Precinct Structure Plan for the northern growth area following application of the Urban Growth Zone.
 4. Notes that the Ballarat Housing Strategy should ultimately be the mechanism to determine the extent of future growth and infill development across Ballarat.
 5. Authorise the Director Development and Growth to make minor changes to the planning scheme amendment documentation as required.
 6. Notes that the 'Growth Areas Framework Plan' will be prepared to establish the most appropriate sequencing of Precinct Structure Plan preparation for the western and north-western growth areas, aligned to sustainable development principles and the likely or planned construction of infrastructure and community facilities to support well planned and sustainable communities.
 7. Report back to Council, quarterly, on the progress of the rezoning to UGZ and the project plan including timeframes for the Growth Areas Framework Plan.
3. This report relates to point 7 of the resolution which seeks an update on the rezoning of the UGZ and a project plan including timeframes for the Growth Areas Framework Plan.

KEY MATTERS

Ballarat North Growth Area

4. On 22 June 2023, the Department of Transport and Planning (DTP) approved the amendment to rezone the core area of the Northern Growth Area and facilitated the preparation of the Ballarat North Precinct Structure Plan (PSP) and Development Contributions Plan (DCP) by the Victorian Planning Authority (VPA), as the planning authority, appointed by the Minister for Planning.
5. The remaining extent of the growth area (expanded area) is subject to further investigation by the VPA before it can be rezoned.
6. VPA have been working with external consultants to undertake a range of technical background reports.
7. Council officers are currently working with the VPA to review the technical background reports and determine how best to implement the innovation pathway items.
8. A co-design workshop was held on 17 July 2024 with a range of stakeholders including government agencies, landowners and Council staff.
9. Attendees were able to comment on the preferred location of a range of land uses. This feedback will be used by the VPA to inform a future land use plan and PSP, which is expected to be made available to Council and government agencies later in the year for comment.
10. No immediate urban development will occur in the Ballarat Northern Growth Area until the PSP and DCP have been prepared and incorporated into the Ballarat Planning Scheme. It is expected that the PSP and DCP will be gazetted in mid-2026.

Infrastructure Growth Alignment Framework

11. On 31 August 2022, the former Minister for Planning requested that the VPA prepare a high-level strategic review of Ballarat's proposed greenfield land including the western and north-western growth areas as well as urban renewal areas. This report will be known as the Infrastructure Growth Alignment Framework (IGAF).
12. The purpose of the IGAF is to provide a clear strategy for:
 - Future staging and sequencing of residential growth opportunities to ensure the projected population growth over 15 years can be accommodated;
 - Clear directions on where growth should occur;
 - An evaluation of growth projections within the municipality;
 - A high-level look at land capability;
 - Service limitations;
 - Infrastructure costs;
 - Market trends;
 - An infrastructure review; and
 - The need for any upgrades to accommodate population growth.
13. The VPA have advised City of Ballarat of the following:
 - The IGAF was provided to the Minister for Planning in February.
 - At this stage, the initial release will be internal to Government and Council only, but the VPA will endeavour to keep the public informed where required.

- As the IGAF is a pilot project, the VPA are working with the Department of Transport and Planning to assess how this document can best be used/implemented to benefit Ballarat and potentially in other regional cities.
- The IGAF may also be reviewed following the release of the Plan for Victoria.

Growth Areas Framework Plan

14. The draft Growth Areas Framework Plan was endorsed for consultation by Council on 8 May 2024. Consultation occurred throughout May 2024.
15. Council officers reviewed the submissions and updated the Growth Areas Framework Plan in response.
16. The final Growth Areas Framework Plan adopted by Council at its Planning Delegated Committee meeting on 14 August 2024.
17. Following the adoption, Council officers will now progress the Framework Plan through the Planning Scheme Amendment process to introduce it as a background document in the Planning Scheme.
18. In accordance with Council resolution passed on 14 August 2024 (PDC21/24), Council officers will commence some of the technical work required to commence the PSP for the future growth areas.

OFFICER RECOMMENDATION

19. That Council:

19.1 Note the contents of this update report.

ATTACHMENTS

1. Governance Review [8.6.1 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This report aligns with the relevant Council strategies and policies. This report has been prepared with specific reference to the Ballarat Planning Scheme and Ballarat Strategy 2040.

COMMUNITY IMPACT

2. This report is an update on broader projects which will continue to require community and stakeholder engagement.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. PSPs in Council's growth areas will seek to implement measures that will respond to the climate emergency and manage environmental sustainability implications

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. Rezoning of Ballarat's new growth areas is considered to be of state significance to facilitate urban growth, which will bring forward economic activity associated with all facets of the land development process including planning, building and construction activity
5. The Council resolution R14/22 from the 23 February 2022 will also assist in the City's post-COVID19 economic recovery through providing housing stock and construction activity over the medium and long term.

FINANCIAL IMPLICATIONS

6. This report is a progress update and has no financial implications.
7. It is noted that Council's proposal to undertake a staged roll-out of the growth areas will stage Council's financial responsibilities associated with the construction of community and other infrastructure projects.

LEGAL AND RISK CONSIDERATIONS

8. The Ballarat Planning Scheme and the Planning and Environment Act 1987 were considerations in this report.

HUMAN RIGHTS CONSIDERATIONS

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

OFFICIAL

OFFICIAL

COMMUNITY CONSULTATION AND ENGAGEMENT

10. This report is an update on broader projects which will continue to require community and stakeholder engagement.

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

OFFICIAL

8.7. TENDER 2023/24-699 ELECTRICAL LINE CLEARANCE PROGRAM

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Paul Humphrey – Operations Contracts Coordinator

PURPOSE

1. The purpose of this report is to recommend that Council award Contract Number 2023/24-699 for the provision of the Electrical Line Clearance Program to Tree Top Tower Hire Pty Ltd.
2. The term of the contract is for 3 years with the addition of two (2) x one (1) year extensions at Council's discretion.
3. The spend over the full possible life of the 5-year contract including indexation is estimated to be \$2,174,354.55 which is based on the 3-year lump sum pricing provided in the tender submission.

BACKGROUND

4. The City of Ballarat is required to achieve annual compliance in line with the Code of Practice for Electric Line Clearance 2020.
5. This tender will provide electric line clearance for all City of Ballarat's vegetation assets within the declared area including the hazardous bushfire risk area, on all road reserves and public open spaces in line with regulatory and statutory requirements.

KEY MATTERS

6. The tender was advertised in the Ballarat Times News Group, City of Ballarat website and tender portal from 29 May 2024. The invitation period closed on 21 June 2024 with 5 bidders submitting responses.
7. The evaluation panel met on 2 July 2024 to review the initial scoring of the tenders by evaluation panel members. The weighted score of each panel member for each submission was added in aggregate.
8. The evaluation panel considered the tender of Tree Top Tower Hire Pty Ltd to best meet the requirements of the evaluation criteria.
9. Tree Top Tower Hire Pty Ltd received the lowest Tender Evaluation Score (TES) for the evaluation criteria with strong supporting evidence of previous works relating to completing powerline clearance programs.

OFFICER RECOMMENDATION

10. That Council:

10.1 Resolves to enter into Contract Number 2023/24-699 for the provision of services for the Electrical Line Clearance Program with Tree Top Tower Hire Pty Ltd. The term of the contract is for three (3) years with the provision of two (2) x one (1) year extensions at Council's discretion.

10.2 Note that the estimated spend over the full possible life of the 5-year contract including indexation is estimated to be \$2,174,354.55 which is based on the 3-year lump sum pricing provided in the tender submission; and

10.3 Authorises the Chief Executive Officer to:

- a. finalise the terms of Contract Number 2023/24-699 with Tree Top Tower Hire Pty Ltd, provided that those contract terms are consistent with this Resolution; and**
- b. execute Contract Number 2023/24-699 on behalf of Council.**

ATTACHMENTS

1. Governance Review [8.7.1 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This initiative aligns with Council Plan Item 1.4.5 Maintain and conserve our open space and natural assets.

COMMUNITY IMPACT

2. The project enables positive community impact through the professional maintenance of vegetation around powerline infrastructure ensuring public safety and the continuity of electrical supply.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. The project mitigates the risk of fire caused by vegetation contacting powerlines within the hazardous bushfire risk area of Council's declared area of responsibility.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. The recommended tenderers bid is within the the project budget allocation. for this initiative is \$522,751.00 ex GST (first year).
5. The total tendered price was \$1,255,956.00 over 3 years which is within the allotted budget for this initiative.
6. There is a provision for two (2) x one (1) year extensions under this contract.

FINANCIAL IMPLICATIONS

7. It is expected that if executed, the two one-year extensions will fall within the budgeted amounts for those financial years taking the total estimated value of the contract over the five-year period to approximately \$2,174,354.55. This is within the allotted budget forecast for this initiative.

LEGAL AND RISK CONSIDERATIONS

8. Compliance with the *Electrical Safety (Electrical Line Clearance) Regulations 2020*.
9. Compliance with the *Electricity Safety Act 1998*.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

11. Council's Electrical Line Clearance Management Plan is publicly available.

OFFICIAL

OFFICIAL

GENDER EQUALITY ACT 2020

12. There is no gender equality implications identified for the subject of this report.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

PROCUREMENT COLLABORATION

14. Officers considered this procurement for collaboration with other Councils and Public Bodies and deemed it not suitable as the locations for these works are all within City of Ballarat municipal boundaries.

OFFICIAL

8.8. TENDER 2023/24-703 BALLARAT REGIONAL LANDFILL CAPPING STAGE 2

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Lya Assef – Landfills and Transfer Station Manager

PURPOSE

1. The purpose of this report is to recommend the awarding of Contract Number 2023/24-703 for the provision of Stage 2 Part B Ballarat Regional Landfill Construction Works – Landfill Capping/ Rehabilitation Works to Goldsmith Civil and Environmental Pty Ltd for the total tendered price of \$3,127,552.10 (ex GST) for the option including Part 3.04A and 3.04C.

BACKGROUND

2. This project is required to meet compliance with the Environment Protection Authority (EPA) Landfill Operating Licence for Ballarat Regional Landfill (BRL) (issued under section 74(1)(a) *Environment Protection Act 2017 (Vic)*, licence number OL000012008).
3. The EPA licence condition OL_L27 requires that '[City of Ballarat] must complete final capping of cells within 2 years of the date that cell became full, in compliance with the approved rehabilitation plan.'
5. BRL's existing Cells A to H have reached full capacity to accept waste. BRL's active cells are Cells I (Stage 1 and 2).
6. The landfill site has an existing cap (completed in Stage 1) of Cell B and parts of Cell A to E which comprises clay and a vegetated topsoil layer. Stage 2 of the works is broken into Parts A and B which includes the remaining parts of Cell A to E and Cell G to H. The capping of Part A is now complete and the cells that this project covered were cells G2, G3 and H. The remaining existing cells A, F and G1 are uncapped and cells C and E are partially uncapped. These are part of the scope of works of the subject tender.
7. BRL officially closed cells G1, G2, G3 and H in November 2021 and, in accordance with the licence requirements, these should be capped by November 2023. EPA approved City of Ballarat to divide the capping works into 2 stages due to the weather conditions in Ballarat.
8. EPA approved the capping design for Stage 2 (Part A and B) at BRL on 23 June 2023.
9. Stage 2 Part B contract works (subject tender) are scheduled to commence in October 2024, followed by the commencement of construction in January 2025.
10. The scope of Stage 2 works includes the following:
 - Re-grading of existing soil cover over waste to an evenly graded free draining surface.
 - Construction of capping layers over regraded surface.
 - Tie in of capping layers to existing Stage 1 evapotranspiration cap.
 - Tie in of geosynthetics to existing liners.

- Regrading and reinstatement of the existing drains along the east and west side of the cap.
11. The projected expenditure associated with this procurement activity is within the approved project budget allocated in the 2024/25 Budget.

KEY MATTERS

12. The evaluation panel noted that seven (7) tender responses were received and evaluated in full.
13. The budget allocation in the 2024/25 budget for Stage 2 (Part B) of the capping construction project is \$3,255,000. Works excluded from this contract for design documentation, auditor approval, EPA fees, Geotechnical Inspection and Testing Authority (GITA) and Construction Quality Assurance (CQA) and a project superintendent form part of the total project budget allocation (yet to be awarded).
14. The recommended tender price of \$3,127,552.10 (ex GST) for the option including Part 3.04A and 3.04C, is above the planned budget for the construction. The value estimated by officers was \$2,790,000.00, however the price offered by the bidder is within the overall project budget allocation. Council officers expect to find other opportunities to save costs in the other contracts within the project budget.
15. One of the tender evaluation criteria called for innovative, value add approaches to completing the project. The submission from Goldsmith Civil and Environmental Pty Ltd has included a cost saving option (Part 3.04B and 3.04C), which if approved by the GITA/CQA team, will reduce the cost of the project to \$2,932,512.10, will benefit the project budget and improve environmental impacts.

OFFICER RECOMMENDATION

16. That Council:

- 16.1 Resolve to enter into Contract Number 2023/24-703 for the provision of Stage 2 - Part B - BRL Capping Construction with Goldsmith Civil and Environmental Pty Ltd for the total tendered price of \$3,127,552.10 (excl. GST) for the option including parts 3.04A and 3.04C.**
- 16.2 Note that, subject to approval by the Geotechnical Inspection and Testing Authority (GITA) and Construction Quality Assurance (CQA) team, the contract value may be varied to a lower value of \$2,932,512.10, for the option including parts 3.04B and 3.04C.**
- 16.3 Authorises the Chief Executive Officer to:**
- a. **Finalise the terms of Contract Number 2023/24-703 with Goldsmith Civil and Environmental Pty Ltd, provided that those contract terms are consistent with this Resolution; and**
 - b. **Execute Contract Number 2023/24-703 on behalf of Council.**

ATTACHMENTS

1. Governance Review [**8.8.1** - 2 pages]
2. BRL Premises [**8.8.2** - 1 page]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This report supports the Council Plan goals of sustainability:
 - The works will greatly assist in reducing landfill gas (LFG) emissions to the environment.
 - The capping works will meet Council's licence responsibilities and General Environmental Duty under the EP Act.

COMMUNITY IMPACT

2. In accordance with Council obligations under the *Local Government Act 2020* priority is to be given to achieving the best outcomes for the municipal community, including future generations. This project is providing upgrades to Council's closed landfill cells.
3. This project includes the following community benefits:
 - Provision of a long-term and stable separation layer between the waste and the final surface that protects human health and the environment.
 - Prevention of the occurrence of odours, disease vectors, and other nuisances.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

4. The capping works will assist in reducing landfill gas (LFG) emissions to the environment.
5. The capping works will minimise the generation of leachate and prevent vertical infiltration of water into wastes that would create contaminated leachate and therefore safeguard surface and groundwater.
6. The capping works will create a land surface that can support vegetation and/or be used for other purposes.
7. The recommended tenderer has the appropriate Environmental Management System to be able to cater for any environmental issues that may result during the construction of the project.

