

# MINUTES

## Ordinary Meeting of Council

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6.00pm Wednesday 17 July 2019

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

### **VENUE:**

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

### **NEXT MEETING:**

Wednesday 21 August 2019  
Bendigo Town Hall

Copies of the City of Greater Bendigo Council's Agendas & Minutes  
can be obtained online at [www.bendigo.vic.gov.au](http://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 17 JULY 2019

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**BERNIE O'SULLIVAN**  
**A/CHIEF EXECUTIVE OFFICER**

## **ACKNOWLEDGEMENT OF COUNTRY**

## **PRAYER**

## **PRESENT**

Cr Margaret O'Rourke  
Cr Jennifer Alden  
Cr Matt Emond  
Cr Rod Fyffe  
Cr Andrea Metcalf  
Cr Mal Pethybridge  
Cr James Williams  
Cr Yvonne Wrigglesworth  
Mr Bernie O'Sullivan (Acting Chief Executive Officer)  
Ms Vicky Mason (Acting Director, Strategy and Growth)  
Ms Debbie Wood (Director, Presentation and Assets)  
Mr Andrew Cooney (Director, Corporate Performance)  
Mrs Wonona Fuzzard (Acting Director, Health and Wellbeing)  
Ms Miki Wilson (Manager Governance)

## **APOLOGIES**

Mr Craig Niemann (Chief Executive Officer)

## **LEAVE OF ABSENCE**

Cr George Flack

Cr Williams requested Leave of Absence for the Council Meeting to be held on Wednesday 21 August 2019.

## **MOTION**

Moved Cr Fyffe, seconded Cr Emond.

That the request from Cr Williams for Leave of Absence for the Council Meeting on 21 August 2019, be granted.

**CARRIED**

## **SUSPENSION OF STANDING ORDERS**

That Standing Orders be suspended to allow Community Recognition Section and the conduct of Public Question Time.

### **MOTION**

Moved Cr Fyffe, seconded Cr Alden.

That Standing Orders be suspended to allow Community Recognition Section and the conduct of Public Question Time.

**CARRIED**

## **COMMUNITY RECOGNITION SECTION**

### **PUBLIC QUESTION TIME**

## **RESUMPTION OF STANDING ORDERS**

That Standing Orders be resumed.

### **MOTION**

Moved Cr Fyffe, seconded Cr Emond.

That Standing Orders be resumed.

**CARRIED**

## **CR WILLIAMS' REPORT**

Cr Williams reported on what he considered 'the best few weeks of my time as a Councillor':

"Firstly, I attended the first anniversary of the 5,000 stadium-build celebrations held by the Bendigo Stadium at the promenade overlooking the new courts; the very next week with Crs Metcalf and Pethybridge attended the announcement of the Jeff Horn and Michael Zerfara boxing match to be held at the new stadium. This will be a world class event and will hopefully attract a crowd well in excess of 4,000 people. It is these partnerships between the Stadium, the City and State Government that allow these events to be held in regional Victoria. It is a credit to the Bendigo Stadium Limited Board and its 150 employees that the venue grows in reputation and status as regional Victoria's premier events centre.

I also had the privilege of meeting Jaclyn Wilson, our very own world BMX champion! Both Jaclyn and I were involved in a 'photo shoot' for Greater Bendigo Magazine at the new BMX facilities and track at the Albert Roy Park in Eaglehawk.

Lunch at the Eaglehawk Community House with our Federal Member, Lisa Chesters and fellow Councillors, Metcalf and Pethybridge – it was great to meet the many volunteers who do a fantastic job providing meals for the community and provide meeting spaces and opportunities for their community. Tracey Clarke and the team are to be commended on the support they provide.

Also attended the Huntly Hawks luncheon with former football greats, Ken Sheldon and Geoff Southby, the NAIDOC Dinner and the fast train forum in Geelong with the Mayor – this all made it a positive month for a 'sports nut' like me to meet these interesting and diverse people in community".

## 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 minutes; 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.

Nil

## CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting of Wednesday 19 June 2019.

The following items were considered at the Ordinary Council meeting held on Wednesday 19 June 2019 at 6:00pm.

NO.	TITLE	RECOMMENDATION
1.1	City of Greater Bendigo 2019/2020 Budget Adoption	<p>That the Greater Bendigo City Council, having considered the submissions to the 2019/2020 Proposed Budget:</p> <p>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 <i>Local Government Act 1989</i>, including the adjustments listed below made as a result of the exhibition period . ... **</p>



3.1	19 Deborah Street, Golden Square - Use of Land for Animal Keeping (Dog DayCare)	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:
3.2	928 Wellington Street, Strathfieldsaye - Approval of a Development Plan; Use and Development of Land for a Veterinary Centre ...	<p>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:</p> <p>(a) Refuse to approve the Development Plan prepared by Shane Muir Consulting Engineers Report No: DP/1802036, dated 30/10/2018.</p> <p>(b) Refuse to grant the Planning Permit for the following reasons:</p> <ol style="list-style-type: none"> <li>1. There is no approved Development Plan pursuant to Schedule 26 of the Development Plan Overlay;</li> <li>2. The proposal is inconsistent with the Strathfieldsaye Township Plan (2009);</li> <li>3. The proposal is inconsistent with planning policy in regard to planning for activity centres and urban design outcomes;</li> <li>4. The proposal does not represent an orderly planning outcome in terms of the strategic planning of Strathfieldsaye; and</li> <li>5. The unresolved issue of how proposed lot 2 is accessed is unacceptable</li> </ol>
3.3	76 High Street, Heathcote - Use of Land for a Community Foodshare Business (Heathcote Foodshare)	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:
3.4	Adoption of the Implementation Framework for the Greater Bendigo Public Space Plan and Readoption of the Grater Bendigo Public Space Plan May 2019	<p>That Council resolve to:</p> <ol style="list-style-type: none"> <li>1. Adopt the Greater Bendigo Public Space Plan Implementation Framework, May 2019.</li> <li>2. Readopt the Greater Bendigo Public Space Plan, May 2019, to ensure that changes arising from the Implementation Framework process are reflected.</li> </ol>
3.5	Draft Industrial Land Development Strategy	<p>That Council resolve to:</p> <ol style="list-style-type: none"> <li>1. Endorse the Draft GBILDS and GBILDS Draft Background Report for community consultation.</li> <li>2. Receive a further report outlining the outcomes of consultation on the Draft GBILDS.</li> </ol>

4.1	Positive Ageing Advisory Committee Member Appointments	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.
4.2	International Delegation - Mayor	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.
5.1	Bendigo Art Gallery Management Agreement	That Council resolve to endorse the agreement for a further five year period and authorise the Chief Executive Officer to sign the agreement.
6.1	Sustainability and Environment Advisory Committee Appointments	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.
8.1	Quarterly Report Quarter 3 2018 2019	That Council acknowledge the progress of implementing Annual Plan initiatives for 2018/2019, and receive the Annual Plan quarterly summary report.
8.2	Contracts Awarded Under Delegation	That the contracts awarded under delegation, as outlined in this report, be acknowledged by Council.
8.3	Record of Assemblies	That Council endorse the record of assemblies of Councillors as outlined in this report.
10.1	Notice of Motion: Indigenous Place Naming	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.
10.2	Notice of Motion: Use of Recycled Products in Constructions Projects	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.

14.1	Confidential Section 89 Report Relating to a Contractual Matter	Confidential
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**Proposed budget:**

Forecast accumulated available funds	<b>Sub-total</b>	<b>\$36,873</b>
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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	
	<b>Sub-total</b>	<b>\$135,000</b>

**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	
	<b>Sub-total</b>	<b>(\$160,000)</b>

<b>TOTAL FUNDS AVAILABLE</b>		<b>\$11,873</b>
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- 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.
- 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.
- Acknowledges the contribution of submitters to the budget process, and thanks them for their contribution.
- Authorises officers to provide a formal response to each submitter.
- 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.

- 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)	0.499811% of CIV

(125% of General)	
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.

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 19 June 2019, as circulated, be taken as read and confirmed.

**RESOLUTION**

Moved Cr Metcalf, seconded Cr Alden.

That the recommendation be adopted.

**CARRIED**

## **1. PETITIONS AND JOINT LETTERS**

### **1.1 RESPONSE TO MCIVOR COTTAGE INDUSTRIES CO-OPERATIVE'S PETITION**

#### **Document Information**

**Author** Deb Simpson, Coordinator Strong Communities

**Responsible Director** Vicky Mason, Director Health and Wellbeing

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#### **Purpose**

For Council to determine its response to McIvor Cottage Industries Co-operative's petition linked to the proposal to develop a Heathcote Integrated Civic Precinct.

#### **Summary**

Heathcote Integrated Civic Precinct (Precinct) development and Heathcote Library service / program expansion are priorities included within the Heathcote Community Plan 2017 - 2021.

This priority status builds on a community needs analysis undertaken by external consultants throughout 2015/16 and 2016/17. As part of their brief, the consultants also considered issues and opportunities linked to any identified community needs.

One of the highest priority needs the consultants identified through their data analysis and community consultation processes was the growth of, plus the improved physical and operational integration of, government agency and library services.

The buildings and public open spaces that are within scope for the Precinct are:

- Municipal Office – 125 High Street, Heathcote.
- Former Court House – 123 High Street, Heathcote.
- Hall – 1/121 High Street, Heathcote.
- Former Mechanic's Institute – 2/121 High Street, Heathcote.
- High Street forecourt – the public open space in front of the abovementioned buildings.
- Camp Street public open space – the public open space behind the abovementioned buildings, including the public toilets.

The Co-operative has submitted a petition seeking that it not be required to relocate to an alternative building within the Precinct.

Through a Precinct site analysis and preliminary draft Precinct concept design (concept design), architects have identified the 'joining up' of the Municipal Office and former Court House buildings as being the most effective opportunity to enable growth and integration of government agency and library services.

The Co-operative is currently the sole occupant of the former Court House. The Co-operative's petition seeks that it not be required to relocate as part of any Precinct development. The concept design proposes that the Co-operative be relocated from the former Court House into the former Mechanic's Institute. This would in turn enable the former Court House to be transitioned into expanded government agency service provision space, and the Municipal Office to be transitioned into expanded Heathcote Library service provision space.

The Co-operative's petition demonstrates community concerns exist about the potential impacts of any Precinct development. With Council's endorsement, staff propose to undertake further concept design analysis and development (in consultation with the Heathcote community) to build confidence about how the needs of existing Precinct user groups plus the needs of the broader Heathcote community would be responded to. This further concept design analysis and development would seek to distinguish between needs that could be managed through infrastructure-based responses as opposed to change management-based responses.

### **RECOMMENDATION**

That Council:

1. Thank Mclvor Cottage Industries Co-operative for its petition.
2. Endorse staff undertaking further consultation with the Heathcote community throughout 2019/20 to develop a recommended Heathcote Integrated Civic Precinct concept design, including within the Co-operative.
3. Receive a further report from staff about how the needs of existing user groups plus the needs of the broader Heathcote community would be responded to through any recommended Heathcote Integrated Civic Precinct concept design.
4. Note that a 2020/21 budget bid will be submitted seeking resources to progress the design / tender development project phase for the proposed Heathcote Integrated Civic Precinct.

### **RESOLUTION**

Moved Cr Wrigglesworth, Seconded Cr Metcalf.

That the recommendation be adopted.

**CARRIED**

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## Policy Context

The Victorian Government's publication 'A Guide to Delivering Community Precincts' includes the following:

*"Integrated community facilities are a vital component of creating healthy communities, supporting social inclusion and enhancing the wellbeing of local residents. Communities with access to high quality social infrastructure have better access to services and more opportunities to participate in community life. Clustering facilities together to form a community precinct provides a more cost effective solution for government and importantly, provides better access across a range of services for the community."*

### Community Plan Reference:

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

- |                |                                                                                                 |
|----------------|-------------------------------------------------------------------------------------------------|
| Goal #1        | Lead and govern for all                                                                         |
| Objective #1.3 | Be innovative and financially responsible                                                       |
| Objective #1.4 | Be accountable and efficient in the use of the community's money                                |
| Goal #2        | Wellbeing and fairness                                                                          |
| Objective #2.3 | Promote community connection                                                                    |
| Goal #4        | Presentation and managing growth                                                                |
| Objective #4.1 | Plan for a growing population                                                                   |
| Objective #4.4 | Keep Greater Bendigo attractive with good quality public facilities and places                  |
| Objective #4.5 | Provide and maintain urban and rural infrastructure to support the liveability of our community |

#### **Heathcote Community Plan 2017-2021**

- |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Goal #2   | Wellbeing and fairness                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Objective | <p>Able to participate – ensure community participation in development of the Heathcote Integrated Civic Precinct project</p> <p>Able to participate – enable our young people to access facilities and services that will meet their needs and promote opportunities for reach their full potential</p> <p>Able to participate – explore new initiatives for early years services, including expanded library programs and a holiday program</p> |



|           |                                                                                                                                                      |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| Goal #4   | Presentation and managing growth                                                                                                                     |
| Objective | Complete adopted major projects – support the completion of the Heathcote Integrated Civic Precinct project, including expansion of library services |

Strategy Reference (include weblink as applicable):

***Greater Bendigo Health and Wellbeing Plan 2017-2021***

|           |                                                                                                                                                                                             |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Goal #3   | Able to participate                                                                                                                                                                         |
| Objective | Support early years learning and development                                                                                                                                                |
| Objective | Promote educational attainment                                                                                                                                                              |
| Objective | Improve health, financial and digital literacy                                                                                                                                              |
| Objective | Support positive ageing                                                                                                                                                                     |
| Goal #4   | Connected to culture and community                                                                                                                                                          |
| Objective | Build community resilience <ul style="list-style-type: none"> <li>- Strengthen community participation and belonging</li> <li>- Increase social connection and reduce loneliness</li> </ul> |
| Goal #5   | Liveable                                                                                                                                                                                    |
| Objective | Improve accessibility <ul style="list-style-type: none"> <li>- Health and community services</li> <li>- Technology and information</li> </ul>                                               |
| Objective | Facilitate supportive built and natural environments                                                                                                                                        |

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|        |                               |
|--------|-------------------------------|
| Goal 2 | Create more activated spaces  |
| Goal 4 | Champion inclusion and access |

Council Policy Reference (include weblink as applicable):

Development of a City Community Buildings Policy (Policy) is currently underway. Research to support that Policy's development has identified that best practice community building / precinct design and operation principles involve:

- being needs driven
- creating environments for health and wellbeing
- promoting partnerships
- promoting 'placemaking'
- promoting sustainability

All of the above principles have guided the Precinct concept design.

### Regional Strategic Plan Reference:

The Loddon Campaspe Councils 2019 Strategic Work Plan identifies 'Community Buildings and Assets Policy and Strategy: towards a sustainable model for future management and funding' as one of six work plan priorities.

### **Background Information**

#### About the Co-operative

Consumer Affairs Victoria has confirmed that the Co-operative is a Distributing Co-operative currently fully compliant under the Cooperative National Law 2013. The Co-operative was first registered on April 29, 1994.

A Distributing Co-operative (formerly known as a 'Trading Co-operative'):

- must have at least five members
  - members must have capital share
  - members must buy the minimum number of shares stated in the Co-operative's rules
- may distribute surplus funds to its members (as bonus shares, dividends or rebates)

If the Co-operative is wound up investors (members) receive a return on the capital they have invested.

Based on previous discussions between staff and Co-operative members, it is understood that the Co-operative has fewer than ten current members.

The Co-operative is currently the sole occupant of the former Court House. The Co-operative entered into a two year lease for the building commencing December 1, 1995 with the permitted uses of tourist information and art and craft sales. The annual lease fee was \$960 payable in monthly instalments. The City has no record of a further lease being entered into. The Co-operative has also not been able to produce a current lease. City records indicate the Co-operative has previously been successful in obtaining a rate payment waiver on the basis of it being a not-for-profit organisation.

The Co-operative utilises the former Court House to sell art and craft supplies, books and plants. A substantial proportion of the Co-operative's stock is 'finished' art and craft products being sold on a consignment basis.

#### About the buildings and public open spaces

The current uses of the buildings and public open spaces within scope can be characterised as:

- municipal and other government agency service provision
- library service provision
- information displays
- arts and culture displays
- informal and formal community gatherings / meetings

- informal and formal community activities
- art and craft product sales

All of the buildings that are within the Precinct scope are on the City's assets register.

The Municipal Office and former Court House are located on Crown land, making the Victorian Government's Department of Environment, Land, Water and Planning (DELWP) the land owner. The City is DELWP's appointed Committee of Management. DELWP consent will be required for any permit applications required for works on these buildings and public open spaces.

The Hall and former Mechanic's Institute are located on freehold land owned by the City.

There are heritage considerations applicable for most of the exterior and much of the interior of the former Court House. The building has no running water, toilets or heating system, and the heritage considerations would make it extremely difficult to install toilets. It is considered that the future sustainable use of this building is reliant on creating linkages into other buildings with the basic amenities required for legal building occupancy.

In response to the absence of running water or toilets in the former Court House, the Co-operative members who 'staff' the building bring in bottled water and rely on public toilet access.

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

Following community advocacy linked to Heathcote Community Plan 2014 – 2017 objectives, Council has previously committed financial resources as follows:

- 2015/16: needs analysis
- 2017/18: concept design development

## **Report**

The Co-operative is currently the sole occupant of the former Court House. The Co-operative's petition seeks that it not be required to relocate as part of any Precinct development. The concept design proposes that the Co-operative be relocated from the former Court House into the former Mechanic's Institute. This would in turn enable the former Court House to be transitioned into expanded government agency service provision space, and the Municipal Office to be transitioned into expanded Heathcote Library service provision space.

The Co-operative's petition demonstrates community concerns exist about the potential impacts of any Precinct development. With Council's endorsement, staff propose to undertake further concept design analysis and development (in consultation with the Heathcote community) to build confidence about how the needs of existing Precinct user groups plus the needs of the broader Heathcote community would be responded to. This further concept design analysis and development would seek to distinguish between needs that could be managed through infrastructure-based responses as opposed to change management-based responses.

**Priority/Importance:**

Heathcote Integrated Civic Precinct (Precinct) development and Heathcote Library service / program expansion are priorities included within the Heathcote Community Plan 2017 - 2021.

**Consultation/Communication**

In 2015/16 the City engaged consultants to undertake a needs analysis. The consultants' community consultation processes involved a diverse range of stakeholders from across the business, community, education, government and health sectors, at local and regional levels.

In 2017/18 staff commenced the first stage of concept design specific community consultation. The first stage methodology included more than 20 'one to one' meetings with existing user groups, including the Co-operative, and other interested organisations, as well as some publicly advertised 'listening posts' and workshops. It focused on increasing the City's understanding of:

- what the community valued about community buildings / spaces
- what the community valued about services / programs and experiences when involved in those services / programs
- current and anticipated future community needs
- current use of the buildings / spaces
- potential additional uses of the buildings / spaces

The following project objectives were developed as a first stage outcome:

- to create spaces that are accessible and flexible and enable frequent and diverse uses
- to foster a mix of formal and informal uses
- to foster a mix of regular users and occasional users
- to optimise inter-relationships between spaces within the Precinct and between the Precinct and Barrack Reserve
- to optimise use of the adjoining Camp Street open space as well as the localised High Street and Camp Street environs
- to minimise the Precinct's environmental footprint

These objectives were incorporated into the architect's brief.

Future engagement on the concepts designed will automatically include the Co-operative as a current user.

**Attachments**

Nil

**McIvor Cottage Industries Co~Operative.**

Trading as ~  
**COURT HOUSE CRAFTS.**  
123 HIGH ST., HEATHCOTE. VICTORIA. 3523.  
ABN. 44593816984.  
PHONE 03 54333677.

Ref : Heathcote Integrated Precinct Proposal.

Proposal to move McIvor Cottage Industries to the Guide Hall or Senior Citizens Clubrooms is strongly rejected.

We are a not for profit organization and trade within the Government guide lines for small cooperatives. Our main objective is to sell handmade craft items for the greater community of Heathcote. Over the last 27 years we have introduced other goods e.g. books, plants, old wares etc. which in times of slow trading have virtually "propped" us up. We sell all items on a consignment basis and take a small commission on goods sold which pays the bills and has allowed us to purchase stocks of wool, haberdashery and fabrics. Many of our contributors buy wool, fabric etc. hand knit or sews items and returns them for us to sell on their behalf. Currently we have approximately 100 contributors on our register.

2. Having outlined our trading, the Council will realize that we have goods on consignment and it is imperative that we have sole tenancy of the building.

3. Shared tenancy is not an option.

4. There is no other retail store in Heathcote that provides this service.

5. Can be difficult for consumers to get to Bendigo for thread, fabric or yarns as Spotlight and Lincraft stores are in the outer suburbs.

6. Most importantly, it is well known that Heathcote has an ageing population and we believe Court House Crafts to be of great service to our community.

7. We realize we are not being asked to close but to have to drastically downsize would inevitably be our downfall.

8. Re the Senior Citizens Rooms ~ these rooms are used 4 days a week and some weekends.

9. The Guide Hall is used every day of the week including Sunday. User groups and clubs include ~ Guides, Lions Club, CWA, Red Cross, Cemetery Trust, Goldfields Methodist Church, Stitching Group, A P & H Society, Heathcote on Show, Royal Flying Doctors and other casual users.

How can this proposal work ?

Contributors, Customers and Friends ~ sincere thanks for your support.

Please sign and comment if you agree with our objections.

GARRY COATES  
LEWIS COATES  
Irene Hall - This is a beautiful collection as is.  
DANIEL HALL - MAKES NO SENSE  
Fiona Allen - making better places elsewhere.  
Kim M'Lean - CRAIGIEBURN  
G. Harrison - Heathcote.  
J. Harrison  
M.F. Ebbels  
R. Ebbels  
Mr. Bruce Lancashire  
Solic Lancashire  
Kerry COADE  
Cheryl James  
CHRIS CHILDS  
Chris Childs  
Dale Rurek  
Magdalen Carroll  
Graham Bailes  
Daphne Manning  
Magg Malone  
Janette Pedman  
Tracey Collins  
DANIEL CARROLL  
Marionne Flackerty  
Rob Coade  
Taylor Lakes  
Taylor's Lakes  
GREENSBOROUGH  
Eaglehawk  
INVERLOCH  
Bendigo  
Heathcote  
Heathcote vic  
HEATHCOTE (ARSHLE)  
HEATHCOTE  
Heathcote  
Heathcote  
Heathcote  
HEATHCOTE

Contributors, Customers and Friends ~ sincere thanks for your support.  
Please sign and comment if you agree with our objections.

Joel Meagher  
R. Meagher  
Lorraine Newton  
Robin Heath  
Bernadette Webster  
Nancy Tattusall  
Wendy Hanbury  
Jan Rowe  
Tom Rowe  
June & Joan  
Rosa Culmore

Suzette Shaddock  
Bonnie Demigan  
Melissa Culmore  
Bill Dent

FRANK BARRE  
R. McLaughlin (Robyn meacham) Very disappointed to hear of proposal.  
D. Drummond

Jan West  
TRACEY WESTHORPE  
MARK WESTHORPE  
HAKEE RAE BURN  
DEAN RAE BURN  
WARREN DUMMOND  
Lorraine Newton  
Lea Kandell  
Sandra Luning  
Russell Luning  
Joel Spoor  
S. Shaddock  
Drummond

S. Shaddock  
Dean 30.  
S. Taylor  
L. Giff

Keith Rees  
Lorraine Newton  
Janine Dalg  
SAVE DOLG

Marilyn Forman. please leave it where it is

Joel Meagher  
Joel Meagher  
Joel Meagher - Please leave alone!  
D. Drummond NOT NECESSARY.  
A. Kinnally. A necessary asset!



name & address please.

Contributors, Customers and Friends ~ sincere thanks for your support.  
Please sign and comment if you agree with our objections.

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 J. Anderson, [redacted] Binalla  
 Anna Lynn, [redacted] Springing 3157  
 Waynethy Warrandyte  
 Jane Hume Warrandyte  
 Bernadette Guest, [redacted] Eynesbury  
 Lynne McFarlane, [redacted] Pascoe Vale 3024  
 Val McFarlane, [redacted] Moama 2371  
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 TRICIA O'HEARCE, MYALONG  
 Lyn Holton, [redacted] BURLINGHEAD  
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 Mary M. Rowe, [redacted] Heathcote 3523.  
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 [redacted] [redacted] Heathcote  
 Robyn Johnston, [redacted] Mt Evelyn 3796  
 Helen Darvell, [redacted] [redacted] 3140  
 Robyn Stoddart, [redacted] Mt Evelyn 3796  
 [redacted] [redacted] Mt Evelyn 3796



Name and address Please

Contributors, Customers and Friends ~ sincere thanks for your support.  
Please sign and comment if you agree with our objections.

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|-------------------|----------------|-----------------------|
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| Michelle Andrews  | Heidelberg     | 3084                  |
| Gaby Taggart      | Mt Waverley    | 3149 / Heathcote 3523 |
| Gemma Wynn        | Romsey         | 3434                  |
| DS                | ELTHAM         | 3095                  |
| J. Gardner        | Heathcote      | 3777                  |
| P. Italiano       | Branswick      | 3056                  |
| Wendy Wager       | Heathcote      | 3523                  |
| Mark              | ELTHAM         | 3095                  |
| OK M              | Woodend        | 3442                  |
| B Stephens        | Heathcote      | 3522                  |
| C HARRIS          | STH MORANG     | 3752                  |
| E. WOOD           | Woodend        | 3442                  |
| C. CUTHBERT       | CROYDON        | 3136                  |
| Janice Lim        | Croydon        | 3136                  |
| Scott Young       | LAWR           | 3075                  |
| Leanne Young      | Lalor          | 3075                  |
| Kathryn Smith     | Merook         | 3660                  |
| Peter Brown       | Exton          | 3666                  |
| JASON BAY         | Bridge         | 3550                  |
| Jesse Scott       | Melbourne      | 3109                  |
| Rebecca Bart      | Doncaster      | 3109                  |
| Phil Tan          | Darkeigh       | 3166                  |
| Rubina Tan        | Darkeigh       | 3166                  |
| TERRY SHEPARD     | WARANGA SHORES | 3612                  |
| Therese Dennis    | waranga Shores | 3612                  |
| Kaylee Coulson    | sunbury        | 3429                  |
| Georgia Hutchison | Riddells creek | 3438                  |
| GLEN COULSON      | Br. A VIC      | 3428                  |
| Ebony Coulson     | Bulla          | 3428                  |
| A Flores          | Whittlesea     | 3757                  |
| CARLOS FLORES     | WHITTLESSE     | 3757                  |
| Julie Johnson     | Waller         | 3756                  |
| Julie Johnson     | Ascot Vale     | 3073                  |
| WALLER            | WALLER         | 3032                  |
| WALLER            | WALLER         | 3765                  |

Contributors, Customers and Friends ~ sincere thanks for your support.  
Please sign and comment if you agree with our objections.

Ken Gilmore I frequently use bout house craft  
for my needs knitting & sewing needs - extra  
Dorothy M. Silvers  
Gwen Rains  
Margaret Lester there is nowhere else in town  
to buy wool buttons etc.

Bowena Bull Knitter & Crafts  
Joanne Gardin

Kathy Hayes

Jessie Hayes

Phyllis Cooper - Heathcote

Sally Davis

Barb Dand

Claudia Holt [REDACTED] Heathcote 3523

Wendy [REDACTED] - Heathcote

Lynette Fitzgerald

Ralph [REDACTED]

[REDACTED]

Francine Holloway

Nancy Miller HEATHCOTE WHERE will U3A meet??

Gyneth Graham Heathcote - NO!

Ralph Scott You've got to be dreaming! Norway

Ray Scott Heathcote needs this, it makes this town.

Sue Gilmore

Phyllis GREG SPEIR [REDACTED] H'cote

Frank [REDACTED] H'cote

John [REDACTED] Heathcote

John [REDACTED] Somers VIC

John [REDACTED] 3927

Sonia O'Neill [REDACTED] Albion 3020

Taylah Gibbs [REDACTED] Albion 3020

Joshua O'Neill [REDACTED] Albion 3020

Boyd Zimmerman WHAT A SILLY IDEA FROM COUNCIL

Carmen Jensen [REDACTED] Hamlyn Heights 3215

Garry Higgins [REDACTED] HEATHCOTE 3523

MIKE HINGTON [REDACTED] HEATHCOTE 3523

Diane Shaw [REDACTED] HEATHCOTE

K. Watkins [REDACTED] Kuluca

R. Watkins [REDACTED] HEATHCOTE

Contributors, Customers and Friends ~ sincere thanks for your support.  
Please sign and comment if you agree with our objections.

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G. Wallis  
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M. Vowell  
H. Hau  
Jenny Lind  
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Towana Omay - Canberra  
Clare Cometto - Melbourne  
Rob Lamicella Essendon  
Joanne Wade [redacted] Heathcote  
Carmel Westmoreland [redacted]  
ANNIE JONES [redacted] NARRE WARREN  
MARIAN [redacted]  
MATT [redacted]  
EMMA [redacted]  
Kate Parker [redacted] Heathcote  
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Martin Steel [redacted]  
DEBORAH WRIGHT - PYRALONG  
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Chena [redacted] MOUNT PIONEER Charlotte Har  
LOAN ADEIRA [redacted] Heathcote  
Elizabeth Anderson [redacted] oak park 3523  
Jacob Franczak [redacted] oak park  
Sally Fairweather [redacted] Melburn East 3145

## 1.2 BONAZZA ROAD PETITION RESPONSE

### Document Information

**Author** Brett Martini, Manager Engineering

**Responsible Director** Debbie Wood, Director Presentation and Assets

---

### Purpose

This report is in response to a petition received by Council at its Ordinary Meeting on 15 May 2019 regarding the removal of vegetation to improve intersection sight distance at the intersection of Bonazza and Maiden Gully Roads.

### Summary

The intersection of Maiden Gully Road and Bonazza Road is a "T" intersection with Maiden Gully Road having priority over the terminating Bonazza Road. Whilst existing site distances exceed the minimum requirements for an intersection in a 60km/h speed zone, removal of some of the undergrowth that has grown since the "Black Saturday Bushfires" will assist in increasing the site distance and safety at the intersection. These works are programmed to be undertaken by the Department of Environment, Land, Water and Planning (DELWP) prior to this Council meeting. The City will review the site distance following the programmed works and determine if further works would provide any improvement to safety at the intersection.

### RECOMMENDATION

That Council having received the petition in regard to concerns regarding vegetation impacts on safety at the Bonazza Road / Maiden Gully Road intersection, review the site distance following the programmed works to be undertaken by DELWP and respond to the petitioners.

### RESOLUTION

Moved Cr Emond, Seconded Cr Fyffe.

That the recommendation be adopted.

