

OFFICIAL

Council Meeting

Minutes

11 September 2024 at 6:30pm

Council Chamber, Town Hall, Sturt Street,
Ballarat



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1. OPENING DECLARATION

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

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

2. APOLOGIES FOR ABSENCE

2.1 Present

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

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

2.2 Apologies

Cr Mark Harris

RESOLUTION:

That the apology be accepted.

Moved: Cr Daniel Moloney
Seconded: Cr Belinda Coates

CARRIED
(R146/24)

3. DISCLOSURE OF INTEREST

3.1 GENERAL INTERESTS

Cr Daniel Moloney declared a general conflict of interest regarding item '8.12. The Ballarat Energy Network' and will leave the Chambers prior to the discussion of this item.

3.2 MATERIAL INTERESTS

Nil

4. MATTERS ARISING FROM THE MINUTES

Nil

5. CONFIRMATION OF MINUTES

RESOLUTION:

That the Minutes of the Council Meeting on 28 August 2024 as circulated be confirmed.

Moved: Cr Amy Johnson

Seconded: Cr Daniel Moloney

CARRIED

(R147/24)

RESOLUTION:

That Council move a condolence motion for William James (Bill) Byrne.

Moved: Cr Samantha McIntosh

Seconded: Cr Ben Taylor

CARRIED

(R148/24)

6. PUBLIC QUESTION TIME

QT64/24 - Michael Knowles

Question

Reference; BGM Permit Conditions for TSF4, Appendices A (Figure 5) and F - please provide details of the proposed traffic management arrangements in order to facilitate the efficient flow of heavy traffic between the proposed TFS4 construction site and Whitehorse Road; where Whitehorse Road is a major link between Mount Clear and Sebastopol and has high traffic volumes during much of the day including school times, business hours, lunch time and evenings.

Answer

Natalie Robertson, Director Development and Growth, responded that condition 9 of the planning permit requires the submission of a Construction Management Plan (or CMP) addressing, amongst other matters, the management of heavy vehicles to and from the site during construction phase. The CMP is due prior to the commencement of the approved development. The City of Ballarat is not aware of the intended start date of construction works. This is a question best asked of the Gold Mine. Again, prior to the commencement of construction a number of documents are required, including a CMP addressing traffic management issues, which must be endorsed by Council.

Question

With regard to the likely increase in heavy traffic flows on Whitehorse Road during construction of the Ballarat Gold Mines new tailings dam, will school crossing wardens assigned to those crossings on Main Road and nearby Albert Street be informed and receive appropriate traffic management training in order to avoid delays?

Answer

Natalie Robertson, Director Development and Growth, responded that if upon receipt of the CMP setting out how heavy construction vehicles will be managed to and from the site, it is deemed certain measures are required to mitigate road safety issues, updates to the CMP will be required accordingly. This might include consultation with relevant road users, including school crossing supervisors as relevant.

7. CHIEF EXECUTIVE OFFICER REPORT

7.1. CHIEF EXECUTIVE OFFICER REPORT

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

PURPOSE

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

RESOLUTION:

11. That Council:

11.1 Receive and note the CEO's Operational Report.

Moved: Cr Samantha McIntosh
Seconded: Cr Amy Johnson

CARRIED
(R149/24)

8. OFFICER REPORTS

8.1. BALLARAT WEST PRECINCT STRUCTURE PLAN AND DEVELOPMENT CONTRIBUTIONS PLAN REVIEW - SEEK AUTHORISATION TO COMMENCE PLANNING SCHEME AMENDMENT

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Chris Duckett – Manager Sustainable Growth

Public representation was made by Leah Clark (representing Inception Planning) and Darren Trigg.

Cr Peter Eddy left the meeting at 7:20 pm.

Cr Peter Eddy returned to the meeting at 7:21 pm.

