

COUNCIL MEETING AGENDA

CITY OF GREATER BENDIGO

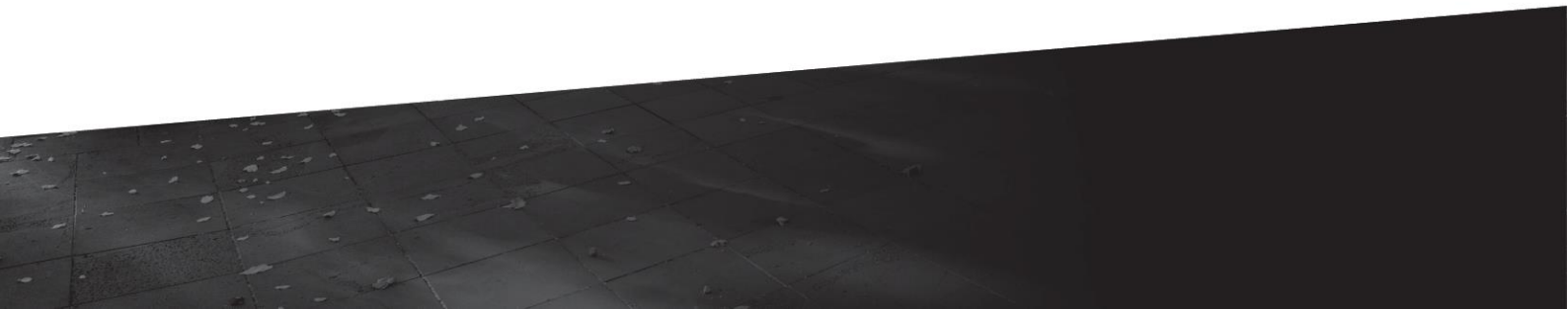
6:00 pm on Monday June 24, 2024

Location: Bendigo Bank Theatre, The Capital – 50 View Street Bendigo.

Livestreaming at https://www.bendigo.vic.gov.au/about-us/council/council-meetings#live-stream
Broadcast live on Phoenix FM 106.7 ***

If you would like to attend, please register your interest through the following link:
https://www.bendigo.vic.gov.au/about-us/council/council-meetings#register-attend-meeting
or call the box office on 5434 6100 no later than 5pm on the day of the meeting.

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COMMUNITY VISION 2021–2031

Greater Bendigo celebrates our diverse community.
We are welcoming, sustainable and prosperous.
Walking hand-in-hand with the Traditional custodians of this land.
Building on our rich heritage for a bright and happy future.

The community vision is underpinned by five values –
Transparency, sustainability, inclusion, innovation and equity.

COUNCIL PLAN (MIR WIMBUL) – OUTCOMES

The Council Plan (Mir wimbul) is based on seven outcomes, which are the main focus of the Council Plan.

Each outcome has a set of goals, objectives and actions that will help to achieve the community vision, and indicators to measure achievement against each goal:

1. Lead and govern for all
2. Healthy, liveable spaces and places
3. Strong, inclusive and sustainable economy
4. Aboriginal reconciliation
5. A climate-resilient built and natural environment
6. A vibrant, creative community
7. A safe, welcoming and fair community

STAFF VALUES AND BEHAVIOURS

The City of Greater Bendigo's values and behaviours describe how Councillors and staff will work together to be the best we can for our community.

They are aligned to our strategic documents, such as the Council Plan, which ensure they are meaningful for Council and the organisation.

A shared commitment to living our values and behaviours will help us to build the type of culture we need to be able to work together and support each other to deliver the best possible outcomes for the community.



This Council Meeting is conducted in accordance with the

- Local Government Act 2020
- Governance Rules

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1. ACKNOWLEDGEMENT OF COUNTRY

2. TRADITIONAL LANGUAGE STATEMENT

3. OPENING STATEMENT

4. MOMENT OF SILENT REFLECTION

5. ATTENDANCE AND APOLOGIES

6. LEAVE OF ABSENCE

7. SUSPENSION OF STANDING ORDERS

RECOMMENDED MOTION

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

8. COMMUNITY RECOGNITION

9. PUBLIC QUESTION TIME

Council allows up to 30 minutes for question time on any matter except for planning items that are on the agenda tonight or anything that is defamatory, otherwise inappropriate or outside the scope of Council.

If your question is about routine or operational Council requests, you should instead make a request through our Customer Request system.

Pre registering questions is recommended as this provides more time for a more detailed response to be provided to you at question time. Pre registered questions will also be given priority in accordance with the Governance rules. If a question is asked on the night and we don't have the answer immediately available we may need to take it on notice, and provide a response later.

Regardless, any member of the community may ask a question in person. The preferred format is to state your name, suburb and briefly identify your topic (ie parking or Lake Weeroona Playspace, etc). Then, without preamble or statements, please ask one relevant question only.

To ensure fairness, given time constraints, only one question per community member will be accepted each month, inclusive of pre-registered questions, and questions on the night.

Public Question time is only one of many ways the community is able to communicate with Council, other options include:

- Customer Request system
- Let's Talk Greater Bendigo
- Feedback and complaints process
- Petitions and joint letters
- Invitations to the Mayor (and other Councillors)
- Presentations to Councillors
- Councillor Ward Engagements events, generally held monthly
- Councillor attendance at many and varied events across the Municipality and over the year
- Councillor committee membership
- Various methods of contacting the City and individual Councillors

Public Question Time is not a requirement of Council under the Local Government Act. This Council has provides for Public Question Time in the Governance Rules adopted by the Council to ensure greater public transparency and accountability. The Council asks that the opportunity to ask a question of the Council in this forum is treated respectfully and within these rules.

10. RESUMPTION OF STANDING ORDERS

RECOMMENDED MOTION

That Standing Orders be resumed.

11. WARD REPORTS

11.1. EPPALOCK WARD - CR EVANS

11.2. LOCKWOOD WARD - CR WILLIAMS

11.3. WHIPSTICK WARD - CR SLOAN

12. DECLARATIONS OF CONFLICT OF INTEREST

Section 130 of the *Local Government Act 2020* (Vic) (**the Act**) provides that a relevant person must disclose a conflict of interest in respect of a matter and exclude themselves from the decision making process in relation to that matter including any discussion or vote on the matter at any Council meeting or delegated committee meeting and any action in relation to that matter.

The procedure for declaring a conflict of interest at a Council Meeting is set out at rule 18.2.4 of the Governance Rules.

Section 126 of the Act sets out that a relevant person (Councillor, member of a delegated Committee or member of Council staff) has a conflict of interest if the relevant person has a **general conflict of interest** or a **material conflict of interest**.

A relevant person has a **general conflict of interest** in a matter if an impartial, fair minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.

A relevant person has a **material conflict of interest** in a matter if an *affected person* would gain a benefit or suffer a loss depending on the outcome of the matter.

13. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDED MOTION

That the Minutes of the Council Meeting held on May 27, 2024, as circulated, be taken as read and confirmed.

Previous minute location:
https://www.bendigo.vic.gov.au/about-us/council/council-meetings#past-meetings

14. PETITIONS AND JOINT LETTERS

14.1. PETITION RESPONSE - REQUEST TO ESTABLISH AN LGBTIQA+ ADVISORY COMMITTEE

Author:	Nikki Williams, Coordinator Community Inclusion and Rebecca Lee, Senior Planning and Policy Officer
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

Purpose

To respond to a recent petition tabled at the Council Meeting Monday April 22, 2024 - requesting the establishment of an LGBTIQA+ Advisory Committee.

Recommended Motion

That Council advise the lead petitioner that:

1. The City will proceed with current Council-endorsed LGBTIQA+ Inclusion Action Plan actions 3.2 and 3.3 which outline its commitment to incorporating the voice of LGBTIQA+ community members in council planning processes.

Executive Summary

A petition signed by 18 residents was received on 22 April 2024 calling for:

The establishment of an LBGTIQA+ Advisory Committee at the City of Greater Bendigo.

Background

At the April 22, 2024, ordinary meeting of Council, a petition was tabled from Rainbow Local Government to request that Council establish an LGBTIQA+ Advisory Committee. The petition was signed by a total of 18 community members.

Currently, the City's LGBTIQA+ Inclusion Action Plan 2023-2025 is directing efforts to ensure LGBTIQA+ community member voices are represented through the following actions:

3.2 Establish mechanisms for LGBTIQA+ community members to provide advice and feedback on the City's policies, programs and services and promote community engagement processes (including Let's Talk) to LGBTIQA+ communities, so the voice of LGBTIQA+ community members is heard in council planning processes.

3.3 Promote recruitment processes for City committees to LGBTIQA+ communities and consider LGBTIQA+ representation, alongside other diversity demographics.

Report

At the April 22, 2024, ordinary meeting of Council, a petition was tabled from Rainbow Local Government to request that Council establish an LGBTIQA+ Advisory Committee.

Rainbow Local Government is a campaign created by the Victorian Pride Lobby. Victorian Pride Lobby is a volunteer advocacy group working toward equality and social justice for the Victorian LGBTIQA+ community.

Rainbow Local Government campaign was launched in August 2020 and one goal was to identify councillors and candidates who will stand for the rights, safety and inclusion of LGBTIQA+ Victorians and sign the Rainbow Pledge. The Pledge was a list of asks for candidates which included developing and implementing an LGBTIQA+ action plan for council, Rainbow tick accreditation and flying the rainbow flag from council buildings on LGBTIQA+ awareness days.

From November 2023 until January 2024, the Rainbow Local Government started over 45 change.org petitions across Victoria, asking different local government areas to:

- establish an LGBTIQA+ Advisory Committee
- explore options for continuing engagement with the LGBTIQA+ community
- develop and implement an LGBTIQA+ Action Plan
- Councils to march in the ChillOut Pride Parade
- Councils to publish an official statement condemning vilification, hate speech and prejudice against all marginalised groups.

The City of Greater Bendigo adopted its first ever LGBTIQA+ Inclusion Action Plan 2023-2025 (LGBTIQA+ Plan) on the 20 November 2023. This plan provides clear and achievable objectives which demonstrates the City’s commitment to the Greater Bendigo LGBTIQA+ community.

The adoption of the LGBTIQA+ Inclusion Plan was the culmination of many years of work and demonstrates the City’s significant commitment and leadership in supporting the Greater Bendigo LGBTIQA+ community.

The Council Plan 2021-2025, *Mir wimbul* includes a goal of being a community that values and engages with people of all genders and sexualities and an objective of celebrating our LGBTQIA+ community. The Municipal Health and Wellbeing Plan

(*Healthy Greater Bendigo 2021- 2025*) included an outcome of the Greater Bendigo community being a place where people can safely identify and connect with their culture and identity and identified access and inclusion for people who identify as LGBTQIA+ as an action area.

Since January 2022, the City has taken many steps towards becoming LGBTIQA+ inclusive, including:

- The endorsement of painting of the Progress Pride Flag in front of the Bendigo Town Hall (January 2022).
- The adoption of the Social Justice Framework and commitment to LGBTIQA+ people and to stand up against homophobia, biphobia, transphobia and intersex discrimination (27 June 2022).
- Mayor or Councillors speaking at pride flag raising events on IDAHOBIT, Trans Day of Visibility and opening of Bendigo Pride Festival
- Providing LGBTIQA+ inclusion training to staff
- Encouraging staff to wear Rainbow Lanyards
- CEO messages to staff supporting LGBTIQA+ inclusion on LGBTIQA+ days
- of significance
- Supporting Bendigo Pride Festival in 2023 and 2024 with a sponsorship agreement and hosting several events during the festival
- Working with Loddon Campaspe Multicultural Services and Centre for Non-Violence to offer staff across the three organisations a LGBTIQA+ 101 for Culturally Diverse and Faith Communities workshop
- Supporting community events on Wear it Purple Day, Transgender Day of
- Visibility and Transgender Day of Remembrance
- Many youth events through Yo Bendigo being overtly inclusive, celebrating,
- accepting and supporting young people to be involved - TGD pool Party/Dive in Movie (Fruit Punch), Bendigo Pride Festival All Ages Dance Party (Disco Queer),
- Wear it Purple Day Fashion Parade and Dance Party
- Silver Rainbow Flicks event during Victorian Seniors Week 2023
- Worked with key partners including Proud2PLay to deliver the Bendigo LGBTIQA+ Inclusion in Sport Workshop

This LGBTIQA+ Inclusion Plan was created utilising the Victoria Governments ***Rainbow Ready roadmap - Setting guide for local government*** to specifically address local governments' needs and respond to calls from rural and regional Victorians to build LGBTIQA+ inclusion by equipping communities with practical resources.

The LGBTIQA+ Inclusion Plan contains 46 actions. The following actions relate specifically to the petition request:

3.2 Establish mechanisms for LGBTIQA+ community members to provide advice and feedback on the City's policies, programs and services and promote community engagement processes (including Let's Talk) to LGBTIQA+ communities, so the voice of LGBTIQA+ community members is heard in council planning processes.

