

**CITY OF  
BALLARAT**



**Ordinary Council Meeting**

**26 April 2017**

Council Chamber, Town Hall, Sturt Street, Ballarat

**MINUTES**

**Public Copy**

**MINUTES OF A MEETING OF BALLARAT CITY COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 26 APRIL 2017 AT 7:00PM.**

**MINUTES**

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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 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

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

Ms Justine Linley - Chief Executive Officer  
Mr Terry Demeo - Director Infrastructure and Environment  
Mr Neville Ivey - Director Community Development  
Mr Glenn Kallio - Director Business Services  
Ms Angelique Lush - Director Development and Planning  
Mr John Ciavarella - Coordinator Statutory Planning - Ballarat West Precinct  
Mr Cameron Duthie - Policy and Projects Strategist  
Mr Cameron Montgomery - Executive Manager Safety, Risk and Compliance Services  
Ms Sarah Cuthbert - Statutory Compliance Officer  
Ms Sarah Anstis - Governance Administration Officer

### 2.2 Apologies

Nil

**3. DISCLOSURE OF INTEREST**

Nil

**4. CONFIRMATION OF MINUTES**

**RESOLUTION:**

**That the Minutes of the Council Meeting on 12 April 2017 as circulated be confirmed.**

**Moved: Cr Des Hudson  
Seconded: Cr Mark Harris**

**CARRIED  
(R134/17)**

**5. MATTERS ARISING FROM THE MINUTES**

Nil

**DRAFT**

## **6. PUBLIC QUESTION TIME**

### **QT46/17 Sally Calderone, Ballarat**

#### **Question**

Two years ago upon Ms Calderone's request the former CEO and former Director contacted the Ballarat Railway station to clear away rubbish from Coffee Palace Lane. Ms Calderone noticed rubbish along this area again recently. Can something be done about this unsightly matter in the CBD?

#### **Answer**

Cr McIntosh, Mayor

The rubbish around Coffee Palace Lane has been in discussion lately.

Cr Moloney

We have the opportunity to raise this item with the Minister for Public Transport next week.

### **QT47/17 Sally Calderone, Ballarat**

#### **Question**

The bus interchange in Little Bridge Street has graffiti on the glass. The shelter requires painting and the glass and seating requires further cleaning than what is currently occurring. What can Council do about this?

#### **Answer**

Justine Linley, Chief Executive Officer

The City of Ballarat has a graffiti removal program. We will request that the graffiti is investigated for removal.

Cr Moloney

We have the opportunity to raise this item with the Minister for Public Transport next week.

### **QT48/17 Frank Williams, Invermay Park**

#### **Question**

Will the City of Ballarat reinstate the granitic track in Heinz lane as it is dangerous?

#### **Answer**

Terry Demeo, Director Infrastructure and Environment

The City of Ballarat is happy to investigate.

### **QT49/17 Frank Williams, Invermay Park**

#### **Question**

Will Council or maintenance check and fix the road opposite the entrance to the cemetery? Issues including the large gutter which has eroded the metal.

#### **Answer**

Terry Demeo, Director Infrastructure and Environment

The City of Ballarat is happy to investigate and action if required.

**QT50/17 Gary Fitzgerald, Ballarat East****Question**

What can we as a City do to have the community recognise the story of Brigadier General Pompey Elliott - First World War General, and raise awareness of and support people with Post Traumatic Stress Disorder?

**Answer**

Cr McIntosh, Mayor

The Walking off the War Within was an event that many people in Ballarat were aware of and took part in. There is also a statue erected in Sturt Street to recognise Pompey Elliott's contributions.

Justine Linley, Chief Executive Officer

There are a number of things that Council have done in the past and continue to do. In addition, we have a framed certificate in the CEO's office, we can continue to ensure that the story is known.

Cr Harris and Cr Hudson

There are a number of agencies and events that are also available that promote and support suicide prevention.

**QT51/17 Chris Moyle, Mount Pleasant****Question**

On 5 December 2016 Mr Moyle wrote to all Councillors requesting that Council re-visit the Infill Policy with the view to setting some parameters and boundaries regarding the development of land behind existing homes in well-established neighborhoods such as Mt Pleasant.

Mr Moyle was told on 8 December 2016 that Councillors and Council Leadership Group agreed that Council would revisit the Infill Policy early in the new year.

Today at 5pm Mr Moyle received an email from the Director Development & Planning stating there are no current plans to review the Infill Policy.

So, his question to Councillors is, "Is there going to be a discussion on the Infill Policy?"

**Answer**

Angelique Lush, Director Development and Planning

Council received a report from State Government which is yet to be finalised. Council are yet to receive all the guidelines from the State Government. Once Council have received these, it will be referred back to Council for further discussion.

**QT52/17 Raelene Reece, Mount Clear****Question**

Requesting clarification on what is an 'assembly' and how it fits into Council meetings?

**Answer**

Cr McIntosh, Mayor

Assembly is held every second week (on alternate week to these Council meetings) and is a closed meeting which is not open to the public. Assemblies are an opportunity for Councillors to be informed on items on the agenda and ask questions to assist in making their decisions.

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No decisions are made at Assembly, decisions and voting is only made in the Chamber at a formal Council meeting.

**QT53/17 Raelene Reece, Mount Clear**

**Question**

Are Councillors aware of all submissions and objections to the planning development application in item 9.1 of the Council agenda? As Ms Reece's stated her submission is not present in the agenda documentation.

**Answer**

Angelique Lush, Director Development and Planning

All submissions were received in total 25 submissions were made, 28 in total including submissions that were made at a later date.

Cr McIntosh, Mayor

All submissions have been made available to Councillors.

