

OFFICIAL

Council Meeting

Minutes

14 December 2022 at 6:30pm

Council Chamber, Town Hall, Sturt Street,
Ballarat



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1. OPENING DECLARATION

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

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

2. APOLOGIES FOR ABSENCE

2.1 Present

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

Mr Evan King- Chief Executive Officer
Ms Bridget Wetherall - Director Infrastructure and Environment
Mr Pete Appleton - Acting Director Community Wellbeing
Mr John Hausler - Director Corporate Services
Ms Natalie Robertson - Director Development and Growth
Mr Cameron Montgomery - Executive Manager Governance and Risk
Ms Sarah Anstis - Statutory Compliance Officer
Ms Lyndsay Leingang - Administration Officer Statutory Compliance

2.2 Apologies

Nil

3. DISCLOSURE OF INTEREST

Nil

4. MATTERS ARISING FROM THE MINUTES

Nil

5. CONFIRMATION OF MINUTES

RESOLUTION:

That the Minutes of the Council Meeting on 23 November 2022 as circulated be confirmed.

Moved: Cr Mark Harris

CARRIED

Seconded: Cr Daniel Moloney

(R197/22)

Cr Belinda Coates raised a condolence motion for Emma Barrance- Kelly. Emma was a Community Arts Officer in 2006. She founded Arthur gallery in 2007 and subsequently Arthur Creative, a disability arts program. Emma also instigated Ballarat Arts Alive. She was a passionate advocate for the Arts, especially Community Arts and people with disabilities. She had a great impact on the Arts Community of Ballarat.

RESOLUTION:

That Council move a condolence motion for Emma Barrance-Kelly.

Moved: Cr Belinda Coates

CARRIED

Seconded: Cr Des Hudson

(R198/22)

6. PUBLIC QUESTION TIME

QT89/22 - Linda Zibell

Question

Seventeen years ago the City of Ballarat permitted Ballarat Gold Mine's construction in Mount Clear. Today 1,330 more people reside there, with the mine now in cooee of 4 schools, a kindergarten, Aged Care and Childcare. The mine's application for a 27 hectare Tailings Dam scarcely addresses environmental risks or community safety, but if Council required an Environmental Effects Statement, BGM's whole situation in the suburb could be reviewed. Why isn't this Council's priority?

Answer

Natalie Robertson, Director Development and Growth responded that prior to the lodgement of a planning application a Work Plan Variation process is required to be undertaken through the Department of Jobs, Precincts and Regions (DJPR). As part of this process the Environment Protection Authority (EPA) assessed the proposed tailings dam along with other agencies such as the Department of Environment, Land, Water and Planning (DELWP). These authorities did not raise any objections to the proposal and have included conditions that form part of the Work Plan statutory endorsement. The planning application before City of Ballarat will be assessed against the requirements of the planning scheme and where necessary technical expertise will be sought on particular matters. Based on the previous review of the Work Plan by the relevant agencies, including advice that we currently have, the proposal does not meet the thresholds for requiring an Environmental Effects Statement.

Q90/22 - Dr Dora Pearce

Question

Is the City of Ballarat aware that in March 2018, Newcrest's Cadia mine tailings dam, near Orange, NSW, failed and since then, the neighbouring farming community has been exposed to repeated toxic dust events that irritate the respiratory tract and are potentially carcinogenic (cancer causing) i.e. arsenic, and Cadia Holdings has received multiple fines by NSW EPA for failing to conduct continuous air quality monitoring and suppress dust pollution from the dried surface of the failed tailings dam?

Answer

Natalie Robertson, Director Development and Growth responded that if the question is simply to advise if City of Ballarat are aware of the Cadia Mine failure, if that is the question, then yes, speaking on behalf of Council Officers City of Ballarat is aware of the Cadia Mine's tailings dam failure and we note that the relevant authority in this respect is the EPA.

Question

Does the City of Ballarat consider that environmental regulators in Victoria will enforce more stringent compliance with environmental regulations for the construction and management of tailings dams than their counterparts in NSW and therefore guarantee that a catastrophic failure of the proposed fourth tailings dam in suburban Ballarat could never occur, particularly without an Environment Effects Statement to assess every aspect of its construction given the local geology and close proximity to the Yarrowee River?