3.3 Promote recruitment processes for City committees to LGBTIQA+ communities and consider LGBTIQA+ representation, alongside other diversity demographics.

Action 3.2 - The City is committed to (and obligated under the Local Government Act) the community being well informed on major issues, plans and projects. Currently there is a range of methods and tools that the City's Community Connections – Community Engagement Team can provide that are flexible, inclusive and more cost effective than a traditional community advisory group model.

The City offers a range of ways for community to provide feedback to be inclusive and accessible. When a project opens for community feedback there are multiple ways to provide feedback for the project. This multifaceted engagement approach includes: the City's engagement platform Let's Talk, letters to affected residents, workshops, listening posts, direct email to relevant staff, media release, newspaper notification, pathways requests, signage where appropriate, social media etc.
This mixed-method, project-focussed approach to engagement not only ensures broader capture of community voices but directs the engagement in a purposeful way and is more cost effective and efficient than a community advisory group.

The City also has strong connections to key community agencies including headspace and Thorne Harbour Country and supported the establishment of the Greater Bendigo Rainbow Coalition.

The Coalition is a diverse collective of organisations and groups, from community, health, government, education and business sectors, dedicated to creating the inclusive and safe services, spaces, programs and resources LGBTQIA+ people need to thrive. It is a voice of LGBTQIA+ people and Rainbow Allies in Greater Bendigo, for LGBTQIA+ people in the Bendigo region.

As per the group's *Terms of Reference*, the City of Greater Bendigo provided administrative support during the first year July 2022 – 2023, and now attends meetings as a partner/stakeholder. This demonstrates an existing avenue for consultation and to hear the voices of LGBTIQA+ community members. City staff have routinely presented to the Coalition to get feedback and reflections on City programs/services/plans.

Action 3.3 - The current Gender Equity Action Plan includes the action - *GE 8.4.9 Capture gender disaggregated data on the composition and assigned roles within volunteer/community groups/advisory groups that the City auspices.* This data will assist in ensuring advisory groups membership incorporates representational voices from multiple cohorts and/or cohorts with diverse, intersectional viewpoints.

Priority/Importance

The LGBTIQA+ Inclusion Plan was formally adopted by Council on Monday November 20, 2023, demonstrates the City's ongoing commitment to LGBTIQA+ equity and inclusion.

Options Considered

- Option 1 -
    - Proceed with current Council-endorsed LGBTIQA+ Plan actions 3.2 and 3.3 and continue to be intentional in creating opportunities for engagement. (recommended).

- Option 2 -
    - Future budget considerations for establishing an additional advisory group, requiring additional resources (not recommended).

Timelines

N/A - no change to delivery of the LGBTIQA+ Inclusion Plan.

Communications/Engagement

During the development of the LGBTIQA+ Inclusion Plan, there was extensive consultation undertaken with internal and external stakeholders to inform the action plan. Feedback on the draft LGBTIQA+ Inclusion Plan opened from May 17, 2023, to June 23, 2023, and a total of 127 contributions were received with 78% of engagement through the online Let's Talk portal.

The final Action Plan was adopted by Council 20 November 2023.

Financial Sustainability

No financial impact with recommended option to maintain the delivery of the LGBTIQA+ Plan and actions 3.2 and 3.3.

Risk Assessment

N/A

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 7 - A safe, welcoming and fair community

Secondary Council Plan Reference(s)

Goal 1 - Strengthened community health and wellbeing
Goal 4 - A community that values and engages with people of all ages, abilities, genders and sexualities

Other Reference(s)

Social Justice Framework (2022 – 2032)

Equity For All: Gender Equity Action Plan, 2021-2025 (City of Greater Bendigo)

LGBTIQA+ Inclusion Action Plan, 2023-2025

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. City of Greater- Bendigo- LGBTIQA Inclusion Action Plan 2023-2025

Greater Bendigo

LGBTIQA+ Inclusion Action Plan

2023-2025









Acknowledgment of Country

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country. We acknowledge and extend our appreciation to the Dja Dja Wurrung and Taungurung People, the Traditional Owners of the land. We pay our respects to leaders and Elders past, present and future for they hold the memories, the traditions, the culture and the hopes of all Dja Dja Wurrung and Taungurung Peoples. We express our gratitude in the sharing of this land, our sorrow for the personal, spiritual and cultural costs of that sharing and our hope that we may walk forward together in harmony and in the spirit of healing.

We recognise a long tradition of First Nations' cultures inclusion of sexual and gender diversity, such as sistergirls, brotherboys and boywives, which existed before colonisation during 65,000+ years of existence.[1] We also acknowledge the important role First Nations people play in LGBTIQA+ communities.

1. Todd Fernando, Embracing queer Indigenous Australia | Pursuit by The University of Melbourne (unimelb.edu.au)

Mayor's message



The City is committed to supporting LGBTIQA+ people to be their authentic selves and ensure they have equitable access to services and opportunities and are treated fairly, equitably and with respect.

The City of Greater Bendigo is pleased to present its first LGBTIQA+ Inclusion Action Plan (2023-2025).

The action plan provides a clear and achievable plan to guide its commitment to lesbian, gay, bisexual, trans and gender diverse, intersex, queer/questioning and asexual people in our community.

It will help ensure the City's programs and services are inclusive of LGBTIQA+ people and that they feel supported, connected, visible and have a sense of belonging in Greater Bendigo. It also aims to strengthen partnerships to advocate for improved health and wellbeing, and address issues, gaps and opportunities that LGBTIQA+ people have identified are important to them.

The City is committed to supporting LGBTIQA+ people to be their authentic selves and ensure they have equitable access to services and opportunities and are treated fairly, equitably and with respect. The City also recognises and celebrates its LGBTIQA+ communities and their important contribution to making Greater Bendigo a diverse and vibrant community.

Council has a responsibility to help create a community that is a safe place for everyone, and the action plan will help create a safe community for LGBTIQA+ people who live, work, study or visit Greater Bendigo. The plan will also support the City to provide an inclusive workplace for LGBTIQA+ employees and volunteers.

I look forward to the implementation of the LGBTIQA+ Inclusion Action Plan to support our LGBTIQA+ communities and their families, staff and volunteers.

Cr Andrea Metcalf
Mayor, City of Greater Bendigo

Language

The City of Greater Bendigo acknowledges there are many acronyms used within LGBTIQA+ communities and that the acronym itself has limitations. The Action Plan uses LGBTIQA+ which stands for Lesbian, Gay, Bisexual+, Trans and Gender-Diverse, Intersex, Queer and Questioning and Asexual and Aromantic. The + represents and acknowledges the limits of the acronym and the evolving nature of language that is used to describe and celebrate people's diverse experiences of gender, sexual orientation and sex characteristics.

We acknowledge that Aboriginal communities often use the terms 'sistergirls' and 'brotherboys' and use the acronym LGBTIQ+SB.[2] We also note that in the past 'queer' was used in a derogatory manner and is offensive to some older LGBTI people, so the Q is often deleted from the acronym when referring to older LGBTI communities.

In the Action Plan, the City refer to LGBTIQA+ people, families and communities to reflect the distinct and different groups under the umbrella term. We acknowledge that some groups overlap, however we recognise there is no single or homogenous 'LGBTIQA+ community' or person.



L	Lesbian
G	Gay
B	Bisexual
T	Trans and Gender-Diverse
I	Intersex
Q	Queer and Questioning
A	Asexual and Aromantic
+	A plus sign represents the infinite variety of identities outside of, or not represented by, the acronym
SB	Sistergirls and Brotherboys

2. See Black Rainbow, see https://blackrainbow.org.au/ and BlaQ Aboriginal Corporation https://blaq.org.au/

LGBTIQA+ people in Greater Bendigo

LGBTIQA+ people are key contributors to the community, with approximately 5,700 or more LGBTIQA+ people living in the City of Greater Bendigo. 5.8 per cent of the adult population identified as LGBTIQ+.[3]

This plan focuses on responding to the diverse needs, experiences and aspirations of LGBTIQA+ people within the City of Greater Bendigo. The actions aim to address the different needs of younger and older LGBTIQA+ people, of rainbow families, of trans and gender diverse people, and LGBTIQA+ people from multi-cultural backgrounds. The plan covers LGBTQIA+ people in the whole municipality, including small towns and rural communities within the City of Greater Bendigo.

We acknowledge that being LGBTIQA+ is only one part of someone's identity or experience. As well as being diverse in sexual orientation, gender identity or sex characteristics, LGBTIQA+ people are diverse in other ways such as being Aboriginal or Torres Strait Islander, ethnicity, religion, age or ability. They also have diverse experiences – such as being a migrant, asylum seeker, or carer. They may be experiencing gender- based family violence, mental ill-health, chronic ill-health, unemployment, poverty or homelessness.

3. This figure comes from Victorian Agency for Health Information (2020) *The Health and wellbeing of the lesbian, gay, bisexual, transgender, intersex and queer population in Victoria: Findings from the Victorian population health survey, 2017*. There is a lack of available and reliable data for Greater Bendigo, as well as for regional and rural Victoria.



The LGBTIQA+ Inclusion Action Plan

The aim of the LGBTIQA+ Inclusion Action Plan 2023-2025 is to provide a clear and achievable plan that guides the City's commitment to LGBTIQA+ people over a two-year timeframe supporting inclusion and participation for LGBTIQA+ people, families and communities and promoting diversity.

There are over 45 actions in this plan that show case the City's commitment to support events and activities that are safe and welcoming, to develop partnerships and advocate for improved health and wellbeing for LGBTIQA+ people.

The LGBTIQA+ Action Plan aligns with the Council Plan, 2021-2025 *Mir wimbul* and the City of Greater Bendigo Social Justice Framework (2022-2032). The LGBTIQA+ Action Plan supports the four key principles of the Social Justice Framework:

- Human Rights,
- Access and Inclusion,
- Equity and
- Participation in decision-making.

The LGBTIQA+ Action Plan is aligned to Healthy Greater Bendigo, the Municipal Health and Wellbeing Plan 2021-2025 and to the five areas for action:

1. **Healthy and well**
2. **Able to participate**
3. **Connected to culture and community**
4. **Safe and secure**
5. **Liveable**

The Action Plan delivers the City's commitment to 'Lesbian, gay, bisexual, transgender, gender diverse, queer and intersex people and to celebrate our LGBTQIA+ community and stand up against homophobia, biphobia, transphobia and intersex discrimination', made in the Social Justice Framework. The Action Plan also supports the City's responsibilities under State and Commonwealth government legislation.

The final Action Plan was developed from community wide feedback from more than 125 community members, collected between May 17 and June 23, 2023.

The 2023-2025 LGBTIQA+ Action Plan will be implemented within the current resources and budgets of departments within the City.





Rainbow Ready Roadmap

The LGBTIQA+ Action Plan has been guided by the Victorian Government's Rainbow Ready Roadmap, released in 2022.

The roadmap supports the Victorian Government's Pride in our future: Victoria's LGBTIQ+ strategy 2022-32 by enabling the creation of safe, strong and sustainable communities. Developed through extensive consultation with LGBTIQ+ communities, including through the LGBTIQ+ Rural and Regional Roadshow, the roadmap aims to address challenges faced by LGBTIQ+ people in rural and regional Victoria.

The LGBTIQA+ Action Plan indicators are from the Rainbow Ready Roadmap Local Government Setting Guide, which aim to guide local government to become more LGBTIQ+ inclusive and deliver on their commitment to drive LGBTIQ+ inclusion.

The goal of the local government Rainbow Ready roadmap is for local government to show leadership in LGBTIQ+ inclusivity to address the needs of LGBTIQ+ constituents and to build a culture of LGBTIQ+ inclusivity in the municipality.

Why is the plan important?

Many LGBTIQA+ people live happy, connected, positive and healthy lives. Yet, Pride in our future: Victoria's LGBTIQ+ strategy 2022-32 found that LGBTIQ+ Victorians faced higher levels of unfair treatment, discrimination, social exclusion, abuse and harassment. These figures were higher in regional and rural areas and for LGBTIQ+ people from multicultural backgrounds. It said that 'the single strongest and most consistent predictor of poor mental health and wellbeing among LGBTIQ+ communities is experiences of abuse, harassment or assault'.

An LGBTIQA+ Inclusion Action Plan will help to deliver LGBTIQA+ safe and inclusive services, facilities, programs and events and provide information and training to staff.

The plan aims to reduce the likelihood of direct or indirect discrimination related to sexual orientation, gender identity or intersex status.

City of Greater Bendigo LGBTIQA+ Inclusion Action Plan

Goal of the local government Rainbow Ready roadmap:

The City of Greater Bendigo shows leadership in LGBTIQA+ inclusivity to address the needs of LGBTIQA+ constituents and to build a culture of LGBTIQA+ inclusivity in Greater Bendigo.