DRAFT

## 7. REPORTS FROM COMMITTEES/COUNCILLORS

### **GB22/17- Cr Grant Tillett**

The other morning Cr Tillett deliberately got caught at the Lydiard Street railway gates. During the long wait until the gates opened, he observed cars and also buses making a 'third' lane to turn right into Doveton Crescent in order to divert from the railway gates. Cr Tillett is aware of the meeting scheduled with Public Transport Victoria and believes it is important that they know that this is not working.

Attended the Anzac Day proceedings with Cr Moloney at Miners Rest.

### **GB23/17 - Cr Ben Taylor**

Congratulations to the various RSL clubs across the region for all events held on Anzac Day.

Question relating to the Buninyong Avenue of Honour in Buninyong. Where is Council at with completing works by 1 July 2017?

Terry Demeo, Director Infrastructure and Environment

The works required involve some tree replacement, as well as uplifting and removal of suckers to return it to its glory. Works are progressing ahead of schedule and due to be completed by the anniversary date.

Cr Taylor

With regard to Neighborhood Residential Zones, is there a briefing to be provided to Assembly?

Justine Linley, Chief Executive Officer

We can give a commitment to providing a briefing which will include information about the implications of Plan Melbourne on Ballarat and the region.

Cr Taylor

Can Madam Mayor provide an update of the announcement in relation to the national Cycling event?

Cr McIntosh, Mayor

Ballarat has hosted the Road National Cycling event for 14 years in total. This is an exciting outcome with further funding which will secure the event for the next three years.

This event gives back significantly to the community. For those who are unable to cycle, there is a further developed community event that the community can take part in this year.

### **GB24/17 - Cr Jim Rinaldi**

Attended Buninyong Services. He noted it was great to see the number of people and the number of youth showing their respect at the Cenotaph on Anzac Day considering the conditions.



**GB25/17 - Cr Belinda Coates**

Requesting information on the Ballarat report for the Future Landscapes project. There is no information or action plan on the website regarding agriculture, biodiversity and climate change. Can I request to see the Ballarat report/action plan?

Justine Linley, Chief Executive Officer

Information will be made available and reference will be made on the City of Ballarat website.

**GB26/17 - Cr Amy Johnson**

What is the potential for Council to deliver waste and green waste services to commercial businesses?

What is the estimate of the cost to provide this fortnightly waste and green waste service? Can a report be provided to Assembly within the next 6 weeks?

Justine Linley, Chief Executive Officer

Council can provide this report.

**GB27/17 - Cr Des Hudson**

Met with the Community Safety Advisory Committee last week and we spoke about the Street to Home Program.

Within our community there are approximately 75-80 members of the community that are labelled as 'vulnerable' and homeless.

We need to acknowledge that there are people within our community who are skilled to assist these vulnerable people. Cr Hudson sought a letter of support from the Mayor with Councillor support to the State and Federal Government to advocate on behalf of the current program.

Cr Tillett

Can we call for a presentation at assembly for Adam Levisage to show us the numbers of those vulnerable and the implications?

Cr McIntosh, Mayor

We will arrange for the outreach worker to attend Council Assembly within the next four weeks.

**RESOLUTION:**

**That the Councillor reports be accepted.**

**Moved: Cr Grant Tillett**

**Seconded: Cr Daniel Moloney**

**CARRIED**

**(R135/17)**

## 8. ASSEMBLIES OF COUNCILLORS

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Sarah Anstis- Governance Administration Officer

### RESOLUTION:

**Council resolves to:**

**Approve the report on Assemblies of Councillors as listed:**

- 5 April 2017 Infrastructure and Environment Portfolio meeting
- 5 April 2017 Councillor Briefing
- 10 April 2017 Budget Briefing
- 13 April 2017 Community Development Portfolio Meeting
- 19 April 2017 Councillor Briefing

**Moved: Cr Belinda Coates**  
**Seconded: Cr Ben Taylor**

**CARRIED**  
**(R136/17)**

### EXECUTIVE SUMMARY

The purpose of this Report is to provide Council with copies of Assembly of Councillor Records as required under section 80A (2) of the *Local Government Act 1989*.

## 9. OFFICER REPORTS

### 9.1. PLP/2016/762 - 21 LOT SUBDIVISION, REMOVAL OF NATIVE VEGETATION, DEVELOPMENT OF FENCING, REMOVAL/ALTERATION OF AN EASEMENT AND CREATE ACCESS TO A ROAD IN A ROAD ZONE, CATEGORY 1 - 1101-1105 GEELONG ROAD MOUNT CLEAR

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Kimberley Purvis - Statutory Planner

Brad Ward made a public representation.  
Raylene Reese made a public representation.  
Glenn Stevens made a public representation.  
Annalise Stevens made a public representation.  
Ian Moyle made a public representation.  
Andrew Harmond made a public representation.

#### RESOLUTION:

##### Council resolves to:

Issue a Notice of Decision to grant a Planning Permit PLP/2016/762 for subdivision of the land into 21 lots, removal of vegetation, fencing, alterations to easements and access to a Road Zone, Category 1 at 1101-1105 Geelong Road and 34 Hermitage Avenue, Mount Clear subject to the following conditions:

#### 1. Amended Plans Required

Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:

- (a) An amended Tree Retention Plan showing the removal of Tree 108 (Scentbark), located at the rear of Lot 19.
- (b) A functional layout design for Geelong Road as required by VicRoads at Condition 38.
- (c) Details of fencing to occur along all common boundaries.
- (d) A landscape master plan required by Condition 6.
- (e) A bus bay (on Geelong Road) in accordance with VicRoads intended bus bay specifications (minus the exit taper), including a concrete hard stand for passengers and a direct and safe pedestrian access to a shared/pedestrian path on Geelong Road.
- (f) Bus stop pole, flag and timetable case in accordance with PTV's standard drawings (STD\_S0062 and STD\_S0066).

**2. Layout not altered**

The layout of the subdivision, development and vegetation removal on the endorsed plans must not be altered without the further written consent of the Responsible Authority.