ECONOMIC SUSTAINABILITY IMPLICATIONS

8. Goldsmith Civil and Environmental Pty Ltd are committed to supporting the local economy via indirect measures such as the sourcing of topsoil, supervisor role, local accommodation, labour and plant operators, local plant and equipment hire and local fuel suppliers.
9. As is required by the technical specification, Goldsmith Civil and Environmental Pty Ltd will develop a project CEMP to identify and assess any environmental aspects and outline measures to prevent environmental harm including airborne pollution, water management, flora and fauna etc.
10. The company has full certification to 'ISO 14001:2015 Environmental Management Systems' and have provided their Environmental Management System (EMS). The company is accredited in the 'ISO 9001:2015 Quality Management Systems'.

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FINANCIAL IMPLICATIONS

11. The project budget allocation in 2023/24 for the Ballarat Regional Landfill Capping works is \$3,225,000.
12. The recommended tender price of \$3,127,552.10 (ex GST) is above of the planned budget for the construction. The value estimated by Council's Officers was \$2,790,000.00, however the price offered by the bidder is within the overall project budget allocation. Council officers expect to find other opportunities to save costs in the other contracts within the project budget.
13. The submission from Goldsmith Civil and Environmental Pty Ltd has included cost-saving options if approved by the Gita/CQA Team which will benefit the project budget and the environmental impacts.

LEGAL AND RISK CONSIDERATIONS

14. The project has been designed and will be constructed in accordance with all relevant design standards. The contract provides for management of traffic and environment during the delivery of the works, with stringent occupational health and safety (OHS) requirements. The recommended contractor in this instance has appropriate OHS systems operable to meet the requirements of this project.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

16. N/A

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

PROCUREMENT COLLABORATION

19. Officers considered this procurement for collaboration with other Councils and Public Bodies and deemed it not suitable with other Councils as solely operated by City of Ballarat.

OFFICIAL



LEGEND

- EXISTING CONTOURS (1 m)
- PREMISES BOUNDARY
- EPA APPROVED EXTENT OF WASTE
- SITE STORMWATER SYSTEM FEATURES
- SITE FLOW ALIGNMENT/FEATURE
- ASHPHALT SEALED ROADS
- EXISTING CELL BOUNDARIES
- APPROXIMATE EXTENT OF EXISTING CELLS
- APPROXIMATE EXTENT OF CURRENT CELLS

- NOTES:**
1. AERIAL PHOTOGRAPH SOURCED FROM NEARMAP ON 30.05.2023. IMAGE DATED 26.04.2023. IN ACCORDANCE WITH NEARMAPS COMMERCIAL PRODUCTS AGREEMENT DATED 14 JANUARY 2023. THIS IS A THIRD PARTY PRODUCT AND ANY USE AND/OR RELIANCE ON THIS DOCUMENT IS SUBJECT TO LIMITATIONS AND DISCLAIMERS SET OUT IN NEARMAPS COMMERCIAL PRODUCT AGREEMENT.
 2. PROPELLER SURVEY FILE REF: 004_p018000416-3D_model.dwg
 3. ALIGNMENTS PRESENTED FOR PREMISES BOUNDARY, LANDFILL CELLS BOUNDARIES, WATER BODIES, ASPHALT SEALED ROADS AND DRAINAGE FLOWS HAVE BEEN TRACED AT THE REQUEST OF CITY OF BALLARAT COUNCIL FROM THE PDF FILE TITLED 'ATT 6 BRL_Premises_Plan_5Aug_2021.pdf' PROVIDED ON 24.05.23. THE ACCURACY OF THESE ALIGNMENTS IS TO BE CONFIRMED BY COUNCIL.
 5. AS-BUILT SURVEYS USED TO DETERMINE EXISTING CELL BOUNDARIES. FILE REF: ASBUILT CELLS F-H BASE OF WASTE TRIANGLES.dwg.

THIS DRAWING IS TO BE PRINTED IN COLOUR. IF THIS DRAWING IS NOT PRINTED IN COLOUR THEN YOU DO NOT HAVE THE CORRECT VERSION. THIS NOTE IS RED.

PLAN
SCALE 1:6000

ISSUED FOR
INFORMATION

Plotted By: Julian Middleton-Hole
 Plot Date: 16 June 2023 - 4:21:08 PM
 File location: \\svcool.file.core.windows.net\archive\audits\17_AutoCAD\3_Jobs\M19859_COB_BRL_CELL_1_STAGE_2_DESIGN_SUPPORT1_CADD\Files from 18494 for licence amend\M19859_034_F003.dwg

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| Drawn | D. SINGH |
| Designed | - |
| Reviewed | J. RIVEROS |
| Drawn | DS |
| Designed | - |
| Reviewed | JR |
| Date | 16.06.23 |
| 0 | ISSUED FOR INFORMATION |

Address: Level 6, 15 William Street
 Melbourne Victoria 3000
 Phone: (03) 9608 0070
 Website: www.senversa.com.au

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|---------------------------|---|
| Client | CITY OF BALLARAT |
| Project Title | BALLARAT REGIONAL LANDFILL CELL I STAGE 2 DESIGN SUPPORT |
| Drawing Title | PREMISES PLAN EPA LICENCE NO.12008 |
| DO NOT SCALE OFF DRAWING | A3 |
| Height Datum / Projection | AHD/MGA94 ZONE 54 |
| File No. | M19859_034_F003 |

0 60 120 180m
 SCALE 1:6000 AT ORIGINAL SIZE
 Drawing No. 1 Rev 0

8.9. TENDER 2023/24-728 SEBASTOPOL COMMUNITY HUB

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Sreejana Tiwari – Project Manager (Major Projects)

PURPOSE

1. The purpose of this report is to recommend award of Contract Number 2023/24-728 for the provision of Sebastopol Community Hub Construction to A W Nicholson Pty Ltd for the total tendered price of \$7,931,295.00 (excluding GST).

BACKGROUND

2. The community and early years hub to be located at 254-256 Vickers Street Sebastopol will provide an integrated local and accessible community facility to cater for the growing population of Sebastopol and Ballarat south-west. The facility will provide opportunities for social connectivity and promotion of lifelong learning and physical activity, in a fit for purpose facility for local groups such as Sebastopol Senior Citizens, Girl Guides, Ballarat Community Health, BRI and other future users of the facility.
3. The tender includes the construction of a main community hall, three meeting rooms, three 22-place kindergarten rooms, two Maternal and Child Health consulting rooms, public amenities, onsite car parking, and associated infrastructure.

KEY MATTERS

4. The tender was advertised in the Ballarat Times News Group, Council's website and eProcure site from 24 May 2024. The invitation period closed on 2 July 2024 with eight respondents submitting tenders.
5. The evaluation panel met on 15 July 2024 to review the initial scoring of the tenders by evaluation panel members. The weighted score of each panel member for each submission was added in aggregate.
6. The evaluation panel assessed the eight submissions and AW Nicholson Pty Ltd was determined as the panel's recommended contractor, based on the combined requirements of the price and evaluation criteria scores, resulting in the lowest TES (Tender Evaluation Score).

OFFICER RECOMMENDATION

7. That Council:

7.1 Resolve to enter into Contract Number 2023/24-728 for the provision of Sebastopol Community Hub Construction with AW Nicholson Pty Ltd for the total tendered price of \$7,931,295.00 (ex GST).

7.2 Authorises the Chief Executive Officer to:

a. finalise the terms of Contract Number 2023/24-728 with AW Nicholson Pty Ltd, provided that those contract terms are consistent with this resolution; and

b. execute Contract Number 2023/24-728 on behalf of Council.

ATTACHMENTS

1. Governance Review [8.9.1 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The report supports the Council Plan goals of *A healthy, connected and inclusive community*, as well as *A city that fosters sustainable growth*.
2. The report supports the Municipal Early Years Plan goal that all children have access to quality early learning, kindergarten and schooling that meets their educational needs.
3. The report supports Ballarat Strategy 2040 – 10 Minute City which includes liveable neighbourhoods within a compact city.

COMMUNITY IMPACT

4. The construction of the Sebastopol Community Hub with a main hall and three meeting rooms, 2 MCH consulting rooms, three 22-place kindergarten room and associated staff and public spaces will create an integrated local and accessible community facility to fulfil the needs of existing population and future population growth being experienced in Sebastopol and southwest of Ballarat.
5. The construction of the Sebastopol Community Hub will provide opportunities for social connectivity and promotion of lifelong learning and physical activity in a fit for purpose facility for current users such as Sebastopol Seniors Citizens, Ballarat Community Health, Girl Guides and future users of the facility.
6. The construction of the Sebastopol Community Hub with three kindergarten rooms will ensure families across the municipality will have an equitable ability to self-determination and choice in the settings that they place their children in for early education and development existence.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

7. The recommended tenderer has an Environmental Policy, Plan and Environmental Management System ISO 14001:2015 in place and has provided certification. The project contains an Environmental Management Plan specific to the project site.

ECONOMIC SUSTAINABILITY IMPLICATIONS

8. This tender contract will benefit both the City of Ballarat, and the successful contractor awarded the tender. It will also benefit the community of Ballarat by providing high quality integrated community hub infrastructure close to home.

FINANCIAL IMPLICATIONS

9. The tendered price is within the adopted budget for this works.

OFFICIAL

OFFICIAL

LEGAL AND RISK CONSIDERATIONS

10. It is considered there are no legal and risk implications identified for the subjects of this report as the tender process and recommended outcome are in accordance with Council policy.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

12. Consultation with user groups has been managed by City of Ballarat's Community Wellbeing and Early Years Development teams.

GENDER EQUALITY ACT 2020

13. There is gender equality implications identified for the subject of this report and a Gender Impact Assessment report has been completed.
14. Two Gender Impact Assessment have been completed, one on concept design and one on detailed design and key findings of these assessments informed the design of this facility.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

PROCUREMENT COLLABORATION

16. Officers considered this procurement for collaboration with other Councils and Public Bodies and deemed it not suitable due to site specific requirements.

OFFICIAL

8.10. LAND DISPOSAL - MURRAY/AJAX STREET

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

PURPOSE

1. The purpose of this report is to present to Council the feedback received from the community consultation required by resolution R103/24 and to seek approval to finalise the sale of the relevant land.

BACKGROUND

2. Community consultation was undertaken over a period of four weeks from 12 July to 8 August 2024.
3. A public notice detailing the proposal was published in the Ballarat Times and on the City of Ballarat website. In addition to this, Ballarat and Clarendon College did a letter drop containing the public notice to residents in neighbouring streets.
4. The total submissions received have been summarised as follows:
 - a. 23 supporting the proposal; and
 - b. 4 submissions against the proposal.

KEY MATTERS

5. The submissions supporting the proposal were provided by school alumni, bus network/nursing staff and parents of current students, and key themes included the following:
 - a. Benefit to student's safety by not having to cross an active roadway to utilise the future sports and health precinct.
 - b. Improving the student experience and educational outcomes for the proposed new sports and health facilities.
 - c. Promote better traffic outcomes for the school and neighbourhood with the proposed road closure deterring traffic and student pick up.
 - d. Reference to the lack of amenity currently being provided by the roadway.
6. The submissions opposing the proposal were provided by nearby neighbours and key themes included:
 - a. Concerns of future further encroachment into the neighbourhood by Ballarat and Clarendon College.
 - b. That the letter drop performed by Ballarat and Clarendon College did not go far enough into the neighbourhood.
 - c. Concerns about the turning treatment provision from the unnamed laneway onto Murray Street.

- d. Concerns that Ballarat and Clarendon College have only committed to resealing (at their cost) only half of the unnamed laneway.
 - e. Concerns relating to the loss of a public amenity.
 - f. The suggestion that the sale funds obtained by Council in the event of the proposal being approved, be directly applied to the nearby neighbourhood in some form.
7. All the key concerns and objections have been put to Ballarat and Clarendon College (or their representatives) for consideration and comment. This has resulted in some changes to the proposal to address the feedback.
8. All key concerns and objections have been considered below:
- a. Council officers note the concern by residents of potential future encroachment by Ballarat and Clarendon College and confirm that this proposal is only relating to the portion of Murray Street as outlined. Council presently has not been provided with nor has provided any approval for disposal of any other roadway or public amenity in the area.
 - b. Council officers have noted the concerns that the letter drop by Ballarat and Clarendon College did not go further into the community.
 - c. Ballarat and Clarendon College have agreed to expand the turning treatment provision from the unnamed laneway onto Murray Street, giving residents extra land to reverse vehicles. The extra allowance of land will be approximately 8.5m x 2.7m and will provide residents with more land to be vested as roadway than what is currently in existence. In addition to this, Ballarat and Clarendon College will apply to Powercor to have the nearby power pole removed to further enhance the turning treatment.
 - d. Ballarat and Clarendon College have agreed to provide a gravel reseal of the other half of the unnamed laneway to further benefit residents of Junction Street.
 - e. Council officers have noted concerns about the loss of public amenity.
 - f. In the adopted 2024/25 Budget, it has been assumed that a net amount of \$100,000 would be received from the sale of this land, which is already included as part of Councils 24/25 operating result. Ultimately, any suggestion relating to the application of sale funds to a specific purpose, following the proposal being approved, would require resolution of Council.
9. Internal referrals to City of Ballarat's Development Engineering team have been made in relation to the improved turning treatment provision being offered by Ballarat and Clarendon College and have been supported. All works being undertaken by Ballarat and Clarendon College will be required to be completed to Council requirements and specifications.
10. A full market appraisal has been completed and enclosed with this report. The valuation is confidential.
11. An agreement by private treaty would be negotiated between Clarendon College and City of Ballarat for the sale of the land for a value not less than the value contained in

the full market valuation. A private sale is considered appropriate in this circumstance, as the properties surrounding the subject land are owned by Clarendon College and the subject land would not be usable by any other party. The Contract of Sale will also formalise the additional works that Clarendon College seek to undertake.

OFFICER RECOMMENDATION

12. That Council:

12.1 Note the summary of the submissions lodged in accordance with the community consultation performed.

12.2 In accordance with resolution R103/24, continue the process of disposal of the property known as Lot 2 PS 906333W Ajax Street, Newington by private treaty with Ballarat and Clarendon College for a sum of not less than the full market valuation, with the Chief Executive Officer having delegated authority to finalise the sale including the signing of the Contract of Sale.

