

AGENDA

Ordinary Meeting of Council

6.00pm Wednesday 19 June 2019

*** Broadcast live on Phoenix FM 106.7 ***

VENUE:

**Reception Room,
Bendigo Town Hall,
Hargreaves Street, Bendigo**

NEXT MEETING:

**Wednesday 17 July 2019
Bendigo Town Hall**

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can be obtained online at www.bendigo.vic.gov.au

This Council Meeting is conducted in accordance with Local Law No. 8. It is an offence for any person to engage in improper or disorderly conduct at the meeting.

Council Vision

Greater Bendigo - creating the world's most liveable community.

Council Values

Six values inform everything we as Council do in working together to be the best we can for all of our community.

Seeking to achieve the best value for our use of the community's public funds and resources, by:

- We Lead;
- We Learn;
- We Contribute;
- We Care;
- We Respond;
- We Respect.

Goals

- Presentation and Managing Growth
- Wellbeing and Fairness
- Strengthening the Economy
- Environmental Sustainability
- Embracing our Culture and Heritage
- Lead and Govern for All

ORDINARY MEETING

WEDNESDAY 19 JUNE 2019

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CRAIG NIEMANN
CHIEF EXECUTIVE OFFICER

ACKNOWLEDGEMENT OF COUNTRY

PRAYER

PRESENT

APOLOGIES

LEAVE OF ABSENCE

Cr Flack requested Leave of Absence for the Council Meeting to be held on Wednesday 17 July 2019.

SUSPENSION OF STANDING ORDERS

That Standing Orders be suspended to allow the conduct of Public Question Time.

COMMUNITY RECOGNITION

PUBLIC QUESTION TIME

Public Question Time – Purpose

Council has provided the opportunity for members of the public to ask questions of broad interest to Council and the community. Matters relating to routine Council works should be taken up with Council's Customer Service Officers through its Customer Request System.

By the time planning matters have reached the council agenda, they have been through an extensive process as required by the Planning and Environment Act. In addition, in most instances mediation has been held between the parties involved. Throughout the process there are many opportunities for the people to ask questions. Therefore, no questions relating to planning matters on the Agenda will be accepted.

Public Question Time – Where, When And Who

The public question time is held at every Ordinary Meeting of Greater Bendigo City Council. Meetings of Council commence at 6.00pm in the Reception Room, Bendigo Town Hall, Hargreaves Street, Bendigo.

The public question time is held at the start of the meeting as close as practical to 6:00pm. A maximum of 30 minutes has been provided for registered and unregistered questions.

Residents are encouraged to lodge questions in advance so that a more complete response can be provided.

Questions will be put to the Council by the individual posing the question; the question will be answered by the Mayor or CEO, or where appropriate, Councillors or Council Officers.

Acceptance of Questions

Each person asking a question of Council is required to stand, state their name, and address the Mayor. Public Question Time is not an opportunity for making of statements or other comments. Council's Meeting Procedure Local Law does not allow for other questions or comments during the remainder of the meeting.

1. An individual may only ask one question per meeting, a follow-up question may be permitted at the discretion of the Mayor.
2. In the event that the same or similar question is raised by more than one person, an answer may be given as a combined response.
3. In the event that time does not permit all questions registered to be answered, questions will be answered in writing or referred to the next meeting if appropriate.
4. The Mayor and or CEO have the right to decline registration on basis of:
 - Legal proceedings;
 - More appropriately addressed by other means;
 - Vague or lacking in substance, irrelevant, frivolous, insulting offensive, improper, defamatory or demeaning;
 - Answer likely to compromise his / her position;
 - Confidential, commercial-in-confidence.
5. Each individual whose registration form has been accepted or declined will be advised by the Friday of the week prior to the scheduled meeting.
6. In the event of a registration form being declined the registration form will be circulated to the Mayor or Councillors for information.

RESUMPTION OF STANDING ORDERS

That Standing Orders be resumed.

CR PETHYBRIDGE'S REPORT

DECLARATIONS OF CONFLICT OF INTEREST

Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended) direct and indirect conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting. Declaration of indirect interests must also include the classification of the interest (in circumstances where a Councillor has made a Declaration in writing, the classification of the interest must still be declared at the meeting), i.e.

- (a) direct financial interest**
- (b) indirect interest by close association**
- (c) indirect interest that is an indirect financial interest**
- (d) indirect interest because of conflicting duties**
- (e) indirect interest because of receipt of an applicable gift**
- (f) indirect interest as a consequence of becoming an interested party**
- (g) indirect interest as a result of impact on residential amenity**
- (h) conflicting personal interest**

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting of Wednesday 15 May 2019.

The following items were considered at the Ordinary Council meeting held on Wednesday 15 May 2019 at 6:00pm.

1.1 Petition: Heathcote Integrated Precinct Proposal

RECOMMENDATION

That the petition be received and a response be prepared within two (2) meetings.

1.2 Petition: Danger Intersection on Bonazza Road and Maiden Gully Road, Maiden Gully

RECOMMENDATION

That the petition be received and a response be prepared within two (2) meetings.

1.3 Response to Petition - Community Satisfaction Survey

RECOMMENDATION

That Council inform the petitioners that:

1. Council supports effective performance and service delivery and has many ways of measuring this, including the customer satisfaction survey;
2. Recommendation 51 of the independent review has been closed with improvement in the four identified areas. Further actions to improve performance are outlined each year in the Community Plan, Budget, Annual Plan and business plans;
3. Council will consider the feedback received from the additional questions in the 2019 CSS survey and determine any changes required to improve performance;
4. Council does not support using the CSS as the only performance measure of customer satisfaction or implementing the changes requested by the petition.

1.4 Petition: Re-thinking Australia Day as Australia's National Holiday

RECOMMENDATION

That the joint letter received and a response be prepared within two (2) meetings.

2.1 9-11 Harcourt Street, Bendigo - Use and Development of Land for a Childcare Centre and Waiver of Car Parking Requirement

RECOMMENDATION

Pursuant to section 61 of the Planning and Environment Act (1987), Council resolve to issue a Notice of Refusal for the use and development of land for a childcare centre and waiver of car parking requirement at 9-11 Harcourt Street, BENDIGO 3550 on the following grounds:

1. The proposal is inconsistent with the purpose of the Special Use Zone – Schedule 1.
2. The proposal does not satisfy the decision guidelines at Clause 52.06-7.
3. The use and development will result in unreasonable amenity impacts to surrounding landowners and occupiers, particularly with regard to the generation of traffic and lack of provision of car parking.
4. The proposal does not represent an orderly planning outcome for the site and surrounding area.

6.1 Cultural Diversity and Inclusion Plan Yearly Update

RECOMMENDATION

That Council acknowledge the Progress Report for the Greater Bendigo Cultural Diversity and Inclusion Plan (2016 – 2019).

7.1 Appointing an Acting Chief Executive Officer

RECOMMENDATION

That Council appoint Mr Bernie O'Sullivan as Acting Chief Executive Officer effective from 6 July 2019 to 25 August 2019 inclusive.

7.2 Finance Committee Report 31 March 2019

RECOMMENDATION

That the Greater Bendigo City Council receive the Finance Report comparing Budgeted and Actual Revenues and Expenses to 31 March 2019, in accordance with the requirements of the Local Government Act.

7.3 Contracts Awarded Under Delegation

RECOMMENDATION

That the contracts awarded under delegation, as outlined in this report, be acknowledged by Council.

7.4 Record of Assemblies

RECOMMENDATION

That Council endorse the record of assemblies of Councillors as outlined in this report.

13.1 and 13.2 CONFIDENTIAL SECTION 89 REPORTS (... relating to any other matter which the Council or special committee considers would prejudice the Council or any person and a contractual matter)

The unconfirmed minutes have also been posted on the City of Greater Bendigo website pending confirmation at this meeting.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Wednesday 15 May 2019, as circulated, be taken as read and confirmed.

1. BUDGET 2019/2020

1.1 CITY OF GREATER BENDIGO 2019/2020 BUDGET ADOPTION

Document Information

Author Nathan Morsillo, Manager Financial Strategy

Responsible Director Andrew Cooney, Director Corporate Performance

Summary/Purpose

Council to consider adopting the 2019/2020 Budget.

RECOMMENDATION

That the Greater Bendigo City Council, having considered the submissions to the 2019/2020 Proposed Budget:

1. Adopt the Budget, annexed to this resolution, being the Budget prepared for the 2019/2020 financial year for the purposes of Section 127 of the *Local Government Act 1989*, including the adjustments listed below made as a result of the exhibition period.

Proposed budget:

Forecast accumulated available funds	Sub-total	\$36,873
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Savings and amendments identified during advertising period:

Huntly Early Learning Centre (funding from mid-year)	\$75,000	
Epsom Skate Park (to update the inclusion of partner funding)	(\$30,000)	
Operational efficiencies	\$90,000	
	Sub-total	\$135,000

Budget Submissions

Recycling Services	(\$150,000)	
Contribution from waste reserve	\$150,000	
Repairs to the O'Keefe Rail Trail	(\$70,000)	
Redesdale Community Hub (Kitchen works)	(\$130,000)	
Redesdale Community Hub (community contribution)	\$40,000	
	Sub-total	(\$160,000)

TOTAL FUNDS AVAILABLE		\$11,873
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2. Notes the following changes to the 2019/2020 proposed budget not affecting the overall cash surplus:
 - Amendments to carry-forward projections for 2018/2019 for multi-year projects as detailed in attachments
 - Minor changes to statutory and other fees in Planning, Active and Healthy Lifestyle, parks and animal fees and charges schedule listed under Appendix A.
3. Gives public notice of the adoption of the 2019/2020 Budget, in accordance with Section 129 of the *Local Government Act 1989*, and makes available for public inspection the information required by the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*, to display the Budget at the City of Greater Bendigo offices and on the City of Greater Bendigo website.
4. Acknowledges the contribution of submitters to the budget process, and thanks them for their contribution.
5. Authorises officers to provide a formal response to each submitter.
6. Notes that at the time the general valuation was supplied for the annual proposed budget in March 2019, it was comprised of preliminary valuations by the contractor, which was submitted to the Valuer-General for review.

Final valuations have now been received and certified by the Minister. The variance between the preliminary and final valuations were assessed and considered immaterial. As a result, no adjustments have been made to the differential rates from the proposed budget.

7. Implements a differential rate as follows:

General	0.399849% of CIV
Commercial/Industrial A (Urban/non-CBD) (185% of General)	0.739725% of CIV
Commercial/Industrial B (Rural areas) (180% of General)	0.719728% of CIV
Commercial/Industrial C (CBD) (190% of General)	0.759712% of CIV
Farm Land (85% of General)	0.339871% of CIV
Vacant Land (residential and rural residential) (125% of General)	0.499811% of CIV
Other Land (185% of General)	0.739725% of CIV
Commercial/Industrial - Forest Edge Estate Maiden Gully properties. (185% of General)	0.739725% of CIV
Vacant Land - Forest Edge Estate Maiden Gully properties. (125% of General)	0.499811% of CIV
Residential - Forest Edge Estate Maiden Gully properties. (100% of General)	0.399849% of CIV

8. Declares the following, in accordance with the Cultural and Recreation Lands Act 1963:

Class 1	0.0% of Capital Improved Value
Class 2	0.0% of Capital Improved Value
Class 3	0.0% of Capital Improved Value
Class 4	0.0% of Capital Improved Value
Class 5	0.0% of Capital Improved Value

9. Adopts service charges as follows:

Garbage Charge 120/140 Litre Bin (Within Organic collection area)	\$ 142.75
Garbage Charge 240 Litre Bin (Within Organic collection area)	\$ 262.25
Garbage Charge 120/140 Litre Bin (Outside Organic collection area)	\$ 164.75
Garbage Charge 240 Litre Bin (Outside Organic collection area)	\$ 284.35
Garbage Charge 120/140 Litre Bin (other Commercial)	\$ 164.75
Garbage Charge 240 Litre Bin (other Commercial)	\$ 284.35
Recycling Charge	\$ 95.35
Organics Charge	\$ 91.70
Garbage Charge (Business Areas) One Day per Week	\$ 284.35
Garbage Charge (Business Areas) Two Days per Week	\$ 568.65
Garbage Charge (Business Areas) Three Days per Week	\$ 853.00
Garbage Charge (Business Areas) Five Days per Week	\$1,421.70
Garbage Charge (Business Areas) Seven Days per Week	\$1,990.35

10. Grants an early full rate payment discount of 1.5% on current year rates and charges, if full payment (including any arrears and interest) is received on or before 1 October 2019.
11. Notes that the Annual Plan; Budget and Strategic Resource Plan be the Budget prepared for the 2019/2020 financial year for the purposes of Section 126 and 127 of the Local Government Act 1989.
12. Note that the Community Plan has been reviewed and no changes are required. Annual actions for 2019/2020 are included in the budget.

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## Policy Context

*City of Greater Bendigo Community Plan 2017-2021:*

Strategic Goal

Lead and govern for all

Objective:

Be innovative and financially responsible



### Legislative Requirements

In accordance with the *Local Government Act 1989*, Council must:

- Prepare a budget for each financial year commencing 1 July (Section 127).
- Declare the amount it intends to raise by general rates (Section 158).
- Comply with guidelines established under Sec 161; *Ministerial Guidelines for Differential Rating*.
- Give notice of the proposed budget and consider any submissions prior to adopting the budget.
- Adopt a Strategic Resource Plan not later than 30 June (Section 126).

### **Background Information**

The draft Community Plan 2017-2021 includes a Strategic Resource Plan (SRP). The key objective of the SRP is to achieve the Council's strategic objectives, while ensuring financial sustainability in the medium to long term.

The 2019/2020 Budget has been developed based on the SRP, to facilitate the achievement of the Annual Actions to deliver the Community Plan.

### Previous Council Decision(s) Date(s):

17 April, 2019 – Ordinary meeting.

Council resolved to advertise the 2019/2020 Proposed Budget and to invite community submissions.

### **Report**

Council considered the 2019/2020 Proposed Budget at its meeting on 17 April, 2019 and resolved to advertise the budget. This occurred on 18 April 2019.

At the conclusion of the 28 day statutory period for public exhibition, 40 submissions were received. A Committee of the Council heard 13 verbal submissions on 22 May, 2019. A summary of submissions received is provided (Attachment 2).

### Consideration of Submissions and Adjustments to the 2019/2020 Proposed Budget

Following the hearing of 13 submissions to the Budget, the consideration of 40 submissions received, and taking into account alterations since the Proposed Budget was exhibited, and a range of adjustments have been made as outlined earlier in this report.

### Budget Details:

The key features of the 2019/2020 Budget are:

1. Capital works of \$42.9M.

During 2019/2020, Council will continue to deliver on commitments to undertake significant capital projects which improve the liveability of the City. These include the Garden Gully Hockey Pavilion, the Huntly Early Learning Centre, and Ewing Park redevelopment.

Other infrastructure categories continue to be renewed and expanded. This includes \$13M allocated to the Sealed and Unsealed Road Network; \$912,000 on Pathways; \$1.4M on Drainage; and \$1.2M on Public Furniture and Fittings.

2. Repayment of debt of approximately \$5.1M resulting in a balance of a total debt of \$46M as at 30 June 2020.
3. An increase in budgeted income from Rates and Charges of \$5M, made up of increases in line with the rate cap of 2.5% across the majority of rates and charges.
4. An amount of \$121.9M to be raised by general rates and service charges as follows:

|                      |                                                 |
|----------------------|-------------------------------------------------|
| General Rates        | \$100.9M                                        |
| Service Charges      | \$19.3M                                         |
| Supplementary Rates* | \$1.6M (estimated to be raised during the year) |

*\* Supplementary rates are a result of Supplementary Valuations. A Supplementary Valuation occurs when there is a change to a property that will affect the Valuation such as construction of a dwelling or shed, installation of a swimming pool or a demolition.*

5. The Budget includes a General Rate and nine (9) differential rates to be declared as detailed in the tables above.
6. A full year's funding of the financial assistance commonwealth grant is included in the 2019-2020 Budget.
7. An allocation of \$3.4M has been made to undertake rehabilitation works at the Eaglehawk, White Hills and Wolstencroft landfill sites and \$5.1M to undertake non-capitalised work on non-council assets.

### Timelines

The Council must adopt its Budget by the end of June 2019, and forward a copy to the Minister for Local Government within 28 days of adoption.

### Legislative Compliance Requirements

The Budget has been prepared in accordance with the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

### **Consultation/Communication**

#### Internal Consultation:

The Budget has been prepared with extensive input from Councillors, the Executive Management Team and Managers.

#### External Consultation:

Following consideration of the Proposed Budget by Council at its meeting on 17 April, 2019 the 28 day statutory period for public exhibition was undertaken, commencing on 18 April, 2019. Information regarding the Proposed Budget was made available on the City of Greater Bendigo's website and through local print media. As outlined above, 40 submissions were made in response to the Proposed Budget.

## **Resource Implications**

The formal budget documentation details the resources required and applied to deliver services, programs and capital works during 2019/2020.

## **Conclusion**

Council has spent considerable time preparing the Budget for 2019/2020. The exhibition of the Proposed Budget generated a significant number of submissions which have now been considered. The final version of the budget is now recommended for Council adoption.

## **Attachments**

1. 2019/2020 Budget document included under separate cover
2. Public Budget submissions summary

## Public Budget Submissions 2019/20

| Ref. Summary of Public Budget Submission details for 2019/2020 Proposed Budget |                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                                                                              | Bendigo Heritage Attractions: Discussion of a variety of initiatives and options being worked on with the City, including options for a Tram Pod, or Pop-Up trams within the City.                                                                                                                                                                                                                                       |
| 2                                                                              | Seeking funding support (via in-kind City staffing) for staffing costs applicable to Bendigo Maubisse Friendship Committee.                                                                                                                                                                                                                                                                                              |
| 3                                                                              | Seeking solar lights at Crook St Dog Park.                                                                                                                                                                                                                                                                                                                                                                               |
| 4                                                                              | Seeking funding of \$40,000 for Council support to undertake a feasibility study associated with the Prouzes Road Recreation Reserve; for development of a community space and interaction with the Ironbark Gully Trail project and Kalianna School.                                                                                                                                                                    |
| 5                                                                              | Farm Advisory Committee: seeking 1. a 2019/20 rate decrease to 75% of the general rate for eligible farm businesses 2. That Council develop a submission to the Victorian Government's rate review with Committee advisory support. 3. mapping and explore opportunities to protect quality agricultural land from non-agricultural development.                                                                         |
| 6                                                                              | submission asking a number of questions about issues so that the branch can get an idea how strategies and studies are progressing. These include, 1. Updating the 1993 Eaglehawk and Bendigo Heritage Study. 2. The Big Hill and Mandurang Valley Landscape Assessment. 3. Greater Bendigo's significant Tree Register 4. Historical Artefacts Strategy and 5. Protecting Heritage while supporting Affordable Housing. |
| 7                                                                              | Seeking support for the Redesdale Community Precinct development.                                                                                                                                                                                                                                                                                                                                                        |
| 8                                                                              | Seeking funding of \$45,000 for the installation of a disc golf course facility                                                                                                                                                                                                                                                                                                                                          |
| 9                                                                              | Friends of Bendigo-Kilmore Rail Trail seeking funding for facility upgrades, to be funded from the Council's 2019-20 Budget Capital works program.                                                                                                                                                                                                                                                                       |

## Public Budget Submissions 2019/20

| Ref. | Summary of Public Budget Submission details for 2019/2020 Proposed Budget                                                                                                                                    |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10   | Seeking funding of \$36,617 from the City for the Society in developing a long term strategy for Bendigo's Annual Eisteddfod                                                                                 |
| 11   | Bendigo Stadium Limited seeking funding across x3 specific projects including bollards (\$10,000); automatic glass doors (\$25,000); and installation of heating (\$50,000).                                 |
| 12   | Submission seeking to raise issues around climate change adaptation, water sensitive urban design, renewable energy, low carbon futures and sustainable food systems in the budget.                          |
| 13   | Asking that the proposed two lane bike path proposed for the south side of Ellis St be further considered or put on hold until proposed Bendigo Bike Path Plan is formalised beyond the present budget plan. |
| 14   | Seeking funding of \$69,300 in order to implement the strategies assigned in the Council's Community Volunteer Strategy.                                                                                     |
| 15   | Seeking (net of committee contribution) funding of \$10,000 for installing storage cabinetry and paint several interior walls within the Lake Weeroona Pavilion.                                             |
| 16   | Seeking additional financial support for the Eaglehawk Recycle Shop in the 2019/20 year given the changes in terms of trade for recycling.                                                                   |
| 17   | Seeking funding for a variety of projects (water, toilets, shelter and extension of trail) for Bendigo-Kilmore Rail Trail                                                                                    |
| 18   | Seeking funding for an additional City of Greater Bendigo 1 FTE to support maintenance at the Bendigo Botanic Gardens.                                                                                       |
| 19   | Writing to further support the inclusion of The Ewing Park redevelopment in council's 2019/20 Budget.                                                                                                        |
| 20   | General comment about budget being fair, and impressed funds for Ewing Park Development.                                                                                                                     |
| 21   | General comment about budget being fair, and the budgets focus on sport and recreation.                                                                                                                      |

## Public Budget Submissions 2019/20

| Ref. | Summary of Public Budget Submission details for 2019/2020 Proposed Budget                                                              |
|------|----------------------------------------------------------------------------------------------------------------------------------------|
| 22   | General comment about great to see inclusion of the Ewing Park redevelopment                                                           |
| 23   | General comment about being pleased to see funding for Ewing Park.                                                                     |
| 24   | General comment about redevelopment of Ewing Park.                                                                                     |
| 25   | General comment about being delighted to see Ewing Park included.                                                                      |
| 26   | General comment about supporting Ewing Park in the budget.                                                                             |
| 27   | Submission expressing unhappiness at the proposed increase of parking fines from \$55 to \$83.                                         |
| 28   | General comment congratulating council members about the budget and special mention of the Ewing Park development.                     |
| 29   | Comment / letter expressing disappointment about the draft budget not including Redesdale Precinct Project.                            |
| 30   | Seek support for the Ewing Park redevelopment project as part of the 19/20 budget submission.                                          |
| 31   | General comment about agreeing that Ewing Park is overdue.                                                                             |
| 32   | General comment that the budget looks fair and pleased that Ewing Park is included.                                                    |
| 33   | General comment about great to see additional footpaths/bike paths in Maiden Gully                                                     |
| 34   | Comment and submission that emergency action needs to be taken on climate crisis and ecological breakdown in the next couple of years. |
| 35   | General comment about thanking the City for including detailed design of the Emu Creek Underpass at Strathfieldsaye                    |
| 36   | General comment in support of the roundabout at the Averys Road/Jobs Gully Road intersection.                                          |

## Public Budget Submissions 2019/20

| Ref. Summary of Public Budget Submission details for 2019/2020 Proposed Budget |                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 37                                                                             | Greater Bendigo City Council Heritage Advisory Committee commenting in support / for various projects of the City (including GasWorks; Advocate for Chinese Precinct and Dragon Museum; works outlined around the Fernery and other parklands; and funding for artefact storage at Nolan Street) |
| 38                                                                             | General comment about liking to see initial funding allocated to the redevelopment of the Axedale-Goomong/ Epsom-Barnadown Rd intersection.                                                                                                                                                      |
| 39                                                                             | General comment about being disappointed that funds are not available for the next phase of the Redesdale project.                                                                                                                                                                               |
| 40                                                                             | Request that the budget include an allocation for the detailed design work for our Redesdale precinct project.                                                                                                                                                                                   |

## **2. PETITIONS AND JOINT LETTERS**

Nil.