PURPOSE

1. The purpose of the report is to:
 - a. Provide information on a review of the Ballarat West Precinct Structure Plan (PSP) and Ballarat West Development Contributions Plan (DCP).
 - b. Request Council adoption of the revised versions of the PSP and DCP.
 - c. Recommend that Council seeks authorisation from the Minister for Planning to prepare a planning scheme amendment that would include the incorporation of the revised PSP and DCP into the Ballarat planning scheme.

RESOLUTION:

122. That Council:

122.1 Adopt the Ballarat West Precinct Structure Plan (revised August 2024) and the Ballarat West Development Contributions Plan (revised July 2024).

122.2 In the event that the Growling Grass Frog Conservation Management Plan necessitates material amendments to the PSP or the DCP, require those plans to be amended and presented to Council for future approval.

122.3 Authorise the Director Development and Growth to make minor changes to the planning scheme amendment documentation and supporting documents as required, provided those changes are consistent with this Resolution and do not materially alter the intent or impact of the planning scheme amendment.

122.4 Unless 122.2 applies, in accordance with Section 8A (2) and (3) of the *Planning and Environment Act 1987*, apply to the Minister for Planning to obtain authorisation to prepare Amendment C234ball to the Ballarat Planning Scheme.

122.5 If authorised by the Minister for Planning under Section 8A (2) and (3) of the *Planning and Environment Act 1987*, exhibit Amendment C234ball to the Ballarat Planning Scheme in accordance with the notice requirements under Section 19 of the *Planning and Environment Act 1987*.

122.6 Authorise the establishment of a Ballarat West Growth Area Precinct Structure Plan and Development Contributions Review Stakeholder Reference Group, and that a Terms of Reference be presented to a future Council meeting for consideration.

Moved: Cr Ben Taylor

Seconded: Cr Des Hudson

CARRIED

(R150/24)

RESOLUTION:

That items '8.10 Land Disposal - Murray/Ajax Street', '8.11. Buninyong General Cemetery Road Discontinuance', and '8.12. Ballarat Energy Network' be brought forward.

Moved: Cr Tracey Hargreaves

Seconded: Cr Amy Johnson

CARRIED

(R151/24)

8.10. LAND DISPOSAL - MURRAY/AJAX STREET

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

Public representation was made by Steve Moneghetti, Steven O'Connor (representing St Patrick's College), Cameron Duthie, Michael Poulton (representing the Committee for Ballarat), Kylie Hayles (representing the Country School Bus Network), and Adam Ryan.

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.

RESOLUTION:

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.

Moved: Cr Ben Taylor
Seconded: Cr Daniel Moloney

CARRIED
(R152/24)

8.11. BUNINYONG GENERAL CEMETERY ROAD DISCONTINUANCE

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

Public representation was made by Chris Coughlan and Barry Fitzgerald.

Cr Amy Johnson left the meeting at 8:07 pm.

Cr Amy Johnson returned to the meeting at 8:08 pm.

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.



RESOLUTION:

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.

Moved: Cr Ben Taylor
Seconded: Cr Des Hudson

CARRIED
(R153/24)

8.12. BALLARAT ENERGY NETWORK

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

Cr Daniel Moloney left the meeting at 8:10 pm, prior to the public representation and discussion of item 8.12.

Public representation was made by Bill Mundy (representing the Committee for Ballarat).

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.

RESOLUTION:

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.**

Moved: Cr Belinda Coates
Seconded: Cr Samantha McIntosh

CARRIED
(R154/24)

Cr Daniel Moloney returned to the meeting at 8:25 pm, after the resolution was carried.

8.2. ANNUAL PARTNERSHIP AND GRANTS REPORT 2023/24

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

PURPOSE

1. The purpose of this report is to provide an overview of the Annual Partnerships and Grants Report for financial year 2023/24.

RESOLUTION:

18. That Council:

- 18.1 Receive and note the report outlining the delivery and outcomes of the City of Ballarat's Partnerships and Grants programs in 2023/24.