12.3 Following the execution of a Contract of Sale, this resolution will no longer be considered confidential and notice of the resolution of sale will be made public.

ATTACHMENTS

1. Governance Review [8.10.1 - 2 pages]
2. G 27896-02-05 [8.10.2 - 1 page]
3. G 27896-02-06 a [8.10.3 - 1 page]
4. G 27896-02-03 [8.10.4 - 1 page]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Report supports the Council Plan 2021-2025 goal of providing a strong and innovative economy by providing a positive economic impact.
2. The road closure and disposal of this land parcel would reduce ongoing maintenance costs and expectation to Council.

COMMUNITY IMPACT

3. Any sale would involve the closure of the portion of the road identified in the subject of this report.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

ECONOMIC SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. Council has obtained an independent market valuation of the land parcel.

LEGAL AND RISK CONSIDERATIONS

7. Council will follow the statutory process in accordance with legislation to mitigate any legal risks.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

9. Council has followed community consultation procedures in accordance with section 223 of the *Local Government Act 1989*.

GENDER EQUALITY ACT 2020

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

OFFICIAL

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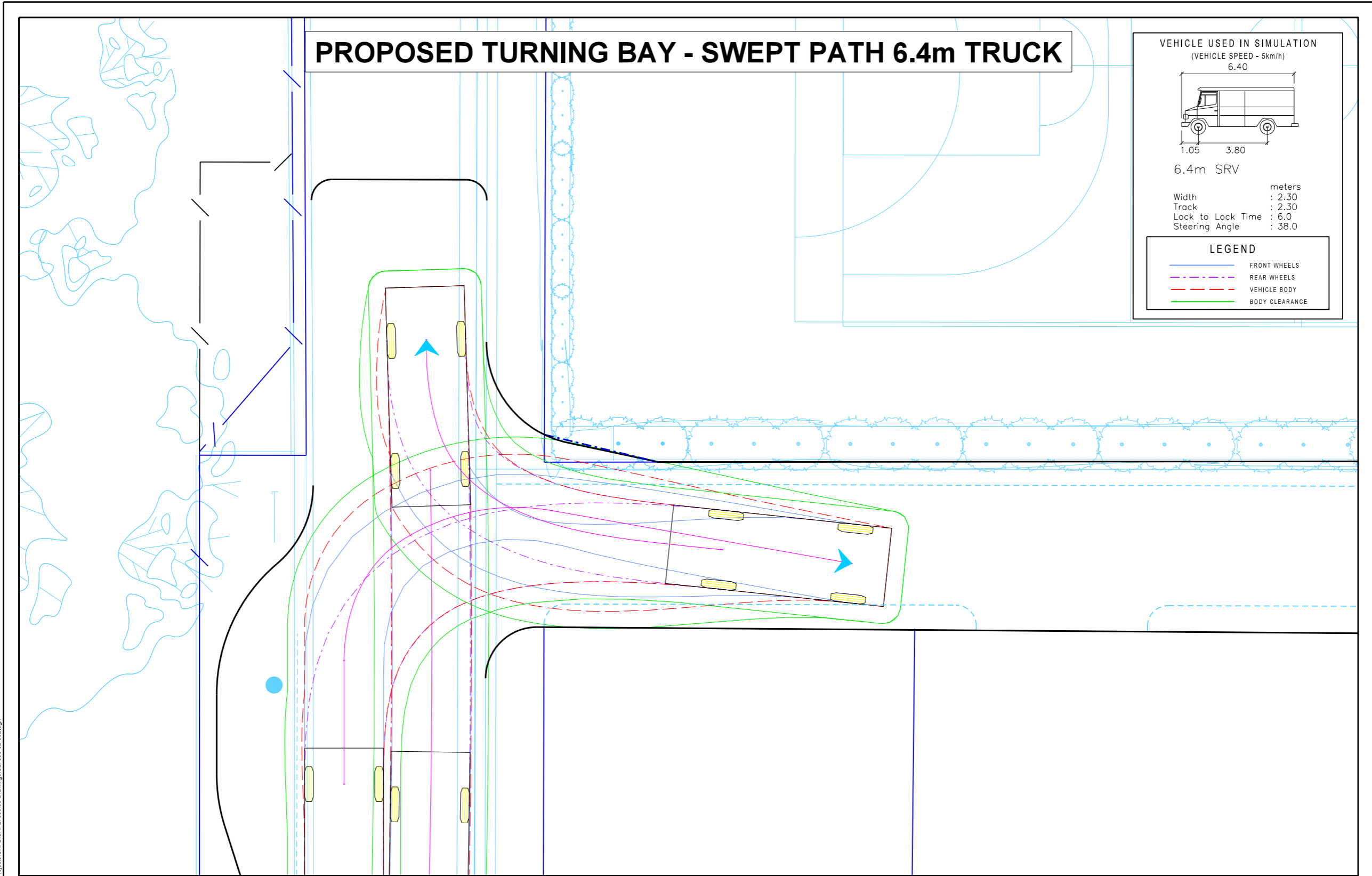
CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

PROCUREMENT COLLABORATION

(For Contracts Only)

OFFICIAL



PROPOSED TURNING BAY - SWEPT PATH 6.4m TRUCK

VEHICLE USED IN SIMULATION
(VEHICLE SPEED - 5km/h)
6.40

6.4m SRV

Width : 2.30 meters
Track : 2.30
Lock to Lock Time : 6.0
Steering Angle : 38.0

LEGEND

- FRONT WHEELS
- REAR WHEELS
- VEHICLE BODY
- BODY CLEARANCE

DATE: 2/08/2024
 MODEL: G27896-02-05
 FILE: \\sbs02\group\Synergy\Projects\GRP2\GRP27896\02-Drawings\G27896-02-00B.dgn

| ISSUE | ISSUE DESCRIPTION | DESIGNER | CHECKED/APPROVED | ISSUE DATE | GENERAL NOTES |
|-------|-------------------|----------|------------------|-------------|---|
| A | INITIAL ISSUE | SOK | DM(RPE7838) | 23 JUL 2024 | 1. BASE INFORMATION FROM AERIAL PHOTOGRAPH (SOURCE: NEARMAP FEB 2023) 2. ALL DIMENSIONS ARE TO FACE OF KERB & CHANNEL 3. AJAX STREET - LOCAL ROAD (SPEED ZONE 40km/h) |
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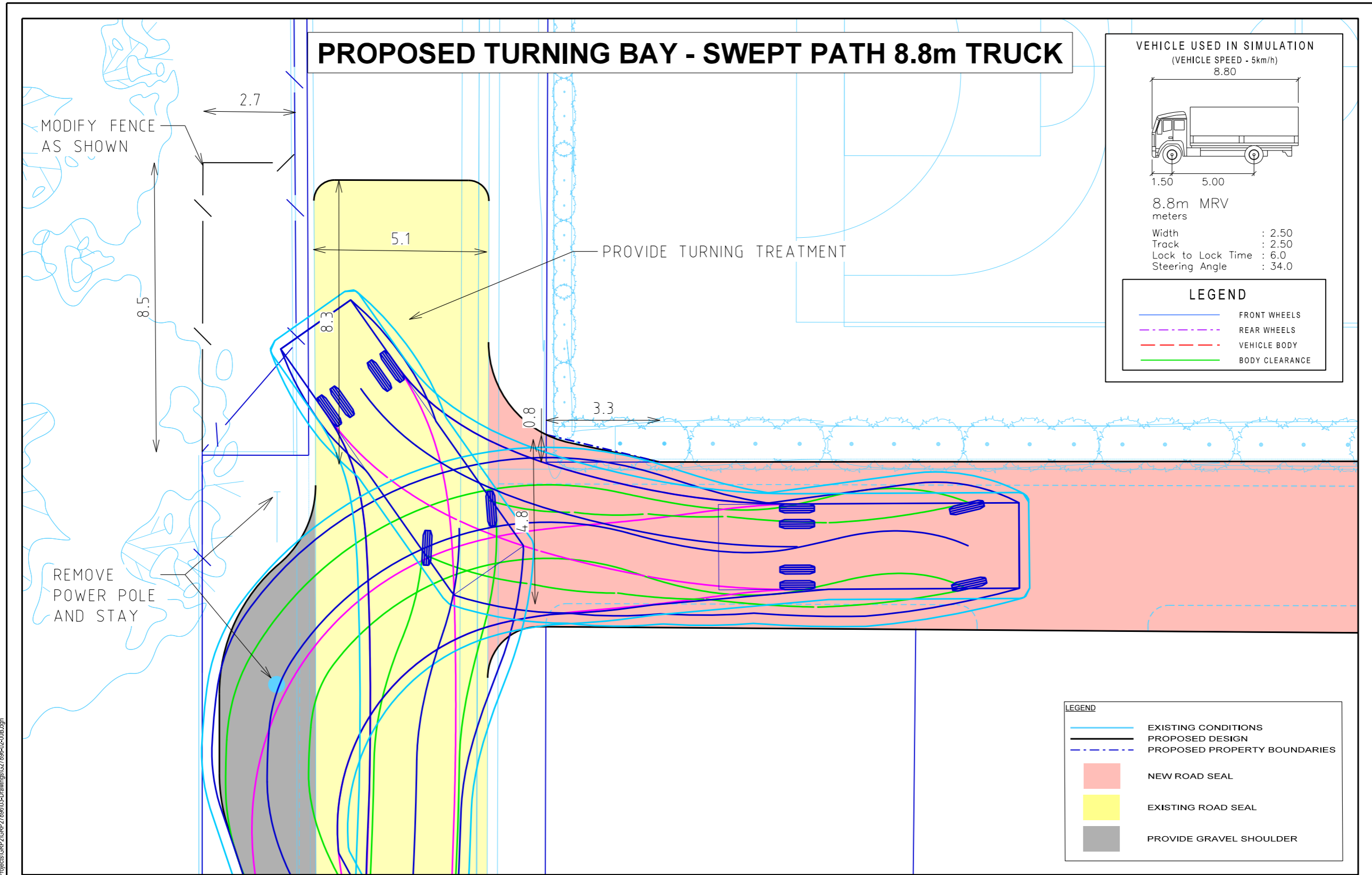
| |
|--------------------------------|
| DESIGNED S. O'KEEFE |
| CHECKED/APPROVED D. MILDER |
| FILE NAME G27896-02-00B.dgn |

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 www.traffixgroup.com.au

PROPOSED TURNING BAY
 MURRAY STREET, BALLARAT
 BALLARAT CITY COUNCIL
 CONCEPT LAYOUT PLAN

SCALE 0 0.5 1 1.5 2
 1:100 (A3)

SHEET No. 1/1 DWG No. G27896-02-05



DATE: 2/08/2024
 MODEL: G27896-02-06
 FILE: \\msx02\group\Synergy\Projects\GRP7\GRP7\27896\02-Drawings\G27896-02-06.dgn

| ISSUE | ISSUE DESCRIPTION | DESIGNER | CHECKED/APPROVED | ISSUE DATE |
|-------|-------------------|----------|------------------|-------------|
| A | INITIAL ISSUE | SOK | DM(RPE7838) | 23 JUL 2024 |
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GENERAL NOTES

1. BASE INFORMATION FROM AERIAL PHOTOGRAPH (SOURCE: NEARMAP FEB 2023)
2. ALL DIMENSIONS ARE TO FACE OF KERB & CHANNEL
3. AJAX STREET - LOCAL ROAD (SPEED ZONE 40km/h)

DESIGNED
S. O'KEEFE

CHECKED/APPROVED
D. MILDER

FILE NAME
G27896-02-00B.dgn

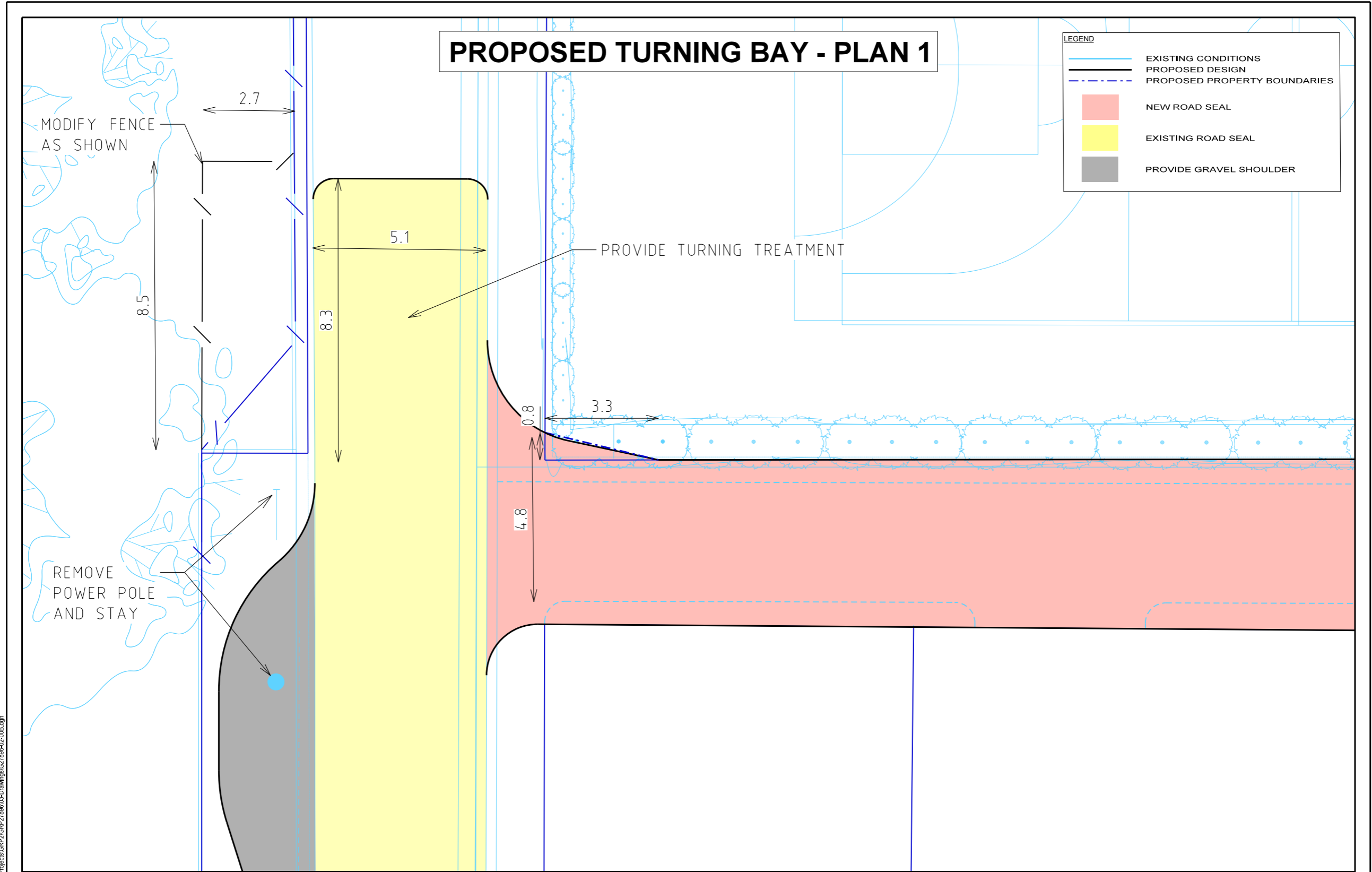
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PROPOSED TURNING BAY
MURRAY STREET, BALLARAT
BALLARAT CITY COUNCIL
CONCEPT LAYOUT PLAN