Answer

Natalie Robertson, Director Development and Growth responded that she has in some way answered this, but to answer her question, this matter is the subject of a planning application process and the need for an Environmental Effects Statement is determined by the Department of Environment, Land, Water and Planning (DELWP) as the relative authority

through their Earth Resources Regulation team when considering the Work Plan Variation that will form part of the planning permit application. ERR have determined that no criteria exists to require an EES statement and subsequently a planning application was made without it.

QT91/22 - Joan Brick

Question

According to the Earth Resources Department, while an EES may not be required regarding a planning permit application, I was informed that the Council is the body that can initiate and require that an EES be done to help assist with making an informed decision regarding issuing a planning permit. Will the Council, who have been voted in to protect the health and best interests of the residents and ratepayers as well as protect the health, character and landscape of the local area be requiring an EES regarding the Application to build a Second Surface Tailings Dam considering the potential impact that the Tailings Dam may have on the well being of the residents and local landscape of the proposed Tailings Dam?

Answer

Natalie Robertson, Director Development and Growth responded that in order to seek an EES from the applicant, a request for such must be made via a formal further information request. In this case advice from Earth Resource Regulations (ERR) is that an ESS is not required on the basis the proposed facility does not meet the identified thresholds. Importantly, whilst Council may request an EES the applicant is not obliged to provide one. In addition, if the applicant did commission an EES the body who would determine if it is suitable is not Council - this expertise lies with ERR who have already determined that an ESS is not required.

Question

Since the First Tailings Storage Dam is full, where are the present surface tailings from the mines being stored/disposed of as it seems that there is presently truck loads filled with earthen materials being unloaded onto the proposed Second tailings dam site?

Answer

Natalie Robertson, Director Development and Growth responded that with respect to the first Tailing Dam and it being full, the information provided by the applicant states that the existing site has approximately two years tailings storage at present. As such, all tailings are currently being disposed of within the site and within approved storage facilities.

QT92/22 - Jennifer Robson

Question

Ballarat people are largely unaware of the existence of the Ballarat Gold Mine and its close proximity to residential areas including schools, pre schools and aged care facilities.

Considering the health risks and dangers associated with mine tailings storage and that gold mining is one of the most destructive industries in the world, doesn't Ballarat City Council have an obligation to inform the greater Ballarat community as well as the communities that they have allowed to grow ever closer to the mine site?

Answer

Natalie Robertson, Director Development and Growth responded that the Planning and Environment Act 1987 would only require notice of the current application for expansion of a tailings dam for the established gold mine to be to adjoining landowners. However, the Statutory Planning Unit undertook extensive public notice which included:

- Over 1500 individual notices directly to residents

- Five notices placed onsite along Whitegully Road and Tinworth Avenue; and
- Notice in the newspaper

The proposal also remains publicly available on City of Ballarat's website to review under eservices and once public information sessions are scheduled any member of the community is welcome to attend.

Cr Taylor requested for a Briefing to Councillors on 1 February 2023 in relation to roles and responsibilities of the Ballarat Gold Mines and the State Government involvement.

QT93/22 - Stuart Kelly

Question

My questions relate to the eating area currently being constructed on the south side of Sturt Street to the east of Albert St, replacing 2 car spaces. When and how was this work and its expenditure approved by the Council?

Answer

Natalie Robertson, Director Development and Growth responded that this work is being undertaken with funding allocated by Council in its 2021/22 budget for Outdoor Dining Streetscaping work in the CBD, which supplements work carried out this year in various locations, in conjunction with the State Government's COVID Safe Outdoor Activation Fund.

Question

Given that the site is within the Lydiard Street Heritage Precinct, what consultations, including the seeking of the opinion of Council's Heritage Advisor, were carried out prior to the commencement of work?

Answer

Natalie Robertson, Director Development and Growth responded that the project is exempt under the provisions of planning scheme amendment VC53 for planning approval. However, the final design is informed by comments from Council's Heritage Advisor and other internal referrals such as Traffic and Transport, our Civil Design team and Regulatory Services together with surrounding and adjoining property occupiers. All works are at ground level, affecting bitumen parking only, they preserve existing infrastructure and can be restored to its original format should the need at this premises cease.

RESOLUTION:

That Council extend Public Question Time for a period of 30 minutes.

