

OFFICIAL

# Council Meeting

## Minutes

27 March 2024 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>5</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>6</b>
<b>7. Chief Executive Officer Report</b> .....	<b>12</b>
7.1. Chief Executive Officer Report .....	12
<b>8. Officer Reports</b> .....	<b>13</b>
8.1. Draft Biodiversity Strategy .....	13
8.2. Intercultural Strategic Plan Implementation Report.....	14
<b>9. Notice Of Motion</b> .....	<b>15</b>
<b>8. Officer Reports (Continued)</b> .....	<b>17</b>
8.3. International Travel - Attendance UCCN Creative Cities Conference .....	17
8.4. Eureka Centre Annual Vision Report.....	18
8.5. Growth Areas Quarterly Update .....	19
8.6. Amendment C240ball – Notice of Amendment to Council resolution .....	20
8.7. Audit and Risk Committee Biannual Report.....	21
8.8. S11A Instrument of Appointment and Authorisation .....	22
8.9. Outstanding Question Time Items .....	23
<b>10. Reports From Committees/Councillors</b> .....	<b>24</b>
<b>11. Urgent Business</b> .....	<b>26</b>

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

**13. Close..... 27**

DRAFT

## 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 Ben Taylor  
Cr Samantha McIntosh  
Cr Belinda Coates  
Cr Amy Johnson  
Cr Peter Eddy  
Cr Tracey Hargreaves

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

### 2.2 Apologies

Cr Mark Harris, Cr Daniel Moloney

## RESOLUTION:

**That the apologies be accepted.**

**Moved: Cr Belinda Coates**  
**Seconded: Cr Tracey Hargreaves**

**CARRIED**  
**(R23/24)**

**3. DISCLOSURE OF INTEREST**

Nil

**4. MATTERS ARISING FROM THE MINUTES**

Nil

**5. CONFIRMATION OF MINUTES**

**RESOLUTION:**

That the minutes of the Council Meeting held on 28 February 2024 as circulated be confirmed.

Moved: Cr Amy Johnson  
Seconded: Cr Tracey Hargreaves

**CARRIED  
(R24/24)**

DRAFT



## 6. PUBLIC QUESTION TIME

### QT9/24 - Bernadette Cheesman

#### Question 1

Ballarat City Council has been a part of just as iconic a victory. It is the first time and first place in the world that the multinational behemoth, McDonalds, fell into line with local wishes to retain iconic heritage buildings and work within set heritage confines for their store. Why isn't Ballarat City Council building on this massive victory by educating other councils how such can be done and imposing the same restraints on itself?

#### Answer

Natalie Robertson, Director Development and Growth, responded that Council has commenced a multi-year municipal-wide Heritage Gaps review. This includes preparation of documentation to underpin all heritage assessment work for the whole municipality and a best practice approach to undertaking heritage assessment and heritage precinct review. Existing heritage precincts require revision of boundaries, content, gradings and statements of significance with over 1000 individual places identified from previous studies, community nominations and other sources. The approach is considered a pilot to improve current State Government guidance and will serve as the City of Ballarat being leaders in heritage management for other Councils to follow. Heritage guidance and controls, importantly, do not provide blanket protection of all buildings from redevelopment. Rather, they outline the framework in which development may occur in a manner that preserves the values of heritage places.

#### Question 2

Will the current Ballarat City Council learn from past mistakes and misjudgments and stay true to the Bakery Hill victory/victories and not be held by old, no longer considered best practice, theories?

#### Answer

Natalie Robertson, Director Development and Growth, responded that in response to examples such as the Ballarat community's impressive work in saving the 19th century shops on Bakery Hill in the 1970s, both the State Government and City of Ballarat have introduced wide-ranging heritage controls into the Ballarat Planning Scheme to the point where current heritage controls provide comprehensive protection against demolition of key heritage buildings. And as mentioned, City of Ballarat remains committed to heritage through the Gaps review that is being prepared in accordance with current State Government guidance.

