

OFFICIAL

# Council Meeting

## Minutes

24 May 2023 at 6:30pm

Council Chamber, Town Hall, Sturt Street,  
Ballarat



**ORDER OF BUSINESS:**

<b>1. Opening Declaration</b> .....	<b>4</b>
<b>2. Apologies For Absence</b> .....	<b>4</b>
<b>3. Disclosure Of Interest</b> .....	<b>4</b>
<b>4. Matters Arising From The Minutes</b> .....	<b>5</b>
<b>5. Confirmation Of Minutes</b> .....	<b>5</b>
<b>6. Public Question Time</b> .....	<b>5</b>
<b>7. Petitions</b> .....	<b>13</b>
<b>8. Chief Executive Officer Report</b> .....	<b>14</b>
8.1. Chief Executive Officer Report .....	14
<b>9. Officer Reports</b> .....	<b>15</b>
9.1. Libraries and Learning Strategy 2022-2027 First Year Implementation Report.....	15
9.2. Quarterly Performance Report .....	16
9.3. Eureka Centre Annual Action Report.....	17
9.4. Her Majesty's Theatre Delegated Committee Revised Membership .....	18
9.5. Governance Policy Review.....	19
9.6. Road Naming Proposal - Kunuwarra, Lake Gardens .....	20
9.7. Contracts Approval Delegated Committee Minutes .....	21
9.8. S11A and S11B Instrument of Appointment and Authorisation.....	22
9.9. Outstanding Question Time Items .....	23
<b>10. Notice Of Motion</b> .....	<b>24</b>
<b>11. Reports From Committees/Councillors</b> .....	<b>24</b>
<b>12. Urgent Business</b> .....	<b>26</b>

**13. Section 66 (In Camera) ..... 26**

**14. Close..... 26**

## 1. OPENING DECLARATION

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

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

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

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

Mr Evan King- Chief Executive Officer  
Mr Matthew Wilson - 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

Cr Mark Harris

## RESOLUTION:

**That the apology be accepted.**

**Moved: Cr Tracey Hargreaves**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(R57/23)**

## 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 26 April 2023 as circulated be confirmed.

**Moved: Cr Belinda Coates**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R58/23)**

#### Condolence Motion - Councillor Neville Greenbank

The City of Ballarat mourns the recent passing of former City of Ballarat Councillor, Neville Greenbank.

Neville was a well-known and much respected member of the Ballarat community, with involvement in many community groups and organisations.

Neville was a Ballarat Councillor (Alfredton Ward) from 1999 to 2002, and prior to this a Councillor with the former Shire of Ripon.

We pass on our sympathies to his family as we remember his passion for the Ballarat community with great fondness.

Moved: Cr Des Hudson

Seconded: Cr Amy Johnson

#### 6. PUBLIC QUESTION TIME

##### QT46/23 - Linda Zibell

##### Question

TDCSAG prioritises Mount Clear's community safety in decision making for Ballarat Gold Mine's TSF4, particularly in relation to rising dust contaminants. We understand the decision is to be 'expedited' by Council, yet Council says ERR is in charge since they permitted the original workplan variation. The EPA also says ERR is in charge. But ERR says when it comes to dust, EPA is in charge. Will council insist on an EES to resolve this conflict?

##### Answer

Natalie Robertson, Director Development and Growth responded that the EPA were a referral for the Work Plan Variation and required conditions to be included as part of that process, including mitigation measures in relation to dust for the Statutory Endorsed Work Plan Variation. At this point, City of Ballarat has not completed a detailed assessment of the application before us.

**QT47/23 - Dr Dora Pearce****Question**

The residential suburb of Mount Clear borders on Tinworth Avenue, as does Ballarat Gold Mine's mining licence MIN4847<sup>12</sup>. Can the City of Ballarat Council explain why Clause 52.09-7 of the Ballarat Planning Scheme<sup>3</sup> necessitated that "...1500 individual notices to residents and surrounds..." within 500 metres of the proposed tailings dam in Whitehorse Gully be provided, since EPA<sup>4</sup> recommends a minimum separation distance of 250 metres, or 500 metres since gold-mining dust contains respirable crystalline silica.

**References:**

1. Ballarat Gold Mine's website: < <https://ballaratgoldmine.com.au/wp-content/uploads/Ballarat-Goldmine-Workings.jpg> >.
2. Earth Resources: GeoVic website < <https://earthresources.vic.gov.au/geology-exploration/maps-reports-data/geovic> > .
3. Department Transport and Planning: Ballarat Planning scheme 24/01/2020: EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS < <https://planning-schemes.app.planning.vic.gov.au/Ballarat/ordinance/52.09> > .
4. EPA Victoria 2022 Publication 1949 Separation distance guideline < <https://engage.vic.gov.au/separation-distances-and-landfill-buffers> > .