Moved: Cr Daniel Moloney

CARRIED

Seconded: Cr Tracey Hargreaves

(R199/22)

QT94/22 - Jackson Zaal

Question

If VPAs High-Level Strategic Review identifies that the west and north-west growth areas are required in the short term due to land shortage, it will be constrained by water supply 'planning' funding only. Understanding that Council meets with CHW regularly, can Council provide CHW with enough support (i.e. further advocate rezoning now, informing VPA of this constraint) to

warrant water supply 'construction' funding for the west and north-west under the current 2023-2028 water plan submission?

Answer

Natalie Robertson, Director Development and Growth responded that it's important to note that our growth areas are not just informed by Central Highlands Water infrastructure and Council and other relevant stakeholders are providing inputs to the VPA's high level strategic planning review. This review commissioned by the Minister for Planning is intended to inform the staging and sequencing for identified greenfield and renewal areas, which will have consideration to all facets of urban growth infrastructure, including the ability to connect and/or upgrade services in the growth areas, the ability to accommodate future populations within existing and/or enhanced transport connections, and the ability to accommodate new community services to meet the demands of growing and changing communities.

Should Council support the officer recommendation for the Growth Areas Update report that is before them this evening, Council will shortly write to the new Minister for Planning outlining our February Council resolution and affirming our commitment to this resolution and to continue working collaboratively with all stakeholders to ensure the VPA's High Level Strategic Review (HLSR) not only occurs in a timely fashion but sets out a clear pathway for all our proposed Urban Growth Zones.

QT95/22 - Felicity Driscoll**Question**

When will you build a footpath on Windsor Avenue so I can walk to school safely?

Answer

Bridget Wetherall, Director Infrastructure and Environment responded that the City of Ballarat currently have in excess of 100 individual sites in which new concrete footpaths have been identified as requiring construction in the future. One of these sites includes Windsor Ave in Alfredton.

As per the letter sent to Felicity from the City of Ballarat in August 2022, we advised that it is very costly to retrofit footpaths if they were not installed during development (which is the case in Windsor Ave in Alfredton).

This year \$600k is being spent on the construction of new concrete footpaths. A new footpath in Windsor Ave will be considered as part of the 23/24 budget process, however this site will have to compete against many other projects under consideration.

RESOLUTION:

A report to be presented to a future Council Meeting to list the 100 plus footpaths, an overview of the ranking and the types of budget required.

Moved: Cr Daniel Moloney

CARRIED

Seconded: Cr Samantha McIntosh

(R200/22)

QT96/22 - Paul McCuskey**Question**

Paul's question is around engineering approvals, as it seems the engineering approvals process timeframes are blown out beyond what's acceptable. With anything up to 12 months to turn around what should be pretty simple engineering design approvals and sometimes 2-3 months to get a response back from council.

What is Council doing to fund and/or support the officers to reduce the approvals processing time back to within the statutory timeframe of 30 days?

Answer

Bridget Wetherall, Director Infrastructure and Environment acknowledged that there has been a delay and it is within the level of service that we would like to provide. There is a number of things that are in train at the moment and we have had some recent staff movements and we have filled those quickly with contractors. We do have a consultant working with us at the moment, currently 2 days a week but is looking to increase those hours in the new year, to help us refine the processes in which we firstly receive, and then prioritise responses and keep track of every piece of correspondence. We are also looking at further resourcing in next year's budget. She understands that there are around 200 applications at the moment sitting in a back log, ranging from a couple of weeks to 12 months, but she also understands that within those, they are not all new applications. Some are in various stages of response and we are waiting on full responses back. We are aware and we are working to fill those gaps. It has been a challenge to find suitably qualified engineers as well in this market. We are trying at this point.

Cr Taylor requested for a Briefing about how Officers can start providing engineering reports to Briefing and then to Council on a quarterly basis around how we are tracking with the statutory requirements.

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:

9. That Council:

9.1 Receive and note the CEO's Operational Report.

Moved: Cr Amy Johnson
Seconded: Cr Belinda Coates

CARRIED
(R201/22)

8. OFFICER REPORTS

8.1. OUTLINE OF A REVIEW OF PROCUREMENT POLICY

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

Public representation was made by Jay Morrison.

PURPOSE

1. To comply with resolution of Council passed at the September 2022 meeting to provide Council with a report that outlines a review of the Procurement Policy by the end of 2022.

That a report be brought to Council by the end of 2022 outlining a review of the Procurement Policy.