SCALE 0 0.5 1 1.5 2
1:100 (A3)

SHEET No. 1/1 DWG No. G27896-02-06



DATE: 2/08/2024
 MODEL: G27896-02-03
 FILE: \\sbs02\group\Synergy\Projects\GRP2\GRP27896\02-Drawings\G27896-02-00B.dgn

| ISSUE | ISSUE DESCRIPTION | DESIGNER | CHECKED/APPROVED | ISSUE DATE |
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| A | INITIAL ISSUE | SOK | DM(RPE7838) | 23 JUL 2024 |
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GENERAL NOTES

1. BASE INFORMATION FROM AERIAL PHOTOGRAPH (SOURCE: NEARMAP FEB 2023)
2. ALL DIMENSIONS ARE TO FACE OF KERB & CHANNEL
3. AJAX STREET - LOCAL ROAD (SPEED ZONE 40km/h)

DESIGNED
S. O'KEEFE

CHECKED/APPROVED
D. MILDER

FILE NAME
G27896-02-00B.dgn

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PROPOSED TURNING BAY
MURRAY STREET, BALLARAT
BALLARAT CITY COUNCIL
CONCEPT LAYOUT PLAN

SCALE 0 0.5 1 1.5 2
1:100 (A3)

SHEET No. 1/1 DWG No. G27896-02-03

8.11. BUNINYONG GENERAL CEMETERY ROAD DISCONTINUANCE

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

PURPOSE

1. The purpose of this report is to present to Council the feedback received from the community consultation required by Resolution R103/24.
2. The resolution authorised the commencement of the statutory process required to discontinue the portion of unused government road shown in blue below.



BACKGROUND

3. Community consultation relating to the proposed disposal of the land was undertaken over a period of four weeks from 31 May to 28 June 2024.
4. A public notice detailing the proposal was published in the Ballarat Times and on the City of Ballarat website.
5. The total submissions received have been summarised as follows:
 - a. Six supporting the proposal; and
 - b. One submission against the proposal.

KEY MATTERS

6. The submissions supporting the proposal were presented by local community groups and included the following key themes:
 - a. Benefit to the Buninyong community by having a cemetery that is not limited in growth.
 - b. Promoting the longevity of the Buninyong General Cemetery by allowing for further expansion.
 - c. Further promoting the historical, educational and family value in the Buninyong General Cemetery for residents.
7. The submission opposing the proposal was presented by an adjoining neighbour, with key themes including:
 - a. That the land proposed to be discontinued would be better utilised for industrial purposes aligned with the adjacent quarry.
 - b. That the alternative road access or potential road development through the opposite eastern side of the government road would not be possible due to the watercourse that intersects it.
 - c. That an alternative plan be negotiated between the Quarry and the Buninyong General Cemetery with the assistance of Council Officers that allows for further expansion of the cemetery but also allows for continued road access from the Midland Highway to the quarry from the western side.
8. Officers recommend that Council proceed with the road discontinuance as proposed in its current form. The alternative proposal submitted was considered, however based on the limited detail included in the submission, officers do not believe it is a viable possibility for the site.

OFFICER RECOMMENDATION

9. **That Council:**
 - 9.1 **Note the submissions lodged in accordance with the community consultation performed.**
 - 9.2 **In accordance with resolution R103/24, continue the process of discontinuance of the portion of government road adjacent to the Buninyong General Cemetery.**

ATTACHMENTS

1. Governance Review [8.11.1 - 2 pages]
2. 1109-01 - Submission to Council Discontinuance [8.11.2 - 6 pages]
3. BCC re road closures [8.11.3 - 1 page]
4. Comments on Buninyong Cemetery Proposed Road Closure - Buninyong Senior Citizens Redacted [8.11.4 - 1 page]
5. Land - Buninyong - unused roads - letter of support to council [8.11.5 - 1 page]

6. Trust Submission re Public Notice Redacted [8.11.6 - 2 pages]
7. Support for Roads Closure Proposal by the Buninyong Cemetery Redacted [8.11.7 - 1 page]
8. CEMETERY ROAD LETTER Redacted [8.11.8 - 1 page]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The report supports the Council Plan 2021-2025 goal of providing leadership and advocacy for its community.

COMMUNITY IMPACT

2. The road discontinuance would increase community activation of the space.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

ECONOMIC SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. There are no financial implications identified for the subject of this report.

LEGAL AND RISK CONSIDERATIONS

6. City of Ballarat will follow the statutory process in accordance with legislation to mitigate any legal risks.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. City of Ballarat has followed the community consultation process in accordance with section 223 of the *Local Government Act 1989*.

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

OFFICIAL

OFFICIAL

PROCUREMENT COLLABORATION

(For Contracts Only)

OFFICIAL



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 ABN 99 100 526 458 ACN 100 526 458 RFP: CEC5764
 info@axiom.com.au
 www.axiom.com.au

26th June, 2024

Property Department
 City of Ballarat
 PO Box 655,
BALLARAT, VICTORIA, 3350

By email: info@ballarat.vic.gov.au

Submission – Proposed Road Discontinuance: Buninyong General Submission

We act for the owners of the land located immediately south of the Buninyong Cemetery - [REDACTED]. The land that [REDACTED] own is on several different titles as shown on the attached plan numbered 1109-100PL, sheets 1 and 2. [REDACTED] have asked that we make a submission, on their behalf, in response to Council's proposal to discontinue a portion of the unused government road located adjacent to the Buninyong Cemetery. The location of the proposed discontinuance in relation to the land owned by my Clients can be seen on the attached plans.

My Clients are concerned that if the road was to be discontinued as proposed then it will jeopardize the functionality of their land and they would like to therefore formally object to the proposal. The reasoning for their objection is as follows.

Background

The land holding comprises 13 separate titles as shown on plan numbered 1109-100PL, sheets 1&2, and lies directly south of the Buninyong Cemetery, on the south side of Midland Highway.

The land is quite undulating and is characterised by vegetation cover comprising stands of trees and bushes, and an abandoned quarry. There are two watercourses that traverse the land which are both tributaries to the Yarrowee River. We note that anecdotally, neither water course has been reported to have flooded but it would be prudent to undertake a detailed investigation to verify that fact.

Although the plans that accompany this submission show that there are a number of road reserves surrounding the land, the only functioning roads are the Midland Highway to the north, Dredge Road to the west which exhibits a crushed rock surface for 450m south of the Midland Hwy (as it services one dwelling), Atkinsons Road to the west which is unsurfaced and Scotchmans Lead Road to the east which is a sealed road.

There is a High Voltage electrical transmission line that traverses the north western portion of the northern parcel.

A large quarry site lies immediately south of the land that is currently in operation.

The majority of the land lies within Ballarat City Council's Rural Living Zone (RLZ) and one title, 2002\PP2287 falls within the Industrial Zone (IN1Z). The industrially zoned land, both held and south of the held land, is subject to a number of Extractive Industry Works Authorities. It is noted that a permit is required to construct a dwelling within 500m from the title boundary of land on which a work authority has been granted. The zones, works authority boundary and associated buffer are shown on the attached plan numbered 1109PL-100, sheet 3.

Economic Potential

My Clients are currently in active discussion with a number of parties who seek to establish industrial operations on their land. We believe therefore that the land would be of economical benefit to the community if it were to be used for Industrial purposes due to:

- It's accessibility to a major road route being the Midland Highway;

- It's accessibility to a major electrical supply;
- The proximity of the land to the existing quarry which is not conducive to neighboring residential purposes, evidenced by the recent incorporation of a permit trigger for accommodation in the vicinity of Extractive Industry.
- The expanse of the land which measures 72Ha in area.
- The ability to rationalise vehicular access at Midland Highway, including the access to and from the cemetery

Proposed Discontinuance

It is understood that Council seeks to discontinue a part of the unused Government Road at the western and southern perimeter of the cemetery to provide for expansion of the cemetery. It has been suggested that by leaving the eastern leg and the eastern portion of the southern leg of the Government Road open that access to the land to the south will be maintained. We submit that not to be the case due to the alignment of the water course that lies within the eastern leg of the Government Road, which is likely to hinder any development of a road within that Road Reserve.

Further, we submit that the land to the east of the existing cemetery would provide a more suitable place for expansion of the cemetery due to the following reasons:

- That land is flatter than the land to the west;
- The land has good road access away from the Midland Highway;
- There is scope for expansion of a greater area (3Ha) than that proposed as part of the road discontinuance (0.9Ha);
- The presence of the water course within the land to the east provides opportunity to incorporate a tranquil open trail through the expanded area.

Proposed Framework Plan

We have developed a Framework Plan for the land held by Mr and Mrs Brown (refer plan numbered 1109PL-100, sheet 4) that seeks to provide for the expansion of the Buninyong Cemetery as well as supplying industrial land.

Utilisation of the Government Road that is proposed for discontinuance actually assists in rationalizing traffic movements onto and from Midland Highway

For the reasons outlined herein we ask that a decision on the possible discontinuance of the Government Road be held until:

- The use and development of land in the broader area be considered;
- Further consideration be given to the most efficient expansion of the cemetery.

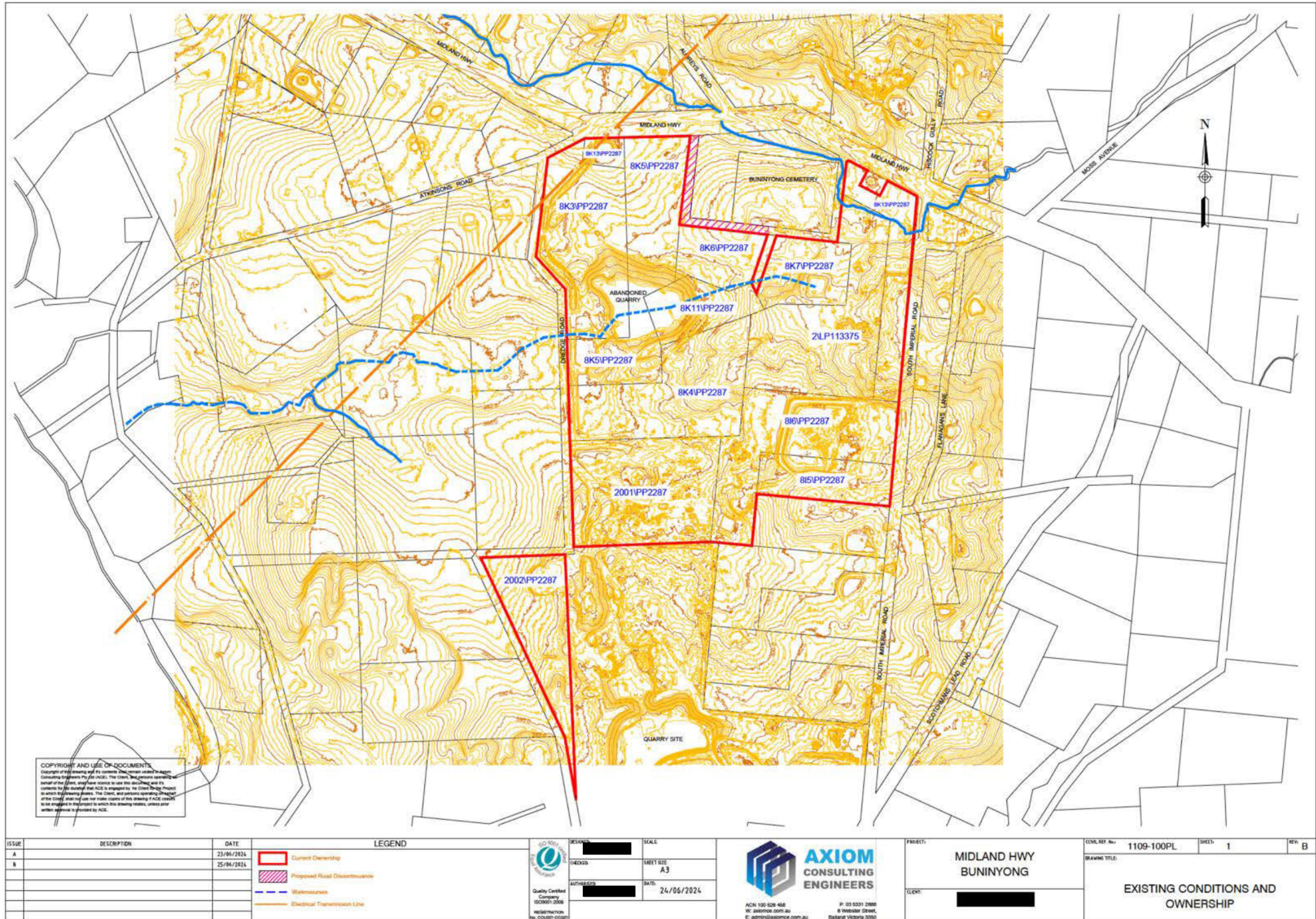
Further to this request we seek engagement with Council officers to assist with progression of the development of the land referred to in this submission.