### QT10/24 - Dean Hurlston

#### Question 1

What amount of waste enforcement costs in the current financial year 2023/24 has the Council included in its waste levies charged to residents? (if any)

#### Answer

John Hausler, Director Corporate Services, responded that there are no costs relating to waste enforcement that are included in the waste levies charged to residents. Any costs related to waste enforcement would be recovered through general rates.

#### Question 2

What amount of revenue has council included in the current financial year 2023/24 from waste enforcement actions?

**Answer**

John Hausler, Director Corporate Services, responded that \$2,500 is the current amount of revenue in 2023/24 expected to be recovered from waste enforcement actions.

**QT11/24 - Gary Smith****Question 1**

When a cost blowout occurs on a major project is an investigation undertaken and a report created so that council and ratepayers can learn how/why these cost blowouts occur, and council can attempt to avoid similar issues in the future?

**Answer**

John Hausler, Director Corporate Services, responded that budgets are set in advance at the beginning a project based on the best available information at the time, including giving consideration to potential project risks and the historical costs of similar previous projects. In some instances, officers will seek quantity surveyor reports to guide the project budget. Projects delivered by Council are delivered both under and over budget, dependent on a number of factors such as market conditions for tenderers and complexities identified during delivery, such as heritage matters, engineering requirements, and soil conditions.

Any major budget variation is reported with an explanation through to the Executive Team and then Council for review and consideration. An important part of this process is to understand why such variations have occurred and how Council can reduce the risk of similar issues occurring in the future.

Most recently major budget variations relating to Wendouree West Recreation Reserve, Her Majesty's Theatre and Bridge Mall, which related to matters only identifiable during project delivery, have been reported to Council, with other material variations also reported to Council through quarterly budget updates and the mid-year Budget review.

**Question 2**

When a major cost blowout occurs is anyone held to account (as would be the case in any commercial entity)?

**Answer**

John Hausler, Director Corporate Services, responded that officers need to report budget variations through an internal reporting process, that dependent upon materiality may also need to be reported to Council. There is an expectation that major variations are both explained and documented.

**QT12/24 - Richard Purdy****Question 1**

Why is there still so much heavy traffic (trucks, B-Doubles) still passing through the centre of Ballarat (Doveton crossing Sturt St)? Was not the bypass road supposed to alleviate this congestion?

**Answer**

Bridget Wetherall, Director Infrastructure and Environment, responded that the bypass road, also known as the Ballarat Link Road, is only constructed currently between the Western Highway and Remembrance Drive. When the Link Road is ultimately completed it will connect the Midland Highway at Sebastopol with the Western Highway, and at this point in time, it is

---

anticipated that heavy vehicle traffic through the city centre will reduce. This project continues to be a priority one advocacy item to the State and Federal government.

**Question 2**

Is there sufficient signage to direct heavy traffic to the bypass road?

**Answer**

Bridget Wetherall, Director Infrastructure and Environment, responded that as the ultimate Ballarat Link Road is yet to be fully constructed, there's no signage currently. When that road is constructed, adequate signage will be provided.

**QT13/24 - Robert Goon****Question 1**

Was an Asset Protection Permit provided for the long-term ongoing Housing Construction works at 8 Alfred Street Sebastopol where the current public footpaths at this address continue to remain heavily damaged presenting a high-risk liability hazard for all pedestrians and school children.

**Answer**

Bridget Wetherall, Director Infrastructure and Environment, responded that works at 8 Alfred Street, Sebastopol commenced without an Asset Protection Permit in place. Therefore, all damage, or potential damage, to assets, whether pre-existing or newly occurring, is required to be reinstated to City of Ballarat standards on completion of the build.

The assets at that area will be inspected once a Certificate of Occupancy has been received for the development site.

**Question 2**

Will Council please inform what actions it will take to improve the public safety aspects of the current damaged footpath which has been reported numerous times on the Snap Send Solve platform in 2023 and 2024 without response.