### 3. PRESENTATION AND MANAGING GROWTH

#### 3.1 19 DEBORAH STREET, GOLDEN SQUARE 3555 - USE OF LAND FOR ANIMAL KEEPING (DOG DAY CARE)

##### Document Information

**Author** Alice Crellin, Planner

**Responsible Director** Bernie O'Sullivan, Director Strategy and Growth

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##### Summary/Purpose

Application details: Use of land for animal keeping (dog daycare)

Application No: DU/3/2019

Applicant: E J White

Land: 19 Deborah Street, GOLDEN SQUARE 3555

Zoning: Commercial 2 Zone

Overlays: None

No. of objections: 5

Consultation meeting: A consultation meeting was held on 10 April 2019 and was attended by the Planning Officer, Planning Coordinator, applicants, objectors and Councillor Alden.

Key considerations:

- Whether the proposed dog daycare is in accordance with Clause 22.07 Animal Keeping and Animal Training Policy.
- Whether the proposed land use is appropriate at the subject site.
- Whether the proposed use will result in an unreasonable impact on the amenity of the adjoining residential properties.

Conclusion: It is considered that the proposed use of the land is consistent with the objectives of the Commercial 2 Zone and Clause 22.07 Animal Keeping and Animal Training Policy.

##### **RECOMMENDATION**

Pursuant to section 61 of the Planning and Environment Act (1987), Council resolve to issue a Notice of Decision to Grant a Permit for use of land for animal keeping (dog day care) at 19 Deborah Street, GOLDEN SQUARE 3555 subject to the conditions at the end of this report:

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Policy Context

City of Greater Bendigo Community Plan 2017 – 2021

Goal 4: Presentation and managing growth

- Planning, developments and infrastructure that increase our liveability and pride in where we live.

Goal 6: Embracing our culture and heritage

- Recognise and celebrate our unique history and diverse cultures.

Report

Subject Site and Surrounds

The subject site is an irregular shaped parcel of land with a frontage of 39.94 metres to Deborah Street, a maximum depth of 133 metres and a total area of 9,587m². The site falls approximately 8 metres from the rear boundary towards Deborah Street. The land contains two warehouse-type buildings, with the balance of the land currently vacant. The older warehouse building, constructed in 1974, presents to Deborah Street and is setback 12.5 metres from the street frontage. Five on-site car parking spaces are currently located in front of the building and are accessed via a crossover from Deborah Street. The newer warehouse building was recently constructed as approved under Planning Permit DI/576/2014. This permit also approved the construction of seven other warehouse buildings along the eastern site boundary. Site works to facilitate the construction of the remaining warehouse buildings are underway.

The site is located within the Commercial 2 Zone and is adjoined by land zoned General Residential to the east and Public Park and Recreation Zone to the north. All adjoining properties to the east contain single storey dwellings presenting to Adam Street. Land to the north is denoted by the Deborah Company Quartz Gold Mine and contains a poppet head and other associated mining structures. Commercial and light industrial land uses are located along both sides of Deborah Street.

Deborah Street is a local road, with kerb and channel and on-street car parking available on both sides for almost the entire length of the street. The provision of on-street car parking is a mix of marked 45° and 90° angle car parking and unmarked parallel car parking. No time restrictions apply to the on-street car parking, except for the car parking spaces adjacent to the Australia Post business hub, which are limited to 15 minutes.

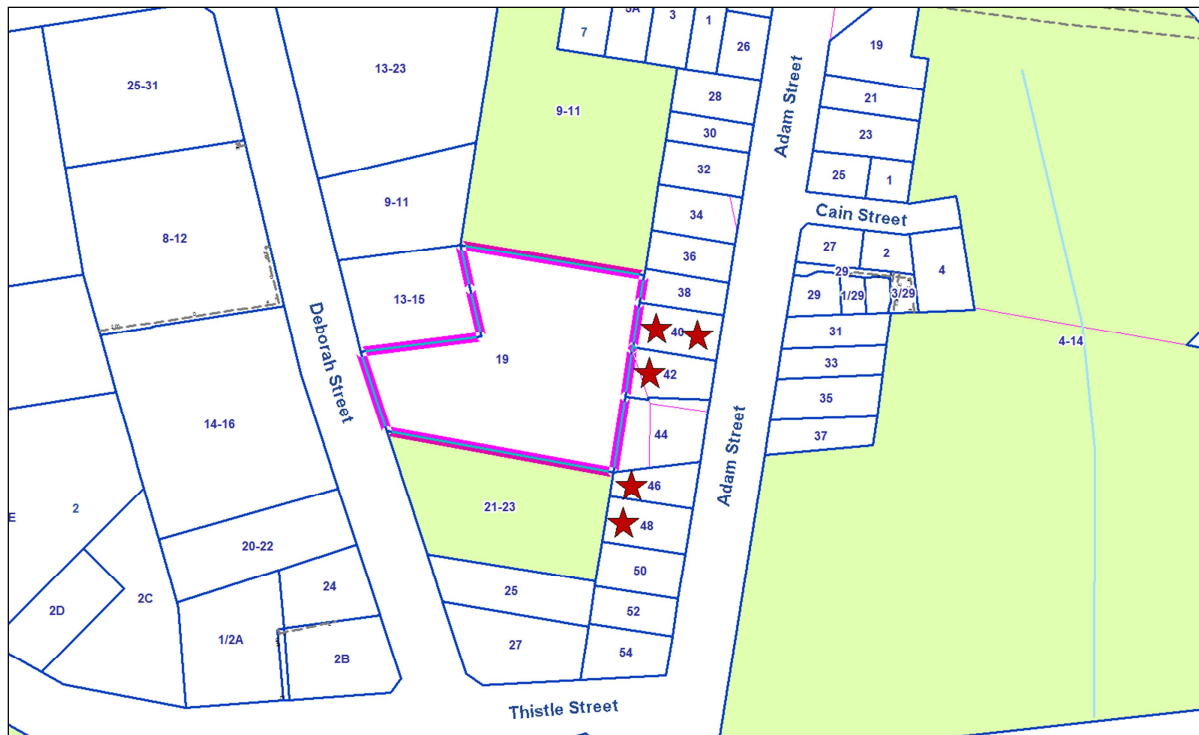


Figure 1: Location map showing subject site. Objectors' properties are marked with a star.

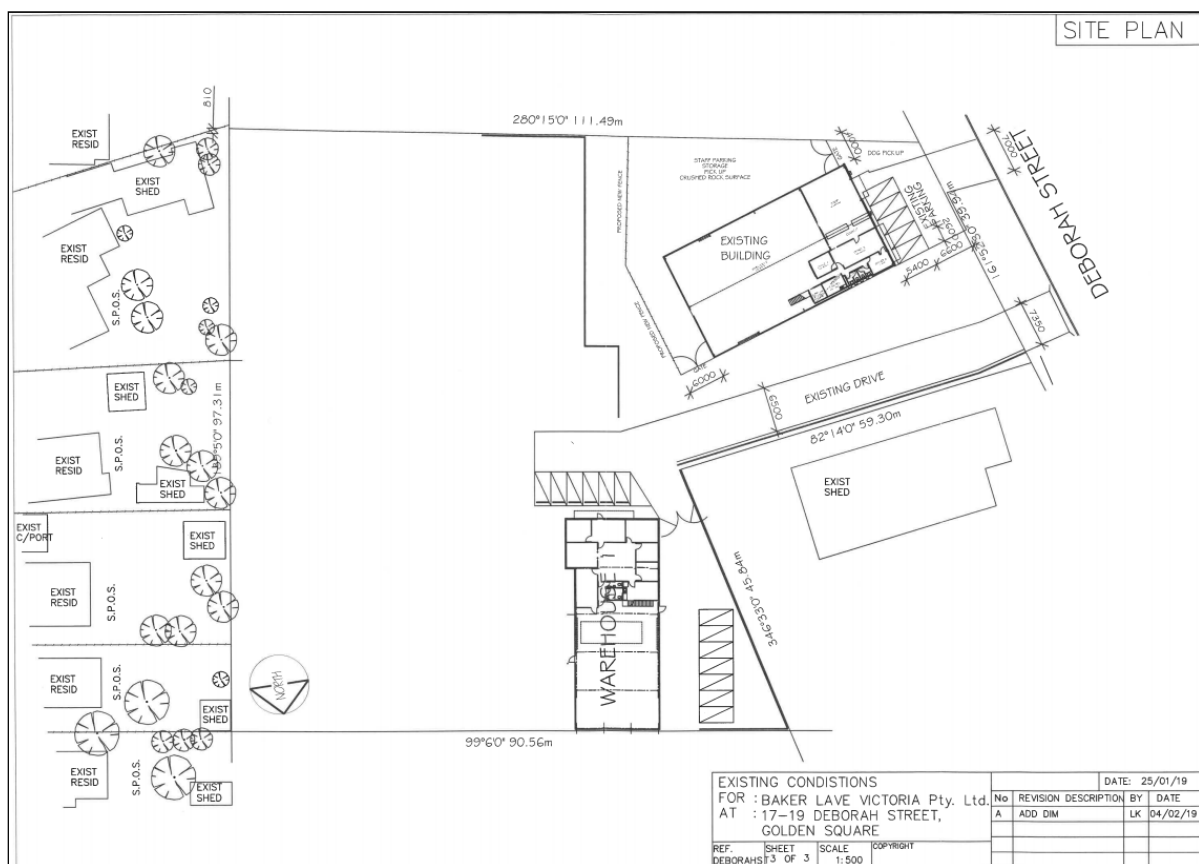


Figure 2: Site plan showing the existing building proposed to contain the dog daycare.



Figure 3: Existing building on site and proposed location of dog daycare.

Proposal

The application proposes the use of the land for animal keeping (dog daycare).

The dog daycare is proposed to operate within the existing building fronting Deborah Street. No external works to the building are proposed, other than to display a business identification sign (no planning approval required).

The dog daycare is proposed to operate between 7:30am to 6:00pm Monday to Friday. No overnight dog boarding is proposed. Dog owners will be required to drop their dogs off at the daycare between 7:30am to 10:00am and to pick up their dogs between 4:00pm to 5:30pm.

Before the dogs are accepted into the dog daycare, a screening process is undertaken to assess the dog's temperament and behaviour. Dogs that do not pass this assessment process are not accepted into the daycare.

The dogs at the daycare will be kept in three large enclosures within the existing building. Each enclosure will contain 10-12 dogs and at least one dog handler. The dog daycare is proposed to accommodate a maximum number of 35 dogs at any one time. The group of dogs in each enclosure is selected by compatibility, based on temperament, energy levels and training needs. The dogs are not proposed to have access to any outdoor areas during their stay.

The dogs at the daycare will be engaged in a range of activities and training exercises to provide physical and mental stimulation and to prevent boredom.

Four smaller holding pens and an isolation room are proposed to be available to manage undesired or unforeseen dog behaviour. The dog owner will also be contacted to pick up the dog in the event of such behaviour.

The dog daycare is proposed to be operated in accordance with the *Code of Practice for Boarding Establishments* by three business partners who have extensive experience in animal handling and training.

The five existing car parking spaces at the front of the building, within the title boundary, are proposed to be used by the dog owners to pick up and drop off their dogs at the daycare. A staff car parking area and storage area is proposed to the south-east of the building.

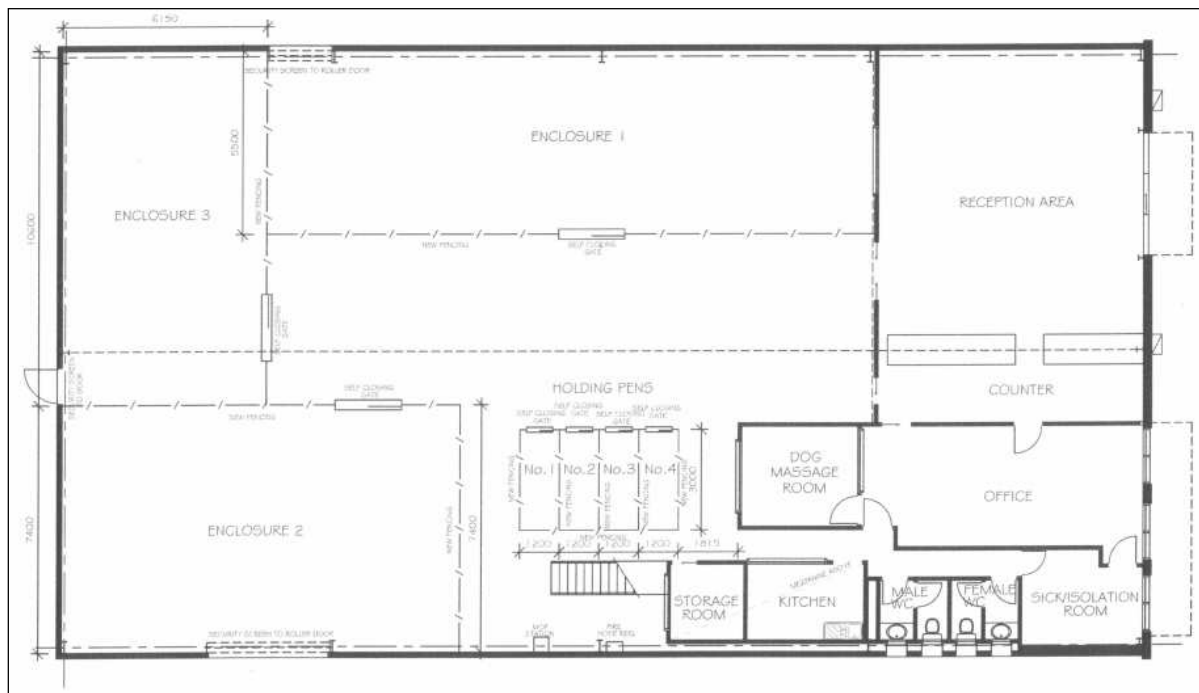


Figure 4: Proposed floor plan

Planning Controls - Greater Bendigo Planning Scheme

Why is a planning permit required?

- The Commercial 2 Zone states that a planning permit is required for a Section 2 land use. Agriculture (including animal keeping) is classed as a Section 2 land use under the Commercial 2 Zone, therefore requiring a planning permit.
- It is noted that business identification signage that has an area of less than 8 square metres, does not require a planning permit.

The following clauses are relevant in the consideration of this proposal:

Planning Policy Framework

- Clause 11.01-1S Settlement
- Clause 13.05-1S Noise Abatement
- Clause 13.07-1S Land Use Compatibility

- Clause 17 Economic Development
- Clause 17.01-1S Diversified Economy
- Clause 17.02-1S Business

Municipal Strategic Statement

- Clause 21.01 Municipal Profile
- Clause 21.05-1 Compact Greater Bendigo
- Clause 21.05-3 10 Minute Neighbourhoods
- Clause 21.04-2 Strategic Framework Plan
- Clause 21.07 Economic Development

Local Planning Policies

- Clause 22.07 Animal Keeping and Animal Training Policy

Other Provisions

- Clause 34.02 Commercial 2 Zoning
- Clause 52.06 Car Parking

Consultation/Communication

Referrals

The following internal departments have been consulted on the proposal:

Referral	Comment
Traffic Engineering	No objection subject to conditions, including: • Provision of disabled persons' parking bays and lighting where required.
Environmental Health	No objection subject to conditions, including: • Compliance with the relevant State noise policy. • Implementation of the sound attenuation measures recommended within the noise report. • An acoustic consultant to undertake a noise assessment to demonstrate compliance with the relevant noise legislation, once the use commences.

Public Notification

The application was advertised by way of notice on the site and letters to adjoining and nearby owners and occupiers.

As a result of advertising, five objections were received, with the grounds of objection being:

- Noise to be generated from dogs barking and howling;
- Noise from dogs echoing on existing buildings;

- Noise from dogs adding to the high level of noise currently generated in the area (machinery and fork lifts beeping);
- Noise from dogs disturbing other dogs in the surrounding area;
- Odour;
- Appropriateness of the location of the proposal; and
- Animal welfare (lack of fresh air and access to outdoors).

The objections are discussed below.

Planning Assessment

Relevant Planning Policy Framework and Local Planning Policy Framework

Clause 11.01-1R Settlement – Loddon Mallee South identifies Bendigo as the regional city and the major population and economic growth hub for the region, offering a range of employment and services. Facilitation of increased commercial and residential densities, mixed use development and revitalisation projects for underutilised sites and land in Bendigo is encouraged. The proposal supports these objectives.

Clause 13.05-1S Noise Abatement and Clause 13.07-1S Land Use Compatibility highlight the importance of safeguarding community amenity while facilitating appropriate commercial, industrial use and development with potential off-site effects. Community amenity can be protected by directing land uses to appropriate locations and through using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area. The proposal responds appropriately to these policies.

Clause 22.07 Animal Keeping and Animal Training Policy identifies that there is a growing number of animal keeping and animal training facilities located within the municipality and that appropriate siting of these land uses is needed to ensure the amenity of the surrounding areas are protected. A Noise Compliance Report written by an environmental health consultant and a Policies and Procedures Manual for the dog daycare have been submitted in support of the application, which provide an adequate response to the policy requirements.

Is the proposed dog daycare in accordance with Clause 22.07 Animal Keeping and Animal Training Policy?

This policy applies to planning permit applications for the use and development of and for animal keeping and animal training, however, the policy tends to be more focused towards more intensive animal keeping and animal training facilities, such as animal boarding and racing dog training.

The policy states that the animal keeping facility should be located 500 metres from a dwelling on another lot, or from a residential zone. The building proposed to contain the dog daycare is approximately 70 metres from the residential zone to the east. However, it is considered that this requirement can be varied for the following reasons:

- The proposed dog daycare is a less intensive animal keeping facility as it will not include overnight dog boarding.

- The proposed dog daycare will be wholly located inside the existing building on the subject site.
- The Noise Compliance Report sufficiently demonstrates that the predicted noise levels can comply with the relevant noise legislation.

The policy also states that the animal keeping facility should be setback a minimum of 30 metres from any road. The building proposed to contain the dog daycare is setback appropriately 12.5 metres from the Deborah Street road reserve. However, it is considered that this requirement can be varied for the following reasons:

- The dog daycare is proposed to be located wholly within an existing building.
- Three self-closing gates or doors are between any dog pen and external access to prevent dogs escaping onto the street.

The policy requires the submission of an environmental management plan that details noise abatement, land capacity and the environmental and landscape characteristics of the subject site. Other than noise, it is considered that an environmental management plan is not required in this instance as the subject site is not within a rural area and is fully serviced by reticulated sewer, water and drainage.

The policy requires landscaping and screening where necessary and car parking that minimises dust emissions. Landscaping and screening of the site is not considered to be necessary in this instance as the proposed dog daycare will wholly located within the existing building on the site and any external storage areas will be located on the southern side of the building, behind a fence. The existing on-site car parking spaces at the front of the building are concreted.

The Policies and Procedures Manual for the dog daycare addresses requirements of the policy relating to animal welfare, storage of feed, disposal of waste and the treatment of the floors and walls of the building and provides sufficient indication that the proposed dog daycare will operate in accordance with the relevant Code of Practice.

Is the proposed land use appropriate at the subject site?

The subject site is located within the Commercial 2 Zone and is adjoined by land zoned General Residential to the east and Public Park and Recreation Zone to the north.

The purpose of the Commercial 2 Zone is *'To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services'* and *'To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.'*

The Greater Bendigo Planning Scheme states that agriculture (including animal keeping) is an allowable use under the Commercial 2 Zone, subject to a planning permit. The ability for a planning permit to be applied for an agricultural land use in the Commercial 2 Zone is reflective of the wide variety of agricultural activities that are nested under the broad agricultural umbrella. At one end of the scale is crop raising and animal production and at the other end is market gardens, horse stables and animal keeping; the latter three can be suitable for more urban areas. However, when agricultural land uses are proposed in more urbanised areas, careful consideration must be given to the adjacent, existing sensitive land uses to ensure that there are no unreasonable amenity impacts.

Although the purpose of the Commercial 2 Zone does not specifically refer to agricultural land uses, it does refer to 'business and commercial services'. The proposed agricultural (animal keeping), land use is to operate in the form of a commercial dog daycare business. The business is to be operated wholly indoors and generally within business hours.

The principle of the proposed dog daycare is to allow people who work regular business hours to conveniently drop their dog off on their way to work and pick them up on the way home. To achieve this, the dog daycare needs to be located within a fairly close proximity to activity centres and employment hubs. However, close proximity to activity centre and employment hubs can also mean closer proximity to more sensitive land uses, in this case, dwellings, which can create land use compatibility issues.

The proposed dog daycare is not like a longer-term dog boarding facility where people are generally more likely to drive out further to more rural areas to drop off and pick up their dog if it is on a less regular occurrence (ie. a holiday rather than just a work day). As the dog daycare does not offer overnight boarding, daily drop offs and pick-ups require the facility to be located close to where people work and live.

Deborah Street contains a wide mix of land uses, including retail premises, offices, industry and warehouses, which are not considered to be sensitive land uses. Many of the businesses on Deborah Street use machinery and delivery vehicles for their everyday operations, which creates a level of background noise. In terms of streetscape appearance, the proposed dog daycare will operate wholly within the existing building on the subject site, with no external changes to the building.