**Answer**

Natalie Robertson, Director Development and Growth clarified that the clause Dr Pearce refers to does not set the parameters for public notice. This clause relates to extractive industries, but it sets out the requirements for notice for the sensitive uses in close proximity to those extractive industries.

For example, if we had an application to subdivide land or construct a building for accommodation, childcare centre, education centre or hospital that was within an Extractive Industry Interest Area, they would be required to give notice to the extractive industry. Any land which is within 500 metres of the land that is the extractive industry, we have to apply this parameter. Director Robertson noted she believes Dr Pearce is seeking to understand the extent of public notice and how it is determined. In this case, with the existing use, the prescribed distance becomes discretionary. In this case notice went to approximately 1500 residents in the adjoining and surrounding area, signs were placed on site and in the newspaper. The application remains undecided, and any member of the community may make a submission right up until the matter is decided.

**QT48/23 - Michael Knowles****Question**

Please advise the time and location of the proposed community consultation meeting to address objections and discuss the future of the Ballarat Gold Mine.

**Answer**

Natalie Robertson, Director Development and Growth responded that invites for a consultation session for submitters to the application will be sent out once the date and time is confirmed. We currently do not have the information we require or that we have committed to go to community consultation. As soon as we have that we will schedule a community consultation session.

**Question**

Will the above community consultation meeting be open to the public or restricted only to those residents lodging objections to the award of a permit to establish a new mine tailings dam.

**Answer**

Natalie Robertson, Director Development and Growth responded that it is usual that we would give notice to submitters to the application only, but the consultation session is open to all members of the community. We just ask that you register. When the time comes, We will make the time available on our website and ask that other members of the community, as word of mouth, let people know. Generally, we give notice to those who have submitted because that's who we know will be interested. If it's a community session, then those who haven't put a submission in are welcome, but they need to register.

**QT49/23 - Annie Treloar****Question**

I am deeply concerned about the potential construction of a further tailings dam in our community in Mount Clear. The failure of the Cadia Mine's tailings dam in New South Wales, as reported in the national news on Monday, has underscored the potential risks and devastating failings associated with such structures, particularly when they are situated near residential zones.

It is essential to prioritise the safety and well-being of our community, and any decision regarding the dam's construction should be based on thorough research, expert analysis, and consideration of community feedback. Given the severity of the Cadia mine incident, will Ballarat City Council please reassess the proposed plan for the new Tailings Dam?

**Answer**

Natalie Robertson, Director Development and Growth responded that this is an application that is still under consideration by the City and no determination has been made. There is no need to reassess. We await the information to do a detailed assessment of the application.

**QT50/23 - James Treloar****Question**

Cadia goldmine's tailings dam failure in NSW hit national news this week. This has impacted upwards of 1,000 residents, including children, living within a 15km radius of the dam. Blood tests and water tank tests have revealed heavy metals and carcinogenic pollutants linked to the failed dam.

As a Mount Clear resident, I'm shocked that there's a serious proposal of a fourth tailings dam connected to Ballarat Goldmine, and only 150 metres from residents' homes.

Can the Ballarat City Council commit to the safety of the Mount Clear community with an EES?

**Answer**

Natalie Robertson, Director Development and Growth responded that statutory endorsement has previously been provided to the Work Plan Variation by Earth Resource Regulation (ERR) which included consultation with other agencies such as the Department of Environment, Land, Water and Planning (now known as Department of Transport and Planning) and Environment Protection Authority. These authorities did not raise any objections to the proposal and have included conditions that form part of the Work Plan statutory endorsement.

Based on the previous review of the Work Plan by relevant agencies, which by way of Statutory Endorsement has considered the thresholds for requiring an Environmental Effects Statement (EES), Officers remain of the view the threshold for requiring an EES has not been met. That means, not met in terms of meeting an EES. Notwithstanding this, Director Robertson reminded the public that this is currently under an assessment.

**QT51/23 - Joan Brick****Question**

Is the Council prepared to agree to allowing Balmain Gold to build an additional surface tailings dam, which in the present day is an antiquated and dangerous method of dealing with tailings, in the middle of a community already showing the presence of arsenic dust around homes located near the area of the present surface dams?