1. LGBTIQA+ people are healthy and well

Rainbow Ready Roadmap Indicator	Action
	1.1. Build staff capacity to consider LGBTIQA+ inclusion and wellbeing in the development or review of all policies, programs and services that have a direct and significant impact on the public via the Equity Impact Assessment process.
	1.2. Support inclusive practice of Rainbow Families by providing LGBTIQA+ inclusive resources at the City's Maternal and Child Health Centres, Early Learning Centres/ Kindergartens and Library Services.
	1.3. Advocate to State and Federal Government on issues relating to LGBTIQA+ health and wellbeing, safety, housing and homelessness and inclusion.
	1.4. Develop partnerships to support the capacity of community sport and sporting, aquatic and leisure facilities to be LGBTIQA+ inclusive.



2. LGBTIQA+ people are safe and secure

Rainbow Ready Roadmap Indicator	Action
Bookings and assessment processes are LGBTIQA+ inclusive	2.1. Develop staff capacity to audit and improve booking, assessment and intake forms and correspondence to ensure they are LGBTIQA+ inclusive across City services.
LGBTIQA+ groups and services are supported to access City spaces	2.2. Develop capacity of LGBTIQA+ groups to access City spaces by holding a workshop covering: event booking system, activity in a public place permit, risk management plan, event waste management plan, site plan, public liability insurance, venue key access.
The City provides all gender bathroom and change room options	2.3. Conduct literature review on public toilet signage and configuration to determine best practice in promoting gender accessibility and inclusion. [Gender Equity Action Plan]
	2.4. Advocate for changes to the National Construction Code to improve inclusion of toilet facilities for all genders.
	2.5. Consider the inclusion of all-gender toilet facilities and change rooms in all new and redeveloped City infrastructure (via the Equity Impact Assessment process or Project Management Feasibility).
Potential risks to the safety of LGBTIQA+ group members are identified and minimised	2.6. Advocate for LGBTIQA+ inclusion in family violence and sexual assault sector, including addressing key service gaps and strengthening LGBTIQA+ capability. [Gender Equity Action Plan]
	2.7. Source and promote a training session on improving family violence services responses to LGBTIQA+ family violence during the 16 Days of Activism against Gender-based violence.
	2.8. Conduct a cultural safety risk analysis regarding LGBTIQA+ community members using City facilities and services, piloting the use of Rainbow Tick self-assessments.
	2.9. Scope and embed LGBTIQA+ inclusive practice within the City's emergency relief centres.
The City responds to LGBTIQA+ phobic incidents by advocating for the rights of LGBTIQA+ members and taking steps to prevent future incidents	2.10. Respond to LGBTIQA+ phobic social media postings to reduce harm to LGBTIQA+ community.
	2.11. Promote the link to the Community Reporting Tool (Victorian Equal Opportunity and Human Rights Commission) for discrimination and breaches of human rights is visible on City web page/s and on LGBTIQA+ City web page.
	2.12. Enforce the Community Local Law to protect LGBTIQA+ community members in a public place from threatening, abusive or insulting words or behaviour which interferes with their use or enjoyment of that public place.

3. LGBTIQA+ people are able to participate

Rainbow Ready Roadmap Indicator	Action
The council has a strategy or plan for LGBTIQ+ inclusion	3.1. Provide an annual report to community about the progress made against the Action Plan.
LGBTIQA+ community members take part in council committees and in council planning	3.2. Establish mechanisms for LGBTIQA+ community members to provide advice and feedback on the City's policies, programs and services and promote community engagement processes (including Let's Talk) to LGBTIQA+ communities, so the voice of LGBTIQA+ community members is heard in council planning processes.
	3.3. Promote recruitment processes for City Committees to LGBTIQA+ communities and consider LGBTIQA+ representation, alongside other diversity demographics.
City grants are provided to support local LGBTIQA+ initiatives	3.4. Promote available grants (City and others) to local LGBTIQA+ groups and organisations to assist them to deliver community led events and programs.
	3.5. Strengthen grant seeking capabilities within LGTBTIQA+ communities through mechanisms such as workshops.
The City educates its staff and volunteers on LGBTIQA+ inclusion	3.6. Provide LGBTIQA+ inclusion training to City Staff, trainees, Councillors, Youth Councillors and volunteers.
	3.7. Develop LGBTIQA+ inclusive practice guide that covers terminology and communication protocols – for City staff, trainees, Councillors, Youth Councillors, volunteers and contractors.
The City provides an inclusive workplace for LGBTIQA+ employees and volunteers	3.8. Support gender diverse and LGBTIQA+ inclusive employment practices by providing resources and supports for people managers. [Gender Equity Action Plan]
	3.9. Update systems and processes to have the ability to capture gender diversity and other intersectional identity factors of staff members outlined in the Gender Equality Act 2020. [Gender Equity Action Plan]
	3.10. Conduct a review of human resources systems and practices to ensure they are inclusive for LGBTIQA+ staff, volunteers and trainees.



4. LGBTIQA+ people are connected to culture and community

Rainbow Ready Roadmap Indicator	Action
The City supports local LGBTIQA+ events	4.1. Support local LGBTIQA+ events (Transgender Day of Visibility, IDAHOBIT, Wear it Purple and Transgender Day of Remembrance) alongside LGBTIQA+ organisations and communities.
	4.2. Support Bendigo Pride Festival as Greater Bendigo's main LGBTIQA+ festival.
	4.3. Support young people to feel safe about their gender identity and promote gender equity through events such as IDAHOBIT and Wear it Purple Day. [Youth Action Plan]
	4.4. Support events or social program for older LGBTI people to connect, including intergenerationally, to reduce social isolation and loneliness.
	4.5. Support LGBTIQA+ event for culturally diverse LGBTIQA+ people as part of Harmony Week.
	4.6. Convene the Greater Bendigo Rainbow Coalition to support networking and collaboration between the City, service providers, leading employers and LGBTIQA+ organisations.
	4.7. Explore the development of both temporary and permanent public art initiatives that address the underrepresentation of LGBTIQA+ Public Art, culture and heritage.
The City has a statement of LGBTIQA+ inclusion that is publicly visible	4.8. Include statement of the City's commitment to LGBTIQA+ communities on a City LGBTIQA+ web page.
	4.9. Invite the Mayor to make a statement regarding Council's commitment to LGBTIQA+ inclusion every year and the Mayor, Councillors and Youth Councillors are invited to attend external events focussed on LGBTIQA+ inclusion.
	4.10. Investigate procurement LGBTIQA+ inclusive practices, including processes to increase awareness of tenderers, suppliers and contractors of how to prevent discrimination against LGBTIQA+ people in employment or service delivery and ways social procurement practices can reduce barriers faced by LGBTIQA+ people.
City information incorporates LGBTIQA+ inclusive language and images	4.11. Conduct photoshoots to obtain images of Rainbow families, LGBTI+ elders, LGBTIQA+ young people and trans and gender diverse community members, which can be added to the City's image library.
	4.12. Develop and expand staff capacity to use LGBTIQA+ inclusive language and images.
	4.13. Review branding and service delivery of Maternal and Child Health to consider how rainbow families are actively considered, included and represented in service name and delivery [Gender Equity Action Plan]
The Council takes opportunities to fly the rainbow or trans flags	4.14. The City flies the Progress Pride Rainbow flag and/or Transgender flags on LGBTIQA+ days of significance (IDAHOBIT, Transgender Day of Visibility, Transgender Day of Remembrance, Wear it Purple) if requested by LGBTIQA+ communities.
The City's website and social media accounts profile LGBTIQA+ initiatives, events, people and resources	4.15. The City's social media accounts profile LGBTIQA+ days of significance and City run LGBTIQA+ initiatives and events.
	4.16. Develop a LGBTIQA+ web page on the City's website with information and resources for community members.
	4.17. CONNECT Greater Bendigo website has LGBTIQA+ category for groups, health and community services and events and supports LGBTIQA+ groups and services to register and list events.

5. LGBTIQA+ people have access to a liveable environment

Rainbow Ready Roadmap Indicator	Action
	5.1. Consider the needs of LGBTIQA+ people when reviewing the Affordable Housing Action Plan, particularly in increasing the diversity of available housing and increasing the supply of social housing.
	5.2. Consider the needs of LGBTIQA+ people in implementing the Greater Bendigo Public Space plan, working to improve our built and natural environments to be safe and encourage social connection.
	5.3. Create an annual floral and/or art display to coincide with a significant LGBTIQA+ Pride event.



Acknowledgements

The City of Greater Bendigo would like to thank and acknowledge LGBTIQA+ people, their families and LGBTIQA+ groups who generously gave their time and shared their lived experiences and knowledge in providing feedback on the draft LGBTIQA+ Action Plan.

LGBTIQA+ organisations/groups included:

- Bendigo Passionfruits
- Bendigo Pride Festival
- Bendigo Queer Arts Festival
- Bendigo Queer Film Festival
- Greater Bendigo Rainbow Coalition
- headspace Bendigo HEY Diversity Groups: FROGS (Full Range of Genders and Sexuality) and TADPOLES (Trans and Diverse People Openly Loving Everyone's Sexuality)
- headspace Bendigo Parent Support Group for Parents of Trans and Gender Diverse Young People
- Thorne Harbour Country
- Trans and Gender Diverse Bendigo and Beyond

We would also like to thank our rainbow allies – both community members and staff in community and public health; multicultural services; family violence support services; leisure facilities; and disability organisations who took the time to provide feedback.

We acknowledge the important contributions of the City of Greater Bendigo Youth Council, City of Greater Bendigo LGBTIQA+ identifying staff and rainbow allies across the organisation.

Input, contributions, ideas and support from people in all these different areas greatly assisted in developing and finalising the LGBTIQA+ Action Plan, 2023-2025. Thank you!




PROUD TRANS MAN
BENDIGO

CITY OF GREATER BENDIGO

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If you are deaf, or have a hearing impairment or speech impairment, contact us via the National Relay Service. Phone 133 677 then ask for 1300 002 642

A Bendigo: 189-229 Lyttleton Terrace, Bendigo
Heathcote: 125 High Street, Heathcote

M PO Box 733 Bendigo VIC 3552



14.2. PETITION RESPONSE - EPSOM HUNTLY FLOODING ISSUES

Author:	Ian McLauchlan, Manager Flood Resiliency and Recovery
Responsible Director:	Brian Westley, Director Presentation and Assets

Purpose

Respond to a community petition calling for the cessation of further development approvals within floodplain areas across the municipality and the clearing/dredging of Back Creek, Epsom/Huntly.

Recommended Motion

That Council advise the lead petitioner that:

1. Any development applications, regardless of their location within the municipality, will continue to be assessed on their merits against the policies and provisions outlined within the Greater Bendigo Planning Scheme and in accordance with the Planning and Environment Act 1987.

2. Requested broadscale clearing and/or reshaping of Back Creek, Epsom is not currently supported, however the City is working towards the identification and delivery of targeted remediation or debris removal projects at various locations along this waterway, including subsequent advocacy with State Government and other stakeholders/land managers as required to facilitate funding and delivery of these works.

Background

Many residential, commercial, and industrial areas across the municipality have a long history of flooding. This includes historical and emerging development areas within the precincts of Epsom, Ascot, and Huntly as well as their peripheral rural floodplain areas.

Historical flooding within the above precincts predominately relates to runoff generated during intense thunderstorms feeding into Bendigo Creek via local tributaries, such as Racecourse Creek and Back Creek. There is a growing sentiment within some areas of the community that upstream residential development or development within the tributary floodplain areas, has exacerbated the impact of flooding upon existing properties, even during minor rainfall events.

Recent heavy rainfall events in both October 2022 and January 2024 again resulted in widespread flooding and infrastructure damage across the municipality. These

events have led to a heightened community focus on flood risk and renewed calls for further flood mitigation interventions to be undertaken across impacted areas of the municipality.

This sentiment is evidenced by a petition (see Attachment 1) recently received from local Epsom, Ascot and Huntly residents, calling for the cessation of any further development approvals within floodplain areas, as well as the clearing and re-shaping of Back Creek between 302 Station Street, Epsom and Bendigo-Tennyson Road, Huntly.

Previous Council decision dates: The petition was tabled at Council's ordinary meeting on 22 April 2024, at which time it was resolved to receive the petition and that a response be prepared within two (2) meetings.

Report

Consistent with the April 2024 resolution, the following response has been prepared in the context of both elements of the petition.

Call for a halt to any future development within floodplain areas:

The primary focus of the petition is taken to be the limitation of further development along the Back Creek floodplain corridor extending between Epsom/Ascot to north of Huntly, however it is noted that it calls for the blanket refusal of any development applications within floodplain areas more broadly.

The Greater Bendigo Planning Scheme controls the use and development of land through zones and overlays. A significant portion of the Back Creek catchment north of Taylor Street, Epsom is currently zoned to allow for future residential development. This includes residential, low density residential and industrial zoned land which is yet to be developed. Peripheral land is zoned for Rural purposes with land zoned Farming and Rural Living.

To manage specific localised planning concerns, overlay controls are imposed over the zones and properties therein. Such overlays in Epsom and Huntly include the Bushfire Management Overlay and more pertinently the Land Subject to Inundation Overlays (LSIO's). The Special Building Overlay (SBO1) also imposes controls on development within certain flood prone areas across the municipality, however, has not been applied within the Epsom, Ascot, Huntly precinct.