The closest sensitive land uses are the residential dwellings that are located adjacent to the eastern (rear) boundary of the subject site. The rear wall of the proposed dog daycare is within 70 metres of the rear site boundary that adjoins the residential properties. Due to the topography of the site, the dog daycare building is situated 6 metres lower than the rear boundary of the residential properties to the east. Given this, it is unlikely that the occupiers of the adjoining residential dwellings will be able to view the dog daycare building from their properties.

Will the proposed land use result in an unreasonable impact on the amenity of the adjoining residential properties?

- *Car Parking*

Clause 52.06 of the Greater Bendigo Planning Scheme does not specify a car parking rate for animal keeping, therefore car parking spaces must be provided to the satisfaction of the responsible authority (the City). Five car parking spaces are currently provided on-site, in front of the existing building for the use of the proposed dog daycare. A gravel staff car parking area is proposed to the south-east of the building. Dog owners are proposed to drop off their dogs at the dog daycare between 7:30am and 10:00am and return to pick up their dog between 4:00pm and 5:30pm. Given that there are designated timeframes for pick up and drop off times, the short term nature of the car parking required by the dog owners and that staff parking will be provided separately on-site, the proposed car parking provision is considered to be satisfactory.

It is additionally noted that on-street car parking is available on Deborah Street and twelve additional car parking spaces are to be provided along the new accessway for the existing building as part of Planning Permit DI/570/2014.

- *Noise*

A 'Noise Compliance Report' written by an environmental health consultant was submitted by the applicant in support of the planning permit application. The report indicated that the expected noise levels from the dogs barking would be well within the legislated noise level requirements. However, the City's Environmental Health team reviewed the report and identified several concerns relating to the assessment of the proposal. These concerns included:

- The noise assessment only considered dog barking and no other potential noise emissions.
- The noise assessment only considered up to 8 dogs barking at any one time.
- The noise assessment appeared to overestimate the noise attenuation of the existing building.
- The noise assessment did not recommend any noise attenuation measures for the existing building.

In order to discuss and alleviate the City's concerns regarding the Noise Compliance Report, a meeting was held with the permit applicants, the environmental health consultant, the City's Planning Officer and Environmental Health Officer. During the meeting, the environmental health consultant provided the following clarifications on the assumptions made within the report:

- Other potential noise emissions were considered, however these are likely to occur when there are no dogs at the facility (eg. pressure washing the floor), and would produce less noise than dogs barking.
- The business owners advised that, in their experience, constant dog barking would be highly unlikely and that no more than 4 dogs would bark at any one time. Their reasoning for this claim is the screening process they will have before accepting dogs into the daycare, the overall setup of the daycare (ie. no overnight boarding and large enclosures rather than individual enclosures), and the experienced dog handlers facilitating the activities for the dogs.
- The report took a conservative 'worst case scenario' approach and based the assessment on up to 8 dogs barking at any one time.
- The assumptions made about the noise attenuation of the existing building are based on accepted industry standards.
- Noise attenuation measures were not proposed as the report concluded that the potential noise to be emitted would be well within the legislated noise level requirements.

A revised Noise Compliance Report was prepared to include these clarifications.

The City's Environmental Health Officer was satisfied with the justification provided and has provided consent to the proposal on the condition that permit conditions relating to compliance with the relevant noise legislation, installation of insulation and further noise assessment after the use commences are placed on any permit issued.

Given this, the Planning Officer is satisfied that the potential noise to be created by the proposed use can be adequately mitigated with no unreasonable amenity impact on the residential land uses to the east of the subject site.

Conclusion

It is considered that the proposed use of the land is consistent with the objectives of the Commercial 2 Zone and Clause 22.07 Animal Keeping and Animal Training Policy, and represents an appropriate planning outcome for the site.

Options

Council, acting as the responsible authority for administering the Planning Scheme, may resolve to: grant a permit, grant a permit with conditions, or refuse to grant a permit.

Proposed Notice of Decision Conditions

1. **NO LAYOUT ALTERATION**
The use permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.
2. **NOISE ATTENUATION**
Before the use commences, insulation (as specified within the endorsed Noise Compliance Report) must be installed.
3. **ACOUSTIC TESTS**
Within 3 months of the use commencing, a series of noise tests (measured at appropriate locations) must be carried out by a suitably qualified acoustic consultant. The results of the noise tests must confirm that the use is being conducted in a manner so that noise emissions do not exceed the recommended levels specified in the relevant noise legislation. If the noise test demonstrates that the use exceeds the recommended levels, the use must cease until noise levels comply and/or any additional attenuation works are completed. A copy of the results of the tests and any recommendations arising there from must be provided to the responsible authority and any recommendations must be carried out to the satisfaction of the responsible authority.
4. **NOISE CONTROL**
Noise levels emanating from the premises must comply with the recommended levels as set out in 'Noise from Industry in Regional Victoria ('NIRV': EPA publication 1411)' or amended, 'State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No. N-1' or amended and EPA Publication 1254 October 2008 'Noise Control Guidelines' or amended to the satisfaction of the responsible authority.
5. **HOURS OF OPERATION**
Except with the prior written consent of the responsible authority, the use permitted by this permit must operate only between the following times:

- Monday to Friday 7:30am to 6:00pm
6. **NUMBER OF DOGS**
No more than 35 dogs are to be kept on the subject land at any time, including those belonging to the operator under this permit.
 7. **ENCLOSURE WASHDOWN**
The enclosures must be regularly washed down and maintained in a hygienic manner to the satisfaction of the responsible authority.
 8. **WASTE WATER**
All washdown water, waste water or water, effluent or polluted drainage which has been in contact with dog excrement or putrescible matter must not be allowed to discharge beyond the boundaries of the subject land or directly or indirectly into any watercourse.
 9. **WASTE REMOVAL**
Untreated animal waste must not be stored on site and must be disposed of to the satisfaction of the responsible authority.
 10. **FEED STORAGE**
All feed shall be stored in vermin proof containers.
 11. **GARBAGE RECEPTACLES**
No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the subject land.
 12. **AMENITY OF THE LOCALITY**
The use permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise.
 13. **EXPIRY OF USE**
This permit will expire if the use permitted by this permit is not commenced within 2 years from the date hereof or is discontinued for a period of 2 years. The time within which the use must commence may, on written request made before or within 6 months after the expiry of this permit, be extended by the responsible authority.

3.2 928 WELLINGTON STREET, STRATHFIELDSAYE - APPROVAL OF A DEVELOPMENT PLAN; USE AND DEVELOPMENT OF LAND FOR A VETERINARY CENTRE, TWO LOT SUBDIVISION, BUSINESS IDENTIFICATION SIGNAGE, VEGETATION REMOVAL AND ALTERATION OF ACCESS TO ROAD ZONE CATEGORY 1

Document Information

Author Beth Lavery, Planner

Responsible Director Bernie O'Sullivan, Director Strategy and Growth

Summary/Purpose

Application details: Use and development of land for a veterinary centre, two lot subdivision, business identification signage, vegetation removal and alteration of access to Road Zone Category 1.

Application No: DEV/131/2018 (A Development Plan under Schedule 26 of the Overlay); and
DSD/920/2018 (A concurrently lodged permit application)

Applicant: Shane Muir Consulting Engineers Pty Ltd

Land: 928 Wellington Street, STRATHFIELDSAYE

Zoning: General Residential Zone
Adjoins a Road Zone 1 (Wellington Street)

Overlays: Development Plan Overlay 26

No. of submissions: 0

Consultation meeting: Not required

Key considerations:

- Does the proposal satisfy the requirements set out in Schedule 26 to the Development Plan Overlay (Strathfieldsaye Township)?
- Is the proposal consistent with local planning policy and strategic directions regarding the future development of Strathfieldsaye and does it represent an orderly planning outcome?
- Is the removal of native vegetation within the road reserve appropriate?

Conclusion: The Development Plan is not consistent with the objectives of the Development Plan Overlay (Schedule 26) and the permit application does not represent an orderly planning outcome in terms of the strategic planning of Strathfieldsaye.

RECOMMENDATION

That having considered the Development Plan and Planning Application at 928 Wellington Street, STRATHFIELDSAYE for the use and development of land for a veterinary centre, two lot subdivision, business identification signage, vegetation removal and alteration of access to Road Zone Category 1, that pursuant to section 61 of the Planning and Environment Act (1987), Council resolve to:

- (a) Refuse to approve the Development Plan prepared by Shane Muir Consulting Engineers Report No: DP/1802036, dated 30/10/2018.
- (b) Refuse to grant the Planning Permit for the following reasons:
 1. There is no approved Development Plan pursuant to Schedule 26 of the Development Plan Overlay;
 2. The proposal is inconsistent with the Strathfieldsaye Township Plan (2009);
 3. The proposal is inconsistent with planning policy in regard to planning for activity centres and urban design outcomes;
 4. The proposal does not represent an orderly planning outcome in terms of the strategic planning of Strathfieldsaye; and
 5. The unresolved issue of how proposed lot 2 is accessed is unacceptable.

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## **Policy Context**

City of Greater Bendigo Community Plan 2017 – 2021

Goal 4: Presentation and managing growth

- Planning, developments and infrastructure that increase our liveability and pride in where we live.

Goal 6: Embracing our culture and heritage

- Recognise and celebrate our unique history and diverse cultures.

## **Background Information**

The Urban Design Framework for the Strathfieldsaye Town Centre was adopted by Council in February 2017, and acts as a follow up document to the Strathfieldsaye Township Plan 2009. The Urban Design Framework will guide future development as the town grows and establishes the form and layout of the town centre, landscaping, public space and how the town will progressively develop. The framework focuses on the town centre and the area along Strathfieldsaye Road/Wellington Street.

For the land immediately surrounding the Strathfieldsaye commercial centre (referred to as the 'Transitional Town Centre'), the Framework sets out a number of design objectives and guidelines for future development. These include:

- o Retaining native vegetation where possible;
- o Ensuring ground level street frontages are not used for car parking, with off street car parking to be located behind active street frontages;

- o Requiring setbacks of 2-4 metres;
- o Providing weather protection on all active frontages.

Authorisation has been obtained from the Minister for Planning to prepare an amendment to the Greater Bendigo Planning Scheme to implement the planning outcomes from the Framework. This amendment is currently being exhibited.



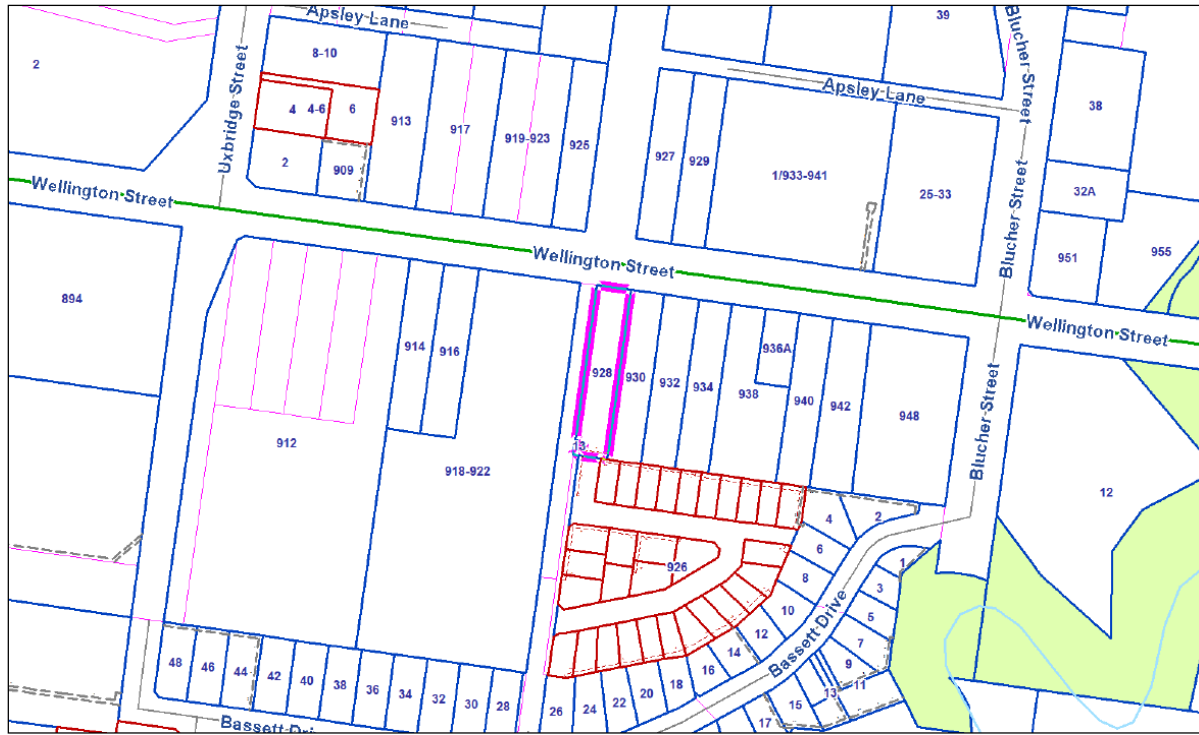
**Figure 1:** Transitional Town Centre Framework Plan. Subject land marked with a star.

## Report

### Subject Site and Surrounds

The subject land is a rectangular allotment of 2,038m<sup>2</sup>, known as Lot A on Plan of Subdivision 721594V. Located on the southern side of Wellington Street in Strathfieldsaye, approximately 225 metres west from the intersection of Blucher and Wellington Streets, the site has a frontage of 20.63 metres to Wellington Street and a depth of 92.68m. Strathloddon Drive, an unmade road which has been set aside for a proposed walking and cycling pathway, is located along the western boundary of the land. Given its function, Strathloddon Drive does not provide legal access to the site. There is no existing crossover to the site from Wellington Street.

A church is located to the west of the land, vacant residential land to the south, with the Strathfieldsaye Shopping Centre to the north east adjoining Wellington Street. This precinct south of Wellington Street contains predominately residential properties with varying setbacks, along with some commercial uses further east such as Braidies Tavern and MyVet.

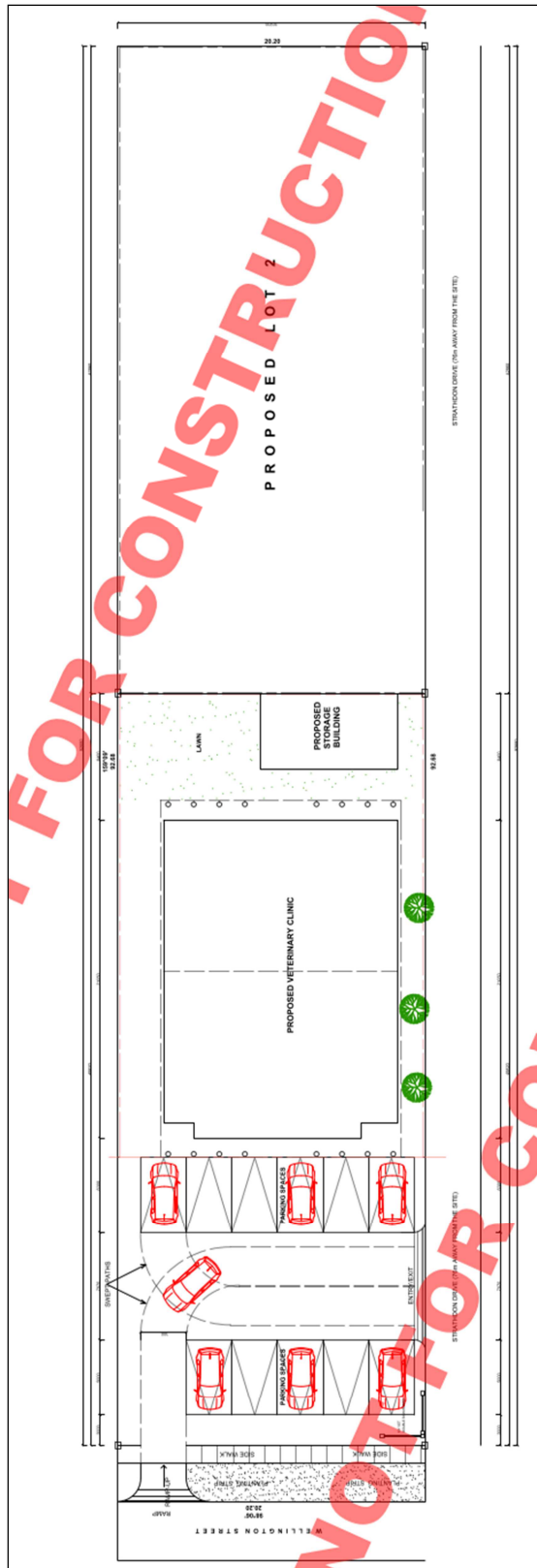




Hours of operation for the centre are proposed to be 7.00am to 9.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday. Two veterinary practitioners would operate from the site, with up to 6 additional staff members.

The proposed building would be set back 20.3 metres from the Wellington Street front boundary and 3 metres from the eastern boundary, with 10 car spaces to be provided within the front setback. A new 6 metre wide crossover is proposed from Wellington Street, which would necessitate the removal of a patch of remnant native vegetation within the road reserve. It is also proposed to display two business identification signs on the building itself, along with an 'L' shaped sign to be located in the north west corner of the land.

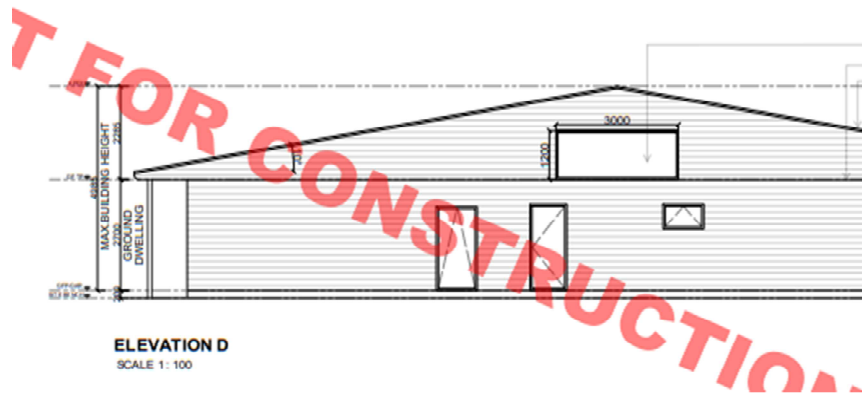
It is also proposed to subdivide the parcel into two lots of 1,172m<sup>2</sup> (lot 1) and 866m<sup>2</sup> (lot 2). The veterinary centre would be located on proposed lot 1, with proposed lot 2 to be located behind the proposed building and remain vacant. Access arrangements for proposed lot 2 have not been indicated on the plans submitted with the application.



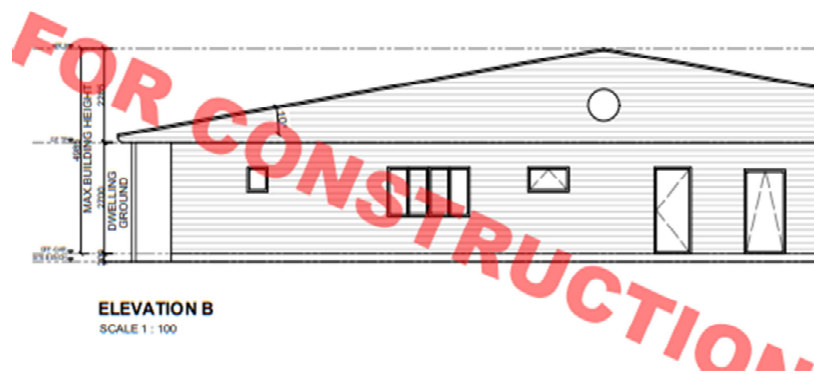
**Figure 3:** Proposed site plan and subdivision.



Figure 4: Proposed floor plan.



**Figure 5: Proposed elevations.**



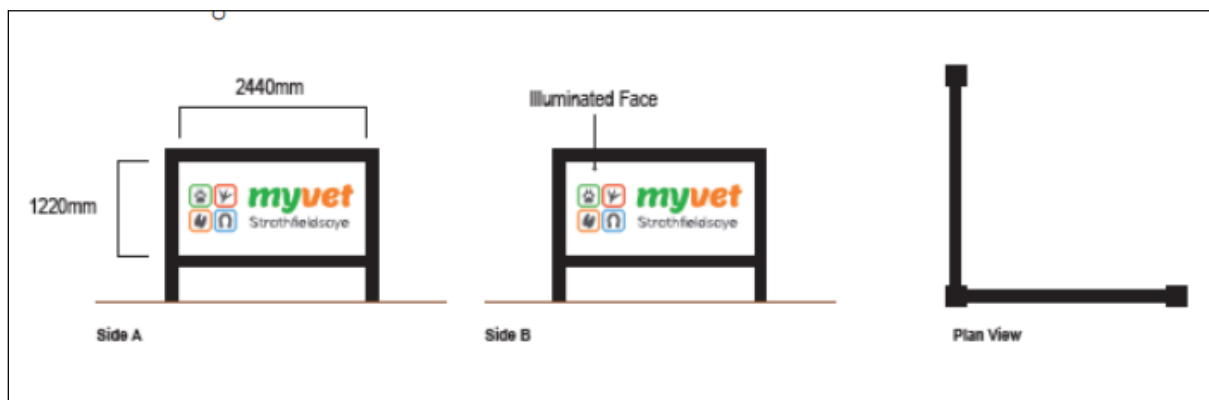
**Figure 6:** Proposed elevations.



**Figure 7:** Vegetation to be removed within road reserve.



**Figure 8:** 3D impression of proposed development.



**Figure 9:** Proposed signage.



**Figure 10:** Proposed signage.

## Planning Controls - Greater Bendigo Planning Scheme

Two approvals are being sought:

- Firstly approval of a Development Plan (under Schedule 26). This is an Overlay applied to land rezoned following the completion of the Strathfieldsaye Township Plan (2009).
- Secondly, a Planning Permit. The planning permit is required under the Greater Bendigo Planning Scheme for the following reasons:
  - Use and development of land for a veterinary centre within the General Residential Zone;
  - Two lot subdivision within the General Residential Zone;
  - Display of Business Identification Signage;
  - Removal of native vegetation;
  - Alteration of access to a Road Zone Category 1.