**Answer**

Natalie Robertson, Director Development and Growth responded that it is important to note and she will keep saying, this application is still under assessment and no decision has been made at this time.

**QT52/23 - Andrea Heinrichs****Question**

Were an Environment Effects Statement or an EPA Works Approval and Licence required for TSF1, TSF2 or their merger into TSF3?

If not, why not?

**Answer**

Natalie Robertson, Director Development and Growth responded that advice regarding the proposal in place for Tailings Storage Facility 1 and 2 will need to be sort from Earth Resource Regulation as the approvals you have mentioned are overseen through them.

The site operates under a Mining License and prior to applying for the planning permit for the new Tailings Storage Facility (TSF 3) statutory endorsement of a Work Plan Variation was provided by Earth Resource Regulation (ERR). ERR are responsible for the issuing of licenses and work plans.

As part of the Work Plan Variation process external agencies such as the Environment Protection Authority (EPA) and Department of Environment, Land, Water and Planning (now known as Department of Transport and Planning (DTP)) were engaged.

**QT53/23 - Patrick Cook / Hedley Thompson****Question**

Is Council aware that sections of Sparrow Ground Reserve are being regularly mowed and cleared by a nearby resident, who I believe is also a Council employee, in contravention of Councils' 2007 Sparrow Ground Vegetation Management Plan? What action will be taken to put an end to it?

**Answer**

Cameron Montgomery, Executive Manager Governance and Risk on behalf of Bridget Wetherall, Director Infrastructure and Environment responded that it is also noted that in accordance with the Governance Rules, that Council have received two questions pertaining to the same matter from Patricia Cook and Hedley Thompson and will answered together.

The City of Ballarat has previously been in contact with the Department Energy, Environment and Climate Action (DEECA) regarding the status of the Crown Land Parcel and the history and understanding of the licences that existed across the reserve. The City of Ballarat is continuing to work through all ongoing maintenance practices across the reserve to ensure any works are being completed in line with accepted practices and procedures.



To assist with the clear guidance and management of this reserve, I can advise that we have had Practical Ecology, who developed the 2007 Vegetation Management Plan, complete two site assessments of Sparrow Ground Reserve during 2022, the first visit in May and again during September 2022. They have been working on the updated Draft Vegetation Management Plan which will be finalised shortly. This updated plan has the purpose of reviewing and documenting the ongoing bushland management works being undertaken throughout the reserve, and to present all the vegetation data in a document that can be used to guide ongoing management.

**QT54/23 - Margaret Beachman****Question**

I and many others I speak to would like to know why the Council continues to run a program of spraying with 'frog friendly glyphosate '! I have rung the Council and been told this is what is being sprayed everywhere. Even in our bluestone gutters which drain to our drinking water. This product has been banned in many countries and is a known carcinogenic.

**Answer**

Cameron Montgomery, Executive Manager Governance and Risk on behalf of Bridget Wetherall, Director Infrastructure and Environment responded that the Glyphosate products used by City of Ballarat are selected for use (like Glymac 360) due to the minimal risk they pose to the environment and waterways. These products are practically nontoxic to fish and aquatic invertebrates and are not harmful to birds. Regular worksite audits are completed focussing on supervision of staff and contractors to ensure they are utilising the chemicals as per the Safe Operation Procedures and Material Safety Data Sheets, and consideration of where the chemical application is applied, whilst being careful of the environment to ensure all chemicals are properly selected and correctly used.

**Question**

Has anyone on Council looked at the data readily available about this product. If not, why not?

**Answer**

Cameron Montgomery, Executive Manager Governance and Risk on behalf of Bridget Wetherall, Director Infrastructure and Environment responded that the City of Ballarat is continuing to consider and trial alternative chemicals, treatments, and application methods to control weeds across the municipality where practical and continue to seek advice of relevant authorities regarding the use of glyphosate products.

**QT55/23 - Joe Boin****Question**

I'm looking at the City's Draft Budget in relation to the City's Net Zero Emissions Plan (Oct 2022). I don't see money for seriously implementing the Net Zero plan's key areas of action, namely net zero homes, net zero businesses, net zero new developments and net zero transport. Is the council honestly budgeting to achieve net zero by 2030?