**3. Formal Plan of Subdivision**

The formal plan of subdivision lodged for certification must be generally in accordance with the approved plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

**4. Section 173 Agreement**

Unless otherwise agreed in writing by the Responsible Authority, prior to Statement of Compliance being issued, the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* to provide the following:

- (a) Within twelve (12) months of the issue of a Certificate of Occupancy for a dwelling on any of the newly created lots, a minimum of one (1) indigenous medium height canopy tree must be planted on the lot where the Certificate of Occupancy has been issued (with the exception of Lots 18 and 19). The species and location of the tree must be to the satisfaction of the Responsible Authority and be replaced if removed so as to ensure that a minimum of one (1) indigenous medium canopy tree is located on each lot at all times (including on Lots 18 and 19).

Prior to Statement of Compliance being issued, an application must be made to the Register of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act. The Responsible Authority will not release Statement of Compliance until the agreement has been registered at the titles office and a dealing number assigned confirming that the agreement has been registered.

The Responsible Authority may release the owner from these obligations and/or vary the requirements upon the written request of the owner. The Responsible Authority must be satisfied that the release and/or variation to the agreement will result in a better planning outcome or that the agreement is no longer required.

All costs associated with the preparation, signing, lodgement, registration, amending and ending of the Agreement must be borne by the owner, including all notification costs and legal fees.

## 5. Creation of Restriction

The plan of subdivision submitted for certification must include a creation of restriction on a separate sheet showing the building envelopes in accordance with the approved plan. The wording of the creation of restriction must be as follows:

**Land to be Burdened: Lots 18, 19, 20 and 21.**

**Land to Benefit: All lots on this plan**

**Creation of Restriction**

**Upon registration of this plan, the following restriction is created.**

**Description of Restriction**

**All buildings and works must be contained within the defined building envelope.**

**Trees shown for retention must not be removed, damaged, destroyed, felled, lopped, uprooted or otherwise damaged.**

**Any pruning that is required to be done to the canopy of any tree shown to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996, and any pruning of the root system of any tree to be retained must be done by hand by a qualified arborist.**

**All services and trenches must be designed, sited and constructed in a manner that avoids damage to any tree to be retained.**

**Prior to the commencement of any buildings and works all vegetation shown for retention must be temporarily fenced off to form a 'Tree Protection Zone'. Fences must remain in place until the completion of all buildings or works on site.**

**Variations**

**Variation of these requirements will require approval from the Responsible Authority.**

## 6. Landscape Master Plan

**Prior to the commencement of any works, a landscape master plan must be prepared for the entire site and be approved by the Responsible Authority. When approved, the plan will form part of the permit.**

**The Landscape Master Plan is broadly conceptual and should not show detailed design or specifications but must include:**

- (a) An accurate survey of the entire subdivision showing all existing vegetation, topography, title boundaries, surrounding roads etc.**
  - (b) Proposed stages with road and lot layouts.**
  - (c) A detailed vegetation assessment survey showing all existing vegetation to be retained, protected and/or removed.**
  - (d) Locations, sizes and title designation of all public reserves (eg drainage, recreational, linear etc).**
  - (e) Proposed major features and concepts for reserves (eg playgrounds, water features, retention basins, native vegetation offset plantings, footpaths, etc).**
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- (f) Concepts and locations for street tree plantings and landscaping treatments within road reserves (eg roundabouts, centre medians etc).
- (g) Proposed planting styles and locations for all plantings in public reserves and streets, footpath locations and pathway linkages through the subdivision and public reserves.

## **7. Landscape Plans**

Prior to the commencement of works, a detailed landscape plan must be prepared for all land within that particular stage and be approved by the Responsible Authority. The landscape plan for the stage must be generally in accordance with the approved Landscape Master Plan and when approved will form part of the permit.

The landscape plan for the stage must include relevant details for:

- (a) All existing vegetation, built structures and landscape features to be retained, protected and/or removed.
- (b) All proposed landscape works within the public reserves including plantings, vegetation offset areas, garden beds and lawn areas, playgrounds, paths, fencing, park furniture, boardwalks, bridges, and perimeter fencing details to all private boundaries adjoining public reserves.
- (c) All proposed drainage infrastructure within public reserves including earthworks, retention basins, underground pipes, stormwater outlets and water sensitive urban design treatments.
- (d) Street tree plantings and landscaping in road reserves including naturestrips, roundabouts and centre medians.
- (e) Planting schedules of all proposed plantings within the public reserves and road reserves including details of botanical names, common names, supply sizes and plant numbers.
- (f) Landscape works required to be undertaken by the applicant as part of other permit conditions, approved plans or additional information requested by the Responsible Authority (eg Weed Management Plans, Native Vegetation Management plans, Arboricultural reports, Cultural Heritage Management Plans).

All landscaping works must be carried out in accordance with the approved landscape plan and Council's Landscape Design Manual (August 2012).

## **8. Street Tree Provision**

Prior to any works commencing on site, the permit holder must prepare a plan for the provision of street trees within the road reserve adjacent to and within the proposed subdivision at locations approved by the Responsible Authority. The street tree locations must accord with the requirements of Section 5 of Council's Landscape Design Manual (August 2012).

Prior to the issue of a Statement of Compliance, the street trees shall be planted within the road reserve in accordance with the approved plan. The trees shall be of semi-mature age and approved species and supplied, planted and maintained in accordance with the Responsible Authority's Tree Planting Guidelines. The permit holder is to provide a bond in the amount of \$500 per street tree. The trees shall be maintained for a period of eighteen (18) months from planting to the satisfaction of the Responsible Authority. The bond will be

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returned eighteen (18) months after completion of planting and maintenance works to the satisfaction of the Responsible Authority.

*Or*

Prior to the issue of Statement of Compliance the permit holder must pay Council \$750 per street tree for their provision and eighteen (18) month maintenance period.