**CARRIED**

~~~~~

## Policy Context

### Community Plan Reference:

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

- Goal # 4- Presentation and Managing Growth
- Objective # 4.3 Continue to implement strategies that increase the capacity of transport networks to better move people and goods and encourages walking, cycling and the use of public transport.

## Background Information

Council received a petition regarding vegetation and site distance at the intersection of Bonazza Road and Maiden Gully Road at its Ordinary meeting on 15 May 2019. The petition outlined that

"We the undersigned wish to bring to your attention a dangerous intersection at Bonazza Rd and Maiden Gully Rd. Vision is blocked by small trees on Maiden Gully Rd east side of Bonazza Rd making turning right from Bonazza Rd almost a blind turn. We ask for assessment of the trees be made in relation to the inability of vision they provide for approaching traffic and a suitable solution then be reached.

We the undersigned are regular users of Bonazza Rd that do not wish to be involved in a serious accident.

As the matter has been reported previously with little or no action, we would appreciate your earliest attention".

At the Council meeting Council resolved

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

## Report

As Bonazza Road is the terminating leg of the "T" intersection with Maiden Gully Road, traffic on Bonazza Road is required to give way to all traffic on Maiden Gully Road. The sight distance at the intersection exceeds the minimum standard for a Stop Sign and exceeds the guidelines for both the Safe Intersection Distance and Stopping Sight Distance for an intersection in a 60km/h speed zone. Therefore based on engineering principles the intersection can continue to operate safely in the current condition.

However as this area was part of the bushfire area on "Black Saturday" considerable understorey re-growth has occurred which impacts on the vision particularly to the east of the intersection. Removing this undergrowth and increasing the sight distance to the east will increase the safety of traffic turning right from Bonazza Road into Maiden Gully Road. This is of importance given Bonazza Road is unsealed and vehicles will be on a slight upward grade when existing Bonazza Road. This increases the risk that right turning vehicles may lose traction and therefore take longer in entering Maiden Gully Road and getting up to speed with traffic on Maiden Gully Road.

The City has had discussion with DELWP who manage the land adjoining the Maiden Gully Road reserve to the east of the intersection. DELWP currently have a program of vegetation removal in the area. This program is targeted at the removal of the undergrowth that has established following the bush fires in the area. This program will address the vegetation removal from Maiden Gully Road which will improve the sight distance at the intersection. Established vegetation will not be removed.

Sealing of the Bonazza Road intersection would also improve safety by providing a sealed surface at the intersection eliminating the risk of vehicles losing traction when entering Maiden Gully Road. However this is beyond the scope of routine maintenance and no capital funding has been allocated for these works.

### **Consultation/Communication**

In discussions with DELWP it is expected that the vegetation removal will be completed prior to this report being presented to Council.

### **Resource Implications**

As these works are to be undertaken as part of the program of vegetation removal by DELWP, the vegetation removal is being undertaken at no cost to Council. Further vegetation removal, if required, would be undertaken through the routine maintenance programs. Sealing of the intersection is not able to be undertaken under current funding but could be considered under future road safety or road improvement programs.

### **Attachments**

Nil



RECEIVED  
29 APR 2019  
City of Greater Bendigo

Regards

NAME	CONTACT DETAILS	SIGNATURE
A. Boya		
D. Boyd		
Chris Boyd		
Michael Boyd		
W. H. Shay		
B. J. Boyd		
Michael Griffin		
TRACEY DOHERTY		
CLIFF DOHERTY		
Tary Griffin		
TYRONE GALT		
AARON GALT		
B. Caldwell		
Tom Creighton		
Billy Nodder		
Daniel Love		
Tom McNamee		
Gemma Ellis		
Sam Caldwell		
Debra Caldwell		
FRANK Robertson		
Don Carr		
TOM DEE		

### **1.3                    RESPONSE TO CENTRAL BENDIGO UNITING CHURCH REGARDING AUSTRALIA DAY**

#### **Document Information**

**Author                Steven Abbott, Manager Community Partnerships**

**Responsible       Vicky Mason, Director Health and Wellbeing  
Director**

---

#### **Purpose**

This report responds to a letter received by Council on 15 May 2019 from Central Bendigo Uniting Church Cluster Council in relation to Australia Day.

#### **Summary**

On 15 May 2019 the Central Bendigo Uniting Church Cluster Council (CBUCCC) wrote to Council highlighting that a growing number of Australian citizens are reconsidering the validity of holding the Australian National Holiday on 26 January.

The letter included background information, observations of decisions made by Councils in the Darebin and Yarra Victorian Local Government Areas, and reference to the City of Greater Bendigo (City) Reconciliation Plan. It also seeks the support of Council to ensure that the next Reconciliation Plan includes engagement with the community to discern when and how Australia's nationhood can be celebrated within the City.

Whilst it's important to note that overall, decisions about the date of Australia Day are the responsibility of the Federal Government, it's acknowledged that a growing number of local governments are changing the way they mark Australia Day.

This has led to increased national discussion and debate as to the appropriateness of commemorating Australia Day and of celebrating on January 26. Australia Day, and its history, is complex and holds different meanings for different members of our community, and particularly for Aboriginal and Torres Strait Islanders.

Through the goals of the Community Plan and Reconciliation Plan, Council is committed to a respectful and ongoing conversation with community regarding this matter.



**RECOMMENDATION**

That Council thank the Central Bendigo Uniting Church Cluster Council for their letter and commit to an ongoing conversation with community, which promotes and progresses greater understanding, respect and reconciliation.

**RESOLUTION**

Moved Cr Alden, Seconded Cr Fyffe.

That the recommendation be adopted.

**CARRIED**  
**CR METCALF ABSTAINED FROM THE VOTE**

~~~~~

**Policy Context**

Community Plan 2017-2021

- Goal 6.5 Advance Reconciliation

Reconciliation Plan 2016-2019

- Objective 1: Increase the recognition of Traditional Owners and local Aboriginal and Torres Strait Islander peoples in the municipality

Reconciliation Plan 2016-2019

- Objective 2: Increase City staff, volunteers and Councillors' understanding of Aboriginal and Torres Strait Islander cultures and histories

**Report**

Australia Day, and its history, is complex and holds different meanings for different members of our community. Many Australians view Australia Day as a national day to celebrate and to reflect on what it means to be Australian. The day has marked the arrival of the First Fleet in 1788, but has evolved more recently into a celebration of contemporary Australia and our increasing cultural diversity.

However, for many Aboriginal and Torres Strait Islander people, the day (and the date of January 26) has come to represent one of mourning and loss.

Since 1938, when January 26 was first declared a 'Day of Mourning', there has been a long history of protest to commemorating the day. Today, Aboriginal and Torres Strait Islander people use it to reflect on the past loss and suffering of their people after European settlement. For some Aboriginal people, January 26 is an opportunity to recognise the resilience and survival of the world's oldest living culture – and, since 1992, 'Survival Day' community events have been held to celebrate the strength of Aboriginal people and culture.

However, for many Aboriginal people, January 26 is not a day for celebration. Each year large public protests are held to mark 'Invasion Day' with the Melbourne march now attracting an estimated 40,000 – 60,000 people each year.

For this group, January 26 signifies the beginning of invasion and dispossession. With the impacts of loss and colonisation still being widely felt by Aboriginal communities today, celebrations on January 26 remain a highly emotive issue with the anniversary intensifying the pain, disconnection and sadness felt by many Aboriginal people.

Despite ongoing public debate and contention, all states and territories in 1994 endorsed the creation of Australia Day as a national public holiday to be celebrated on January 26. It has been celebrated since then with local councils and communities hosting public events, citizenship ceremonies, and Australia Day Awards. The National Australia Day Council states that more than half of all Australians participate in specific Australia Day events, with families and those born overseas more likely to participate. Over 16,000 individuals become Australian citizens each year on January 26.

Given these diverse views, both Reconciliation Australia and Reconciliation Victoria are calling for an ongoing and respectful conversation around January 26, and one that is informed by increased awareness and acknowledgement of our shared history and identity.

#### Local Government responses to Australia Day

It is in the context of this increasing nation-wide conversation regarding Australia Day that a number of local governments are reconsidering the way they mark the date to ensure it remains inclusive for all residents, and promotes understanding, respect and reconciliation.

Since 2016, five local governments across Australia – including Yarra, Darebin and Moreland City Councils – have changed their Australia Day celebrations and the way they mark January 26.

In August 2017, Darebin and Yarra City Councils voted to end the formal celebration of Australia Day on January 26 as it is not considered an inclusive date for a national celebration. Out of respect for their local Aboriginal and Torres Strait Islander residents, it was also resolved to no longer refer to January 26 as 'Australia Day'.

Moreland City Council followed with a similar decision in September 2017. These moves followed the City of Fremantle's 2016 decision to hold a more 'culturally inclusive' celebration ('One Day in Fremantle' public event) on a designated date after January 26.

The three Victorian Councils based their decision on the following:

- Aboriginal community consultation including Traditional Owners, members of their respective Aboriginal Advisory Committees, the broader Aboriginal community, and representatives of Aboriginal peak bodies situated within their municipalities.
- A history of conversation and partnership between Council and the local Aboriginal community.
- Surveys of the broader (mainstream) community to gauge the level of public support.
- Increasing recognition of the leadership role of each Council in progressing reconciliation.

The City of Darebin and Yarra City Council have also developed a *January 26 Process Plan* for Local Governments to assist other Councils in their response to Australia Day.

In central Victoria, the Mount Alexander Shire Australia Day celebrations have included a 'Survival Day' component since 2016. The event is supported by the Upper Loddon Indigenous Group Roundtable (Nalderun) and local Dja Dja Wurrung Elders, and in 2019 the celebrations were jointly branded '*Australia Day / Survival Day*' for the first time.

In February 2017, Hepburn Shire Council passed a motion to review its current Australia Day celebrations however no changes to community events have been made.

The City of Ballarat recently agreed to commence regular consultation with its Koorie Engagement Action Group (KEAG) Advisory Committee and the broader Aboriginal community on January 26. A report will be delivered to Ballarat Council in July 2019 which will likely include proposals for future Australia Day celebrations in Ballarat.

#### Australia Day events in Greater Bendigo

The City currently supports the following events on January 26:

- A Citizenship Ceremony held at the Bendigo Town Hall
- Australia Day Awards with Citizen of the Year awards announced prior to Australia Day
- Australia Day official ceremony and community event at Lake Weeroona
- Councillor attendance at multiple community events across the municipality

Locally, there is growing interest in the Australia Day conversation and in how the City marks the occasion. This has included:

- It was reported in the Bendigo Advertiser (25 January 2019) that the Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC) do not support celebrations on January 26, and are no longer participating in Australia Day events on their Country.
- The Bendigo & District Aboriginal Cooperative (BDAC) is supporting new working arrangements for its staff on January 26 – from 2020, BDAC staff will be able to choose to take a public holiday or to work on January 26 (with a public holiday to be taken in lieu during Reconciliation Week).

Through the goals of the Community Plan and Reconciliation Plan, Council is committed to a respectful and ongoing conversation with community regarding this matter.

Demonstrating leadership and a deep commitment to listening to community is an important priority for Council.

Delivering on this commitment will include three major focus areas.

Stage 1: Increase Aboriginal Cultural Awareness and Understanding

- Councillors and City staff increase their Aboriginal cultural competency and understanding. This includes specific training such as Self-Reflection Sessions.
- Councillors host a briefing on the cultural sensitivities regarding Australia Day and January 26, with a view to understanding the leadership role of local governments in marking the date respectfully.

Stage 2: January 26 Engagement Plan for the City of Greater Bendigo

- Develop an engagement plan for the City to guide the organisation in commencing conversations with the local Aboriginal community and for better understanding local views regarding January 26. This would be included as part of the City's next Reconciliation Plan.
- This engagement plan would outline the process of community consultation between the City, Councillors and the Traditional Owners and the local Aboriginal and Torres Strait Islander community. It would also draw on the experiences and learning's from other Local Governments.

Stage 3: Reflection on community engagement and next steps

Councillors host a further briefing to report back on the engagement process with the Traditional Owners and local Aboriginal community, and to highlight the key discussions and points raised through these community conversations. This will inform a discussion on next steps in the approach to the Australia Day matter.

Timelines:

The engagement process as part of the next Reconciliation Plan will occur over 2019, 2020 and 2021.

However a committed to a respectful and ongoing conversation with community regarding this matter is ongoing.

**Attachments**

1. Copy of Letter from Central Bendigo Uniting Church Cluster Council.

**Central Bendigo Uniting Church Cluster Council**

Representing the linked congregations of Forest Street &amp; St Andrew's Bendigo-Axedale

**Minister:** Rev Di Esbensen Phone: 5441 3100

The Mayor & Councillors  
City of Greater Bendigo  
Lyttleton Tce  
**BENDIGO 3000 VIC**

Dear Councillors

**RE: RE-THINKING AUSTRALIA DAY AS AUSTRALIA'S NATIONAL HOLIDAY**

The undersigned are members and associates of the Central Cluster of the Uniting Church in Australia, Bendigo/Axedale. We are also amongst the 7500 Bendigo citizens who, at the 2016 Census, identified with the Uniting Church in Australia.

Over the last two decades, with the support of the congregations comprising our Cluster, some of our members have been engaged in reconciliation activities with the local Dja Dja Wurrung indigenous people.

We are aware of the growing momentum where an increasing number of Australian citizens are reconsidering the validity of holding our National Holiday on 26 January. We are numbered amongst them.

We are also aware that for First Nation People & their family of supporters throughout Australia it's difficult to be festive and celebrate togetherness on the anniversary of the day upon which their lands were invaded & upon which an age of oppression commenced and, some would say, continues to the present.

European colonization has had a substantial impact on Aboriginal and Torres Strait Islander peoples. The evidence is clear - decades shorter life expectancy, systemic racism, distressing and world-leading incarceration rates & intergenerational trauma continuing to be felt to this day.

We believe it is important the continuing journey of reconciliation between Australia's First and Second Peoples include seeking out & reflecting on the perspectives First Nation people have of 26 January.

We are aware the Victorian Local Government Areas of Darebin and Yarra have changed their plans for 26 January because they have sought to listen and understand the views of First Nations people in their communities.

In the City of Greater Bendigo Reconciliation Plan we note that, in supporting the City's broader vision of reconciliation, one of its related actions is "Assuming a leadership role to drive reconciliation across the municipality."

Given the spirit of the above observations and the requirement that the Reconciliation Plan 2016-2019 be reviewed and evaluated in 2019, we seek your support to ensure the new Reconciliation Plan requires engagement with the community to discern when and how Australia's nationhood can be celebrated within the City of Greater Bendigo.

Yours sincerely

*Refer attached Signature Page 8/8/19*

Members & Associates, Central Cluster, Uniting Church in Australia, Bendigo/Axedale

Cc Australians for Native Title & Reconciliation (ANTaR)



Don G TURNBULL  
JUDITH MCCARTHY  
Peter Judd  
Gentle Phillips  
JULIANNE PARKER.  
Judith Canson  
Chris Venning  
Lex Milne  
Peter Venning  
Bruce Keeling  
Jennifer Shield

[illegible]



## 2. PRESENTATION AND MANAGING GROWTH

### 2.1 40 HARLEY STREET, STRATHDALE 3550 - SUBDIVIDE LAND INTO 13 LOTS, REMOVAL OF NATIVE VEGETATION, REMOVAL AND CREATION OF EASEMENTS, DEMOLITION OF AMENITIES BLOCK, AND WORKS WITHIN A HERITAGE OVERLAY

#### Document Information

**Author** Shannon Rosewarne, Senior Planner

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

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#### Summary/Purpose

**Application details:** Subdivide land into 13 lots, removal of native vegetation, removal and creation of easements, demolition of amenities block, and works within Heritage Overlay.

**Application No:** DS/867/2016

**Applicant:** Jing Ying Pty Ltd

**Land:** 40 Harley Street, STRATHDALE 3550

**Zoning:** General Residential Zone

**Overlays:** Heritage Overlay 915

**No. of objections:** 114

**Consultation meeting:** A consultation meeting was not held.

**Key considerations:**

- Planning policy;
- Heritage significance of the site and whether the proposed subdivision and works are acceptable;
- Cultural significance of the site;
- Compliance with Clause 56 (Rescode);
- Neighbourhood character;
- Vegetation removal;
- Drainage impacts;
- Traffic impacts;
- Amenity impacts;
- Future development on the lots.

**Conclusion:** The site is in a good location to provide new housing in terms of accessibility to employment opportunities, recreation reserves, shopping facilities, schools and public transport. The

proposal is consistent with the established neighbourhood character, provides for an appropriate response to the site's heritage significance and complies with Planning Scheme requirements.

This report considers the application and recommends that Council issue a Notice of Decision to Grant a Planning Permit.

### **RECOMMENDATION**

Pursuant to section 61 of the Planning and Environment Act (1987), Council resolve to issue a Notice of Decision to Grant a Permit to subdivide land into 13 lots, removal of native vegetation, removal and creation of easements, demolition of amenities block, and works within Heritage Overlay at 40 Harley Street, STRATHDALE 3550 subject to the conditions at the end of this report:

### **RESOLUTION**

Moved Cr Metcalf, Seconded Cr Fyffe.

That the recommendation be adopted.

**CARRIED**

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### **Policy Context**

#### **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 application was originally lodged in November 2016 and attracted 110 objections as a result of advertising. There were a significant number of objections concerned about the proposed demolition of the buildings and gardens on the site. At the time, no overlays applied to the site and a planning permit was not required to demolish buildings on the site.

The City subsequently commissioned an independent expert to assess the heritage significance of the site, as this was the primary ground for objection to the subdivision application. The citation prepared by *Built Heritage Pty Ltd* (March 2017) found that the main residence was of heritage significance for its association with the architect, Alistair Knox. Knox was an important and influential figure in the development of post-war residential architecture in Victoria, who promoted a self-build, mudbrick architectural style.

The main residence was designed by Knox's architectural firm (based in Eltham) and included many recycled materials including bricks, stone, timber and architectural features from demolition sites around Bendigo; notably a railway bridge in Axedale (1887), items from the former ANA Hall (1893), and convict bricks (1840s) from a visit to Bruny Island. The residence remains as a notably rare (one of two), intact example of a mud brick dwelling in the Greater Bendigo municipality that Knox designed.

The *Built Heritage Pty Ltd* (March 2017) citation found that the surrounding gardens and other buildings constructed later are not considered to be of heritage significance as they are not related to work by Knox himself, or of special architectural significance.

The City undertook a further review of the gardens to determine whether they are of heritage significance in their own right, or contain notable flora. An additional citation by *Context Pty Ltd* (July 2017) was prepared to specifically consider the garden. Context found the gardens did not meet the HERCON heritage significance criteria, or contain notable flora for protection. The citation identifies that gardens from the 1970s and 1980s are generally not considered to meet the heritage criteria unless they have a rare example that may be of botanical interest, technical, scientific or design quality from this era.

On 16 August 2017, Council subsequently resolved to prepare Planning Scheme Amendment C234 to apply the Heritage Overlay to the dwelling.

The application was amended on 9 October 2017 to show the main residence retained within the proposed Heritage Overlay as exhibited, and re-advertised to the persons who received notice of the original application and to those who had previously lodged objections. An additional fifteen (15) objections (with most from previous objectors) were subsequently received to the planning application, many of which raised concerns about the extent of the proposed Heritage Overlay curtilage for the dwelling.

The Amendment was exhibited from 2 November to 4 December 2017 and 12 submissions were received.

A Panel Hearing was held on 21 May 2018 to hear the submissions to Amendment C234. The Panel report recommended that the overlay be applied to the dwelling only and that the curtilage of the overlay be increased slightly to extend 7 metres to the north west and south east sides of the dwelling, to the rear (south west) boundary, and from the north east frontage of the building, extending to the top of the bank of the eastern side of the water course (gully) in front of the dwelling.

At its Ordinary Meeting of 15 August 2018, Council adopted the recommendations of the Independent Planning Panel and the Amendment was subsequently approved by the Minister for Planning on 11 October 2018. The overlay is now included within the Planning Scheme and the Amendment process has been completed.

Following the application of the Heritage Overlay to the site, the planning permit application was amended on 25 March 2019 so that the boundaries for proposed Lot 9 containing the dwelling reflected the extent of the Heritage Overlay. The application was re-advertised in April this year. Four (4) further objections from previous objectors to the application were received.

Minor amendments were recently made to the plans to reduce the size of the drainage reserve from 644 square metres to 497 square metres, following discussions between the applicant and the City's Drainage Engineer regarding the design of the drainage basin. A change to the boundary line between Lots 8 and 9 was also made to address an objector's concern about the location of the driveway for the existing dwelling. These changes were not advertised given their minor nature.

The site was nominated for inclusion on the Victorian Heritage Register at the time Amendment C234 was being undertaken, however no decision has been made on this nomination to date. The site has also been listed on the National Trust register, but is not yet classified.

## **Report**

### Subject Site and Surrounds

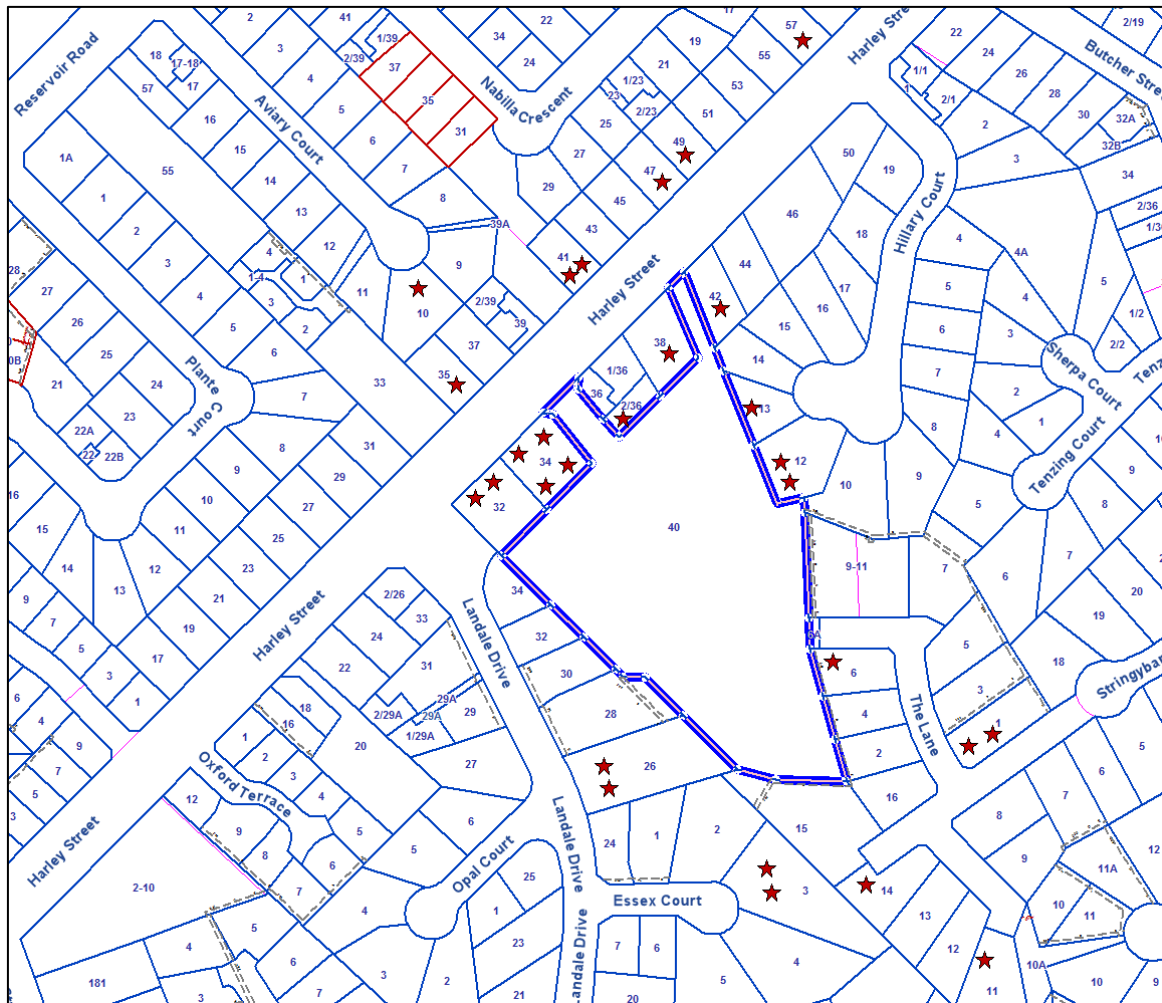
The site is located on the south eastern side of Harley Street in Strathdale. It is an irregular shaped lot of approximately 1.9 hectares in size and contains a main residence constructed of mud brick, 2 smaller mud brick units, a mud brick reception building, amenities block and sheds as well as two small dams. The buildings are set within extensive gardens. Remnant native vegetation exists along part of the eastern, southern and south western boundaries.

The main dwelling, constructed of mud brick and reclaimed materials, is of heritage significance for its association with architect Alistair Knox and the use of recycled materials which provide a unique architectural style.

The site is currently accessed via two driveways off Harley Street. There is a fall towards the centre of the site from both the northwest and the southwest.

Harley Street is a 30 metre wide road reserve containing two lanes and is fully sealed with kerb and channel on both sides of the site, with a footpath on the western side of the road.

The surrounding area is residential and comprises predominantly single detached dwellings.



**Figure 1:** Location map showing subject site. Objectors' properties within vicinity of the site marked with a star.



**Figure 2:** Aerial photograph showing subject site and surrounds.



## Proposal

The proposal is for a 13 lot subdivision of the site, the removal of native vegetation, removal and creation of easements, demolition of an amenities block and works within the Heritage Overlay.

The subdivision will create lots ranging between 751 and 2,671 square metres in size. The largest lot (Lot 9) will contain the Knox dwelling. A drainage reserve of 497 square metres is proposed in the northern part of the site.

The main driveway to the site off Harley Street will be reconstructed and designated as a road which will service 12 of the 13 lots. Lot 1 will have a separate driveway onto Harley Street.

The application seeks approval for the removal of 0.266 hectares of native vegetation.

A disused water supply easement for an irrigation channel along the north east boundary of the site, in favour of some adjoining lots, is proposed to be removed as part of this application. Additional easements will be created to protect services and assets as required.

An amenities block associated with the site's former use as a function venue is proposed to be removed and minor works involving the construction of a new driveway for the existing dwelling are proposed within the Heritage Overlay.



**Figure 3:** Photograph of existing dwelling within Heritage Overlay (source: Built Heritage Pty Ltd, 2017)

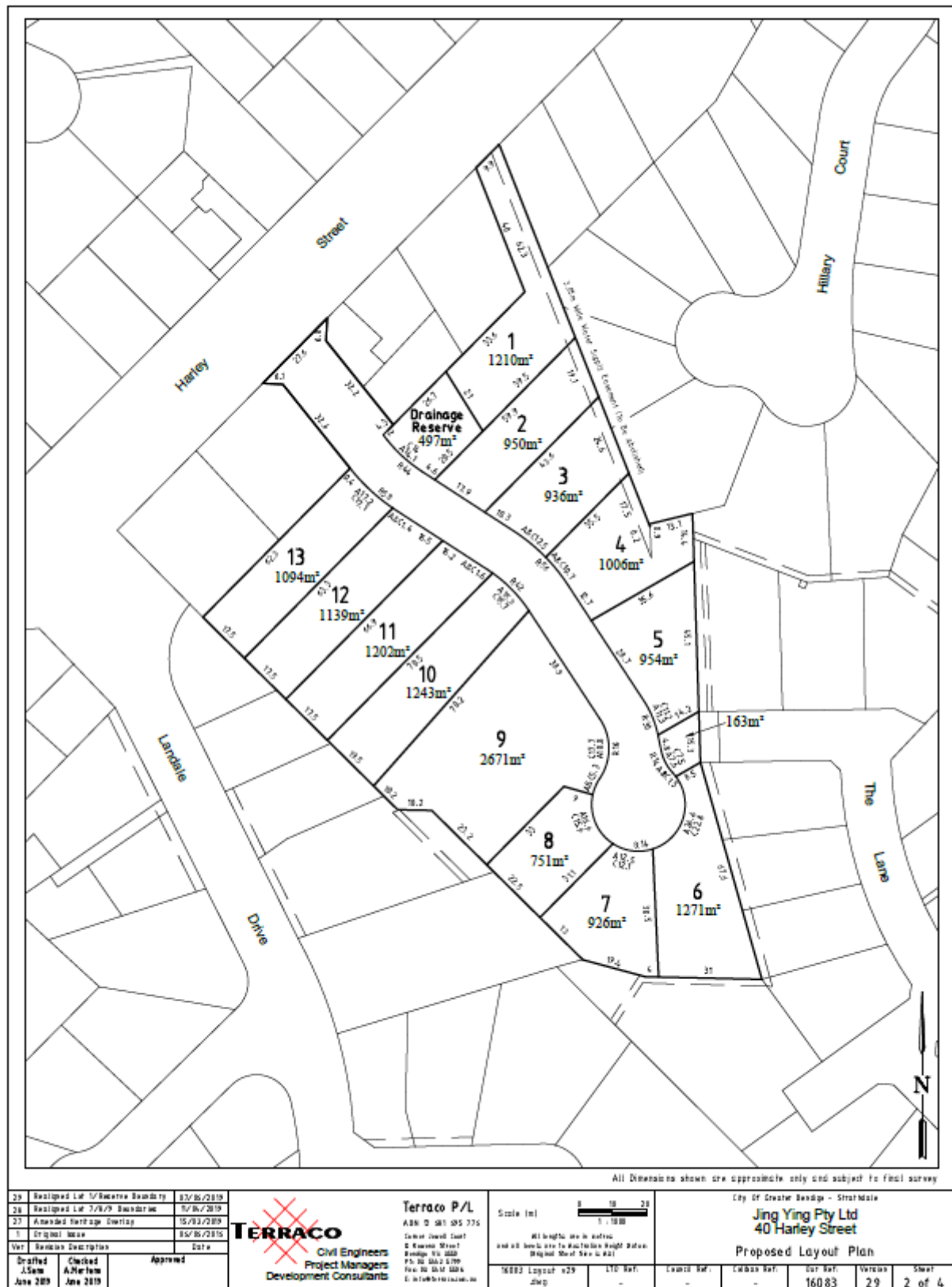


Figure 4: Proposed plan of subdivision

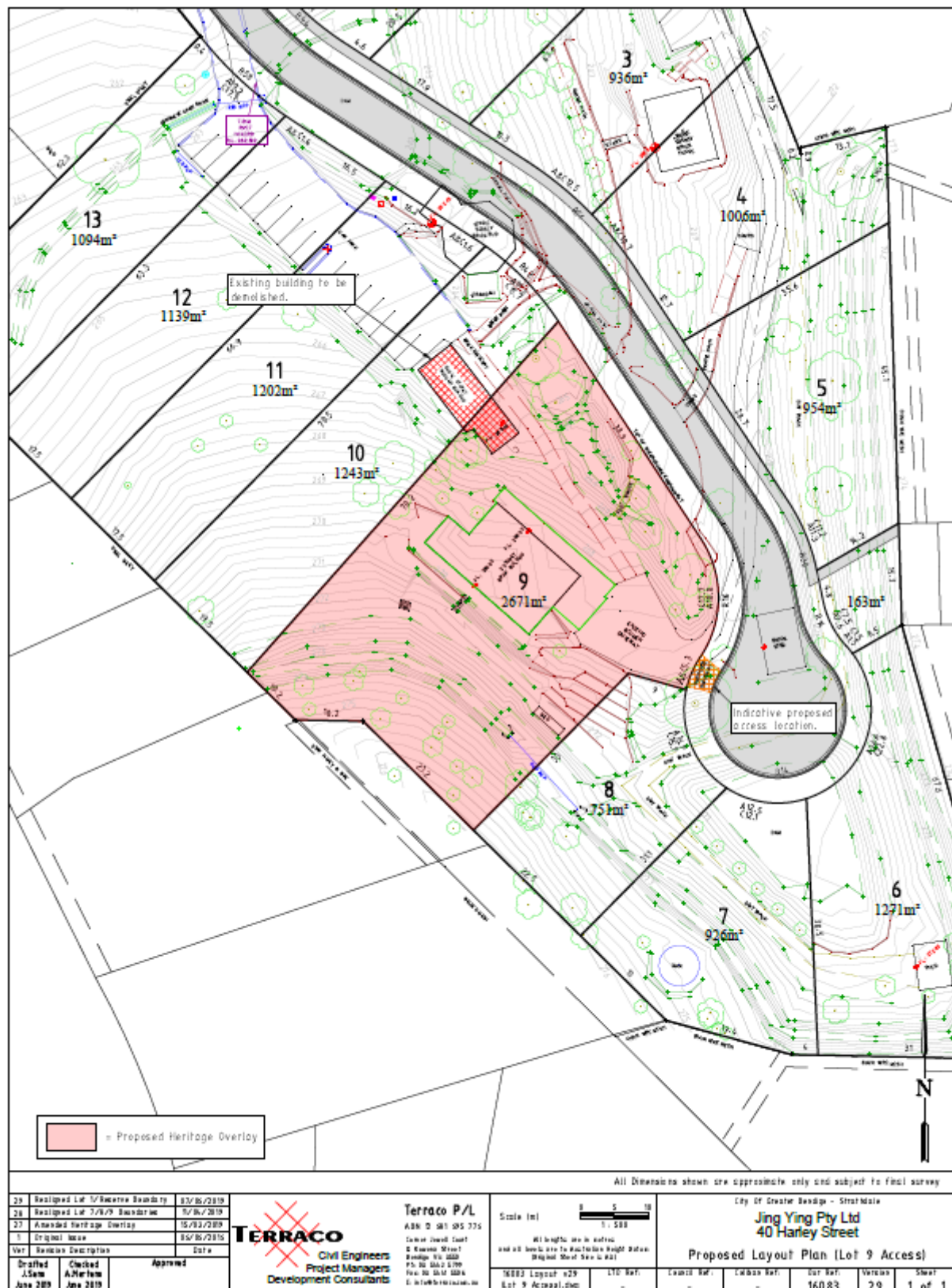
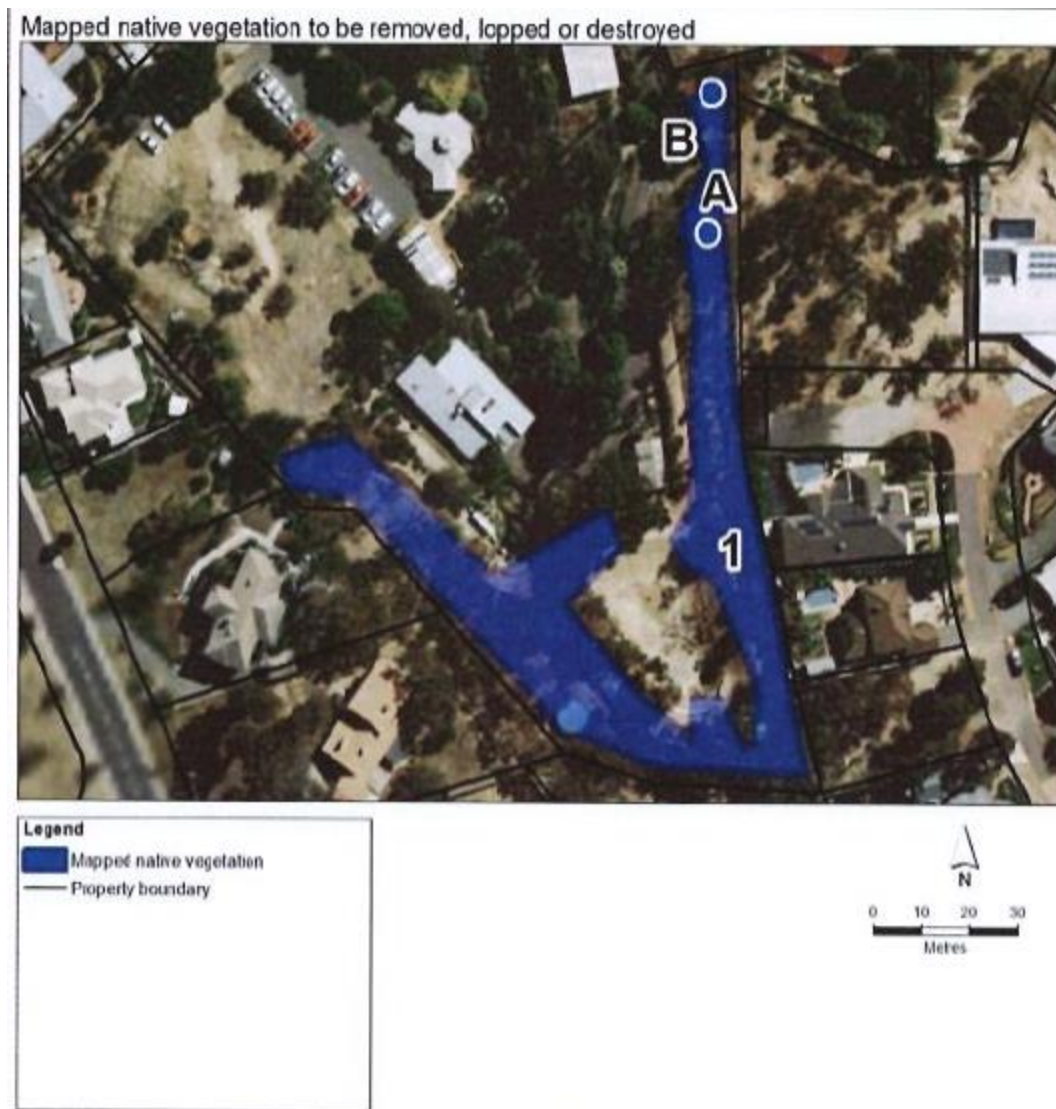


Figure 5: Plan showing extent of works within Heritage Overlay





**Figure 6:** Photograph of amenities building proposed to be demolished.



**Figure 7:** Extract from Native Vegetation Removal report showing extent of native vegetation removal sought.

## Planning Controls – Greater Bendigo Planning Scheme

### Permit Triggers

The need for a planning permit is triggered by:

- Clause 32.08-3 of the General Residential Zone, which states that a permit is required to subdivide land.
- Clause 43.01-1 of the Heritage Overlay which states a permit is required to subdivide land, demolish a building and carry out works.
- Clause 52.17-1 which states that a permit is required to remove native vegetation.
- Clause 52.02 which states that a permit is required to remove and create easements.