**Answer**

John Hausler, Director Corporate Services on behalf of Bridget Wetherall, Director Infrastructure and Environment responded that the City of Ballarat is committed to climate action. This budget includes funding to support a Climate Action Program which is focussed on climate adaptation, corporate emissions reduction and community emissions reduction. Climate Action programs proposed for 23/24 include the following:

- The continued roll-out of on-site solar on Council facilities
- Participation in CitySwitch program, accelerating office-based businesses to net zero

- Promotion of local offsetting activities
- Support of energy upgrades by landlords/tenants
- Support for pop up pocket gardens improving food security
- Sustainability Incentive Scheme Pilot. Which will provide financial incentives for sustainable technology
- installation in apartments, houses and commercial buildings, to improve energy and water performance and waste reduction. This can have the added benefit of reducing costs, cutting carbon emissions and increasing the value of the property
- Implementation of Environmentally Sustainable Design in Council buildings and infrastructure
- Implementation of Environmentally Sustainable Design for new planning applications
- A reusable nappy, period and sanitary products rebate for residents
- A compost bin / worm farm rebate for residents
- Trialling of electric vehicles in Council fleet
- A program of circular economy initiatives that will increase the number of products that are reused locally and to support the development of local recycling processing and remanufacturing by using more recycled materials in City of Ballarat projects
- Environmental sustainability investment in education and events

**Question**

Under the heading of Environmental Sustainability, the Draft Budget talks of investing in key initiatives to reduce carbon emissions. Ballarat has declared a climate emergency, so a significant proportion of the budget should be addressing the emergency. Where is the emergency budget for reducing the emissions in Council activities?

**Answer**

John Hausler, Director Corporate Services on behalf of Bridget Wetherall, Director Infrastructure and Environment responded that other initiatives include:

- Urban Forest Program - Planting 1,515 trees over the 2023/24 planting season in nature strips and reserves. In addition, 200 to 300 trees will be planted via customer request and over 2,000 tube stock trees, shrubs and understorey plants will be planted along our waterways, walking tracks and nature reserves.
- Biodiversity – Funding to support the Nature Stewards Program, and further development of the Biodiversity Strategy development including \$125,000 for a Biodiversity Values and Connections Study to list, map and quantify environmental assets across the city and define and prove the viability of a larger cross borders bio link study that identifies priority landscape scale connections.
- Integrated Water Management – Projects to increase the volume of alternative water supplies.

While the dedicated budget for climate action program is \$210,000, much of the work that will be undertaken, is working with internal Council departments and community organisations to encourage and facilitate emissions reduction through the use of their budgets.

**QT56/23 - Ashley Williams****Question**

Is this Council currently or considering using ratepayers money to fund either the 'Yes' or 'No' vote campaigns regarding the upcoming "The Voice" federal referendum

**Answer**

Cr Des Hudson, Mayor responded that, at present, the City of Ballarat Council does not have an opinion either way on the issue.

**QT57/23 - Gregory Stewart****Question**

Is the Design Review Panel still in operation and if so:

Were the Bakery Hill / Bridge Mall Redevelopment Plans referred to the Design Review Panel for comment and if not, why not?

**Answer**

Natalie Robertson, Director Development and Growth responded that where the Bridge Mall Redevelopment is concerned, this was presented to the Office of Victorian Government Architect (OVGA) on two occasions. The OVGA was used to provide the design advice on the project as it preceded formation of our Ballarat Design Review Panel.

**Question**

When will a report be presented to Council on the success or otherwise of the Design Review Panel, it having been approved by Council for a trial period of one year only.

**Answer**

Natalie Robertson, Director Development and Growth responded that to put some context, she believes that it was in December 2021 when Council approved the design review panel. By the time a panel was appointed, and we had our first item before the panel, it was probably 14 months later. We proposed a report go to Council in July or August at the latest allowing for a briefing to Councillors.

**RESOLUTION:**

**That Public Question Time be extended for a period of 30 minutes.**

**Moved: Cr Tracey Hargreaves**

**CARRIED**

**Seconded: Cr Samantha McIntosh**

**(R59/23)**

**QT58/23 - Philip McLelland****Question**

When is Council going to fix the roads?

**Answer**

Cameron Montgomery, Executive Manager Governance and Risk, on behalf of Bridget Wetherall, Director Infrastructure and Environment responded that since October 1, 2022, Council's Road Maintenance division has completed 175 jobs in the suburb of Sebastopol including works such as filling potholes, line marking, signage replacement, asphalt patching, shoulder repair, drainage and footpath works.

As has been mentioned in correspondence recently, there are some additional road works to take place in Yarrowee Street and Rubicon Street as part of this financial year's major patch program. These works are expected to take place next week, weather dependent.