**Answer**

Bridget Wetherall, Director Infrastructure and Environment, responded that as a result of the Snap Send Solve, these concerns have been raised and staff have visited the site to look at the condition of the Council assets, notably the footpath. A request was made to the builder on 31/01/2024 to make this area safe. An inspection also occurred today (27/03/24) and this has identified that the damaged footpath is now being removed and preparation is underway for rectification of the area and the footpath along with a new crossover, and this is being undertaken by the developer.

**QT14/24 - Pat Cerra****Question 1**

Will the council give an assurance that maintenance of the lights lakeside, which already after only approximately six months operation, are showing potential systematic malfunctioning, will be borne by either the contractor who installed the electrical wiring or suppliers of the LED lights and not ratepayers?

**Answer**

Bridget Wetherall, Director Infrastructure and Environment, responded that Council officers are aware of faults with the lights installed around Lake Wendouree and are currently working

---



with the electrical contractor and design engineer to identify and rectify the issues. The lights are currently still under warranty and still within their defect liability period. The lights have been installed as per the specification and any faults with fittings or other electrical hardware will be covered under the defects period, and that will be at the cost of the contractor. Should a fault be as a result of external damage, as has been the case with one sensor on a switch board, these costs will be covered by Council under the ongoing and budgeted maintenance program of the assets.

**QT15/24 - Pat Cerra****Question 2**

Why has the council in its correspondence requirements, such as this form, refused and insulted approximately 95% of ratepayers by not including pronouns which are used by approximately 95% of ratepayers in normal use and instead again catered to the minority and not the majority?

**Answer**

Matthew Wilson, Director Community Wellbeing, responded that the question refers to the form used to submit a question to Public Question Time. Examination of that form does find that the pronouns of She/Her, He/Him, They/Them, and a further option of would "Prefer not to say", and a fifth option where a submitter can free-text nominate the preferred pronoun reference, are available.

**QT16/24 - Bruce Crawford****Question 1**

Sometimes on Ballarat Council's social media posts, members of our community are leaving comments that are being removed. Whilst I can understand that in some cases this is appropriate, there appears to be many that are removed merely because they don't share the same views as Ballarat Council. Commenting is completely turned off in some Ballarat Council media posts as well. Is this being done to censor the concerns of residents and ratepayers?

**Answer**

Evan King, Chief Executive Officer, responded that the City of Ballarat recognises that social media is an important channel to engage with our community on Council's services, programs and initiatives. Council officers reserve the right to moderate comments and posts on City of Ballarat mediums when they contravene our engagement guidelines. If necessary, we will review and remove any comments that:

- Contain obscene, indecent or profane language
- Contain threats or defamatory statements
- Contain hate speech directed at race, colour, sex, sexual orientation, ethnicity, age, religion, or disability
- Are spam-like in nature or clearly off-topic
- Harass or bully
- Are trolling or intend to deliberately disrupt a conversation
- Are otherwise inappropriate or offensive
- Break the law, including violation of copyright laws, or encourage others to do so
- Breach the Facebook community standards.

The engagement guidelines are publicly available on our social media platforms.

**Question 2**

Will you allow the community to freely and openly debate certain issues that you have raised on your social media that are closed for commenting before proceeding to answering My Say surveys?

**Answer**

Evan King, Chief Executive Officer, responded that the City of Ballarat has a specific online platform called MySay for community consultation. Typically, social media posts about community consultation opportunities do have comments enabled. However, in the case of topics where there is the high risk of hate speech officers can disable comments and direct the community to share their opinions via the official MySay website. A recent example of this approach being taken is in relation to the current consultation occurring around 26 January activities. This was transparently communicated in the social media post as follows: "This comment section has been disabled to ensure those wishing to share their opinion do so via the official MySay webpage."

**QT17/24 - Sean Mulcahy****Question 1**

What is the current dollar value of a penalty unit under the Community Local Law 2017?