Moved: Cr Tracey Hargreaves
Seconded: Cr Belinda Coates

CARRIED
(R155/24)

8.3. RESOURCE RECOVERY AND WASTE MANAGEMENT STRATEGY FOR ADOPTION

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Fiona Stevenson – Coordinator Sustainable Environment

PURPOSE

1. The purpose of this report is to present 'Waste as a Resource: Our Circular Economy Strategy 2024-2028' to Council for adoption.

RESOLUTION:

8. That Council:
 - 8.1 Adopt the attached 'Waste as a Resource: Our Circular Economy Strategy 2024-2028'.

Moved: Cr Samantha McIntosh
Seconded: Cr Belinda Coates

CARRIED
(R156/24)

RESOLUTION:

That Council adjourn at 8:48 pm for a 5-minute comfort break.

Moved: Cr Ben Taylor
Seconded: Cr Des Hudson

CARRIED
(R157/24)

RESOLUTION:

That Council resumes at 8:55 pm.

Moved: Cr Ben Taylor
Seconded: Cr Amy Johnson

CARRIED
(R158/24)

8.4. FOOTPATH CONSTRUCTION STRATEGY FOR ADOPTION

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Matthew McNamara – Traffic Engineer

PURPOSE

1. The purpose of this report is to seek Council adoption of the Footpath Construction Strategy.

RESOLUTION:

14. That Council:

14.1 Adopt the attached Footpath Construction Strategy.

Moved: Cr Ben Taylor
Seconded: Cr Belinda Coates

CARRIED
(R159/24)

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.

RESOLUTION:

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.**

Moved: Cr Daniel Moloney
Seconded: Cr Amy Johnson

CARRIED
(R160/24)

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.

RESOLUTION:

19. That Council:

19.1 Note the contents of this update report.

Moved: Cr Ben Taylor
Seconded: Cr Samantha McIntosh

CARRIED
(R161/24)

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.

RESOLUTION:**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.

Moved: Cr Ben Taylor
Seconded: Cr Amy Johnson

CARRIED
(R162/24)

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.

RESOLUTION:

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.

Moved: Cr Ben Taylor
Seconded: Cr Tracey Hargreaves

CARRIED
(R163/24)

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).

RESOLUTION:

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.

Moved: Cr Ben Taylor
Seconded: Cr Daniel Moloney

CARRIED
(R164/24)

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.

RESOLUTION:

15. That Council:
 - 15.1 Note the report.
 - 15.2 Communicate with the first or second signatory or next available signatory on the petition, provided that address details are available.

Moved: Cr Ben Taylor
Seconded: Cr Amy Johnson

CARRIED
(R165/24)

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.

RESOLUTION:

4. **That Council:**
 - 4.1 **Note, in accordance with section 66 of the *Local Government Act 2020*, that the material contained in the Contracts Approval Delegated Committee agendas has been designated confidential.**
 - 4.2 **Receive the Contracts Approval Delegated Committee minutes of the meetings held on 17 July, 31 July and 14 August 2024.**

Moved: Cr Ben Taylor
Seconded: Cr Tracey Hargreaves

CARRIED
(R166/24)

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.

RESOLUTION:

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.**

Moved: Cr Daniel Moloney
Seconded: Cr Belinda Coates

CARRIED
(R167/24)

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.

RESOLUTION:

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

Moved: Cr Daniel Moloney
Seconded: Cr Belinda Coates

CARRIED
(R168/24)

9. NOTICE OF MOTION

Nil

10. REPORTS FROM COMMITTEES/COUNCILLORS

GB32/24 Cr Samantha McIntosh

Cr Samantha McIntosh attended the opening of the Bridge Mall and remarked on the large attendance and the support for the improvements. She commented that nearby car parking was congested and may be an ongoing issue for accessing the Bridge Mall. Cr McIntosh noted that the playground was well-used and young children enjoyed it. She said that she consulted with the Bridge Mall traders and suggested that things could be done to help activate the area, including simple things such as umbrella holders, umbrellas, and extra bins, as well as more plantings. The pavement design connects to the surrounding areas and Cr McIntosh suggested that the plantings should do the same. She mentioned that seasonal plantings and decorations, such as at Christmas time, should also be done, which has been the intention of Council. Seasonal installations would also attract people from outside of Ballarat. Cr McIntosh congratulated the Council officers involved.