Moved: Cr Daniel Moloney, Mayor

CARRIED Seconded: Cr Mark Harris (R147/22)

2. To identify and outline an approach and the associated intended areas of a focus in a review of the Procurement Policy.

RESOLUTION:

10. That Council:

10.1Note the outline of a review of the Procurement Policy within this report.

10.2Note that the outcome of the review will be brought back to Council in April 2023.

Moved: Cr Daniel Moloney

Seconded: Cr Samantha McIntosh

CARRIED

(R202/22)

8.2. BRIDGE MALL - SPECIAL RATE APPLICATION

Division: Development and Growth
Director: Natalie Robertson
Author/Position: James Guy – Executive Manager Economic Growth

PURPOSE

1. To receive and note the correspondence from the Bridge Mall Business Association requesting the Bridge Mall Special Rate (BMSR) be renewed for another 5 years.
2. To set out the process for the declaration of the BMSR for a five-year period from 2023 to 2028.

RESOLUTION:

11. That Council:

11.1 Receive and note the request (Attachment 2) from the Bridge Mall Business Association (BMBA) to renew the Bridge Mall Special Rate for all properties located between Grenville Street and Peel Street that face the Bridge Mall, Coliseum Walk and the ground floor tenancies in Norwich Plaza (the Precinct – see Attachment 3) for a period of five years, commencing 1 July 2023.

11.2 Give notice of its intention to declare the Bridge Mall Special Rate for the Precinct in accordance with Sections 163 and 223 of the *Local Government Act 1989* (1989 Act) as follows:

- a. a Bridge Mall Special Rate be declared for a period of five years commencing on 1 July 2023 and concluding on 30 June 2028.
- b. the Bridge Mall Special Rate be declared for the purposes of defraying expenses of advertising, promotion, centre management, business development, security and other incidental expenses associated with the encouragement of commerce in the Precinct, which:
 - i. Council considers is, or will be, of special benefit to those persons required to pay the Bridge Mall Special Rate; and
 - ii. arises out of Council's function of:
 - encouraging and promoting economic sustainability, commerce, retail activity and employment opportunities in and around the Precinct and the broader municipal district; and
 - providing good governance in its municipal district for the benefit and wellbeing of the municipal community.

- c. the total cost of performing the function and the maximum amount of the Bridge Mall Special Rate to be levied will be:
- i. Year 1 - \$160,000;
 - ii. Year 2 - \$164,800;
 - iii. Year 3 - \$169,744;
 - iv. Year 4 - \$174,836; and
 - v. Year 5 - \$180,081.
- per annum, equating to a maximum of \$849,461 for the full 5 years, or such other amount as is lawfully levied having regard to necessary adjustments to valuations from time to time.
- d. the Bridge Mall Special Rate will apply to all rateable land which is primarily used, or adapted or designed to be used, for commercial purposes and which is located:
- i. between Grenville Street and Peel Street that faces the Bridge Mall;
 - ii. on Coliseum Walk; and
 - iii. on the ground floor in Norwich Plaza.
- e. the Bridge Mall Special Rate will be assessed and levied on rateable properties within the Precinct as a rate in the dollar of the Capital Improved Value (CIV) (2022-23 0.0032232 cents), subject to the annual valuations of CIV.
- f. Council considers that there will be a special benefit to persons required to pay the Bridge Mall Special Rate because the viability of Bridge Mall and the businesses in it will be enhanced through increased commerce and business activity.
- g. Council determines that the estimated proportion of the total benefit of the Bridge Mall Special Rate (including special benefits and community benefits) that will accrue as special benefits to all the persons who are liable to pay it, is in a ratio of 1:1 (or 100%) on the basis that the community benefit is nil because funds raised by way of the Bridge Mall Special Rate will be applied to marketing, management and business development activities and will accordingly only benefit the owners and occupiers of those properties to which it will apply.
- h. the owners of the land described in paragraph 11.2(d) of this resolution will, subject to further resolution of Council, pay the Bridge Mall Special Rate on the same date or dates as Council's general rates are due.
- i. Council will, subject to and in accordance with the *Local Government Act 1989*, require a person to pay interest on any portion of the Bridge Mall Special Rate which that person is liable to pay and has not been paid by the date specified for its payment.