Should you have any queries please feel free to contact me on [REDACTED] or by email at [REDACTED]

Yours faithfully

AXIOM CONSULTING ENGINEERS





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| ISSUE | DESCRIPTION | DATE |
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| B | | 25/06/2024 |
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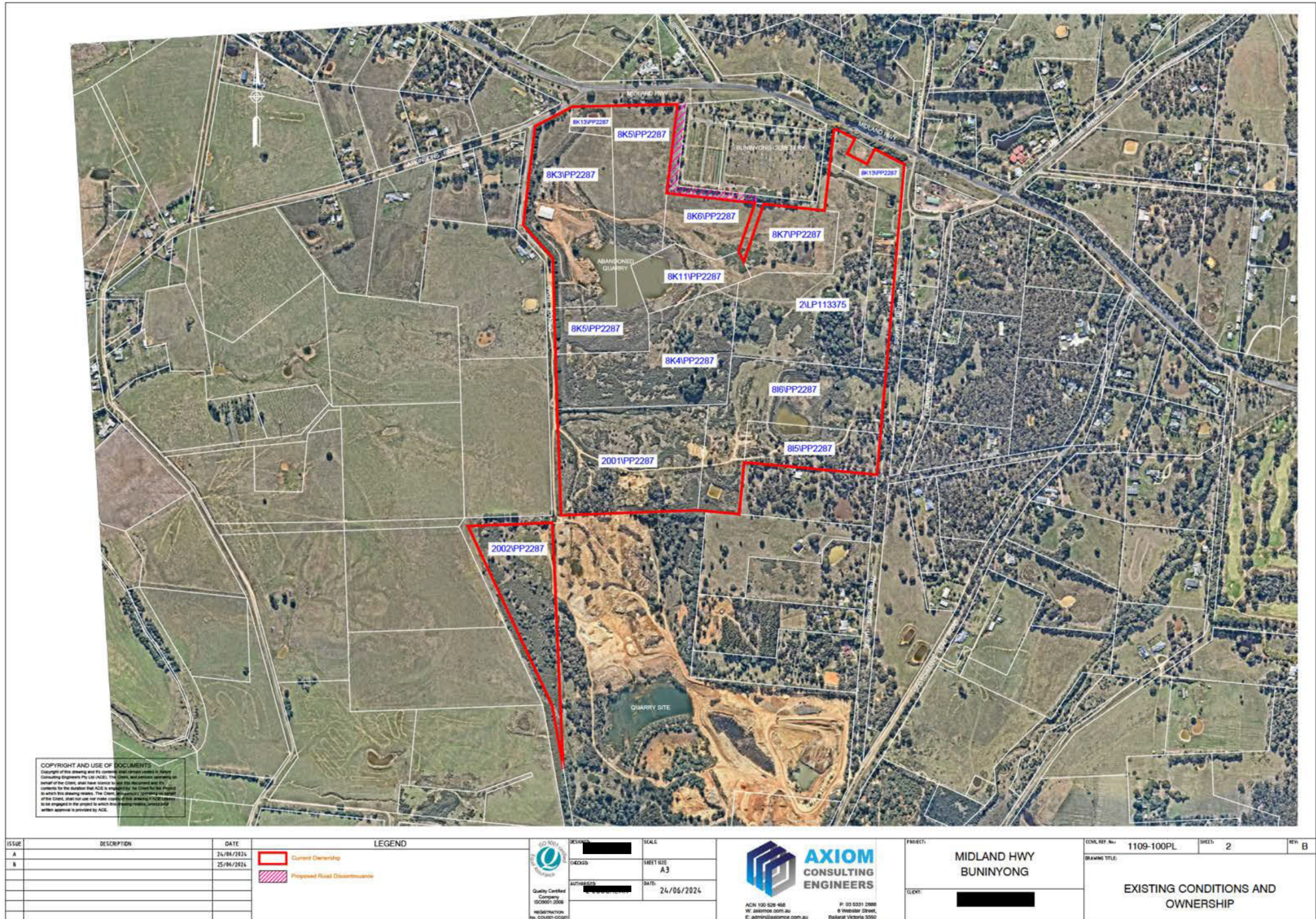
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| | Current Ownership |
| | Proposed Road Discontinuance |
| | Watercourses |
| | Electrical Transmission Line |

| | | |
|--|------------------------|------------------|
| | DESIGNER: [REDACTED] | SCALE: |
| | CHECKED: [REDACTED] | SHEET SIZE: A3 |
| | AUTHORISED: [REDACTED] | DATE: 24/06/2024 |

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 ACN 100 528 458 P. 03 5331 2000
 W. 2460060000.au B. Webber Street,
 E. admin@axiomce.com.au Bakara Victoria 3090

| | |
|----------|--------------------------|
| PROJECT: | MIDLAND HWY BUNINYONG |
| CLIENT: | [REDACTED] |

| | | | | | |
|--|------------|--------|---|------|---|
| CONTRACT REF. No: | 1109-100PL | SHEET: | 1 | REV: | B |
| DRAWING TITLE: | | | | | |
| EXISTING CONDITIONS AND OWNERSHIP | | | | | |



| ISSUE | DESCRIPTION | DATE |
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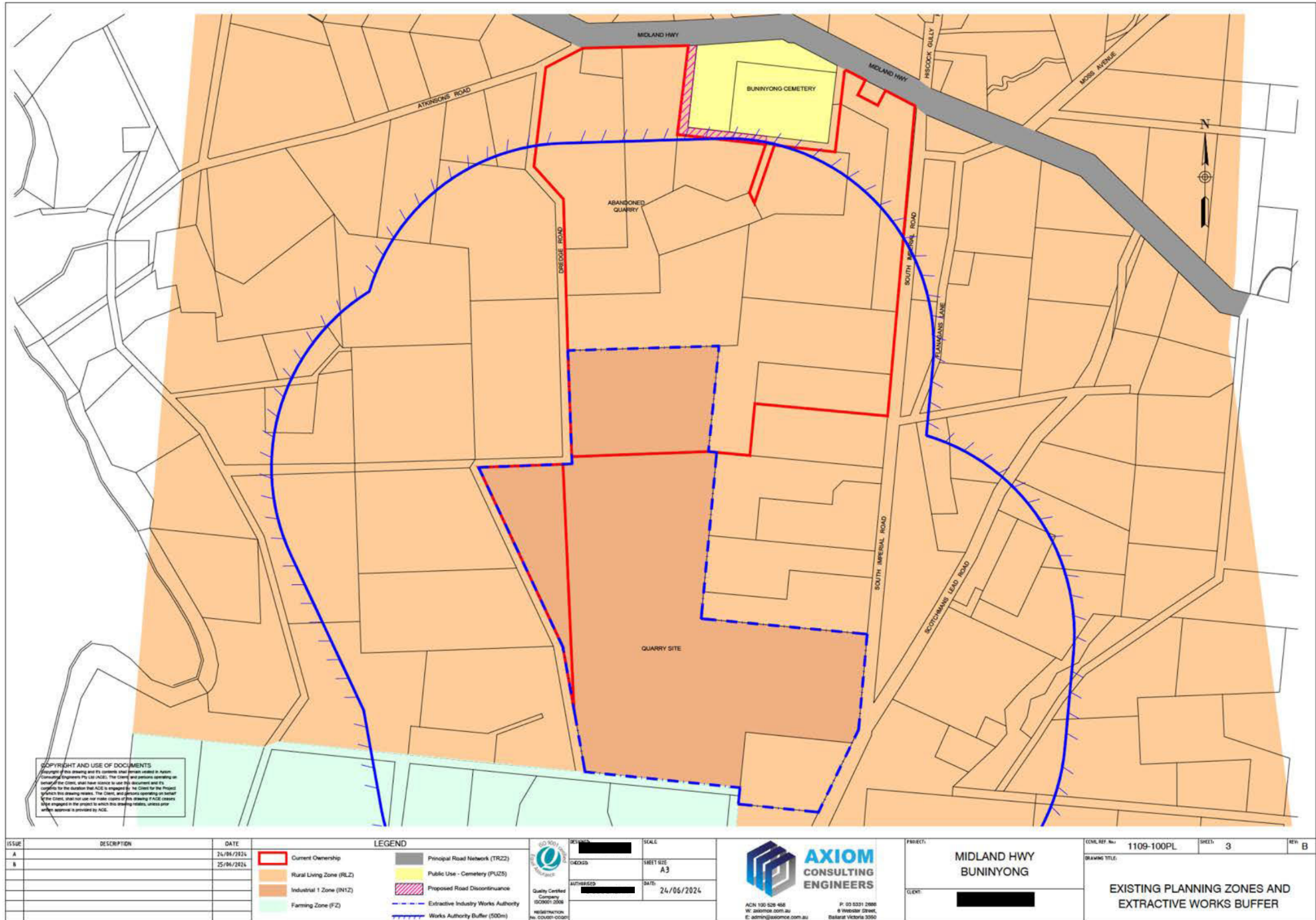
| LEGEND | |
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| | Current Ownership |
| | Proposed Road Discontinuance |

| | | |
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| | DESIGNED: [REDACTED] | SCALE: |
| | CHECKED: [REDACTED] | SHEET SIZE: |
| | AUTHORISED: [REDACTED] | DATE: |
| | | 24/06/2024 |

AXIOM CONSULTING ENGINEERS
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 W: axiomce.com.au B: WINDSOR DRIVE,
 E: admin@axiomce.com.au Bakelar Victoria 3090

| | |
|----------|--------------------------|
| PROJECT: | MIDLAND HWY BUNINYONG |
| CLIENT: | [REDACTED] |

| | | | | | |
|-----------------------------------|------------|--------|---|------|---|
| CONTR. REF. No. | 1109-100PL | SHEET: | 2 | REV: | B |
| DRAWING TITLE: | | | | | |
| EXISTING CONDITIONS AND OWNERSHIP | | | | | |



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| ISSUE | DESCRIPTION | DATE |
|-------|-------------|------------|
| A | | 24/06/2024 |
| B | | 25/06/2024 |
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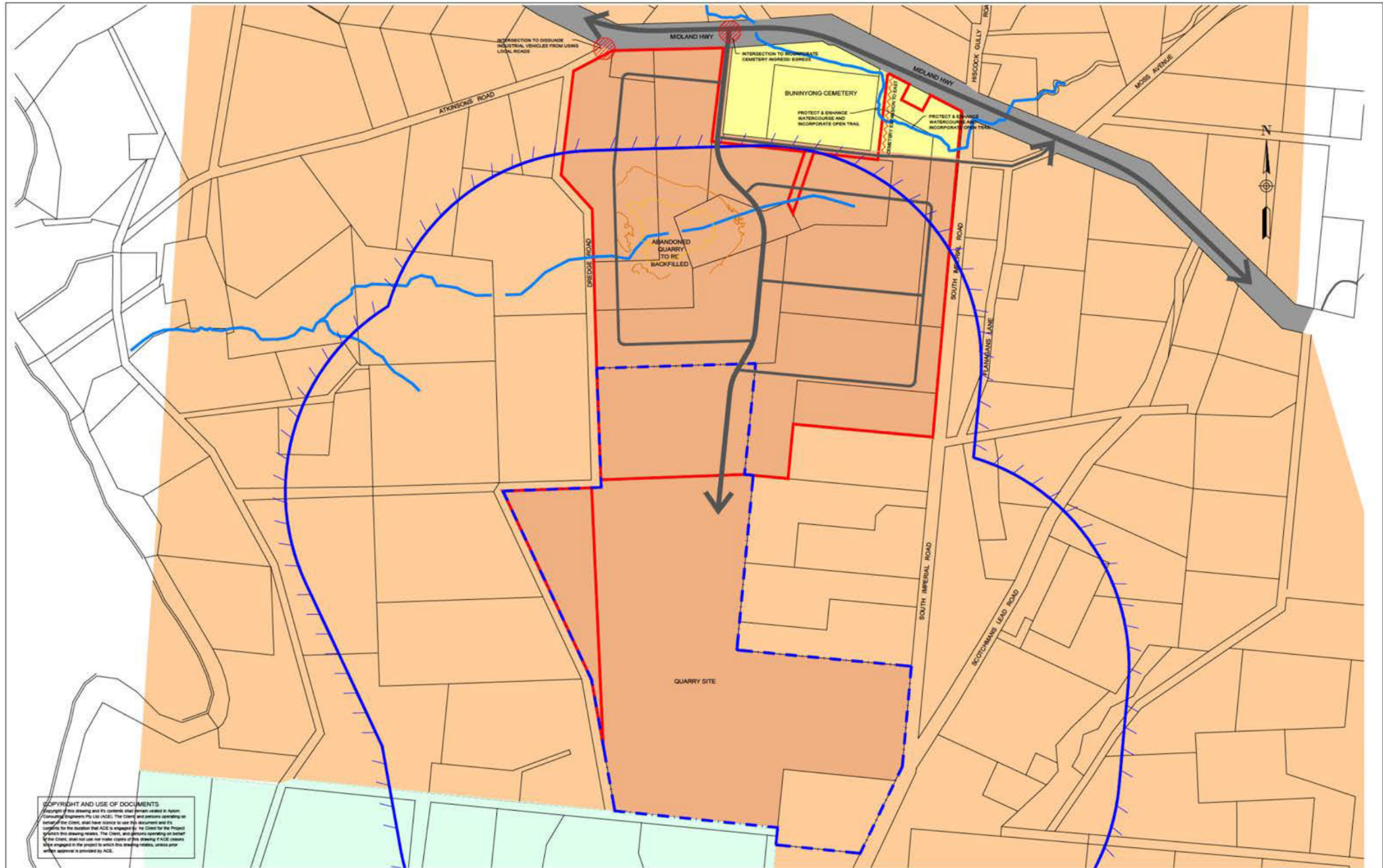
| LEGEND | |
|--------|-------------------------------------|
| | Current Ownership |
| | Rural Living Zone (RLZ) |
| | Industrial 1 Zone (IN1Z) |
| | Farming Zone (FZ) |
| | Principal Road Network (TR22) |
| | Public Use - Cemetery (PUZS) |
| | Proposed Road Discontinuance |
| | Extractive Industry Works Authority |
| | Works Authority Buffer (500m) |

| | |
|--|---|
| | REVISION: [REDACTED] SCALE: [REDACTED] SHEET SIZE: A3 DATE: 24/06/2024 REGISTERED: [REDACTED] |
|--|---|

AXIOM CONSULTING ENGINEERS
 ACN 100 526 456 P. 03 5331 2686
 W. axiom@axiom.com.au B. Webster Street,
 E. admin@axiom.com.au Bakara Victoria 3090

| | |
|----------|--------------------------|
| PROJECT: | MIDLAND HWY BUNINYONG |
| CLIENT: | [REDACTED] |

| | | | | | |
|--|------------|-------|---|-----|---|
| CONC. REF. No. | 1109-100PL | SHEET | 3 | REV | B |
| DRAWING TITLE: | | | | | |
| EXISTING PLANNING ZONES AND EXTRACTIVE WORKS BUFFER | | | | | |



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| ISSUE | DESCRIPTION | DATE |
|-------|-------------|------------|
| A | | 24/06/2024 |
| B | | 25/06/2024 |
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| | | |
| | | |

| LEGEND | |
|--|-------------------------------------|
| | Current Ownership |
| | Rural Living Zone (RLZ) |
| | Industrial 1 Zone (IN1Z) |
| | Farming Zone (FZ) |
| | Principal Road Network (TR22) |
| | Public Use - Cemetery (PU25) |
| | Road Network |
| | Extractive Industry Works Authority |
| | Works Authority Buffer (500m) |

GO 9000
 Quality Certified Company
 ISO9001:2008
 REGISTRATION No. COU581-0008

SCALE: [REDACTED]
 SHEET SIZE: A3
 DATE: 24/06/2024

AXIOM CONSULTING ENGINEERS
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 W. 260/206 St. W.
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P. 03 5331 2000
 B. Webster Street,
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PROJECT: MIDLAND HWY BUNINYONG
 CLIENT: [REDACTED]

CONCL. REF. No. 1109-100PL
 SHEET: 4
 REV: B

DRAWING TITLE: PROPOSED FRAMEWORK PLAN



Buninyong Probus Club Inc

Incorporation No A006177M
P O Box 642, Buninyong, 3357
Email: buninyongprobus100@gmail.com
President: [REDACTED]
Secretary: [REDACTED]
Treasurer: [REDACTED]

10th June, 2024

Buninyong Probus Club,
P.O. Box 642,
Buninyong, Victoria, 3357

Property Department,
City of Ballarat,
PO Box 655,
Ballarat, Victoria, 3350

PROPOSED ROAD DISCONTINUANCE: BUNINYONG CEMETERY

We note that, at its meeting of 24 April 2024, Council voted unanimously in favour of a proposal to discontinue sections of unused Government roads adjoining the Buninyong Cemetery.