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

**State Planning Policy Framework**

- Clause 11 Settlement
- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement - Loddon Mallee South
- Clause 12.01-1S Protection of biodiversity
- Clause 12.01-2 Native vegetation management
- Clause 13.02-1S Bushfire planning
- Clause 15.03-1S Heritage conservation
- Clause 15.01-3S Subdivision design
- Clause 15.01-5S Neighbourhood character
- Clause 16.01 Residential development
- Clause 16.01-1S Integrated Housing
- Clause 18.01-1S Land use and transport planning
- Clause 19.03-2S Infrastructure design and provision

**Municipal Strategic Statement**

- Clause 21.05 Compact Greater Bendigo
- Clause 21.08-1 Natural resource management
- Clause 21.08-4 Heritage
- Clause 21.09-1 Integrated transport and land use planning

**Local Planning Policies**

- Clause 22.06 Heritage policy
- Clause 22.24 Strathdale/Kennington Residential Character Policy

**Other Provisions**

- Clause 52.02 Easements, restrictions and reserves
- Clause 52.17 Native vegetation
- Clause 56 Residential Subdivision
- Clause 65 Decision guidelines

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

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

Referral	Comment
Powercor	No objection subject to standard conditions.
Coliban Water	No objection subject to standard conditions and a condition relating to the redundant easement stating that the developer will be responsible for reinstating any open channel on the land and managing any risk to lots from stormwater runoff.

Referral	Comment
Downer Utilities	No objection subject to standard conditions.
Department of Environment, Land, Water and Planning	No objection, recommended Council include a number of conditions of permit relating to protection of native vegetation to be retained, native vegetation offsets and offset evidence.
Traffic & Design	No objection subject to conditions.
Drainage	No objection subject to conditions.
Heritage Advisor	The proposed subdivision generally responds to the curtilage of the Heritage Overlay and will allow the retention of significant fabric during development of the site. The proposal is supported.
Parks and Open Space	No objection to the proposed vegetation removal. A condition of permit will require a landscape plan for street tree planting to be prepared and submitted for approval.

### 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, a total of 114 objections were received, with several objectors lodging subsequent additional submissions at each stage of the process for this application.

The grounds of objection are summarised as follows:

- Concern about the demolition of the buildings, dams and extensive gardens and the proposed subdivision adversely affecting the heritage significance and cultural values of the site.
- Proposal is contrary to Council's Heritage Policy at Clause 22.06 of the Planning Scheme.
- Proposal is contrary to Council's Environment policy at Clause 21.08-2 of the Planning Scheme.
- Concern about environmental impacts from the removal of all vegetation, buildings, dams and other features of the site, including dust, flooding, wildlife impacts, wastage of existing infrastructure and materials.
- Concern about amenity impacts on neighbouring properties including noise, privacy, increased traffic and disruption during construction.
- Concern about neighbourhood character, density of development and loss of open space on the site.
- Concern about potential for more than one dwelling on a lot, and request for restrictions on building heights.

- Concern about increased traffic on Harley Street, particularly during peak periods, and potential for increased traffic on The Lane.
- Concern about drainage impacts from the subdivision and adequacy of drainage infrastructure.

The planning merits and objections are discussed below.

## **Planning Assessment**

### Planning policy

The following clauses of the State and Local Planning Policy Framework and Municipal Strategic Statement are relevant in the consideration of this application.

Clause 11 (Settlement) states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for, and as far as practicable contribute towards, amongst other things, health, wellbeing and safety, economic viability, and potential of environmentally sensitive areas and natural resources.

Clause 11.01-1S (Settlement) seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Strategies for this policy include focussing investment and growth in places of State significance in metropolitan Melbourne and the major regional cities, including Bendigo.

Clause 11.01-1R (Settlement - Loddon Mallee South) includes strategies which promote Bendigo as a regional city and seek to facilitate increased residential densities for underutilised sites and land in Bendigo.

Clause 12.01-1S (Protection of biodiversity) aims to assist the protection and conservation of Victoria's biodiversity and Clause 12.01-2S (Native vegetation management) has the objective to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation, with the strategy to achieve this being applying the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).

Clause 13.02-1S (Bushfire planning) seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 15.03-1S (Heritage conservation) aims to ensure the conservation of places of heritage significance. Relevant strategies to achieve this objective include encouraging appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations, retaining those elements that contribute to the importance of the heritage place, and ensuring an appropriate setting and context for heritage places is maintained or enhanced.

Clause 15.01-3S (Subdivision design) seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.01-5S (Neighbourhood character) contains the objective of recognising, supporting and protecting neighbourhood character, cultural identity, and sense of place. Strategies to achieve this objective include ensuring development responds to cultural identity and contributes to existing or preferred neighbourhood character, ensuring development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Heritage values and built form that reflect community identity.

Clause 16 (Housing) contains a number of policies and strategies relating to integrated housing, the location of residential development, housing diversity and affordability. Of particular relevance, Clause 16.01 (Residential development) promotes a diverse range of housing that meet community needs in locations that offer good access to services and transport and that is both water and energy efficient. Clause 16.01-1S (Integrated Housing) aims to promote a housing market that meets community needs, with strategies including increasing the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

Clause 18.01-1S (Land use and transport planning) contains an objective to create a safe and sustainable transport system by integrating land use and transport. One of the strategies to achieve this policy is to plan urban development to make jobs and services more accessible by coordinating improvements to public transport, walking and cycling networks with the development and redevelopment of urban areas.

Clause 19.03-2S (Infrastructure design and provision) seeks to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Clause 21.08-1 (Natural resource management) recognises the importance of native vegetation within the municipality. The MSS states that *“the Box Ironbark region is a distinctive natural area of Victoria. Its diverse vegetation covers at least 17 Ecological Vegetation Classes, and also has distinctive fauna including birds, mammals, reptiles and frogs. The diversity of invertebrates is also significant. In the City of Greater Bendigo area, there are at least 50 flora and fauna species. Large areas of forest are essential for flora and fauna. Gully habitats within these areas are sites of high faunal richness and abundance. Important habitat resources include large old trees and an undisturbed ground layer.”*

Clause 21.08-4 (Heritage) of the Municipal Strategic Statement recognises the role that heritage plays in the municipality. It states that *“Greater Bendigo has a large number of significant heritage assets of local, state and national significance. There are buildings, sites and precincts dating from all decades of post-contact settlement since the 1850’s, following the discovery of gold, throughout the municipality. The total complex of buildings, infrastructure, urban spaces and natural resources represent the most significant asset and resource in central Victoria. Heritage is an important part of the economy of the municipality due to its role in attracting tourists, renovators and new residents who bring economic development initiatives and assets.”*

The *Greater Bendigo Residential Development Strategy (2014)* encourages urban consolidation in areas which have good access to local services and facilities. A key component of the *Greater Bendigo Residential Development Strategy (2014)* is implementing the concept of '10 minute neighbourhoods' around activity centres.

Clause 21.05 (Compact Bendigo) encourages '10 minute neighbourhoods' which are attractive and feature well designed residential and mixed use developments, offer a range of housing choices, convenient access to public transport and activity centres, and have community and commercial facilities that are highly accessible by a variety of transport modes, in particular walking and cycling. This clause states that "*a 10 minute neighbourhood is an identifiable community where people can access many (but not necessarily all) of their daily needs within a 10 minute walk or cycle trip from where they live. Daily needs can include shops, schools, employment, a range of community facilities and public transport.*"

Clause 21.09-1 (Integrated transport and land use planning) seeks to integrate land planning and the transport system (walking and cycling networks, public transport, private vehicles and the freight network) and implement the principles of Council's *Connecting Greater Bendigo Integrated Transport and Land Use Strategy (2015)*.

Clause 22.06 (Heritage Policy) sets out objectives which seek to retain heritage assets for the enjoyment, education and experience of residents, visitors and future generations of the municipality, ensure that new development is sympathetic with the appearance and character and maintains the significance of heritage places, including surrounding precincts.

An assessment against the relevant policy objectives and Heritage Design Guidelines is provided as follows:

#### *Subdivision*

The proposed subdivision provides for an appropriate setting for the heritage building, which will be contained within proposed Lot 9. The boundaries of Lot 9 generally accord with the extent of the Heritage Overlay. The layout of the subdivision ensures that the heritage building will be visible from the street. Lot 9 also takes in the gully in front of the dwelling; with the gully to be maintained as an open drain as part of the overall drainage system, and a drainage easement to be applied to it in favour of City of Greater Bendigo.

#### *Demolition*

The proposal seeks to demolish a non-contributory building, being the amenities block. The proposal will retain the main residence within Lot 9, which is consistent with the objective to encourage the retention of a significant or contributory heritage buildings or place, unless structurally unsound and beyond repair.

Clause 22.24 contains the City's Strathdale/Kennington Residential Character Policy. Most of the site, with the exception of part of the main driveway, falls within Precinct 6 of the policy. The character description for this precinct is as follows:



*The areas in this precinct are newly developed with small setbacks and numbers of larger dwellings. In general gardens are establishing with a mix of natives and exotics, however in parts substantial remnant indigenous and native trees (mostly iron bark) provide a backdrop that is distinctive. The streetscapes have an open feel created by a lack of fencing forward of the dwellings.*

The Statement of desired future character for the precinct seeks to strengthen the garden settings of the dwellings.

An assessment against the policy objectives and recommended design responses of Precinct 6 is provided below. (Assessment against Precinct 8 has not been undertaken given that only the proposed driveway for Lot 1 and part of the new road reserve fall within Precinct 8).

Objectives	Recommended Design Response
To maintain and strengthen the garden settings of the dwellings and the backdrop of remnant indigenous trees.	Retain established indigenous trees. Prepare a landscape plan to accompany all development proposals that utilises a mix of exotic and native species
<p><i>Comment: The application seeks approval for the removal of 0.266 hectares of native vegetation on the site, located along part of the perimeter of the site. The vegetation is required to be offset, but much of it is anticipated to be retained given it is located on ridge lines along the boundaries of the site. Extensive earthworks would be required to build within these areas of the site. As such, it is expected that the existing backdrop of remnant indigenous trees will be retained.</i></p> <p><i>The relatively large lot sizes will allow for gardens to be established for each new dwelling within the street, consistent with the objective to provide for garden settings.</i></p> <p><i>A landscaping plan for street tree planting will be required to be submitted as a condition of permit.</i></p>	
To minimise site disturbance and impact of the building on the landscape.	Buildings should be designed to follow the contours of the site or step down the site.
<p><i>Comment: It is acknowledged that some degree of cut and fill may be required for the construction of dwellings on the vacant lots given the topography of the site and depending on the design of dwellings to be constructed, however this should not adversely impact the character of the area.</i></p>	
To maintain the consistency, where present, of building front setbacks.	The front setback should be not less than the average setback of the adjoining two dwellings.
<p><i>Comment: The size of the lots will allow for the appropriate siting of dwellings on each lot.</i></p>	



Objectives	Recommended Design Response
To maintain the existing rhythm of dwelling spacing.	Buildings should be set back from one side boundary.
<i>Comment: Complies. Lot frontages range from 12.5 to 38.9 metres. Lots with narrower frontages are sufficiently wide enough at the rear to allow for appropriate spacing between dwellings.</i>	
To ensure that buildings and extensions do not dominate the streetscape.	Respect the predominant building height in the street and nearby properties.
<i>Comment: This application is for subdivision only, so as such there are no plans for dwellings on each of the lots at this stage.</i>	
To encourage innovative architecture that reflects the garden setting.	Buildings should be individually designed to respond to the dominant characteristics of the area and to the site.
<i>Comment: Given the topography of the site, it is likely that dwellings will need to be individually designed to suit each of the lots.</i>	
To maintain and enhance the continuous flow of the garden settings and the openness of the streetscape.	Provide no fencing forward of the dwelling.
<i>Comment: Complies. No front fencing is part of this application.</i>	

In assessing the proposal against the relevant planning policies outlined above, the site is well located to take advantage of a range of services and facilities, public open space and existing utilities. The site is within proximity to both Kennington Village and Strath Village, active and passive recreation opportunities located on Reservoir Road and at Kennington Reservoir, La Trobe University, primary and secondary schools, a kindergarten and child care services, and public transport via a bus service. The location of this proposal meets the elements of a 10 minute neighbourhood and is consistent with integrated land use and transport planning policy.

The proposed subdivision has provided an appropriate response to the heritage significance of the existing dwelling and the existing neighbourhood character. Although native vegetation is proposed to be removed from the site, the extent and quality of the vegetation is not significant from a biodiversity perspective and appropriate offsets will be applied. Exotic vegetation on the site has not been deemed significant. Drainage impacts from the site can be managed through detailed engineering design.

The site is within a Bushfire Prone Area, but not within a Bushfire Management Overlay. Consideration has been given to the site's landscape risk, access, water supply and vegetation management requirements. The vegetation within 500 metres of the site is predominantly managed vegetation.

The new street will provide lots with appropriate access to the existing street network. The site is connected to reticulated services and fire hydrants will be required to be provided within the road reserve. Lots are also sufficiently large enough to contain water tanks. Any vegetation to be retained on site will be managed within garden settings. Given these matters, the bushfire risk for the site can be appropriately managed and mitigated.

The proposal is generally consistent with State and local planning policies and will produce an acceptable planning outcome.

#### General Residential Zone and neighbourhood character considerations

The site is zoned General Residential Zone under the Planning Scheme. The purposes of the zone include encouraging development that respects the neighbourhood character of the area and encourage a diversity of housing types and housing growth, particularly in locations offering good access to services and transport.

The site is appropriately zoned to cater for residential development at the scale and density proposed in this application and is well located in terms of access to services and transport, as noted previously. The majority of lots in the immediate area exceed 700 square metres in size, with some lots up to 2,200 square metres. There are a few medium density developments scattered throughout the area but most lots are developed with single storey, detached dwellings with associated outbuildings.

The proposed subdivision will provide for lots of similar sizes, with most of the new lots being over 900 square metres in size. The size of the lots will allow for the appropriate siting of dwellings and associated private open space, car parking and garden areas.

Whilst some objectors have requested that restrictions be applied to limit the height of new dwellings and the number of new dwellings per lot, this is considered unnecessary, given it is a subdivision application only.

Building height is governed by the Building Regulations and General Residential Zone. Under the zone, a maximum height of 11 metres and 3 storeys is permitted.

The zone allows for a range of densities and there is no minimum lot size specified for this location. The purposes of the zone encourage development that respects the neighbourhood character of an area and diversity of housing growth, particularly in locations offering good access to services and transport. In the event that further subdivision or the development of more than one dwelling on a lot is proposed, then a planning permit would be required and an assessment against Rescode, including neighbourhood character and amenity impacts would be undertaken, in addition to further advertising/community consultation.

## Heritage

The current proposal now proposes to retain the main residence. Several objections received to the previously advertised application raised concerns about the significance of the buildings and gardens on the site, and the extent of the curtilage for the dwelling within the exhibited Heritage Overlay, however these issues were addressed through the Planning Scheme Amendment process and the Heritage Overlay has been applied to the site, as outlined previously in the background section of this report.

The application has been assessed against the relevant decision guidelines within the overlay, the City's Heritage Policy and Heritage Design Guidelines.

The proposed subdivision has been designed to address the heritage significance of the existing dwelling. The proposed lot boundaries respect the curtilage of the Heritage Overlay and provide for an appropriate setting for the dwelling. The layout will allow for views to the dwelling from the new street. The layout of the subdivision will not adversely affect the significance, character or appearance of the heritage place and will allow for the appropriate siting of dwellings on vacant lots within the subdivision.

The only building within the Heritage Overlay that is proposed to be demolished is an amenities block. It is partly located within the Overlay and a permit is required for its removal. This building is not of heritage significance and no concerns have been raised by the City's Heritage Advisor in relation to its demolition. The demolition of the amenities block will not adversely affect the significance, character or appearance of the heritage place.

While other buildings on the site are proposed to be removed (including two residential units, the function centre and other outbuildings), it has been determined through the Planning Scheme Amendment process that neither these buildings nor the gardens are of heritage significance. A permit is not required for their removal under the Planning Scheme.

Works to create a new driveway for the main residence are proposed, to connect it to the new road. The driveway is proposed to be located on the south eastern side of the dwelling, which will maintain views to the front façade and much of the original gully immediately in front of the dwelling. The gully will be retained as an open drain for the extent of Lot 9's frontage.

An objection to the latest advertised version of the subdivision proposal recommended that the new driveway for the dwelling be aligned further to the south east to minimise works within the gully immediately in front of the dwelling. This has now been achieved by a minor alteration to the boundary line between Lots 8 and 9.

Overall, the proposal provides for an acceptable outcome in relation to the site's heritage significance.

### Cultural significance of the site

A number of objections are concerned that the site is of cultural significance to the Bendigo community and has strong potential for ongoing community use. The site was previously used as a function venue for weddings, ceremonies and other events.

Whilst the site does lend itself toward a non-residential use given its size and the nature of the buildings contained within it, and it is understandable that some people in the community have an attachment to the site having held events there, Council must consider the merits of the current application against the Greater Bendigo Planning Scheme.

The dwelling on the site was found to be of heritage significance for its association with architect Alistair Knox and the use of recycled materials which provide a unique architectural style, rather than for the site's use as a function venue.

The subdivision of the site and its development with dwellings in the future is not likely to result in a significant negative cultural or social impact on the community. The proposal is for an infill development within an existing urban area and the site is appropriately zoned for residential development.

### Rescode – Clause 56 Residential Subdivision

The application has been assessed against all the relevant objectives and standards of Clause 56 and is deemed to comply.

- *Clause 56.01-1 Subdivision site and context description*

The application was accompanied by a written statement describing how the subdivision is consistent with and implements the policies in the Planning Scheme.

- *Clause 56.01-2 Subdivision design response*

The layout of the subdivision responds to the surrounding area, responds to planning policies within the Planning Scheme and complies with the relevant requirements of Clause 56.

- *Clause 56.03-5 Neighbourhood character*

The layout of the subdivision responds to the existing neighbourhood character and is consistent with the objectives of the Strathdale/Kennington Residential Character Policy as outlined above. The subdivision will integrate with the surrounding urban environment.

- *Clause 56.04-1 Lot diversity and distribution*

The proposal provides for a residential density of approximately 1 dwelling per 1,460 square metres, which is comparable to the density of development in the surrounding area. The subdivision will provide for primarily larger lots ranging from 751 to 2,671 square metres. The site is serviced by the No. 61 bus route and the nearest bus stop is within 230 metres of the site on Harley Street.

- *Clause 56.04-2 Lot area and building envelopes*

Each lot will be of sufficient size to provide for the appropriate siting and construction of a dwelling, private open space, stormwater management, vehicle access and parking and will achieve a good level of solar access. Building envelopes are not required for lots within this subdivision.

- *Clause 56.04-3 Solar orientation of lots*

The dimensions of the lots will be adequate to provide for sufficient solar access.

- *Clause 56.04-2 Street orientation*

All lots will front the street which will enable visibility and surveillance of the public realm, with the exception of Lot 1 which will be a battle-axe shaped lot accessed directly via Harley Street.

- *Clause 56.04-5 Common areas*

No common property areas are proposed as part of the subdivision.

- *Clause 56.05-1 Integrated urban landscape*

The subdivision will create a new street. A landscape design for street tree planting within the new street will be required as a condition of the permit. The subdivision provides for integrated water management through the provision of a retention basin as part of the site layout. A footpath will provide for pedestrian links with Harley Street and The Lane.

- *Clause 56.06-2 Walking and cycling network*

A footpath will be constructed within the new street to the City's requirements and in accordance with the relevant standards. This footpath will connect to The Lane and Harley Street.

- *Clause 56.06-4 Neighbourhood street network*

The proposed street network takes into account the existing mobility network. The new street will provide safe and efficient access to 12 of the 13 proposed lots for vehicles, including service and emergency vehicles and will provide an appropriate low speed environment for pedestrians and cyclists.

- *Clause 56.06-5 Walking and cycling network detail*

A pedestrian link is proposed to The Lane and a new footpath within the street will connect to Harley Street.

- *Clause 56.06-7 Neighbourhood street network detail*

The design of the proposed new street will meet the requirements of the Infrastructure Design Manual.

- *Clause 56.06-8 Lot access*

The design and construction of new crossovers will be required to meet the requirements of the Infrastructure Design Manual.

- *Clause 56.07-1 Drinking water supply*

The site can be serviced with reticulated potable water by Coliban Water.

- *Clause 56.07-2 Reused and recycled water*

Reticulated recycled water is not available in this locality; however the lots will be of sufficient size to enable the installation of water tanks.

- *Clause 56.07-3 Waste water management*

The site can be serviced with reticulated sewerage by Coliban Water.

- *Clause 56.07-4 Urban run-off management*

Stormwater runoff will be directed to a retention basin in the northern part of the site.

- *Clause 56.08-1 Site management*

A Construction Management Plan will be required as a condition of permit which will address erosion and sedimentation controls, dust suppression, protection of any vegetation to be retained etc.

- *Clause 56.09-1 Shared trenching*

Shared trenching will be utilised where appropriate.

- *Clause 56.09-2 Electricity, telecommunications and gas*

The site can be fully serviced with electricity, telecommunications and gas. Conditions requested by servicing authorities will be placed on the permit.

- *Clause 56.09-3 Fire hydrants*

New fire hydrants must be provided for the subdivision to CFA requirements, to the satisfaction of the City of Greater Bendigo.

- *Clause 56.09-4 Public lighting*

New public lighting is needed for the subdivision. Details of street lighting will be provided as part of engineering plans for the subdivision.

### Public Open Space Contribution

It is recommended that a cash in lieu contribution of 4.5% of the value of the land be required as a condition of permit. The basis for this recommendation is provided in the table below.

Considerations	Comment
How is the site used or developed?	There is currently a single dwelling on the site. The subdivision will result in 12 new dwellings on the site.
Is it likely that existing open space will be more intensively used after than before the subdivision?	Yes.
What effect will the subdivision have on any existing or likely population density?	The subdivision will increase the population density of Strathdale.
Are there existing public recreation places in the neighbourhood? How adequate are these?	Kennington Reservoir and Strathdale Recreation Reserve are both within 1 kilometre of the site. These places would benefit from upgrade works.
How much land in the subdivision is likely to be used for public recreation by lot owners?	Nil.
What policies are there concerning public recreation places?	City of Greater Bendigo Open Space Strategy 2005 as referenced in the Planning Scheme, noting that the Greater Bendigo Public Space Plan was readopted by Council on 19 June 2019.
Conclusion: will the subdivision result in a need for more public open space?	Yes. The development of the site as proposed will result in a 92% increase in the need for public open space.
What public open space contribution should be paid to Council?	4.5% of the value of the land prior to subdivision.

#### Loss of vegetation and impact on wildlife

It is proposed to remove much of the existing gardens to facilitate the subdivision and development of the site with a new road and future dwellings. A planning permit is required to remove native vegetation pursuant to Clause 52.17 (Native vegetation); however no planning permit is required to remove exotic vegetation from this site. No environmental overlays (such as Environmental Significance Overlay, Vegetation Protection Overlay or Significant Landscape Overlay) apply to the site.

A number of objections have raised concerns about the loss of native vegetation, particularly large trees, and the loss of the gardens. Objectors have stated that the site forms part of an environmental corridor in Strathdale and are concerned about a loss of amenity arising from vegetation removal, adverse impacts on the city's fauna and bird population and the need to retain vegetation in urban environments due to climate change.

The application seeks approval for the removal of 0.266 hectares of native vegetation in the site, including two large trees. The native vegetation is located along part of the eastern boundary, the southern boundary and part of the western boundary of the site. A Native Vegetation Removal report has been submitted as part of the application, in accordance with the requirements of Clause 52.17.

The native vegetation is located within Location 1 and the application is an Intermediate Assessment Pathway application. The site contains Red Ironbark, Red Box, Red Stringybark and Wax Flower species and the vegetation is located within one patch.

The application has been assessed against the relevant decision guidelines as contained within the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) which requires an assessment of the biodiversity value of native vegetation.

The native vegetation on the site has limited biodiversity value. It is located in an urban setting and the site has been modified. A survey was carried out on the site which did not record any rare or threatened species. The Native Vegetation Removal report prepared as part of the application states that the native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.

The application states that although vegetation is required to be offset, much of it is expected to be retained given it is located on ridge lines along the boundaries of the site. While the vegetation may be retained, its biodiversity value will be deemed to be lost once development occurs on the site; therefore a planning permit is sought for its removal, regardless of whether it will be retained. Any trees that are retained on site will only have amenity value once development on the site occurs.

The native vegetation that exists on the site is not deemed to be of high quality or high conservation significance and its biodiversity value would be lost even if the land was developed at a lower density. Whilst the MSS recognises the importance of Box Ironbark Forest within the municipality at Clause 21.08, the vegetation is located on private land within an urban context and the site is zoned for urban development. It is not possible to avoid the loss of the native vegetation's biodiversity value and still develop the site. A lower density subdivision of the site would not reduce the loss of biodiversity value, given the site's context and the quality of the vegetation, when assessed against the Department of Environment, Land, Water and Planning's guidelines.

General offsets will compensate for the loss of biodiversity that will result from the proposal.

As such, the biodiversity value of the vegetation has been weighed against developing the site in a manner that optimises lot yield and provides for an appropriate neighbourhood character response. The loss of biodiversity value resulting from the subdivision will be appropriately offset with conditions specified on the permit detailing the offset requirements. Native trees may be retained within the lots for amenity value.



Given that no planning permit is required for the removal of non-native vegetation on the site as there are no overlays, and it has been determined that the gardens do not contain notable flora, the vegetation is not significant enough to warrant a redesign of the proposal to retain it. In this instance, the benefits of developing the site for housing outweigh the biodiversity value of the native vegetation and the amenity and landscape value of the exotic vegetation that exists on the site.

### Drainage and flooding

Objectors expressed concerns about the adequacy of drainage infrastructure and potential flooding as a result of the subdivision.

A drainage reserve is proposed to be constructed on the site as part of the subdivision. Stormwater from the subdivision will be directed to this reserve for treatment and retention. The new road and retention basin will direct and control the overland flow from the site, and therefore reduce the risk of flooding in the area.

The application was referred to the City's Drainage Engineer who did not object to the application, subject to conditions of permit requiring detailed drainage plans to be approved prior to the commencement of works and provision of drainage easements.

### Traffic

Objectors have raised concerns about the subdivision increasing traffic volumes on Harley Street, particularly during the morning peak period. There are also concerns that The Lane may be open to traffic, rather than being used as a pedestrian link only, as stated in the application.

The City's Traffic Engineer assessed the proposal and did not raise any concerns regarding traffic impacts on Harley Street. The subdivision is anticipated to generate an additional 130 vehicles movements per day. Harley Street is currently carrying in the order of 1,200 to 1,300 vehicles per day, and has an estimated capacity of 4,000 vehicles per day. As such, Harley Street has sufficient capacity to cater for the increase in traffic movements generated by this subdivision.

The connection to The Lane is likely to be shown as a road on a Plan of Subdivision submitted for certification for management purposes, however the City's Engineering Unit has advised that a pedestrian link only would be constructed to The Lane, rather than a road, due to the steep topography through this area of the site.

### Amenity considerations

Amenity concerns raised by objectors include noise and glare from traffic to adjoining properties, concern about truck movements, dust and disturbance from earthmoving equipment during construction and privacy impacts.

Should the application be approved, it is inevitable that there will be activity on the site for a period of time to undertake necessary works for land forming, construction of the drainage and road infrastructure, the installation of utilities to service the subdivision and subsequently when dwellings are constructed on each lot. This is not a sufficient reason to refuse the application.

Appropriate conditions can be placed on the permit to ensure amenity impacts can be managed when works are carried out during the subdivision stage. Once lots have been released, each landowner/builder will be required to manage amenity impacts during construction in accordance with EPA requirements and Council's local laws.

While it is anticipated that noise levels in the area, including from traffic using the new street, will increase as a result of additional population accommodated at the site, it is considered that the likely noise levels will not be unacceptable and will be of a typical residential nature. The likely increase in noise and traffic does not warrant the construction of a 2.4 metre high acoustic fence adjacent to 34 Harley Street, as requested.

## **Conclusion**

The application seeks approval for the subdivision and development of land within an established residential area of Strathdale. The site is well located to take advantage of existing services and facilities in the Strathdale area, given its proximity to public open space and recreation facilities, retail services, social infrastructure such as schools and kindergartens and the availability of public transport on Harley Street.

The subdivision has been designed to take into consideration the layout, context (including the established pattern of development in the surrounding area) and the heritage significance of the site. The subdivision provides for an appropriate heritage response and will maintain an acceptable setting for the existing mud brick heritage dwelling.

Whilst native vegetation on the site may be retained within lots for amenity value, its biodiversity value must be deemed as lost in accordance with the State's planning policy for native vegetation, and offsets must be applied.

The proposal is not likely to result in unacceptable traffic or drainage impacts and amenity impacts arising from the subdivision during the construction phase can be appropriately managed through permit conditions.

Overall it is considered the proposal appropriately complies with the requirements of the Greater Bendigo Planning Scheme.

## **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**

- Objections

**Proposed Notice of Decision Conditions**

1. **PLANS TO BE ENDORSED**  
The plans to be endorsed and which will then form part of the permit are the plans submitted with the application.
2. **LAYOUT PLANS**  
The subdivision, as shown on the endorsed plans, must not be altered without the prior written consent of the responsible authority.
3. **PUBLIC OPEN SPACE CONTRIBUTION**  
Before the statement of compliance is issued the applicant or owner must pay to the responsible authority a sum equivalent to 4.5% of the site value of all the land in the subdivision.
4. **LANDSCAPE PLAN**  
Before a statement of compliance is issued a landscape plan must be submitted to the satisfaction of the responsible authority. When approved, the plan will be endorsed and then form part of the permit.
5. **COMPLETION OF LANDSCAPING**  
Before a statement of compliance is issued the landscaping works shown on the endorsed must be carried out and completed to the satisfaction of the responsible authority.
6. **LANDSCAPING MAINTENANCE**  
The landscaping works shown on the endorsed plans must be maintained to the satisfaction of the responsible authority for 24 months after the works are completed, including that any dead, diseased or damaged plants are to be replaced.
7. **CONSTRUCTION PHASE**  
All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the responsible authority and all care must be taken to minimise the effect of such activities on the amenity of the locality.
8. **NO MUD ON ROADS**  
In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the responsible authority.

**ENGINEERING CONDITIONS:**

9. **DETAILED DRAINAGE**  
Prior to the certification of the plan of subdivision under the Subdivision Act 1988, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then will form part of the permit. The plans must be drawn to

scale with dimensions. The plans must include:

- (a) Direction of stormwater run off
- (b) A point of discharge for each lot
- (c) Independent drainage for each lot
- (d) Stormwater detention
- (e) Allowable discharge: Q1% = 200 l/s
- (f) Stormwater quality

10. DRAINAGE EASEMENTS

The subdivision must provide easements for drainage within and through the subject land for external outfall drainage to a point of lawful discharge to the satisfaction of the responsible authority.

11. CONSTRUCTION OF WORKS

Road works, drainage and other civil works must be constructed in accordance with the Infrastructure Design Manual and plans and specifications approved by the responsible authority and must include:

- (a) Fully sealed pavement with kerb and channel;
- (b) Paved footpaths;
- (c) Underground drainage;
- (d) Underground conduits for water, gas, electricity and telephone;
- (e) Appropriate intersection and traffication measures.
- (f) Appropriate street lighting and signage;
- (g) 20m diameter court bowl as per the IDM.