*Note: For information regarding suitable street tree species see Council's adopted Urban Design Manual Part B: Landscape Character Area Guidelines (Version 1.0, 2012), available on Council's website.*

#### **9. Completion and Maintenance of Landscaping Works**

Prior to the issue of a Statement of Compliance, all landscape works forming part of the approved Landscape Plans must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the approved landscape plan must be maintained to the satisfaction of the Responsible Authority for 18 months from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

#### **10. Bonding, Completion and Maintenance of Landscaping**

The applicant must ensure that all landscaping works forming part of the approved plans are maintained in accordance with the Landscape Design Manual unless otherwise stated in this permit. Bonding of works may be permitted in accordance with the Landscape Design Manual.

#### **11. Avoiding damage during vegetation removal**

Vegetation removal and disposal must not cause damage to trees to be retained to the satisfaction of the Responsible Authority.

#### **12. Tree protection during construction**

Prior to the commencement of any works on site:

- (a) A tree protection fence to the satisfaction of the Responsible Authority must be erected around the trees to be retained at a radius of 5 metres from the base of the trunks to define 'Tree Protection Zone'; and
- (b) The ground surface of the Tree Protection Zone within the fence must be covered by a 100mm deep layer of mulch, or any other treatment to the satisfaction of the Responsible Authority.

The Tree Protection Zone is to be established and maintained in accordance with Australian Standard AS4970 Protection of Trees on development sites.

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**13. Regulation of activities in Tree Protection Zone**

No vehicle or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone without the further written consent of the Responsible Authority. No storage of tools, equipment or waste is to occur within the Tree Protection Zone.

**14. Pruning of Trees to be Retained**

Any pruning that is required to be done to the canopy of any tree to be retained is to be undertaken by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be undertaken by hand by a qualified arborist.

**15. Department of Environment, Land Water and Planning**

- (a) Before works start, the permit holder must advise all persons undertaking the vegetation removal on site, of all relevant conditions of this permit.
- (b) To offset the removal of 0.862 hectares of native vegetation and 1 scattered tree, the permit holder must secure a native vegetation offset, in accordance with the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (DEPI 2013) and *Native vegetation gain scoring manual* (DEPI 2013) as specified below:
- i. A general offset of 0.026 general biodiversity equivalence units with the following attributes:
    - be located within the Corangamite Catchment Management Authority boundary or Ballarat City Council municipal district; and
    - have a strategic biodiversity score of at least 0.080.
  - c) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. The offset evidence can either be:
    - ii. a security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10 year offset management plan and/or
    - iii. an allocated credit extract from the Native Vegetation Credit Register.
- Offset evidence, endorsed by the Responsible Authority will form part of this permit.
- d) In the event that a security agreement is entered into as per condition 15 (c), the applicant must provide the annual offset site condition report to the Responsible Authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a Statutory Authority.
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## **16. Construction Management Plan**

Prior to the commencement of works, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

- (a) Hours of demolition and construction to accord with Local Laws**
- (b) Management of Geelong Road and Hermitage Avenue to ensure that those roads are kept free of parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to abutting benefitting properties at all times unless with the written consent of the Responsible Authority**
- (c) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing.**
- (d) Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties.**
- (e) Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties**
- (f) Minimising disruption to pedestrian access along footpaths**
- (g) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours**
- (h) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.**
- (i) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.**

All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

## **17. Functional Layout Plan**

Prior to submission of any detailed engineering plans and certification of the plan of subdivision, Functional Layout Plans in accordance with the Infrastructure Design Manual (IDM) must be submitted to and approved by the Responsible Authority.

## **18. Engineering Plans and Construction**

Prior to the commencement of works, engineering plans and specifications must be submitted to and approved by the Responsible Authority. The engineering plans must accord with the Infrastructure Design Manual and Council's Standard Cross-sections. All engineering works must be constructed in accordance with the approved plans and shall be completed to a standard satisfactory to the Responsible Authority prior to the issue of Statement of Compliance.

At the completion of the works one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.

**The engineering plans must detail:**

- (a) Construction of all roads internal to the subject site and designed to Council's IDM requirements and constructed and drained to Council approval.**
- (b) That access from the internal roadway to Hermitage Avenue is restricted to an exit only accessway.**
- (c) The Geelong Road is upgraded along the property frontage to Council's, VicRoads and Public Transport Victoria's approval.**
- (d) Construction of underground and surface drainage, detention basins/wetlands and the like**
- (e) Construction of pedestrian footpaths internal to the site, naturestrip, street lighting and all other ancillary works as deemed necessary by the Responsible Authority.**
- (f) Backfilling of the existing dam.**

#### **19. Drainage Plans and Construction**

**Prior to works commencing on site, drainage, stormwater detention and stormwater treatment plans must be submitted to and approved by the Responsible Authority. The drainage, stormwater detention and stormwater treatment plans must accord with the Infrastructure Design Manual, Water Sensitive Urban Design guidelines and any other requirements of the Responsible Authority. All drainage works must be constructed in accordance with the approved plans and shall be completed to a standard satisfactory to the Responsible Authority prior to the issue of Statement of Compliance.**

**At the completion of the works 'as constructed' civil plans shall be submitted to the Responsible Authority.**

**Any proposed discharge of stormwater requiring a direct and/or modifying an existing connection to a designated waterway (as defined by the Water Act 1989) will require approval by the relevant Catchment Management Authority.**

#### **20. Footpath Construction**

**A footpath must be constructed along the frontage of lots within the subject site.**

**Prior to works commencing on site, engineering plans must be submitted to and approved by the Responsible Authority. The plans must accord with the Infrastructure Design Manual and Council's Standard Drawings.**

**All works must be constructed in accordance with the approved plans and shall be completed to a standard satisfactory to the Responsible Authority prior to the issue of Statement of Compliance.**

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## **21. Naturestrips**

The naturestrip fronting all lots and reserves must be constructed in accordance with levels and specifications submitted to and approved by the Responsible Authority.