GB33/24 Cr Samantha McIntosh

Cr McIntosh was a part of the opening of the Intercultural Garden. She hoped that, as the garden grows, people will become prouder of that space. She commented that the plinth was yet to be filled and it would be an exciting next step. Cr McIntosh suggested that in future it would be good to have the public art installations and structures tie in (from a design aspect) with the surrounding landscape features and structures. She congratulated the Council officers involved.

GB34/24 Cr Daniel Moloney

Cr Daniel Moloney gave a statement on his two terms in Council and noted that he would be retiring as a Councillor after this term.

Cr Eddy left the meeting at 9:52 pm.

Cr Eddy returned to the meeting at 9:54 pm.

GB35/24 Cr Belinda Coates

Cr Belinda Coates gave a statement on her term in Council.

GB36/24 Cr Amy Johnson

Cr Amy Johnson attended the opening of the Bridge Mall. She congratulated the staff involved and noted the complexity of the project. She mentioned learning about Chinese gold-miners in that area and suggested it would be good to have recognition of that. Cr Johnson was pleased to see the Bridge Mall so busy. She hoped that more greening/plantings could be done to improve the aesthetics. She remarked on the popularity of the playground but said that a lot of people were eating on the surrounding benches and their food waste might be an issue. Cr Johnson raised that some of the Bridge Mall businesses had lost revenue. She hoped that some events could be held by Council in the Bridge Mall to attract more customers to help offset some of the lost earnings. She would love to see something similar to the urban canopies business in Canberra.

GB37/24 Cr Amy Johnson

Cr Johnson gave a statement on her term in Council.

GB38/24 Cr Ben Taylor

Cr Ben Taylor gave a statement on his term in Council.

GB39/24 Cr Samantha McIntosh

Cr McIntosh apologised for leaving the last Council meeting early while attending remotely due to the unexpected battery drain of her devices. She had missed the opportunity to speak at that meeting on the Prince of Wales Park Master Plan. She commented, on behalf of Lake Gardens residents, on the importance of consulting with all affected community members early in the process and trying to mitigate any adverse effects.

GB40/24 Cr Samantha McIntosh

Cr McIntosh gave a statement on her term in Council.

GB41/24 Cr Peter Eddy

Cr Peter Eddy, Deputy Mayor, gave a statement on his term in Council and noted that he would be retiring as a Councillor after this term.

GB42/24 Cr Tracey Hargreaves

Cr Tracey Hargreaves gave a statement on her term in Council.

GB43/24 Cr Des Hudson

Cr Des Hudson, Mayor, gave a statement on his term in Council. He thanked the Councillors and City of Ballarat staff on behalf of the community.

11. URGENT BUSINESS

Nil

12. SECTION 66 (IN CAMERA)

RESOLUTION:

That Council resolve, pursuant to section 66 of the *Local Government Act 2020*, that the meeting be closed to members of the public at 10:31 pm whilst the Council is dealing with the following matters:

Moved: Cr Amy Johnson
Seconded: Cr Ben Taylor

CARRIED
(R169/24)

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)

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 - (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)

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- (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.

RESOLUTION:

That Council move out of closed Council at 10:34 pm and adopt the resolutions made therein.

**Moved: Cr Tracey Hargreaves
Seconded: Cr Daniel Moloney**

**CARRIED
(R172/24)**

13. CLOSE

The Mayor declared the meeting closed at 10:34pm.

Confirmed this day of 2024.

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Mayor