The following clauses are relevant in the consideration of this proposal:

### State Planning Policy Framework

- 11 – Settlement
- 11.01-1S – Settlement
- 11.01-1R – Settlement – Loddon Mallee South
- 11.02-2S – Structure Planning
- 12.01-2S – Native vegetation management
- 15.01-1S – Urban design
- 15.01-2S – Building design
- 15.01-5S – Neighbourhood character
- 17 – Economic Development
- 17.02-1S – Business
- 18.02-4S – Car parking

**Municipal Strategic Statement**

- 21.02-1 – Compact Greater Bendigo
- 21.02-2 – Environment
- 21.02-3 – Economic development
- 21.04-2 – Strategic framework plans
- 21.05-3 – 10 minute neighbourhoods

**Local Planning Policies**

- 22.29 – Advertising and signage policy

**Other Provisions**

- 52.05 – Signs
- 52.06 – Car parking
- 52.17 – Native vegetation
- 52.29 – Land adjacent to a Road Zone Category 1

**Consultation/Communication****Referrals**

The following authority and internal departments have been consulted on the proposal:

| Referral           | Comment                                             |
|--------------------|-----------------------------------------------------|
| VicRoads           | No objection subject to conditions                  |
| Traffic            | No objection subject to conditions                  |
| Drainage           | No objection subject to conditions                  |
| Parks & Open Space | Removal of vegetation in road reserve not supported |

**Public Notification**

The permit applicant was directed to informally give notice of the Development Plan. This process is in accordance with a 2006 Greater Bendigo City Council resolution directing that informal notice of a Development Plan be given so that the community has the opportunity to make submissions in support or otherwise of a Development Plan proposal. As a result of advertising, no submissions were received.

**Planning Assessment****Does the Development Plan satisfy the requirements of Schedule 26?**

This schedule applies to the Town Centre, New Development Area East and New Development Area West, which were identified in the *Strathfieldsaye Township Plan 2009*. The site falls within the Town Centre area delineated within this Plan and as such the development plan prepared in response to this Overlay must be generally consistent with *Plan 4: Town Centre Structure Plan* as contained in the Township Plan.

The Township Plan envisages that the Town Centre will be developed as the focal point of community life within Strathfieldsaye. Wellington Street will continue to be the main street with core retail uses on the north side and a mix of office, service businesses and residential uses to the south. The plan includes a number of design guidelines, including the recommendations that buildings have active frontages and that car parking should be located at the side or rear of buildings where service businesses or office uses predominates. Large car parks in front of commercial premises are to be avoided.

The submitted Development Plan has been assessed against the requirements of the Overlay as follows:

| <i><b>Development Plan Requirement:</b></i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <i><b>Development Plan Submission (Applicant):</b></i>                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Land use</b> <ul style="list-style-type: none"> <li>• The consolidation of commercial activity within the Core Area centred on Wellington Street and bounded by Club Court and Apsley Street and the west side of Emu Creek.</li> <li>• Small scale office, residential and service business use on the south side of Wellington Street immediately south of the Core Area.</li> <li>• A 'Community Precinct' in the western part of the Town Centre (North West of the Core Area) to create opportunities for the integration of Community Facilities.</li> </ul>           | <p>The applicant has not specifically addressed this requirement within their submission.</p>                                                                                    |
| <b>Officer Response:</b> While the Development Plan does not reference the above requirement, the location of a service business on the south side of Wellington Street is consistent with this objective of the Township Plan.                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                  |
| <b>Development</b> <ul style="list-style-type: none"> <li>• Medium density housing, as appropriate:             <ul style="list-style-type: none"> <li>o Within the Core Area in a variety of forms, including 'shop top' housing to maintain active commercial frontages.</li> <li>o North of the core area and bounded by Uxbridge Street to the west and Blucher Street to the east.</li> <li>o Within 400 metres of the Core Area or at interfaces with public open space.</li> </ul> </li> <li>• All commercial development having active frontages to streets,</li> </ul> | <p>The applicant has not specifically addressed this requirement within their submission, however has included broader discussion on residential and commercial development.</p> |



| <i>Development Plan Requirement:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <i>Development Plan Submission (Applicant):</i>                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| pedestrian accessways and open space, where practicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                     |
| <b>Officer Response:</b> As noted above, the submitted Development Plan does not refer to this requirement specifically. Nonetheless the proposed design has not achieved the required active frontages to the street (Wellington Street) and pedestrian accessway (Strathloddon Drive) as set out in the Township Plan. The building will be oriented towards Wellington Street and will be set back with car parking located in the front of the site between the building and roadway. There will be no direct interface to either the street or the shared accessway to the west. |                                                                                                                                                                                                                                     |
| <b>Movement</b> <ul style="list-style-type: none"> <li>• Provision of mid-block pedestrian linkages to facilitate pedestrian access through the Core Area.</li> <li>• Provision of shared space in the design of roads to enable pedestrians and vehicles to co-exist safely.</li> </ul>                                                                                                                                                                                                                                                                                              | The Development Plan broadly refers to access and movement, noting that due to low traffic volumes anticipated for the development, pedestrian movement will be able to occur safely within the site and the existing road network. |
| <b>Officer Response:</b> The Development Plan has not specifically addressed this requirement and has only included brief commentary on access and movement. No new roadways are proposed as part of the application and the proposed site layout will allow for appropriate pedestrian movement to occur within the site. There is an existing footpath along Wellington Street and Strathloddon Drive has been set aside as a future shared pathway which will provide further safe pedestrian access to the site.                                                                  |                                                                                                                                                                                                                                     |

Based on the above, it is considered that the submitted Development Plan does not fully and satisfactorily meet the requirements of Schedule 26 and will not realise the objectives of the Strathfieldsaye Township Plan 2009.

Is the proposal consistent with planning policy and the strategic vision for Strathfieldsaye?

The need to facilitate the orderly development of urban areas and in particular the use and development of land in and around activity centres, is referred in Clauses 11.02-2S (Structure Planning) and 11.03-1S (Activity Centres). Plans such as the Strathfieldsaye Township Plan (2009), and the recently prepared Strathfieldsaye Urban Design Framework have been developed in response to these policy objectives and provide clear guidance as to the form of preferred future development.

The importance of urban and building design is also discussed at Clauses 15.01-1S and 15.01-2S, highlighting the need to ensure that development responds to the strategic context of its location, ensuring the form, scale and appearance of development contributes positively to the public realm, particularly along transport corridors. The retention of existing vegetation is also encouraged.

Strathfieldsaye is identified as an activity centre at Clause 21.07-2, with its role to provide a range of economic, social and other needs along with goods and services to meet the daily and weekly needs of the surrounding catchment. Development is supported within activity centres, with built form quality an important consideration and a requirement that new development addresses the street and provides active frontages.

The subject site is important, not only in terms of location, but also in the context of the entire development of the town centre.

The proposal would see the development of a relatively simple building, with the dominant feature likely to be the car parking provided in front of the site, and no provision of active frontages presenting as a 'hard edge' to Wellington Street with weather protection for pedestrians (achieved typically with verandahs or similar design features cantilevering into road reserves).

Whilst presenting an opportunity for infill development in an important strategic location, the development fails to appropriately respond to its context and the significant strategic planning that has been undertaken in relation to the future development of Strathfieldsaye.

Not only will development in the form proposed compromise the strategic planning undertaken for this precinct, it would also likely set a very poor precedent for future development along this corridor. As such, it is important that the development of this site complements the proposed vision for the town centre, which will meet the needs of the whole community, the landowners and businesses and present as a well-designed, vibrant, safe and attractive place for all.

#### Proposed removal of native vegetation in the road reserve to facilitate access

In order to facilitate access to the site, the removal of all native vegetation within the road reserve adjoining the site and Wellington Street is proposed. This vegetation comprises a patch of small trees, 0.026ha in area. Whilst providing access to the site is an obvious need, the ability to do so whilst minimising any vegetation loss along this significant corridor within the Town Centre is important. State planning policy in regard to native vegetation has clear objectives of avoiding the removal of vegetation in the first instance, minimising the loss if removal cannot be avoided and offsetting any vegetation lost in the last instance.



**Figure 11:** Vegetation proposed to be removed.

In terms of the role of this vegetation as street trees, the City has also developed an Urban Tree Management Policy which assists in determining whether the removal of vegetation in this context is appropriate and also determines an amenity value for existing vegetation within the road reserve in urban areas. This valuation is quite separate to the consideration under the Planning Scheme.

Given the location of the site and this vegetation within Strathfieldsaye's Town Centre, the level of vegetation removal proposed as part of the application has not been supported by the City's Parks and Open Space Unit. Any future development of the site would need to balance the requirements of these policies and potentially reduce the amount of vegetation removal accordingly.

### Proposed subdivision

The proposed subdivision is generally appropriate in terms of the requirements of Clause 56 as well as policy and strategic objectives where higher density development is encouraged close to the Town Centre.

However, it is noted that access to the proposed lot 2 has not been indicated on the plans and thus would be either 'land locked', or reliant on proposed lot 1 for access (assumed to be either via a carriageway easement or common property, neither of which has been proposed or indicated on plans). Given the proposed layout for lot 1 contains the veterinary centre, it is not considered to be practical or orderly to have a vacant residential lot accessed either by carriageway easement or common property.

### Display of signage

In broad terms the proposed signage for the development is considered appropriate and consistent with the advertising signage policy found at clause 22.29 of the Scheme. Some revisions would be required to the signage adjoining the road reserve if the proposal was approved, however this could be accommodated by permit condition if a permit were to be granted.

### **Conclusion**

The proposed Development Plan and Planning Application for the development of the site for a veterinary centre are not consistent with the strategic planning objectives for Strathfieldsaye. The Development Plan fails to meet all the requirements set out in the Schedule and the applicant has not successfully demonstrated that the proposal will not prejudice future development within the area as set out in the Strathfieldsaye Township Plan 2009. Active frontages have not been included in the urban design/built form and the car parking within the front setback of the site will unduly dominate the site. The loss of vegetation in the road reserve adjoining the site is seen as an unacceptable outcome in terms of amenity. Refusal of the Development Plan and Planning Permit is recommended.

### **Options**

Council, acting as the responsible authority for administering the Planning Scheme, may resolve to: approve a Development Plan and Planning Permit; approve a Development Plan and Planning Permit with conditions; or refuse to approve a Development Plan and Planning Permit.

**3.3 76 HIGH STREET, HEATHCOTE 3523 - USE OF LAND FOR A COMMUNITY FOODSHARE BUSINESS (HEATHCOTE FOODSHARE), WORKS, THE DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE AND CAR PARKING TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY**

**Document Information**

**Author** Beth Lavery, Planner

**Responsible Director** Bernie O'Sullivan, Director Strategy and Growth

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**Summary/Purpose**

**Application details:** Use of land for a community foodshare business (Heathcote Foodshare), works, the display of business identification signage and car parking to the satisfaction of the responsible authority

**Application No:** DU/24/2019

**Applicant:** Spiire Australia Pty Ltd

**Land:** 76 High Street, HEATHCOTE 3523

**Zoning:** Commercial 1 Zone  
Road Zone 1

**Overlays:** Environmental Significance Overlay 3  
Heritage Overlay 723  
Land Subject to Inundation Overlay 3

**No. of objections:** 5

**Consultation meeting:** A consultation meeting was held on 16 April 2019 in Heathcote, attended by the applicant, four objectors, the assessing officer and Crs O'Rourke and Wrigglesworth. The meeting did not result in the resolution of any issues.

**Key considerations:**

- Is the location appropriate for the proposed use?
- Is the provision of no car parking to support the use appropriate?
- Are the impacts on amenity unreasonable?
- Are there any heritage implications?

**Conclusion:** On balance it is considered that the proposed use of the land for a community foodshare is consistent with planning policy and the objectives of the Commercial Zone. Amenity impacts from the use can be appropriately managed through the inclusion of conditions on any planning permit issued. Approval is recommended.

## **RECOMMENDATION**

Pursuant to section 61 of the Planning and Environment Act (1987), Council resolve to issue a Notice of Decision to Grant a Permit for Use of land for a community foodshare business (Heathcote Foodshare), works, the display of business identification signage and car parking to the satisfaction of the responsible authority at 76 High Street, HEATHCOTE 3523 subject to the conditions at the end of this report:

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Policy Context

City of Greater Bendigo Community Plan 2017 – 2021

Goal 4: Presentation and managing growth

- Planning, developments and infrastructure that increase our liveability and pride in where we live.

Goal 6: Embracing our culture and heritage

- Recognise and celebrate our unique history and diverse cultures.

Report

Subject Site and Surrounds

The subject land is a rectangular allotment of 178m² containing a modest weatherboard building with gabled corrugated iron roof and verandah. The building is built to the front boundary and close to the northern boundary, however is set back from the eastern and southern boundaries, with a driveway located along the southern boundary. A small sign has been erected under the shopfront verandah and a number of temporary structures (marquee and retractable canopy) have been erected in the backyard, along with a coolroom. No on-site parking is provided.

The site is included within the Heritage Overlay, as part of the Heathcote precinct, with the building graded as 'contributory' to the precinct.

The site is located on the perimeter of Heathcote's commercial precinct, with a café located to the south, residential property to the north and east and a number of other commercial properties to the north west (post office, mechanic, pharmacy), including a new bakery under construction.

High Street itself is a wide carriageway with parking and bike lanes provided on both sides of the road and a wide centre median strip with trees and bollards to restrict access. Some marked car parking exists along High Street nearby to the site.



Figure 1: Location map showing subject site. Objector's properties marked with a star.



Figure 2: Street view of subject land

Proposal

The application seeks retrospective planning approval for use of the land for a community foodshare business (Heathcote Foodshare), along with associated works, display of business identification signage and the provision of car parking to the satisfaction of the responsible authority.

Heathcote Foodshare offers a range of support services to the community, including:

- Foodshare Market – which involves the daily re-distribution of unwanted food, collected from retailers, manufacturers and other suppliers;
- Foodshare Warehouse – sorting centre for food, along with clothing, accessories, household appliances and furniture;
- Opportunity shop – providing pre-loved clothing, accessories and household items;
- Café – serving free tea, coffee and soup.

It is considered that the Foodshare Market element is the dominant land use, and the other services offered are ancillary to this use.

No works to the existing building are proposed, other than the display of signage under the front verandah. A freestanding marquee has been erected in the back yard, along with a retractable awning and coolroom.

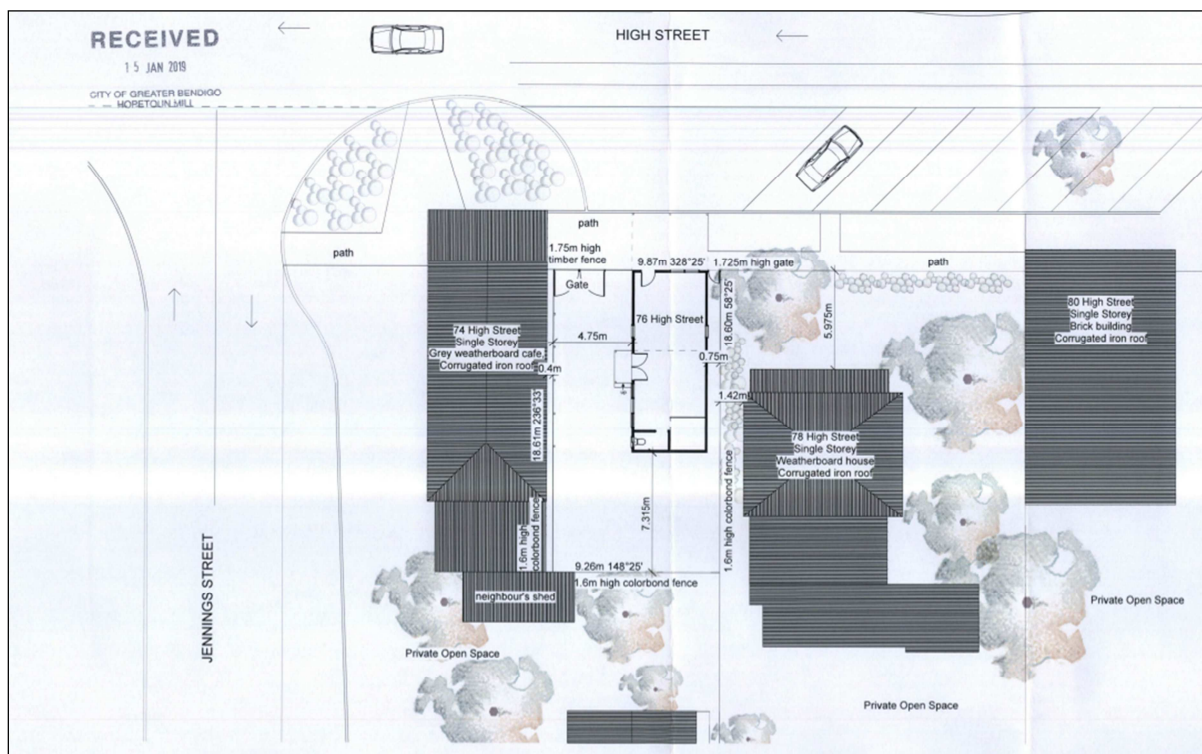


Figure 3: Existing site plan

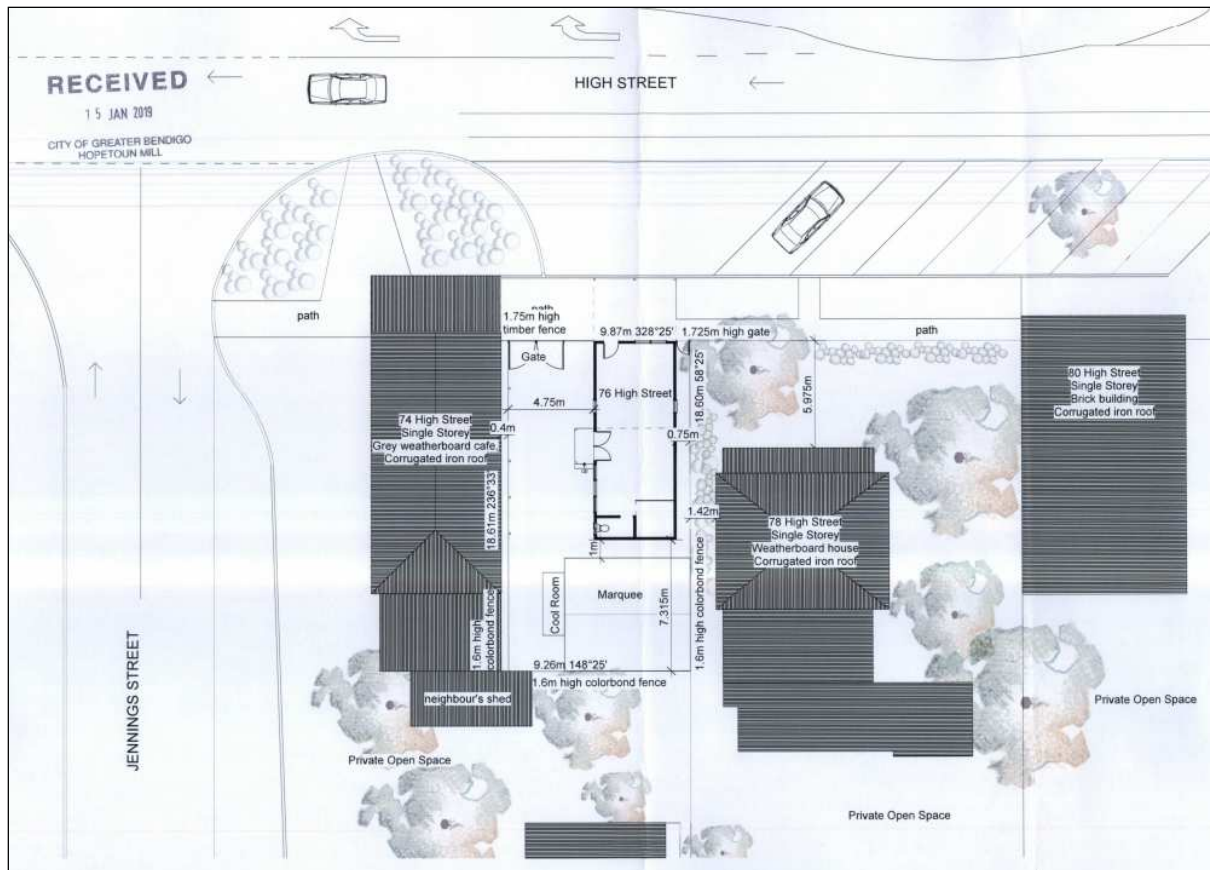


Figure 4: Proposed site plan, showing marquee at rear of site, and coolroom

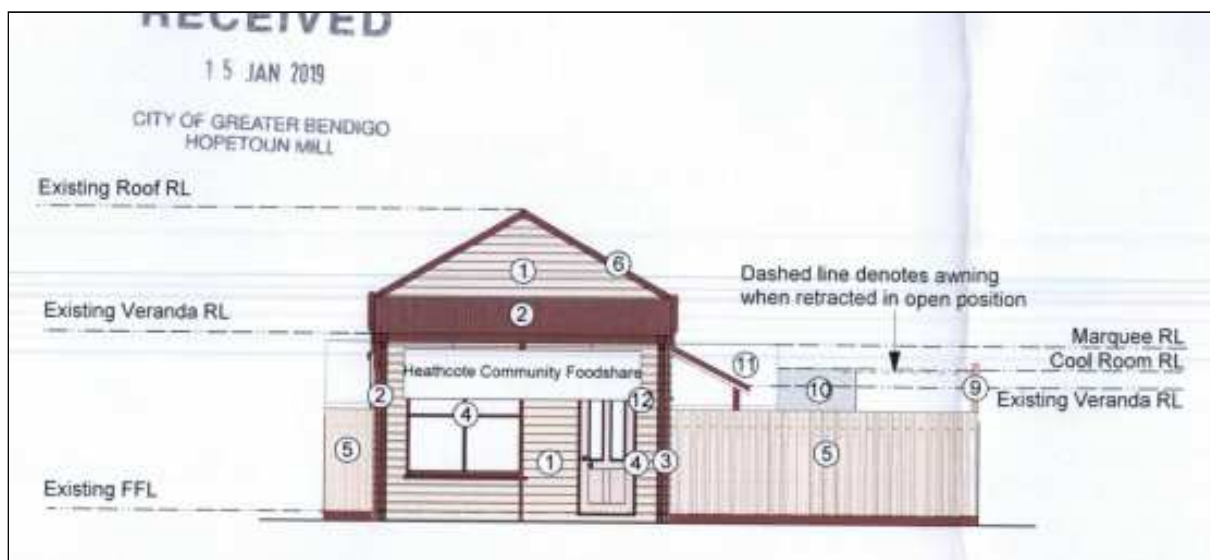


Figure 5: High Street Elevation, showing marquee and coolroom to rear



Figure 6: Proposed signage

Planning Controls - Greater Bendigo Planning Scheme

A planning permit is required for the proposed use and development under the following provisions:

- 34.01-1 - Use of land for community foodshare within the Commercial 1 Zone. This use has been defined as an innominate use and therefore becomes a Section 2 use requiring a permit.
- 34.01-4 - Buildings and works associated with a Section 2 use within the Commercial 1 Zone.
- 43.01-1 - Buildings and works within the Heritage Overlay.
- 43.01-1 - Display of business identification signage within the Heritage Overlay.
- 52.06-7 - Provision of parking to the satisfaction of the Responsible Authority.