**Answer**

Natalie Robertson, Director Development and Growth, responded that the value of a penalty unit is set annually by the Victorian Treasurer and is updated on 1 July each year. Currently one Penalty Unit is equal to one hundred dollars.

**Question 2**

How much has Council made from penalties under the Community Local Law 2017 generally, and clauses 50-52 specifically, in each of the financial years '21 to '22, '22 to '23, and '23 to '24/present?

**Answer**

Natalie Robertson, Director Development and Growth, responded that under the *Local Government Act 2020* it is important to note that a municipality must have local laws to help manage a range of community safety and public health issues as well as protection of local amenities and regulating activities on council owned facilities, land and roads. This Council practices an approach of education or to work with our community, with infringements being imposed only where there is no alternative. The clauses you mentioned, being clause 50, 51 and 52, relate to building work, including site identification, fencing, emissions, and refuse. Funds receipted for infringements over the three financial years that you've specified total \$4106.40. So, that's \$1200 for the '21-'22 financial year, \$1906.40 for the '22-'23 financial year, and to date for this financial year approximately \$1000.

**QT18/24 - Mark Oughton****Question**

I'm asking about an action following Ballarat City Council's support of Councillor Coates's motion last month, which demonstrated local democracy's power and reflected our community's values. The gesture showcasing solidarity and commitment involved no extra cost to Council while promising significant well-being benefits for those directly impacted by the war in the local community. Recognising Ballarat's leadership alongside nine other Victorian councils and two in NSW, the motion empowered the mayor to address unresolved

issues with the federal government. Has the Mayor acted on this and is there any response that can be shared.

**Answer**

Cr Des Hudson, Mayor, responded that as per the resolution of Council on 28 February, he sent emails with letters attached to both the Foreign Minister Penny Wong and the Prime Minister on 12 March. But at this stage he has not received any further correspondence back.

DRAFT

## 7. CHIEF EXECUTIVE OFFICER REPORT

### 7.1. CHIEF EXECUTIVE OFFICER REPORT

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

Public Representation was made by Bernadette Cheesman.

#### 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:

**26. That Council:**

**26.1 Receive and note the CEO's Operational Report.**

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

**CARRIED**  
**(R25/24)**

## 8. OFFICER REPORTS

### 8.1. DRAFT BIODIVERSITY STRATEGY

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Heath Steward – Senior Sustainable Policy and ESD Officer

Public Representation was made by Jeff Rootes.

#### PURPOSE

1. To seek Council endorsement, to release the Biodiversity Strategy – *Healing Country Together* for public exhibition for four weeks in April 2024.

#### RESOLUTION:

**17. That Council**

- 17.1 Release the draft Ballarat Biodiversity Strategy – *Healing Country Together* for public exhibition for a period of four weeks commencing 2 April 2024.**

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

**CARRIED**  
**(R26/24)**



## 8.2. INTERCULTURAL STRATEGIC PLAN IMPLEMENTATION REPORT

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Frances Salenga – Intercultural Services Coordinator

Public representation was made by Frank Williams.

### PURPOSE

1. The purpose of this report is to update Council on the progress made towards actions in the first year of the implementation of the Intercultural Plan 2022-26.

### RESOLUTION:

**13. That Council:**

- 13.1 Receive and note the report on the work undertaken in year one to progress the actions in the City of Ballarat Intercultural Plan 2022-26.

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

**CARRIED**  
**(R27/24)**

### RESOLUTION:

That item number '9.1 Notice of Motion' be brought forward.

**Moved: Cr Ben Taylor**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(R28/24)**

## 9. NOTICE OF MOTION

Public representation was made by Bruce Crawford (on behalf of Ballarat Residents and Ratepayers Assoc. Inc.), Kristy K. Fox, Mary Debrett, Louise Jones, Stuart Kelly, Mark Oughton, Jordan Dittloff, Leigh Zeuschner, and Shandra Cohen.