The works must include:

- a) The reshaping of the naturestrip.
- b) Topdressing the area with a 75 millimetre rolled depth of good quality loamy topsoil free of any weed or seed.
- c) Seeding the area with an appropriate seed mix.

All works must be completed in accordance with Council's Landscape Design Manual and shall be to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

## **22. Drainage Easements**

All easements deemed necessary to protect existing or future drainage lines within the proposed development site and properties between the development site and the nominated point of discharge must be created to the satisfaction of the Responsible Authority.

## **23. Street Lighting**

Prior to works commencing on site, a street lighting plan prepared by a suitably qualified professional must be submitted to the Responsible Authority for approval. Street light design must accord with the Infrastructure Design Manual, using energy efficient 18w LED globes in local streets, T5 fluorescent globes in street lighting managed by VicRoads and ensure compliance with AS1158 (or the AS at the time of installation). Fittings must comply with Council's street light service provider's standard fittings. Non-standard fittings will not be permitted.

Once approved, all works detailed on the street lighting plan shall be installed to the satisfaction of the Responsible Authority prior to the issue of a Statement of Compliance.

## **24. Street Naming and Numbering**

Prior to any works commencing on site, the permit holder must contact Council's Revenue Officer and/or Place Names Officer to arrange street numbering and naming requirements. All costs associated with the numbering of properties and naming of streets (including but not limited to supply and installation of street signs) must be borne by the permit holder. All works must be completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

**25. Contamination Assessment**

Prior to the certification of the Plan of Subdivision, a Preliminary Site Investigation Report prepared in accordance with AS4482.1-2005 must be submitted to the Responsible Authority.

Should the Preliminary Site Investigation report indicate that contaminating activities took place on the site or that contaminants are present, a Detailed Site Investigation in accordance with AS4482.1-2005 must be undertaken. The Detailed Site Investigation Report must include any recommended remediation works.

If the report is accepted by the Responsible Authority, the remediation works must be completed by the applicant to the satisfaction of the Responsible Authority prior to the issue of the Statement of Compliance.

If there are concerns about the nature and extent of the contamination found in the Preliminary and Detailed Site Investigation reports, the Responsible Authority reserves the right to require a statutory environmental audit to be undertaken. In this case either:

- (a) A certificate of environmental audit shall be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 prior to the issue of the Statement of Compliance; OR
- (b) An environmental auditor appointed under the Environmental Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the intended use prior to the issue of the Statement of Compliance.

To the satisfaction of the Responsible Authority.

- (c) Where a Statement of Environmental Audit is issued for the land, the development including subdivision hereby approved must comply with all the directions and conditions contained within the Statement.
  - (d) Where a Statement of Environmental Audit is issued for the land, prior to the issue of a Statement of Compliance for each stage, a letter prepared by an Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 or such other qualified person to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority to verify that the directions and conditions contained within the statement have been satisfied.
  - (e) Unless otherwise approved in writing by the Responsible Authority, where a Statement of Environmental Audit is issued for the land, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, prior to the issue of a Statement of Compliance for any stage of the subdivision authorised by this permit, the permit holder must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. All costs associated with setting up the Agreement must be borne by the owner. The Agreement must be registered on Title and run with the land, and must provide to the satisfaction of the Responsible Authority:
-

- (i) That the registered proprietor will undertake all required maintenance and/or monitoring in accordance with the statement.
- (ii) Prior to the development commencing, application must be made to the Registrar of Titles to Register the Section 173 Agreement on the title to the land under Section 181 of the Planning and Environment Act 1987.

#### **26. Sediment on Roadways**

No material is to be deposited on any road external to the site by any means including construction vehicles or associated plant entering or leaving the land subject to this permit. Any material deposited on the road shall be removed by mechanical or manual means to the satisfaction of the Responsible Authority.

Note 1: Depositing such material on Responsible Authority's Roads is an offence under the Environment Protection (Resource Efficiency) Act 1970 and penalties may apply.

Note 2: Any costs associated with a clean up of road surfaces borne by the Responsible Authority must be met by the permit holder.

#### **27. Sediment Control Measures**

Prior to the commencement of any works on site, a Sediment Control Plan detailing sediment control measures during construction must be submitted to the Responsible Authority for approval. Control measures should be consistent with the EPA publication 480 'Environment Guidelines for Major Construction Sites'. When approved the Sediment Control Plan shall form part of this permit. All sediment control measures must be undertaken and remain in place until the completion of site works to the satisfaction of the Responsible Authority.

#### **28. Filling of Lots**

If lots within the development are to be filled (including back filling of the dam), details of the filling must be shown on the road and drainage construction plans.

Details to be shown include:

- Existing natural features
- Existing improvements
- Natural and finished surface levels

Once approved the filling operation must be undertaken in accordance with the plan in the following way:

- (a) Prior to the commencement of filling on any particular area of the site, topsoil must be stripped and stockpiled on the site. Topsoil is not to be removed from the site but stored to be used and spread over the site on the completion of the filling operation, with additional soil if needed, to a depth of 100 millimetres.

- (b) The land must be shaped so as not to concentrate water onto adjoining land.
- (c) Only clean inert filling is to be deposited on the site.
- (d) No material is to be stored or dumped on any area not approved for filling or stockpiling.
- (e) No damage is to be caused to kerb and channel, road pavement, strip-strips, drainage infrastructure or any other Responsible Authority asset due to the filling operation. If any damage is caused, the damage must be repaired immediately to the satisfaction of the Responsible Authority.
- (f) Deposited material must be shaped in accordance with the approved detailed plan or as directed by the Responsible Authority.
- (g) Any land proposed to be further developed by the construction of buildings, roadways or drainage lines shall be compacted to 95% Modified (In accordance with Australian Standard 1289.5-2.1). Test results must be submitted to the Responsible Authority.
- (h) Appropriate dust suppression measures must be implemented to ensure that a nuisance is not caused to adjoining landowners or the general public to the satisfaction of the Responsible Authority.
- (i) If the filling is not completed in accordance with the approved plan, an as constructed plan, showing natural and finished surface levels, must be submitted to the Responsible Authority.