11.3 Authorise Council's Chief Executive Officer to give notice of the proposed declaration of the Bridge Mall Special Rate in accordance with the Local Government Act 1989 by at least:

- a. **arranging for a Public Notice to be published in the Ballarat Times newspaper; and**
- b. **sending a Letter enclosing the Public Notice to each person who will be liable to pay the Bridge Mall Special Rate.**

11.4 Consider any submissions and objections received by Council in accordance with sections 163A, 163B and 223 of the *Local Government Act 1989* at a Council meeting in April 2023 or such other date as the Chief Executive Officer determines. As per section 163A of the Act, a person may make a submission under section 223 in relation to Council's proposal to declare the Special Rate.

Moved: Cr Daniel Moloney

Seconded: Cr Mark Harris

CARRIED

(R203/22)

8.3. GROWTH AREAS QUARTERLY UPDATE

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Terry Natt – Manager Strategic Planning

Public representations were made by Mike Kaufmann and Paul McCuskey.

PURPOSE

1. 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:

11. That Council:

11.1 Note the progress of rezoning the proposed growth areas to Urban Growth Zone.

11.2 Write to the new Minister for Planning as follows:

- a. Highlighting Council's resolution of 23 February 2022;
- b. Affirm Council's expectation that the High-Level Strategic Review (HLSR) currently being undertaken by the Victorian Planning Authority (VPA) will be considered a priority and be delivered within six months of the date of the former Minister for Planning's correspondence of 6 September 2022 so as not to further hinder progression of the strategic work on Council's adopted growth areas boundaries; and
- c. Further, to seek projected timeframes for the following:
 - i. DELWP to rezone Core Northern Growth Area to an Urban Growth Zone;
 - ii. VPA to prepare the PSP for the Northern Growth Area.

Moved: Cr Ben Taylor
Seconded: Cr Mark Harris

CARRIED
(R204/22)

8.4. 2023 COUNCILLOR REPRESENTATION FOR COMMITTEES AND EXTERNAL BODIES

Division: Corporate Services
Director: John Hausler
Author/Position: Cameron Montgomery – Executive Manager Governance and Risk

PURPOSE

1. The report is for Council to adopt the Councillor Representation for Committees and External Bodies for 2023.

RESOLUTION:

6. **That Council:**
 - 6.1 **Endorse the 2023 appointments of Councillor Representation on Committees, Boards, Organisations and Groups as detailed in attachment 2 with an amendment to include Cr Taylor as the chair for the Contracts Approval Delegated Committee.**
 - 6.2 **Ensure that all the Committees, Board, Organisations and Groups are notified of Council's revised representatives.**

Moved: Cr Daniel Moloney
Seconded: Cr Belinda Coates

CARRIED
(R205/22)

8.5. S11A AND S11B INSTRUMENT OF APPOINTMENT AND AUTHORISATION

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

PURPOSE

1. The report is to endorse the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Kylie Sullivan and endorse the S11B Instrument of Appointment and Authorisation under the *Environment Protection Act 2017* for Victoria Cochrane.

RESOLUTION:

5. That Council:
 - 5.1 Exercise the powers conferred by s224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of appointment and authorisation (the instrument), and that;
 - a. Kylie Sullivan be appointed and authorised as set out in the instrument.
 - b. The instrument comes into force immediately upon resolution and remains in force until Council determines to vary or revoke it.
 - 5.2 Exercise the powers conferred by s242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, and resolves that:
 - a. Victoria Cochrane be appointed and authorised as set out in the instrument.
 - b. The instrument comes into force immediately upon resolution and remains in force until Council determines to vary or revoke it.

Moved: Cr Daniel Moloney
Seconded: Cr Mark Harris

CARRIED
(R206/22)

8.6. S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

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

PURPOSE

1. To review and update the S6 Instrument of Delegation, Members of Staff for Council's consideration.

RESOLUTION:

6. That Council exercise the powers conferred by the legislation referred to in the attached instrument of delegation at Attachment 2, and that:
 - 6.1. There be delegated to members of Council staff, holding, acting in or performing the duties of the officers or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
 - 6.2. The Instrument comes into force immediately upon resolution.
 - 6.3. On the coming into force of the instrument, all previous S6 delegations to members of Council staff are revoked.
 - 6.4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Moved: Cr Daniel Moloney
Seconded: Cr Peter Eddy

CARRIED
(R207/22)

8.7. OUTSTANDING QUESTION TIME ITEMS

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

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 Tracey Hargreaves

CARRIED
(R208/22)

9. NOTICE OF MOTION

Nil

10. REPORTS FROM COMMITTEES/COUNCILLORS

GB50/22 - Cr Moloney

Cr Moloney formally tabled a joint letter from 69 residents calling for Windsor Ave, Alfredton to have a footpath constructed.