The LSIO's have existed in varied formats for many years and have provided a layer of planning control that has guided planning decisions, particularly regarding flooding, for decades. That guidance has resulted in the way that both Epsom and Huntly have developed over time.

Several flood studies have also been undertaken across the Bendigo Creek catchment and its tributaries, including Back Creek, to provide a better understanding of local flooding conditions and allow for the appropriate planning and control of development activities to ensure that future development is compatible with the flood risk.

Specifically, the Bendigo Urban Flood Study (2013) (BUFS) determined flood levels, extents, velocities and depths for Bendigo Creek and its tributaries for a range of flood events. The BUFS advanced the City of Greater Bendigo's (the City's) understanding and assessment of flood risk, preliminary feasibility assessment of mitigation measures and was used to update the Greater Bendigo Planning Scheme via Planning Scheme Amendment C221 (2018). The Scheme Amendment resulted in changes to the local planning policies and application of the LSIO and SBO to more than 5,700 properties identified as being subject to flooding in the Bendigo area.

The Study also produced detailed flood modelling to support the North Central Catchment Management Authority (NCCMA) and Council to undertake rigorous feasibility and impact assessment of future developments within the floodplain or any proposed changes to local stormwater infrastructure prior to approval or construction.

Combined with other industry and engineering controls such as those outlined within the Australian Rainfall and Runoff (ARR) guidelines and Infrastructure Design Manual (IDM), this ensures that new development is designed appropriately, that the flood risk to existing development is not exacerbated, and that proposed changes to local stormwater infrastructure meet relevant industry standards.

The Planning and Environment Act 1987 (the Act) outlines the powers, duties, and functions of a council acting as a Responsible Authority (Authority) in relation to applications for planning permits. Each Authority is responsible for considering and determining planning permit applications and for ensuring compliance with the planning scheme, permit conditions and agreements.

The petitioners call for a blanket refusal of any development application located within areas to which the LSIO or SBO applies is contrary to the Act, with each development application required to be assessed on its merits against the Planning Scheme. Such assessment often includes referral to subject matter experts, namely the NCCMA and the City's Engineering unit, for determination of an applications compliance against planning policies, controls, and industry standards.

Imposition of further restrictions on development within floodplain areas within Epsom and Huntly would require the introduction of the Urban Floodway Zone (UFZ)

via a formal planning scheme amendment. Notably, the UFZ control was not imposed following development of the BUFS or subsequent flood studies for Epsom and Huntly, as available flood modelling data does not support its introduction. To do so would restrict almost all types of development in Epsom or Huntly and likely not be supported by the Minster for Planning.

In summary, officers believe that that based upon the outputs from the BUFS adequate planning controls and application assessment processes currently exist, to appropriately manage development within the Epsom, Ascot, and Huntly areas.

Further opportunity for the community to express their views on the way the city may grow into the future, including how development in areas known to be susceptible to overland flows or flooding is managed, will be considered through development of the Managed Growth Strategy.

Requested Clearing of Back Creek:

Investigation and assessment of potential flood mitigation interventions along both Back Creek and Racecourse Creek tributaries was completed as part of the Epsom, Ascot, Huntly Floodplain Management Study (2019) (EAHFMS). This Study subsequently informed the prioritisation and scope of those mitigation options believed to be both practically viable and offer greatest benefit in the context of flood risk mitigation within this precinct.

The petitioners request for clearing and reshaping along the Creek between 302 Station Street, Epsom and the Bendigo-Tennyson Road, Huntly (approximately 6.8km) is generally consistent with Mitigation Option 47 (M47), as detailed within the EAHFMS - Detailed Mitigation Assessment Summary (2019) (see extract within Attachment 2).

Option M47 proposed significant vegetation removal and waterway re-shaping (including widening and desilting) along Back Creek to improve to improve the flow conveyance along the Back Creek system from Howard Street, Ascot to the confluence of Back Creek with Bendigo Creek north of Huntly. Modelling of this mitigation option for a 1% AEP event, indicated a potential reduction in flood depths ranging between 50mm and 500mm along various sections of Back Creek.

At the time of preparing the EAHFMS, the preliminary cost estimate for this concept project was in the order of $32 million. This project provided for a comparatively minor reduction in expected Average Annual Damage (AAD) when measured against many other mitigation options considered, as well as a low cost/benefit ratio.

Further, significant complexities have been identified with respect to implementation of Option M47, in the context of land tenure/management (i.e. crown and freehold

land), required statutory and regulatory approvals/controls and potential impacts to biodiversity/ecology and cultural considerations. As such this option was not identified as a viable or priority project for further investigation, with the City's current focus being upon design and construction of the Racecourse Creek Levee.

Further, as identified by the petitioners the majority of Back Creek traverses Crown Land or freehold land for which the City has no operational or management responsibilities/authority. Accordingly, any project involving the clearing of vegetation and/or reshaping of the creek would likely need to be led by, or at a minimum have strong support of, the State Government and their agents (e.g. Department of Energy, Environment and Climate Action (DEECA) and NCCMA).

The City is however currently collating a list of potential targeted waterway remediation/improvements along Back Creek which may aid in reducing the extent or severity of localised flood impacts. These projects, along with various minor culvert and drainage network improvements across the municipality, form part of a broader program of works for which the City has applied for federal grant funding.

Accordingly, Officers are intending to continue to advocate for and pursue potential improvement opportunities along Back Creek in collaboration with state government agencies (e.g. NCCMA, DEECA) and responsible landowners.

Priority/Importance

Broadscale clearing of Back Creek has not been identified as a priority project within the EAHFMS or the NCCMA's North Central Floodplain Management Strategy.

Options Considered

Several flood mitigation options were considered and prioritised during development of the BUFS and EAHFMS. The City is currently pursuing design and construction of the Racecourse Creek Levee as the highest priority flood mitigation project for the Epsom/Ascot precinct.

Some targeted waterway remediation/improvement works to support improved flood risk outcomes are being identified and pursued as an initiative under the City's flood resilience and recovery program. A funding application to the federal governments Disaster Ready Fund (DRF) has been submitted to facilitate the delivery of high priority waterway clearing/remediation and culvert upgrade projects identified across the municipality, including along sections of Back Creek.

The City is also pursuing development of a waterway management framework as a separate project under the DRF. The purpose of this framework will be to clarify

roles, responsibilities and authorised actions of various land managers for Back Creek as well as other tributaries across the municipality.

The City continues to collaborate with the NCCMA in the periodic review and ongoing implementation of the North Central Regional Floodplain Management Strategy. Officers will continue to advocate for priority waterway and flood mitigation improvements across the municipality.

Timelines

It is anticipated that subject to funding and obtaining relevant statutory and land manager approvals, some localised improvement projects along Back Creek may be programmed for delivery over the next 12 to 36 months.

Communications/Engagement

Extensive community engagement was undertaken during development of both the BUFS and EAHFMS.

Several areas of Back Creek have been identified for further investigation/assessment as part of a targeted waterway remediation/clearing program following community meetings and requests received following the January 2024 flood event.

Financial Sustainability

The EAHFMS identified the estimated cost of broadscale reshaping and clearing of Back Creek between Ascot and north Huntly to be in the order of $32 million. Funding of this magnitude is not currently available, nor is this project likely to be recommended as a priority for funding under programs such as Risk and Resilience Grants program given its low cost/benefit ratio.

Funding for targeted minor clearing works along Bak Creek, subject to regulatory approvals and Traditional Owner engagement, may be possible using DRF funding if the City’s recent grant application proves successful.

Risk Assessment

Extensive risk assessment in the context of flooding was undertaken during development of the BUFS. This study identified that flood risk can be reduced at a several locations around Bendigo, using local structural works/interventions, provided further investigation demonstrates that there are no unreasonable detrimental impacts to other properties.

The Act and Planning Scheme do not enable adoption of a default position to refuse further development applications within floodplain areas i.e. where the LSIO of SBO applies. Any such, applications are required to be assessed on their merits against the Planning Scheme. Failure to do so could potentially jeopardise the City's position as an Authority.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all.
Outcome 2 - Healthy, liveable spaces and places.

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making.
Goal 4 - Leadership that sets a standard for good governance and integrity in action, working in partnership with regional Councils.
Goal 7 - Sustainable population growth is planned for.

Other Reference(s)

Bendigo Urban Flood Study 2013
Epsom Ascot Huntly Floodplain Management Study 2019
Back Creek Flood Study 2007
Planning and Environment Act 1987

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Petition [**14.2.1** - 22 pages]
2. EAHFS Mitigation Option 47 Flood Modelling Results - Back Creek [**14.2.2** - 5 pages]

Stop Approving Future Developments on Floodplains and Clear/Dredge Back Creek



Started
31 January 2024
Petition to
Bendigo Council and **1 other**

Why this petition matters



Started by **Michael Allen**

Media Inquiries

Back Creek has broken its banks at least 7 times in the past 14 years, flooding nearby properties in Epsom and Huntly. One of these events being on the 2nd of January 2024 when the creek went from being empty in the morning, to breaking its banks in the afternoon, after only 30mm of rain. As new information has been brought to life, this has now become a two part petition.

1. STOP APPROVING FUTURE DEVELOPMENTS ON FLOODPLAINS:

The City of Greater Bendigo have been approving numerous developments on floodplains, without considering the flooding impact on Huntly and Epsom residents. The flood waters that once sat on these newly built up developments now have to spread out and flood elsewhere. This is causing the floodplain to become wider and deeper.

We are calling on the Bendigo Council to stop approving all future developments on floodplains. We believe that sustainable development should not come at the cost of our homes or safety.

2. CLEAR/DREDGE BACK CREEK:

Back Creek hasn't received any maintenance in numerous years. It's a shallow/narrow creek and some sections are blocked by trees, causing its capacity to quickly become overwhelmed. As further developments continue to be approved on the floodplain, more and more water is being forced back into the creek, only making the problem worse. This neglect has lead to flooding for new and existing properties alike.

As many of the congested sections of Back Creek are on crown land, we are calling on the Victorian Government to clear Back Creek from 302 Station St, Epsom to Bendigo-Tennyson Road in Huntly, by removing the trees, widening the creek and removing the soil to increase its capacity.

UPDATES ON CLEARING BACK CREEK:

The North Central Catchment Management Authority have said that they can issue permits for works on Back Creek, but they don't undertake any works themselves. They said that it is Bendigo Councils responsibility as it's within an urban area. For the general public, they will only consider issuing permits to land owners of private land that Back Creek passes through. They will not issue a permit to the public for crown or council land.

I spoke with Andrew Cooney (City of Greater Bendigo's CEO) who said that they could apply for a permit from the NCCMA to then remove the trees that are congesting the creek. Bendigo Council have since contacted me to let me know that

they can't schedule works on most parts of Back Creek, as a large majority of it is either on private property or crown land. They suggest that we pursue the Victorian Government. The council have since cleared 20m of creek at the end of Airey St, Huntly (council land), which they seem pretty proud about. Unfortunately, clearing 20m of the creek won't help the whole creek to flow better when the adjacent 450m upstream is still blocked by trees.

The Bendigo Advertiser contacted the Department of Energy, Environment and Climate Action on our behalf. Their response was "It appears that the City of Greater Bendigo manages the Back Creek".

I will now be submitting this petition to our members of parliament, COGB mayor and councillors.