Further, we note the Public Notice which Council has now published concerning this proposed action.

This group has previously written to Councillors Hudson and Taylor expressing our support of the proposal and again reiterate this support.

We believe the proposal will be of undoubted community benefit, and we know it carries the support both of our members and that of the Buninyong and nearby communities.

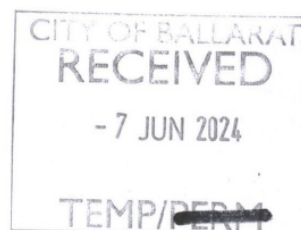
We urge that due notice be taken by you, as part of Council's Community Engagement Policy, of our support concerning this proposal.

Yours faithfully

[REDACTED]

[REDACTED]

Secretary
Buninyong Probus Club
Phone: [REDACTED]
Email: [REDACTED]



P.O. Box 127, Buninyong 3357

**Property Department
City of Ballarat
PO Box 655
Ballarat 3350**

BUNINYONG CEMETERY: PROPOSED ROAD CLOSURE

In April 2024, this organisation wrote to Councillors expressing its strong support for a submission made to Council by the Buninyong Cemetery Trust concerning the closure of sections of unused roads abutting the Cemetery.


We understand that, at its meeting of 24 April 2024, Council voted unanimously in favour of this proposal.

We now have had our attention drawn to the *Public Notice* which Council has published on 31 May 2024 concerning this proposed action.

This group again asserts its strong support for the move as we believe it to be clearly be in the public interest, and of strong community benefit in that it will enable the Buninyong Cemetery to significantly extend its role in the community for many more years.

We urge that your Department take account of the strong views of our members and, we know, of most others in the community.

Yours Sincerely,


**President
Buninyong Senior Citizens**



Department of Health

50 Lonsdale Street
Melbourne Victoria 3000
Telephone: 1300 650 172
GPO Box 4057
Melbourne Victoria 3001
www.health.vic.gov.au
DX 210081

[Redacted]

Michael Hynes
Executive Manager, Property and Facilities
City of Ballarat

[Redacted]

Cc. Cr Des Hudson OAM (Mayor)
<mayor@ballarat.vic.gov.au>

Dear Mr Hynes

In March 2024 the department provided a letter of support to Ballarat City Council (Council) for the Buninyong Cemetery Trust's (the trust) proposal to acquire additional land. This included support for a request to Council to have sections of unused roads adjoining the Buninyong Cemetery declared discontinued, for the land to then be reserved for cemetery purposes and subsequently for the land to be rezoned to Public Use Zone - cemetery and crematorium (PUZ5).

I note at its April 2024 meeting, Council agreed to discontinue sections of unused roads adjoining the Buninyong Cemetery as requested by the trust. I have been advised that a Public Notice was then issued by Council inviting submissions to this proposal and that there was strong community support for the proposal.

I understand that the matter will be discussed by Council at its August 2024 meeting. I again reaffirm the department's support for the discontinuance of sections of unused roads adjoining the Buninyong Cemetery and the trust's acquisition of this additional land for cemetery purposes. The acquisition of this additional land is critical to the cemetery's future operations as it will provide increased burial capacity for the community and thereby is in the public interest.

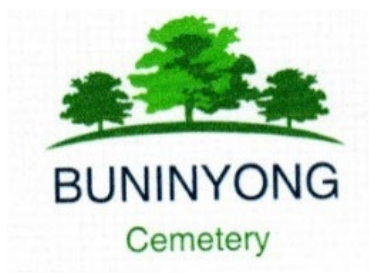
Should you wish to discuss this matter further, please contact [Redacted]

Yours sincerely

[Redacted signature block]

22 / 08 / 2024





SUBMISSION : PROPOSED ROAD DISCONTUANCE BUNINYONG CEMETERY

2 June 2024

Since 1852 the Buninyong Cemetery has been a critical community asset for residents of Buninyong and nearby districts.

Without additional land becoming available, it seems likely that the cemetery will reach full capacity in about ten years' time, around 2035, and then possibly have to close.

Across the past twelve years, concerted efforts by the Cemetery Trust and others acting on behalf of the Trust, to buy additional land have been unsuccessful.

The Buninyong Cemetery is surrounded on three sides by road reserves, unused for 170 years. Each reserve is some 21m wide.

The proposal **to declare "closed" sections of two of the 'unused' roads** - has now been unanimously supported by City of Ballarat Councillors at the meeting of 24 April 2024. This would result in the land reverting to the Crown, and subsequently becoming available for cemetery use.

There are no land-locking of other properties or zoning issues involved!

In exercising its power to close a road, Council must take primary account of whether such closure is **"in the public interest"**. S 407 (1) of the Victorian *Land Act (1958)*. *Inter alia*, states, *"If a municipal council considers that it is desirable in the public interest that a licence... in respect of any unused road in the municipal district of that municipal council should be varied or cancelled it shall so inform the Minister..."*

The process involved will have no or minimal financial implications, or indeed subsequent administrative cost to Council or to ratepayers.

Specific assurance has been given by DEECA to the Trust, that following such a Council 'closure' decision, that Department will assume ALL consequential administrative responsibility relating to the change of the status of those sections of unused roads.

A positive decision on partial road closure would result in some additional 1200m² of land, estimated to provide space for an additional 600 burial plots.

This will extend the life of the Buninyong Cemetery by up to fifteen years - taking the cemetery's operational life to about the year 2050.

Over recent years, the burial rate at Buninyong Cemetery has markedly increased. It should be noted that folks being buried there are not just from Buninyong and local districts, but from Mount Helen, Mount Clear, Canadian and increasingly from Sebastopol and southern areas of Ballarat.

Major and broadly-based community groups have indicated how important a community asset is the local cemetery, and of their support for the proposal which is the subject of the *Public Notice* of 31 May 2024.

In contrast to other interested parties, in the proposal of the Cemetery Trust there are no "hoped-for" future land sub-division project approvals, or other commercial or personal financial-gain interests involved.

Rather, members of the Buninyong Cemetery Trust, who have been appointed by the Governor-in-Council (on the advice of the Minister), are all unpaid local citizens. They have volunteered to serve the community interest by administering, maintaining and future planning of this important public facility. Likewise, the attractive cemetery's grounds are all maintained by unpaid volunteers.

There should be no doubt that this proposal by the Buninyong Cemetery, and now endorsed by all Councillors, certainly is in the "public interest" – the key criterion for assessment of any submissions received by you in this matter.



Buninyong Cemetery Trust

To: [REDACTED] Info@Ballarat.vic.gov.au
Subject: Support for Roads Closure Proposal by the Buninyong Cemetery
Date: Saturday, 29 June 2024 9:45:20 AM

Property Department

City of Ballarat

Info@ballarat.vic.gov.au

28 June 2024

Submission by the Buninyong Visitor Centre re the Roads Closure Proposal by the Buninyong Cemetery

The historical Buninyong Cemetery is a major community asset which both draws and interests visitors to Buninyong, and also provides historical, family and educational interest and memories for thousands of local residents and students.

The continued vital community role played by the Cemetery is seen by this group to be of great importance and significance.

We are aware of and fully support the proposal made by the Buninyong Cemetery Trust to have some sections of adjoining unused roads closed and made available for cemetery use.

This proposal clearly is in the public interest not only to the community it directly serves, but also to those from elsewhere who enjoy visiting this local landmark.

Yours sincerely

[REDACTED]

[REDACTED]

Buninyong Joint Library Trust Inc.

Lions Club of Buninyong / Mt. Helen

**Property Department
City of Ballarat
PO Box 655
Ballarat 3350**

BUNINYONG CEMETERY: PROPOSED ROAD DISCONTINUANCE

In Council's Public Notices published on 31 May 2024, submissions are invited concerning a proposal to discontinue parts of unused Government roads which surround the Buninyong Cemetery.

Earlier this year this group wrote to Council expressing strong support for the submission by the Buninyong Cemetery Trust, as we know that capacity at the local cemetery is dwindling, and that the use of land freed by use of parts of these road reserves, unused for more than 170 years, would greatly extend the life span of the cemetery.

Without doubt there is a clear public interest in this proposal and a clear public benefit stemming from it.

We have noted that, at its meeting of 24 April 2024, Council voted unanimously in favour of this proposal. Obviously, Councillors saw the community benefit to be had by this proposal and we urge your Department to take clear account of the clear view taken by our elected representatives, the strong views of our members, and, we know, of most other individuals and other individuals and groups in the community.

Yours Sincerely,

[REDACTED]

Lions Club of Buninyong/Mt. Helen

8.12. BALLARAT ENERGY NETWORK

Division: Economy and Experience
Director: Martin Darcy
Author/Position: Kelli Moran – Executive Manager Economic Growth

PURPOSE

1. The purpose of this report is to seek Council's support for an allocation of \$30,000 to Committee for Ballarat from the current 2024/25 Council operating budget, as a co-contribution towards specialist advice to inform the Ballarat Energy Network proof of concept.

BACKGROUND

2. The Ballarat Energy Network (BEN) is an ambitious concept being led by the Committee for Ballarat. Its vision is 'a community-owned energy network, powering a regional city of more than 100,000 people, with 100% locally generated renewable energy'.
3. The concept is based on two key principles:
 - a. Enabling the use of distributed energy resources, which allows renewable energy to be generated, stored, shared and traded locally.
 - b. Building community wealth and social licence, by having a local ownership and governance model which would return value to the local community.
4. The objectives of BEN include maximising the capacity of locally generated renewable energy, reducing the cost of energy to our regional community, building social licence and community wealth, and increasing our regional energy resilience.
5. City of Ballarat has been represented on an advisory group for the Ballarat Energy Network over the past year at officer level. While the concept could take many years to be realised, the advisory group nevertheless agree the three critical success factors for the BEN project are:
 - a. Leadership and a shared vision.
 - b. Strong partnerships.
 - c. A staged roadmap.

KEY MATTERS

6. The first milestone in the staged roadmap is currently being delivered. This is a business case and feasibility study involving seventeen of Ballarat's largest commercial and industrial businesses, many of which are based in and around the Ballarat West Employment Zone. This proof-of-concept project is being led pro bono by Mondo/Ausnet and is assessing the technical feasibility and commercial viability for an innovative, local distributed energy network for Ballarat's primary industrial precinct. It is assessing businesses' energy usage and the potential for local energy generation, storage, sharing and distribution within the precinct.
7. There is interest in the BEN project from a range of government, private and philanthropic stakeholders, especially in terms of whether the model could be successful and therefore replicated in other regional cities. However, to progress the

project to the stage where investment could be sought from those stakeholders, there is some further specialist investigation required, particularly relating to the governance model. This includes the type of entity that might continue to progress the BEN staged roadmap from here, as well as the eventual ownership model of BEN and how that would interact with the national energy market.

8. In the spirit of supporting the BEN critical success factor of strong partnerships, it is proposed that an allocation of \$30,000 from the 2024/25 Council Economic Development existing operating budget be made to Committee for Ballarat as a matched contribution to their own investment to resource this specialist work. The intention of the contribution is to explore future options for the BEN concept to provide value for our residents, based on the proof of concept project.
9. Committee for Ballarat will retain all project management responsibilities. Any funding will be accompanied by project KPI reporting via a funding agreement.

OFFICER RECOMMENDATION

10. That Council:

- 10.1 Endorse an allocation of \$30,000 from the existing current 2024/25 Council Economic Development operating budget to Committee for Ballarat, as a co-contribution towards specialist resourcing for the Ballarat Energy Network proof of concept.**

ATTACHMENTS

1. Governance Review [8.12.1 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This proposal supports the delivery of the following Council Plan priorities:
 - Objective 1.1 Transition towards zero emissions
 - Objective 1.3 Support communities to be adaptive and resilient to a changing climate
 - Objective 5.2 Support local businesses to explore, innovate and adapt to emerging economic opportunities
 - Objective 6.3 Advocate on behalf of our community

COMMUNITY IMPACT

2. The Ballarat Energy Network proposal seeks to build community wealth and social licence by having a local ownership and governance model which would return value to the local community.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. The first principle of the Ballarat Energy Network concept is enabling the use of distributed energy resources, which allows renewable energy to be generated, stored, shared and traded locally and thus reducing our region's carbon emissions.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. This proposal seeks to explore how the Ballarat Energy Network concept might be owned and governed in such a way as to build wealth for our community in the long term

FINANCIAL IMPLICATIONS

5. This proposal seeks to allocate \$30,000 from the approved Council operating budget for 2024/ 25.

LEGAL AND RISK CONSIDERATIONS

6. This proposal is to seek consultancy advice only, which will be governed by appropriate funding agreements and reporting requirements.

HUMAN RIGHTS CONSIDERATIONS

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

OFFICIAL

OFFICIAL

COMMUNITY CONSULTATION AND ENGAGEMENT

8. Community consultation and engagement will be a critical future element of the Ballarat Energy Network staged roadmap, however the project is not yet at the point where this could effectively occur. This proposal will assist in moving to that stage.