All works required to comply with this condition must be completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

#### **29. Fees for Checking Engineering Plans**

Prior to the issue of Statement of Compliance, a fee for checking engineering plans must be paid to the Responsible Authority, pursuant to Section 43(2)(a)(iv) of the Subdivision Act 1988 and Clause 9 of the Subdivision (Fees) Interim Regulations 2012. The fee shall be in accordance with the Infrastructure Design Manual and must be approved in writing by the Responsible Authority prior to payment.

#### **30. Supervision Fee**

Prior to the issue of Statement of Compliance, a supervision fee must be paid to the Responsible Authority pursuant to Section 17(2)(b) of the Subdivision Act 1988 and Clause 8 of the Subdivision (Fees) Interim Regulations 2012. The fee shall be in accordance with the Infrastructure Design Manual and must be approved in writing by the Responsible Authority prior to payment.

**31. Guarantee of Works**

Prior to the issue of Statement of Compliance, or unless otherwise agreed in writing by the Responsible Authority, the permit holder must provide a Guarantee of Work (bond) with the Responsible Authority in accordance with the Infrastructure Design Manual. The guarantee should be based on the same priced Bill of Quantities used to calculate the plan checking and supervision fees and must be approved in writing by the Responsible Authority prior to lodgment.

The guarantee shall be released at the termination of the Defects Liability Period, subject to the completion of all defect rectification works to the satisfaction of the Responsible Authority.

**32. Public Transport Victoria**

- a) Unless otherwise agreed in writing with Public Transport Victoria, prior to the commencement of works associated with the Geelong Road intersection, the bus stop as shown on the endorsed plans, must be constructed at a cost borne by the permit holder to the satisfaction of Public Transport Victoria and compliant with the Disability Discrimination Act – *Disability Standards for Accessible Public Transport 2002*.
- b) The permit holder must take all reasonable steps to ensure that disruption to bus operation along Geelong Road is kept to a minimum during construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.

**33. Telecommunications**

The owner of the land must enter into an agreement with:

- (a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- (b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- (c) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and

- (d) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

**34. Central Highlands Region Water Authority (Ref: 16/7345)**

- (a) Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act 1988.
- (b) Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
- (c) A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
- (d) The owner will provide easements to the satisfaction of the Central Highlands Region Water Authority, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.
- (e) The owner will provide easements to the satisfaction of Central Highlands Region Water Corporation for pipeline or ancillary purposes through other land in the vicinity, as it is considered by the Authority that such easements are required for the economical and efficient subdivision or servicing of or access to land covered by the subdivision.
- (f) If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

**35. Powercor Australia Ltd (Ref: 500000228949)**

- (a) The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.
- (b) The applicant shall:
- Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required).



- Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
- Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
- Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.
- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Powerline Purposes" pursuant to Section 88 of the Electricity Industry Act 2000.
- Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
- Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.
- Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
- Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

**36. Country Fire Authority (Ref: 15000-683560-67917)**

**Subdivision Plan not to be altered**

- (a) The subdivision as shown on the endorsed plans must not be altered without the consent of CFA.

**Hydrants**

- (b) Prior to the issue of Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
- i. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the

rear of the lots) must be 120m and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

- ii. Hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note - CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).

- (c) Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
  - i. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
  - ii. Curves must have a minimum inner radius of 10 metres.
  - iii. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
  - iv. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

### 37. Downer

The plan of subdivision submitted for certification must be referred to AusNet Services (Gas) in accordance with Section 8 of the Subdivision Act 1988.

### 38. VicRoads

- a) Before the plan of subdivision is submitted to the Responsible Authority for certification under the Subdivision Act 1988, the following amendments to the plans submitted with the application must be made:
  - i. Any land set aside as Road must be labelled "ROAD" on the plan of subdivision.
  - ii. All land to be vested as road or reserve, for which the Roads Corporation is to be responsible, must be vested in the name of the ROADS CORPORATION (not VicRoads).
  - iii. Any land to be set aside as Reserve for which the Roads Corporation is to be responsible must be labelled "RESERVE FOR USE OF THE ROADS CORPORATION" on the plan of subdivision.

- b) Before the commencement of works associated with the subdivision, a functional layout design for the Geelong Road at the intersection of "Road" must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plan may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application by TGM Group, but modified to show:
- i. BAL & CHR. CHR to be constructed in a modified form with a turning slot allowing space for two cars to stack. The turning slot is to be painted to VicRoads standard/requirements.
  - ii. Line marking
  - iii. Relocation and undergrounding of services if required
- c) Prior to the issue of a Statement of Compliance, the works approved by the Roads Corporation must be completed to the satisfaction of and at no cost to the Roads Corporation or the Responsible Authority.

### 39. Expiry of Permit

The plan of subdivision must be certified within four (4) years of the date of issue of this Permit unless the Responsible Authority grants an extension of the Permit upon application in writing by the permit holder within six (6) months of the prescribed expiry date. Once the plan of subdivision is certified, the Permit will expire five years from the date of certification of the plan of subdivision.