The following clauses are relevant in the consideration of this proposal:

State Planning Policy Framework

- 11.01-1S - Settlement
- 13.05-1S – Noise abatement
- 15 – Built environment and heritage
- 15.01-5S – Neighbourhood character
- 15.03-1S – Heritage conservation
- 17.02-1S - Business

Municipal Strategic Statement

- 21.02 – Key issues and influences
- 21.07 – Economic development

Local Planning Policies

- 22.06 – Heritage policy
- 22.29 – Advertising and signage policy

Other Provisions

- 34.01 – Commercial 1 Zone
- 43.01 – Heritage Overlay
- 52.06 - Car parking

Consultation/Communication

Referrals

The following internal departments have been consulted on the proposal:

Referral	Comment
Health Inspections	No objection subject to conditions
Heritage	No objection subject to conditions

Public Notification

The application was advertised by way of notice on the site and letters to adjoining land owners and occupiers.

As a result of advertising, 5 objections were received, with the grounds of objection being:

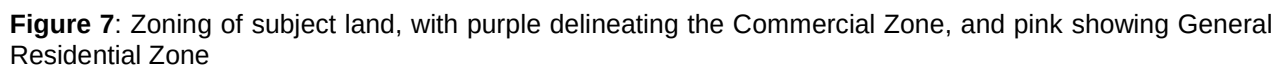
- Lack of parking supplied to support the development;
- Inappropriate loading and unloading in front of the site;
- Amenity concerns from increase of traffic and people parking in the area, including increase in littering and noise to nearby residential properties;
- Health risks from food distributed.

The objections are discussed in detail within the planning assessment below.

Planning Assessment

Is the site suitable for the use?

The subject land lies on the southern perimeter of the commercial precinct of Heathcote, with predominantly commercial uses located nearby to the land to the north on both sides of High Street. Two dwellings immediately adjoin the land at 78 High Street and 2 Jennings Street, with more residential uses present south of Jennings Street, with Jennings Street itself acting as the boundary between the Commercial 1 Zone and General Residential Zone.



"..create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses."

- The interface with adjoining zones, especially the relationship with residential areas;
- The effect that existing uses may have on the proposed use;
- The availability of services to the site; and
- The effect of traffic to be generated on roads.

While this objective is satisfied, the question of whether the proposed use meets the relevant decision guidelines of the zone must also be considered, with particular relevance being the impacts from existing uses in the area, and from traffic generated by the use on adjoining roads.

In assessing the proposal, given the site's context, a balance must be struck between measuring the community benefits of the proposal and ensuring that any impacts resulting from use of the site do not interfere with the amenity of surrounding property owners or occupiers unreasonably. Equally, as the objectors' properties are at the interface between the Commercial 1 Zone and General Residential Zone, the reasonableness of expecting no impacts from commercial or non-residential uses must also be taken into account.

The most significant effects from the proposed use are likely to be felt from existing residential uses most proximate to the land. While the proposed use will result in increased traffic generation to and from the site, and while this may have some impact on residential properties, given the commercial context of the land, this would be expected and is not unreasonable.

There are a number of other commercial uses nearby, as would be expected in a commercial zone within a town. From this perspective the proposed use is appropriate and arguably no different to the number of other commercial premises operating in this area.

Car parking

Car parking requirements are set out at Clause 52.06 of the Greater Bendigo Planning Scheme, with the purpose of the clause including ensuring the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated; the activities to be undertaken on the land; and the nature of the locality. The provisions also seek to ensure that car parking does not adversely affect the amenity of the locality. Clause 52.06-5 sets out that where a land use is not specified in the provisions, that before a new use commences, car parking must be provided to the satisfaction of the responsible authority, rather than specifying a set rate for the use.

Given the small size of the subject land, it is not physically possible to contain any parking on site. As a result, it must be determined whether the provision of no parking to support the proposal is an acceptable outcome and what amenity impacts may result from this.

There are a number of marked parking spaces in the vicinity of the land along High Street. Jennings Street is also often used for informal parking, as evidenced in the objections received to the application.

High Street and indeed the whole of Heathcote's commercial precinct, extends a considerable distance (approximately 1.2km). Given this configuration, it is not uncommon for overflow parking from the commercial precinct to sometimes extend into side streets adjoining High Street. As such, the issue of informal parking within Jennings Street in itself is not considered unreasonable, however, the potential for this to compromise the amenity of residential properties within this area bordering the commercial zone is acknowledged.

In existing developed commercial zones it is not unusual for no parking to be provided on the site due to physical constraints. In these instances new uses and development should not be prejudiced because of this physical inability to provide parking.

Any amenity impacts to surrounding land owners relating to car parking can be managed by a permit condition and the appropriate management of the use and the site. In this regard, the provision of no parking is considered satisfactory.

Other Objector concerns

Loading and unloading

A number of objectors were concerned with the adhoc nature of the loading and unloading for the site, which often occurs in the street. This is not acceptable and does have obvious amenity impacts, not only for nearby residential uses, but also patrons and customers of nearby businesses. In order to appropriately manage this and prevent it from occurring in future, a condition can be included on any permit issued restricting loading and unloading to only occur on the site itself.

Amenity impacts – noise and littering

Nearby residents have raised issues with increased noise generation and littering, both on the property and in nearby streets. While it is difficult to regulate noise from those visiting or parking nearby to the site, the noise generation from equipment on the land, such as the coolroom, can be controlled and a requirement for noise emissions to be in accordance with EPA requirements can be included as a permit condition. Littering on the site and waste management of the site in general, can also be controlled by condition.

Health risks

Some concern has been raised as to the health risks involved with the handling and distribution of food from the site. In this regard comment has been sought from the City's Environmental Health team, who have specified a number of conditions to be included on any permit issued relating to food quality, handling and storage. In addition, these issues will continue to be monitored by Environmental Health.

Are there any heritage implications?

The extent of works to the site are reasonably minor – comprising only of the display of signage, the erection of a marquee and awning and the placement of a coolroom in the rear yard of the property. As such, the heritage impacts of the proposal are limited.

The Heritage Policy at Clause 22.06 of the Planning Scheme contains objectives which seek to ensure that heritage assets are retained; are sympathetic to the appearance of the heritage place and broader precinct; and encourage the sympathetic re-use and adaptation of heritage places. Likewise, the purpose of the Heritage Overlay seeks to ensure that development does not adversely affect the significance of heritage places.

The proposal will see the reuse of an existing heritage building. The proposed signage and works to the rear are not likely to compromise the appearance of the building unreasonably, nor compromise the heritage significance of the wider precinct.

Consistency with broader planning policy

Clause 17.02-1S (Business) seeks to ensure that commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure, as well as to locate these facilities in existing activity centres. Activity Centres (encompassing town centres such as Heathcote) are encouraged both at Clause 11.03-1S, and 21.07-2, with these centres providing a range of functions including retail, commercial, community, social and other services.

The proposed use is consistent with these policy directions and will see the provision of a community focused commercial service within an existing activity centre, utilising existing infrastructure and providing a service with net community benefits.

In addition, the proposed signage is consistent both with the objectives of Clause 22.29 and 52.05, with the signage considered to be of appropriate dimensions and sited appropriately so as to limit impact on the streetscape and public realm.

Conclusion

On balance the site is considered suitable for the proposed use. While there are some amenity impacts resulting from this use which the objections to the application have identified, these can be managed and limited through both conditions and appropriate management of the site and use. Approval is recommended.

Options

Council, acting as the responsible authority for administering the Planning Scheme, may resolve to: grant a permit, grant a permit with conditions, or refuse to grant a permit.

Attachments

Proposed Notice of Decision Conditions

1. NO LAYOUT ALTERATION
The use and/or development permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.
2. GENERAL AMENITY
The use permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.
3. NEAT AND TIDY SITE
The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.

4. NOISE EMISSIONS

Plant and services equipment shall comply with 'Noise from Industry in Regional Victoria ('NIRV') EPA publication 1411 or amended.

Amplified music or voices emitted from the premises shall comply with State Environment Protection Policy No. N-2 ('SEPP N-2') or amended.

5. REFRIGERATION AND AIR CONDITIONING EQUIPMENT

Any equipment required for refrigeration, air-conditioning, heating and the like must be suitably insulated for the purpose of reducing noise emissions and must be located so as to not be highly visible from the street to the satisfaction of the responsible authority.

6. EXPOSED STORAGE

Goods or equipment must not be stored or left exposed outside a building so as to be visible from any public road or thoroughfare.

7. DELIVERY TIMES

Deliveries to the premises shall be conducted between 7am-10am Monday to Saturday and 9am-10am Sundays and Public Holidays and shall not emit noise that is audible within residential premises and deemed unreasonable by the responsible authority.

8. LOADING AND UNLOADING

The loading and unloading of goods from vehicles must only be carried out on the land.

9. WASTE MANAGEMENT

Waste products and materials shall be managed appropriately so as to not detrimentally affect the amenity of the area.

10. HOURS OF OPERATION

Except with the prior written consent of the responsible authority, the use permitted by this permit must operate only between the following times:

- Monday to Sunday 7am to 2pm

11. MAINTENANCE OF SIGN

The sign(s) permitted by this permit must be maintained in good condition to the satisfaction of the responsible authority.

12. NO EXTERNAL LIGHT ILLUMINATION

The sign(s) permitted by this permit must not be floodlit or illuminated by external lights except with the prior written consent of the responsible authority.

13. EXPIRY OF PERMIT

This permit will expire if the development permitted by this permit is not completed and the use permitted by this permit is not commenced within 2 years from the date hereof or if the use is discontinued for a period of 2 years. The time within which the development must be completed and the use must commence may, on written request made before or within 12 months after the expiry of the permit, be extended by the responsible authority.

Note- Environmental Health

- The sale of food or preparation of food for sale shall not occur at the premises unless the premises are registered in accordance with the Food Act 1984.
- Any food provided to persons must be safe and suitable for consumption.
- The storage or sale of food or items shall not occur on public land in the absence of a permit issued by the relevant authority.
- The placement or display of a-frame signage, flags or other advertising apparatus beyond that permitted by this permit shall not occur on public land in the absence of a permit issued by the relevant authority.

3.4 ADOPTION OF THE IMPLEMENTATION FRAMEWORK FOR THE GREATER BENDIGO PUBLIC SPACE PLAN AND READOPTION OF THE GREATER BENDIGO PUBLIC SPACE PLAN MAY 2019

Document Information

Author Mark Stubbs, Senior Strategic Planner

Responsible Director Bernie O'Sullivan, Strategy and Growth

Purpose

To provide an overview of the process to develop the Implementation Framework for the Greater Bendigo Public Space Plan, to seek Council adoption of the Implementation Framework and to seek Council readoption of the Public Space Plan to reflect changes arising from the Implementation Framework process.

Summary

The Implementation Framework for the Public Space Plan has been designed to support and coordinate its delivery. Internal coordination and community consultation has informed the development of the Framework.

Internal consultation has enabled refinement of the purpose and wording of some actions, joint agreement about the relative priority of actions and also responsibility for the delivery of each action.

Community consultation has provided a local perspective on the relative priority of actions of the Public Space Plan, including actions related to the City-wide strategies (Parts 2 and 3) and the Precinct Plans (Part 4).

Inputs from the engagement and coordination process have identified the need for several amendments to the Public Space Plan to ensure its overall completeness and consistency with the Framework.

RECOMMENDATION

That Council resolve to:

1. Adopt the Greater Bendigo Public Space Plan Implementation Framework, May 2019.
2. Readopt the Greater Bendigo Public Space Plan, May 2019, to ensure that changes arising from the Implementation Framework process are reflected.

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## Policy Context

### Community Plan Reference:

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| Goal 2           | Wellbeing and fairness                                          |
| Objective 2.5    | Promote positive wellbeing across the Greater Bendigo community |
| 2017-2018 Action | Complete the Public Space Strategy and commence implementation  |

### Regional Strategic Plan Reference:

Principle 6 of the Loddon Mallee South Regional Growth Plan - Protect and enhance our natural and built environment – is strongly supported by various strategies within the draft Public Space Plan.

## Background Information

The Greater Bendigo Public Space Plan (the Public Space Plan) outlines a 50-year vision and strategy to shape the future of public space in our municipality.

The Public Space Plan was developed to guide the coordinated planning, design, use and management of the City's public spaces in the interest of supporting the broader objective of our City's liveability.

The broad direction, strategies and actions contained within the Public Space Plan reflect a two and a half year process of research, analysis and conceptual visioning over four main project stages, each of which has entailed a high level of consultation.

The Public Space Plan replaces the 2005 Open Space Strategy and the 2009-2014 Play Space Strategy.

Following adoption of the Public Space Plan in July 2018, a process to develop a supporting Implementation Framework was commenced. Further engagement has been integral to creating this framework and has included an extended series of internal discussions and reviews, as well as external consultation involving community meetings and an online survey.

### Previous Council Decision Dates:

September 2015 – Councillor workshop / briefing to discuss and agree on the scope of the Public Space Plan project.

August 2016 – Endorsement of the draft Strategic Context and Issues Report and Summary Report as a sound basis to progress the project and approval to release the report for public comment.

December 2016 – Approval to continue community engagement for the project, including release of the Conceptual Vision for public comment.

April 2017 – Endorsement of the Conceptual Vision for the Greater Bendigo Public Space Plan and associated public notification. Begin to prepare the draft Public Space Plan.

February 2018 – Endorsement of Draft Greater Bendigo Public Space Plan for public display.

July 2018 – Adoption of the Greater Bendigo Public Space Plan. Commence development of Implementation Framework.

## **Report**

The Implementation Framework (the Framework) for the Public Space Plan is designed to support and coordinate its delivery. The Framework is a more comprehensive version of implementation plans that have previously been developed and included as part of other major strategies of the City of Greater Bendigo. Discussion with the project Steering and Reference Groups (which subsequently discontinued operation on the project) determined that the Framework should be developed post-adoption of the Public Space Plan. This was to provide the opportunity for appropriate internal coordination and further opportunity for community input to the Public Space Plan's implementation priorities.

The process to create the Framework commenced with preparation of an initial draft document that was built directly around the actions identified in the adopted Public Space Plan. A series of internal sessions were then held jointly with Managers and Coordinators representing relevant units of the organisation over several months. These sessions resulted in a collaborative assessment of each of the Public Space Plan's actions, in discussion and agreement about which unit of the organisation (as applicable) would take lead responsibility for delivery, and in establishing a joint position regarding the relative priority of actions.

Whilst the collective actions of the Public Space Plan reflect broad community aspirations for a better public space future in Greater Bendigo, they also represent a very large commitment to resource and deliver. In practical terms, decades of time and significant resources will be required. The questions of what is achievable and within what timeframe, as well as what community expectations might be, were prominent in internal discussions about the Public Space Plan's implementation.

It was recognised that there is a need to strike a balance between providing direction for the timing and priority of actions to be implemented and allowing sufficient flexibility given resource limitations and competing demands. For this reason the timeframes for delivery of actions are very much indicative target timeframes that are to be regarded as a guide. Furthermore, the timeframes are also framed proportionally according to the extended 50-year horizon for the strategy. For example, short term actions are indicatively to be completed within a decade, whereas the ordinary view of short term might be measured in one or several years. Actions that are identified as short term implementation priorities in effect provide the City with a 10-year action plan for its public spaces.

### *Community input to the Implementation Framework*

The relative priority of actions was a focus for discussion with and for input by the community. Community meetings were held with a number of community groups including Advance Heathcote Inc, Bendigo Northern District Community Enterprise, Elmore Progress Association, Junortoun Community Action Group, Maiden Gully Progress Association, Marong Community Action Group, Redesdale and District Association and the Strathfieldsaye Community Enterprise. It is noted that a number of community groups did not respond to phone and email invitations for community meetings. It is also noted that these meetings were coordinated with engagement for two other City-led projects – Greening Greater Bendigo and the Greater Bendigo Planning Scheme Review.

An online survey was also open for six weeks. The survey was separated into two components – the City-wide actions (Parts 2 and 3) and the Precinct Plan actions. The Precinct Plan component allowed respondents to focus specifically on the community (or communities) of direct interest to them, again with a focus on assigning priority to the implementation of actions. One hundred and ninety one responses to the survey were received.

The community feedback regarding action priorities was reviewed and discussed with the same internal group of unit representatives and resulted in a substantial number of changes. For example, 19 precinct plan actions were brought forward in their priority in response to community input.

### *Updates to the Greater Bendigo Public Space Plan*

The process to develop the Implementation Framework has prompted some necessary updates to the Public Space Plan to ensure consistency with the Framework. The addition of a Junortoun Precinct Plan is required for completeness of the Precinct Plans part of the Public Space Plan. In addition, some opportunity-based updates to the Public Space Plan are recommended to reflect progress on other strategic work, most notably the Walk, Cycle Greater Bendigo Strategy and the Marong Township Structure Plan.

More details of these updates are provided below. For these changes to be formally acknowledged and incorporated, the Greater Bendigo Public Space Plan must be readopted by Council.

- Updating of some existing actions

| Action                                                                                                                             | Update recommended | Rationale                                                        |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------------------------------------|
| <i>Section 3.7 Public Space Funding</i><br>Prepare precinct-based high level cost estimates for identified public space strategies | Remove action.     | This has been completed as part of the Implementation Framework. |

| Action                                                                                                                                                                                         | Update recommended                                                                                                                                                                                                                                                                      | Rationale                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Section 3.7 Public Space Funding</i><br>Investigate the establishment of a dedicated public space capital works fund                                                                        | Amend wording of action, as follows:<br><br>Develop a coordinated approach to the funding of public space capital works that leverages a range of funding sources.                                                                                                                      | The broader process of reorganising the City's financial structures to plan and coordinate the delivery of its services, including capital works projects, has identified preferred arrangements and processes for capital works funding.                                                                          |
| <i>Section 3.7 Public Space Funding</i><br>Complete an assessment process to inform allocation of funds within the public open space contributions reserve for priority public space purchases | Amend wording to clarify two separate but related actions, as follows:<br>1. Develop a policy for the operation and management of the public open space contributions reserve.<br>2. Allocate funds in the public open space contributions reserve for priority public space purchases. | The management and appropriate allocation of funds from the public space open space contributions reserve requires clear policy guidance that is currently not in place.<br><br>The allocation of funds for priority public space purchases is considered to be an appropriate and preferred use of this resource. |

- Updates to the Public Space Corridors network (Section 2.4 and Part 4)

The development of the Walk, Cycle Greater Bendigo Strategy has progressed over the course of the last year. The public space corridors network identified in Section 2.4 of the Public Space Plan was an input to the development of the Strategy. As a result, updates to the alignment of parts of the public space corridors network have been recommended. The opportunity should be taken to update the Public Space Plan to ensure consistency between the two strategies.

- Updates to Play Spaces recommendations (Section 3.6)

Recommendations related to the play space/s in the following locations have changed following further consultation and investigation. The figures in this section (22 and 23) have been updated to reflect these changes.

| Play space location                 | Updated action recommended                         | Rationale                                        |
|-------------------------------------|----------------------------------------------------|--------------------------------------------------|
| Elmore township - CoGB Reserves (71 | Provide a new Township level play space at a safe, | The Elmore community have indicated a preference |

| Play space location                                           | Updated action recommended                                                                                                                                                                                                                                                                                                                                                                            | Rationale                                                                                                                                        |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Michie Street),<br>Campaspe Run,<br>Elmore Recreation Reserve | central and accessible location within the township on the east side of the Northern Highway.<br>Undertake an assessment process regarding the existing play spaces in these reserves (removal recommended provisionally due to the large number of play spaces located at close intervals in the township - see section 3.6).                                                                        | to retain the Michie Street playground in the interim and to investigate options for a new play space on the town side of the Northern Highway.  |
| Marong township                                               | Additional actions, as follows:<br>1. Provide two new Neighbourhood level play spaces within passive open space integrated with retarding basins proposed for location on Landry Lanes and the Wimmera Highway<br>2. Provide a new Neighbourhood level play space centrally within the section of Creekside reserve south of Salvarezza Road<br>3. Reflect also in update of Section 3.6 (Figure 23). | The Marong Township planning process has identified the play space requirements as described.                                                    |
| Bendigo Athletics Track                                       | Provide a new Neighbourhood level play space on the balance of this site, which is to be redeveloped, near Friswell Avenue.<br><br>Reflect also in update of Section 3.6 (Figure 23).                                                                                                                                                                                                                 | A more detailed assessment of the original recommended site (Friswell Avenue) highlighted significant constraints to the siting of a play space. |

- Inclusion of the Junortoun Precinct Plan (Part 4)

Engagement with community groups helped to identify an important gap in the Public Space Plan that has since been corrected – the omission of public space strategies for the Junortoun area. This occurred as a result of Junortoun and Strathfieldsaye areas

being combined within a single precinct. To rectify this situation, consultation and coordination with representatives of the Junortoun Community Action Group occurred over several months prior to Christmas and in the first quarter of 2019. This has resulted in a series of public space strategies being identified and included in Junortoun now being added as a 24<sup>th</sup> precinct to Part 4 – Precinct Plans.

*Progress in establishing governance for, and monitoring and evaluation of, implementation*

Since late 2018, the Active and Healthy Lifestyles team has led efforts to advance two key governance actions of the Public Space Plan – the identification of a Plan owner to oversee implementation, and the establishment of a Public Space Advisory Committee.