12. CUT AND FILL PLAN

Prior to the certification of the plan of subdivision under the Subdivision Act 1988, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then will form part of the permit. The plans must be drawn to scale with dimensions and must show:

- (a) Plan of cut and fill for each of the vacant lots
- (b) Cross section plan

13. CUT AND FILL WORKS

Prior to the issue of a Statement of Compliance, all cut and fill works must be completed in accordance with the endorsed plans to the satisfaction of the responsible authority.

14. DRIVEWAY CONSTRUCTION

Before a Statement of Compliance is issued for the subdivision, the driveway for Lot 9 shown on the endorsed plans must be constructed, properly formed, drained and surfaced with an all-weather seal coat to the satisfaction of the responsible authority.

15. FIRE HYDRANTS

Hydrants:

- (a) Operable hydrants, above or below ground must be provided to the satisfaction of the Responsible Authority.
- (b) The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of the building envelope, the rear of all lots)

must be 120m and hydrants must be no more than 200m apart.

- (c) Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available under publication on the Country Fire Authority web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).

#### 16. PUBLIC ASSETS

Before the development starts, the owner or developer must submit to the responsible authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb and channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to any public infrastructure caused as a result of the development or use permitted by this permit.

#### 17. CONSTRUCTION MANAGEMENT PLAN

Prior to commencement of works the owner or applicant must submit a Construction Management Plan (CMP) for approval by the responsible authority. This plan shall include, but not be limited to:

- (a) A site specific plan showing proposed erosion and sedimentation control works.
- (b) Techniques and intervention levels to prevent a dust nuisance.
- (c) Techniques to prevent mud and dirt being transported from the site to adjacent streets.
- (d) The protection measures taken to preserve any vegetation identified for retention.

During construction of works associated with the subdivision, the applicant must employ and provide the protection methods contained in the CMP to the satisfaction of the responsible authority and the Environment Protection Agency.

#### 18. CCTV FOR DRAINAGE PIPES

Prior to the issue of a Statement of Compliance, the owner or developer must submit to the responsible authority CCTV footage of all new or impacted drainage pipes to the WSA 05-2008 standard.

#### 19. AS CONSTRUCTED PLANS

Prior to the issue of a Statement of Compliance, the owner or developer must submit an as constructed file of all new council assets in the responsible authority's required A-spec format.

### **REFERRAL AUTHORITY CONDITIONS:**

#### 20. COLIBAN WATER

- (a) The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets, in accordance with Coliban Water's Developer Installed Works process. Agreement is to be reached with Coliban Water to ensure that all

water mains within this development site must be designed utilising water main links and loops to minimise dead ends and an unnecessary water quality risk in the reticulated water supply mains. To achieve the abovementioned, the reticulated water mains are required to be extended from the existing 375mm water main located within Harley Street, to service the lots within the development site and then be linked via the proposed Access Way and be linked into the existing 100mm PVC water main located within The Lane.

- (b) All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.
- (c) Services are to be provided and where necessary, existing services will require amending in accordance with Coliban Water's specifications.
- (d) The redundant easement referred to in the planning application is not a Coliban Water easement, this is in favour of lots on plan. The developer is responsible for the reinstatement of any open channel on the land and manage any risk to lots for storm water runoff. Specific requirements for the servicing of the new lots will be provided to the applicant after a plan for certification has been referred to Coliban Water. A final copy of the plan as certified by Council must be provided to Coliban Water.

## 21. POWERCOR

- (a) This letter shall be supplied to the applicant in its entirety.
- (b) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- (c) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.  
**Notes:** Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- (d) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).  
**Notes:** Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
- (e) The applicant shall, when required by Powercor, set aside areas with the subdivision for the purposes of establishing a substation or substations.  
**Notes:** Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:
- (f) RESERVES established by the applicant in favour of the Distributor.
- (g) SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
- (h) The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

**Notes:**

- Existing easements may need to be amended to meet the Distributor's requirements
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement reference	Purpose	Width (metres)	Origin	Land benefited / In Favour of
	Power Line		Section 88 – Electricity Industry Act 2000	Powercor Australia Ltd

**22. TELECOMMUNICATIONS**

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

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

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

- A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

**23. AUSNET SERVICES (GAS)**

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

**24. DEPARTMENT OF ENVIRONMENT, LAND, WATER & PLANNING***Protection of native vegetation to be retained*

Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at: a. A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and b. Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native

vegetation. The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority. The protection fence must remain in place until all works are completed to the satisfaction of the department.

## 25. DEPARTMENT OF ENVIRONMENT, LAND, WATER & PLANNING

### *Native vegetation offsets*

- (a) The total area of native vegetation permitted to be removed is 0.266 hectares, comprised of two large trees. To offset the removal of 0.266 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- (b) A general offset of 0.044 general habitat units located within the North Central Catchment Management Authority boundary or Greater Bendigo municipal district;
- (c) Have a Strategic Biodiversity Value score of at least 0.080.
- (d) Provide protection for at least 2 large trees • must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

## 26. DEPARTMENT OF ENVIRONMENT, LAND, WATER & PLANNING

### *Offset evidence*

Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:

- (a) An established first party offset site. This must include:
  - i. A security agreement signed by both parties, and
  - ii. A management plan detailing the 10-year management actions and ongoing management of the site; to the satisfaction of and approved by the Responsible Authority.
- (b) Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;
- and/or**
- (c) Credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

## 27. EXPIRY OF THE PERMIT – SUBDIVISION AND DEVELOPMENT

This permit will expire if:

- (a) The plan of subdivision is not certified within two years from the date of this permit; or
- (b) The subdivision is not completed within five years from the date of certification of the plan of subdivision; or
- (c) All other development excluding subdivision is not completed within 7 years from the date of this permit.
- (d) The responsible authority may extend the time for certification of the plan, or for the completion of any part of the development excluding subdivision,



if a request is made in writing before the permit expires or thereafter, within the period allowed by section 69 of the Planning and Environment Act 1987.

**Department of Environment, Land, Water and Planning Note**

Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

**City of Greater Bendigo Engineering Unit Note:****CONSENT FOR WORK ON ROAD RESERVES**

The applicant must comply with:

- (a) The Road Management Act 2004.
- (b) Road Management (Works and Infrastructure) Regulations 2005.
- (c) Road Management (General) Regulations 2005.

with respect to any requirements to notify the Coordinating Authority and/or seek consent from the Coordinating Authority to undertake “works” (as defined in the Act) in, over or under the road reserve. The responsible authority in the inclusion of this condition on this planning permit is not deemed to have been notified of, or to have given consent to undertake any works within the road reserve as proposed in this permit.

## 2.2 45 INGHAM ROAD, AXEDALE 3551 - USE OF LAND FOR INDUSTRY (MANUFACTURE AND MAINTENANCE OF MINING AND AGRICULTURAL EQUIPMENT)

### Document Information

**Author** Peter O'Brien, Planning Coordinator

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

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### Summary/Purpose

**Application details:** Use of land for industry (manufacture and maintenance of mining and agricultural equipment)

**Application No:** DU/797/2016

**Applicant:** Central Victorian Welding & Fabrication Pty Ltd

**Land:** 45 Ingham Road, AXEDALE 3551

**Zoning:** Farming Zone

**Overlays:** Environmental Significance Overlay 1 (Part)

**No. of objections:** 4 (with 1 submission stating they did not object, but went onto list a series of concerns they would like addressed if a permit were to be granted).

**Consultation meeting:** No formal meeting has occurred; however informal discussions with all objectors have occurred.

**Key considerations:**

- Whether the proposal is supported by industrial policies of the Planning Scheme;
- Whether the proposal is suitable in the Farming Zone and consistent with the agricultural policies of the Planning Scheme;
- Amenity and environmental impacts; and
- Whether the issuing of a planning permit would result in an acceptable planning outcome

**Conclusion:**

- The use of land is not supported by planning policy with respect to industrial land use; nor the purposes of the Farming Zone.
- In the absence of evidence to the contrary, the use is not in compliance with the State Environment Protection Policy with respect to noise.
- The lack of an approved onsite effluent disposal system represents an environmental risk.

- The use is contrary to the principles of orderly planning, with respect to having unacceptable amenity impacts.

## **RECOMMENDATION**

A. Pursuant to section 61 of the Planning and Environment Act (1987), Council resolve to issue a Notice of Refusal to Grant a Permit for the use of land for industry (manufacture and maintenance of mining and agricultural equipment) at 45 Ingham Road, AXEDALE 3551 subject to the following grounds:

1. The proposal is contrary to the State and Local Planning Policy Framework that relates to both agricultural and industrial land use.
2. The proposal is contrary to the purpose and decision guidelines of the Farming Zone.
3. The proposal will result in an unacceptable level of detrimental impact on the amenity of the surrounding area (with respect to visual amenity, noise and light).
4. Wastewater management for the property is unacceptable. The septic system associated with the dwelling has been altered and a toilet block has been connected into the septic system without approval.
5. Ingham Road is not suitable the frequency and type of heavy vehicles currently utilising it; and the intersection with the McIvor Highway is not of an appropriate standard to handle such traffic.
6. The proposal will not result in an orderly planning outcome.

B. If an application to review the decision of refusal is not lodged with the Victorian Civil Administrative Tribunal (VCAT) within 60 days of the refusal being issued, the City is to commence enforcement action requiring cessation of the use.

## **RESOLUTION**

Moved Cr Wrigglesworth, Seconded Cr Metcalf.

That the recommendation be adopted.

**CARRIED**

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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 use of land for which a retrospective approval is sought, is believed to have commenced in 2016 and is understood to have operated in an Industrial Zoned site in East Bendigo before relocating to the present site, which the proponent owns and resides.

The use came to the notice of the City when a City works crew observed a large number of vehicles and equipment being stored outside the application site in the Ingham Road reserve and reported this to the City's Compliance Officer.

The City's Compliance Officer inspected the site and advised the proponent in writing that that the site was operating without planning approval and that a retrospective permit was required to be sought.

The permit application was lodged in October 2016 and advertised with a single submission received. The proponent was advised in June 2017 that the application was unlikely to be supported on planning and strategic grounds; however was also requested to provide information (in order to limit the number of issues in dispute) with respect to:

- The noise (and compliance with State Environment Protection Policy); and
- In the absence of sewer, how onsite effluent disposal is managed having regard to the number of employees on site.

The proponent has not supplied additional information with respect to these issues.

### Report

#### Subject Site and Surrounds



**Figure 1:** Location map showing subject site. Submitter properties marked with a star.

The applicant's submission has appropriately described the application site as:

*“The described land is approximately 23.95ha and is formally identified as Crown Allotment 19B at the Parish of Axedale. The property is triangular in shape with approximately 1.007 km frontage to Ingham Road and approximately 177m of frontage to the Campaspe River.*

*The site has been largely cleared of vegetation and increases significantly in elevation from the Campaspe River (western boundary) to the location of an existing dwelling and the proposed location of the ‘Industry’ use.*

*There is an existing brick veneer dwelling on the site with driveway access to Ingham Road, along with two existing machinery sheds”.*

The site is within the Farming Zone. There is no current or proposed Industrial zoned land within Axedale. The closest area of Industrial zoned land is some 18 kilometres away (as the crow flies) in East Bendigo.

Access to the site (for heavy vehicles) occurs at the eastern junction of the Mclvor Highway and Ingham Road.

In terms of context, the site is prominently viewable from the Mclvor Highway as it rises coming out of the Axedale Township across the Campaspe River. The O’Keefe Rail Trail runs alongside the application site in Ingham Road.

The closest dwelling is approximately 150 metres south west of the site at 44 Ingham Road.

Dwellings in Hannon Place and Campaspe Drive are approximately 500 metres away; however it is relevant to note that the natural ground level of these dwellings is similar to that at the application site (as a result of the significant fall towards and away from the Campaspe River).

## Proposal



**Figure 2:** Applicant plan nominating extent of land to be used for industry (red) and 100 buffer (green).

The proposed use of land for the purpose of 'Industry' specifically (as stated by the applicant submission) being to:

*"Manufacture and maintain equipment predominantly for the mining and agricultural industries being located near Axedale Sands and Gravel, Hanson Quarry, Burns Clay Pit, Fosterville Gold Mine and farmers in the region".*

The application material included the plan at Figure 2 which nominated the location from which 'industry' would be conducted; as well as a 100 metre 'buffer' area. The application has not nominated operating hours or days for the business. The application indicates that 10 staff are employed by the business.





**Figure 3:** Aerial marked up with the area nominated by the applicant for the 'industry use' (overlaid onto Google Earth Imagery from 2019).

The marked up aerial at Figure 3 and recent observations of the site indicate that the use has expanded beyond the area the applicant nominated as being the maximum extent of use.

## Planning Controls – Greater Bendigo Planning Scheme

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

### State Planning Policy Framework

- 11.01-1R Settlement – Loddon Mallee South
- 11.02-1S – Supply of urban land
- 13 – Environmental risks and amenity
- 13.05-1S – Noise abatement
- 13.07-1S – Land use compatibility
- 14.01-1S – Protection of agricultural land
- 14.01-2S – Sustainable agricultural land use
- 17.03-1S – Industrial land supply

### Municipal Strategic Statement

- 21.01 – Municipal Profile
- 21.02 – Key Issues and Influences
  - 21.02-3 Economic development: Industrial diversification



- 21.05 – Compact Greater Bendigo
  - 21.05-10 Small towns
- 21.07 – Economic development
  - 21.07-6 Industrial
- 21.08-2 – Wastewater

#### Local Planning Policies

- Clause 22.05 Industrial Policy

#### Other Provisions

- 35.07 Farming Zone
- 52.06 Car parking
- 65 Decision guidelines
- 66 Referral and notice provisions

### **Consultation/Communication**

#### Referrals

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

| Referral                                            | Comment                                                                                                                                                                      |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| VicRoads                                            | Unconditional consent.                                                                                                                                                       |
| Department of Jobs, Precincts and Regions           | Consent subject to notes.<br>Note: this referral was required under the Planning Scheme owing to the proximity of the site to land being used for extractive industries.     |
| Department of Environment, Land, Water and Planning | Conditional consent.                                                                                                                                                         |
| City of Greater Bendigo - Environmental Health      | Objection. This is based on the unauthorised alteration to the existing effluent disposal system and the lack of appropriate provision for effluent disposal more generally. |

#### 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, 5 objections were received, with the grounds of objection being:

1. The use of Ingham Road for the parking of vehicles associated with the use (up to 15-20 vehicles parked in the road reserve at a time).

2. Amenity impacts associated with noise. The objections specially note excessive noise from the hammering of steel, steel dropping onto concrete; grinding, welding and heavy vehicles manoeuvring; and the times this occurs, sometimes continuing as late as 2:30am or commencing from 5:30am.
3. Amenity impacts associated with light. One of the two machinery sheds is open sided and external lighting illuminates the valley and creates shadow in dwellings on the opposite side of the valley.
4. Aesthetics – the appearance of the premise across the valley and when viewed from other viewpoints being inconsistent with a rural landscape.
5. Concern that if the use were permitted to continue, this could give rise to other industrial uses on the land or impact property values (i.e. raising the rateable value of the application site; having an impact on raising property values on adjoining/nearby land).
6. Impacts on the operation of the O’Keefe Rail Trail.

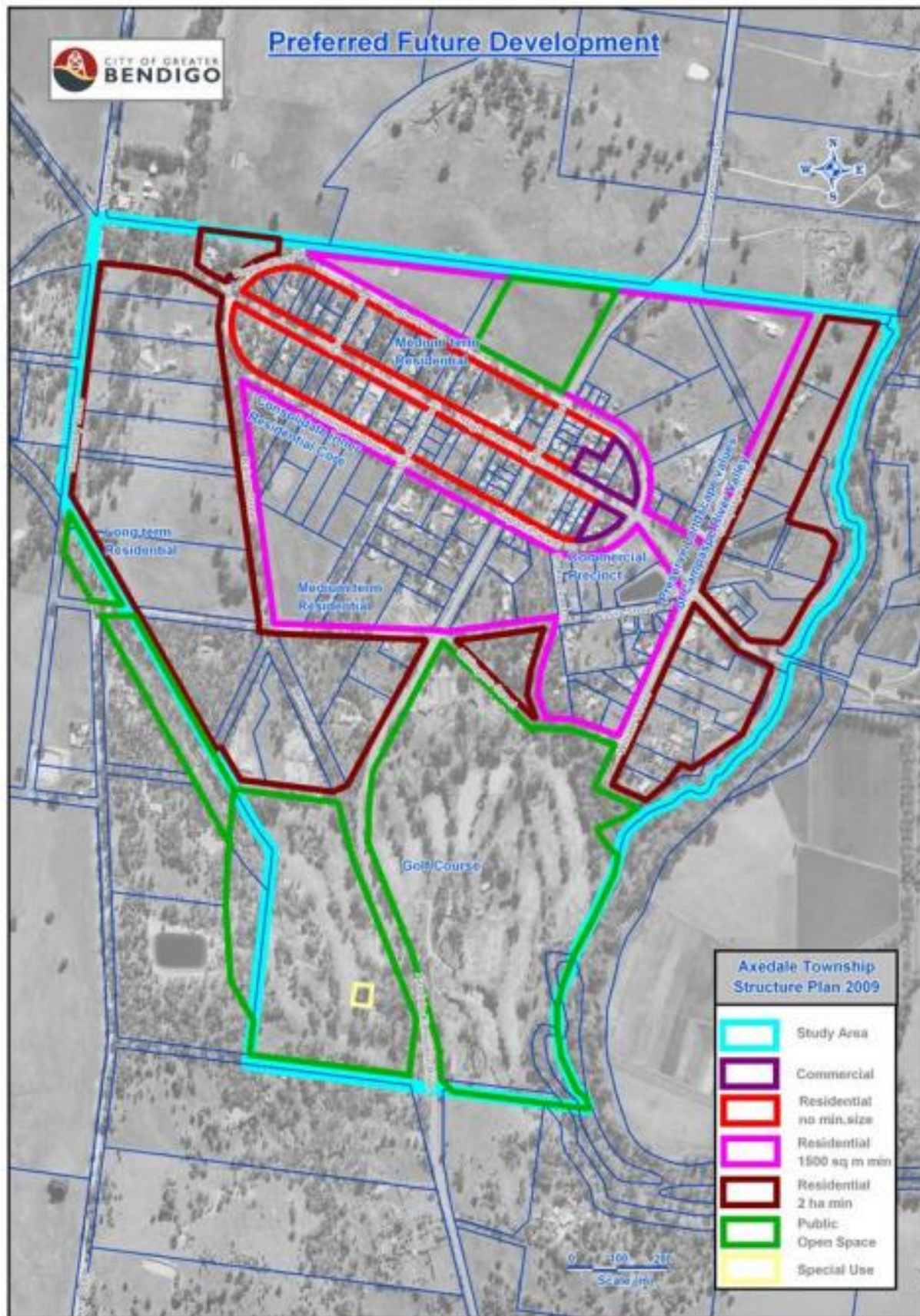
The planning merits and objections are discussed below.

## **Planning Assessment**

### Whether the proposal is supported by industrial policies of the Planning Scheme?

Clause 21.05-11 *Small towns* notes that towns including Axedale:

*“Provide an important focal point for their communities and surrounding hinterland and offer an attractive lifestyle in close proximity to the major regional centre of Bendigo. The challenge is to ensure that existing service levels within these towns support their community and that they build upon existing opportunities including tourism, housing, service business and extractive industries”.*



**Figure 4:** Axedale Township Strategic Framework Plan (page 165 of the Greater Bendigo Planning Scheme).

The applicant argues that the location they are operating from is supported by the *Small towns* policy which acknowledges the importance of extractive industries to towns like Axedale. The applicant's argument has a strong focus on the site being strategically located close to a number of their major customers, as well as the Mclvor Highway (a major freight route). Whilst there is logic to their argument, the operation at the site does not enjoy policy support.

The City has a relatively sophisticated set of local policies which provide clarity as to where industrial uses should be located. Local planning policy clause 21.02-3 *Economic Development – Industrial Diversification* notes:

*“Future industrial development will be promoted within the East Bendigo industrial precinct and the Marong Business Park. A number of other sites within the municipality offer further development potential, and this will be encouraged in areas such as the Deborah Triangle precinct.*

*Rural-based industries will be encouraged to locate in the Goornong industrial precinct. Council acknowledges that there is a need to promote effective use of land, services and resources to maximise the benefits of existing sites identified for industrial development”.*

Policy also encourages the consolidation of existing industrial areas to take advantage of access to major transit and freight corridors within the municipality. The application site is not located within an existing industrial area. As such, the proposal does not result in the consolidation of existing industrial areas and creates dispersion of industrial activity which is contrary to the local policy of the Planning Scheme.

Consolidating industrial land use activities in an industrial area would result in an orderly town planning outcome that protects agricultural and environmental features of the municipality. The Planning Scheme does not encourage the operation of industrial land uses within the Farming Zone.

Locating industrial activities in locations as deemed appropriate by the Planning Scheme ensures that the amenity of non-industrial areas (in this case the Low Density Residential Zone; and General Residential Zone areas of Axedale west of the application) are protected.

The proposal is clearly not in accordance with policy as the industrial land use is on a site located in the Farming Zone. It is important that land use policies like this are implemented to achieve an orderly planning outcome.

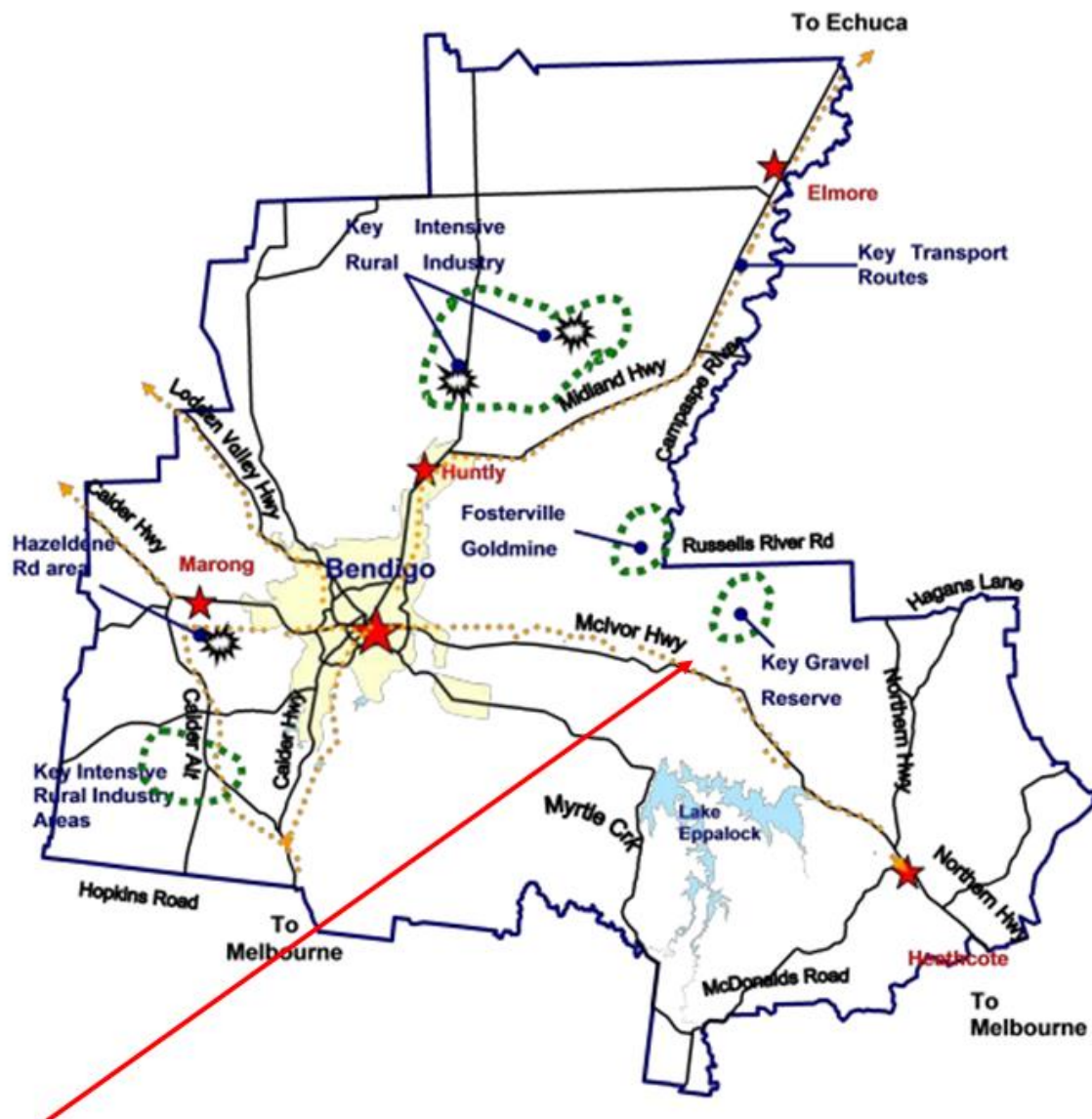
The Planning Scheme provides clear direction for industrial land uses to be encouraged and located with other industrial land uses, more specifically that more intense ‘heavy’ industrial uses locating towards the centre of industrial precincts. The proposal does not achieve compliance with this policy.

Objective 3 of clause 21.07-6 seeks to attract new industries to appropriate locations, particularly in East Bendigo, the Wellsford Estate and the Goornong Industrial Estate. The site and proposed industrial uses are not located within these areas. The proposal is therefore contrary to this objective.



Further to the abovementioned policies and pursuant to the Rural Industries Strategic Framework Plan (Figure 5), the following objectives of the Planning Scheme are also relevant considerations:

- *Protect intensive rural industries from competing land uses;*
- *Promote intensive industries in preferred areas and throughout Greater Bendigo; and*
- *Minimise potential for rural-rural living conflict.*



**Figure 5:** Rural Industries Strategic Framework Plan and the application site (page 188 of the Greater Bendigo Planning Scheme)

In addition to the policy direction in the Municipal Strategic Statement, the City has a local policy being clause 22.05 - *Industrial policy* that applies to the use and development of land for industry.

Clause 22.05 has objectives and policies on facilitating economic development, the built environment and amenity. This policy emphasises the previously proposed Marong Business Park and East Bendigo as the preferred locations for industrial expansion. Of particular relevance to this application is the policy which discourages industrial development in rural areas of the municipality, unless they can demonstrate they are a rural based enterprise that value-adds to the agricultural base of the municipality.

The proposal requests planning permission to locate industrial land uses in an area of the municipality, which is also a Farming Zone that is not a preferred area for industrial land uses. Whilst it is asserted the use is a rural based enterprise, it is best categorised as industry – in fact it is heavy industry (involving steel fabrication and the like) and it does not comply with Council's industrial policy.

The use does generate employment and investment which is a significant positive, however this does not overcome the fundamental inconsistency with policy that the use of this land has.

Whether the proposal is suitable in the Farming Zone and consistent with the agricultural policies of the Planning Scheme?

'Industry' is a not a prohibited use in the Farming Zone. However, because a use is permissible in a zone does not infer that a permit should or will be issued. Relevant considerations with respect to policy and the zone include:

- i. The removal of agricultural land from potential agricultural productivity;
- ii. The purposes and decision guidelines of the Farming Zone; and
- iii. Will the proposal result in an acceptable outcome under the zone or be consistent with the agriculture-related policies of the Planning Scheme.

The above matters will be discussed in detailed below.

*i. Removal of agricultural land from potential agricultural productivity.*

The Planning Scheme emphasises the protection of productive agricultural land from unplanned, permanent removal or incompatible adjoining uses (clause 14.01-1S) and supports rural industry which contributes to agricultural production in cases where this provides for diversification and value adding (clause 14.01-2S).

It is stated at clause 14.01-1S of the Planning Scheme that in assessing rural proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals (such as degradation of soil or water quality and land salinisation), which might affect productive agricultural land against the benefits of the proposals.

The economic development policy (clause 21.07), lists agriculture as an important element of the economy and seeks to protect agricultural land from competing, inappropriate land uses, to maintain the potential for agricultural production and to minimise fragmentation of productive land parcels.

It is submitted by the applicant, that the land is *“identified as marginal farm land, having little or no potential for profit when used for farming purposes”* and that the proposal *“makes the best use of the land included in the zone, whilst not affecting the remaining of the property and surrounding land for agricultural production”*.

The assessing officer disagrees with this assertion as the land use proposed is inherently not in accordance with the State and Local Planning Policy that relate to agricultural land use, or the purpose of the Farming Zone.

The current use reduces the area of the land which could be used for a purpose associated with an agricultural land use on the site. As has been noted previously, the area of the land in which the use is being conducting is in fact *increasing* with recent site observations and aerial photography showing an increase in the storage of materials such as steel on site as well as a number of shipping containers.

*ii. Consistency with the purposes and decision guidelines of the Farming Zone;*

When considering the purposes of the Farming Zone as a whole, the primary focus is to retain agricultural land for agricultural purposes and encourage employment which in turn supports rural communities. The employment it encourages should relate to agriculture, as otherwise it would not serve its primary purpose of encouraging the retention and utilisation of land for the purpose of farming.

The application as submitted has failed to demonstrate how the proposal will encourage employment or support rural communities.

Also, the proposal does not comply with the purpose and decision guidelines of the Farming Zone for the following reasons:

- The proposed use does not support or relate to the sustainable land management of the site.
- For the reasons outlined earlier in this report, the site is not suitable for the proposed industrial land use. This use is encouraged to be located in an existing industrial area within the municipality (which is where the use was previously operated from).
- The location is convenient for the operator of the proposed land use in that they own and occupy the site; however this is not a statutory planning consideration and does not result in compliance with the Planning Scheme.
- The proposed industrial uses do not support or enhance agricultural production on the site.
- The proposal will further detract from the possibility of the site being used for agricultural production.
- The numbers of vehicle movements to and from the site generated by this proposal are significant - traffic associated with the use both by employees and the transportation of goods to and from the site is the dominant use of the road. Amenity issues relating to dust generated by truck movements as well as impacts on the road itself (which is a City controlled/maintained, but is not constructed at a standard appropriate for industry), can create conflict with the surrounding rural land uses and the O’Keefe Rail Trail.

In addition, one of the key issues relevant to the proposal to consider under clause 35.07-6 is *‘whether the proposal is compatible with adjoining and nearby land uses’*.



In this case in recent months it has become evident to the City that the use is sometimes operating in a quite inappropriate manner (with respect to extended operating hours), which is having a detrimental impact on the amenity of the area, in terms of visual and noise impacts.

*iii. Will the proposal result in an acceptable outcome under the zone or be consistent with the agriculture-related policies of the Planning Scheme?*

The applicant's submission is that the use entails the manufacture and maintenance of equipment predominantly for mining and agricultural industries. There is no compelling benefit to be derived from locating the proposed industrial use in the Farming Zone as the association with agriculture is not quantified in any way, nor if a permit were to be issued could it be restricted in that way.

The location is presumably convenient for the landowner but that is not sufficient justification for the proposal if it does not accord with the policies of the Planning Scheme.

The proposal will not result in an orderly planning outcome and as discussed previously in this report, conflicts with numerous local planning policies. It is likely the operation of the proposed uses will result in an unreasonable burden on the rural environment, amenity and infrastructure.

#### Amenity, environmental and traffic impacts

Recent Council decisions (including McKern Steel in Victoria Street, Eaglehawk and the Dog Daycare proposal in Deborah Street, Quarry Hill) have reinforced the importance of Council having sound evidence around amenity impacts to help inform decision making.

Both the aforementioned decisions (which Council supported), would not have been possible without the benefit of acoustic evidence supporting how the proposal complies with clause 13.05-1S – *Noise abatement* of the Greater Bendigo Planning Scheme.

The noise from heavy industry / steel fabrication can be significant and in the current instance one of the two buildings from which the use operates is an open sided shed, with the other being an enclosed shed (albeit with no acoustic attenuation). The balance of the site contains 'hard stand' areas where material is stored to be moved into the building for fabrication, or finished product being transported to and from the site.

In addition to noise, additional evidence in the form of a Land Capability Assessment or other suitable evidence that could demonstrate that a use could reasonably comply with clause 21.08-2 – *Wastewater* of the Greater Bendigo Planning Scheme has also not been forthcoming. This presents an unacceptable environmental risk.

The permit applicant in this case was given the same opportunity as other applicants to support their non-complying use with evidence that either the use did, or could operate appropriately if changes were made to operation, buildings modified (with respect to noise), or evidence was presented and implemented as to how wastewater would be managed.

The permit applicant has not taken the opportunity to make the case that the impacts of the use can be mitigated. The lack of policy support (the starting point for any planning decision), or evidence that amenity and environmental risk can be addressed really gives the City no option but to adopt the precautionary principle in this instance and not support the application.

It is clear from the submissions received (some from residents over 500 metres away from the use), that the use is having an amenity impact. Even if the policy merits of the proposal stacked up, there would still be concern as to whether the proponent would comply with permit conditions given the submissions indicate that at times the use operates almost around the clock.

As stated earlier, the number of vehicle movements to and from the site generated by this proposal are significant and traffic associated with the use, both by employees and the transportation of goods to and from the site, is the dominant use of Ingham Road.

Amenity issues relating to dust generated by truck movement as well as impacts on the road itself (which is City controlled/maintained, but is not constructed at a standard appropriate for industry), can create conflict with the surrounding rural land uses and the O'Keefe Rail Trail.

Minimal to no provision for staff parking has been made on the site and it has been observed that loading and unloading of vehicles occurs in the road reserve.