**RESOLUTION:****Council resolves to:**

Issue a Notice of Refusal to grant a Planning Permit PLP/2016/762 for subdivision of the land into 21 lots, removal of vegetation, fencing, alterations to easements and access to a Road Zone, Category 1 at 1101-1105 Geelong Road and 34 Hermitage Avenue, Mount Clear on the following grounds:

1. The proposal creates unsafe vehicle access to Geelong Road, particularly for vehicles egressing onto Geelong Road and turning right.
2. The proposal fails to meet Clause 21.06-3 (Neighbourhood Character) in respect of Lots 1 to 5 and the potential for these lots to create an inappropriate streetscape interface to either Geelong Road or the internal road.
3. The proposal fails to meet Clause 21.03 (Environment and Landscape Values) in respect of native vegetation and wildlife habitat loss.
4. The proposal fails to meet the purpose of Clause 42.01 (Environmental Significance Overlay) which seeks to ensure that development is compatible with identified environmental values.
5. The proposal fails to meet the environmental objectives of Schedule 5 to the Environmental Significance Overlay which seeks to maintain and enhance koala habitat.
6. The proposal fails to meet the purpose of Clause 42.02 (Vegetation Protection Overlay) which seeks to ensure that development minimizes loss of vegetation and to maintain and enhance habitat and habitat corridors for indigenous fauna.
7. The proposal fails to meet the vegetation protection objectives of Schedule 1 to the Vegetation Protection Overlay which seeks to protect native vegetation that contributes to landscape function and prevent the removal or degradation of significant fauna habitat.

**Moved: Cr Des Hudson**  
**Seconded: Cr Jim Rinaldi**

**CARRIED**  
**(R137/17)**

**EXECUTIVE SUMMARY**

On 12 October 2016 an Application was lodged for the subdivision of the land into 21 lots, removal of vegetation, fencing, alterations to easement and access to Road Zone, Category 1 at 1101-1105 Geelong Road and 34 Hermitage Avenue, Mount Clear. The application was advertised and 25 objections were received. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit subject to conditions.

**PROCEDURAL MOTION:**

**That Council adjourn for 15 minutes for a comfort break at 9:15pm.**

**Moved: Cr Des Hudson  
Seconded: Cr Grant Tillett**

**CARRIED  
(R138/17)**

**PROCEDURAL MOTION:**

**That Council resumes at 9:31pm.**

**Moved: Cr Des Hudson  
Seconded: Cr Jim Rinaldi**

**CARRIED  
(R139/17)**

**RESOLUTION:**

**That item number 10.1 Carbon Reduction and Action on Climate Change be brought forward.**

**Moved: Cr Belinda Coates  
Seconded: Cr Amy Johnson**

**CARRIED  
(R140/17)**

**DRAFT**

**10. NOTICE OF MOTION****10.1. CARBON REDUCTION AND ACTION ON CLIMATE CHANGE**

Robert Kozlovski made a public representation.

Ian Rossiter made a public representation.

Sandra Gillan made a public representation.

Peter Reid made a public representation.

Joe Boin made a public representation.

Tony Goodfellow made a public representation.

Paul Tamp made a public representation.

Colleen Filippa made a public representation.

John Petheram made a public representation.

**RECOMMENDATION**

**That Council:**

**In recognition of the need for carbon reduction and action on climate change resolves to:**

- 1. Develop a strategy and implementation action plan for the City of Ballarat to achieve carbon neutrality by 2025;**
- 2. Develop a renewable energy action plan for the City of Ballarat to move towards 100% renewables as sources of energy by 2025;**
- 3. Work with the community, business and not-for-profit sectors to reduce community emissions and move towards renewables; and**
- 4. Commence the development of these strategies and plans as soon as possible.**

**Cr. Belinda Coates**

**Moved: Cr Belinda Coates**

**Seconded: Cr Amy Johnson**

Mover and seconder agreed to amend the motion to the following:

**RESOLUTION:**

In recognition of the need for carbon reduction and action on climate change resolves to:

1. Develop a strategy and implementation action plan for the City of Ballarat to strive towards achieving carbon neutrality with the consideration of a 2025 target;
2. Develop a renewable energy action plan for the City of Ballarat to move towards 100% renewables as sources of energy by 2025;
3. Work with the community, business and not-for-profit sectors to reduce community emissions and move towards renewables; and
4. Commence the development of these strategies and plans as soon as possible.

Moved: Cr Daniel Moloney  
Seconded: Cr Belinda Coates

**CARRIED**  
**(R141/17)**

DRAFT

## 9.2. BALLARAT PLAY SPACE STRATEGY

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Mark Patterson – Executive Manager Sport & Active Living

### RESOLUTION:

#### Council Resolves to:

1. Endorse the Draft Playspace Strategy 2017
2. Commence community consultation seeking feedback on the Draft Strategy Playspace Strategy 2017 for Council consideration.

**Moved: Cr Grant Tillett**

**Seconded: Cr Belinda Coates**

**CARRIED  
(R142/17)**

### EXECUTIVE SUMMARY

The attached Draft Play Space Strategy represents the culmination of a comprehensive review process and Council endorsement is now sought for public exhibition of the documents to provide opportunity for external feedback for consideration, prior to presentation of a final document to Council for adoption.

At the Council meeting held on 27 August 2014 Council adopted (R292/14) the City of Ballarat Play Space Planning Framework 2014, this was initially prepared in response to the principles and directions of the City of Ballarat's Council Plan 2009- 2013, Health and Well Being Plan 2009-2013.

The Strategy will replace the City of Ballarat Play Space Planning Framework 2014 and has been undertaken to bring it in line with current Council policy and priorities, therefore updates and amendments have been made. The City of Ballarat Playspace Strategy incorporates the visions and actions of all relevant policies and consultations which have been undertaken since the 2014 Framework.

The purpose of the City of Ballarat Playspace Strategy 2017 is to provide principles, strategic policy and guidance for the planning, design and management of all playspaces within the City of Ballarat for the next 10–15 years. These principles are based on community feedback, municipal analysis and research into current industry 'best practice' with the vision of the City of Ballarat being known for its well-designed, fun, creative, innovative, high quality and diverse play spaces that contribute to the development needs of the Ballarat community and its visitors.