**QT59/23 - Wally Iwanowski****Question**

I would like to bring to the attention of the Councillors the issues we had trying to save a 160-year-old staircase in the old Union Hotel building down on Sturt Street and how we nearly lost a how we nearly lost a very important piece of Ballarat history forever. I will explain the situation and ask a question at the end. It's a long story, which time won't permit, but basically the stair balustrades were about 15mm too low for the current building regulations. It was well within the regulations when it was built, and only recently, about 1992, when the regulations changed, they were not the standard height which is 1 metre. Previous to that it was the imperial feet and inches. When it changed to metric, they settled on a 1 metre balustrade height. That was the regulated height. It finished up being about 15mm too low. We engaged 3 stair building companies to offer a solution, but because of construction of the stairs with its three-dimensional curves in the corners, the only solution was to demolish the existing stair balustrades and build new ones with straight 90-degree corners. They all said there was no way they can rebuild them as they are, but they could 160 years ago with basic hand tools. We wanted to save this 160-year-old staircase for the future generations of Ballarat. We approached the heritage committees, but they had no idea how to help. There were two Councillors that tried hard to help us but were limited as to what they could do. We engaged, Wendy Jacobs, a heritage architect, to offer a solution, but other than a major reconstruction of the staircase, there was no solution. We decided to go the Victorian building Authority appeals board to see if we could get an exemption for the staircase. It was very expensive and getting a positive outcome was not very likely. We engaged Michael Morrow, a solicitor, and he did an excellent job on getting all the documents together, but the cost was escalating, because we had to hire a Melbourne barrister at \$4,000 / hour to represent us. There was really no end in sight. Each time they put up barriers we jumped hurdles, then they put more barriers and we jumped them. It seemed no end to the story. Ballarat prides itself on its wonderful heritage, but it has nothing in place to help people like us to save other important pieces of heritage scattered around Ballarat. Mostly unseen but is nevertheless very important for the history of Ballarat.

Could the Council or the Councillors put in place a mechanism with the relatively large resources in Council, where people like us, who want to preserve the dwindling heritage assets of Ballarat, given every help and guidance for a positive outcome.

**Answer**

Natalie Robertson, Director Development and Growth responded that she would take the question on notice so she can understand the context. If it's a National Trust of Australia building and if there is a heritage protection in either local or state level, particularly at state level, you'll have some internal controls. She noted she would like to do a detailed assessment and come back with some advice as to what position Council can have in assisting.

## 7. PETITIONS

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Lyndsay Leingang – Administration Officer Statutory Compliance

Public Representation was made by Jenny Patterson, Adrian James, Marg Turner, and Robert Walker.

### PURPOSE

1. To receive a written petition containing 36 signatories requesting Council to “*note the concerns regarding a substation proposal at 203 York Street.*”

### RESOLUTION:

4. **That Council:**
  - 4.1 **Note the petition be received; and**
  - 4.2 **That the petition be referred to the Chief Executive Officer for a report to a future Council Meeting**

**Moved: Cr Amy Johnson**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(R60/23)**

## 8. CHIEF EXECUTIVE OFFICER REPORT

### 8.1. 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:

8. That Council:
  - 8.1 Receive and note the CEO's Operational Report.

**Moved: Cr Samantha McIntosh**  
**Seconded: Cr Belinda Coates**

**CARRIED**  
**(R61/23)**

## 9. OFFICER REPORTS

### 9.1. LIBRARIES AND LEARNING STRATEGY 2022-2027 FIRST YEAR IMPLEMENTATION REPORT

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Jenny Fink, Executive Manager Libraries & Lifelong Learning

#### PURPOSE

1. To update Council on the progress made against actions in the first year of implementation of the Libraries and Learning Strategy 2022-2027.

#### RESOLUTION:

14. That Council:
  - 14.1 Receive and note the report on the work undertaken in year one to progress the objectives of the City of Ballarat Libraries and Learning Strategy 2022-2027 Action and Implementation Plan.

Moved: Cr Belinda Coates

Seconded: Cr Samantha McIntosh

CARRIED

(R62/23)

## 9.2. QUARTERLY PERFORMANCE REPORT

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

### PURPOSE

1. To present the quarterly performance report for the quarter ending 31 March 2023.

### RESOLUTION:

37. That Council:
  - 37.1 Receive the Quarterly Financial Management Report – Period Ending 31 March 2023 and note the financial matters contained within the report.
  - 37.2 Endorse the 2022-23 March 2023 Forecast Reconciliation.
  - 37.3 Receive the Quarterly Council Plan 2021-2025 - Annual Action Plan 2022/23 update to 31 March 2023.