Please sign this petition today!
Signatures: 256Next goal: 500
256
500
Signatures
Next goal

Support now

Sign this petition

First name

Last name

Email

Bendigo, 3550

Australia

Display my name and comment on this petition

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Name	City	State	Postal Code	Country	Signed On
Michael Allen	Epsom		3551	Australia	31/01/2024
Connie Fischer	Wellsford		3551	Australia	31/01/2024
Debbie Dean	Huntly		3551	Australia	31/01/2024
Jeff Glanville				Australia	31/01/2024
Kristy Griffiths	Bendigo		3551	Australia	1/02/2024
Pat Hendy	Huntly		3551	Australia	1/02/2024
Leonie Forrest	Huntly		3551	Australia	1/02/2024
Hayden Shearer	Bendigo		3555	Australia	1/02/2024
Pip Byrne	Bendigo		3550	Australia	1/02/2024
Jessica Allen	Epsom		3551	Australia	1/02/2024
Lorraine Harvey	Huntly		3551	Australia	1/02/2024
Joanne McLachlan				Australia	1/02/2024
Jacquie Pilcher				Australia	1/02/2024
Trudi marshall	Huntly		3551	Australia	1/02/2024

Vicki McCallum	BENDIGO	3550	Australia	2/02/2024
Kristie Hamilton	Bendigo	3550	Australia	2/02/2024
Kylie Crittenden	Bendigo	3556	Australia	2/02/2024
Vicki Hanley			Australia	2/02/2024
Jemma Gill	Huntly	3551	Australia	2/02/2024
Stewart Frost			Australia	2/02/2024
melinda piltz			Australia	2/02/2024
Julie Mulcahy			Australia	2/02/2024
Rainy Allen	Strathfieldsaye	3551	Australia	2/02/2024
Joel Salau	Ascot	3551	Australia	2/02/2024
Charlene Salau	Ascot	3551	Australia	2/02/2024
Renee Meadows			Australia	2/02/2024
Laura Trewin			Australia	2/02/2024
Erin Davis			Australia	2/02/2024
Meg Ferrie	Huntly	3551	Australia	2/02/2024
Tammy McCarthy			Australia	2/02/2024
Dorothy Richards			Australia	2/02/2024

Roslyn Anderson			Australia	2/02/2024
Riley Holland			Australia	2/02/2024
Melissa Young			Australia	3/02/2024
Sally Stubbington			Australia	3/02/2024
Mark Ware	Huntly	3551	Australia	3/02/2024
Laurence Marshall			Australia	3/02/2024
Jason miller	Epsom	3551	Australia	3/02/2024
Ebonie Collins	Huntly	3551	Australia	3/02/2024
Kim Fallon			Australia	3/02/2024
Jye Dingfelder			Australia	3/02/2024
Kylie Ware	Huntly	3551	Australia	3/02/2024
Michael Scrimizzi	Bendigo	3551	Australia	3/02/2024
Bernice Campbell			Australia	3/02/2024
Carol Paynting			Australia	3/02/2024
Cheryl Campbell			Australia	3/02/2024
emily tran			Australia	3/02/2024
Katherine Wells			Australia	3/02/2024

Jason Harriage	Huntly	3551	Australia	3/02/2024
Wendy Greenwood			Australia	3/02/2024
kathrynne grundy			Australia	3/02/2024
Judi Hosking	Huntly	3551	Australia	3/02/2024
Danielle Oswals	Huntly	3551	Australia	3/02/2024
Judith Oswald	Bendigo	3551	Australia	3/02/2024
Sharna A'Vard	Huntly	3551	Australia	3/02/2024
Tasha Marshall			Australia	3/02/2024
Kaylene Fieldew	Bendigo	3550	Australia	3/02/2024
Brodie Marschall			Australia	3/02/2024
Kate Jongebloed	Epsom	3551	Australia	3/02/2024
Kristy Moulday			Australia	4/02/2024
Barry Nolan			Australia	4/02/2024
Joyce Johnson	Huntly	3551	Australia	4/02/2024
Jess Reeves	Huntly	3551	Australia	4/02/2024
John Nimmo			Australia	4/02/2024
Emily-Jane Lelean			Australia	4/02/2024

Damien Webb	Bendigo	3551	Australia	4/02/2024
Jared Kelly	Huntly	3551	Australia	4/02/2024
Simon Bullow			Australia	4/02/2024
Carrene Craig	Huntly	3551	Australia	4/02/2024
Michelle Jones	Huntly	3551	Australia	4/02/2024
Carla Bennett			Australia	4/02/2024
Daniel Andrews			Australia	4/02/2024
Dani Hiddleston			Australia	4/02/2024
Mel Brown			Australia	4/02/2024
Brydie Marshall			Australia	4/02/2024
Leanne SIMEONE	Kangaroo Flat	3551	Australia	4/02/2024
Riley Braddy	Bendigo	3551	Australia	4/02/2024
DaviD Allen	Strathfieldsaye	3551	Australia	4/02/2024
Grant Pearse	Bendigo	3551	Australia	4/02/2024
Samuel Heard	Ironbark	3550	Australia	4/02/2024
Steve Cottrell			Australia	4/02/2024
clair johnson	bendigo	3555	Australia	4/02/2024

Angela Williams	Ascot	3551	Australia	4/02/2024
Nicole Vuglar	Bendigo	3555	Australia	4/02/2024
Deborah Keaveney	Bendigo	3551	Australia	4/02/2024
Karen Miller	Bendigo	3555	Australia	5/02/2024
Lindsay Bennett			Australia	5/02/2024
fvgbjh gbjhnk			Australia	5/02/2024
Sally Richardson	Huntly	3551	Australia	5/02/2024
Shantelle Popple	Bendigo	3556	Australia	6/02/2024
Craig Graham	Eaglehawk	3556	Australia	6/02/2024
Jo Hillman			Australia	6/02/2024
Lindsay Sargeant	Huntly	3551	Australia	6/02/2024
Alan Roberts	Huntly	3551	Australia	6/02/2024
Kevin Cowley			Australia	6/02/2024
Sonya Allott	Huntly	3551	Australia	6/02/2024
Holly Johnston	Huntly	3551	Australia	6/02/2024
Cherie Hammer	Huntly	3551	Australia	6/02/2024
Leon Heynders	Huntly	3551	Australia	6/02/2024

Sue Goldie	Huntly	3551	Australia	6/02/2024
Susan Heynders			Australia	6/02/2024
Anthony O'Flaherty	Huntly	3551	Australia	6/02/2024
Craig Wicks	Huntly	3551	Australia	6/02/2024
Corinna A'Vard	Huntly	3551	Australia	6/02/2024
Bree Holmes	Bendigo	3550	Australia	6/02/2024
Chloe West	Huntly	3551	Australia	6/02/2024
Olga Kolesnikova			Australia	6/02/2024
Penny Watt	Eaglehawk	3556	Australia	6/02/2024
Tenneh Shard			Australia	6/02/2024
Leanne Nebauer			Australia	6/02/2024
Daniel Blundell			Australia	6/02/2024
Karen Nowell	White Hills	3551	Australia	6/02/2024
Emma Gibbons	Huntly	3551	Australia	6/02/2024
Megan McPherson	Huntly	3551	Australia	6/02/2024
Jarrod Radford			Australia	6/02/2024
Tom Hamilton	Bendigo	3551	Australia	6/02/2024

Vanessa Juran Juran			Australia	6/02/2024
Sandy Wade			Australia	6/02/2024
Rosemary Verdon			Australia	6/02/2024
Trudie Newton	Bendigo	3551	Australia	6/02/2024
Ryan King-poile			Australia	6/02/2024
Dann S			Australia	7/02/2024
Alex Slobodian	Huntly	3551	Australia	7/02/2024
Natalie Andrews	Bendigo	3550	Australia	7/02/2024
Vicky Tierney	Epsom	3551	Australia	7/02/2024
Paul Ayoub			Australia	7/02/2024
Nathaniel Varga			Australia	7/02/2024
cie montgomery	Huntly	3551	Australia	7/02/2024
Mark Hamilton	Bendigo	3550	Australia	7/02/2024
Tyler Hawkins	Huntly	3551	Australia	7/02/2024
Cheyenne Edwards			Australia	7/02/2024
Patrick Eid			Australia	7/02/2024
Penny Franklin	Huntly	3551	Australia	7/02/2024

Adrian Holland	White Hills	3550	Australia	7/02/2024
Robert SMALLPAGE	Huntly	3551	Australia	7/02/2024
John Nimmo			Australia	7/02/2024
Stephen Dickins			Australia	8/02/2024
Chris Rudd			Australia	8/02/2024
Lucy --			Australia	9/02/2024
Khambia Clarkson			Australia	9/02/2024
Lorraine Bartlett			Australia	9/02/2024
dan endicott			Australia	9/02/2024
Maninder Kaur			Australia	9/02/2024
Michelle Hocking	Junortoun	3551	Australia	10/02/2024
Tegan Adams			Australia	10/02/2024
Elly Neilsen			Australia	10/02/2024
Leanne Bennett			Australia	11/02/2024
Jacqui Van brunschot			Australia	11/02/2024
Rochelle Morley	Huntly	3551	Australia	11/02/2024
Elizabeth Gian			Australia	11/02/2024

Lily Tranchida			Australia	11/02/2024
Sophie Croxford	Bendigo	3550	Australia	11/02/2024
Michelle Tyquin			Australia	11/02/2024
Jennie Sharpe			Australia	12/02/2024
Vinay Ganji			Australia	12/02/2024
Brooke Morley	Huntly	3551	Australia	12/02/2024
Cleo RW			Australia	12/02/2024
Amanda Fleming			Australia	12/02/2024
Nicholas Lucy			Australia	13/02/2024
Linda Perry			Australia	13/02/2024
Sarah Mcinnes	Huntly	3551	Australia	13/02/2024
Amy Morris	Huntly	3551	Australia	13/02/2024
Robert Smith			Australia	13/02/2024
Eleanor Murley	Bendigo	3550	Australia	13/02/2024
Megan Waldron			Australia	13/02/2024
RAELENE Falzon	Bendigo	3551	Australia	13/02/2024
Lacinta potter	Huntly	3551	Australia	13/02/2024

Larissa Younger	Huntly	3551	Australia	13/02/2024
Kate Ford	Huntly	3551	Australia	13/02/2024
Tiffany Holschier	Bendigo	3550	Australia	13/02/2024
Jane Rechter	Huntly	3551	Australia	13/02/2024
Kerrie Barber	Bendigo	3551	Australia	13/02/2024
Amy Cope			Australia	14/02/2024
Terry Hansen	Bendigo	3551	Australia	14/02/2024
Heather B	Huntly vic	3551	Australia	14/02/2024
Jake Davinci			Australia	14/02/2024
Jennifer Roulston	Bendigo	3555	Australia	14/02/2024
Jon Rothwell			Australia	15/02/2024
Daaruk Kathiria			Australia	15/02/2024
Manuel Solano			Australia	16/02/2024
Tanya Abo-shaban			Australia	16/02/2024
jasmine sullivan			Australia	16/02/2024
Gary Lee			Australia	17/02/2024
Tony McKillop			Australia	17/02/2024

Maya Maloney			Australia	18/02/2024
Karen Leoncelli			Australia	18/02/2024
Hania Watt			Australia	19/02/2024
Majid Khan			Australia	19/02/2024
Trish Zupan			Australia	19/02/2024
Clohee Morrow			Australia	19/02/2024
Sharryn Koppens			Australia	19/02/2024
jen bucknell			Australia	19/02/2024
Liylah MacIntyre			Australia	20/02/2024
Perry Gx			Australia	20/02/2024
Sarah Ryan			Australia	20/02/2024
Sammy Bunney			Australia	20/02/2024
Hamish Lux			Australia	20/02/2024
Beans Mutts			Australia	20/02/2024
Ainas Khdhir			Australia	20/02/2024
Kate Ferguson	Huntly	3551	Australia	29/02/2024
Pauline Campbell			Australia	29/02/2024

Wendy Rampling			Australia	29/02/2024
Bridie Wilson	Huntly	3551	Australia	29/02/2024
Mike Lowther	Bendigo	3550	Australia	1/03/2024
Amanda Breese			Australia	1/03/2024
Andrea Guy	Bendigo	3551	Australia	1/03/2024
Andre Guy			Australia	2/03/2024
Terry Holt	Huntly	3551	Australia	2/03/2024
Romi Hood			Australia	2/03/2024
Lianna P			Australia	2/03/2024
Indiah Guy	Bendigo	3551	Australia	2/03/2024
Pauline Githinji			Australia	2/03/2024
Patricia Moebus			Australia	2/03/2024
Sarah Clarke	Ascot	3551	Australia	2/03/2024
Ray Koschel			Australia	3/03/2024
jack griffiths			Australia	3/03/2024
Mirjana Petrovic			Australia	3/03/2024
Dk Taa			Australia	4/03/2024

Paige C	Australia	4/03/2024
Erin cattle	Australia	4/03/2024
Devlin Boersma	Australia	4/03/2024
Chlo Jones	Australia	4/03/2024
Iysha Ivanova	Australia	4/03/2024
Laura Bozzetto	Australia	5/03/2024
Natasha Booth	Australia	5/03/2024
NICHOLAS WALSH	Australia	24/03/2024
Anthony Bartsch	Australia	24/03/2024
kenny zhou	Australia	24/03/2024
J Gaskin	Australia	24/03/2024
Jack Sunner	Australia	24/03/2024
Annette Sherriff	Australia	25/03/2024
Shaun Newman	Australia	25/03/2024
Erin Morgan	Australia	25/03/2024
Megan Setterberg	Australia	25/03/2024
Madi Di Biccari	Australia	26/03/2024

Beverly-joy Lacey			Australia	26/03/2024
Daisy F			Australia	26/03/2024
Alex Lara			Australia	26/03/2024
Alison Kemp			Australia	26/03/2024
Elisabeth Mortimer			Australia	27/03/2024
Dianne Mihailoff			Australia	27/03/2024
Melissa Harrison			Australia	27/03/2024
Anne Hudson			Australia	27/03/2024
Vicki Woods			Australia	27/03/2024
zahli fleming			Australia	27/03/2024
Jason Watson			Australia	27/03/2024
Simon Turudia			Australia	27/03/2024
Ashlee Shaw			Australia	30/03/2024
Dylan Cahill	Bendigo	3555	Australia	11/04/2024
Courtney Jackson	Huntly	3551	Australia	11/04/2024
Anna Trickett	Huntly	3551	Australia	11/04/2024
Nor Vodden			Australia	11/04/2024