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

PROCUREMENT COLLABORATION

(For Contracts Only)

OFFICIAL

8.13. CLAYTON STREET AND RODIER STREET INTERSECTION

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Vaughn Notting – Executive Manager Infrastructure

PURPOSE

1. The purpose of this report is to action resolution R131/19 from the Council meeting on 12 June 2019.

BACKGROUND

2. As a result of an internal audit to review the completion status of historical Council resolutions, resolution R131/19 from the Council meeting on 12 June 2019 was identified as not having been actioned to date.
3. Resolution R131/19 refers to a petition that was received in 2019 to 'Make the Clayton and Rodier Street intersection safe'. The petition was signed by 24 residents to investigate options to improve safety at the intersection after a vehicle lost control and collided with a tree and private property.
4. The resolution is stated below:

Council resolves to:

1. That the petition be received; and
2. That the petition be referred to the Chief Executive Officer for a report to a future Council Meeting.

Moved: Cr Ben Taylor

Seconded: Cr Jim Rinaldi

CARRIED

(R131/19)

KEY MATTERS

5. Clayton Street is a collector road on the current City of Ballarat road hierarchy. This is a traffic route, expected and intended to carry higher volumes of various traffic types. Collector roads are roads which collect traffic from local access streets and distribute it to higher order roads (arterial and secondary arterial). A 60km/h speed limit reflects the road's role as a traffic route.
6. The seal width in Clayton Street varies but provides for a through lane in each direction and a sealed parking lane on one side in the vicinity of Rodier Street.
7. Clayton Street has a slight curve to the south/east of Rodier Street, but this does not affect sight distance for drivers travelling in either direction along the road. No warning signs are existing or warranted in the vicinity of the intersection.
8. Rodier Street is a local access road on the current City of Ballarat road hierarchy and has been constructed with a 7.6-metre-wide carriageway to reflect this status.

9. The design width allows two vehicles to pass each other while passing a parked car or for a vehicle to pass between two parked cars. It is the standard used for local streets where there is typically residential development on both sides of the road and a default 50 km/h speed limit applies (as imposed by Rule 25 of Road Rules – Victoria).
10. A 'Give Way' sign and associated line marking is in place at the intersection which is formalised as a T-Intersection. The installation of 'Stop' signs at an intersection requires the meeting of a variety of criteria and guidelines.
11. After an inspection and evaluation of the site by Council officers, the intersection does not meet the criteria and guidelines for the installation of 'Stop' signs. Sight distance at the site conforms with requirements and guidelines.
12. Recent maintenance works have not been required at the intersection to improve safety.
13. The City of Ballarat lodges annual submissions to the Federal Black Spot Program, with the goal of reducing the incidence and severity of road trauma. Crash statistics and characteristics from police reports throughout the municipality are analysed, with treatment concepts developed to address the specific nature of incidents. Eligibility criteria for submissions includes 3 or more crashes over a consecutive 5-year period. The intersection of Clayton Street and Rodier Street has not qualified for submission to the Federal Black Spot Program to date.
14. The intersection will continue to be monitored for any required safety improvements in the future.

OFFICER RECOMMENDATION

15. That Council:

15.1 Note the report.

ATTACHMENTS

1. Governance Review [8.13.1 - 1 page]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. Improving road safety is in alignment with the Council Plan.

COMMUNITY IMPACT

2. Improving community safety is a consideration of this report.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

ECONOMIC SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. There are no financial implications identified for the subject of this report.

LEGAL AND RISK CONSIDERATIONS

6. There are no legal and risk considerations identified for the subject of this report.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. This report is in response to community concerns.

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

OFFICIAL

8.14. 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 17 July, 31 July and 14 August, 2024 and provides a summary of information in relation to these minutes.

BACKGROUND

2. To ensure good governance and transparent decision making, minutes of meetings of Delegated Committees are presented to Council and kept in accordance with the adopted Terms of Reference and the Governance Rules. Minutes of the Contracts Approval Delegated Committee (the Committee) meetings held on 17 July, 31 July and 14 August 2024 are attached to this report.
3. The Committee has been established to more effectively facilitate Council's capital works program. To that end, the Committee meets fortnightly, as required, in order to provide Council officers with necessary decisions of Council to enable procurement processes to be completed.

KEY MATTERS

| Contract | Award to | Value | Outcome | Local Content |
|-------------|--|---------------------------------|---|---------------|
| 2023/24-639 | Enoch Civil Pty Ltd | \$732,896.20 (excluding GST) | Provision of a roundabout at Rubicon and Talbot Streets | Yes |
| 2022/23-405 | Workforce Health Assessors Pty Ltd UFS Healthcare Ltd Lake Health Group Pty Ltd One Life Health Group Pty Ltd | Schedule of Rates | Health and Wellbeing Programs and Services | Yes |
| 2023/24-730 | Butler Excavations Pty Ltd | \$464,242.95 (excluding GST) | Ligar Street Reconstruction (Gregory St to Howitt St) | Yes |

| | | | | |
|-------------------------|---|-----------------------------------|---|-----|
| 2023/24-739 | Central Vic Civil Pty Ltd | \$1,433,973.12 (excluding GST) | Finchs Road – Road Widening | Yes |
| 2023/24-706 | Commercial Aquatics Australia (Vic) Pty Ltd | \$1,707,269.64 (excluding GST) | Brown Hill Splash Park | No |
| 2021/22-849 | Contract Variation | \$513,591.40 (excluding GST) | Capping/rehabilitation works at Whitehorse Road former landfill | No |
| Update on Tender Status | | | | |

OFFICER RECOMMENDATION

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 17 July, 31 July and 14 August 2024.**

ATTACHMENTS

- Confirmed Contracts_-_ Minutes of meeting held Wednesday 17 July 2024.docx [8.14.1 - 5 pages]
- Confirmed Contracts - Minutes of meeting held Wednesday 31 July 2024.docx [8.14.2 - 6 pages]
- Confirmed Contracts - Minutes of meeting held Wednesday 14 August 2024 [8.14.3 - 6 pages]

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***CONTRACTS APPROVAL
DELEGATED COMMITTEE***

MINUTES

17 July 2024

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**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS APPROVAL DELEGATED
COMMITTEE OF THE BALLARAT CITY COUNCIL, HELD BY A VIRTUAL MEETING
ON WEDNESDAY 17 JULY 2024 AT 1:00PM**

**Evan King
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Ben Taylor (Chair)
Cr Peter Eddy
Cr Mark Harris

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)
Mr John Hausler (Director Corporate Services)
Ms Bridget Wetherall (Director Infrastructure and Environment)
Mr Robin Hand (Co-ordinator Infrastructure Delivery)
Mr Michael Riseley (Executive Manager Business Services)
Mr David Caligari (Contracts Co-ordinator)
Ms Judi Bird (Procurement Co-ordinator)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Nil

ACKNOWLEDGEMENT TO COUNTRY

Acknowledgement to Country was read by the Chair.

DECLARATIONS OF INTEREST

No conflicts of interest were recorded.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts Committee meeting held on 19 June 2024 as circulated, be confirmed.

Moved Cr Ben Taylor
Seconded Cr Peter Eddy

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 66 of the Local Government Act 2020, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Mark Harris
Seconded Cr Peter Eddy

CARRIED

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Contracts Special Committee Minutes

17 July, 2024

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6.1 TENDER 2023/24-639 RUBICON STREET ROUNDABOUT
(RO – Bridget Wetherall / Matthew Clark)**SUMMARY**

1. This report, recommends that Council award a contract for the provision of a roundabout at Rubicon Street and Talbot Street.

BACKGROUND

2. This project will see the construction of a roundabout at Rubicon Street and Talbot Street South.
3. In accordance with Council's Road Hierarchy, Rubicon Street is a Link Road (the highest category under Arterial).
4. The extent of works to be undertaken includes:
 - Earthworks;
 - Drainage construction;
 - Kerb and channel construction;
 - Road pavement construction;
 - Asphalt road surfacing;
 - Line marking;
 - Signage;
 - Ancillary works.

KEY MATTERS

4. The evaluation panel noted that there were four (4) tender responses received. Two (2) submissions were deemed non-conforming and two (2) were evaluated in full.
5. This project is being partially funded by the Federal Blackspot Funding Program with the remainder from the capital works program budget.

RESOLUTION**6. That the Contracts Approval Delegated Committee:**

6.1 Resolve to enter into Contract Number 2023/24-639 with Enoch Civil Pty Ltd for the total tendered price of \$732,896.20 (excluding GST).

6.2 Authorise the Chief Executive Officer to:

- a. finalise the contract terms of Contract Number 2023/24-639 with Enoch Civil Pty Ltd, provided that those contract terms are consistent with this Resolution; and
- b. Execute Contract Number 2023/24-639 on behalf of Council.

Moved Cr Mark Harris
Seconded Cr Peter Eddy

CARRIED

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Contracts Special Committee Minutes

17 July, 2024

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves to come out of Section 66 and adopt the resolutions made therein.

Moved Cr Ben Taylor

Seconded Cr Mark Harris

CARRIED

General Business

No general business was discussed.

There being no further business, the Chairperson declared the meeting closed at 1.01pm

Confirmed this 31st day of July, 2024

Cr Ben Taylor
Cr Ben Taylor
Chairperson

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***CONTRACTS APPROVAL
DELEGATED COMMITTEE***

MINUTES

31 July 2024

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**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS APPROVAL DELEGATED
COMMITTEE OF THE BALLARAT CITY COUNCIL, HELD BY A VIRTUAL MEETING
ON WEDNESDAY 31 JULY 2024 AT 1:00PM**

**Evan King
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Ben Taylor (Chair)
Cr Peter Eddy
Cr Mark Harris

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)
Mr John Hausler (Director Corporate Services)
Ms Bridget Wetherall (Director Infrastructure and Environment)
Mr Cameron Montgomery (Executive Manager Governance and Risk)
Ms Stacey Lehmann (Injury Management Advisor)
Mr Robin Hand (Co-ordinator Infrastructure Delivery)
Mr Michael Riseley (Executive Manager Business Services)
Mr David Caligari (Contracts Co-ordinator)
Ms Judi Bird (Procurement Co-ordinator)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Nil

ACKNOWLEDGEMENT TO COUNTRY

Acknowledgement to Country was read by the Chair.

DECLARATIONS OF INTEREST

No conflicts of interest were recorded.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts Committee meeting held on 17 July 2024 as circulated, be confirmed.

Moved Cr Peter Eddy
Seconded Cr Mark Harris

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 66 of the Local Government Act 2020, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Mark Harris
Seconded Cr Ben Taylor

CARRIED

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Contracts Special Committee Minutes

31 July, 2024

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| 6.3 UPDATE ON TENDER STATUS (RO JOHN HAUSLER / MICHAEL RISELEY) | 6 |

6.1 TENDER 2023/24-405 HEALTH AND WELLBEING PROGRAMS AND SERVICES
(RO – John Hausler / Stacey Lehmann)

SUMMARY

1. This report, recommends that Council award a contract for a panel of suppliers for the supply of health and wellbeing programs and services.

BACKGROUND

2. The City of Ballarat provide health and wellbeing programs and services to staff to ensure that they are in a suitable physical, mental and emotional state enabling them to perform assigned tasks safely, competently and in a manner that does not threaten or compromise the safety or health of themselves or others.

KEY MATTERS

3. The contract term is for three (3) years with the provision of a three (3) year extension.
4. This allocation considers spend for all staff across the City of Ballarat to support early intervention and preventative programs and services complimenting the reactive programs that provide support to staff.
5. The tender was advertised in The Ballarat Times News Group, Council's Website and eProcure from 18 March 2024. The invitation period closed on 10 April 2024 with seven (7) tenderers submitting responses. One submission was deemed non-conforming and the remaining six (6) were evaluated in full by the evaluation panel.
6. These services have the wholistic range of health and wellbeing programs and services to be able to service the needs of the City of Ballarat programs and support workers to be able to improve, implement and maintain a level health and wellbeing in the workplace.

RESOLUTION

7. That the Contracts Approval Delegated Committee:

- 7.1 **Resolve to enter into Contract Number 2023/24-405 for the supply of health and wellbeing programs and services with the following four (4) entities for the schedule of rates provided in their submissions. The contract term is for three (3) years with the provision of one (1) x three (3) year extension:-**
 - Workforce Health Assessors Pty Ltd
 - UFS Healthcare Ltd
 - Lake Health Group Pty Ltd
 - One Life Health Group Pty Ltd
- 7.2 **Note that the estimated cost over the full six (6) year period is \$1,469,179.45 (excluding GST). This is based on actual spend on similar services over the previous five (5) years.**
- 7.3 **Authorise the Chief Executive Officer to:**
 - a. **finalise the contract terms of Contract Number 2023/24-405 with the above listed companies, provided that those contract terms are consistent with this Resolution; and**
 - b. **Execute Contract Number 2023/24-405 on behalf of Council.**

Moved Cr Peter Eddy
Seconded Cr Mark Harris

CARRIED

6.2 TENDER 2023/24-730 – LIGAR STREET RECONSTRUCTION
(RO – Bridget Wetherall / Matthew Clark)**SUMMARY**

1. This report recommends that Council award a Contract for the provision of Ligar Street reconstruction from Gregory Street to Howitt Street.

BACKGROUND

2. This project will see the reconstruction of Ligar Street from Gregory Street to Howitt Street.
3. The extent of works to be undertaken includes:
4. The project involves several components of work which were identified during the design stage including the following:
 - Earthworks;
 - Formalised tree bays;
 - Formalised car parking;
 - Road pavement construction;
 - Asphalt road surfacing;
 - Improvement of street aesthetic;
 - Line marking and ancillary works.

KEY MATTERS

5. Ten (10) tender responses were received. Two (2) submissions were deemed non-conforming and eight (8) submissions were evaluated in full.
6. This project is being fully funded by Council.

RESOLUTION**7. That the Contracts Approval Delegated Committee:**

7.1 Resolve to enter into Contract Number 2023/24-730 for the provision of Ligar Street reconstruction (Gregory Street - Howitt Street) with Butler Excavations Pty Ltd for the total tendered price of \$464,242.95 (ex GST).

7.2 Authorises the Chief Executive Officer to:

- a. finalise the terms of Contract Number 2023/24-730 with Butler Excavations Pty Ltd, provided that those contract terms are consistent with this Resolution; and
- b. execute Contract Number 2023/24-730 on behalf of Council.

Moved Cr Peter Eddy
Seconded Cr Mark Harris

CARRIED

6.3 UPDATE ON TENDER STATUS
(RO – John Hausler / Michael Riseley)

SUMMARY

1. This report is provided for the information of the Contracts Committee.

BACKGROUND

2. The report outlines the status of tenders – planning, advertising, evaluating or reports being prepared for final approval.
3. The report is provided once a month, to increase transparency regarding the status and progress of tenders.