**Moved:** Cr Amy Johnson  
**Seconded:** Cr Ben Taylor

**CARRIED**  
**(R63/23)**



### 9.3. EUREKA CENTRE ANNUAL ACTION REPORT

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Anthony Camm - Eureka Centre Manager

#### PURPOSE

1. This report is to provide an annual Report Card on the execution of the '2030: A Vision for the Eureka Centre (the Vision). To achieve the intent of the Vision, an ongoing focus on interpreting and sharing the history and legacy of 1854 Eureka Stockade in an engaging and accessible way is required.
2. The Eureka Stockade is central to the identity of the City of Ballarat and its significance is most deeply revealed at the purported site of the rebellion, the National Heritage-listed Eureka Stockade Memorial Park. The Eureka story is communicated through interpretation at this site and within the Eureka Centre, which together ground the legendary event in a tangible experience culminating in an encounter with one of Australia's most significant destination objects, the Eureka Flag.
3. Council resolved to adopt '2030: A Vision for the Eureka Centre' at an Ordinary Meeting on 11 December 2019 (R325/19). The 2030 Vision represents the strategic advice of the Eureka Centre Community Consultative Committee, which was established by the City of Ballarat to support the transition from the Museums of Australian Democracy at Eureka (M.A.D.E.) to the new Eureka Centre, which opened in April 2018.

#### RESOLUTION:

- 15. That Council:**
- 15.1 Receive and note the progress completed toward the execution of the '2030: A Vision for the Eureka Centre'.**

**Moved: Cr Daniel Moloney**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(R64/23)**

**9.4. HER MAJESTY'S THEATRE DELEGATED COMMITTEE REVISED MEMBERSHIP**

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Jeff Johnson Executive Manager Arts & Events

**PURPOSE**

1. This report presents, for Council endorsement, the nominations of the Her Majesty's Theatre (HMT) Delegated Committee (the HMT Board) to assume the three vacant HMT Board positions.

**RESOLUTION:**

12. That Council:
  - 12.1 Endorse the appointment of Kerry Watson AM to the Her Majesty's Theatre Board Delegated Committee in one of the four external skills-based community positions, to commence 25 May 2023 and conclude 24 May 2026,
  - 12.2 Endorse the appointment of Coady Green to the Her Majesty's Theatre Board Delegated Committee in one of the four external skills-based community positions, to commence 25 May 2023 and conclude 24 May 2026, and
  - 12.3 Endorse the appointment of Andrea Brown to the Her Majesty's Theatre Board Delegated Committee in one of the four Royal South Street Society representative positions, to commence 25 May 2023 and conclude 24 May 2026.

Moved: Cr Daniel Moloney

Seconded: Cr Samantha McIntosh

**CARRIED**

**(R65/23)**

## 9.5. GOVERNANCE POLICY REVIEW

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

### PURPOSE

1. The purpose of the report is for Council to adopt the following updated policies:
  - Committee Policy;
  - Recognition of Ballarat’s Paralympians Policy; and
  - Recognition of Ballarat’s Olympians Policy.

### RESOLUTION:

6. That Council:
  - 6.1 Adopt the following attached policies:
    - Recognition of Ballarat’s Olympians Policy
    - Recognition of Ballarat’s Paralympians Policy
    - Committee Policy
  - 6.2 Rescind the following policies:
    - Recognition of Ballarat’s Olympians adopted by Council on 26 May 2010 (R135/10)
    - Recognition of Ballarat’s Paralympians adopted by Council on 26 May 2010 (R135/10)
    - Committee Policy adopted by Council on 28 July 2021 (R148/21)

**Moved: Cr Peter Eddy**  
**Seconded: Cr Belinda Coates**

**CARRIED**  
**(R66/23)**

## 9.6. ROAD NAMING PROPOSAL - KUNUWARRA, LAKE GARDENS

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Michael Riseley – Acting Executive Manager Business Services

### PURPOSE

1. This report seeks Council endorsement to correct the road type for the recently endorsed road from "Kunuwarra Drive" to "Kunuwarra Place".
2. This proposal will enable final steps pursuant to the Geographic Place Naming Procedures to formalise the naming of the road.