### PURPOSE

1. A Notice of Motion was lodged by Cr Ben Taylor on 21 March 2024.
2. In accordance with rule 3.8.2 of the Governance Rules, the Notice of Motion was received and assessed by the Chief Executive Officer, then approved to proceed to the 27 March 2024 Council Meeting Agenda.
3. Formal notice was provided to Councillors on 21 March 2024 which was then recorded in the Notice of Motion Register by the Governance team.

### RESOLUTION:

4. **That Council:**
  - 4.1 **Call for a report to consider the adoption of the Mount Alexander Shire Council, Establishing Formal Positions of Council Policy, prepared in the City of Ballarat policy template, at the next council meeting.**

**Moved: Cr Ben Taylor**  
**Seconded: Cr Tracey Hargreaves**

**CARRIED**  
**(R29/24)**

Upon being put to the meeting, the Motion was declared carried. Cr Belinda Coates called for a Division.

**For the Motion were Councillors:** Cr Tracey Hargreaves, Cr Amy Johnson, Cr Samantha McIntosh and Cr Ben Taylor

**Against the Motion was:** Cr Belinda Coates, Cr Peter Eddy and Cr Des Hudson

**Abstained from the Motion were:** Nil

**RESOLUTION:**

That Council adjourn at 9:06 pm for a five-minute comfort break.

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

**CARRIED**  
**(R30/24)**

**RESOLUTION:**

That Council resumes at 9:13 pm.

**Moved: Cr Amy Johnson**  
**Seconded: Cr Tracey Hargreaves**

**CARRIED**  
**(R31/24)**

DRAFT

## 8. OFFICER REPORTS *(Continued)*

### 8.3. INTERNATIONAL TRAVEL - ATTENDANCE UCCN CREATIVE CITIES CONFERENCE

**Division:** Economy and Experience  
**Director:** Martin Darcy  
**Author/Position:** Tara Poole – Coordinator Creative City

#### PURPOSE

1. The purpose of this report is to seek consideration of City of Ballarat's representation at the XV UNESCO Creative City Annual General Meeting in Braga, Portugal from 1-5 July 2024.
2. Officers recommend that a Councillor along with a City of Ballarat Officer be sent to the Annual General Meeting (AGM) to represent the work of Ballarat as a UNESCO Creative City, and report on the first four years of our UNESCO designation and on the outcomes of the sub-network meeting to be held in Ballarat from 23-25 May 2024.

#### RESOLUTION:

**16. That Council:**

**16.1 The Council approve attendance for the Mayor or a Council delegate and a Council Officer to represent Ballarat at the XV UNESCO Creative City Annual General Meeting in Braga, Portugal – 1-5 July 2024.**

**16.2 Note that a Council report will be provided following the international travel.**

**Moved: Cr Des Hudson**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(R32/24)**

#### 8.4. EUREKA CENTRE ANNUAL VISION REPORT

**Division:** Economy and Experience  
**Director:** Martin Darcy  
**Author/Position:** Anthony Camm – Manager Eureka Centre

#### PURPOSE

1. This report addresses progress on the execution of the '2030: A Vision for the Eureka Centre (the Vision)', which was adopted by Council on 11 December 2019 (R325/19).
2. It précisés the intent and purpose of the Vision and explains how the Eureka Centre has embedded the Vision's strategic recommendations into its service delivery and business planning.

#### RESOLUTION:

**17. That Council:**

- 17.1 Note the progress completed towards the execution of '2030: A Vision for the Eureka Centre'.**

**Moved: Cr Samantha McIntosh**  
**Seconded: Cr Ben Taylor**

**CARRIED**  
**(R33/24)**



## 8.5. GROWTH AREAS QUARTERLY UPDATE

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author:** Fiona Koutsivos – Principal Planner

### PURPOSE

1. The purpose of this report is to provide an update on the progress of rezoning the proposed growth areas to Urban Growth Zone (UGZ) and the project plan including timeframes for the Growth Areas Framework Plan.