VicRoads has not indicated a concern with the proposition, however observations of vehicles (particularly those approaching the site from the south turning left into Ingham Road), have been that trucks have to cross the road centreline in order to turn into Ingham Road, which is not preferable.

The assessing officer is not convinced that the traffic impacts of the use are orderly or acceptable.

#### Addressing concerns raised by objectors

- i. The use of Ingham Road for the parking of vehicles associated with the use (up to 15-20 vehicles parked in the road reserve at time).

*The application does not propose the provision of any on-site parking (there is clearly opportunity to do so), instead relying on a rural road reserve to provide for this. It is agreed that this arrangement is not satisfactory.*

- ii. Amenity impacts associated with noise. The objections specially note excessive noise from the hammering of steel, steel dropping onto concrete; grinding, welding and heavy vehicles manoeuvring; and the times this occurs; sometimes continuing as late as 2:30 am or commencing from 5:30 am.

*This issue has been considered earlier in this report. In the absence of evidence to the contrary, the precautionary principle applies and the application should be refused partly on the basis of this impact.*

- iii. Amenity impacts associated with light. One of the two machinery sheds is open sided and external lighting illuminate the valley and creates shadow in dwellings on the opposite side of the valley.

*This issue is difficult to address as the buildings (on which lights are affixed), were constructed lawfully (without the need for planning approval), under Building Permits on the basis they were claimed to be 'farm/machinery sheds'.*

*Clearly they are not being used in this way at the moment and it is unlikely they will be used in association with farming in the future on the basis of the applicant's submission that the land has been "identified as marginal farm land, having little or no potential for profit when used for farming purposes".*

*Having said that, the ultimate outcome recommended in this case is that the use is ceased on the land. If cessation of the use is the final result, the need for security lighting (or the use/lighting of the sheds/ sites at unusual times of the day and night), would no longer be present which would deal with this issue.*

- iv. Aesthetics – the appearance of the premise across the valley, and when viewed from other viewpoints being inconsistent with a rural landscape.

*The site at the current time has the appearance of an industrial premise, with the two large sheds and extensive hard stand / open air storage of materials, equipment and shipping containers.*

*With the exception of the sheds, the appearance of the site will improve at such time as the use ceases. If the proponent were to appeal the refusal to grant this permit (and the Tribunal saw fit to grant a permit), there could be requirements imposed to address the visual appearance of the site.*

- v. Concern that if the use were permitted to continue, this could give rise to other industrial uses on the land or impact property values (i.e. raising or lowering the rateable value of the application site; having an impact on raising property values on adjoining/nearby land).

*There is no suggestion that the rest of the site will be used for an industrial purpose and/or rezoned. Whether the proposal has a negative or positive impact on property values is not a relevant planning consideration.*

- vi. Impacts on the operation of the O'Keefe Rail Trail.

*From time to time industrial activity is carried out on the road reserve at 45 Ingham's Road (loading and unloading, storing of materials, parking of employee vehicles etc.). There is clear potential for these activities to create unsafe situations for users of the O'Keefe Rail Trail. It is noted that the storage of materials or loading/unloading in a road reserve is not an activity permitted or encouraged in Industrial zoned areas either, with these uses at planning stage required to demonstrate that the site has capacity to function appropriately utilising its own land.*

**Conclusion**

- The use of land is not supported by planning policy with respect to industrial land use; nor the purposes of the Farming Zone.
- In the absence of evidence to the contrary, the use is not in compliance with the State Environment Protection Policy with respect to noise.
- The lack of an approved onsite effluent disposal system represents an environmental risk.
- The use is contrary to the principles of orderly planning, with respect to having unacceptable amenity impacts.

**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**

- Applicant's submission
- Objections / submissions

## **2.3 1 MELITA COURT, ASCOT 3551 - 2 LOT SUBDIVISION AND REMOVAL OF NATIVE VEGETATION**

### **Document Information**

**Author** Liz Commadeur, Subdivision Planner

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

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### **Summary/Purpose**

Application details: 2 lot subdivision and removal of native vegetation

Application No: DS/264/2019

Applicant: L J Forbes

Land: 1 Melita Court, ASCOT 3551

Zoning: General Residential Zone

Overlays: Bushfire Management Overlay 1  
Design and Development Overlay 7

No. of objections: 1

Consultation meeting: A consultation meeting was not conducted.

Key considerations: Central to an assessment of the application is whether the subdivision design and layout provides for the retention and protection of existing native vegetation.

Conclusion: The application is recommended for refusal on the basis that it represents an unacceptable planning outcome with regard to the decision guidelines of the Design and Development Overlay 7.

**RECOMMENDATION**

Pursuant to section 61 of the Planning and Environment Act (1987), Council resolve to issue a Notice of Refusal to Grant a Permit for 2 lot subdivision and removal of native vegetation at 1 Melita Court, ASCOT 3551 on the following ground:

1. The subdivision will result in the removal of native vegetation which is not in keeping with the design objectives of the Design and Development Overlay 7.

**RESOLUTION**

Moved Cr Metcalf, Seconded Cr Pethybridge.

That the recommendation be adopted.

**CARRIED**

**Cr Emond called for a Division on the voting for the motion:**

**Those voting in favour of the motion:**

**Cr Alden, Cr Emond, Cr Fyffe, Cr O'Rourke (Mayor), Cr Metcalf, Cr Williams, Cr Wrigglesworth.**

**Those voting against the motion:**

**Cr Pethybridge**

**ABSENT. DID NOT VOTE**

**Cr Flack**

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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

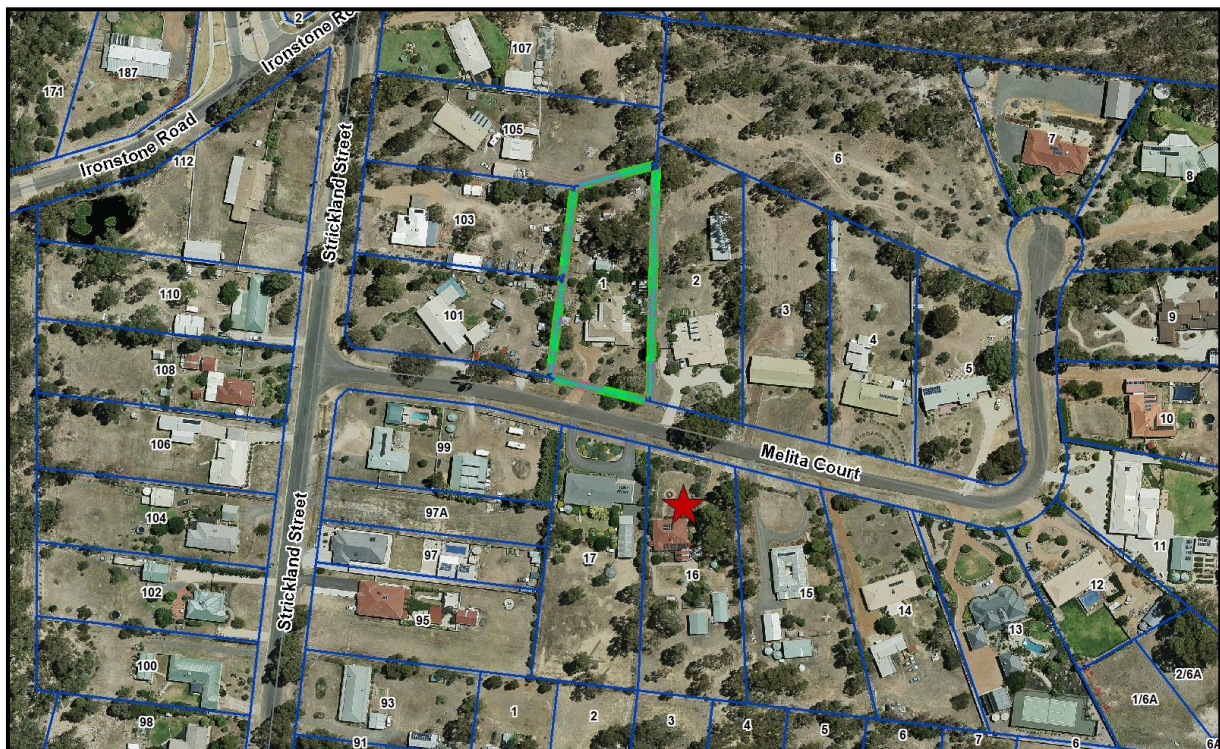
- Recognise and celebrate our unique history and diverse cultures.

**Report****Subject Site and Surrounds**

The subject site is located in an established residential area of Ascot. The site is irregular in shape with an area of 4,000 square metres. A dwelling is located towards the front of the site, with four small sheds scattered over the balance of the land. There is a small patch of remnant trees in the northeastern part of the site.

Melita Court is comprised of 17 lots that are greater in size than traditional General Residential areas. The lots range in area from 3,070 square metres to 1.15 hectares with the majority being 4,200 square metres. The court is located in a setting which is particularly characterised by lots having a backdrop of native vegetation, either scattered trees or patches of trees. Each lot has been developed with a medium to large dwelling. Most of the lots have native vegetation located along the lot boundaries.

Services, including reticulated water and sewerage, power, gas and telecommunications are able to be connected to the site. Melita Court is a sealed court with no kerb and channel. There is no footpath constructed along the court.



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

## Proposal

The applicant seeks approval to subdivide the site into two residential lots. It is proposed to subdivide the rear yard off to create a lot for a dwelling.

The subdivision layout features are:

- Lot 1 would have an area of 2,314 square metres;
- Lot 2 would have an area of 1,686 square metres;
- The existing dwelling would be retained on Lot 1;
- Access to Lot 1 would remain the same;
- Access to lot 2 would be gained by a battle-axe drive-way running along the western boundary.

## **Planning Controls - Greater Bendigo Planning Scheme**

The site is in the General Residential Zone (GRZ) and is covered by the Design and Development Overlay Schedule 7 (DDO7) and Bushfire Management Overlay 1 (BMO1). A permit is required to subdivide land in the GRZ and BMO1 and remove vegetation pursuant to Clause 52.17 provisions.

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

### State Planning Policy Framework

- 11.01-1S – Victoria - Settlement
- 11.01-1R – Settlement Loddon Mallee South
- 11.03-2S – Growth areas
- 11.03-6S – Regional and local places
- 13.02-1S - Bushfire planning
- 14.02-3S - Water conservation
- 15.01-3S – Subdivision design
- 15.01-4S – Healthy neighbourhoods
- 15.02-1S – Energy and resource efficiency
- 16.01-3S – Housing diversity
- 16.01-4S – Housing affordability
- 18.01-1S – Land use and transport planning
- 18.02-1S – Sustainable personal transport
- 18.02-3S – Road system
- 19.02 – Community infrastructure
- 19.03 – Development infrastructure

### Municipal Strategic Statement

- 21.05 – Compact Greater Bendigo
- 21.05-6 – Greenfield development
- 21.08 – Environment
- 21.09 – Integrated Transport and Infrastructure

### Local Planning Policies

- 22.04 – Salinity and Erosion Risk Policy

### Other Provisions

- 32.08 – General Residential Zone
- 43.02 – Design and Development Overlay
- 44.06 – Bushfire Management Overlay
- 52.17 - Native Vegetation
- 53.02 – Bushfire Planning
- 56 – Residential Subdivision
- 65 – Decision Guidelines



## Consultation/Communication

### Referrals

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

Referral	Comment
Country Fire Authority	No objection subject to conditions
Traffic & Design	No objection subject to conditions
Drainage	No objection subject to conditions

### 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, one objection was received, with the grounds of objection being:

- Concern regarding increased density of housing in an area traditionally known for large allotments;
- Devaluation of properties in the area.

The objection is discussed below.

## Planning Assessment

### Design and Development Overlay 7 (Ascot Residential Area)

The site is located within the DDO7, which provides the following design objectives for residential development on larger allotments in Ascot:

- *To provide for residential development that retains native vegetation.*
- *To retain the low density residential nature of the area by providing lot sizes at a size greater than traditional urban standards.*
- *To ensure that subdivision enables new buildings to be integrated with their site and surrounding area.*

The DDO7 sets a minimum lot size of 1,500 square metres.

The Planning Scheme states that in addition to the decision guidelines in Clause 43.02, planning staff must consider '*whether the subdivision design and layout provides for the retention and protection of existing native vegetation*'. It is noted that the proposed lot sizes of 2,314 and 1,686 square metres, meet the minimum lot size of 1,500 square metres required in this area of Ascot.

The application, however, creates a concern with regard to the proposal to remove the patch of trees, as shown in Figure 2. Melita Court is comprised of lots that are greater in size than traditional residential areas. The court is set in a semi-rural setting which is particularly characterised by lots having a backdrop of native vegetation, either scattered trees or patches of trees.

The applicant suggested that instead of removing the trees, a building envelope and a Section 173 Agreement sanctioning the retention of all trees on the lots could be included on the title. Should this action be accepted, the future for retention of the trees becomes a grey area. There is always an opportunity to vary or remove the Section 173 Agreement in the future and as the area of Lot 2 will be less than 4,000 square metres, a permit is not required to remove native vegetation.

The proposal fails to meet the fundamental requirements of retaining and protecting the existing vegetation on the lot. It is imperative that Council supports areas designated with specific minimum lot sizes under the DPO7, to protect the future integrity of the area, particularly Melita Court.

#### Removal of Vegetation – Clause 52.17

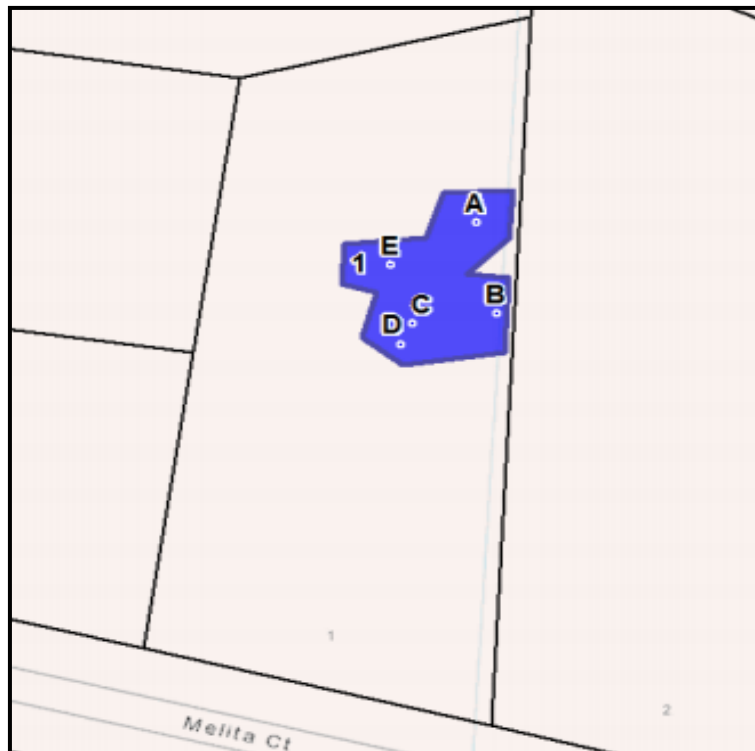
As the site is greater than 4,000 square metres, planning approval is required to remove native vegetation.

The applicant proposes to remove one patch of trees, which have been assessed in the low risk-based pathway. The applicant has provided a Biodiversity Assessment Report which refers to the requirements for a vegetation offset.

The offset must:

- Contribute gain of 0.014 general biodiversity equivalence units;
- Be located within the North Central Catchment Management Authority boundary or Greater Bendigo municipal district;
- Have a strategic biodiversity score of at least 0.375.

However, as explained earlier in the report, the existing vegetation contributes to the character, amenity and appearance of the area. One of the design objectives of the Design and Development Overlay is to provide for residential development that retains native vegetation. The removal of trees to allow future development on Lot 2 will compromise the values of the area that this planning tool seeks to maintain.



**Figure 2:** Location of the patch of trees designated for removal

### Bushfire Management Overlay

The site is affected by the BMO. The application was referred to the CFA, who had no objection to the subdivision, subject to the inclusion of the mandatory condition and approval of the submitted Bushfire Management Plan.

### Clause 56 Report

Most Rescode requirements, including solar orientation can be achieved. All services can be connected and the site is close to services and community facilities, including a supermarket, primary and secondary schools and recreation facilities. However, the proposal does not comply with Clause 56.03-5, as the neighbourhood character, in particular, the protection of significant vegetation, will be compromised, which is discussed earlier in the report.

### Response to Objectors' Concerns

- *Concern of increased density of housing in an area traditionally known for large allotments*

The objector is concerned that the proposed subdivision will set a precedent for increasing housing density, by subdividing the larger lots into smaller lots.

The DDO7 stipulates that the minimum lot size in this area is 1,500 square metres. With regard to the proposed subdivision, Lots 1 and 2 meet the minimum lot size.

- *Devaluation of property*

The objector is concerned that the proposed subdivision, with Lot 2 having a battle-axe driveway, will cause devaluation of the properties in the area.

There is established case law which holds that a proposed decrease in property value is an irrelevant consideration. A long standing position held by VCAT is that other than in exceptional cases, and where evidence can be presented, loss in property values will not be entertained as a ground of objection.

### **Conclusion**

Based on the assessment of the character of the Melita Court residential area, the proposed removal of a patch of trees does not accord with the design objective and decision guideline required by the Design and Development Overlay 7 and therefore no permit for subdivision should be granted.

### **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**

- Objection

## **2.4 HEATHCOTE TOWNSHIP PLAN**

### **Document Information**

**Author**                **Andrew Cockerall, Senior Strategic Planner - Projects**

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

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### **Purpose**

To summarise the outcomes of the exhibition process of the draft Heathcote Township Plan, to adopt the Township Plan and seek authorisation to commence the Planning Scheme Amendment process.

### **Summary**

The Heathcote Township Plan has been through an exhaustive community engagement process that has included numerous listening posts, community workshops and information sessions.

A draft of the Heathcote Township Plan was exhibited for a period of one month. During this time 10 submissions were received and the feedback has been included within the revised document where possible.

The next step is for Council to adopt the Township Plan and begin implementation which includes various changes to the Greater Bendigo Planning Scheme, various infrastructure improvements that will occur over time and to advocate for service improvements on behalf of the community.

**RECOMMENDATION**

That Council resolve to:

1. Adopt the Heathcote Township Plan;
2. Write to the participants of the Community Reference Group and thank them for participating in the project;
3. Seek expressions of interest from the community to participate on the Township Committee;
4. Request the Minister for Planning to authorise Council to prepare an Amendment to the Greater Bendigo Planning Scheme;
5. When Authorised by the Minister, exhibit the Amendment to the Greater Bendigo Planning Scheme.

**RESOLUTION**

Moved Cr Wrigglesworth, Seconded Cr Metcalf.

That the recommendation be adopted.

**CARRIED**

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Councillors' commended Senior Strategic Planner, Andrew Cockerall, on his work with this project.

**Policy Context****Community Plan 2017-2021**

Goal 4.1.2 Complete agreed structure and township plans.

**Strategy Reference**

Greater Bendigo Residential Strategy (2014) recommends preparation of township plans for Heathcote and other small towns with the municipality.

<http://www.bendigo.vic.gov.au/About/Document-Library/greater-bendigo-residential-strategy>

**Regional Strategic Plan Reference**

The Loddon Mallee South Regional Growth Plan recognises the growth potential of Heathcote but notes the need to consider bushfire hazard.

## Background Information

### Previous Council Decision Date:

15 March 2017 – Endorsement of brief and commencement of the project.

## Report

Heathcote has experienced strong growth in recent years and there is considerable optimism in the town's future. To support this growth the Heathcote Township Plan has been prepared.

The Heathcote Township Plan identifies what the important elements of the town are that the community want protected and what services, facilities and infrastructure is required to support future growth.

The development of the plan has involved an exhaustive community engagement process, has involved input from servicing authorities, State Government agencies and various units within the City of Greater Bendigo.

The draft Heathcote Township Plan was built on the input from these stakeholders, detailed research and best practice reviews. Broadly speaking, the recommendations of the Heathcote Township Plan fall within 3 categories:

- Planning Scheme changes – making sure the planning controls are fit for purpose and are clear and transparent.
- Infrastructure and service improvements – what Council and other agencies can do to make sure infrastructure and services meet the changing needs of the Heathcote community.
- Advocacy – to support organisations and community groups seeking funding for service and facility upgrades or to progress other opportunities.

Specific recommendations of the draft Heathcote Township Plan were:

- To make various zone and overlay changes and to prepare a “Local Area Plan” to be included in the Greater Bendigo Planning Scheme.
- Preparation of a landscape plan for the town centre that will consider issues around tree planting, safety, amenity, street furniture and the like.
- Advocate for an extension to the 50km zone past the IGA Supermarket.
- Establish a Principal Cycling and Walking Network that connects key destinations to the town centre.
- Support for a dog park with its final location to be determined.
- An ongoing program of street tree plantings.
- Improved wayfinding signage.
- Preparation of an investment prospectus for new and existing businesses.

The draft also recommended the establishment of a Committee that would oversee the implementation of the township plan, be a conduit for sharing information, provide advice to Council and provide local input into projects. This Committee would be made up of representatives from key groups and committees already existing within Heathcote as well as general community members. The Committee would be established for a three year period and would meet twice yearly.

A draft Terms of Reference for the Heathcote Township Committee is attached.

The draft Heathcote Township Plan was exhibited for one month. During this time there were 4 listening posts and City officers attended a number of meetings. Social media was also used to promote the exhibition period. As a result of this, 10 submissions were received which are largely supported. The following table is a summary of the submissions and proposed response.

| <b>Submitter</b>                                    | <b>Summary of Submission</b>                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Response</b>                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                                                   | Need to encourage more visitors to Heathcote rather than driving through. Suggest improved tourist signage might help and expresses concern with the management of High Street.                                                                                                                                                                                                                                                                 | <p>The Heathcote Township Plan is proposing a range of measures to attract new residents and visitors to Heathcote.</p> <p>Heathcote Tourism and Development are undertaking a separate piece of work around tourism signage.</p> <p>Regional Roads Victoria is responsible for the management of High Street. The City has previously and will continue to work with the authority on any redevelopment of High Street.</p> |
| 2 Friends of the Bendigo Kilmore Rail Trail (FBKRT) | <p>Supports the establishment of a Principal Walking and Cycling Network. Would like to see reference made to the Wallan to Heathcote Rail Trail and Heathcote to Murchison Trail.</p> <p>The FBKRT are also advocating for the establishment of "Railway Park" at the site of the former Railway Station. The Railway Park would include an open space area, reconstructed train station and could serve a variety of community functions.</p> | <p>It is recommended to add the two trail projects to the executive summary where there is discussion around other projects.</p> <p>The Railway Park is more problematic. There is no business case or proof of concept for the idea and no strategic justification. The reconstruction of the railway station would also be contrary to the Burra Charter that guides heritage conservation practice in Australia.</p>      |



| Submitter | Summary of Submission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response                                                                                                                                                                                                                                                                |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>The land in question is also owned by the City of Greater Bendigo and it has been identified that residential development is the highest priority and best use of the land.</p> <p>The Railway Park is not supported.</p>                                            |
| 3         | Expresses concern about the potential relocation of the Visitor Information Centre to the redeveloped Civic Precinct.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | This matter will be addressed as part of the Heathcote Integrated Civic Precinct project.                                                                                                                                                                               |
| 4         | <p>The submission highlights the important role that the discovery of gold played in Heathcote's development and the need to protect artefacts from this time.</p> <p>Other comments include:</p> <ul style="list-style-type: none"> <li>• The need to remove weeds from the Mclvor Creek.</li> <li>• Potential to construct a causeway along the creek to create permanent water holes.</li> <li>• Extension to the creek walking trail is supported.</li> <li>• Raises concerns with the proposed park at Jennings Street along the creek.</li> <li>• The need for additional shelters along High Street to add to the town's amenity and charm.</li> <li>• Questions the meaning of "traffic calming treatments".</li> <li>• Supports the proposed extension to the 50km zone.</li> </ul> | <p>The submission is generally supported and the Township Plan is amended.</p> <p>Some works along the Mclvor Creek would be subject to resolving Committee of Management responsibilities with DELWP and there is legislation that needs to be considered as well.</p> |
| 5 DELWP   | A detailed submission that largely sought clarification and further information on a number of aspects of the draft Township Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | The submission is supported and the Township Plan is amended where practicable.                                                                                                                                                                                         |
| 6         | Seeking to have land on the Warrowitue Forest Road rezoned from Farming Zone to Rural Living Zone as the land is                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The draft Heathcote Township Plan identifies that there is a sufficient supply of Rural Living land within Heathcote to meet                                                                                                                                            |

| Submitter                           | Summary of Submission                                                                                                                                                                                                                                                                                                                                                                                                              | Response                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                     | not suitable for farming.                                                                                                                                                                                                                                                                                                                                                                                                          | <p>its short to medium term needs.</p> <p>The land in question is also affected to varying degrees by the Bushfire Management Overlay, Vegetation Protection Overlay and Environmental Significance Overlay.</p> <p>The submission is not supported.</p>                                                                                                                                            |
| 7 Department of Transport           | <p>Supports the establishment of a Principal Walking and Cycling Network and is willing to assist in the future planning of the network.</p> <p>Also supports the preparation of a landscape plan for High Street.</p>                                                                                                                                                                                                             | The submission is noted.                                                                                                                                                                                                                                                                                                                                                                            |
| 8                                   | The submitter is concerned about drainage infrastructure in Camp Street and considers that the Township Plan should address this issue.                                                                                                                                                                                                                                                                                            | The Township Plan does not get to that level of detail in addressing localised issues such as this. The submission was referred to the Engineering Unit for advice and they will follow through directly with the submitter.                                                                                                                                                                        |
| 9 Heathcote Health                  | Makes a number of suggested changes to the document to strengthen discussion around liveability, accessibility and improvements to the language.                                                                                                                                                                                                                                                                                   | The submission is supported.                                                                                                                                                                                                                                                                                                                                                                        |
| 10 Environment Protection Authority | <p>Raises concerns with the proposed rezoning of 2-24 Back Kyneton Road from Rural Living to Industrial 3. The submission notes that further environmental assessment is required as the site is a former landfill.</p> <p>The submission notes that further detail is required on the other recommended rezonings in order to satisfy the requirements of the <i>General Practice Note for Potentially Contaminated Land</i>.</p> | <p>The further assessment required for 2-24 Back Kyneton Road is likely to be expensive and there is no budget available. It is recommended that the Township Plan be amended to indicate this area as "future industrial land" with a notation that further work is required.</p> <p>The Township Plan is also amended to include the additional detail required to satisfy the Practice Note.</p> |

| Submitter                 | Summary of Submission                                                                                                                                                                                                                                                                                                                                      | Response                                                                                                                                                                                                                                         |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           |                                                                                                                                                                                                                                                                                                                                                            | The submission is supported.                                                                                                                                                                                                                     |
| 11 Country Fire Authority | <p>The CFA indicated they were happy with the section relating to bushfire and highlighted the importance of making sure that Heathcote is planned in such a way to reduce the bushfire risk to future residents.</p> <p>The CFA then highlighted a number of specific considerations that should be taken into account in planning for future growth.</p> | <p>The submission is noted.</p> <p>There have been numerous discussions with the CFA during the development of the Township Plan and the City is well aware of the need to make sure that priority is given to the protection of human life.</p> |

The next step is for Council to adopt the revised Heathcote Township Plan and to begin implementation, with a number of actions that can commence immediately. These include commencing the Planning Scheme Amendment process, applying to Regional Roads Victoria and establishing the Township Committee.

Other actions will be subject to future budget bids, the capital works budget, advocacy to the State Government and other matters.

#### Priority/Importance:

Adoption and implementation of the Heathcote Township Plan is medium priority but should commence immediately.

#### Timelines:

The Planning Scheme Amendment process can commence immediately as can some other actions. Other actions require budget bids or external funding and will be implemented over time.

#### Risk Analysis:

It is considered that the risks associated with the Heathcote Township Plan are relatively low, with the main risk being unsuccessful budget bids for infrastructure projects.

## **Consultation/Communication**

### Internal Consultation:

Ongoing consultation has been undertaken with a number of units across the City including Statutory Planning, Engineering, Property Services, Community Partnerships, Active and Healthy Lifestyles and Parks and Open Space. The advice and input from these units has been critical in informing the Heathcote Township Plan. The Customer Support team in the Heathcote Office have also played an important role throughout the project.

### External Consultation:

There has been ongoing community consultation within the Heathcote community. This has included the establishment of a Community Reference Group to help oversee the project and provide guidance. Other groups and organisations who have played an important role include Advance Heathcote Inc, the Heathcote Community House and Heathcote Health as well as numerous individuals who have contributed to the project.

## **Resource Implications**

### Budget Allocation in the Current Financial Year:

There will be costs associated with the Planning Scheme Amendment to implement the Township Plan.

### Projected costs for future financial years:

Budget will be required over time for infrastructure projects including new footpaths, street tree plantings and preparation of a landscape plan for High Street.

## **Attachments**

1. Revised Heathcote Township Plan (separate document)
2. Heathcote Township Committee Terms of Reference

### **3. WELLBEING AND FAIRNESS**

#### **3.1 INTEGRATED MUNICIPAL EMERGENCY MANAGEMENT PLAN (IMEMP)**

##### **Document Information**

**Author** Frances Ford Coordinator Resilient Communities

**Responsible Director** Vicky Mason, Director Health and Wellbeing

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##### **Purpose**

To consider the updated 'Integrated Municipal Emergency Management Plan City of Greater Bendigo', (hereafter 'the MEMPC') developed by the Integrated Municipal Emergency Management Planning Committee (IMEMPC).

##### **Summary**

The Integrated Municipal Emergency Management Planning committee (MEMPC) has made some changes to the City of Greater Bendigo version of the MEMPC through its regular review process and in preparation for the audit of the MEMPC to be led by SES in August 2019. This version includes minor changes and inclusions made since the MEMPC was last brought to Council in April 2018.

##### **RECOMMENDATION**

That Council endorse the updated 'Northern Victorian Integrated Municipal Emergency Management Plan: City of Greater Bendigo', as the Municipal Emergency Management Plan, in accordance with Section 21 (4) of the Emergency Management Act 1986.

##### **RESOLUTION**

Moved Cr Emond, Seconded Cr Metcalf.

That the recommendation be adopted.

**CARRIED**

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Councillors' commended Coordinator, Resilient Communities, Frances Ford, on her work with this project.

## Policy Context

Under the Emergency Management Act 1986, it is the responsibility of the Emergency Management Planning Committee to prepare and maintain a Municipal Emergency Management Plan (MEMP). The MEMP is a multi-agency plan managed by the municipal council.

Within the framework of the Northern Victoria Emergency Management Cluster arrangements, the Integrated MEMP has been developed to meet the needs of all five cluster councils (City of Greater Bendigo, and Campaspe, Central Goldfields, Loddon and Mount Alexander Shires). The Integrated MEMP committee has recently reviewed the City of Greater Bendigo version of this MEMP and approved minor changes – including stronger recognition of traditional owners, a section on climate change impacts and updated appendices with information about demographics, health and wellbeing data and local arrangements specific to City of Greater Bendigo.

The Integrated MEMPC has been the MEMP committee for City of Greater Bendigo since December 2017.

### Community Plan Reference:

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

Goal #                      Wellbeing and Fairness

Objective 2.5      Create safe and resilient communities – including ‘undertake emergency management planning that builds community resilience, especially with increasing risk of bushfire flood and heat events’

### Strategy References (include weblink as applicable)

Greater Bendigo Health and Wellbeing Plan 2017-2021 includes a ‘safe and secure’ priority area, and a commitment to lead community based emergency management planning

The Rural Communities Strategy includes a commitment to support and provide for the co-ordination of emergency services to assist rural areas and communities and to build a high level of community resilience (Principle 2, p 30)

## Background Information

The Integrated MEMP has been developed by the City of Greater Bendigo, and Campaspe, Central Goldfields, Loddon and Mount Alexander Shires, comprising all the member councils of the Northern Victoria Emergency Management cluster, in partnership with many other stakeholders from emergency service organisations and relevant government departments.

This integrated model allows for more efficient emergency management planning through a reduction in duplication, and efficiencies through collaboration by allowing five councils to plan and work together with other stakeholders using a shared model and arrangements.

The Integrated MEMP is reviewed regularly (including administrative updates and a review of a section of the plan at every IMEMPC meeting). It is important that Council is aware of the latest version of the Integrated MEMP prior to the external audit of the Integrated MEMP: City of Greater Bendigo version, to be held in August 2019.

The Integrated MEMP is available in two versions, a full version for members of the Integrated MEMPC, including some confidential information, and a public version which is made available on the council website.

Previous Council Decision(s) Date(s):

Council appointed the Integrated MEMPC as the MEMPC for City of Greater Bendigo 13 December 2017

Council endorsed the previous version of the Integrated MEMP 18 April 2018.

## Report

Greater Bendigo was a founding member of the Northern Victorian Emergency Management Cluster (the Cluster) in 2013 and the cluster model for emergency management has consolidated over the past two years, with all member councils endorsing local versions of the Integrated MEMP and appointing the one Integrated MEMPC. There is still some uncertainty about the extent to which the Cluster model will be formally supported when new emergency management legislation comes into effect after 2020, and advocacy is continuing on this issue, with the support of the MAV and the Loddon Mallee Regional Emergency Management Planning Committee (REMPC).

Meanwhile the Integrated MEMP has been produced in accordance with the provisions of the Emergency Management Act 1986 (*the Act*) and guidelines contained in the Emergency Management Manual Victoria, Part 6.