### RESOLUTION:

8. **That Council:**
  - 8.1 **Notes the Council Resolution (R141/22) made at the 28 September 2022 Council Meeting: That Council Endorse the proposal to name the unnamed roadway at Prince of Wales Reserve, Lake Gardens, as Kunuwarra Drive.**
  - 8.2 **Notes that there was an error with the road type as advised by Geographic Names Victoria.**
  - 8.3 **Endorse the proposal to name the unnamed roadway at Prince of Wales Reserve, Lake Gardens, as Kunuwarra Place.**
  - 8.4 **Delegate to the Chief Executive Officer the Authority to complete all relevant steps pursuant to the Geographic Place Naming Procedures to formalise this change.**

**Moved: Cr Belinda Coates**  
**Seconded: Cr Daniel Moloney**

**CARRIED**  
**(R67/23)**

**9.7. CONTRACTS APPROVAL DELEGATED COMMITTEE MINUTES**

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

**PURPOSE**

1. The purpose of this report is to provide Council with copies of minutes of Council's Contracts Approval Delegated Committee in accordance with the adopted Terms of Reference. This report provides a copy of the minutes of the meeting held on 1 March 2023 and provides a summary of information in relation to these minutes.

**RESOLUTION:**

4. **That Council:**
  - 4.1 **Note, in accordance with Section 66 of the *Local Government Act 2020* that the material contained in the Contracts Approval Delegated Committee agenda has been designated confidential.**
  - 4.2 **Receive the Contracts Approval Delegated Committee minutes of the meeting held on 1 March, 2023.**

**Moved: Cr Ben Taylor**  
**Seconded: Cr Daniel Moloney**

**CARRIED**  
**(R68/23)**

## 9.8. 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 Authorisations under the *Planning and Environment Act 1987* for Stephen Murphy, Jie Shan, Abeny Mayol, Umaiyal Kamalaneshan and Joseph Cooper.
2. The report is to also endorse the S11B Instrument of Appointment and Authorisation under the *Environment Protection Act 2017* for Michelle Stewart and Joseph Cooper.

### RESOLUTION:

7. That Council:
  - 7.1 Exercise the powers conferred by s224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instruments of appointment and authorisations (the instruments), and that;
    - a. Stephen Murphy, Jie Shan, Abeny Mayol, Umaiyal Kamalaneshan and Joseph Cooper be appointed and authorised as set out in the instruments.
    - b. The instruments come into force immediately upon resolution and remain in force until Council determines to vary or revoke them.
  - 7.2 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. Michelle Stewart and Joseph Cooper be appointed and authorised as set out in the instruments.
    - b. The instruments comes into force immediately upon resolution and remains in force until Council determines to vary or revoke them.

**Moved:** Cr Daniel Moloney  
**Seconded:** Cr Belinda Coates

**CARRIED**  
**(R69/23)**

## 9.9. OUTSTANDING QUESTION TIME ITEMS

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Lyndsay Leingang - Administration Officer Statutory Compliance

### PURPOSE

1. This report provides Council with an update of responses to questions taken on notice and outstanding unanswered questions from public question time.

### RESOLUTION:

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

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

**CARRIED**  
**(R70/23)**

## 10. NOTICE OF MOTION

Nil

## 11. REPORTS FROM COMMITTEES/COUNCILLORS

### GB26/23 - Cr Belinda Coates

Cr Belinda Coates noted that a joint letter for a bus route along Doveton Street was received. She added there were several signatures, at least a couple of dozen. She asked if Council could consider that as part of feedback to bus network review. It is important to note that the connection goes past our central library. This is a good example of how our Public Transport network doesn't actually get people where they need or want to go. It is such a barrier to peoples' social connections as well.

### RESOLUTION:

**That the joint letter is received.**

**Moved: Cr Belinda Coates**

**CARRIED**

**Seconded: Cr Samantha McIntosh**

**(R71/23)**

### GB27/23 - Cr Samantha McIntosh

Cr Samantha McIntosh noted that at the Botanical Gardens there has been quite a few conversations following this year's event. We consistently have positive feedback, as we have with heritage weekend. There has been a lot of conversation around the globe lots of about the Begonia Festival. We know that we have the most outstanding Begonia collection in the world. Cr McIntosh believes we may have missed a big opportunity in knowing that. She recalled a competition with a city in England around was growing begonia size of dinner plate. There was a lot of interest around the world back then. This is something Council should be looking at. What could this mean between now and the next begonia festival? The community is encouraging Council to take the next step. Cr McIntosh requested this be considered and a review of what the next Begonia Festival may look like be brought back to Council assembly.