KEY MATTERS

4. The updated report gives a snapshot of the tender status at a set date.
5. The report lists the estimated budget at the time of the Request for Tender. This value will not necessarily be the final amount submitted for approval.
6. The level of approval indicated on the report is based on the budget estimate and may change dependent on the final prices submitted.

RESOLUTION

7. That the Contracts Approval Delegated Committee

7.1 Receive and note the tender forecast report

Moved Cr Mark Harris
Seconded Cr Ben Taylor

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves to come out of Section 66 and adopt the resolutions made therein.

Moved Cr Peter Eddy
Seconded Cr Mark Harris

CARRIED

General Business

No general business was discussed.

There being no further business, the Chairperson declared the meeting closed at 1.07pm

Confirmed this 14th day of August, 2024

Cr Ben Taylor
Cr Ben Taylor
Chairperson

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***CONTRACTS APPROVAL
DELEGATED COMMITTEE***

MINUTES

14 August 2024

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**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS APPROVAL DELEGATED
COMMITTEE OF THE BALLARAT CITY COUNCIL, HELD BY A VIRTUAL MEETING
ON WEDNESDAY 14 AUGUST 2024 AT 1:00PM**

**Evan King
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Ben Taylor (Chair)
Cr Peter Eddy
Cr Mark Harris

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)
Mr John Hausler (Director Corporate Services)
Ms Bridget Wetherall (Director Infrastructure and Environment)
Mr Matthew Wilson (Director Community Wellbeing)
Mr Vaughn Notting (Executive Manager Infrastructure)
Mr Mark Patterson (Executive Manager Recreation Services)
Mr Michael Riseley (Executive Manager Business Services)
Mr Matt Clark (Contracts Administrator)
Mr Tim Goddard (Project Manager)
Ms Judi Bird (Procurement Co-ordinator)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Nil

ACKNOWLEDGEMENT TO COUNTRY

Acknowledgement to Country was read by the Chair.

DECLARATIONS OF INTEREST

No conflicts of interest were recorded.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts Committee meeting held on 31 July 2024 as circulated, be confirmed.

Moved Cr Mark Harris
Seconded Cr Peter Eddy

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 66 of the Local Government Act 2020, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Ben Taylor
Seconded Cr Mark Harris

CARRIED

Docusign Envelope ID: 52033F5B-771D-40F3-BAC2-C71CE714EB8B

Contracts Special Committee Minutes

14 August, 2024

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| 6.3 CONTRACT 2021/22-849 – WHITEHORSE FORMER LANDFILL CONSTRUCTION WORKS – CONTRACT VARIATION (RO BRIDGET WETHERALL / VAUGHN NOTTING) | 6 |

6.1 TENDER 2023/24-739 FINCHS ROAD
(RO – Bridget Wetherall / Levi Cox)**SUMMARY**

1. This report, recommends that Council award a contract for the provision of road widening of Finchs Road, Bunkers Hill (Bells Road to Greenhalghs Road).

BACKGROUND

2. This project will see the road widening including pavement works, kerbing, sealing, minor drainage and associated works of Finchs Road from Bells Road to Greenhalghs Road.
3. The extent of the works to be undertaken includes:
 - Earthworks
 - Road pavement construction
 - Drainage construction
 - Asphalt road surfacing
 - Safety barrier installations
 - Kerb and channel construction
 - Line marking
 - Signage and ancillary works.

KEY MATTERS

4. A planning permit application was submitted for this project for removing native vegetation. Issuing of the contract to the successful tenderer for this project will not be completed until the planning permit has been fully processed and approved.
5. The evaluation panel noted that there were ten (10) tender responses received. Two (2) submissions were deemed non-conforming and eight (8) submissions were evaluated in full.
6. The City of Ballarat has been successful in being awarded funding of \$1,532,905.00 from Local Roads and Community Infrastructure (LRCI) from the Federal Government. \$700,000.00 has also been included in the 2024/25 Major Renewal Capital Road Projects funded by the City of Ballarat.

RESOLUTION**7. That the Contracts Approval Delegated Committee:**

- 7.1 **Resolve to enter into Contract Number 2023/24-739 for the provision of Finchs Road, Bunkers Hill, road widening from Bells Road to Greenhalghs Road with Central Vic Civil Pty Ltd for the total tendered price of \$1,433,973.12 (excluding GST).**
- 7.3 **Authorise the Chief Executive Officer to:**
 - a. **finalise the contract terms of Contract Number 2023/24-739 with Central Vic Civil Pty Ltd, provided that those contract terms are consistent with this resolution; and**
 - b. **execute Contract Number 2023/24-739 on behalf of Council.**

Moved Cr Peter Eddy
Seconded Cr Mark Harris

CARRIED

6.2 TENDER 2023/24-706 – BROWN HILL SPLASHPARK
(RO – Matthew Wilson / Tim Goddard)**SUMMARY**

1. This report recommends that Council award a Contract to construct a new splash park at Brown Hill.

BACKGROUND

2. Council endorsed the Brown Hill Master Plan in April 2023. The masterplan addressed many open space improvements for the park.
3. An important component of the master plan was the closure of the Brown Hill pool and the construction of a new splash park to service the residents of Brown Hill and beyond.
4. This procurement is specifically related to the provision, as noted and endorsed in the master plan, of the construction of a new splash park.

KEY MATTERS

5. Throughout the development of the master plan and development of the splash park, there were many community consultation touch points. These included MySay pages for both (master plan and splash park design), community meetings (with the Brown Hill Association), letter drops on the projects and many one-on-one conversations. This consultative process has enabled the project to have a sound community backing.
6. The tender was advertised in the tender portal from 21 June 2024. The invitation period closed on 16 July 2024 with one tenderer submitting a response.
7. During the design process, a quantity surveyor was engaged to ensure the designs were aligned to the projects budget. The tender response was in line with the values provided by the quantity surveyor.
8. Importantly, the time frame noted in the tender indicated a pre-Christmas delivery was possible.

RESOLUTION**9. That the Contracts Approval Delegated Committee:**

9.1 Resolve to enter into Contract Number 2023/24-706 for the provision of Brown Hill Splash Park with Commercial Aquatics Australia (Vic) Pty Ltd for the total tendered price of \$1,707,269.64 (ex GST).

9.2 Authorises the Chief Executive Officer to:

- a. finalise the terms of Contract Number 2023/24-706 with Commercial Aquatics Australia (Vic) Pty Ltd, provided that those contract terms are consistent with this Resolution; and
- b. execute Contract Number 2023/24-706 on behalf of Council.

Moved Cr Peter Eddy
Seconded Cr Ben Taylor

CARRIED

6.3 TENDER 2021/22-849 – WHITEHORSE FORMER LANDFILL CONSTRUCTION WORKS – CONTRACT VARIATION
(RO – Bridget Wetherall / Vaughn Notting)

SUMMARY

- 1. This report recommends that Council award a Contract for capping/rehabilitation works at the Whitehorse Road former landfill site.
- 2. This report seeks to inform the Contracts Committee of a variation to this contract above 20% as required by Council’s Procurement Policy.

BACKGROUND

- 3. The Whitehorse Road landfill was closed in 1996 and capped at that time. An EPA audit recently identified shortcomings with the cap and that additional work would be needed to ensure that the site met required standards.

RESOLUTION

4. That the Contracts Approval Delegated Committee:

- 4.1 Note the report and authorize the CEO to negotiate up to the maximum expected variance amount of \$513,591.40 (ex GST) to complete Contract 2021/22-849.**

Moved Cr Ben Taylor
Seconded Cr Mark Harris

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves to come out of Section 66 and adopt the resolutions made therein.

Moved Cr Ben Taylor
Seconded Cr Mark Harris

CARRIED

General Business

No general business was discussed.

There being no further business, the Chairperson declared the meeting closed at 1.23pm

Confirmed this 28th day of August, 2024

Cr Ben Taylor
Cr Ben Taylor
Chairperson

8.15. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION

Division: Corporate Services
Director: John Hausler
Author/Position: Sarah Anstis – Statutory Compliance Officer

PURPOSE

1. The purpose of this report is to request that Council endorse the S11A Instrument of Appointment and Authorisation for Olivia Harwood.

BACKGROUND

2. The Chief Executive Officer appoints the majority of authorised officers under section 224 of the *Local Government Act 1989*, under Council's delegation to the Chief Executive Officer. However, the appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated to the Chief Executive Officer and must be made by a resolution of Council.

KEY MATTERS

3. Olivia Harwood holds the position of Planning Support Officer, and the *Planning and Environment Act 1987* requires Council to resolve the authorisation for the officer to undertake duties under that Act.

OFFICER RECOMMENDATION

4. **In the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, Ballarat City Council (Council) resolves that–**
 - a. **The member of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.**
 - b. **The instrument comes into force immediately upon being signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.**

ATTACHMENTS

1. Governance Review [8.15.1 - 2 pages]
2. S11A Olivia Harwood [8.15.2 - 2 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Instruments of Appointment and Authorisation are a statutory requirement of Council.

COMMUNITY IMPACT

2. City of Ballarat will make the register of authorised officers available on the City of Ballarat website in accordance with Council's Public Transparency Policy

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

ECONOMIC SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. There are no financial implications identified for the subject of this report.

LEGAL AND RISK CONSIDERATIONS

6. It is essential that City of Ballarat's authorisations are constantly maintained and periodically reviewed so that appropriate officers have the power to carry out their duties lawfully. Legislation requires Council to approve authorised officers under the *Planning and Environment Act 1987*.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. There has been consultation with relevant managers and officers to ensure the correct officers have been authorised to complete tasks.
9. 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.

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GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

OFFICIAL

OFFICIAL



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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OFFICIAL



**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

Olivia Harwood

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]

Signed by the Chief Executive Officer of Council

Date:

OFFICIAL

8.16. 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.

BACKGROUND

2. The City of Ballarat Governance Rules, section 3.7.1 calls for a standard agenda item at each Council Meeting that reflects unanswered questions from question time.

KEY MATTERS

3. Nil

OFFICER RECOMMENDATION

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

ATTACHMENTS

1. Outstanding Question Time Items [8.16.1 - 1 page]
2. QT57/24 - Dora Pearce [8.16.2 - 1 page]

Outstanding Question Time Items

| Meeting | Status | Requested | Question | Officer Responsible | Response |
|----------------------|-----------|-------------|--|--|---|
| 28/8/2024 QT57/24 | Completed | Dora Pearce | <p>Question 1 In relation to Ballarat Gold Mine's Application No. PLP/2022/644: VCAT P973/2023 Appendix A Permit Conditions: Mitigation Measures Implementation and Risk Analysis Plan (MMIRAP): Clause 13 (b) specifies that a Risk Analysis Workshop be convened to identify any potential failure scenarios and additional mitigation measures required for incorporation into the MMIRAP: will you please provide details of when/where this Workshop will be convened and if the public free to attend; or confirmation the Workshop was assembled?</p> <p>Question 2 According to VCAT P973/2023: Appendix A Permit Conditions, Clause 23, the amended Human Health Risk Assessment ("amended HHRA") must include revised air dispersion modelling and further air dispersion modelling scenario testing of potential failure of mitigation measures if recommended by the Risk Analysis Workshop. Could you please provide details of: when the suitably amended HHRA was submitted; who prepared the amended HHRA and who undertook the independent peer review?</p> | Natalie Robertson, Director Development and Growth | Natalie Robertson, Director Development and Growth, provided a written response |

OFFICIAL

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 2 September 2024

Our Ref: NR:kr

Your Ref: QT57/24

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Dr Dora Pearce

Email: [REDACTED]

Dear Dr Pearce,

RE: OUTSTANDING QUESTION TIME ITEM – QT57/24

I refer to your questions asked at the 28 August 2024 Council Meeting.

Question 1

In relation to Ballarat Gold Mine's Application No. PLP/2022/644: VCAT P973/2023 Appendix A Permit Conditions: Mitigation Measures Implementation and Risk Analysis Plan (MMIRAP): Clause 13 (b) specifies that a Risk Analysis Workshop be convened to identify any potential failure scenarios and additional mitigation measures required for incorporation into the MMIRAP: will you please provide details of when/where this Workshop will be convened and if the public free to attend; or confirmation the Workshop was assembled?

Response

Condition 13 requires the MMIRAP to be submitted prior to the commencement of development. No development can commence until the terms of Condition 13 have been discharged. BGM has not yet indicated to Statutory Planning its intentions with regards to the submission of the MMIRAP. Statutory Planning is not aware of BGM's intended build program. Notwithstanding this, works cannot commence on site until such time as all pre-commencement conditions have been discharged. BGM has not to date sought to convene the workshop or discuss its terms with Statutory Planning.

Question 2

According to VCAT P973/2023: Appendix A Permit Conditions, Clause 23, the amended Human Health Risk Assessment ("amended HHRA") must include revised air dispersion modelling and further air dispersion modelling scenario testing of potential failure of mitigation measures if recommended by the Risk Analysis Workshop. Could you please provide details of: when the suitably amended HHRA was submitted; who prepared the amended HHRA and who undertook the independent peer review?

Response

The amended HHRA required by Condition 23 has not yet been submitted. Statutory Planning is not aware of BGM's intended timeframes with regards to the submission of documents required by permit conditions. Again, all pre-commencement documents must be submitted and approved prior to the commencement of building works. Condition 24 requires a peer review of the HHRA if deemed necessary by Officers. A peer reviewer will be sourced at the appropriate time.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Natalie Robertson".

Natalie Robertson
Director Development and Growth

OFFICIAL

9. NOTICE OF MOTION

10. REPORTS FROM COMMITTEES/COUNCILLORS

11. URGENT BUSINESS

12. SECTION 66 (IN CAMERA)

8.7. TENDER 2023/24-699 ELECTRICAL LINE CLEARANCE PROGRAM

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Paul Humphrey – Operations Contracts Coordinator

(Confidential attachments)

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.

8.8. TENDER 2023/24-703 BALLARAT REGIONAL LANDFILL CAPPING STAGE 2

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Lya Assef – Landfills and Transfer Station Manager

(Confidential attachments)

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.

8.9. TENDER 2023/24-728 SEBASTOPOL COMMUNITY HUB

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Sreejana Tiwari Project – Manager, Major Projects

(Confidential attachments)

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.

8.10. LAND DISPOSAL - MURRAY/AJAX STREET

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

(Confidential attachments)

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:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

8.14. CONTRACTS APPROVAL DELEGATED COMMITTEE

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

(Confidential attachments)

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. COMMUNITY PARTNERSHIP

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Mark Patterson – Executive Manager Sport and Recreation Services

(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:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

12.2. LEASE EXTENSION

Division: Corporate Services
Director: John Hausler
Author/Position: John Hausler – Director Corporate Services

(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:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

13. CLOSE