Section 21(3) of *the Act* states Council must appoint a Committee constituted by members and employees of Council, Response and Recovery agencies and local community groups involved in emergency management issues. Section 21(4) of *the Act* requires the Committee to prepare a draft MEMP for consideration by Council.

Section 18(1) of *the Act* states that two or more municipal councils may cooperate in relation to emergency management.

The legislation further states that although two or more municipal councils may plan and act jointly in relation to emergency management, each Council is separately responsible for discharging the responsibilities imposed by this Act

- Prepare and maintain a Municipal Emergency Management Plan (MEMP) (Section 20)



- Appointment of Municipal Emergency Management Planning Committee (MEMPC) (Section 21).

All participating Councils retain their emergency management responsibilities, however the integrated model provides for a coordinated approach to emergency management among the five municipalities.

#### Priority/Importance:

It is a requirement under the Emergency Management Act that a MEMP be developed and maintained. Legislative changes make it clearer that this is a multi-agency responsibility and that the MEMP is not just a council plan, however Council still has a lead role in the development and maintenance of the plan. The Integrated MEMP: City of Greater Bendigo is the most up to date version of the plan.

The audit process includes provision for ensuring that Council has considered the MEMP.

#### Timelines:

The updated MEMP is due to be considered for adoption by the IMEMPC 1 August (after Council has had an opportunity to consider it). The external audit of the MEMP is scheduled for August 2019, to be led by the SES with input from Victoria Police and DHHS. These audits are conducted every three years in accordance with the Emergency Management Manual Victoria.

#### Progress:

It is a key priority for the five councils that make up the Cluster to develop an integrated Emergency Management Plan that meets the legislative requirements, enables most efficient and cost effective use of resources and ensures local knowledge and arrangements can be maintained. Four of the five Cluster councils have now successfully passed audit for their version of the Integrated MEMP, most recently Campaspe Shire. The City of Greater Bendigo version of the IMEMP is the last audit scheduled across the three year audit cycle.

#### Risk Analysis:

If the version of the MEMP that is presented for audit does not contain the most up to date information there is a risk that it will not pass audit. In this situation SES would require specific changes to be made to the MEMP, usually within a 90 day period.

The updated version attached includes minor changes that were suggested following the recent audit process at Campaspe Shire.

The framework for the collaboration is governed by the Shared Local Government Emergency Management Services (Northern Victorian Cluster) Memorandum of Understanding, to which all members of the cluster are signatories.

A Service Agreement has been developed to accompany this document that outlines the respective roles and responsibilities of the Cluster Co-ordinating Council (now City of Greater Bendigo) and the cluster members.

Any dispute in relation to the delivery of services under the agreement will be referred to the Local Government Shared Emergency Management Services Board (the Board), in line with the Memorandum of Understanding.

## **Consultation/Communication**

### Internal Consultation:

There has been a high level of consultation within City of Greater Bendigo, including members of the Internal Emergency Management working group and others with roles relating to emergency management. This input included suggestions on additional information about traditional owners, climate change impacts and details to include in the appendices relating to City of Greater Bendigo,

### External Consultation:

Many members of the IMEMPC and its sub-committees have contributed to updating the MEMP. Every meeting of the MEMPC allocates some time to reviewing a specific chapter of the MEMP. The feedback received during the Campaspe audit process has been incorporated into the revised MEMP.

## **Resource Implications**

A cost benefit analysis conducted on behalf of Local Government Victoria concluded that there are some savings to be made through collaborative approaches to emergency management across a number of councils, including the Northern Victorian Emergency Management Cluster.

Each of the five councils provides a financial contribution to the Cluster, with City of Greater Bendigo now currently leading coordination of the Integrated MEMP and MEMPC. The City of Greater Bendigo and other cluster councils have signed a MoU that outlines the arrangements that will be in place until June 2020. The City of Greater Bendigo financial contribution for 2018/19 under this MoU has been \$30,105 and will increase by CPI for 2019/20.

The council officer time involved in supporting the development and maintenance of the Integrated MEMP is largely funded under the Municipal Emergency Resourcing Program (MERP). City of Greater Bendigo receives \$60,000 per year MERP funding from state government under a four year funding agreement. It is hoped that decisions about funding under the MERP program beyond June 2020 will be announced later this year.

## **Attachments**

1. 'Integrated MEMP: City of Greater Bendigo – CONFIDENTIAL Full Version'.
2. PUBLIC VERSION Integrated MEMP CoGB - MAY 19

### **3.2 ALL AGES ALL ABILITIES ISSUES AND OPPORTUNITIES REPORT**

#### **Document Information**

**Author** Chris Kelly, Community Wellbeing Manager &  
Steven Abbott, Community Partnerships Manager

**Responsible Director** Vicky Mason, Health and Wellbeing Director

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#### **Purpose**

To present to Council the

- Draft All Ages All Abilities Issues and Opportunities Report, which helps the Council to understand what matters most to the community when it comes to health and wellbeing; and
- Seek endorsement to release the Draft All Ages All Abilities Issues and Opportunities Report for public exhibition and feedback before finalisation.

#### **Summary**

The Draft All Ages All Abilities Issues and Opportunities Report provides a framework to enable the Council to understand and respond to a range of priority issues that impact children, young people, people with a disability and older adults.

It has been informed by extensive community and key stakeholder consultation, literature review, analysis of current demographic data and key trends and relevant local, state and federal policy.

## **RECOMMENDATION**

That Council:

1. Release for public exhibition the Draft All Ages All Abilities Issues and Opportunities Report for a four week period and invite public submissions especially from children, young people, people with a disability and older adults.
2. Receive a further report summarising the feedback provided during the period of public exhibition and seek endorsement of the final All Ages All Abilities Issues and Opportunities Report and All Ages All Abilities Action Plan.

## **RESOLUTION**

Moved Cr Alden, Seconded Cr Metcalf.

That the recommendation be adopted.

**CARRIED**

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Councillors' commended the staff on the work with this project and the extensive consultation with 1860 residents.

## **Policy Context**

Community Plan Reference:

### ***Greater Bendigo Community Plan 2017-2021***

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| Goal #1:         | Lead and govern for all                                                                         |
| Objective #1.1   | Engage with all communities                                                                     |
| Objective #1.1.1 | Encourage community participation by citizens in the development of new strategies and policies |
| Objective #1.1.2 | Meet with community members in their local settings more often                                  |
| Objective #1.2   | Explain the reasons for its decisions                                                           |
| Objective #1.2.1 | Communication will be community-focussed using plain language                                   |
| Objective #1.2.2 | Use a broad range of engagement and communication techniques                                    |
| Objective #1.2.3 | Document and communicate in a consistent common style                                           |

|                  |                                                                               |
|------------------|-------------------------------------------------------------------------------|
| Goal # 2:        | Wellbeing and Fairness                                                        |
| Objective #2.4   | Support participation and development for residents of all ages and abilities |
| Objective #2.4.1 | Continue to promote a child-friendly municipality                             |
| Objective #2.4.2 | Partner to build connections for young people                                 |
| Objective #2.4.3 | Support positive ageing                                                       |
| Objective #2.4.4 | Support positive life opportunities for people living with a disability       |

### ***Greater Bendigo Health and Wellbeing Plan 2017-2021***

|         |                                                                                                                                                                                                   |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Goal #1 | Healthy and well - The Greater Bendigo community has good physical and mental health supported by healthy lifestyles.                                                                             |
| Goal #2 | Safe and secure - The Greater Bendigo community lives free from violence and abuse, is protected from environmental risks and is supported to live affordably.                                    |
| Goal #3 | Able to participate - The Greater Bendigo community has the capability to participate and contribute to the local economy and community life.                                                     |
| Goal #4 | Connected to culture and community: The Greater Bendigo community is socially engaged and inclusive and is a place where people can safely identify and connect with their culture and identity.  |
| Goal #5 | Liveable - The Greater Bendigo community is adaptable and resilient and has access to sustainable natural, built, social and economic environments that support and enhance health and wellbeing. |

### ***The Victorian Disability Amendment Act 2012***

Part 4, section 38 of the Victorian Disability Amendment Act 2012 states:

- (1) A public sector body must ensure that a Disability Action Plan is prepared for the purpose of-
  - (a) reducing barriers to persons with a disability accessing goods, services and facilities;
  - (b) reducing barriers to persons with a disability obtaining and maintaining employment;
  - (c) promoting inclusion and participation in the community of person with a disability;
  - (d) achieving tangible changes in attitudes and practices which discriminate against persons with a disability.

## Background Information

The *Greater Bendigo Community Plan 2017–2021*, states the following plans are required to *support participation and development for residents of all ages and abilities*.

- Community Access and Inclusion Plan (2015-2018),
- Municipal Early Years Plan (2015-2018) and
- Positive Ageing Strategy (2011-2014).

With three plans up for renewal at the same time, there was opportunity to consolidate resources and streamline community consultation to develop an All Ages All Abilities Issues and Opportunities Report.

In developing the report, consideration was given to the priority areas identified in the current Youth Strategy (2017-2021).

The next step is developing an All Ages All Abilities Action Plan to outline the strategic direction and commitment to improving health and wellbeing outcomes across the age spectrum for all community members in Greater Bendigo.

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

10 December 2018 – presented to Council Briefing a report on the plan to develop an All Ages All Abilities Action Plan that takes a life-stage approach to activating the priorities identified in the Greater Bendigo Health and Wellbeing Plan (2017 – 2021).

## Report

The Draft All Ages All Abilities Issues and Opportunities Report provides an overview of the policy context, demographic profile, engagement process, key themes identified during community engagement, City initiatives that respond to those themes and opportunities for further development or investigation.

The themes identified are grouped under the Greater Bendigo Health and Wellbeing Plan domains:

- Healthy and well
- Safe and secure
- Able to participate
- Connected to community and culture
- Liveability.

The community engagement confirmed the priority areas in the existing Greater Bendigo Health and Wellbeing Plan. However there was stronger emphasis on particular priority areas such as mental health, homelessness and food insecurity.

The All Ages All Abilities Action Plan will be developed to align with the Greater Bendigo Health and Wellbeing Plan timelines. The action plan will commence in October 2019 and conclude 2021. It will be reviewed and updated annually to identify continuous improvements and evaluate outcomes.

**Priority/Importance:**

Developing the All Ages All Abilities Issues and Opportunities Report and Action Plan is of high importance as it renews the City's commitment to children, young people, people with a disability and older adults. It enables the City to deliver on its vision, goals and objectives in the Community Plan. The report provides an evidence base to inform decisions about community issues relating to health and wellbeing and the future needs of a growing population.

**Timelines:**

Community engagement period: 21 January to 1 March 2019

**Progress:**

Not commenced.

**Risk Analysis:**

The Draft All Ages All Abilities Issues and Opportunities Report and the development of the action plan, is a major strategic initiative that supports a significant proportion of our population. It presents the City's commitment to people of all ages and all abilities and their families. Key risks are mitigated by following clear processes; ensuring the action plan is supported by appropriate resourcing, clear communication that manages public expectations and monitoring and implementation. Feedback on the Draft All Ages All Abilities Issues and Opportunities Report will ensure that the final All Ages All Abilities Action Plan is aligned with community priorities.

**Consultation/Communication****Internal Consultation:**

The All Ages All Abilities project is supported by a Project Steering Group of key internal stakeholders.

City staff members were engaged during a staff forum.

**External Consultation:**

The Draft All Ages All Abilities Issues and Opportunities Report was developed by a project team consisting of members from Community Partnerships and Community Wellbeing Units and was supported by a Project Steering Group.

Community engagement was undertaken during January and February 2019 and included:

- Attendance at over 40 events, workshops or meetings.
- Face-to-face engagement with over 1400 community members.
- 430 online surveys completed.

- 55 representatives from early years, aged and disability organisations attended a Provider Forum.
- 20 City of Greater Bendigo attended a Staff Forum.

Key themes:

- Positive Ageing Advisory Committee (PAAC) – The committee spoke about improved information sharing about what is happening in Greater Bendigo, access to health services and healthy food.
- Disability Inclusion Reference Committee (DIRC) – improved communication and information sharing, accessible parking and volunteering were topics of interests to the DIRC. Committee members spoke about the positive vibe of Greater Bendigo and how it is blossoming as a city.
- Youth Council – appreciated the events and celebrations in Greater Bendigo and spoke about the city becoming more diverse. Members wanted increased access to mental health services and retention of university students through links with local businesses.
- Marong Primary School –students spoke about the need for better internet access.
- Heathcote Bush Market – the community were passionate about how diverse, progressive and friendly the community is. Many residents spoke about wanting a dog park.
- Kangaroo Flat Primary –students were concerned about homelessness, disadvantage and food insecurity.
- Neighbourhood Houses – Community members spoke about homelessness, access to services and public transport.
- Jenny's Early Learning Centre Maiden Gully – children spoke about great playgrounds and pools.

Engagement activities were tailored and targeted to the audience recognising the diversity of the population in age, health, social and economic backgrounds, language and the different preference styles of the population.

Each engagement activity focused on two common questions:

1. Greater Bendigo is a great place to live because...
2. Greater Bendigo would be a better place to live if...

The next stage- If Council agree to release the Draft All Ages All Abilities Issues and Opportunities Report for a four week period of public exhibition, the project team will focus on closing the loop with community members who took part in the engagement.

This will be achieved through creative media such as posters, social media posts and development of a video.

## Resource Implications

The ongoing implementation and review of the All Ages All Abilities Action Plan will be coordinated within the existing resources of the Community Partnerships and Community Wellbeing Units.



Additional annual resources for programs and activities will be achieved via Federal and State Government grants opportunities and additional budget will be requested in the 2020/2021 budget. The 2019/2020 actions will be aligned to the resourcing in the 2019/2020 budget.

Ongoing governance for the All Ages All Abilities Action Plan will be the responsibility of the Health and Wellbeing Plan - Working Group.

**Attachments**

ATT 1 Draft All Ages All Abilities Issues and Opportunities report  
ATT 2 Draft All Ages All Abilities Community Engagement Report  
ATT 3 Greater Bendigo Early Years Profile  
ATT 4 Greater Bendigo Person with a Disability Profile  
ATT 5 Greater Bendigo Seniors Profile  
ATT 6 Youth Strategy 2017-2021

### **3.3 GREATER BENDIGO RURAL COMMUNITIES COMMITTEE**

#### **Document Information**

**Author** Deb Simpson, Coordinator Strong Communities

**Responsible Director** Vicky Mason, Director Health and Wellbeing

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#### **Purpose**

To publicly recognise and introduce the seven community members who have been selected to participate in the Greater Bendigo Rural Communities Committee for the term July 2019 to July 2021.

To formally acknowledge and thank the outgoing (and inaugural) Rural Communities Committee members for their contributions.

#### **Summary**

Establishment of the Rural Communities Committee (Committee) was a Greater Bendigo Rural Communities Strategy (Strategy) priority. Council adopted the Strategy on August 31, 2016.

The Committee provides an important forum for rural community leaders, Councillors and City of Greater Bendigo (City) staff to collaborate on rural community wellbeing, vibrancy and resilience.

The inaugural Committee meeting was held in March 2017, with the Committee term of appointment being two years.

A public recruitment process for the new Committee membership commenced in May 2019. Seventeen (17) Expressions of Interest were received for up to nine available Committee positions. Following a shortlisting and interview process, seven community members have been selected to participate in the Committee.

This report provides an opportunity for Council to publicly recognise and introduce the seven community members who have been selected to participate in the Committee, as well as to formally acknowledge and thank the outgoing (and inaugural) Committee members for their contributions.

**RECOMMENDATION**

That Council:

- formally recognise the following seven community members who have been selected to participate in the Greater Bendigo Rural Communities Committee for the term July 2019 to July 2021:
  - Bruce Anderson
  - Carly Threlfall
  - Craig Guy
  - Heather Wearne
  - John Beurle
  - Katie Nadebaum
  - Meagan Douglas
- formally acknowledge and thank the following outgoing (and inaugural) Greater Bendigo Rural Communities Committee members for their contributions:
  - Alan Jacobs
  - Bruce Anderson
  - Gilbert Rayner
  - Gloria Pocock
  - Heather Wearne
  - Isabelle Gaye
  - Jennifer Jones
  - Jennifer White
  - Pam Rogers
  - Peter Maine
  - Thomas Zahle
  - Helen O'Donohue

**RESOLUTION**

Moved Cr Wrigglesworth, Seconded Cr Fyffe.

That the recommendation be adopted.

**CARRIED**

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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 1.1    Engage with all communities

Goal 2            Wellbeing and fairness

Objective 2.3    Promote community connection

Objective 2.5    Create safe and resilient communities

### Strategy Reference (include weblink as applicable):

Greater Bendigo Rural Communities Strategy

Action 1.3        Establish a Rural Communities Committee

<http://www.bendigo.vic.gov.au/About/Document-Library/rural-communities-strategy>

## Background Information

The Committee's Terms of Reference outline its purpose as being:

- to identify key issues and opportunities relevant to rural community wellbeing, vibrancy and resilience and develop and implement collaborative, coordinated responses.
- to support diverse rural community perspectives being gathered and considered in local community and Council decision making.
- to support the planning, delivery and evaluation of targeted initiatives aimed at strengthening rural community capabilities and capacities.
- to identify potential opportunities and rationale for Council processes and practices to be modified with the intent of improving community and organisational outcomes.
- to develop an annual report to Council on Committee achievements, proposed future focus areas and support needs.

Since its establishment, the Committee has played an important role in providing advice to Council about key rural community issues and opportunities, as well as supporting the development and progression of collaborative responses.

In May 2019 a letter was sent to existing Committee members advising that it was time to 'refresh' the Committee membership. The letter noted that recruitment for the new Committee membership would involve a public Expression of Interest (EOI) process centred on commitment to rural community leadership and advancement plus appropriate knowledge, skills and experience. Existing Committee members were invited to submit an EOI.

EOIs were publicly sought through local newspapers and community newsletters, the City's website and social media platforms, as well as through staff email networks.

Previous Council Decision(s) Date(s):

August 31, 2016: Council adopted the Greater Bendigo Rural Communities Strategy.

## **Report**

EOI's opened on May 20, 2019 and closed on June 5, 2019.

The EOI process required all interested community members to respond to four standardised questions. Those questions focused community member consideration on what strengths they thought they could bring to the Committee, what rural community issues and opportunities they were most passionate about and why, what they would like the Committee to strive to achieve as well as their personal knowledge and skills.

Seventeen EOIs were received in total. Four applicants were community members with previous Committee involvement whilst the remaining 13 applicants were community members with no previous Committee involvement. One applicant was not a Greater Bendigo resident.

All EOI's received were assessed and shortlisted by the current Committee Chairperson, Councillor Wigglesworth, and the City's Coordinator Strong Communities, Deb Simpson.

The following points were taken into consideration in assessing the EOIs:

- whether the applicant was a Greater Bendigo resident
- whether the applicant was a Greater Bendigo rural community resident
- the applicant's demonstrated passion for / commitment to rural community wellbeing, vibrancy and resilience
- the applicant's relevant knowledge, skills and experience
- the applicant's breadth of perspective on rural community issues and opportunities
- the applicant's networks

As an outcome of this assessment process, 10 applicants were shortlisted for interview for nine available Committee positions.

The interviews were conducted by Councillors Wigglesworth and Pethybridge and the City's Coordinator Strong Communities, Deb Simpson on June 24, 2019.

The interview focused on the applicants’:

- motivation for applying
- understanding of the Committee’s role and scope
- knowledge, skills and experience
- ideas for network development / utilisation to support Committee objectives

Priority/Importance:

The Committee provides an important forum for rural community leaders, Councillors and City of Greater Bendigo (City) staff to collaborate on rural community wellbeing, vibrancy and resilience.

**Consultation/Communication**

External Consultation:

The opportunity to submit an EOI for Committee membership was publicly advertised through a range of mediums.

**Resource Implications**

Committee participation is on a voluntary basis.

The Committee will be administratively supported by the City’s Community Partnerships Unit.

**Attachments**

Nil

**4. STRENGTHENING THE ECONOMY**

Nil.

**5. ENVIRONMENTAL SUSTAINABILITY**

Nil.

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

### **6.1 RECONCILIATION PLAN 2016-2019 ANNUAL PROGRESS REPORT**

#### **Document Information**

**Author**            **Fiona Machin, Inclusive Communities Officer**

**Responsible**   **Vicky Mason, Director Health and Wellbeing**  
**Director**

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#### **Purpose**

To provide a progress report on the implementation of the City of Greater Bendigo Reconciliation Plan (2016-2019) and to highlight the key achievements made during Year Two of implementation.

#### **Summary**

The Reconciliation Plan (2016-2019) (the RP) articulates Council's commitment to supporting the reconciliation process and to closing the gap of disadvantage between Aboriginal and Torres Strait Islander peoples and other Australians. The RP adopts a 'whole of Council' action planning framework, and builds on previous initiatives delivered by the City as part of its early reconciliation journey. Leading the Reconciliation Plan within the organisation is the Community Partnerships Unit, and the Reconciliation Plan Steering Committee.

The RP follows the strategic framework of Reconciliation Australia and its Reconciliation Action Plan program, and focuses on the three themes of Relationships, Respect and Opportunities. Under each theme are a series of practical actions (93 actions in total) that drives the organisation's contribution to reconciliation both internally and within the Greater Bendigo community.

The majority of actions have now been completed with initiatives continuing to be delivered across the organisation. Of the 93 actions, 49 actions have been achieved, 30 are in progress, and 8 are yet to be progressed. Following internal and external consultation in early 2018, it was decided not to progress six actions due to changing community need and the consolidation of other actions.

City staff have identified key areas of focus for the organisation going forward. In the coming 12 months, this will include improving cultural safety across the organisation, enhancing economic participation through procurement and employment, and strengthening cultural competency and awareness of staff and Councillors through various training opportunities.



Throughout the RP's implementation, a report will be prepared and presented to Council annually for the life of the plan. This report focuses on the key achievements in relation to the Action Plan for the January 2018 to January 2019 period.

### **RECOMMENDATION**

That Council acknowledge the Year Two Progress Report for the City of Greater Bendigo Reconciliation Plan 2016-2019, and endorse the identified key priority areas for the organisation for the coming 12 months.

### **RESOLUTION**

Moved Cr Alden, Seconded Cr Metcalf.

That the recommendation be adopted.

**CARRIED**

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### **Policy Context**

#### Community Plan Reference:

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

Goal 6.5            Advancing Reconciliation

Objective 6.5.1    Strengthen the relationship between Council and Indigenous Communities

Continue to encourage Indigenous groups and enterprises to tender for Council contracts through engagement with relevant groups and review of contract documentation where needed

Incorporate Indigenous knowledge into native vegetation management

Objective 6.5.2    Implement the adopted Reconciliation Action Plan

Explore opportunities that enable wider understanding of our Indigenous Australian culture

City of Greater Bendigo Reconciliation Plan (2016-2019)

### City of Greater Bendigo Health and Wellbeing Strategy 2016-2021

|           |                                                                                       |
|-----------|---------------------------------------------------------------------------------------|
| Principle | Connected to Culture and Community                                                    |
| Objective | Support inclusive communities by valuing Aboriginal and Torres Strait Islander people |

### Rural Communities Strategy

|                |                                                                                                                                                                                       |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Principle 3    | Realising the unique values and the social and economic potential of our rural communities                                                                                            |
| Objective 3.6: | That Council continue to work with the Dja Dja Wurrung and Taungurung communities to ensure that the City's indigenous heritage is appropriately protected, recognised and celebrated |

### Greater Bendigo Environment Strategy 2016-2021

|              |                                                                                                                              |
|--------------|------------------------------------------------------------------------------------------------------------------------------|
| Principle 8: | Culture and Communities                                                                                                      |
| Action 8.1.  | Acknowledge and raise awareness of Indigenous culture, including support for Traditional Owner country plans – Dhelkunya Dja |

## **Background Information**

The City of Greater Bendigo continues to develop and enhance positive relationships with Aboriginal and Torres Strait Islander peoples. The City's Reconciliation Plan (2016-2019) (the RP) articulates Council's commitment to supporting the reconciliation process and to closing the gap of disadvantage between Aboriginal and Torres Strait Islander peoples and other Australians.

The RP follows the strategic framework of Reconciliation Australia and its Reconciliation Action Plan program, and focuses on the three themes of Relationships, Respect and Opportunities. Under these themes, the RP identifies 22 objectives and 93 actions using a 'whole-of-Council' action planning framework.

Championing the RP is the Reconciliation Plan Steering Committee (see **Attachment 1** for the 2018 membership list). The Steering Committee oversees and monitors the implementation of the RP and supports the 'whole-of-Council' approach to delivery.

The RP is due for completion at the end of 2019. The City will work in partnership with the Traditional Owners, the broader Aboriginal and Torres Strait Islander community and the RP Steering Committee to evaluate the outcomes of the RP and to commence planning on a new plan. City staff will commence discussions with Reconciliation Australia from late 2019 to ensure the new RP is formally endorsed as a Reconciliation Action Plan or 'RAP'. The Reconciliation Australia endorsement process takes 9 months on average to complete.

The RP responds to the City's legislative responsibilities under the *Victorian Charter of Human Rights and Responsibilities Act 2006*; the *Aboriginal Heritage Act 2016*; and the Dja Dja Wurrung – Victorian Government Recognition and Settlement Agreement as part of the *Traditional Owner Settlement Act 2010*.

Previous Council Decision(s) Date(s):

Council endorsed the Reconciliation Plan (2016 – 2019) on June 29, 2016.

## Report

The RP provides Council, the local Aboriginal community and the broader community with a clear understanding of the City of Greater Bendigo's commitment to reconciliation and the local Aboriginal community. In November 2018, the City and the Reconciliation Plan Steering Committee reviewed the annual implementation of the RP, and this report highlights key achievements over the previous 12 months.

Since its launch, City staff have delivered the majority of RP actions across the organisation. Of the 93 actions, 49 actions have been achieved, 30 are in progress, and 8 are yet to be progressed. Following feedback from external and internal stakeholders in early 2018, it was decided not to progress six actions due to changing community needs and the consolidation of some original actions (see **Attachment 2**).

Over the past 12 months, the City has achieved significant progress especially in relation to: increasing staff awareness and understanding of reconciliation and the local Aboriginal and Torres Strait Islander community; improved partnerships and relationships with key Aboriginal organisations and networks at both the local and state level; increased employment opportunities through designated positions and traineeships; and showcasing Aboriginal and Torres Strait Islander performances and artists through the Capital Venue and Events.

Key achievements of the RP in 2018 include:

- Development of the City's new Acknowledgement of Country and the CoGB Aboriginal and Torres Strait Islander Protocols Guide, with input received from Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC), Taungurung Land and Waters Council, and the Bendigo & District Aboriginal Cooperative (BDAC).
- Commencement of a new collaborative project between the City, Loddon and Mount Alexander Shire Councils on improving Aboriginal procurement and business engagement within local government.
- City support for key DDWCAC initiatives, including the Regional Centre for Culture, the Aboriginal Cultural Heritage & Land Management Agreement (ACHLMA) at Crusoe Reservoir, and the Five Year Review of the Dja Dja Wurrung Recognition and Settlement Agreement (RSA).

- Since November 2017, 105 staff have attended Aboriginal Cultural Awareness Training, and additional training was offered in relation to Cultural Heritage Management Plans, Conversation Circles in partnership with the Bendigo Reconciliation Group, and Self-Reflections Sessions.
- City support for local events including annual NAIDOC Week and Reconciliation Week activities, and the 2018 Treaty Roadshow with the Victorian Treaty Advancement Commissioner, Gill Gallagher.
- Establishment of an internal Reconciliation Champions Network with 40 City staff to promote and further embed reconciliation across the organization.
- Employment of three Aboriginal staff (two Aboriginal trainees and a First Nations Curator at the Bendigo Art Gallery) with one Aboriginal trainee successfully securing ongoing employment in November 2018.

The City continues to take an increasing leadership role in reconciliation at both the regional and state level. In 2018, City staff established the Central Victorian Local Government Reconciliation Network as a new peer network for all local government staff working in reconciliation across the region.

Since November 2018, City staff are also contributing to the current review of the Victorian Aboriginal & Local Government Action Plan (VALGAP). Membership of this state-wide policy group includes Victorian Government agencies, the Victorian Aboriginal Heritage Council, the Municipal Association of Victoria, and all leading Victorian Aboriginal agencies. The City and Darebin City Council are the only local government representatives invited to sit on this group.

The RP Summary Progress Report (January 2018 – January 2019) at **Attachment 3** presents all the major achievements for 2018.

While significant progress has been achieved, City staff and the RP Steering Committee have identified key areas of focus for the organisation in the coming 12 months. This will ensure the City is able to respond to changing community sentiment, strengthen our leadership role in reconciliation across the municipality and region, and further embed reconciliation principles across the entire organisation.

The RP Steering Committee will prioritise the following projects for the next 12 months:

- Increased cultural safety and cultural responsiveness across the organization via a range of training and learning opportunities and greater visibility of Aboriginal and Torres Strait Islander culture across the municipality.
- Strengthening Aboriginal cultural competency and understanding across all levels including Councillors, Executive and staff.
- Deliver on the key recommendations of the regional Aboriginal procurement project with the aim of increasing the City's support for local Aboriginal businesses and Aboriginal economic participation opportunities.

- Increased engagement with the Taungurung Land and Waters Council following the adoption of the Taungurung RSA in October 2018.
- Review the current RP and commence the planning of the City's new RP or 'Reconciliation Action Plan' in consultation with Traditional Owners, the local Aboriginal community, City staff and Reconciliation Australia.

#### Priority/Importance:

The ongoing implementation and review of the RP is of high importance as it demonstrates the City's ongoing commitment to reconciliation and delivers on actions identified within the Community Plan.

#### Timelines:

The RP commenced in June 2016 and will be reviewed and evaluated in late 2019.

#### Risk Analysis:

The RP reflects the City of Greater Bendigo's commitment to reconciliation. It has been developed to enable the City to support the reconciliation process and to help close the gap of disadvantage between Aboriginal and Torres Strait Islander peoples and other Australians. Key risks identified include:

- Insufficient engagement and participation of Aboriginal and Torres Strait Islander peoples in City decision making and processes, and in ensuring reconciliation initiatives are community-led and informed.
- Not working in a 'whole-of-Council' approach to deliver the RP and its actions, or managing reconciliation being progressed at 'two speeds' across different business units.
- Poor cultural safety and cultural responsiveness across the organisation which prevents the City from being seen as an inclusive and welcoming space for Aboriginal clients, customers or potential employees.
- Lack of sufficient organisational change to ensure the principles underpinning the RP and the City's reconciliation journey are fully embedded across all levels and understood by staff.

City staff are currently working to mitigate these risks in the following ways:

- Increase cultural awareness training and workshops, offer additional opportunities and increased promotion of staff attendance at events and national days of significance for the Aboriginal community.
- Roll out of cultural safety measures across the organisation, such as cultural awareness and education, 'good news stories', improved visibility of Aboriginal culture and protocols, and the establishment of the internal Reconciliation Champions Network.

- Continued focus on community engagement and partnerships with key stakeholders and networks including: DDWCAC, BDAC, NAIDOC Week Committee, Bendigo Local Aboriginal Network and the Bendigo Reconciliation Group.

## **Consultation/Communication**

### External Consultation:

The City worked directly with Aboriginal and Torres Strait Islander people in the planning and development of the RP. Throughout its implementation, regular consultation has occurred with the Traditional Owners, local Aboriginal community organisations, and key Aboriginal and Torres Strait Islander representatives.

The City's Inclusive Communities Officer with a focus on the RP undertakes regular community consultation and engagement, through a series of one-on-one and group meetings.

### Internal Consultation:

Regular consultation is undertaken through the City's Reconciliation Plan Steering Committee and a summary of the RP's progress to date was reviewed and discussed at the November 2018 and March 2019 Steering Committee meetings.

Extensive internal consultation has occurred with the City Service Units responsible for implementing specific actions under the RP.

## **Resource Implications**

The RP is being implemented within existing resources as part of allocations totalling \$142,644 in the 2018/19 Operational Budget which includes \$95,600 for labour costs, \$42,600 for Reconciliation Plan projects and \$4,444 for NAIDOC Week.