### RESOLUTION:

**19. That Council:**

**19.1 Note the contents of this update report.**

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

**CARRIED**  
**(R34/24)**

**8.6. AMENDMENT C240BALL – NOTICE OF AMENDMENT TO COUNCIL RESOLUTION**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Kellie Jantzen – Coordinator Strategic Planning

**PURPOSE**

1. The purpose of this report is for Council to determine a position on a Notice of Amendment to Council resolution (R197/23) of 13 December 2023 to ensure appropriate direction is given to refer the amendment to the Minister for Planning for a decision.

**RESOLUTION:**

7. That Council resolves to:
  - 7.1 Adopt the Notice of Amendment to Council resolution (R197/23) of 13 December 2023.
  - 7.2 The Notice of Amendment to Council resolution (R197/23) of 13 December 2023 will amend the wording with regards to the following two items of the resolution:
    - (a) *Abandon Amendment C240ball (Part 2) in accordance with Section 28 of the Planning and Environment Act 1987.*
    - (b) *Submit Amendment C240ball (Part 1 and Part 3) to the Minister for Planning for approval.*

Moved: Cr Ben Taylor  
Seconded: Cr Peter Eddy

**CARRIED**  
**(R35/24)**

## 8.7. AUDIT AND RISK COMMITTEE BIENNIAL REPORT

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

### PURPOSE

1. The purpose of this report is to present Council with the Audit and Risk Committee's Biennial report for the period 1 July 2023 to 31 December 2023.

### RESOLUTION:

5. That Council:
  - 5.1 Receive and note the Audit and Risk Committee Biennial report for the period 1 July 2023 - 31 December 2023.

Moved: Cr Des Hudson  
Seconded: Cr Amy Johnson

CARRIED  
(R36/24)

## 8.8. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION

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

### PURPOSE

1. The purpose of the report is to endorse the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Charyn Symes and Julian Pollard.

### RESOLUTION:

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

Moved: Cr Ben Taylor  
Seconded: Cr Peter Eddy

CARRIED  
(R37/24)

## 8.9. OUTSTANDING QUESTION TIME ITEMS

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Stephen Wright – Administration Assistant Compliance

### PURPOSE

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

### RESOLUTION:

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

**Moved:** Cr Tracey Hargreaves  
**Seconded:** Cr Amy Johnson

**CARRIED**  
**(R38/24)**

DRAFT



## 10. REPORTS FROM COMMITTEES/COUNCILLORS

### GB10/24 Cr Samantha McIntosh

Cr Samantha McIntosh raised an issue of footpaths that pose a trip hazard between Lakeview Hotel and Racers Café at Lake Wendouree. She enquired how hazardous footpaths like these are currently being dealt with so that injury can be prevented.

Director Wetherall responded that officers are primarily guided by Council's Road Management Plan, which sets response times for different intervention levels that depend on the severity of the defect. There is a proactive program that involves a full condition survey of Ballarat's footpath network that is used to create a program of works. There are also reactive responses that derive from residents' concerns, where an officer will inspect that defect and then put in place an appropriate response and timeframe depending on the intervention required.

Cr McIntosh sought clarification on how comprehensive the survey is because the area in question has about half a dozen trip hazards.

Director Wetherall replied that it is quite a comprehensive survey, but it produces a lot of data to process and then generate a prioritised program of responses. She agreed to receive more information of the specific site of concern so that officers can inspect it and provide a response.

### GB11/24 Cr Belinda Coates

Cr Belinda Coates tabled a joint letter from businesses in Main Road, around the corner from Bridge Mall, for the attention of the City Design team. She said that the letter notes the history of the area and that they have been struggling to attract people since traffic restrictions were implemented. They're asking for consideration of funds to grow grape vines along the street to beautify the area. Cr Coates outlined that it is essentially a request for the City Design team to consider some beautification works involving grapevines and planter boxes. She requested that the letter be tabled as a Councillor request for response. She noted some of the unique businesses in the area.