Tammie Alderton	Bendigo	3551	Australia	12/04/2024
Bernie Pellas	Bendigo	3550	Australia	12/04/2024
Marlene Quay	Woodvale . Victoria .	3556	Australia	12/04/2024

Name	City	State	Postal Code	Country	Date	Comment
*Leonie Forrest	Bendigo		3551	Australia	1/02/2024	"I've lived here in huntly for 23 yrs and I have never seen huntly flood as bad as it has in the last few years. Something has changed and it needs addressing asap."
*Hayden Shearer	Bendigo		3555	Australia	1/02/2024	"Water issues need to be rectified before more building approvals are issued, developers need to take responsibility for storm water AFTER it leaves their developments."
*Joanne McLachlan				Australia	1/02/2024	"If you use back creek as a drain treat it like a drain. If the capacity to move water is only say 1 Meg don't try and put 10 megs down it. Clean and repair Bendigo Creek levees also"
*Jason miller	kangaroo flat		3555	Australia	3/02/2024	"Flooding events are affecting my business more frequently and the flooding events are becoming worse with less rain. The urbanisation of the flood zones with improper flood mitigation has to be a contributing factor. The condition of back creek to accept the flows is inadequate."
*Carol Paynting				Australia	3/02/2024	"Something needs to be done now not in 10yrs time"
*Wendy Greenwood				Australia	3/02/2024	"Needed fixing ages ago"
*Judi Hosking	Huntly		3551	Australia	3/02/2024	"Too much damage and heart ache is being caused by the flooding of Back Creek. The problem is one that can and should be fixed before the same people if not more suffer again."
*Melissa Young				Australia	4/02/2024	"So much damage is being dine and so many peoples lives and house are being affected by this. Its time to act and support the community. Over the last 30 yrs the heartache, tears and the aftermath is too much to handle . THIS NEEDS TO BE FIXED NOW!!!"
*Susan Heynders				Australia	6/02/2024	"I'm sick to death of trying to get in and out of flood waters in our street and area . Everyone is affected in some way and council just ignore us all"
*cie montgomery				Australia	7/02/2024	"Council has a duty of care to their communities to ensure a safe and effective environment free from floods"

Vicky Dickins	Bendigo	3551	Australia	8/02/2024	"We've been flooded out by the back creek 3 times in the past 11 years , where water has entered the sheds but not our house (thankfully). The major damage occurs to our driveway and landscape, the worst affected area of driveway is the crossover which I don't even own. Each time this has happened I have contacted the council asking for assistance, the keep telling me it's my responsibility. The stormwater drains are not sufficient to cope with the amount of water, coupled with the back creek breaking it's banks on the east side of Bendigo golf course leads to all the water traversing through ours and neighbouring properties along Taylor street before trying to enter back creek at Howard Street. I long for the day I can replace our side fence, but I have to lift fence and clear debris to let flood water through our suffer the consequence of water entering our home."
Federico Álvarez			Argentina	23/02/2024	"https://www.bendigoadvertiser.com.au/story/8511420/huntly-residents-concerned-about-flood-risk-from-development/?src=rss"
*Andrea Guy			Australia	1/03/2024	"Our home backs onto the creek and we have been flooded twice since we built in 2011. The part of the creek that goes under Howard Street has wire across it and is blocked by debris. Further down at our place, the creek is so full and blocked by branches. The water has no where to go but out, breaking the backs. Have thought about doing it ourselves but could get into trouble! Maybe under the cover of darkness. 🤌 Thanku for starting this petition."
*Andre Guy			Australia	2/03/2024	"My property backs on to back creek and is now getting flooded it needs cleaning out"
*Terry Holt			Australia	2/03/2024	"I retired to Huntly 7 years ago, after spending 44 years in the Rural Water Industry(Major Dams). In that time, through my work, I have seen many floods, inundated properties and homes. It never ceased to amaze me to see Councils & other agencies allow developments, or even a house or two be constructed in low(marshy type areas) followed by consequences expected when the country becomes wet. It is still happening in & around Huntly today. This Is Why I Am In Agreeance With & Signed This Petion."
Harrison Elliott			Australia	15/03/2024	"https://www.bendigoadvertiser.com.au/story/8527519/push-for-back-creek-dredging-to-ease-flooding-issues-at-huntly/"
*NICHOLAS WALSH			Australia	24/03/2024	"bendigo council at its most negligent best avoiding the management of back creek. now also preparing to allow 78 new houses to be built on 100% inundation land ,flood plain, at montis rd /saade rd epsom."

*(signed e-petition)

2.12 Option M47

2.12.1 Description of Mitigation Option

This mitigation option (shown in Figure 2-21) is an extension of mitigation option eighteen (M18) whereby the significant vegetation removal and waterway shaping along Back Creek extends from Howard Street (in Ascot) to the junction of Back Creek with Bendigo Creek.

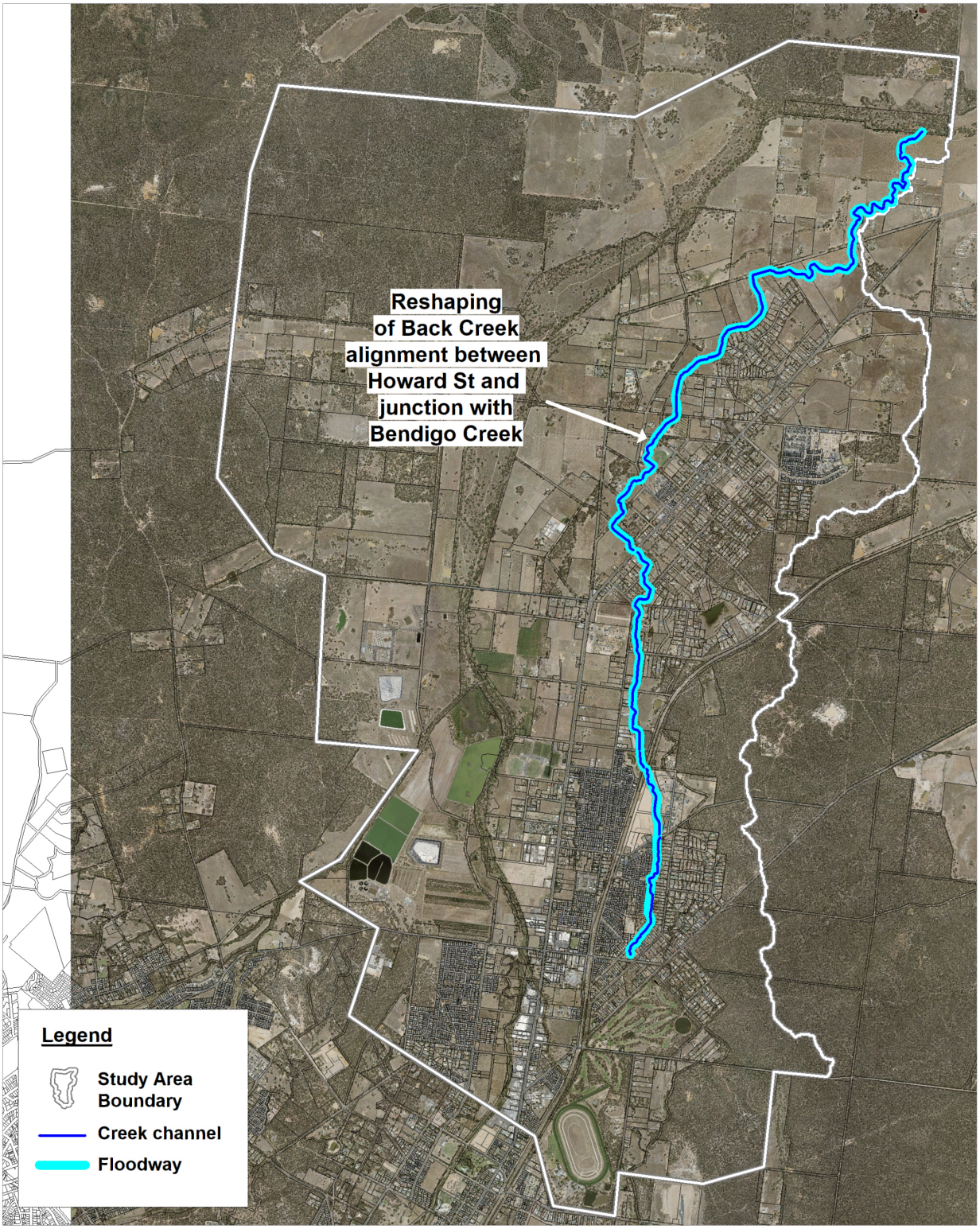
The proposed mitigation option will involve the removal of existing large vegetation, and the widening and shaping of the creek where possible to improve to improve the flow conveyance along the Back Creek system. The width of works varies along the length of the waterway depending on the available land area. This option does not change any of the existing drainage structures or roadway crossing of Back Creek between Howard Street and Bendigo Creek.

2.12.2 Flood Impact Assessment

A flood impact assessment has been undertaken to demonstrate the impact of the proposed mitigation options on flooding within the Epsom, Ascot and Huntly regions.

The flood level impact for the 1% AEP flood event is presented in Figure 2-22. The flood impact for the full range of modelled flood events is presented in BMT (2019).

In each of these figures the yellow colours indicate no change in the flood level (within a +/-5-millimetre range). The orange red colours indicate areas where the flood level has increased, while the green colours indicate areas where the flood level has decreased. The blue colour indicates an area that was dry and is now wet (due to the mitigation option), whilst the magenta colour indicates an area that was wet and is now dry (due to the mitigation option).



Title:
Epsom-Ascot-Huntly Floodplain Management Study
Mitigation Option 47 Details

Figure: **2-21**

Rev: **A**

BMT WBM endeavours to ensure that the information provided in this map is correct at the time of publication. BMT WBM does not warrant, guarantee or make representations regarding the currency and accuracy of information contained in this map.

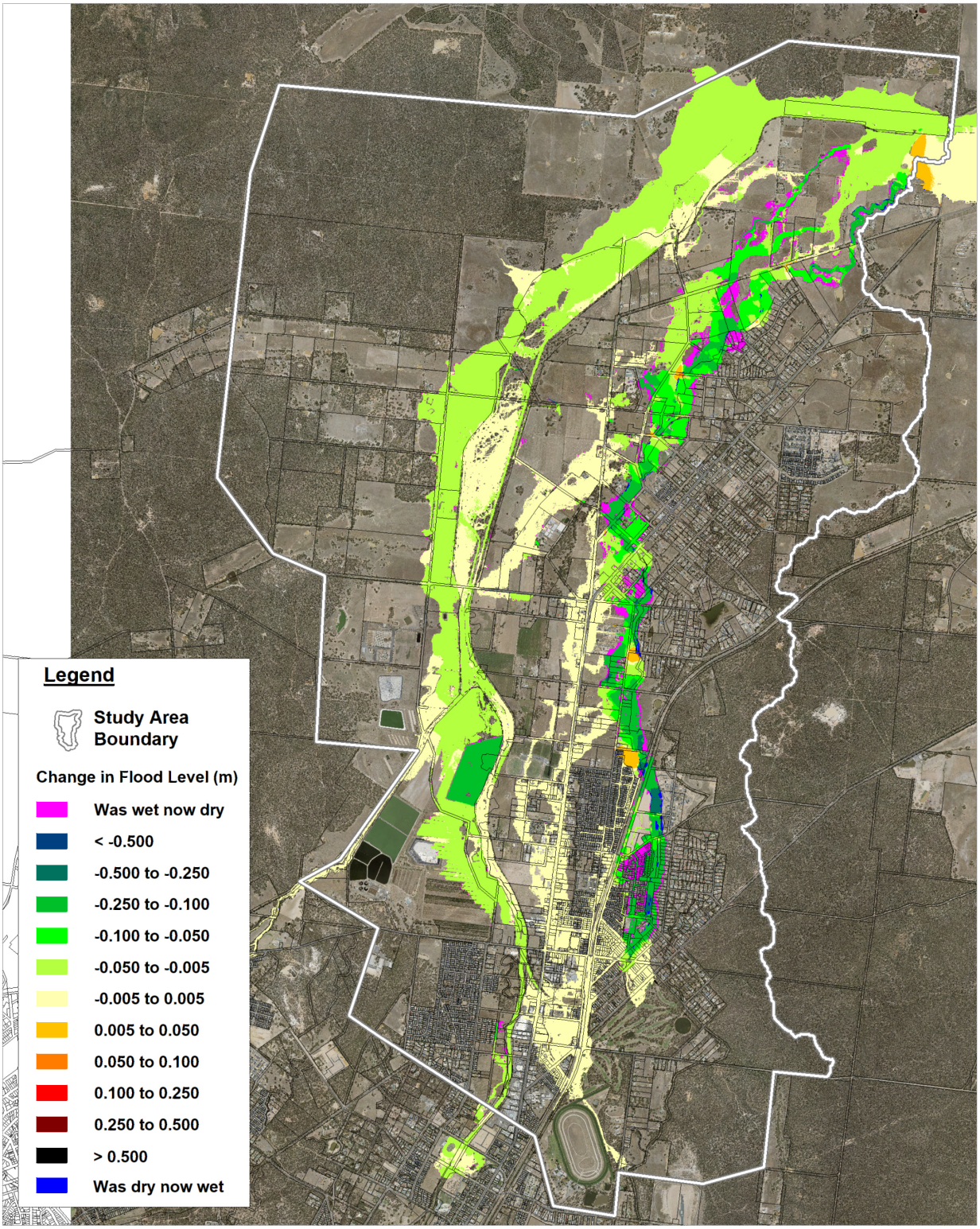
N

0 1 2km

Approx. Scale

BMT
www.bmt.org

Filepath : T:\M20754.DK.Epsom-Ascot FPMS\MapInfo\Drawings\R.M20754.006.04\EAH_Fig2-21_Mitigations_M47_RevA.WOR



Title:
Epsom-Ascot-Huntly Floodplain Management Study
Mitigation Option 47 Flood Level Impact - 1% AEP Event

Figure: **2-22**

Rev: **E**

BMT WBM endeavours to ensure that the information provided in this map is correct at the time of publication. BMT WBM does not warrant, guarantee or make representations regarding the currency and accuracy of information contained in this map.