## **Attachments**

1. Membership List for Reconciliation Plan Steering Committee
2. List of Actions Not Being Progressed
3. Reconciliation Plan (2016-2019) – Summary Report on Actions Achieved (January 2018 to January 2019)

## CoGB Reconciliation Plan 2016-2019

### Summary Progress Report (January 2018 to January 2019)

| Focus Area: RESPECT                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective:                                                                                                               | Action:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Responsible Unit:                          | Progress to date:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 1. Increase the recognition of Traditional Owners and Aboriginal and Torres Strait Islander peoples in the municipality. | a. Integrate consideration of increased recognition of Traditional Owners in municipal signage, including Welcome to Country signage at key municipal entry points, in the review of relevant policies, budget and other processes.                                                                                                                                                                                                                                                              | Community Partnerships, Parks & Open Space | Action progressing. Dja Dja Wurrung artist, Drew Berick, commissioned in 2018 to design artwork for <i>Womin-dji-ka</i> welcome signage. Signage to be installed on key customer-facing City buildings, including Lyttleton Terrace, Hopetoun Mill, Ulumburra and the Early Years Centres. Signage to be installed in 2019.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                          | b. Develop and implement protocols to accompany the City's Place Naming Policy (8/10/2012), i.e. Section 3.2 Procedure for Naming                                                                                                                                                                                                                                                                                                                                                                | Regional Sustainable Development           | <ul style="list-style-type: none"> <li>The City's new 'Placemaking Policy' and Guidelines includes 'Aboriginal reconciliation' as a core principle underpinning place-making policy (adopted by Council in October 2018).</li> <li>City staff attended place-naming workshops and training with the Victorian Aboriginal Heritage Council and Office of Geographic Names in June 2018.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                          | f. Consistent provision of a Welcome to Country and Acknowledgement of Country; <ul style="list-style-type: none"> <li>integration into the events guide</li> <li>identification of at least 10 events annually that require a Welcome to Country and communicate such events to the registered Aboriginal Parties</li> <li>include as a condition for identified major events managed externally; and</li> <li>negotiate Welcome to Country rates with Registered Aboriginal Parties</li> </ul> | Community Partnerships                     | Increased number of cultural ceremonies performed at multiple City events and forums in 2018: <ul style="list-style-type: none"> <li>Welcome to Country and Smoking Ceremony included at key City events including NAIDOC Week flag raising, 10th Anniversary of Federal Apology to Stolen Generations, opening of City buildings (Gurri Wanyarra Wellbeing Centre and the RSL Soldier's Memorial Institute), EMERGE Festival Launch, Enlighten - Festival of Projections, and official function for Indonesian Student Delegation.</li> <li>A private Welcome to Country and Smoking Ceremony was also performed as part of the welcome event for the repatriation of Dja Dja Wurrung artefacts to Dja Dja Wurrung Country (with the support of Bendigo Art Gallery) in October 2018.</li> </ul> |
| 2. Increase City staff, volunteers and Councillors, understanding of                                                     | a. Develop a concise resource about local Aboriginal Culture, history, and people of significance for staff and public in consultation with the                                                                                                                                                                                                                                                                                                                                                  | Community Partnerships                     | <ul style="list-style-type: none"> <li>The City's Aboriginal and Torres Strait Islander Protocols Guide developed and finalised in July 2018, with feedback and input received by Traditional Owners (Dja Dja Wurrung Clans Aboriginal Corporations and Taungurung Land &amp;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|                                                                            |                                                                                                                                                                                                      |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Aboriginal and Torres Strait Islander cultures, histories and achievements | Aboriginal and Torres Strait community                                                                                                                                                               |                     | <p>Waters Council). Protocols Guide rolled out across the organisation over September - December 2018.</p> <ul style="list-style-type: none"> <li>New Acknowledgement of Country wording was developed for the City, in consultation with DDWCAC, and Acknowledgement of Country cards designed and distributed to staff.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                                            | b. Review and deliver the City induction program to include an Acknowledgement of Country at the start and information about Traditional Owners, the local Aboriginal community and relevant history | People and Culture  | Action completed in October 2017. However, City staff (Inclusive Communities Officers) now present on new Acknowledgement of Country wording at City induction and staff cards are now included in all induction packs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                                                            | c / d. Implement a Cultural Awareness program for employees, including budget and implementation schedule                                                                                            | People and Culture  | <p>All on track and exceeding targets.</p> <ul style="list-style-type: none"> <li>Indigenous Cultural Awareness Training program continues to be delivered to City staff with a session offered quarterly (60 attendees in 2018).</li> <li>Additional workshops and training opportunities offered in 2018, including: hosting two Conversation Circles with Aboriginal and non-Aboriginal participants; delivering Self-Reflections Training to EMT (in partnership with John Bonnice); cultural workshops with Dja Dja Wurrung Elders; and Cultural Heritage Management Plan training (delivered by DDWCAC).</li> <li>The City coordinated an On-Country Cultural Awareness Tour for the Rural Women's Network in June 2018 (11 attendees).</li> <li>An internal Reconciliation Champions Network was established (currently 40 staff members) to build cultural safety and to promote reconciliation across the organisation. Regular workshops held including Conversation Circles on Organisational White Privilege and January 26.</li> </ul> |
| 3. Increase cultural safety of community service provision.                | a. HACC staff to receive cultural sensitivity training relating to assessments and service delivery                                                                                                  | Community Wellbeing | <p>All on track.</p> <ul style="list-style-type: none"> <li>Cultural Audit has been completed in the Early Learning Centres and staff continue to implement the recommendations, working closely with the Department of Education's Koorie Engagement Support Officers.</li> <li>Key activities delivered in 2018 include: flags display in main foyer; art and craft workshops with Wiradjuri artist, David Dunn; and an Aboriginal mosaic, Indigenous plants and</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                        | installation of a Sharing Stone at Annie Galvin Early Years Learning Centre.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 4. Publicly promote Aboriginal culture and increase public recognition of the significant contributions of Aboriginal and Torres Strait Islander people to Australian / Bendigo society. | e. Integrate into the City's communication platforms and opportunities awareness about Aboriginal culture and social contributions including; <ul style="list-style-type: none"> <li>• GB magazine;</li> <li>• Increasing prominence of information on the City's website;</li> <li>• Recognition in Australia Day speeches and communication; and</li> <li>• Acknowledgement of Participation in ANZAC day speeches and communications</li> </ul> | Communications         | This is an ongoing action. Information currently included in external and internal platforms, including: <ul style="list-style-type: none"> <li>• Inclusion in Australia Day address;</li> <li>• Social media post on key events (Federal Apology to the Stolen Generation, NAIDOC Week, Indigenous Film Festival);</li> <li>• Internal staff newsletters and bulletins.</li> <li>• GB Magazine featured two articles on the local Aboriginal community: Wanyarram Dhelk project (September 2018) and possum skin cloaks at the Bendigo Library (December 2018).</li> </ul>              |
|                                                                                                                                                                                          | g. Undertake a reconciliation art project at City owned / managed early learning centres and display art project in the centres                                                                                                                                                                                                                                                                                                                    | Community Wellbeing    | <ul style="list-style-type: none"> <li>• Childrens' Aboriginal art activities and art display held in November 2017 and 2018 at Annie Galvin Early Learning Centre. Staff worked with Wiradjuri artist, David Dunn, on series of children's art and crafts workshops.</li> <li>• Aboriginal artworks currently on display at Annie Galvin Early Learning Centre (created and donated by a City staff member).</li> </ul>                                                                                                                                                                 |
| 5. Increase participation and influence of Aboriginal and Torres Strait Islander people in the City's decision making processes.                                                         | a. Complete a diversity audit of organisational committees                                                                                                                                                                                                                                                                                                                                                                                         | Community Partnerships | Action completed. <ul style="list-style-type: none"> <li>• Diversity Audit of CoGB committees and City staff (see Action 15.d) completed in late 2018, and results currently being analysed by the Community Partnerships and People &amp; Culture Units.</li> </ul>                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                                          | b. Identify committees, reference groups and project groups in partnership with Aboriginal and Torres Strait Islander people that are of cultural and social interest for greater involvement.                                                                                                                                                                                                                                                     | Community Partnerships | All on track. <ul style="list-style-type: none"> <li>• Aboriginal and Torres Strait Islander representation confirmed for the following City committees: Public Arts Advisory Committee, Heritage Advisory Committee, Fire Prevention Committee, Positive Ageing Committee.</li> <li>• Representatives of DDWCAC are engaged in the Reimagining Bendigo Creek project (and associated Traditional Owner sub-committee), the City's bid for the UNESCO City of Gastronomy, and the development of key City strategies such as the Arts &amp; Creatives Industries and Economic</li> </ul> |

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|                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                        | <p>Development strategies.</p> <ul style="list-style-type: none"> <li>The new Local Aboriginal Network Broker has been invited to attend the Reconciliation Plan Steering Committee in January 2019.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 6. Support Aboriginal and Torres Strait Islander significant days / weeks | <p>a. Contribute and provide support to NAIDOC events in Bendigo by:</p> <ul style="list-style-type: none"> <li>hosting the Flag Raising Ceremony the first Monday of NAIDOC week;</li> <li>promoting events internally</li> <li>where possible, providing in kind or financial support to NAIDOC events;</li> <li>being a distribution point for the Bendigo NAIDOC brochure, providing a media release and adding information to our website;</li> <li>providing financial sponsorship to the Koorie children's initiative; and</li> <li>undertaking activities in kindergartens, positive ageing groups and children's early learning centres</li> </ul> | Community Partnerships | <ul style="list-style-type: none"> <li>The City supports delivery and planning of NAIDOC Week events in close partnership with the local Aboriginal community and NAIDOC Week Committee.</li> <li>Activities in 2018 included: NAIDOC Week flag-raising and civic reception (over 300 attendees), CoGB sponsorship for Koori Kids NAIDOC Week Initiative and a children's book drive (via Bendigo Communities for Change), City support for the Knuldooroong Art Exhibition at Dudley House, and City staff and funding support provided to the annual BDAC Children's Day event.</li> <li>In 2018, City staff supported the BDAC Yarning Girls Day Out for 15 Aboriginal young people.</li> <li>The City's first Community Report on the CoGB Reconciliation Plan 2016-2019 was released to the public during NAIDOC Week 2018.</li> </ul> |
|                                                                           | <p>b. The City hosts an annual Reconciliation Week event or works in partnership with the Bendigo Reconciliation Committee for a collaborative event.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Community Partnerships | <p>This action is ongoing with the City hosting annual Reconciliation Week events.</p> <ul style="list-style-type: none"> <li>In 2018, City staff worked in partnership with local agencies and the Aboriginal community to deliver the second Central Victorian Indigenous Film Festival. The 2018 Festival saw an expanded program with 10 films screened across multiple venues and a total of 450 people attending.</li> <li>In partnership with the Bendigo Reconciliation Group, the City hosted a Conversation Circle with 15 staff and 5 Aboriginal community members participating.</li> </ul>                                                                                                                                                                                                                                     |
|                                                                           | <p>c. Encourage staff to attend events related to significant weeks and days</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Community Partnerships | <ul style="list-style-type: none"> <li>City staff are regularly encouraged to attend key Aboriginal and Torres Strait Islander dates and events. The appointment of an Inclusive Communities Officer in November 2017 has allowed for greater event promotions and awareness raising to City staff.</li> <li>There was increased staff attendance at key events in 2018, including NAIDOC and Reconciliation Week events, visit of</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                               |

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|                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                  | <p>the Victorian Treaty Advancement Commissioner, Launch of the Dhelk Dja Agreement, and Bendigo Possum Skin Cloak launch at the Bendigo Library.</p> <ul style="list-style-type: none"> <li>• Five City staff volunteered at the Regional Centre for Culture event, YAPENYA, in November 2018.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 7. Create a workplace environment that is respectful and inclusive of Aboriginal and Torres Strait Islander cultures and residents | <p>a. Develop and implement an internal marketing plan that increases recognition of Aboriginal Culture within existing practices, systems and resources, including consideration of:</p> <ul style="list-style-type: none"> <li>• electronic signature to incorporate Acknowledgement of Traditional Owners;</li> <li>• City car sticker acknowledging Traditional Owners;</li> <li>• City business cards to have Acknowledgement of Country printed on back;</li> <li>• Aboriginal and Torres Strait Islander posters and paintings displayed around the workplace, including NAIDOC;</li> <li>• screens in customer support areas acknowledging traditional owners;</li> <li>• the promotion of information that supports Aboriginal and Torres Strait Islander reconciliation;</li> <li>• promotion of Aboriginal and Torres Strait Islander Cultural awareness training and cultural protocols and staff toolkit; and</li> <li>• subscriptions to relevant publications such as the Koorie Grapevine, and Koorie Mail.</li> </ul> | Communications                   | <p>An internal communications plan has been completed and the following actions have been delivered:</p> <ul style="list-style-type: none"> <li>• Email signature with Acknowledgement to Traditional Owners;</li> <li>• Information on Customer Service screens (including Acknowledgement to Traditional Owners);</li> <li>• Subscriptions to Koorie-specific publications.</li> <li>• Purchased Aboriginal and Torres Strait Islander desk flag stands, posters, and lapel pins.</li> </ul> <p>New actions delivered in 2018 include:</p> <ul style="list-style-type: none"> <li>• Development of Acknowledgement of Country cards for CoGB staff;</li> <li>• Aboriginal and Torres Strait Islander Protocols Guide 2018;</li> <li>• Commissioning of artwork for <i>Womin-dji-ka</i> signage on key City customer facing buildings.</li> </ul> |
| 8. Reduce risk by strengthening compliance with legislative requirements for land use and management of                            | <p>a. Comply with land use legislative requirements by developing and implementing a Cultural Compliance Plan that includes:</p> <ul style="list-style-type: none"> <li>• Development of a working group</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Regional Sustainable Development | <p>Targeted technical training was delivered to relevant Units and staff, including:</p> <ul style="list-style-type: none"> <li>• 24 staff attended Cultural Heritage Management Plan and Aboriginal Heritage Permit training with DDWCAC (October 2018);</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| Aboriginal Cultural heritage                                                                                                       | <p>including relevant City staff and external members;</p> <ul style="list-style-type: none"> <li>• Training on Land Use Activity Agreements (LUAA) and Cultural Heritage Management Plan (CHMP) regulations for all relevant staff;</li> <li>• Development of checklists to trigger notifications and standardisation of application of checklists;</li> <li>• Explore a City LUAA / CHMP “Champion” or “go to” person as an internal and external resource;</li> <li>• Explore the development of guidelines / protocols for ways of working on land use issues; and</li> <li>• Quarterly meetings with Registered Aboriginal Parties to raise and address cultural management issues</li> </ul> |                        | <ul style="list-style-type: none"> <li>• Six staff attended training on the Dja Dja Wurrung RSA Land Use Activity Agreement training, delivered through Local Government Victoria (LGV).</li> <li>• Executive and City staff provided input into the LGV-led consultation on the Land Use Activity Agreement and the development of training and resources for Local Government staff. A Local Government LUAA manual to be rolled out in 2019.</li> <li>• City staff continue to held ongoing meetings with DDWCAC on cultural heritage issues and land management, as needed.</li> </ul>                                                                                                                                                                 |
|                                                                                                                                    | d. Provide information about cultural heritage sites to the Farmer’s Advisory Committee. Information to include: explanations of sites, identification and registration process and implications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Community Partnerships | <ul style="list-style-type: none"> <li>• Staff from the City, Aboriginal Victoria and DDWCAC delivered presentations on Aboriginal cultural heritage to the Farmer's Advisory Committee and Rural Communities Committee in 2018.</li> <li>• The City to host an on-country session for both Committees in early 2019.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 9. Partner with Registered Aboriginal Parties to explore opportunities to strengthen Aboriginal and Torres Strait Islander culture | a. Consultation with Dja Dja Wurrung Clans Aboriginal Corporation to support the aspirations as identified in their Dhelkunya Dja Country Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Community Partnerships | <ul style="list-style-type: none"> <li>• Staff continued to support the Wanyarram Dhelk project as a supporting partner, and DDWCAC staff presented to Council on the project in July 2018.</li> <li>• Regular meetings held with DDWCAC on cultural heritage issues, the Aboriginal Cultural Heritage &amp; Land Management Agreement (ACHLMA) and joint mananagement, traditional burnings, waterways, and economic participation.</li> <li>• City staff commenced the Reimagining Bendigo Creek project with DDWCAC engaged as a key partner in project planning and governance. A City officer now sits on the DDWCAC Healthy Country Planning Group.</li> </ul> <p>The City is working to further improve outcomes under the Dja Dja Wurrung RSA:</p> |

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|  |                                                                                                                        |                        | <ul style="list-style-type: none"> <li>• In 2018, Executive staff contributed to the consultation on the RSA 5 Year Review, led by Prof. Mick Dodson;</li> <li>• The City is leading a regional project on improving Aboriginal business procurement in local government, in partnership with Loddon Shire and Mount Alexander Shire Councils. Project is due for completion in early 2019.</li> <li>• The City hosted a regional presentation on the RSA by the Department of Justice's Native Title Unit in December 2018 (10 out of 12 LGAs within the RSA Agreement area were represented).</li> </ul>                                                                                                                                                |
|  | b. Where appropriate, support Registered Aboriginal Parties regarding the repatriation of Traditional Owner artefacts. | Bendigo Art Gallery    | <ul style="list-style-type: none"> <li>• Action achieved with successful repatriation of 60 Dja Dja Wurrung artefacts to the Bendigo Art Gallery in October 2018.</li> <li>• Staff from the Bendigo Art Gallery, DDWCAC and the Burke Museum worked in close collaboration on the successful repatriation.</li> <li>• 20 Dja Dja Wurrung artefacts went on public display at the Art Gallery for 6 weeks (October/November 2018), and DDW community members delivered a series of public community talks.</li> </ul>                                                                                                                                                                                                                                      |
|  | c. Work with Registered Aboriginal Parties to identify and explore opportunities for the renewal of cultural practices | Community Partnerships | <ul style="list-style-type: none"> <li>• Commenced Aboriginal Cultural Heritage Land Management Agreement (ACHLMA) pilot project at Crusoe Reservoir &amp; No. 7 Park Bendigo in 2016, in partnership with Aboriginal Victoria and DDWCAC. Phase 1 (desktop assessment of Aboriginal and European cultural heritage) completed in 2018, and DDWCAC conducting on-site survey in February 2019.</li> <li>• City remains a supporting partner on the Wanyarram Dhelek project, working with DDWCAC and North Central Catchment Management Authority to deliver land management and restoration works on 3 local sites. Phase 1 of the project completed in 2018, and DDWCAC successful in securing additional state government funding for 2019.</li> </ul> |

| Focus Area: RELATIONSHIPS                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Objective:                                                                                                                                                                        | Action:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Responsible Unit:      | Progress to date:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10. Develop and apply cultural protocols to ensure consistently respectful practice between the City of Greater Bendigo and the Aboriginal and Torres Strait Islander communities | a. Develop Aboriginal and Torres Strait cultural protocols and staff resource toolkit that includes information re: <ul style="list-style-type: none"> <li>• Acknowledgement of Country and Welcome to Country;</li> <li>• different responsibilities of the different Aboriginal organisations;</li> <li>• definitions, respectful terminology / phonetics;</li> <li>• inclusion of Acknowledgement of Country and reconciliation section into staff meetings;</li> <li>• management and correct use of images; and</li> <li>• List of Aboriginal and Torres Strait Islander dance groups, speakers, musicians, businesses etc.</li> </ul> | Community Partnerships | <ul style="list-style-type: none"> <li>• New CoGB Aboriginal and Torres Strait Islander Protocols Guide 2018 developed and finalised in July 2018 in consultation with, and feedback provided by, the Traditional Owners (Dja Dja Wurrung and Taungurung Clans Aboriginal Corporations). Input also provided by BDAC and other Aboriginal members of the City's Reconciliation Plan Steering Committee.</li> <li>• The Protocols Guide was rolled out across the organisation from September - October 2018, and made publicly available on the City's website.</li> <li>• New Acknowledgement of Country wording was developed in 2018 in consultation with DDWCAC, which has now been incorporated as the City's official wording. Acknowledgement of Country staff cards printed and distributed to staff, and also included in CoGB staff induction packs.</li> </ul> |
| 11. Increase engagement of Aboriginal and Torres Strait Islander residents in community services                                                                                  | a. Review partnership protocol and continue to strengthen relationships with Bendigo & District Aboriginal Co-operative to foster: joint service provision, joint training opportunities and coordinated services, e.g., joint home visits.                                                                                                                                                                                                                                                                                                                                                                                                 | Community Wellbeing    | <p>Action completed in 2017.</p> <ul style="list-style-type: none"> <li>• Ongoing collaboration with DHHS &amp; BDAC through monthly assessment team meetings to improve working relationships and to provide improved outcomes for clients (such as joint home visits by BDAC and Maternal Child Health staff).</li> <li>• The City is currently investigating options for MCH worker presence at BDAC.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                   | b. Continue to promote participation in the Maternal Child Health Key Age and Stages visits and off to an Early Start program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Community Wellbeing    | <p>Action completed in 2017 and continues to be delivered.</p> <ul style="list-style-type: none"> <li>• This is an ongoing action and a highly promoted internal activity.</li> <li>• The Key Ages and Stages (KAS) program is promoted to all new parents and the Off To An Early Start Service (OTAES) is offered to all vulnerable families.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                                                                                                                                                   | c. Promotion of early years immunisation services in partnership with Bendigo & District Aboriginal Co-operative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Community Wellbeing    | <p>Action completed in 2017.</p> <ul style="list-style-type: none"> <li>• The Immunisation Review was completed in November 2016 and an Action Plan developed.</li> <li>• Action Plan includes a number of strategies to increase</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                        | immunisation rates and this will include ongoing partnerships with agencies such as Bendigo Community Health Services (BCHS) and BDAC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                    | d. Promote awareness of the City's Home & Community Care service to Aboriginal & Torres Strait Islander people                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Community Wellbeing    | <p>Action completed in 2017 and continues to be delivered.</p> <ul style="list-style-type: none"> <li>• Home Support staff through RAS complete all referrals for services on the My Aged Care portal.</li> <li>• City services are promoted through information sessions (including NDIS-specific sessions) and invitations are distributed through BDAC networks.</li> <li>• Fortnightly meetings are held between Assessment Officers and Access and Support Officers (AMICUS) to support clients and to ensure clients receive in home assessment.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12. Engage effectively with Aboriginal and Torres Strait Islander residents to increase opportunities for representation in decision making, civic participation and understanding about the responsibilities of Local Government. | <p>b. Partner with Bendigo &amp; District Aboriginal Co-operative to run quarterly community meetings to provide information and hear from community members, information may include:</p> <ul style="list-style-type: none"> <li>• Upcoming opportunities such as; community grant and grant writing workshops, youth programs, community art forums, business development events, citizenship awards;</li> <li>• Feedback on strategies, plans and projects; and</li> <li>• Functions/ roles of local government and assisting to access the organisation</li> </ul> | Community Partnerships | <p>Action on track, and engagement with BDAC in 2018 included the following:</p> <ul style="list-style-type: none"> <li>• BDAC representation on the City's Reconciliation Plan Steering Committee;</li> <li>• Ongoing City participation on BDAC Health &amp; Wellbeing Partnership meetings;</li> <li>• Inclusive Communities Officers supported BDAC youth group school holiday program (including artwork in April 2018, and Girls Yarning Day Out during NAIDOC Week);</li> <li>• City support for launch of the BDAC Koorie Youth Film Events.</li> </ul> <p>Increased City focus on relationship building in 2018 with activities including:</p> <ul style="list-style-type: none"> <li>• Executive meeting between Craig Niemann and Raylene Harradine in October 2018,</li> <li>• A joint partnership between BDAC and the City to host the 10th Anniversary of Federal Apology to the Stolen Generation;</li> <li>• BDAC staff participation in the City's Conversation Circles;</li> <li>• BDAC staff member, Baydon Widdicombe, is providing support to the internal Reconciliation Champions Network workshops and conversations.</li> </ul> |

| Focus Area: OPPORTUNITIES                                                                               |                                                                                                                                                            |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| Objective:                                                                                              | Action:                                                                                                                                                    | Responsible Unit:      | Progress to date:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 13. Increase the participation of Aboriginal and Torres Strait Islander youth in City Youth initiatives | a. Implement the Rural and Regional Local Government Youth Engagement Program which has a focus on Aboriginal and Torres Strait Islander Youth Leadership. | Community Partnerships | <p>Action successfully completed in 2017.</p> <ul style="list-style-type: none"> <li>The City's Youth Engagement Officer supported 3 youth-led workshops, delivered to BDAC Koorie Youth group as part of school holiday program in 2017 (On-Country Cultural Awareness excursion; artwork and mural workshop at YMCA with Troy Firebrace; and hip hop music workshop).</li> <li>Successful re-engagement with BDAC Youth Group in 2018/2019 with support provided to: art workshop with Jida Gulpillil, Girls Yarning Day Out event during NAIDOC Week, and Koorie Youth Film Nights at YO Bendigo.</li> <li>City staff working with BDAC staff to support school holiday programs for the BDAC Youth Group in 2019.</li> </ul> |
|                                                                                                         | c. Increase opportunities for inclusion of Aboriginal and Torres Strait Islander on the Youth Action Group                                                 | Community Partnerships | <p>Action on track.</p> <ul style="list-style-type: none"> <li>In 2018, City staff consulted widely with BDAC and other Aboriginal networks on the new Youth Council initiative, and one Aboriginal young person (Annalise Varker) was successful in her application to be a Youth Councillor. The City will continue to look at opportunities to engage with Koorie young people throughout 2019.</li> </ul>                                                                                                                                                                                                                                                                                                                    |
| 14. Support Aboriginal and Torres Strait Islander businesses and enterprises                            | b. Develop and promote to staff a list of Aboriginal and Torres Strait Islander enterprise and businesses that can be used to procure goods and services   | Community Partnerships | <ul style="list-style-type: none"> <li>Early draft of list has been developed, however this action is likely to be progressed as part of the City's collaborative project on Aboriginal procurement in Local Government. See <i>Action 14.c</i>. There is an opportunity to partner with the Bendigo Local Aboriginal Network (LAN) on developing an Aboriginal Business list, in line with the Victorian LAN Five Year Plan 2016-2020. This will be discussed further in 2019.</li> </ul>                                                                                                                                                                                                                                       |



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|                                                                                                                                                                                                                                   | c. Explore the issues and challenges that face Aboriginal and Torres Strait Islander enterprise and business and address identified issues through reviewing processes and structures, and supporting capacity building opportunities.                 | Community Partnerships | <ul style="list-style-type: none"> <li>Support provided to Aboriginal businesses in 2018, included: NAIDOC Koori Kids initiative; Murnong Mummas; Djandak Enterprises; and a number of Aboriginal sole traders and consultants (including local artists and facilitators).</li> <li>Aboriginal Procurement is identified as a priority area for 2018/2019.</li> <li>As of June 2018, the City was successful in its application for a FAST Grant (awarded \$36K). Project is investigating improvements to Aboriginal business procurement within local government. This is a collaborative project between the City (as lead Council), Loddon Shire, and Mount Alexander Shire Councils. An external specialist procurement consultancy (ArcBlue) was engaged in October 2018 to oversee the project. The stakeholder engagement phase and a Local Government Procurement Workshop were held in November 2018 (30 attendees). The Feasibility Study will be completed in early 2019.</li> </ul> |
| 15. Increase employment opportunities for Aboriginal and Torres Strait Islander peoples with an aim of working towards a participation rate that reflects the Aboriginal and Torres Strait Islander population in Greater Bendigo | b. Review HR and recruitment procedures and policies to ensure there are no barriers to Aboriginal and Torres Strait Islander employees and future applicants participating in our workplace and develop strategies to respond to barriers identified. | People and Culture     | <p>All on track, and City staff continue to review recruitment procedures:</p> <ul style="list-style-type: none"> <li>Recruitment and selection documentation has been reviewed to encourage applications from Aboriginal and Torres Strait Islander employees.</li> <li>Documentation on the City's website and recruitment adverts has been updated.</li> <li>Measures put in place to make City recruitment processes more culturally appropriate and safe, and Aboriginal and non-Aboriginal mentoring support is provided to current Aboriginal staff, in partnership with BDAC.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                   | c. Develop a business case and explore resource options for designated Aboriginal and Torres Strait Islander positions.                                                                                                                                | People and Culture     | <p>This action is being progressed by individual business units.</p> <p>Recent employment outcomes include:</p> <ul style="list-style-type: none"> <li>Two Aboriginal trainees commenced in the People &amp; Culture Unit as part of a 12 month traineeship (Cert III in Business Trainee, in partnership with CVGT).</li> <li>A 2-year traineeship was secured for Parks &amp; Recreation (Certificate in Land Management) with the trainee</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|                                                              |                                                                                                                                                                                    |                        | <p>commencing in January 2019.</p> <ul style="list-style-type: none"> <li>• A First Nations Curator commenced at the Bendigo Art Gallery in July 2018 (12 month position).</li> <li>• Capital, Venues and Events providing co-funding and mentoring support for a part-time Co-Production Assistant as part of staging the Regional Centre for Culture's YAPENYA production (November 2018).</li> <li>• Staff are currently supporting trainees in securing ongoing employment, and one trainee successfully secured ongoing permanent work in Organisational Development in late 2018.</li> <li>• Mentoring supported being provided by a CoGB staff member and an internal Aboriginal Staff Network has been established to provide monthly peer support.</li> </ul> |
| 18. Increase engagement in early years services and programs | a. Develop partnerships with relevant organisation to increase cultural inclusion and promotion of children's and family events to Aboriginal and Torres Strait Islander families. | Community Partnerships | <p>Action on track, and positive progress includes:</p> <ul style="list-style-type: none"> <li>• Community Wellbeing staff continue to support the annual NAIDOC Children's Day event at BDAC.</li> <li>• Over 700 children attended the 2017 events, including 350 Aboriginal and Torres Strait Islander children. This event has seen a shift from agencies running general children's activities to running activities that support and promote Aboriginal and Torres Strait Islander cultures.</li> <li>• BDAC regularly provide children's activities at key Community Wellbeing events, including Funloong Fun Day, Splash into Fun, and Neighbourhood events.</li> </ul>                                                                                        |
|                                                              | b. Increase City Early Years Staff awareness of the "early start to kinder grant" and promote to eligible families                                                                 | Community Wellbeing    | <p>Action completed in January 2018.</p> <ul style="list-style-type: none"> <li>• Maternal and Child Health (MCH) services promote Early Start to Kinder with all identified Aboriginal and Torres Strait Islanders families as part of business. The Off To An Early Start (OATES) program facilitates these enrolments as necessary.</li> <li>• The MCH and OATES programs continue to identify and engage with eligible children and their families for the Early Start Kinder Program.</li> </ul>                                                                                                                                                                                                                                                                  |
| 19. Provide opportunities to showcase Aboriginal             | c. Promote the Integration of local and regional Aboriginal and Torres Strait                                                                                                      | Bendigo Art Gallery    | <p>Exhibitions and events held at Bendigo Art Gallery in 2018 include:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| and Torres Strait Islander Culture, art and history to the wider community | Islander art and programs into the exhibitions of the Bendigo Art Gallery. Including: • Proposing to the Bendigo Art Gallery Board Developing and implementing an acquisition policy for the permanent collection; • Exploration of an Aboriginal and Torres Strait Islander temporary exhibition; and • Community Education Program during NAIDOC and Reconciliation week. |                           | <ul style="list-style-type: none"> <li>• Guest presentation by Tashara Roberts NAIDOC Week 2018;</li> <li>• Public display of 20 Dja Dja Wurrung artefacts (November 2018) following successful repatriation process from the Burke Museum in October 2018;</li> <li>• Two basket weaving workshops held with Aunty Marilyn Nicholls (October 2018).</li> </ul> <p>Since July 2018, the First Nations Curator has progressed the following actions:</p> <ul style="list-style-type: none"> <li>• Commencement of a new Community Education Program in partnership with the local Aboriginal community;</li> <li>• Purchased the Gallery's first piece of Torres Strait Islander artwork which is now publicly displayed;</li> <li>• A new Acquisition Policy for First Nations art is currently under development;</li> <li>• A Going Solo First Nations exhibition is planned for November 2019 -February 2020, with planning commenced in late 2018.</li> </ul>                                                                                                       |
|                                                                            | f. Include Aboriginal and Torres Strait Islander artists into the annual programming for the Capital, Venues and Events                                                                                                                                                                                                                                                     | Capital Venues and Events | <p>Action on track and is exceeding targets. Events and productions delivered in 2018 include:</p> <ul style="list-style-type: none"> <li>• Ilbjerri Theatre performance of <i>Which Way Home</i> in June 2018.</li> <li>• Annual NAIDOC Week exhibition hosted at Dudley House (2018 exhibition again curated by Janet Bromley on behalf of the NAIDOC Week Committee).</li> <li>• 'EMERGE in Bendigo' partnership between CoGB and Multicultural Arts Victoria with key activities including EMERGE Cultural Gatherings, CHRYSALIS exhibition (in February 2018) and the EMERGE Hub at the Easter Festival.</li> <li>• The Enlighten Projection Festival held in August 2018 and featured local Aboriginal artists (Tashara Roberts, Jida Gulpillil and Janet Bromley) and projections included as part of White Night.</li> <li>• CVE provided resourcing and support for two major arts events and programs: Artslands Victoria conference in October 2018 and the Regional Centre for Culture Program featuring the Dja Dja Wurrung YAPENYA Ceremony in</li> </ul> |

|  |                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |                                                                                                                                                                                                          |                           | <p>November 2018.</p> <ul style="list-style-type: none"> <li>• An Adnate artwork of a Dja Dja Wurrung woman was relocated to Ulumburra Theatre in November 2018, in partnership with DDWCAC. Artwork is on display in the Theatre foyer on a long-term loan.</li> <li>• Capital Venues and Events continues to provide special community-priced ticketing for Aboriginal and Torres Strait Islander residents, and complimentary tickets also provided to Elders and the DDWCAC Board.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|  | <p>h. Support the capacity building of Aboriginal artists and groups and access to opportunities. Capacity building may involve assistance with: grant applications, budgets, access to information.</p> | Capital Venues and Events | <p>Action on track and is exceeding expectations. Actions delivered in 2018 include:</p> <ul style="list-style-type: none"> <li>• The Capital Venues and Events Unit provides annual support for Tanderrum rehearsals (through the use of City facilities) and access to Dudley House for art exhibitions including NAIDOC Week.</li> <li>• Delivered a number of events as part of the 'Emerge in Bendigo' and the Enlighten Projection Festival. Both projects provide opportunities for Aboriginal and culturally diverse communities. <i>See Action 19.f.</i></li> <li>• The City awarded a Medium Community Grant to the Bendigo Local Aboriginal Network to support an arts trailer project for local Aboriginal artists. This project commenced in late 2018.</li> <li>• CVE support for the staging the Regional Centre for Culture's YAPENYA production (November 2018).</li> <li>• The City completed its new Arts &amp; Creative Industries Strategy which features a strong emphasis on Traditional Owners, Aboriginal culture and heritage, and supporting local artists and groups.</li> </ul> |

| Focus Area: REPORTING                                                                          |                                                                                                                                                                                                                                                             |                        |                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective:                                                                                     | Action:                                                                                                                                                                                                                                                     | Responsible Unit:      | Progress to date:                                                                                                                                                                                                                                                                                     |
| 20. Ensure program quality by monitoring, reviewing and problem solving implementation issues. | a. Form a Reconciliation Action Plan Working Group that is operational to support the development of the City's Reconciliation Action Plan, comprising Aboriginal and Torres Strait Islander peoples and decision-making staff from across our organisation | Community Partnerships | <ul style="list-style-type: none"> <li>Committee meetings held quarterly and include staff members from across the City.</li> <li>Aboriginal and Torres Strait Islander members are Baydon Widdicombe (BDAC), Aunty Gaby Gamble, and Krystal Henderson (Bendigo Local Aboriginal Network).</li> </ul> |
|                                                                                                | b. Develop a business case for increased staff resources to support the implementation of actions and support proposed governance structures                                                                                                                | Community Partnerships | Action completed and new Inclusive Communities Officer (with focus on Aboriginal reconciliation) commenced in the role in November 2017.                                                                                                                                                              |

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

### **7.1 COUNCIL SUBMISSION - LOCAL GOVERNMENT REFORM PAPER**

#### **Document Information**

**Authors** Peter Hargreaves, Coordinator Civic and Governance Support  
Ryan Millard, Coordinator Legal Services

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

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#### **Purpose**

For Council to endorse and make public its submission on new local government reforms proposed by the Victorian Government.