An internal Public Spaces Committee is being established to bring together executive management oversight and management representatives of several units of the organisation as a collective owner of the Public Space Plan and decision-making body regarding its implementation. The Committee will have a reporting role to the Public Space Advisory Committee, which will be formalised later in the year. Councillors will have the opportunity for input into the final structure of the Public Space Advisory Committee.

The ongoing monitoring of long term strategies such as the Public Space Plan is recognised to be critical, not only to the implementation of actions but also to evaluate the effectiveness of delivery, particularly in fulfilling the intent and objectives of the strategy. Criteria to guide decision-making about resourcing and budget allocation are needed, together with a monitoring and evaluation framework. These tools must be developed with reference to and consistent with the City's broader approach to implementation. The development of this framework is identified as an action in the Implementation Framework.

Priority/Importance:

High priority – the commencement of implementation of the Greater Bendigo Public Space Plan is a stated commitment of the current Community Plan.

Options/Alternatives:

In relation to the Implementation Framework, Council has the option of adopting the document or electing to endorse the document as an internal reference and working document.

In relation to the Greater Bendigo Public Space Plan, it is acknowledged that the updated version was not released for public comment. However, the substantive changes proposed are supported by targeted consultation (in the case of the Junortoun precinct Plan) and the public process associated with other strategic work such as Walk, Cycle Greater Bendigo and the Marong Township Structure Plan.

Council has the option of readopting the Public Space Plan as presented, or with any changes or clarifications that it determines are required. The option is also available not to readopt the Public Space Plan.



### Timelines:

The project was originally completed in time for Council to meet its Community Plan commitment of the 2018/19 financial year. The adoption of the Implementation Framework will ensure Council fulfils its commitment to commence implementation of the Public Space Plan in 2018/19.

### Risk Analysis:

A long term strategic plan such as this sets out a broad range of objectives, strategies and associated actions that together represent a commitment to deliver change over an extended period of time. This commitment carries expectations of what may or may not be delivered, of potentially differing delivery priorities and of certain delivery timeframes. The limited resources of the City of Greater Bendigo, even with the support from Government, other organisations and the community, means that only so much can be accomplished within a given period.

The Implementation Framework provides some guidance in response to this by assigning priority for actions with corresponding timeframes which are clearly stated to be indicative and potentially subject to change.

## **Consultation/Communication**

### Internal Consultation:

Joint review meetings were held involving various key units of the City of Greater Bendigo with a role and responsibility in relation to public space, as follows:

- Active and Healthy Lifestyles
- Engineering
- Financial Strategy
- Tourism and Major Events
- Parks and Open Space, including Public Space Design
- Property Services
- Project Management Office
- Regional Sustainable Development
- Safe and Healthy Communities
- Statutory Planning

A number of meetings with individuals were also held in relation to particular matters.

### External Consultation:

Community meetings were held with a number of community groups including Advance Heathcote Inc, Bendigo Northern District Community Enterprise, Elmore Progress Association, Junortoun Community Action Group, Maiden Gully Progress Association, Marong Community Action Group, Redesdale and District Association and the Strathfieldsaye Community Enterprise.

Additional meetings and correspondence with Junortoun Community Action Group representatives to develop the content of the Junortoun Precinct Plan.

Advice regarding the Implementation Framework has been received from Coliban Water, the Country Fire Authority, the North Central Catchment Management Authority and Parks Victoria.

### **Resource Implications**

Resourcing requirements arising from the Greater Bendigo Public Space Plan will be significant over an extended period of time that should be framed in decades.

The Implementation Framework includes for all relevant actions a very high level indication of costs according to a comparative scale (i.e. low cost through to significant cost). The City will be the responsible authority for the implementation of the majority of actions identified in the Public Space Plan with the support of other agencies and organisations.

Budget Allocation in the Current Financial Year: Nil

Previous Council Support: \$54,000 over three financial years

External Funding Sources: Nil

Projected costs for future financial years: Refer to Implementation Framework for high level guide only

Any ongoing recurrent expenditure required: Subject to future budget bids or external funding.

### **Attachments**

1. Greater Bendigo Public Space Plan Implementation Framework, May 2019
2. Greater Bendigo Public Space Plan, May 2019 - parts 1-3
3. Greater Bendigo Public Space Plan, May 2019 - parts 4-5

### 3.5 DRAFT INDUSTRIAL LAND DEVELOPMENT STRATEGY

#### Document Information

**Author** Bridget Maplestone, Coordinator Growth and Liveability

**Responsible Director** Bernie O'Sullivan, Director Strategy and Growth

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#### Purpose

The purpose of this report is to seek Council endorsement to consult with the community, industry and stakeholders on the draft Greater Bendigo Industrial Land Development Strategy (GBILDS).

#### Summary

The draft GBILDS provides a framework around the delivery of appropriately located industrial land to meet the growing and changing needs of industry over the next 30 years. The recommendations in the draft GBILDS seek to minimise land use conflicts, improve amenity and sustainability outcomes within existing and new industrial estates, and provide greater certainty for industry and the community around future industrial land.

While the draft GBILDS builds on the substantial amount of work undertaken over the past 17 years to deliver more industrial land to meet the needs of industry, there have been some significant changes which have occurred over this time. Since the original Industrial Land Strategy was prepared in 2002, there have been significant changes in technology, skills, training, occupations, energy, waste management, freight and logistics and the economy. Therefore it was important to prepare an updated strategy which takes all of the above into consideration.

Providing employment opportunities in line with population growth will be essential to the success of Greater Bendigo and the region. It is forecast that there will be over 3,300 more jobs in industry to 2036. However, without a clear pipeline for industrial land to meet growing employment there is the potential that Greater Bendigo will forego up to 1,081 jobs over this period.

It is forecast that around 170ha of industrial land will be needed to 2036. While there is approximately 120ha of 'available' vacant land at the moment, much of this is close to residential development, in smaller lots, heavily vegetated, inadequately serviced or not for sale. There is a particular deficiency of lots between one and five hectares. Even if all of the sites this size were able to be developed then supply is forecast to be fully exhausted by 2027 at the latest.

All of this goes to illustrate the importance of delivering and implementing a new GBILDS. It is proposed to consult on the draft GBILDS for a period of six weeks, seeking feedback on a series of targeted questions within the strategy.

## **RECOMMENDATION**

That Council resolve to:

1. Endorse the Draft GBILDS and GBILDS Draft Background Report for community consultation.
2. Receive a further report outlining the outcomes of consultation on the Draft GBILDS.

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Policy Context

Council Plan Reference:

A new Industrial Land Development Strategy will implement Goal 3 within the Community Plan of Strengthening the Economy.

This includes:

- Objective 3.1 – support our local businesses and industry to be strong, vibrant and to grow and develop.
- Objective 3.3 – ensure Greater Bendigo is a welcoming place for new businesses and industries and supports creativity and innovation and visitor attraction.

Regional Strategic Plan Reference:

The Loddon Mallee South Regional Growth Plan identifies that Greater Bendigo has driven much of the economic growth in the region and manufacturing is the largest industry in terms of economic output.

The Regional Growth Plan identifies the need for adequate industrial zoned land to attract and retain industry in the region.

Background Information

For the past 17 years, the City has identified a need for future industrial land to meet the growing needs of industry.

As far back as 2006 a report prepared by Connell Wagner and SGS Planning and Economics Pty Ltd, the *Bendigo Future Industrial Land Strategy* identified a need for an additional 270 hectares of industrial land to 2031, with 2-3 times the amount of land required to provide necessary infrastructure, support services, waste treatment and site buffers.

The second stage of the Bendigo Future Industrial Land Strategy identified the Marong West site as the preferred site for a business park.

While the Panel supported the application of the Comprehensive Development Zone, it did not support the application of the Public Acquisition Overlay. It also did not support the use of the Environmental Significance Overlay for the purpose of a buffer.

In the end, despite further work to justify the need for the Public Acquisition Overlay to the site, the Minister for Planning approved the Comprehensive Development Zone (which was subsequently gazetted on 31 August 2017), but not the Public Acquisition Overlay. While the land in Marong West is now zoned to enable the development of a business park, Council is unable to purchase the site to facilitate this development.

The absence of a business park does not diminish the need for industrial land and there is a very real possibility that without it businesses may start to choose alternative locations.

While there is a clear need for industrial land, given the time which has elapsed since the preparation of the original *Bendigo Industrial Land Strategy in 2002*, it was timely prepare a new GBILDS to ensure that Greater Bendigo is well placed to prepare to meet the needs of not only current but future industry.

In February 2019, the City released an Industrial Land Needs and Gaps Analysis report which provides a detailed overview of the current and future needs in relation to industrial land. This document was informed by a Strategy Economic Insights report prepared by REMPLAN (economic consultants).

Since this time, City Officers have been working on preparing the draft GBILDS and progressing work around locational attributes for future industrial land.

Previous Council Decision(s) Date(s):

At the Ordinary Meeting on 18 April 2018, Council resolved to Adopt Part 2 of Greater Bendigo Planning Scheme Amendment C161 (to apply the Public Acquisition Overlay to the Marong Business Park) and to forward the adopted amendment to the Minister for Planning for Approval.

Report

Greater Bendigo has 967.7ha of zoned Industrial Land. Of this 620.15ha (64%) is Industrial 1 Zoned (more suitable for heavier industry) and 347.55ha (36%) is Industrial 3 (lighter industry). Of this land 656.7ha is identified as developed, 191.1ha is considered not developable in its current state (highly contaminated, vegetated or with servicing limitations).

This leaves 119.9ha of vacant 'available' industrial land. Much of this is in smaller lots and much of it has other limitations including being close to residential development, flood prone, vegetated or not for sale.

It is becoming increasingly difficult to find suitable locations for businesses looking for land, particularly those looking for sites of over one hectare. If all of these sites are able to be developed (which is not realistic) then this supply is expected to be fully exhausted by 2027.

With Greater Bendigo being an employment hub for the region and with the majority of industry jobs located in Greater Bendigo a lack of available land has the potential to have regional implications.

There are forecast to be more than 3,300 additional jobs in industry to 2036. However, without a pipeline of available industrial land, based on one quarter of all existing lots being effectively uncommercial, it is estimated that Greater Bendigo could forego up to 1,081 jobs to 2036 commencing as early as 2025.

Therefore it is important that Greater Bendigo plans for future industrial land to meet the growing needs of business to both attract but also to retain industry.

The last Industrial Land Development Strategy was prepared in 2002. Much has changed in regards to industry over the past 17 years. This includes changing employment, technology, freight growth and greater sustainability goals. Therefore while it is important to recognise that there has been a substantial amount of work undertaken in recent years to progress a business park, it was important to reset and update this work to ensure we are well placed to meet the needs of future industry.

This forms the basis for the draft GBILDS which provides a strong strategic basis to plan for a pipeline of future industrial land. In addition to this, it also considers the existing 21 industrial precincts that are located across Greater Bendigo, providing recommendations around the future direction of these precincts.

Priority/Importance:

Progressing this project is of a high importance to provide greater certainty for businesses in Greater Bendigo and the region.

Options/Alternatives:

There are no options considered as part of this report.

Timelines:

This project commenced in October 2018.

A public forum and two stakeholder forums were held in December 2018.

An Industrial Land Needs and Gaps Analysis was prepared by City officers and a Regional Economic Insights Report prepared by REMPLAN were made publically available in February 2019.

Risk Analysis:

There are risks in not progressing the draft GBILDS. These risks include project delays, negative industry and community perceptions, as well as potentially not articulating a strong strategic basis for the need for more land. Other impacts which could eventuate are job and business losses without a certainty around the delivery of industrial land.

Consultation/Communication

Internal Consultation:

A monthly Project Control Group and a Project Working Group have been established to guide the development and implementation of the GBILDS.

These internal groups include representation from a number of units within the City including Regional Sustainable Development, Statutory Planning, Finance, Engineering, Governance and Communications.

External Consultation:

Preliminary community and stakeholder engagement has included three forums (community, industry, and agency), as well as a business survey.

Community questions included the amenity impacts of industry and the need for industrial land.

The industry and stakeholders forum provided direction around what needs to be considered for any future industrial land including locational attributes. They also considered a 20 year vision for industry in Greater Bendigo.

The Victorian Planning Authority (VPA) is partnering with the City on this project and therefore they have been regularly engaged across the life of the project. In addition, there has been regular engagement with a number of other relevant agencies.

Consultation on the draft GBILDS will take place from Thursday, 20 June until Friday 2 August 2019. It will include the preparation of a summary brochure with a mail out to all industrial landowners and tenants. In addition, there will be website updates, drop in sessions and advertisements in the local papers. Agencies will also be directly contacted over this period and invited to provide feedback.

Resource Implications

Budget Allocation in the Current Financial Year:

There was \$250,000 allocated in the current financial year for this project.

Previous Council Support:

While not for this particular project, there was financial support in previous years to progress the Marong Business Park.

External Funding Sources:

The Victorian Planning Authority has contributed \$110,000 towards the delivery of the GBILDS.

Projected costs for future financial years:

There are minimal future costs towards the finalisation of the GBILDS in future years and these can be borne within the Regional Sustainable Development operational budget.

There will be financial implications in future years in order to deliver a business park/s. In the short term this is likely to consist of costs towards background studies to inform the preparation of a Planning Scheme Amendment.

Attachments

Nil

4. WELLBEING AND FAIRNESS

4.1 POSITIVE AGEING ADVISORY COMMITTEE MEMBER APPOINTMENTS

Document Information

Author Chris Kelly, Manager Community Wellbeing

Responsible Director Vicky Mason, Director Health and Wellbeing

Purpose

For Council to consider the recommended member appointments for the ten vacant positions on the Positive Ageing Advisory Committee.

Summary

The Positive Ageing Advisory Committee (PAAC) comprises up to 14 community representatives appointed by Council resolution, and a further three Council representatives.

On 30 April 2019, 10 committee member positions became vacant.. The City ran a public expression of interest process and has since undertaken an evaluation of the applicants. This report seeks the endorsement of the 10 recommended community members.

RECOMMENDATION

That Council:

1. Thank all community members for their application to join the Positive Ageing Advisory Committee.
 2. Appoint to the Positive Ageing Advisory Committee for a four year term: Marilyn Tangey, Robyn Tickner, Ian Burdett, David McRae, Jennifer Jones, Angela Lorrigan, Geraldine Stills and Di O'Neil.
 3. Appoint to the Positive Ageing Advisory Committee for a two year term: Ruth Hosking and Neil Drummond.
- ~~~~~

Policy Context

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

Goal 2**Wellbeing and Fairness*****Objective 2.4***

Support participation and development for residents of all ages and abilities.

Objective 2.4.3

Support positive ageing.

Background Information

The PAAC advocate for and provide feedback and advice on behalf of Greater Bendigo's older adults on matters related to positive ageing.

The Committee's objectives are:

- To integrate the needs and interests of older adults into relevant City plans, projects and initiatives.
- To increase opportunities for Greater Bendigo's older adults to participate in and contribute to activities across the Greater Bendigo community.
- Advocate for the improvement of physical and mental wellbeing of Greater Bendigo's older adults.

The PAAC elected to stagger membership expiry terms to ensure continuity is maintained. As a result of this decision, a number of committee positions become vacant every two years. The City facilitates the expression of interest process and makes a recommendation to Council on the appointments.

Previous Council Decision(s) Date(s):

February 2017 – Council appointed five members for a two-year term and five members for a four-year term.

Report

The Terms of Reference for the Positive Ageing Advisory Committee state:

The Committee shall not exceed 17 representatives and be appointed by Council resolution following an expression of interest process. Committee members should be aged 50 or above.

Composition of the Committee shall be at least:

- *14 community member that represent the diversity of older adult's interests, backgrounds, cultures, ages and experiences in Greater Bendigo*
- *City of Greater Bendigo Councillors who shall chair meetings*
- *Officers of the City of Greater Bendigo as deemed relevant;*

Committee members have a staggered membership term. Committee members will be appointed for a two or four year term. Committee members may renominate through expression of interest for a further term.

In April the term of five sitting community members expired and two members have opted not to complete their full term. In addition, a further three positions have remained vacant since 2017. In 2019, a total of 10 community member positions are available for appointment. Four current committee members will continue for another two years before their term will expire.

Councillor Representatives are George Flack and Malcolm Pethybridge and the officer representative is Chris Kelly, Manager Community Wellbeing.

The City ran a public expression of interest process for available positions in April and May 2019. The expression of interest was advertised on the City's social media accounts, in local newspapers, on the City's website and via a direct email to the PAAC distribution list.

Twenty-four expressions of interest were received including one from a member whose term had recently expired. City Officers undertook an evaluation of suitability of the applicants and make the recommendations of appointment to Council following consultation with Councillor Flack and Councillor Pethybridge.

The evaluation process considered the applicants responses to the following questions:

- Why would you like to join the Positive Ageing Advisory Committee?
- Please explain your ability to represent the views and needs of older adults within Greater Bendigo?
- List any organisations or groups that support older adults that you have been and/or are currently involved in?

Fourteen applicants were shortlisted for interview for the vacant roles.

Evaluation of the interviews, considered the applicants responses to the following questions:

- What is your experience with positive ageing?
- How do you ensure you have collaborative working relationships with others?
- What opportunities would you have to share the information you learn at the PAAC meeting with the committee groups you are involved with?
- How will you ensure you represent the views of the community and not just personal views?
- Are there particular areas of Council's work with older adults that you would like to have more information about?

The following applicants are recommended for appointment for a four year term:

- Di O'Neil
- David McRae
- Ian Burdett
- Robyn Tickner
- Marilyn Tangey
- Geraldine Stills
- Angela Lorrigan
- Jennifer Jones

The following applicants are recommended for appointment for a two year term:

- Neil Drummond
- Ruth Hosking

Resource Implications

Nil

Attachments

Attachment 1: (CONFIDENTIAL) Recommended list of Positive Ageing Advisory Committee members.

Attachment 2: Current list of Positive Ageing Advisory Committee members.

ATTACHMENT 2: Positive Ageing Advisory Committee membership

Name	Member type	Term	Term expiry
Bob Hoskins	Community Representative/ Committee Representative	4 year term	April 2021
Jennifer Sheedy	Community Representative/ Committee Representative	4 year term	April 2021
Anne Fahey	Community Representative/ Committee Representative	4 year term	April 2021
Dianne Christiansen	BDAC Representative/ Committee Representative	4 year term	April 2021

4.2 INTERNATIONAL DELEGATION - MAYOR

Document Information

Author Steven Abbott, Manager Community Partnerships

Responsible Director Vicky Mason, Health and Wellbeing

Purpose

To seek Council support for the Mayor, Cr Margaret O'Rourke's international trip to Timor Leste as part of Team 57 Bendigo Maubisse Friendship Committee.

Summary

The Bendigo Maubisse Friendship Committee (BMFC) is a Special Committee of Council under Section 86 of the Local Government Act 1989. The BMFC works on a community-to-community level to support the people of Maubisse. Maubisse is located in the central highlands of Timor Leste, 73 kilometres south of the capital Dili.

The BMFC contributes to improving standards of living, community development, and broader health and wellbeing programs in the Maubisse community. The committee has undertaken a range of projects including arts programs, education scholarships, school and community buildings and other community projects.

A critical part of strategic planning and determining the priorities of BMFC is the annual Friendship Consultation and Review held in Maubisse. This forum is attended by key people such as local community, sub-district officials, community leaders and members of BMFC, including the Mayor of City of Greater Bendigo.

This year, the annual Friendship Consultation and Review is occurring on 10-11 July and coincides with a major local religious festival. The delegation will include a full community consultation process to determine the priorities of the local people. Involvement of the Mayor as the Chair of BMFC is considered important to a meaningful engagement process.

This delegation will be the 57th team of BMFC to travel to Maubisse and with delegates paying their own expenses (approximately \$2,000 per person), represents a significant and sustained contribution from volunteers of Greater Bendigo.

RECOMMENDATION

That Council endorse the Mayor, Cr Margaret O'Rourke's international trip to Timor Leste as part of Team 57 Bendigo Maubisse Friendship Committee, to strengthen the relationships, evaluate recent projects and partner with the community to establish future strategic priorities.

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## **Background Information**

The City of Greater Bendigo's relationship with Timor Leste first commenced in late 2006 when it established the BMFC. The BMFC works on a community to community basis to undertake a range of projects to assist the people of Maubisse in the District of Ainaro in Timor Leste.

The BMFC functions as a Special Committee of Council under Section 86 of the Local Government Act 1989. The Local Government Act provides for a Council to delegate some of its functions, duties or powers to Special Committees and BMFC operates under an Instrument of Delegation which was reviewed in early 2017.

These Committees are, in essence an extension of Council. They are subject to the same stringent governance and administrative requirements as Council and therefore compliance is important. Current and former Mayors and Councillors have had a strong involvement with these committees, and have been a part of visiting delegations and formal members of BMFC.

The BMFC conducts monthly meetings, chaired by the Mayor Cr Margaret O'Rourke as the Councillor Representative. The meetings are open to the public and are held on the first Friday of every month at the City of Greater Bendigo office located at 195 Lyttleton Terrace, Bendigo.

The BMFC also produces a regular newsletter that is disseminated electronically and maintains an active webpage on the City of Greater Bendigo website.

## 5. STRENGTHENING THE ECONOMY

### 5.1 BENDIGO ART GALLERY MANAGEMENT AGREEMENT

#### Document Information

**Author** Gaye Harrington, Acting Director, Bendigo Art Gallery

**Responsible Director** Bernie O'Sullivan, Strategy and Growth

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#### Purpose

To review the Management Agreement between Bendigo Art Gallery and City of Greater Bendigo, before it is re-signed by both parties.

#### **RECOMMENDATION**

That Council resolve to endorse the agreement for a further five year period and authorise the Chief Executive Officer to sign the agreement.

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Policy Context

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

Goal 2: Wellbeing and fairness

Objective 2.2 Promote positive wellbeing across the Greater Bendigo community

Action 2.2.1 Prioritise efforts to promote physical and mental wellbeing

Goal 3 Strengthening the economy

Objective 3.3 Ensure Greater Bendigo is a welcoming place for new businesses and industries and supports creativity and innovation and visitor attraction.

Goal 6 Embracing our culture and heritage

Action 6.3.2 Build on the success of attractions and profile of the Bendigo Art Gallery.

Report

In 1995 the Board of the Bendigo Art Gallery signed an agreement with the City of Greater Bendigo, whereby the Gallery transferred the ownership of the Gallery, the works of art and all equipment to the City.

In 2005 an audit of the agreement was undertaken by the City which resulted in an updated agreement signed by both parties on 19 July 2010. The intention was for the updated agreement to be reviewed at the end of each five year period, with the first review due on 19 July 2015. Due to the ongoing success of the partnership, the Agreement was not formally reviewed at the time.

The original intent of the document has not changed and the Bendigo Art Gallery is not seeking to alter the terms of the current Agreement as they remain relevant and appropriate. The relationship between both parties remains strong and the Agreement is mutually beneficial. The recommendation is to change the dates on the Agreement and review it in a further five years from signing.

The success of the partnership between the Bendigo Art Gallery and the City of Greater Bendigo, which is underpinned by the Agreement is clearly evident. Over the last 15 years the Gallery has developed a celebrated standard of excellence and reputation which is recognised across Australia and internationally. The 132 year old gallery is now one of the largest and most progressive in regional Australia and features a collection spanning the 19th, 20th and early 21st centuries.

With the generous support of the Bendigo Art Gallery Board, the Gallery has established a global reputation for hosting major exhibitions featuring a range of works from leading museums, galleries and reputable private collections.

Alongside these exhibitions, the Gallery has had a contemporary focus, showcasing the works of Australian artists. In addition, each year the Gallery alternates the Arthur Guy Painting Prize and the Paul Guest Drawing Prize.

The Gallery's collection is now valued at \$70M. In the past 20 years the Gallery has undergone three renovations, the latest being an \$8.5M contemporary wing offering twice the exhibition space and more scope for large exhibitions and storage of the growing collection.

Resource Implications

Nil.

Attachments

1. Revised Management Agreement.

GREATER BENDIGO CITY COUNCIL

and

BENDIGO ART GALLERY
ACN 005 760 430

MANAGEMENT AGREEMENT

May 2019

1

THIS AGREEMENT is made this 13th day of May 2019

BETWEEN:

GREATER BENDIGO CITY COUNCIL of Lyttleton Terrace, Bendigo in the State of Victoria
("Council")

and

BENDIGO ART GALLERY ACN 005 760 430 of 42 View Street, Bendigo in the State of Victoria
("Company")

BACKGROUND:

- A The Company originally owned and operated the public regional art gallery situated at 32 and 42 View Street, Bendigo, including all buildings, paintings, prints, sculpture, decorative arts, artefacts and other art objects ("the Gallery").
- B By an Agreement entered into on the 3rd October 1995 the Company transferred ownership and operation of the Gallery to the Council.
- C The Council employs all staff at the Gallery and is responsible for their coordination, instruction and resources. The Council is also responsible for the coordination and instruction of volunteers at the Gallery known as *The Friends of the Gallery* and *Gallery Guides*.
- D The Company undertakes the acquisition of artworks for the art gallery collection including purchases, donations and bequests and provides advice to Council with respect to the planning and conduct of art exhibitions. All artworks acquired by the Company are transferred to the ownership and care of the Council at the point of purchase.
- E The Council and the Company have agreed to enter into an updated agreement that formalises its working relationship and which will replace the Agreement made between the two parties dated 19 July 2010.

OPERATIVE PROVISIONS:

- 1 The Agreement dated 19 July 2010 is revoked.
- 2 The functions of the Company are:-
 - (a) the acquisition of paintings, prints, sculpture, decorative arts, artefacts and other art objects from its resources for the purpose of display and preservation in the Gallery, and the de-accessioning of any such works;
 - (b) the formation of policy in respect of art collection strategy, acquisitions and conservation at the Gallery;
 - (c) to provide the Council with advice on art related matters including the acquisition, de-accession, conservation, care, loan and maintenance of works of art, and the provision of advice to Council with respect to the planning and conduct of art exhibitions;

- (d) the recommendation of a capital works program for the Gallery and the provision of advice on the layout of any proposed building extensions or modifications;
- (e) to provide advice to the Gallery Director's annual budget submission to Council. The Company will also be provided with an opportunity to present any budget issues to the Council;
- (f) the arrangements for publicity and promotion of the Gallery and its activities in conjunction with the Council;
- (g) the preparation and publication of special catalogues and guidebooks and other special material in conjunction with the Council;
- (h) the dealing with and use of all existing assets being money, shares, accounts and the like which remain the property of the Company;
- (i) to advise the Council through the Gallery Director of all paintings, prints, sculpture, decorative arts, artefacts and other art objects acquired by it and subsequently transferred to the ownership and care of the Council and accounted for on Council's Art Gallery Register;
- (j) to prepare and publish annual financial statements which have been audited independently of the Council; and
- (k) to promote the use and encouragement of volunteers at the Gallery, known as the *Friends of the Gallery* and *Gallery Guides*.

3 The Council agrees as follows:–

- (a) to act in the best interests of the Gallery and in the furtherance of its public purpose;
- (b) to deal reasonably with the annual budget of the Gallery consistent with the current expenditure of the Gallery so that its purpose can be effectively and properly furthered;
- (c) to reasonably fund the operations of the Gallery (including employment of staff and coordination of volunteers) in accordance with Council's Service Plan for the Gallery, taking into account that reducing the real value of Council's support for the Gallery will not be undertaken without prior consultation with the Company;
- (d) to collect income from commercial activities, including the shop sales, sale of catalogues, rental from café operations etc and income from external functions all of which will be included in the revenue budget for the Gallery Service Unit as part of the Council's overall budget, thereby providing direct participation and income;
- (e) to cause an approved annual capital works program for the Gallery to be implemented with reasonable expedition;
- (f) prior to the formulation of concept drawings for any proposed major building extension(s) and/or refurbishment(s), to form an advisory group comprising three Council representatives (one being the Chairperson) and two independent members of the Company Board.

- (g) not to sell or dispose of the Gallery property or encumber the Gallery property by way of lien, lease, mortgage, by lodging the Gallery property as security, or in any other way whatsoever. Gallery property has the same meaning as defined in clause A;
 - (h) not to transfer the Gallery property to any other entity or person other than the Company without the company's consent. Gallery property has the same meaning as defined in clause A;
 - (i) to arrange for the publicity and promotion of the gallery in conjunction with the Company;
 - (j) to appropriately insure all items transferred to it by the Company as specified in clause 2(i);
 - (k) that the Council, through the Gallery Director, will consult with the Company before entering into, the renewal of, or amendment to, any commercial lease in respect to the Gallery premises;
 - (l) to arrange professional indemnity insurance for officers and directors of the Company; and
 - (m) the Company will be the advisory committee to Council on matters concerning the visual arts at the Gallery and its View Street Arts Precinct surrounds for the duration of this Agreement.
- 4 It is acknowledged by both parties that the Constitution of the Company provides by clause 27 that one member of its Board will be a person nominated by the Council.
- 5 The de-accessioning of any art works will be the responsibility of the Company. Upon the de-accessioning of an art work the Council will do all things necessary to facilitate the disposal and transfer of ownership of the same to the purchaser and the proceeds of the sale will be transferred to the Company and paid into its funds for purpose of acquiring further art works for the Gallery collection in accordance with the Company's Acquisition and Collection Strategy Policies.
- 6 This Agreement may be varied with the mutual consent of the parties.
- 7 This Agreement will be reviewed by both parties at the end of each five year period, i.e. by 27 May 2024.

EXECUTED BY THE PARTIES

SIGNED for and on behalf of
GREATER BENDIGO CITY COUNCIL

.....
Craig Niemann
CHIEF EXECUTIVE OFFICER

SIGNED for and on behalf of
BENDIGO ART GALLERY
ACN 005 760 430

.....
[name]
DIRECTOR

.....
[name]
DIRECTOR

6. ENVIRONMENTAL SUSTAINABILITY

6.1 SUSTAINABILITY AND ENVIRONMENT ADVISORY COMMITTEE APPOINTMENTS

Document Information

Author **Anthony Sheean, Senior Environment Officer**

Responsible Director **Bernie O'Sullivan, Director Strategy and Growth**

Purpose

This report recommends the appointment of new members to the Sustainability and Environment Advisory Committee and the adoption of the committee's terms of reference, for the next four years.

Summary

Council appoints the Sustainability and Environment Advisory Committee (SEAC) for a four year term. The current committee term ended in April 2019. Membership consists of a mix of community members, relevant community organisations and government agencies. Following a public expression of interest and interview process, a recommended list of new committee members has been compiled.

The Sustainability and Environment Advisory Committee is a high level strategically focused advisory group. The purpose of the Committee is to provide the best possible advice to Council on matters concerning the natural environment and environmental sustainability.

The Committee's key functions are:

- Providing advice to Council on the development and implementation of relevant Council policies, strategies and action plans;
- Providing advice to Council on relevant current and emerging issues and providing guidance on research and investigation needs;
- Considering and recommending options for future strategic work that will enhance and improve organisational and community environmental sustainability;
- Participating in relevant community forums and events for the purpose of seeking feedback from the community on issues relevant to environmental sustainability;
- Identifying relevant funding opportunities.

As part of the review and recruitment process the committee's terms of reference have been reviewed and updated as required, this includes a review by the City's Governance Unit. The draft terms of reference are attached to this report.

RECOMMENDATION

That Council resolve to:

1. Appoint the community, organisational and agency members recommended in this report to the Sustainability and Environment Advisory Committee for a four year term.
2. Adopt the Sustainability and Environment Advisory Committee's draft terms of reference, April 2019.

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## **Policy Context**

### Council Plan Reference:

Goal 1 – Lead and govern for all

*Effective community engagement will guide well-informed decision-making and financially responsible resource allocations, which are transparent and accountable.*

Goal 5 – Environmental sustainability

*Protect and enhance our environment, conserve our resources and increase resilience to a changing climate.*

### Greater Bendigo Environment Strategy 2016 - 2021

Strategy Reference (<http://www.bendigo.vic.gov.au/media/582>):

Culture and communities

*Ensure the City can maintain dialogue with community about environmental and sustainability matters, including the Sustainability Environment Advisory Committee.*

## **Background Information**

This report has been prepared as part of a formal process to appoint a new Sustainability and Environment Advisory Committee and adopt the committee's terms of reference. This process is undertaken every four years and involves an expression of interest process, shortlisting and interviews followed by recommended appointments being approved by Council. Expressions of interest were open to the community, groups and organisations and relevant government agencies.

The process is conducted by a panel of three which includes the committee chairperson, executive officer and coordinator of Innovation and Transformation.

To ensure a balanced and comprehensive base for advice, the Committee should collectively have a diversity of relevant expertise and experience. Ideally there should be a balanced representation of genders and Indigenous representation.

Membership of the Committee shall comprise:

- Three (3) elected member of Council, from which the Chairperson and Deputy Chairperson shall be selected;

- One (1) representative of the Department of Environment, Land, Water and Planning;
- One (1) representative of the North Central Catchment Management Authority;
- One (1) representative from each of the Registered Aboriginal Parties for City of Greater Bendigo;
- One (1) City of Greater Bendigo representative at a Director or Manager level from the Strategy and Growth Directorate and relevant City of Greater Bendigo environmental sustainability officers. An officer from the Regional Sustainable Development Unit shall be appointed as the Executive Officer to the Committee;
- Up to nine (9) representatives drawn from the community who have expertise, skills, qualifications, experience and passion for Greater Bendigo's environment and sustainability matters. Membership may include, but is not limited to, representatives or individual nominations from these following organisations:
  - Renew (formally Australian Technology Association);
  - Bendigo Sustainability Group;
  - Bendigo Regional Food Alliance;
  - La Trobe University, Bendigo;
  - Trust for Nature (Victoria);
  - Bendigo Field Naturalists Club;
  - Central Victorian Greenhouse Alliance;
  - Parks Victoria;
  - Loddon Mallee Waste and Resource Recovery Group;
  - Bendigo and District Aboriginal Co-operative;
  - Landcare Groups
  - Bendigo Tafe
  - Bendigo Youth Council
  - Sustainability Victoria

## Report

The final Sustainability and Environment Advisory Committee meeting was held on Tuesday, 2 April 2019. In accordance with Council process and the committee's terms of reference, an expression of interest, shortlisting and interview process was conducted during April and May 2019.

The process was overseen by a panel of three consisting of the Chairperson/Deputy Chairperson, the committee executive officer and coordinator of Innovation and Transformation. In selecting potential committee members the panel endeavours to achieve, as much as possible, a balanced and comprehensive base for advice across all areas of environmental sustainability issues.

A total of 27 expressions of interest were received and 13 candidates were interviewed for the nine recommended positions available. The recommended candidates represent a diverse range of skills, experience and interests. They also provide a balanced gender mix and introduce, for the first time, a youth voice on the committee.

The Department of Environment, Land, Water and Planning and the North Central Catchment Management Authority each nominated ongoing representatives.



The Dja Dja Wurrung Clans Aboriginal Corporation is yet to confirm a representative. The Taungurung Clans Aboriginal Corporation has expressed interest in membership and discussions are taking place to determine suitable representation arrangements. As these are allocated positions they can to be managed outside this process.

The committee terms of reference have been reviewed by the committee and the City's Governance Unit. Updates to the introduction section and changes to better clarify the committee's purpose and membership were included. Improved alignment with other City advisory committees' terms of reference was also undertaken and appropriate changes made.

The recommended committee membership is:

- Allocated position, Department of Environment, Land, Water and Planning  
– *Geoffrey Caine*
- Allocated position, North Central Catchment Management Authority  
– *James Shaddick*
- Nine community, groups or organisations:
  1. *Trevor Smith* (Bendigo Sustainability Group)
  2. *Lisa Gormley*
  3. *Malcolm Brown*
  4. *Colin Smith*
  5. *Lillian Maher*
  6. *Alistair Stewart* (La Trobe University)
  7. *Karin Harding*
  8. *Alyssa Lai* (Bendigo Youth Council)
  9. *Peter Foster* (Parks Victoria)

The current Councillor representation remains unchanged. Members are:

- Chairperson, Cr Jennifer Alden
- Cr Margaret O'Rourke
- Cr Andrea Metcalf

#### Timelines:

The first meeting of the new committee is scheduled for Tuesday, 6 August 2019.

### **Consultation/Communication**

#### Internal Consultation:

The committee renewal process is specified in the committee's terms of reference. An internal review of the terms of reference was undertaken and included committee input. Advice and guidance from the City's Governance Unit was also sought. Alignment with other City advisory committees' terms of reference was undertaken and appropriate changes incorporated.

**External Consultation:**

A four week public advertising period was undertaken in April 2019. This included advertising in local media, media releases and City promotion via the website and City newsletters. Invitation letters were also sent to relevant organisations and clubs.

This resulted in a total of 27 expressions of interest for the nine available positions.

**Resource Implications**

The committee is supported by the Regional Sustainable Development Unit. There are no resource implications associated with the ongoing operation of this committee other than administration and ongoing committee support.

**Attachments**

1. Draft Environment and Sustainability Advisory Committee Terms of Reference, April 2019



## **Sustainability & Environment Advisory Committee**

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# **TERMS OF REFERENCE**

**April 2019**

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**Adopted by the Greater Bendigo City Council – month/date/year**

|

## 1. Introduction

Greater Bendigo is a major municipality of northern Victoria. It includes the State's third largest city, Bendigo, rural areas, and hinterland towns of Axedale, Elmore, Heathcote, Marong and Redesdale. Extensive natural areas, including Box-Ironbark forests, are set aside in national and regional parks, crown land reserves, and state forests, as well as occurring on private land.

Aboriginal clans occupied the forests and plains of the area, before the arrival of pastoralists in the later 1830s and 1840s and still maintain a connection to this country. The discovery of gold in the municipal area in the early 1850s generated an extraordinary period of development; it brought diggers and settlers to Greater Bendigo, who established a rich and culturally diverse society. The expansion and influence of gold mining also impacted on the development of industry, manufacturing and commerce. The municipal landscape of today reflects all these layers of history and culture, in the spatial layout of urban areas, agricultural land, and natural environments.

Greater Bendigo, like other places around the world, are confronted by a number of environmental and sustainability challenges including climate change, loss of biological diversity, energy policy, water scarcity and depletion of natural resources.

In 2016 Council adopted the Greater Bendigo Environment Strategy. The Strategy twenty year vision is - *greater Bendigo communities who are connected to healthy regional landscapes, working together to prosper equitably within the capacity of the earth's resources.*

The Strategy uses BioRegional Australia's One Planet Living Framework. The actions within the Strategy were chosen after discussing ideas proposed by people from community, business, government agencies, City staff and within council itself. The Sustainable Environment Advisory Committee (SEAC) acted as a reference group during the development of the strategy.

The City has joined the One Planet Living program and is working on formal accreditation.

The Greater Bendigo City Council ('Council') has established the Sustainability and Environment Advisory Committee to advise it on policy and strategic planning matters, to assist with community engagement and high level oversight of the implementation of relevant policy, strategy and action plans.

## 2. Terminology

The term 'environment' refers to the natural environment and includes land, water, atmosphere, vegetation and wildlife. The term 'sustainability' refers to the sustainable management of natural resources and includes the built environment, climate change, energy and waste management.

## 3. Purpose

The Sustainability and Environment Advisory Committee is a high level strategically focused advisory group. The purpose of the Committee is to provide the best possible

advice to Council on matters concerning the natural environment and environmental sustainability. The Committee will support Council and CoGB in the development of relevant strategy, policy and action plans and assist with community engagement and discussion around these issues.

The Committee will achieve this by:

- 3.1 Providing advice to Council on the development and implementation of relevant Council policies, strategies and action plans;
- 3.2 Providing advice to Council on relevant current and emerging issues and providing guidance on research and investigation needs;
- 3.3 Considering and recommending options for future strategic work that will enhance and improve organisational and community environmental sustainability;
- 3.4 Participating in relevant community forums and events for the purpose of seeking feedback from the community on issues relevant to environmental sustainability;
- 3.6 Identifying relevant funding opportunities.