N

0 1 2km

Approx. Scale

BMT
www.bmt.org

Filepath : T:\M20754.DK.Epsom-Ascot FPMS\MapInfo\Drawings\R.M20754.006.04\EAH_Fig2-22_M47_Dif_100y_MaxRevE.WOR

2.12.3 Option Costing

The scheme costings are presented in Table 2-22. The costings have been based on the unit rates shown in Appendix A. Where possible, these rates have been taken from Rawlinsons Australian Construction Handbook (2015), and have been updated to 2018 using the Consumer Price Index (as determined by the ATO).

As part the detailed design process, the costings in Table 2-22 may change as a result of design changes to the mitigation scheme (extent and location of works). These changes may be required because of the findings from the other supporting studies that will need to be undertaken during the detailed design phase (geotechnical investigations, environmental assessments, cultural heritage assessments, etc). The costs associated with these additional studies are not detailed in Table 2-22.

Table 2-22 M47 Cost Estimate[11]

Description	Total
Site Establishment (Site Office/Toilet Hire/Lunch Room)	$ 10,800
Traffic Management	$ 71,700
Site Preparation	$ 302,000
New Earthworks	$ 14,483,700
Landscaping (Native Grasses)	$ 1,387,500
Sub Total	**$ 16,255,700**
Engineering and Design (15%)	$ 2,438,355
Administration (9%)	$ 1,463,013
Capital Works Contingency (30%)	$ 4,876,710
Land Acquisition (incl. 50% contingency)	$ 7,368,450
Total	**$ 32,402,228**

[11] This cost estimate is based on BMT's experience and judgement as a firm of practising engineers familiar with preliminary costings of flood mitigation options. This cost estimate cannot be guaranteed as we have no control over Contractor's prices, market forces and competitive bids from tenderers. The costings have included an allowance for engineering and design (15%), administration (9%) and project contingency (30%).

2.12.4 Economic Assessment

Mitigation Scheme Forty Seven (M47) result in an AAD of $9,964,900, which is a reduction of $1,280,300 from the existing conditions AAD of $11,245,200. The cost benefit analysis for the Whole of Life costs is summarised in Table 2-23.

Table 2-23 M47 CBA Summary

Item	Existing	Scheme 47
Damages (PA)	$ 11,245,200	$ 9,964,900
Benefit (PA)		$ 1,280,300
Capital Cost		$ 25,033,778
Upfront Cost		$ 32,402,228
Maintenance (PA)		$ 500,676
NPV		$ (19,055,136)
BCR		0.37

15. LEAD AND GOVERN FOR ALL

15.1. COUNCILLOR LED MOTION FOR MAV STATE COUNCIL MEETING (CR O'ROURKE OAM)

Author:	Tiffany O'Connell, Governance Officer - Mayoral Support
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

The purpose of this Report is for Council to endorse the Motion, drafted by Councillor Margaret O'Rourke OAM, for submission to the Municipal Association of Victoria (MAV) State Council Meeting.

Recommended Motion

That Council:

1. Endorse the Motion prepared by Cr Margaret O'Rourke OAM for submission to the Municipal Association of Victoria State Council Meeting on August 23, 2024; and

2. Authorise the Chief Executive Officer to make any minor changes to improve the wording of the motion and/or to update the motion relative to any changes to the issue that may have occurred between the Council Meeting and the date of lodgement with the MAV.

Background

The Municipal Association of Victoria (MAV) is a membership association and the legislated peak body for local government in Victoria.

The MAV Rules 2022 (the Rules) require motions to be of strategic relevance to the MAV or of such significance to local government that they should be considered by State Council. It is encouraged that motions be aligned with the 10 enabling priorities in the new MAV Strategic Plan 2024-2027.

Motions received and initially assessed as **not** of strategic relevance or of significance to local government in line with the Rules will be the subject of follow-up communication with the submitting council's designated representative, then reviewed by the MAV CEO, and finally by the MAV Board, who will determine whether the motion is submitted for State Council consideration.

Motions or items which relate to the same subject may be consolidated into a single matter, with such amendments as the Board in its discretion determines are warranted, prior to inclusion in the business papers and circulation to delegates.

The resolutions passed at previous MAV State Council meetings can be found on the MAV State Council website.

Report

The MAV State Council Meeting will be held in Melbourne August 23, 2024. Motions for the August meeting must be submitted online using the State Council Motion Submission Form.

The form requires the submitting Council to confirm:

1. the motion has been the subject of a council resolution (and the date of the council meeting);
2. whether the motion or item is of strategic relevance to the Association or of such significance to local government that it ought to be considered at the meeting;
3. the motion is not repetitive in form or substance of a motion or item considered at the most recently held meeting of the State Council; and
4. a primary and secondary contact details for each motion to enable MAV communication on the motion prior to the State Council meeting.

Cr Margaret O'Rourke OAM has prepared the following submission:

Motion Title:
Requesting MAV to provide the outcomes from previous MAV Motions from State Council meetings within the 2020-2024 Council term, and the status of these motions.

Motion Text:
The City of Greater Bendigo is seeking data on the number of motions received and adopted by the MAV. The number that have been resolved; and a summary of the outcomes that have resulted through these motions.

Rationale for Motion:
The City of Greater Bendigo would like to understand the completion rate and value that MAV offers for Local Government Areas through State Council process. What significant outcomes and policy changes have occurred through the advocacy of State Council in the current Council term. How often are outstanding motions reviewed that do not progress and what happens to these. Considering the tight financial constraints Councils are finding themselves in, how do we ensure the continued value of MAV or this model.

Priority/Importance

All Motions must be submitted by midnight June 24, 2024 after endorsement by Council.

Timelines

Task	Due Date
Motion submissions close	June 24, 2024
MAV State Council Meeting	August 23, 2024

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 4 - Leadership that sets a standard for good governance and integrity in action, working in partnership with regional Councils

Other Reference(s)

About MAV
MAV Strategic Plan 2024-2027

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Nil

15.2. COUNCILLOR LED MOTION FOR MAV STATE COUNCIL MEETING (CR ALDEN)

Author:	Tiffany O'Connell, Governance Officer - Mayoral Support
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

The purpose of this Report is for Council to endorse the Motion, drafted by Councillor Jennifer Alden, for submission to the Municipal Association of Victoria (MAV) State Council Meeting.

Recommended Motion

That Council:

1. Endorse the Motion prepared by Cr Jennifer Alden for submission to the Municipal Association of Victoria State Council Meeting on August 23, 2024; and

2. Authorise the Chief Executive Officer to make any minor changes to improve the wording of the motion and/or to update the motion relative to any changes to the issue that may have occurred between the Council Meeting and the date of lodgement with the MAV.

Background

The Municipal Association of Victoria (MAV) is a membership association and the legislated peak body for local government in Victoria.

The MAV Rules 2022 (the Rules) require motions to be of strategic relevance to the MAV or of such significance to local government that they should be considered by State Council. It is encouraged that motions be aligned with the 10 enabling priorities in the new MAV Strategic Plan 2024-2027.

Motions received and initially assessed as **not** of strategic relevance or of significance to local government in line with the Rules will be the subject of follow-up communication with the submitting council's designated representative, then reviewed by the MAV CEO, and finally by the MAV Board, who will determine whether the motion is submitted for State Council consideration.

Motions or items which relate to the same subject may be consolidated into a single matter, with such amendments as the Board in its discretion determines are warranted, prior to inclusion in the business papers and circulation to delegates.

The resolutions passed at previous MAV State Council meetings can be found on the MAV State Council website.

Report

The MAV State Council Meeting will be held in Melbourne August 23, 2024. Motions for the August meeting must be submitted online using the State Council Motion Submission Form.

The form requires the submitting Council to confirm:

1. the motion has been the subject of a council resolution (and the date of the council meeting);
2. whether the motion or item is of strategic relevance to the Association or of such significance to local government that it ought to be considered at the meeting;
3. the motion is not repetitive in form or substance of a motion or item considered at the most recently held meeting of the State Council; and
4. a primary and secondary contact details for each motion to enable MAV communication on the motion prior to the State Council meeting.

Cr Jennifer Alden has prepared the following submission:

Motion Title:
Circular Economy

Motion Text:
That the MAV advocates to the Victorian Government for greater investment in programs, policy, community education, infrastructure and market development that achieves higher order outcomes under the waste hierarchy. This includes waste avoidance, reuse and recycling, to help accelerate the transition to a circular economy.

Motion Rationale:
State Government support for expansion of thermal Waste to Energy facilities, with a 1 million tonne cap on Waste to Energy, appears to be at odds with the achievement of higher order outcomes under the waste hierarchy of waste reduction, reuse and recycling. Certain waste products, such as those derived from fossil fuels eg. plastics, are not deemed eligible renewable energy sources under the Victorian Renewable Energy Act 2006, and 'renewable energy source' is not a concept in the Circular Economy (Waste Reduction and Recycling) Act

2021. The rationale for any proposed advantage of Waste to Energy technology that bypasses increased emphasis on resource recovery requires justification from both an economic and environmental viewpoint in the state's transition to a Circular Economy.

Priority/Importance

All Motions must be submitted by midnight June 24, 2024 after endorsement by Council.

Timelines

Task	Due Date
Motion submissions close	June 24, 2024
MAV State Council Meeting	August 23, 2024

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 4 - Leadership that sets a standard for good governance and integrity in action, working in partnership with regional Councils

Other Reference(s)

About MAV
MAV Strategic Plan 2024-2027

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Nil

15.3. CONTRACTS AWARDED UNDER DELEGATION

Author:	Corinne Fisher, Procurement Officer
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

To inform Council of contracts signed under Delegation.

Recommended Motion

That Council note the contracts awarded under delegation during the previous reporting period.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Contracts Awarded Under Delegation Council Report June 2024 [**15.3.1** - 1 page]

Capital Contracts							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Practical Completion	Budget
CT000705	Spring Gully Recreation Reserve – Cricket Training Nets Upgrade	SEF Services Pty Ltd	Stacy Williams	17-May-24	$282,205.12	12-Sep-24	$309,250.00
Service Contracts							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Contract Term & Options	Budget
CT000699	Provision of Artwork Freight – Bendigo Art Gallery under an Open Panel Contract Arrangement	IAS Logistics Pty Ltd & Global Specialised Services Pty Ltd	Andrew Cooney	29-May-24	Schedule of Rates	3 Years with the option of 1 x 2 years	International Exhibitions - $1,000,000.00 Non-International Exhibition $300,000.00 per annum
Contracts Awarded at Council							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Practical Completion / Contract Term & Options	Budget

15.4. UPDATE TO INSTRUMENT OF DELEGATIONS

Author:	Therese Pritchard, Legal Officer
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

The purpose of this report is to seek endorsement of amendments to instruments that govern delegations and the appointment of authorised officers under the planning legislation.

Recommended Motion

It is recommended that Council:

1. approve the attached updates to the S6 Instrument of Delegation, noting the balance of S6 remains unchanged;
2. approve the attached S11A Instrument of Appointment and Authorisation; and
3. authorise Council officers to take the necessary administrative steps to incorporate the approved amendments and have the instruments signed by the CEO as new versions.

Each instrument will come into force immediately upon being executed by the CEO.

Executive Summary

S6 Instrument of Delegation

The S6 Instrument delegates certain powers directly from the Council to members of Council staff and is updated to reflect legislative and organisational changes. Whilst most statutory powers vested in Council are delegated to the CEO (and subsequently sub-delegated to staff), some legislation includes its own specific provisions regarding delegation which trump the general powers of CEO sub-delegation under the *Local Government Act*. Therefore, the updated S6 Instrument of Delegation requires approval from Council.