In 2016 a community engagement process and site assessments were undertaken with the key outcomes being:

- The majority of families using playspaces, use them more than once a week or fortnightly
- The majority of families travel outside of their local neighbourhood to visit playspaces, sometimes as far away as 10kms
- Top most important experiences for 0–12+ year olds were; swings, slides, climbing structures, flying foxes, hard court areas, bike tracks (BMX or other) and skate facilities
- Top items that would encourage families to use Ballarat playspaces included; better complementary facilities, more shade and shelter, more variety and diversity, barriers/fencing and more activities for older children across a local area
- Siting of playspaces is on the whole very good.
- Age range and diversity of play experience needs to be improved across many local areas, by giving consideration of what is provided elsewhere in the local area
- Natural shade needs to be considered when renewing or installing new playgrounds, that is the planting of trees or better use of existing shade
- Universal access has been improved in recent years with so many playspaces now at ground level.
- The majority of sites still however need improved pathway access to playspaces, seating and other facilities making it easier for all of the community to participate
- A more integrated approach to playspace planning and development at all classification levels would result in a higher quality of facility

The community will be consulted as each priority of the Strategy is implemented, to ensure that outcomes are responsive to community needs and aspirations. The Strategy also guides the establishment of new play spaces that will be handed over to Council by developers as new subdivisions are completed.

The initial community consultation of the Ballarat Playspace Strategy has looked at current industry thinking about teenage and tween play and the issues young people face, why play is important, a review of existing models of provision and their limitations. The Strategy highlights a new approach to teen and tween play and recreation and aims to assist in defining opportunities and key principles for active play recreation framework.

Tween is referred to as the lost age group – in betweens and the Strategy looks at ways for this age group to be creative, use their imagination and develop a stronger sense of self as they mature towards adolescence. Play for tweens is therefore an extension of traditional play but with a focus on elements that challenge children both physically and cognitively.

Traditionally teen/youth spaces have resulted in the provision of skate parks, however, the Strategy looks and acknowledges that sport is not the only recreation solution and art, music and dance can also be attractive and relevant to teens.

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**9.3. FLOOD MITIGATION STRATEGY**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Ben Chircop – Drainage and Development Engineer

**RESOLUTION:****Council resolves to:**

1. **Make a commitment to resolve the major flood risks at Charlesworth Street, the Gong Dam, Ballarat Central Business District, Miners Rest and Banyule Drive;**
2. **Determine that the Charlesworth Street embankment and the Gong Dam are the highest priority flood mitigation projects, and further that immediate action is required;**
3. **Consider implementing flood overlays for all relevant waterways across the entire municipality. Flood overlays form a crucial, non-structural flood mitigation tool that will aid future development planning, inform the local community and significantly improve emergency management;**
4. **Development of a flood warning network to service the Ballarat region.**
5. **Pursue funding from State and Federal sources to support major mitigation projects.**

**Moved:** Cr Grant Tillett  
**Seconded:** Cr Daniel Moloney

**CARRIED**  
**(R143/17)**

**EXECUTIVE SUMMARY**

The City of Ballarat has completed numerous flood studies in recent years and some examples are the Burrumbeet Creek Flood Study (2013), the Canadian Tributaries Flood Study (2014) and the Bonshaw Creek Flood Study (2014). These flood studies are crucial to Ballarat because they enhance flood intelligence, identify flood risk and justify important planning decisions.

Flood risk is now a primary concern for the municipality, as several major flood studies have identified considerable flood risks across Ballarat. This report will rank Ballarat's major flood risks, help coordinate existing flood data, aim to provide practical mitigation solutions and raise community awareness in relation to flood risk. A flood risk analysis will underpin this report and will establish a systematic approach to long-term flood risk reduction across Ballarat. The significant flood risks are outlined below and have each been ranked through the attached risk assessment accordingly:

- Charlesworth Street earthen embankment, Ballarat East;
- The Gong dam wall, Buninyong;
- The Central Business District (CBD) of Ballarat;
- Flooding in Miners Rest;
- Flooding in Banyule Drive, Delacombe.

Additionally, the importance of flood overlays will be emphasized for the Ballarat region, as they themselves provide a significant, non-structural flood mitigation tool that can prevent further development being placed at risk from a flood event.

#### **9.4. OUTSTANDING QUESTION TIME ITEMS**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Sarah Anstis- Governance Administration Officer

#### **RESOLUTION:**

- 1. That Council endorses the Outstanding Question Time report.**

**Moved: Cr Des Hudson**  
**Seconded: Cr Jim Rinaldi**

**CARRIED**  
**(R144/17)**

#### **EXECUTIVE SUMMARY**

This Report provides Council with an update of response to questions taken on notice and outstanding unanswered questions from Council Question Time.

**DRAFT**

**10.2. NORTH BALLARAT FOOTBALL CLUB AND SPORTS CLUB HOLDINGS  
RESOLUTION:**

**That Council:**

**Resolve that the finalisation of the acquisition process for the North Ballarat Football Club and Sports Club Holdings, within the broader Eureka Sports and Entertainment Precinct, must come before a Council meeting for consideration before final approval.**

**Cr. Amy Johnson**

The Notice of Motion was withdrawn by Cr Amy Johnson.

DRAFT

**11. URGENT BUSINESS**

**Cr Ben Taylor**

**Question**

When meeting with Vic Roads, are we having discussions around their strategic position regarding Midland Highway and Geelong Road?

**Answer**

Cr Samantha McIntosh, Mayor

City of Ballarat are meeting with Vic Roads in June and will include the items on the agenda.

**12. SECTION 89 (IN CAMERA)**

Nil

**13. CLOSE**

**The Mayor declared the meeting closed at 11:01pm.**

**Confirmed this**

**day of**

**2017.**

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**Mayor**