#### **Summary**

In mid-June the Victorian Government announced that it proposed to include a further six reforms to local government in Victoria in a new Local Government Bill to be introduced into State Parliament later this year.

The new reforms outlined in the Local Government Reform Paper include:

1. Simplifying voting enrolments in council elections particularly for non-resident ratepayers;
2. Eliminating multi-member wards which form the basis of the electoral structure of the Greater Bendigo City Council;
3. Introducing mandatory training for council election candidates and councillors;
4. New limits on campaign donations;
5. Setting clear standards of conduct to guide councillor behaviour and new measures to deal with misconduct more efficiently; and
6. Introducing two new pathways that can lead to the disqualification of a councillor:
  - a) for repeated findings of serious misconduct; and
  - b) community initiated commissions of inquiry.

The attached submission broadly supports all the reforms except for items 2 and 6b. The submission notes that some aspects of the reforms require clarification or further detail.

A five week consultation period commenced with the announcement of the proposed new reforms.

## **RECOMMENDATION**

That Council endorse the attached submission to the Victorian Government on its proposed six new reforms to the administration of local government in Victoria.

## **RESOLUTION**

Moved Cr Metcalf, Seconded Cr Williams.

That the recommendation be adopted.

**CARRIED**

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## **Policy Context**

### Community Plan Reference:

*City of Greater Bendigo Community Plan 2017-2021: Goal 1: Lead and govern for all.*

## **Background Information**

In Victoria, the legal basis for Councils is established under the *Constitution Act 1975* and the *Local Government Act 1989*.

A Bill intended to become the new Local Government Act was introduced into State Parliament in May 2018, but lapsed when Parliament expired before the November 2018 Victorian election.

On June 17 2019, the Victorian State Government announced that it proposed to introduce a new Bill to Parliament in 2019.

According to the Government the new Bill will retain the substance of the 2018 Bill and will include six additional reforms designed to 'further improve and strengthen' the Bill.

The rating provisions will remain in the Local Government Act 1989 until the rating system review finalises its recommendations to Government in May 2020. The aim is to ensure that any changes made to the rating system address the findings of the review.

## **Report**

The six additional reforms proposed by the government were announced in June. Council's submission provides a detailed response to the proposed reforms.

Below is a summary of the six reforms and Council's response to each.

**Reform 1 - Simplified Franchise**

It is proposed to make council electoral rolls more closely aligned with the State electoral roll.

Voters whose only entitlement is as an owner or lessee of a property in the municipality will be required to lodge an enrolment form to vote in that municipality's election if they want to vote.

Council generally supports the proposal to more closely align its electoral roll with the State.

**Reform 2 - Electoral Structure**

Representative structures and election processes are to be simplified by moving to a single consistent model of single member wards, unless it is impractical to subdivide a council into wards.

Currently Victorian councils may be constituted in one of five structural models.

Council does not support this proposal.

Whilst a consistent electoral structure for local government is worth investigating, Council considers that ensuring representation is genuinely local and accountable means allowing each council to determine the electoral structure that works for it and its community. The Greater Bendigo municipality currently consists of three wards with three Councillors each. Such a structure would be prohibited under the proposed reforms, but it is working well for Bendigo and its Councillors; creating a healthy balance of strategic decision making and local representation.

**Reform 3 - Training**

It is proposed to introduce new training requirements on candidates and councillors to improve competency, skills and transparency.

Council supports both mandatory training for election candidates and mandatory councillor induction training.

**Reform 4 - Donation Reform**

A number of recent changes to the electoral campaign donations arrangements in Victorian Parliamentary elections will be extended to local government elections. These include:

- Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped at an aggregated amount of \$1000.
- The 'gift disclosure threshold' which applies to campaign donations and other gifts received by councillors, will be halved to \$250 for all Councils.

Council supports this proposal.

**Reform 5 - Improved Conduct**

It is proposed to introduce mandatory standards of conduct, a clear and consistent arbitration process and provide the arbiter powers to impose sanctions.



Council supports a consistent, prescribed approach to the principles underpinning councillor codes of conduct.

### ***Reform 6 - Community Accountability***

It is proposed to make councillors more accountable through stronger sanctions for serious conduct violations and the introduction of a community initiated Commission of Inquiry.

There will be two clear new pathways that can lead to disqualification:

- where a councillor has been subject to a finding of serious misconduct on two occasions over an eight year period; or
- where a community initiated Commission of Inquiry, appointed as a result of a petition, makes a finding that a councillor has caused or contributed to:
  - 1) a failure by the council to provide good governance; or
  - 2) a failure by the council to comply with a governance direction.

Council supports the Government's proposal for disqualification of councillors for repeated findings of serious misconduct.

Council does not support the proposed community initiated Commission of Inquiry. Under the proposal, the Minister would appoint a Commissioner to conduct an inquiry into the affairs of a council or councillor upon receipt of a petition signed by at least 25% of the voting population for that council. One of Council's concerns is that the proposal unfairly prejudices smaller regional councils with correspondingly small voter bases.

### **Priority/Importance:**

It is important that Council participate in the consultation given the *Local Government Act 1989* forms the legal basis for all Councils in Victoria.

### **Consultation/Communication**

The submission was prepared in consultation with Councillors and following briefings and discussions with Local Government Victoria, Municipal Association of Victoria and the Victorian Local Governance Association.

### **Resource Implications**

There are no known resource implications at this stage.

### **Attachments**

1. Council Submission – Local Government Reform Paper
2. Local Government Reform Paper (separate document)

## **Local Government Bill – A reform proposal**

Submission by Greater Bendigo City Council

### **1. Simplified Franchise**

Council generally supports the proposal to more closely align its electoral roll with the State.

However, it is unclear on the terms of the proposal what involvement, if any, Council would be expected to have in the reformed process of establishing the electoral roll. For example, would it be Council or the VEC that manage the application process for non-resident property owners?

The current procedures to establish the electoral roll are onerous. Council would welcome a reform that removes that administrative burden from it and, on that basis, supports this reform if the entire process (including transitional arrangements) is managed by and at the expense of the VEC.

### **2. Electoral Structures**

Council does not support this proposal.

Whilst Council is supportive of the Government's aim to ensure councillors are accountable to their community, it submits that sweeping changes to the structure of council electorates is not the appropriate means of achieving that objective. The other proposed reforms relating to councillor training, conduct and accountability are more appropriate tools to promote greater councillor accountability.

In fact, Council considers that the proposed electoral structure reforms could result in a number of adverse consequences that would serve to undermine the goal of greater accountability. For example:

- Compared to multi-member wards, single member wards make it harder for a council to make decisions holistically for the benefit of the entire municipality as some councillors would tend to take an insular view and advocate for their own ward at the expense of others.
- In a single member ward structure a single strong councillor is more likely to be able to exert influence on other councillors to further their own agenda and their ward at the expense of others.
- The representation a ward receives is directly correlated with the quality of the candidates standing for that ward. A single-member ward structure has the potential to dilute the pool of candidates for certain ward areas and result in some wards having no strong advocacy at Council.

For local government areas experiencing significant growth, such as Bendigo, multi-member wards allow a council to be flexible enough to accommodate that growing population without frequently needing to review its ward boundaries.

Council submits that 'genuinely local' representation in the form of single member wards will not necessarily result in the best decision making for the municipality as a whole. Council agrees that in some respects it is sensible to align local government with State government practices, but it does not consider that electoral structures are an area that warrants such alignment.

Whilst a consistent electoral structure for local government is worth investigating, Council considers that ensuring representation is genuinely local and accountable means allowing each council to determine the electoral structure that works for it and its community. The Greater Bendigo municipality currently consists of three wards with three Councillors each. Such a structure would be prohibited under the proposed reforms, but it is working well for Bendigo and its Councillors; creating a healthy balance of strategic decision making and local representation.

### **3. Training**

Council supports both mandatory training for election candidates and mandatory councillor induction training.

The proposal indicates that the nature of the mandatory candidate training will be the subject of further consultation and then prescribed in Regulations. Council submits that the mandated training must:

- be delivered in a way that is accessible to ensure that prospective candidates from diverse backgrounds are not disadvantaged and disincentivised to run; and
- provide candidates with realistic information about the time commitment required to properly undertake the role of a councillor. For example, ensuring candidates understand that in addition to 'in the office' hours for briefings and council meetings, councillors are expected to work significant out of office hours to read council papers and attend community events. It is important to recognise that communities expect their elected councillors will be visible and available to their constituents. Our Councillors frequently devote more than 20 hours a week to their role.

Candidates might also be required, or at least encouraged, to attend council meetings ahead of the election to better understand how the council conducts its regular business. It is unclear on the terms of the proposal whether councils will be required to develop and administer candidate training. To ensure consistency and reduce the administrative and cost burden on councils, Council considers that the VEC should be responsible for developing and implementing the proposed mandatory candidate training.

Council already undertakes an induction program for its Councillors and is supportive of reforms to make such training mandatory.

### **4. Donation Reform**

Council supports this proposal.

## 5. Improved Conduct

Council is generally supportive of a consistent, prescribed approach to the principles underpinning councillor codes of conduct. However, it is important that councils retain the flexibility to adapt and expand their code to cater for the specific needs of each council and its councillors.

The quality of the prescribed standards of conduct is critical to the effectiveness of this proposal. Thorough consultation with the sector to develop the standards will be vital and Council looks forward to working with the Government in this regard.

Regarding the proposed legislated process for arbitration:

- Council is concerned about the responsiveness of the office of the Principal Councillor Conduct Register to requests for arbitration. It is often important for the continuation of Council business that conduct matters are resolved as quickly as possible. Within what timeframe will the PCCR arbitrate matters?
- Council considers that for the greatest cost and time efficiencies issues of conduct should be resolved at the lowest level of formality and process wherever possible. Accordingly, Council would like to ensure that it has the flexibility to oblige Councillors to attempt to resolve conduct matters by negotiation or potentially mediation prior to requiring a formal arbitration process. Will Council have the flexibility to incorporate such a process into its code of conduct or alternatively, will the terms of the Bill require similar preliminary processes?

## 6. Community Accountability

Council supports the Government's proposal for disqualification of councillors for repeated findings of serious misconduct.

Council does not support the proposed community initiated commission of inquiry. Under the current proposal, the Minister would appoint a Commissioner to conduct an inquiry into the affairs of a council or councillor upon receipt of a petition signed by at least 25% of the voting population for that council. The proposed reforms are vague and raise a number of questions and concerns for Council:

- One obvious issue with the proposal is that it unfairly prejudices smaller regional councils with correspondingly small voter bases. Loddon Shire, for instance, has a population which is less than 10% of the size of Greater Bendigo and a petition could be successfully lodged with as few as 1,000 signatures instead of the 25,000 it would take for Bendigo.

It follows that for councils with large populations (including Bendigo) the petition process is unlikely to ever be successful; a petition for the City of Casey would require around 75,000 signatures be obtained within 60 days. The result would be an inequitable system where small councils are left vulnerable and the petition process is effectively tokenistic for populations of large councils.

- Whilst an applicant to the VEC must give brief reasons for the petition it is currently unclear if petitions must have a proper basis. How would applications which are clearly vexatious or frivolous be dealt with?
- Signatures would be collected in the prescribed manner. Will this include email signatures? What measures will the VEC use to verify the people purportedly signing the petition intended to do so, have done so once only and are genuine residents of the municipality?

Council considers that as with State and Federal politics the opportunity for the community to judge the performance of its elected officials is, and should remain, at an election. Further, there are already multiple agencies established in the Victorian integrity framework that are well placed to independently assess council and councillor conduct, including the Local Government Inspectorate, the Independent Broad-Based Anti-Corruption Commission, the Office of the Victorian Information Commissioner and the Office of the Victorian Ombudsman.

## 7.2 INSTRUMENT OF DELEGATION TO COUNCIL STAFF

### Document Information

**Author** Ryan Millard, Coordinator Legal Services

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

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### Purpose

For Council to approve the new Instrument of Delegation by Council to Members of Staff.

### Summary

Council recently considered the organisation's new approach to formalising staff delegations and the updated suite of delegation instruments prepared by the City's legal services team.

The principles of statutory interpretation require that delegation under some legislation is given by Council directly to specific staff rather than via sub-delegation from the CEO. Once adopted, the new Instrument of Delegation by Council to Members of Staff will formalise Council's delegation to staff of its various powers, duties and functions under those Acts and Regulations.

### **RECOMMENDATION**

That Council resolve to:

1. approve the attached Instrument of Delegation; and
2. authorise the Chief Executive Officer to execute and affix Council's common seal to the Instrument of Delegation.

### **RESOLUTION**

Moved Cr Williams, Seconded Cr Fyffe.

That the recommendation be adopted.

**CARRIED**

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## **Policy Context**

Council demonstrates leadership in its decisions to meet future needs and challenges.

## **Background Information**

Delegation of legislative powers from Council and CEO to staff is necessary to facilitate the functioning of the organisation.

Using Maddocks' pro forma documents as a base, an extensive suite of delegations has been developed which is in line with Maddocks' best practice guidance. The revised suite of 4 new instruments covers nearly 100 pieces of legislation.

Adopting these instruments will enable staff across the organisation to better understand the legislation that governs the City's operations, and the extent of the obligations that exist. The instruments will also promote good governance by improving clarity, transparency and accountability with respect to delegations.

## **Report**

The City's legal services team have developed four new instruments to replace the current one, based on the pro-forma suite of documents produced by Maddocks.

The new instruments are not intended to significantly change the way the organisation operates or shift decision making authority. The instruments reflect the delegation status quo, albeit in a more specific and detailed way.

The CEO is empowered to execute three of the instruments; as the legislative powers set out in those instruments either vest directly in the CEO or, more commonly, have already been delegated by Council to the CEO and are able to be further sub-delegated to staff.

One of the instruments contains legislative powers which must be delegated by Council directly to specific members of staff. This is because sub-delegation is not permitted under some legislation due to the rules of statutory interpretation.

## **Consultation/Communication**

Two periods of consultation were undertaken across the organisation. An initial draft was circulated and staff were invited to provide submissions. The City's legal services team met with many units individually to discuss their specific requirements or to provide clarity. With that feedback received, the instruments were revised and re-issued for final comment, which resulted in some further changes.

## **Resource Implications**

Nil

## **Attachments**

1. Instrument of Delegation by Council to Members of Staff (separate document)



## 7.3 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.

### RESOLUTION

Moved Cr Fyffe, Seconded Cr Williams.

That the recommendation be adopted.

**CARRIED**

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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

<i>Meeting Information</i>		
<b>Meeting Name/Type</b>		Councillors' Briefing
<b>Meeting Date</b>		20 May 2019
<b>Matters discussed</b>		1. Smart Cities update 2. Industrial Land Development Strategy 3. Huntly DCP and communications update 4. Golden Square Revitalisation Project 5. Bendigo Tourism Board Strategic Plan 6. Deliberative Democracy 7. Regional Sustainable Development unit update
<i>Attendees/Apologies</i>		
<b>Councillors</b>		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
<b>Staff/ Community Representatives</b>		Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Mr Steven Abbott Ms Debbie Wood Ms Miki Wilson Mr Greg Painter <b>Apology:</b> Ms Vicky Mason
<i>Conflict of Interest disclosures</i>		
<b>Matter No.</b>	<b>Councillor/officer making disclosure</b>	<b>Councillor/officer left meeting</b>
	Nil	

<b>Meeting Information</b>		
<b>Meeting Name/Type</b>		Hearing of Public Budget Submissions
<b>Meeting Date</b>		22 May 2019
<b>Matters discussed</b>		Fourteen (14) public budget submitters presented to Council
<b>Attendees/Apologies</b>		
<b>Councillors</b>		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
<b>Staff/ Community Representatives</b>		Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Ms Miki Wilson Mr Nathan Morsillo Ms Loren L'Hotelier
<b>Conflict of Interest disclosures</b>		
<b>Matter No.</b>	<b>Councillor/officer making disclosure</b>	<b>Councillor/officer left meeting</b>
	Nil	

<b><i>Meeting Information</i></b>	
<b>Meeting Name/Type</b>	Councillors' Briefing
<b>Meeting Date</b>	27 May 2019
<b>Matters discussed</b>	Parking Plan Workshop
<b><i>Attendees/Apologies</i></b>	
<b>Councillors</b>	Cr Rod Fyffe Cr Jennifer Alden Cr George Flack Cr Andrea Metcalf Cr Mal Pethybridge Cr James Williams Cr Yvonne Wrigglesworth <b>Apologies:</b> Cr Margaret O'Rourke Cr Matt Emond
<b>Staff/</b>	Mr Craig Niemann

<b>Community Representatives</b>		Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Miki Wilson <b>Apology:</b> Ms Debbie Wood
<b>Conflict of Interest disclosures</b>		
<b>Matter No.</b>	<b>Councillor/officer making disclosure</b>	<b>Councillor/officer left meeting</b>
	Nil	

Meeting Information		
Meeting Name/Type	Councillors' Briefing	
Meeting Date	3 June 2019	
Matters discussed	1. Huntly DCP update 2. Strathdale Community Centre 3. Redesdale Community Hub 4. Delegations 5. Industrial Land Strategy update 6. Budget 2019/2020 7. Waste and recycling	
Attendees/Apologies		
Councillors	Cr Margaret O'Rourke Cr Jennifer Alden Cr Matt Emond Cr George Flack Cr Rod Fyffe Cr Andrea Metcalf Cr James Williams Cr Yvonne Wrigglesworth <b>Apology:</b> Cr Mal Pethybridge	
Staff/ Community Representatives	Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Ms Miki Wilson Mr Greg Painter	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

Meeting Information		
Meeting Name/Type	Advocacy - Melbourne	
Meeting Date	5/6 June 2019	
Matters discussed	Meetings with Premier, State Ministers and Parliamentary Departmental Secretaries	
Attendees/Apologies		
Councillors	Cr Margaret O'Rourke Cr Jennifer Alden Cr Matt Emond Cr George Flack Cr Andrea Metcalf Cr Mal Pethybridge Cr James Williams <b>Apologies:</b> Cr Rod Fyffe Cr Yvonne Wrigglesworth	
Staff/ Community Representatives	Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Ms Aleisha Verwoert North	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

<b>Meeting Information</b>	
<b>Meeting Name/Type</b>	Councillors' Briefing
<b>Meeting Date</b>	12 June 2019
<b>Matters discussed</b>	1. Waste and recycling 2. Industrial Land Development Strategy 3. Greening Greater Bendigo update 4. Pound Animal Shelter update 5. Bendigo Islamic Community Centre update
<b>Attendees/Apologies</b>	
<b>Councillors</b>	Cr Margaret O'Rourke Cr Jennifer Alden Cr Matt Emond Cr Rod Fyffe (part) Cr Andrea Metcalf Cr Mal Pethybridge Cr James Williams Cr Yvonne Wrigglesworth

	<b>Apology:</b> Cr George Flack	
<b>Staff/ Community Representatives</b>	Mr Craig Niemann Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Mr Greg Painter	
<b><i>Conflict of Interest disclosures</i></b>		
<b>Matter No.</b>	<b>Councillor/officer making disclosure</b>	<b>Councillor/officer left meeting</b>
	Nil	

Meeting Information		
Meeting Name/Type	Councillors' Briefing	
Meeting Date	17 June 2019	
Matters discussed	1. GovHub 2. Lake Eppalock Action Group 3. Renewable Energy update 4. Child Safe Standards 5. Update on Costerfield and Fosterville mines 6. Affordable Housing Action Plan 7. Long-term Financial Plan 8. Bat Management Plan	
Attendees/Apologies		
Councillors	Cr Rod Fyffe Cr Jennifer Alden Cr Matt Emond Cr Andrea Metcalf Cr Mal Pethybridge Cr James Williams Cr Yvonne Wrigglesworth <b>Apologies:</b> Cr Margaret O'Rourke Cr George Flack	
Staff/ Community Representatives	Mr Bernie O'Sullivan Mr Andrew Cooney Ms Vicky Mason Ms Debbie Wood Mr Greg Painter <b>Apology:</b> Mr Craig Niemann	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Councillor/officer left meeting
	Nil	

## 7.4 CONTRACTS AWARDED UNDER DELEGATION

### Document Information

**Author** Lee Taig, Contract Support Administrator, Governance Unit

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

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### 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.

### RESOLUTION

Moved Cr Fyffe, Seconded Cr Williams.

That the recommendation be adopted.

**CARRIED**

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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> |                                                                                   |                                               |                   |              |
| CT000458                 | Huntly Early Years Facility Upgrade                                               | Gerard K House Pty Ltd                        | Craig Niemann     | 5 June 2019  |
|                          | <b>Price:</b> \$1,285,276.35                                                      | <b>Practical Completion:</b> 30 March 2020    |                   |              |
| CT000459                 | Asphalt Works on Various Roads 03                                                 | Centre State Asphaltting Pty Ltd              | Debbie Wood       | 27 May 2019  |
|                          | <b>Price:</b> \$684,535.47                                                        | <b>Practical Completion:</b> 21 June 2019     |                   |              |
| CT000466                 | Kangaroo Flat / Golden Square Flood Mitigation Study - Consultant                 | Water Modelling Solutions                     | Brett Martini     | 4 June 2019  |
|                          | <b>Price:</b> \$74,145.00                                                         | <b>Practical Completion:</b> 28 February 2020 |                   |              |
| Contract No              | Project                                                                           | Successful Contractor                         | Delegated Officer | Date Signed  |
| CT000467                 | #GetTruckWise Campaign                                                            | Deakin University                             | Bernie O'Sullivan | 12 June 2019 |
|                          | <b>Price:</b> \$248,619.00                                                        | <b>Practical Completion:</b> 31 July 2020     |                   |              |
| CT000468                 | Supply & Installation of Approximately 4,415 metres of Steel W-Bean Guard Fencing | A1 Highways                                   | Debbie Wood       | 27 May 2019  |
|                          | <b>Price:</b> \$452,904.55                                                        | <b>Practical Completion:</b> 30 June 2019     |                   |              |
| CT000472                 | Supply & Installation of Three (3) Truck Mounted Cranes                           | Bendigo Truck Centre                          | Adrian Gasperoni  | 24 May 2019  |
|                          | <b>Price:</b> \$66,512.31                                                         | <b>Practical Completion:</b> 30 August 2019   |                   |              |

| Service Contracts |                                                                                                           |                          |                        |             |
|-------------------|-----------------------------------------------------------------------------------------------------------|--------------------------|------------------------|-------------|
| Contract Number   | Project:                                                                                                  | Successful Contractor:   | Delegated Officer:     | Date Signed |
| CT000422          | Supply and Delivery of One (1) Suctions Sweeper - Lease                                                   | Bucher Municipal Pty Ltd | Debbie Wood            | 3 June 2019 |
|                   | Price: \$330,194.38                                                                                       | Initial Term: 5 Years    | Extension Options: Nil |             |
|                   | Current annual Council Budget for the goods/services contracted via this schedule of rates in \$65,964.00 |                          |                        |             |



**8. URGENT BUSINESS**

Nil.

**9. NOTICES OF MOTION**

Nil.

**10. COUNCILLORS' REPORTS**

Cr Metcalf reported on 'a feel good month':

"Meet the Locals at the Goornong Hotel. Cr Pethybridge and I attended and were made very welcome by the community. The listening post actually ended up going for 2.5 hours. We've been invited back!

Bendigo Stadium Limited's 1st birthday celebrations for the 5,000 seat stadium-building - Cr Williams has already mentioned this.

Citizenship ceremony here at the town hall. Always a great ceremony.

Filled in for the Mayor at both the Eaglehawk and Bendigo Sandhurst Rotary Club changeover functions. Rotary clubs are about volunteering and community contribution.

NAIDOC week soccer match and flag raising ceremony. Congratulations to Ben Pengelly and his team in persisting with the idea of playing a soccer game during NAIDOC week at the QEO. Let's hope this can be an annual event. I mentioned earlier about the big numbers that were present at the flag raising ceremony".

*Cr Emond reported on his attendance at the following meetings and events:*

- *NAIDOC Week celebrations including playing in the President's 11 NAIDOC Week Soccer Match vs Mayor's 11 organised by FC Eaglehawk at the QEO*
- *NAIDOC Flag raising ceremony in the library gardens*
- *Arena Theatre Company Helpmann Award in the category of Best Presentation for Children and Young People for its original piece, Robot Song*
- *Meeting with Bendigo Angling Club*
- *Various community and resident meetings*

Cr Pethybridge reported on his attendance at the following meetings and events:

- Attendance at 1st birthday celebrations of the Bendigo Stadium refurbishment
- Huntly Early Learning Centre Sod Turning
- Tudors to Windsors exhibition - a terrific display
- City Studio presentation
- Meet the Locals at the Goornong Hotel
- Presented certificates at the orientation graduation for Karen new arrivals at Bendigo Community Health
- NAIDOC Awards Dinner at the All Seasons
- Witnessed the NAIDOC Soccer Match at the QEO
- Attended the FIDA - Football for People with a Disability at the Epsom Recreation Reserve
- Luncheon at the Eaglehawk Community House with Federal Member Lisa Chesters and Fellow Ward Councillors
- Participated in judging with Cr Fyffe at the annual Eisteddfod which was a wonderful opportunity to witness some hugely talented competitors

*Cr Alden reported as follows on a busy month:*

*"We've spoken about reconciliation this evening and the NAIDOC week flag raising event continues to grow, with a huge crowd in the Town Hall this year. Community involvement is increasing every year in Bendigo.*

*Citizenship ceremony*

*Retail Roundtable with local businesses.*

*Great to see the success of the Tudors to Windsors exhibition at Bendigo Art Gallery.*

*Attending sessions of City Studio - a combined partnership approach to education with La Trobe Uni and the City of Greater Bendigo, modelled on the successful City Studio in Vancouver. Last year students focused in their intensive subject on reimagining Bendigo Creek. This year students from across disciplines at both Bendigo and Bundoora campuses are focusing on the theme of Food For Change - two sessions attended to date and some refreshing perspectives on working with the community to achieve improvements in areas relating to food security and community engagement. Look out for the students in Hargreaves Mall next Monday when they are testing their prototype ideas.*

*Karen Healthy Eating Pictorial Guide launch at BCHS with Diabetes Vic - testament to the importance of cultural appropriate information in achieving food security and health outcomes for our 2500 strong Karen community members. There is talk of doing one for the Afghani community now.*

*"Kangaroo Flat Family Fun Day - attendances once more outstripped the previous year's record. It's a great opportunity for residents and families to get out on a cold day, which happens to coincide with the end of school holidays, giving parents a change of scenery. The local community Kangaroo Flat groups involved include the Neighbourhood House, Kangaroo Flat Community Enterprise, Rotary, SES and local businesses in addition to Council. It was great speaking to so many residents and all of them were enjoying the opportunity to get out and meet their neighbours. Well done to all the organisers".*

Cr Wigglesworth highlighted the Junortoun Listening Post, Wolstencroft Community Reference Group and a series of interviews for the Rural Community Committee with a common thread of the connectedness of our community in wishing to work together on a positive outcome for Bendigo in three different areas:

- ideas and feedback at the listening post at Junortoun
- Wolstencroft Reserve has been a difficult subject matter, but it is wonderful to see the continued commitment of the community in looking at ideas for the development of this area
- Rural Community Committee interviews - large number of applications which shows the large number of community members keen to be part of the strategic discussion on the rural areas of Bendigo

Cr Wigglesworth also conveyed condolences on the sudden passing of Heathcote community member, Ken Slatter, which has rocked the community of Heathcote and the sympathy of the City is extended to Sandra and family at this difficult time.

*Cr Fyffe sympathised on the passing of Elder, Uncle Brien Nelson and highlighted a proud achievement that both Uncle Brien and he officiated at when launching the permanent flying of the Aboriginal Flag on the Bendigo Town Hall.*

*Cr Fyffe also reported on:*

- *Participated in interviews for Intercultural Ambassadors - fielding a large number of talented applications*
- *Attended a number of service club changeover dinners*
- *Attended the Taungurung Land and Waters Council - Councils' Forum at Nagambie*
- *Attended the launch of the Knuldooroong NAIDOC Art Exhibition at Dudley House*
- *Attended the launch of the Bendigo Kids Triathlon at Eaglehawk*
- *800+ attendees at the Kangaroo Flat Family Fun Day - what a huge turnout*

*Following a terrific month, this will then lead into another 'terrific' month in August with the Bendigo Writers' Festival*

## **11. MAYOR'S REPORT**

The Mayor, Cr Margaret O'Rourke, tabled a report on her attendance at the following meetings and events:

- Attended the World Heritage listing discussions with the City of Ballarat
- Attended and presented an award at the Refugee Week Business Recognition Awards
- Attended the Lions Club of Heathcote 48<sup>th</sup> Changeover Dinner
- Attended the Retail Roundtable meeting with traders and external stakeholders
- Attended and spoke at the Huntly Early Years Facility Turning of the Sod
- Attended a tour of the Tudors to Windsors Exhibition at the Bendigo Art Gallery
- Participated on the interview panel for the Bendigo Maubisse Friendship Committee new committee members positions
- Attended and spoke at the Bendigo South Rotary Club Change Dinner
- Welcomed attendees to the State Conference of the Vietnam Veterans Association of Australia
- Presided at the Citizenship Ceremony attended by 24 new citizens
- Attended the Fast Rail – New Spirit of Progress Alliance Meeting held at the City of Geelong with Cr James Williams
- Welcomed attendees to the Celebration of Multiculturalism - Senior Leadership Team of Commonwealth Bank held at The Capital
- Attended a meeting with Huntly residents regarding the Huntly Development Contributions Plan
- Attended the City of Greater Bendigo Audit and Risk committee meeting
- Chaired the Bendigo Maubisse Friendship Committee meeting
- Met with representatives from the Bendigo Discovery Centre
- Attended the service and traditional ceremony to honour the life of Uncle Brien Nelson Snr
- Attended the 2019 Group 2 Triple M Bendigo Cup – Bendigo Greyhound Racing Association
- Held an Eppalock Ward Listening Post at the Junortoun General Store
- Coached a Mayor's Soccer Team as part of the NAIDOC Week Soccer Match held at the Queen Elizabeth Oval
- Attended the Worksafe game of the month luncheon and match between Heathcote v Colbinabbin at Barrack Reserve
- Participated and spoke at the Flag Raising Ceremony to officially launch NAIDOC Week
- Travelled overseas to Maubisse as part of the Bendigo Maubisse Friendship Committee's Team 57 Visit from the 9 July – 16 July
- Participated in numerous workshops and forums
- Participated in numerous radio, newspaper, television media interviews and photo opportunities
- Met with many residents, businesses and community groups regarding a wide range of issues.

Thank you to the Deputy Mayor and those Councillors who represented me at events I was unable to attend.

## **12. CHIEF EXECUTIVE OFFICER'S REPORT**

The Acting Chief Executive Officer, Mr Bernie O'Sullivan, tabled a report on his attendance at the following meetings and events:

- Officiated as MC at the NAIDOC Flag Raising Ceremony
- Participated in a Regional Cities Victoria Executive Management Group teleconference
- Attended a meeting of representatives of Museums Victoria
- Participated in an interview with Gold FM Radio
- Attended a number of meetings regarding the GovHub
- Participated in a meeting with the Department Jobs, Precincts and Regions
- Participated in media interviews pre-Council meeting
- Met with La Trobe University representatives
- Met with Minerals Council of Australia

## **13. CONFIDENTIAL (SECTION 89) REPORTS**

### **13.1 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 Section 89(2)(d) of the **Local Government Act 1989** to consider a report relating to a contractual matter.

#### **RESOLUTION**

Moved Cr Fyffe, seconded Cr Williams.

That the recommendation be adopted.

**CARRIED**

**There being no further business, the meeting closed at 8:09 pm.**

**Confirmed:**

**21 August 2019**

**Chair**