Council will take the advice of the Committee into consideration as part of its deliberations regarding matters concerning the natural environment and environmental sustainability. However, Council is not obliged to adopt any of the Committee's recommendations.

#### **4. Membership**

To ensure a balanced and comprehensive base for advice, the Committee should collectively have a diversity of relevant expertise and experience. Ideally there should be a balanced representation of genders and Indigenous representation.

Membership of the Committee shall comprise:

- 4.1 Three (3) elected members of Council, from which the Chairperson and deputy chairperson shall be selected;
- 4.2 One (1) representative of Department of Environment, Land, Water and Planning;
- 4.3 One (1) representative of North Central Catchment Management Authority;
- 4.4 One (1) representative from each of the Registered Aboriginal Parties for City of Greater Bendigo;
- 4.5 Up to nine (9) representatives drawn from the community who have expertise, skills, qualifications, experience and passion for Greater Bendigo's environment and sustainability matters. Membership may include, but is not limited to, representatives or individual nominations from these following organisations:
  - Bendigo Field Naturalists Club;
  - Renew;
  - Bendigo Sustainability Group;
  - Bendigo Regional Food Alliance;

- La Trobe University, Bendigo;
- Trust for Nature (Victoria);
- Bendigo and District Environment Council;
- Central Victorian Greenhouse Alliance;
- Parks Victoria;
- Loddon Mallee Waste and Resource Recovery Group;
- Bendigo and District Aboriginal Co-operative;
- Landcare Groups
- Bendigo Tafe
- Bendigo Youth Council
- Sustainability Victoria

Each appointed representative from categories 4.1 to 4.5 (inclusive) is entitled to vote at meetings of the Committee.

- 4.6 The Committee will also comprise one (1) City of Greater Bendigo representative at a Director or Manager level from the Strategy and Growth Directorate and relevant City of Greater Bendigo environmental sustainability officers. An officer from the Regional Sustainable Development Unit shall be appointed as the Executive Officer to the Committee. City staff appointed or invited to attend Committee meetings are not entitled to vote.
- 4.7 If a Committee member is absent for more than 3 (three) meetings without apology to the Chairperson or Executive Officer, that person will be contacted and their membership may be revoked.
- 4.8 Members may be nominated by three methods:
- 1) All government appointed departments, authorities and corporations listed in 4.1 - 4.4 will be formally approached and invited to nominate a suitable delegate.
  - 2) The Greater Bendigo community will be invited to participate as individuals in an Expression of Interest and interview process.
  - 3) Organisations listed in 4.5 will be formally approached and invited to nominate a representative to participate in an Expression of Interest and interview process.

## **5. Expressions of Interest**

Expression of Interest appointments to the Committee shall be made by Council.

- 5.1 All members listed in section 4.5 will be open to self-nomination via an Expression of Interest and interview process. Expressions of Interest will be publically advertised and relevant organisations will be formally notified.
- 5.2 All Expressions of Interest will be considered by a Selection Panel. The Panel will consist of the Chairperson, a City of Greater Bendigo Director or Manager from the Strategy and Growth Directorate; and the City of Greater Bendigo officer appointed as Executive Officer. The role of the Selection Panel will be to assess

the Expressions of Interest, shortlist them for interview and following the interview, to make recommendations to the Council for their appointment.

- 5.3 The new Committee will be formally appointed by Council.

## **6. Term of Appointment**

All members shall be appointed for a four (4) year term. At the conclusion of a term all positions become vacant.

- 6.1 Delegates (sections 4.1 - 4.4) shall remain on the Committee for their term so long as they represent the government department, authority or corporation referred to or until such time as Council or the relevant organisation chooses to replace them.
- 6.2 Individuals (section 4.5) shall remain on the Committee for their term or until such time as Council chooses to replace them.
- 6.3 Representatives (section 4.5) shall remain on the Committee for their term so long as they represent the organisation they are affiliated with or until such time as Council or the relevant organisation chooses to replace them.
- 6.4 Exiting members (section 4.5) may apply for further terms of office through the Expression of Interest and interview process.
- 6.5 Should a vacancy occur during a term, the Committee, on advice from the committee executive officer, may make recommendations to the Chief Executive Officer to fill the vacancy. The term served by the newly appointed member shall expire at the same time as the current Committee

## **7. Chairperson**

A Councillor is to be appointed by Council to chair the meetings.

## **8. Conduct of Meetings**

- 8.1 The Committee will meet bi-monthly, from February to December. Special meetings may be called for urgent matters as required at the direction of the Chairperson.
- 8.2 A quorum will consist of more than half the membership.
- 8.3 The Committee may invite any individual, interest group, or agency representative to attend a meeting as a delegation or to submit or present information that will assist the Committee in carrying out its functions.
- 8.4 Recommendations to Council should be formed by a consensus. If a consensus is not achieved, decisions will be made by a vote (show of hands) of members.
- 8.5 Each Councillor or member present at a meeting of the Committee who is entitled to vote is entitled to one vote.

8.6 If the number of votes in favour of the question is half the number of Councillors or members of the Committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.

8.7 The outcome of the vote must be included in the meeting minutes.

## **9. Code of conduct and interests**

In performing the role of a member, a Committee member must:

9.1 Act honestly;

9.2 Exercise reasonable care and diligence;

9.3 Not make improper use of their position; and

9.4 Not make improper use of the information acquired because of their position.

Where a member of the Committee has a conflicting personal interest, direct interest or indirect interest (as those terms are described in the *Local Government Act 1989*) in relation to a matter the Committee is considering, or is likely to consider or discuss, the member must disclose the interest to the Committee before the matter is considered or discussed at a meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

Where the Committee member discloses a direct or indirect interest in relation to a matter they must not participate in any vote or discussion on that matter.

## **10. Dismissal of Members**

Council or the Chief Executive Officer may, at their discretion, suspend or dismiss any Committee member that the Council or Chief Executive Officer consider is or has acted in breach of these Terms of Reference or has acted outside the interests of the City of Greater Bendigo, their representative government departments, authority, corporations, affiliated organisations and individuals (sections 4.1 - 4.6).

## **11. Insurance**

11.1 Public Liability Insurance: The Committee is an advisory committee established by Council as described in section 3 of the *Local Government Act 1989* (Vic). Members of any advisory committee established by the Council, whilst acting in that capacity within the scope of their duties for and on behalf of the Council, are provided with cover under Council's LMI Broadform Public and Products Liability and Professional Indemnity Insurance, subject to the LMI policy terms, conditions, endorsements, exclusions and deductible and the like.

11.2 Council appointed Committee members, whilst acting in that capacity within the scope of their duties for and on behalf of Council, are covered within the terms and conditions of the Council's LMI Public and Products Liability Insurance Policy for third party personal injury or damage to property (as defined) caused by an occurrence, and where applicable for breach of professional duty, in connection with the Business of the Council.

## **12. Dissolution**



Council may resolve, for any reason, to disband the Committee and, upon written notice to the Committee to that effect, the Committee shall be disbanded.

### **13. Implementation and Review**

Sections of these Terms of Reference (Sections 5 - 16) are standard for Advisory Committees to Council and are only subject to review by Council or the City of Greater Bendigo.

The Committee will undertake a review of the other sections of the Terms of Reference every four (4) years prior to the conclusion of its term and may revise such sections subject to the approval of Council.

### **14. Resources provided by City of Greater Bendigo**

The City of Greater Bendigo will provide administrative and technical support for the Committee's meetings and a suitable venue.

### **15. Communication**

Minutes of each meeting will be recorded and distributed to the Committee and Council.

15.1 The Chairperson will report to Council regularly.

15.2 A delegation from the Committee may present annually to Council Briefings on the Committee's activities and initiatives in the previous year.

15.3 Responding to media requests or making public comment on behalf of the Committee is the responsibility of the Chairperson, Chief Executive Officer or an authorised City of Greater Bendigo officer. In some circumstances it may be appropriate for a Committee member to speak publically about the work of the Committee. In these instances, Chairperson approval must be sought.

### **16. Confidentiality**

Information discussed, received, used or created by the Committee is confidential, unless Council resolves otherwise (**Confidential Information**).

A Committee member must not disclose, discuss or make public Confidential Information, unless authorised by the Council.

## **7. EMBRACING OUR CULTURE AND HERITAGE**

Nil.

## **8. LEAD AND GOVERN FOR ALL**

### **8.1 QUARTERLY REPORT QUARTER 3 2018 2019**

#### **Document Information**

**Author** Kathryn Loy, Planning and Reporting Officer  
Michael Smyth, Manager Business Transformation

**Responsible Director** Andrew Cooney, Director Corporate Performance

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#### **Purpose/Summary**

To report to Council progress on the implementation of Annual Plan initiatives for the third quarter 2018/2019.

#### **RECOMMENDATION**

That Council acknowledge the progress of implementing Annual Plan initiatives for 2018/2019, and receive the Annual Plan quarterly summary report.

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Policy Context

Community Plan Reference:
City of Greater Bendigo Community Plan 2017-2021

Goal 1: Lead and govern for all

Objective: 1:2 Explain the reason for its decisions

Report

The Community Plan is a key strategic Council document to inform the community and council officers of Council priorities and commitment to six key goals. The six Community Plan goals are:

1. Lead and govern for all
2. Wellbeing and fairness
3. Strengthening the economy
4. Presentation and managing growth
5. Environmental sustainability
6. Embracing our culture and heritage

The Community Plan is supported by the Annual Plan developed each year and the Annual Plan is reported on quarterly.

This report is the third quarterly update for the Annual Plan 2018/2019.

Conclusion

The Community Plan 2017-2021 is Council's key strategic plan that guides the work of Council and informs the community of the shared priorities of this Council for its four-year term. Reporting on progress against this plan is an important mechanism for keeping the community up to date with the work of Council, and its progress implementing the Community Plan. The summary report shares key achievements for the quarter.

Attachment 1

Annual Plan Summary Report

March 2019 update

Greater Bendigo – creating the world's most liveable community.

G / POPULATION GROWTH / COMMUNITY PLAN / ENVIRONMENT / 2017-2021 / HEALTH / COMMUNITY ENGAGEMENT

A liveable community is one which enables people to live healthy, safe, harmonious lives in attractive and affordable settings. Liveable places have an excellent range of services for children and adults of all ages and facilities that are accessible to all. They don't make unsustainable demands on the environment.

Council has set the following six Strategic Objectives to guide its decisions and actions over the next four years:

Strategic Objective 1

Lead and govern for all

Effective community engagement will guide well informed, responsive decision-making and financially responsible resource allocations and processes which are transparent and accountable.

Strategic Objective 2

Wellbeing and fairness

Inclusive policies, partnerships and projects that increase access improve health and learning opportunities by building better connections and quality of life for all.

Strategic Objective 3

Strengthening the economy

Advocacy, innovation and support to grow jobs and diversify the local and regional economy.

Strategic Objective 4

Presentation and managing growth

Planning, developments and infrastructure that increase our liveability and pride in where we live.

Strategic Objective 5

Environmental sustainability

Protect and enhance our environment, conserve our resources and increase resilience to a changing climate.

Strategic Objective 6

Embracing our culture and heritage

Recognise and celebrate our unique history and diverse cultures.



Goal 1: Council will lead and govern for all

Effective community engagement guides well informed decision-making and financially responsible resource allocations and processes that are transparent and accountable.

Objectives

- Engage with all communities
- Explain the reason for its decisions
- Be innovative and financially responsible
- Be accountable and efficient in its use of the community's money
- Take a leadership role in regional planning and advocacy and work in partnership with regional councils

March 2019 update

- The Youth Council provided their first quarterly report to City of Greater Bendigo Councillors
- The Mayor and CEO participated in a Fast Rail Stakeholder Meeting hosted by City of Geelong
- Engagement plan and associated activities has been developed for councillors across their wards for 2019



Goal 2: Wellbeing and fairness

Inclusive policies, advocacy, partnerships and projects that improve participation and opportunities for equity and health. Increasing access and building better connections and quality of life for all.

Objectives

- Create a much healthier Greater Bendigo
- Promote positive wellbeing across the Greater Bendigo community
- Promote community connection
- Support participation and development for residents of all ages and abilities
- Create safe and resilient communities

March 2019 update

- Consultants have been engaged to deliver the Business Plan and draft project brief for the Greater Bendigo Food Hub
- The construction of the oval lighting at the Elmore Recreation Reserve are nearing completion
- Construction works have begun of the netball change rooms at the QEO
- Final planning is occurring for the installation of wifi for community use in three rural community facilities



Goal 3: Strengthening the economy

Advocacy, innovation and support to grow jobs, attract visitors and diversify the local and regional economy.

Objectives

- Support local businesses and industry to be strong, vibrant and to grow and develop
- Make it easier for people to transition from education to employment
- Ensure Greater Bendigo is a welcoming place for new businesses and industries and supports creativity and innovation and visitor attraction

March 2019 update

- A full review of the City Centre Plan is being undertaken
- The review of the Economic Development Strategy is currently underway which will address the attraction of micro and creative industries
- Council approved to join the GovHub development, a project that will enhance the Bendigo economy and deliver 100 new public sector jobs to the City



Goal 4: Presentation and managing growth

Plans, developments and infrastructure that increase our liveability and pride in where we live.

Objectives

- Plans for a growing population
- Plan to meet future housing needs
- Continue to implement strategies that increase the capacity of transport networks to better move people and goods and foster behaviour change that increases walking, cycling and use of public transport
- Keep Greater Bendigo attractive with good quality public facilities and places
- Provide and maintain urban and rural infrastructure to support the liveability of our community

March 2019 update

- The Planning Scheme Review was adopted by Council on 20 March 2019
- Councillors agreed in principle to sell the land at Lyttleton Terrace for the construction of the new GovHub
- Construction will begin in May to replace the central Heathcote public toilets
- Fabrication of the Chauncey Street footbridge in Heathcote is underway



Goal 5: Environmental sustainability

Protect and enhance our environment, conserve resources, reduce waste and the impact of climate change.

Objectives

- Drawing on the One Planet Living framework connect the health of the natural environment to the health and prosperity of our community
- Demonstrate leadership in sustaining the rich biological diversity of the Greater Bendigo region that sustains health ecosystems

March 2019 update

- Consultants have completed the site suitability study for solar park developments
- Opportunities for government funding are currently being explored into the feasibility assessment of a sub-surface pumped hydro energy storage system



Goal 6: Embracing our culture and heritage

Recognise and celebrate our unique history and diverse cultures.

Objectives

- Celebrate our unique heritage
- Build pride in and shared responsibility for our public spaces
- Offer and support a diverse range of events that attract and connect people
- Embrace diversity
- Advance reconciliation

March 2019 update

- Funding for the Chinese precinct and the Golden Dragon Museum redevelopment is currently being raised by Federal politicians in the lead up to the election
- Consultants are currently undertaking a gap analysis to assist the City to deliver the heritage program in a strategic and efficient manner





Council has continued to endorse a vision for improved liveability for the whole population. Knowing where we are making progress towards this vision requires us to set some measures or benchmarks where Greater Bendigo can be compared with other locations.

Twenty four liveability indicators have been chosen that relate to the following areas:

- A much healthier Greater Bendigo
- A fairer and more inclusive Greater Bendigo
- A more resilient Greater Bendigo
- A planned Greater Bendigo
- A proud and safe Greater Bendigo
- A sustainable Greater Bendigo
- A more creative, productive, innovative, adaptive and engaged Greater Bendigo

Councillors

Eppalock Ward

Cr Margaret O'Rourke

Mayor 2017-2018

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Cr Yvonne Wrigglesworth

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Deputy Mayor 2018-2019

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Cr Andrea Metcalf

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Cr Malcolm Pethybridge

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Correct as of December 2018.

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8.2 CONTRACTS AWARDED UNDER DELEGATION

Document Information

Author Lee Taig, Contract Support Administrator, Governance Unit

Responsible Director Andrew Cooney, Director Corporate Performance

Purpose/Summary

The purpose of this report is to provide information on contracts recently awarded under delegation.

RECOMMENDATION

That the contracts awarded under delegation, as outlined in this report, be acknowledged by Council.

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### Policy Context

Delivery of programs, projects and services that respond to community needs.

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021

Goal 1: Lead and govern for all

Objective: 1.2 Be innovative and financially responsible

### Report

| Contract No              | Project                                                | Successful Contractor                     | Delegated Officer | Date Signed   |
|--------------------------|--------------------------------------------------------|-------------------------------------------|-------------------|---------------|
| <b>Capital Contracts</b> |                                                        |                                           |                   |               |
| CT000460                 | Elm Street Intersection Safety Upgrade – Golden Square | Avard Civil Pty Ltd                       | Debbie Wood       | 26 April 2019 |
|                          | <b>Price:</b> \$355,125.93                             | <b>Practical Completion:</b> 14 June 2019 |                   |               |

## 8.3 RECORD OF ASSEMBLIES

### Document Information

**Author** Miki Wilson, Manager Governance

**Responsible Director** Andrew Cooney, Director Corporate Performance

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### Purpose

The purpose of this report is to provide the record of any assembly of Councillors, which has been held since the last Council Meeting, so that it can be recorded in the Minutes of the formal Council Meeting.

### RECOMMENDATION

That Council endorse the record of assemblies of Councillors as outlined in this report.

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Policy Context

City of Greater Bendigo Community Plan 2017-2021:

Goal 1 Effective community engagement will guide well informed, responsive decision-making and financially responsible resource allocations, which are transparent and accountable.

Background Information

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or, the exercise of a Council delegation and the meeting is:

1. A planned or scheduled meeting that includes at least half the Councillors (5) and a member of Council staff; or
2. An advisory committee of the Council where one or more Councillors are present.

The requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declarations of conflict of interest.

Report

Meeting Information		
Meeting Name/Type	Councillors' Briefing	
Meeting Date	29 April 2019	
Matters discussed	1. Advocacy trip to Melbourne 2. Information session on Notices of Motion and Notices of Rescission motions 3. Aquatic Strategy	
Attendees/Apologies		
Councillors	Cr Margaret O'Rourke Cr Jennifer Alden Cr Matt Emond Cr George Flack Cr Rod Fyffe Cr Andrea Metcalf Cr Mal Pethybridge Cr James Williams Cr Yvonne Wrigglesworth	
Staff/ Community Representatives	Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Ms Miki Wilson	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

Meeting Information	
Meeting Name/Type	Councillors' Briefing
Meeting Date	6 May 2019
Matters discussed	1. Greater Bendigo Public Space Plan 2. Local Law No. 8 3. Cultural Diversity and Inclusion Plan 4. Planning matters and draft Ordinary Meeting agenda 5. Maiden Gully Precinct Structure Plan 6. Waste and Recycling 7. Engineering overview 8. Finance Quarter 3 Review
Attendees/Apologies	
Councillors	Cr Margaret O'Rourke Cr Jennifer Alden Cr Matt Emond

	Cr George Flack Cr Rod Fyffe Cr Andrea Metcalf Cr Mal Pethybridge Cr James Williams Cr Yvonne Wrigglesworth	
Staff/ Community Representatives	Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Ms Miki Wilson	
<i>Conflict of Interest disclosures</i>		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

Meeting Information		
Meeting Name/Type	Advocacy trip to Melbourne	
Meeting Date	8 May 2019	
Matters discussed	Discussion on various topics and update on current projects with State Departments	
Attendees/Apologies		
Councillors	Cr Margaret O'Rourke Cr Jennifer Alden Cr Mal Pethybridge Cr James Williams Cr Yvonne Wrigglesworth Apologies: Cr Matt Emond Cr George Flack Cr Rod Fyffe Cr Andrea Metcalf	
Staff/ Community Representatives	Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Ms Aleisha Verwoert North Mr Hamish Grundy	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

Meeting Information		
Meeting Name/Type	Councillors' Briefing	
Meeting Date	13 May 2019	
Matters discussed	1. Revaluation 2. Finance Committee Quarter 3 3. Bendigo and Back Creeks 4. Bendigo Art Gallery 5. Waste Workshop	
Attendees/Apologies		
Councillors	Cr Margaret O'Rourke Cr Jennifer Alden Cr Matt Emond Cr George Flack Cr Rod Fyffe Cr Andrea Metcalf Cr Mal Pethybridge Cr James Williams Cr Yvonne Wrigglesworth	
Staff/ Community Representatives	Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Caroline Grylls Ms Debbie Wood Ms Miki Wilson Mr Greg Painter Apology: Ms Vicky Mason	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

Meeting Information	
Meeting Name/Type	Consultation meeting
Meeting Date	7 May 2019
Matters discussed	Planning application DSD/958/2018 47 Booth Street, GOLDEN SQUARE 3555 Demolition of outbuildings, construction of two dwellings on a lot and 3 lot subdivision
Attendees/Apologies	
Councillors	Cr Matt Emond Cr Jennifer Alden
Staff/	Adele Hayes

Community Representatives	Applicant Objectors	
<i>Conflict of Interest disclosures</i>		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

<i>Meeting Information</i>		
Meeting Name/Type	Consultation meeting	
Meeting Date	17 May 2019	
Matters discussed	Planning application DU/10/2019 69 Nankervis Road, MANDURANG 3551 External alterations and restorations to existing building, use of land for restaurant and for the service and consumption of alcohol, and reduction in car parking requirements	
<i>Attendees/Apologies</i>		
Councillors	No Councillors in attendance	
Staff/ Community Representatives	Beth Lavery Applicant Objectors	
<i>Conflict of Interest disclosures</i>		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

Meeting Information		
Meeting Name/Type	Consultation meeting	
Meeting Date	21 May 2019	
Matters discussed	Planning application DSD/795/2018 88-90 Forest Street, BENDIGO 3550 Demolition of existing dwelling, 3 lot subdivision and development of 3 dwellings and associated works	
Attendees/Apologies		
Councillors	Cr Malcolm Pethybridge Cr James Williams	
Staff/ Community Representatives	Grace Paisley Applicant Objectors	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting

	Nil	
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Meeting Information		
Meeting Name/Type	Consultation meeting	
Meeting Date	27 May 2019	
Matters discussed	Planning application DS/486/2018 22 Greene Street, HUNTLY 3551 6 lot subdivision of land and removal of native vegetation	
Attendees/Apologies		
Councillors	Cr James Williams Cr Malcolm Pethybridge	
Staff/ Community Representatives	Grace Paisley Applicant Objectors	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

9. URGENT BUSINESS

Nil.

10. NOTICES OF MOTION

10.1 NOTICE OF MOTION INDIGENOUS PLACE NAMING JUNE 2019

CR MARGARET O'ROURKE

That Council:

1. Engage with the Dja Dja Wurrung Clans Aboriginal Corporation and the general community to explore their support for the dual naming of key Greater Bendigo public landmarks.
2. Work with the Corporation and the general community to identify suitable sites for naming.
3. Recognise that Council will need to financially support the Corporation in undertaking this work.

Rationale

This motion seeks Council support to work with the Dja Dja Wurrung Clans Aboriginal Corporation and the local community to explore their support for the dual naming of significant Greater Bendigo public landmarks and to explore a systematic approach to this work in the future.

The Dja Dja Wurrung people are recognised as the Traditional Owners for much of the land covered by the City of Greater Bendigo. They have a special relationship with and connection to the land experiencing a close cultural, spiritual, physical, social, historical and economic relationship with their country. They believe that all things have *murrup* (spirit) and that the land and all its creatures are interconnected with each other and with the people.

The history of Greater Bendigo's Aboriginal people is ultimately one of resilience. Despite early dispossession and displacement from land and country, experiencing high levels of discrimination, violence and socioeconomic disadvantage they continue to maintain a strong culture across the region.

The Greater Bendigo Reconciliation Plan 2016 - 2019 outlines Council's commitment to reconciliation with our Aboriginal and Torres Strait Islander people. Since its endorsement there has been significant progress but there is still much more to be done.

Engagement for the plan found that Aboriginal and Torres Strait Islander residents believe there are low levels of recognition for their community across Greater Bendigo. Council recognises that respect for Aboriginal and Torres Strait Islander people, their culture, history and experience, is fundamental to gaining a deeper cross-cultural understanding and developing equal and healthy relationships and it has a commitment to increasing recognition across the municipality.

2019 is the United Nations Year of Indigenous Languages. This observance aims to raise awareness of the consequences of the endangerment of Indigenous languages across the world, with an aim to establish a link between language, development, peace and reconciliation.

In recent years Council has sought to use the language of the Dja Dja Wurrung in naming a number of new community facilities. These have included the Ulumbarra Theatre (meaning “gather together” or “meeting place”) and the Gurri Wanyarra Wellbeing Centre (meaning “kangaroo waterhole”).

In terms for our community to appreciate what this might look like it could be that Rosalind Park also has the Indigenous language for this area written with its signage. Many community members will have visited New Zealand and seen how communities display both languages in their civic signage.

Another example is an approach that Council can explore of dual naming. This involves using both a non-Aboriginal name and Aboriginal name which must be used together as the registered legally recognised name for the feature. An example of this in Victoria is Point Ritchie/Moyjil in South West Victoria, the location of recent Aboriginal remains that date back more than 120,000 years.

Council has a Place Interpretation and Naming Policy that was endorsed in September 2018. The principles for decision making include:

- Reconciliation
- Representation
- Significance
- Passage of time
- Relevance
- Inclusion
- Uniqueness
- Heritage
- Adaptive reuse
- Amenity

This approach would still be in line with the principles in the policy.

The Community Plan 2017 – 2021 has the goal of embracing our culture and heritage. Across the City there is strong visual representation of our goldfields heritage particularly in the built form but limited visible presence of our Aboriginal heritage. The dual naming of key public landmarks could go towards remedying this situation.

If successful this same approach could be applied to naming facilities and places on Taungurung land.

10.2 NOTICE OF MOTION: USE OF RECYCLED PRODUCTS IN CONSTRUCTION PROJECTS

CR ANDREA METCALF

1. That the City of Greater Bendigo review its Procurement Policy and Practices to strengthen the requirement to include recycled products into construction projects at levels supported by Industry recommendations and standards.
2. That the City of Greater Bendigo participate in or undertake trial projects in the use of recycled products to better inform future decisions about the use of recycled products in Council projects.

Officer comment:

The Procurement Policy is currently under review. Whilst there is currently a commitment to environmental sustainability contained within the current policy, this will be strengthened with the inclusion of an environmental sustainability schedule as an appendix to the policy. This will include the use of recycled products.

The City will continue to work with local suppliers of recycled products and Regional Roads Victoria to determine a suitable pilot project. RRV is developing specifications for recycled products within road surfaces which the City will also utilise once finalised.

11. COUNCILLORS' REPORTS

12. MAYOR'S REPORT

13. CHIEF EXECUTIVE OFFICER'S REPORT

14. CONFIDENTIAL (SECTION 89) REPORTS

14.1 Confidential Report in accordance with Section 89(2)(d) of the Local Government Act relating to a contractual matter

RECOMMENDATION

That Council close the meeting to members of the public pursuant to Sections 89(2)(d) of the **Local Government Act 1989** to consider a report relating to a contractual matter.