### GB28/23 - Cr Samantha McIntosh

Cr Samantha McIntosh mentioned the north gardens and that there has been chatter around filtering of the water and how our stormwater collection is working. She mentioned that they did a lot of work in this space 2000-2010 drought period to make sure there was a long-term supply of water coming into the lake. Through that time, we have hosted things like the Iron Man event, and we needed to know the water was A-class so that people could swim in it. Around the water tracks some questions, are they collecting appropriately? How is this impacting health and wildlife and lake users? How that indigenous landscape area is working to ensure we have these clear pathways coming into lake.



**GB29/23 - Cr Samantha McIntosh**

Cr Samantha McIntosh mentioned the Bridge Mall playground. She noted that they are about to start doing that work, but thought it was worth putting on table those concerns that people are having and if there are any issues around us delivering parts of that project that we really do have a good look and think about the feedback that is coming from the community.

**GB30/23 - Cr Samantha McIntosh**

Cr Samantha McIntosh mentioned that she had a few questions coming in regarding garden seats. She noted the policy we have in the garden on little plaques on chairs. She was wondering if places like Miners Rest have that pathway available and requested if Council Officers could have a look at that and report back. She believes if there are pathways available that they are taking months and months before any action is done.

**GB31/23 - Cr Samantha McIntosh**

Cr Samantha McIntosh mentioned the heritage brochure reported to Council and noted to make sure those types of documents are updated. This was delivered over heritage weekend, but we need to have a look at the dates and detail within it.

**GB32/23 - Cr Samantha McIntosh**

Cr Samantha McIntosh noted that design review panel. Through the Heritage Advisory Committee, can they also have a report back regarding how the design review panel is going.

**GB33/23 - Cr Tracey Hargreaves**

Cr Tracey Hargreaves noted an initiative she noticed, the Live for Life Program. She observed it is a charity organisation that is rolling out over Victoria for mental health education and a youth suicide prevention model designed specifically for rural and regional communities. They deliver teen and youth Mental Health First Aid in the community. They create local partnerships to lead conversations about mental health that reduce stigma and promote young leaders as mental health ambassadors. This has rolled out at Mt Clear College and others across Ballarat. She noted she believed they will continue getting to every school in Ballarat and wanted to highlight the beautiful collaborations between the communities and young people.

**GB34/23 - Cr Samantha McIntosh**

Cr Samantha McIntosh noted that at the last Heritage Advisory Committee meeting there was number of questions around the support from Heritage through the Building and Planning Departments and also the focus on design guideline. The discussions have come up many times and Council Officers are aware of this. That highlighted the importance of these conversations and this part of our Council meeting as well. The instance earlier meant five years that a family had to deal with putting two plastic signs up and there is an enormous expense involved and this is not a one-off. She asked for further work around this issue that it comes back to the Heritage Advisory Committee to ensure it is well-addressed.

**GB35/23 - Cr Peter Eddy**

Cr Peter Eddy questioned the guidelines around Councillor reports and suggested the Mayor provide some clarity on the area.

**GB36/23 - Cr Des Hudson**

Cr Des Hudson, Mayor noted the Stage Government Federal Budget. He noted it was great to see their pre-election commitments funded this first year. He noted we are living in an environment with high inflationary pressures. Any delay in releasing those funds would potentially reduce what the overall capacity would be of those projects. He noted the \$500,000 for the Continuous Voice Project is matched with \$500,000 from the City of Ballarat. We are still \$500,000 short and we will continue to look at ways, potentially through the Federal Government that we can get matched funding. This is a project of significance that would be great for State, Federal and Local Government to be a partner to the project. We will continue to do our advocacy.

**GB37/23 - Cr Des Hudson**

Cr Des Hudson commented on the \$50 million for the Ballarat Station upgrades and disability access which has been a long time coming. We know the Commonwealth Games has been a catalyst for this. Cr Hudson also noted the \$3.8 million for the heritage and further funding of UNESCO projects. He noted he met on Monday with other Mayors, and Council Officers with Minister Kilkeny, the Minister for Planning, to give an update and seek where the next stages were in terms of the furtherment of the application for the Victorian Goldfields to be listed with UNESCO. Minister Kilkeny is a big supporter for the project. The application is almost to Heritage Victoria for the next stage and then will go to the Federal Government to the appropriate Minister. That will hopefully be one of the last hurdles before UNESCO consideration where it could sit for nine to twelve months. Susan Fayad and Trevor have done an incredible work in this space the past few years.

**12. URGENT BUSINESS**

Nil

**13. SECTION 66 (IN CAMERA)**

Nil

**14. CLOSE**

The Mayor declared the meeting closed at 8:40pm.

Confirmed this

day of

2023.

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Mayor