### GB12/24 Cr Belinda Coates

Cr Coates formally noted for the minutes and advised publicly that she has been appointed as one of 12 Councillor representatives across the state to Recycling Victoria's Local Government Advisory Committee. She will be representing Ballarat and the region on that committee to Recycling Victoria. Cr Coates is looking forward to keeping Councillors, CEO and executives updated as more information comes to light. She added that she can feed forward Council's advocacy issues through that forum as well and that it will be a really good platform to raise some of those ongoing unresolved issues. She noted that it has taken a very long time for Recycling Victoria to appoint since the waste and resource recovery groups were wound down nearly two years ago. During that time Council haven't had a voice to Recycling Victoria on its priorities and concerns around waste, recycling, and circular economy issues.

Cr Des Hudson, Mayor, congratulated Cr Coates on the appointment. He noted that the advocacy will be important as Council continues to look at the kerbside waste and other issues.

**GB13/24 Cr Belinda Coates**

Cr Coates noted that Harmony Fest has just concluded. She formally acknowledged the terrific work of the Intercultural Services team and all of the amazing community groups across the city who supported or put on events. She said that it was a really vibrant week and noted the level of community engagement and community participation in those intercultural events that happened across the city.

**GB14/24 Cr Belinda Coates**

Cr Coates thanked all those involved in the 16th anniversary of the National Apology to Stolen Generations Survivors event at the Art Gallery of Ballarat. She acknowledged the attendance of Stolen Generations survivors and thanked the Koorie Engagement Action Group Advisory Committee members, Council's Aboriginal Community Liaison Officer Lenka Vanderboom, the Art Gallery of Ballarat, Community members, schools, and Aboriginal Elders Uncle Murray Harrison and Uncle Al Harris. She noted that it was important, moving, and well attended event and that it was terrific to have young people and representatives from at least ten schools.

**GB15/24 Cr Samantha McIntosh**

Cr Samantha McIntosh raised the joint letter tabled by Cr Coates. She supported the proposed grapevines and rusted box planters, which she thinks will look gorgeous. She suggested that Council should consider impacts on streetscapes, neighborhood character, and businesses in cases like these where road access is restricted. The businesses in that area are quirky and interesting and attract tourists. Plus, the area has a lot of historical significance and Council should support moves to increase visitation to that area.

Cr McIntosh requested a Councillor briefing on future development beyond the Bakery Hill end of the mall and the traffic connections going into Main Road and how that might look after the Bridge Mall development. She commented that the Council is doing amazing work to open Bridge Mall and reflect our history, but it suddenly stops at Peel St, which is the extent of the funding. So, at some stage Council needs to start talking about the next part of that project.

**GB16/24 Cr Peter Eddy**

Cr Peter Eddy said that, in line with what was discussed earlier, Council is going to need to start to do a cost-analysis of all these reports and briefings that have come forward, such as costings around the time effort and that that goes into each of the briefings.

Cr Des Hudson, Mayor suggested that the CEO is best placed to use his judgment in that respect.

**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 9:49 pm whilst the Council is dealing with the following matters:

**Moved: Cr Peter Eddy**  
**Seconded: Cr Ben Taylor**

**CARRIED**  
**(R39/24)**

**12.1 STRATEGIC LAND ACQUISITION**

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

(Confidential Report)

Pursuant to sub rule 3.13.2 of the Governance Rules the information contained within this document is designated as confidential information for the purposes of the *Local Government Act 2020* (the Act). That is "confidential information " that in accordance with section 3 of the act:

- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
  - i) relates to trade secrets; or
  - ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

**RESOLUTION:**

That Council move out of closed Council at 9:50 pm and adopt the resolutions made therein.

**Moved: Cr Tracey Hargreaves**  
**Seconded: Cr Peter Eddy**

**CARRIED**  
**(R41/24)**

**13. CLOSE**

The Mayor declared the meeting closed at 9:50 pm.

Confirmed this

day of

2023.

.....

Mayor

DRAFT