GB51/22 - Cr McIntosh

Cr McIntosh referred to the design role of Council that is reflected on the barricading on Sturt Street and many other places. What we have now is different versions on barricade colour right down Sturt Street blocking off the new bike lane. It's been there too long. When we do roadworks around city or are blocking off streets to do beautiful things such as Christmas decorations, we have a whole heap of big ugly orange plastic tape. We can easily put big round spherical concrete balls. How can we do this better? It's very ugly at a supposedly beautiful time.

GB52/22 - Cr McIntosh

Cr McIntosh addressed the project that crosses VicRoads or the State Government roads authority and our Council work. There are a number of different issues that have come through from various residents. Council is doing their job and VicRoads are doing their job, but there isn't always the best communication. The ratepayers are getting a rotten deal. Often it ends up being an expensive project to fix. Work that has been delivered the past couple of weeks is now having to be undelivered. Through Council office could we have a better way of communication?

GB53/22 - Cr McIntosh

Cr McIntosh referred to the flood mitigation around Mt View Estate, Lake Learmonth, Old Creswick Road, Miners Rest, etc. They have all come to council chamber and we have all walked waste deep in water to see the consequences of the floods. These are not new issues. Is there a better way forward? It's important to put forward in a Council meeting that they are concerns that come to us consistently. These issues haven't gone away. We shouldn't wait until there is another flood.

GB54/22 - Cr McIntosh

Cr McIntosh spoke on the request for the extension of permit for Lydiard Street crossing to go back to Heritage Victoria which extends it another 6 months. This is a great concern to our community. Our ratepayers, business operators, and tourism visitors to our city see something that is nowhere near as special as it should be, nor as respectful of our Heritage areas as it should be. A 6-month extension raises alarm bells. It's important to put it on the table here to look at a better way forward. This is an issue that sits with state government as well, but it impacts our ratepayers, our street, and our tourists that it's impacting.

GB55/22 - Cr Coates

Cr Coates questioned the current situation with REDcycle stopping the collection of soft plastic from drop off point such as Cole's and Woolworths. Have officers explored an interim collection site?

GB56/22 - Cr Coates

Cr Coates gave a shoutout to the City of Ballarat Sustainability Team for their involvement with supporting the first nature stewards program that ran for several weeks. They had over 20 participants graduate over the weekend. She has had a lot of direct feedback for a well-run program.

GB57/22 - Cr Coates

Cr Coates gave thanks to the organisations and community groups involved in the 16 days activism against gender-based violence across the city.

GB58/22 - Cr Johnson

Cr Johnson wanted to wish everyone a very Merry Christmas and to stay safe over the holiday period. She noted as we are all lucky enough to spend the holidays with others, not everyone is. Please invite others in as it's not always a great time for everyone in the community. We are incredibly lucky to be in the positions we are in. Thank you also to our directors and staff in the City of Ballarat for your work with Council the past 12 months.

GB59/22 - Cr Hargreaves

Cr Hargreaves gave a shoutout to the team for all the Christmas decorations on Sturt Street. The main area of town looks amazing. A big congratulations for a job well done this year.

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 8:51pm whilst the Council is dealing with the following matters;

Moved: Cr Amy Johnson

CARRIED

Seconded: Cr Samantha McIntosh

(R209/22)

12.1 COMMUNITY AWARDS

Division: Executive Unit

Director: Evan King

Author/Position: Vivienne Murphy – Executive Officer to the Chief Executive Officer

(confidential information)

12.2 BALLARAT REGIONAL LANDFILL CELL I – CONSTRUCTION

Division: Infrastructure and Environment

Director: Bridget Wetherall

Author/Position: Les Stokes – Executive Manager Waste and Environment

(confidential information)

RESOLUTION:

That Council move out of closed Council at 8:55pm and adopt the resolutions made therein.

Moved: Cr Mark Harris

CARRIED

Seconded: Cr Tracey Hargreaves

(R212/22)