S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

Due to the specific nature of the power to appoint under the *Planning and Environment Act 1987*, this S11A Appointment and Authorisation is to be made by Council and not by delegates.

Background

An instrument of delegation is a written document that specifies what powers are delegated and to whom.

Delegations empower employees with the authority to make binding decisions on behalf of the Council. This enables timely decisions to be made on the front line, by employees or committees with the specialised knowledge required.

Council currently delegates:

- Duties and powers to the CEO (subject to several limitations). The delegation is set out in the S5 Instrument of Delegation from Council to Chief Executive Officer authorised by Resolution of Council on 19 August 2020 and reviewed and approved by Council on 19 July 2021.

- Legislative powers to specific members of staff. These powers are set out in the S6 Instrument of Delegation from Council to Members of Council Staff last authorised by Resolution of Council on 11 December 2023.

- S18 Instrument of Sub-Delegation from Council to Members of Council Staff under the *Environment Protection Act 2017* authorised by Resolution of Council on 11 December 2023.

Appointment as an Authorised Officer involves Council appointing a person to a statutory position. Once a person is appointed as an Authorised Officer by Council, that person has the statutory powers of that position.

Whilst Authorised Officers are not exercising the powers of Council, they are employees of Council and therefore exercise the powers of their statutory position on behalf of Council in accordance with policies, business rules and usual practices.

Report

The S6 Instrument relates to Council powers, duties and functions within various Acts and Regulations (or specific parts of those Acts or Regulations), which contain a specific power of delegation. This delegates certain powers directly from Council to Council staff due to the legislation referred to containing specific powers of delegation.

The following changes have been made to the S6:

- Sections 125 and 149B of the *Planning and Environment Act 1987* have been inserted.
- The CEO is named as a delegate in this instrument (in addition to having a S7 instrument) on advisement from Maddocks Lawyers.

Typically, appointments of Council's Authorised Officers are made by Directors, under sub- delegation from the CEO. This process keeps the decision of appointment at an appropriate level and enables the timely appointment of Council staff moving into positions which require them to be Authorised Officers.

The S11A Instrument of Appointment and Authorisation *(Planning and Environment Act 1987* appoints and authorises an officer/s to institute proceedings for offences against the *Planning and Environment Act 1987*. The Act specifically requires that the appointment of authorised officers is made by Council.

The updated instruments were amended to incorporate changes in position titles and other information provided by work units.

Communications/Engagement

Consultation was undertaken with the units impacted by the legislative amendments. With the feedback received, the instruments were revised prior to a final version being developed. The suite of instruments was then considered by EMT.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making
Goal 4 - Leadership that sets a standard for good governance and integrity in action, working in partnership with regional Councils

Other Reference(s)

Adherence to legislative obligations under the *Local Government Act 2020* and the Delegations and Authorisations Policy.

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. S 6 Instrument of Delegation - Council (new) [**15.4.1** - 3 pages]
2. S 11 A - Instrument of Appointment PE Act [**15.4.2** - 2 pages]

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - NEW & CHANGED

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

Note - Exported provisions are separated into NEW and CHANGED groupings, sorted by Delegation Source and Section.

17 APRIL 2024

NEW and CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
703127 NEW	Planning and Environment Act 1987	s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	Director Strategy and Growth, Chief Executive Officer	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.
703128 NEW	Planning and Environment Act 1987	s 149B	Power to apply to the Tribunal for a declaration.	Director Strategy and Growth, Manager Statutory Planning, Chief Executive Officer, Coordinator Statutory Planning	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
699094	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 15(3)	Power to determine where certificate of transfer of registration is displayed	Manager Community and Environmental Health, Environmental Health Officers, Environmental Health Technician, Coordinator Environmental Health, Team Leader Environmental Health	

S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Greater Bendigo City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Ross Douglas
Peter O'Brien
Ray Chalkley
Rachel Lee
Michael St Clair

By this instrument of appointment and authorisation Greater Bendigo City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

2. under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked and
- is automatically revoked immediately upon the officer ceasing employment with the Council o

This instrument is authorised by a resolution of the Greater Bendigo City Council on 24 June 2024 and executed on behalf of Council by the CEO pursuant to that resolution.

……..

Signature

Andrew Cooney
CEO
Greater Bendigo City Council

Date: insert

15.5. GOLDFIELDS LIBRARY TRANSITION

Author:	Stacy Williams, Director Healthy Communities and Environments
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

Purpose

To provide information on actions and proposed process in transitioning public library services (Goldfields Library Corporation) to a Beneficial Enterprise under Section 110 and 111 of the Local Government Act 2020.

Recommended Motion

That Council:

1. Commit to establishing and transitioning service to a new Library Service Beneficial Enterprise under section 110 and 111 of the Local Government Act, 2020

2. Delegate the GLC Board to undertake the necessary steps to progress the relevant legal and financial steps required to transition to Library Service Beneficial Enterprise under section 110 and 111 of the Local Government Act, 2020

3. Note that a further report will come back to Council to endorse the new Beneficial Enterprise constitution.

Executive Summary

With current Regional Library Corporations no longer covered in the Local Government Act 2020, all Councils currently part of a Regional Library Corporation, are required to transition their public library service to a new service model by 2030. Some Corporations have now undertaken that work and the GLC Board and CEO have undertaken preliminary work in preparation for this change.

This report provides an overview of the best value analysis and risk assessment undertaken to help inform Council decision making to progress the establishment of a Beneficial Enterprise for the purpose of collectively managing library services.

The report provides multiple evidence sources that support the following conclusions:

1. Broadly, a collective model produces an economy of scale that results in savings for member Councils.

2. Specifically, GLC is one of the most effective and efficient public library services in Victoria resulting in some of the highest levels of service in the state.

3. The VAGO report on all Council libraries in Victoria **found that GLC was the most efficient service in the state** based on comparable and measurable data across all services.

4. GLC cost per capita is $36.39 compared to a state average of $41.36. This cost is $5.00 less per capita, equating to a $1Mil saving annually compared to the average cost to run public library services in Victoria.

5. GLC delivers a quality service at a cost to Council that is relatively very low and also attracts funding from other sources at a substantial level, to supplement this core Council funding.

This assessment enables the GLC Board to conclude that the public library service should continue to be delivered using a collective approach as it represents best value, with the preferred approach being that of a Not-for-Profit Company limited by guarantee.

This model was preferred as it provides a very close fit to the existing operation and meets the requirements of the Local Government Act 2020 for a Beneficial Enterprise. Seven of the ten Regional Library Corporations have either completed or are in the process of transferring services to this management model.

The process of transitioning GLC to this new model is also outlined in the report.

Given two Regional Library Corporations have now completed this process and are operating under this model as new entities, the detail available is adequate to give a clear picture of how the new entity would operate.

GLC Board have set aside funding to cover the costs associated with the transition to a new entity under the Not-for-Profit Company model.

Background

The Local Government Act 2020 removes the sections from the Local Government Act 1989 (s.196) providing for Regional Library Corporations and instead provides for the establishment of Beneficial Enterprises (s.110 and 111 of the LG Act 2020).

This approach is aimed at allowing Councils to consider delivering any service, including libraries, that might benefit from a collective approach with other Councils to provide economies of scale or improved service levels for any Council delivered service.

Due to the removal of Regional Library Corporations sections within the Local Government Act 2020, Regional Library Corporations must be dissolved by July 1 2030 as part of a sunset clause provided in the legislation.

Prior to the Local Government Act 2020, just over half the public library services in Victoria were provided through Regional Library Corporations (44 of 79 services) and the model particularly served regional areas well in creating collective economic benefit.

Since this change to the Act, the following actions have taken place across the Regional Library Corporations.

West Gippsland RLC **New entity: Myli**	Bass Coast Shire, Baw Baw Shire and South Gippsland Shire	Moved all Councils and combined Cardinia Shire into an NFP Company limited by guarantee.
Eastern RLC **New entity: Your Library**	Knox City, Maroondah City, Yarra Ranges Shire	Moved all Councils into an NFP Company limited by guarantee.
Casey Cardinia RLC **New entity: Connected Libraries**	Casey City, Cardinia Shire	City of Casey has approved the NFP model and will be a single member of this company whilst Cardinia has merged with the new West Gippsland model also an NFP Company limited by guarantee.
Geelong RLC	Golden Plains Shire, Greater Geelong City, Borough of Queenscliffe, Surf Coast Shire	Resolution by Board move to a Not for Profit (NFP) Company limited by guarantee and this now includes Colac Otway Shire.
Goulburn Valley RLC	Moira Shire, Greater Shepparton City, Strathbogie Shire	All member Councils, have approved the move to an NFP company and will remain a shared service.

Yarra Plenty RLC	Banyule City, Nillumbik Shire, Whittlesea City	All Councils committed to a shared service and Board has recommended moving to an NFP limited by guarantee. Legal consultants are now drafting a constitution.
Whitehorse Manningham RLC	Manningham City, Whitehorse City	Currently still operating as an RLC without further action at this time.
Wimmera RLC	Hindmarsh Shire, Horsham Rural City, Northern Grampians Shire, West Wimmera Shire, Yarriambiack Shire	RLC dissolved. Hindmarsh Shire now run a Council service. Northern Grampians has joined the Central Highlands Library Network (administered by Ballarat Council). Horsham Council runs services for Horsham and West Wimmera Shire. Yarriambiack Shire runs small libraries and a library van service.
Corangamite RLC	Colac Otway Shire, Corangamite Shire, Moyne Shire, Warrnambool City	Dissolved – Warrnambool Council run their single library service (Warrnambool Library) with some services purchased from Yarra Plenty RLC. Colac Otway Shire have joined with Geelong RLC and will move to the new NFP company. Corangamite and Moyne Shire provide a combined service, coordinated by Moyne Shire Council, with each Council employing staff directly.

The Goldfields Library Corporation Board and CEO have undertaken preliminary work to both review the current library service and provide for informed decision-making for each member Council in considering a commitment to continue providing services as a collective.

This preliminary work by GLC has included the following elements:

Service Review/Value Analysis (see Attachment 1):
An independent review of service level and investment for GLC member Councils compared to statewide library services and other Regional Library Corporations. This

includes findings from the statewide service review undertaken by the Victorian Auditor General's Office as well as statewide figures collated by Public Libraries Victoria.

Financial Analysis:
Specific financial analysis of the cost of the service compared across the state and comparative to individually delivered Council services. Developed independently by City of Greater Bendigo Financial Services using financial data from GLC.

Risk Assessment (see Attachment 2):
Assessing and mitigating risk associated with movement to any new model with particular questions answered on the most common and preferred model- a not for profit company limited by guarantee.

Accounting and legal service support requirements:
Ensuring expert advice on any transition to enable all accounting standards and legal requirements for dissolution and transfer of business to a new service model to be met under Section 110 and 111 of the Local Government Act, 2020.

Environmental Analysis :
Analysis of the public library sector and the approaches taken, including research findings on those Regional Library Corporations that have moved to a new model.

The finding of these reports are summarised in the body of the report below and detailed in the attachments to this report.

Report

Service Review and Value Analysis
The Service Review and Value Analysis for GLC has been completed by independent consultants, I and J Management Services who also collate and analyse annual statewide library performance data in Victoria and developed the National Standards and Guidelines for Australian Public Libraries. (Full service review provided as Attachment 1 to this report)

The report noted the following key findings:

1. The statewide VAGO audit released in November 2019 ranked Goldfields Library Corporation as the **most efficient service at delivering core services compared to all other public libraries in Victoria.** (see Data Envelopment Analysis Results, pg. 79, VAGO Council Libraries Audit)

2. The VAGO report noted that "*Sharing services makes libraries more efficient, enabling them to deliver more services to the community with fewer resources.*

Our data analysis shows that, overall, RLCs and co-operative models deliver core library services more efficiently than most standalone council libraries. "(VAGO Council Libraries Audit, page 23)

3. The cost per capita to fund GLC services is around $5.00 per capita **less** than the Victorian average. This equates to an approximate $1,000,000 saving in comparison to the average cost to provide library services in Victoria. GLC funding per capita is $36.39 inclusive of both Council and other funding sources. Regional Library Corporations in general had far lower average per capita expenditure than stand-alone services:

    - Goldfields Libraries: $36.39 per capita
    - Victorian Library Average: $41.36 per capita

4. GLC is able to invest in a dedicated group of managers and strategic leadership to coordinate effort across the region because of the collective investment and management approach. This leads to efficiencies in service delivery through coordinated and shared programs, staff and physical resources.

5. GLC has capacity to attract diverse funding sources using internal resources. Of all services, GLC had the fifth highest income from other sources outside government of all services in Victoria.

6. GLC attracts and retains staff because (unlike single-LGA libraries, especially those in regional and rural areas) it can leverage the resources of the four member Councils' collective investment in people and systems that deliver a community and customer focused service.

7. A collective approach has specific areas where collective benefits are tangible and can be supported with evidence. These include:

    i. Movement of staff across municipalities to ensure continuity of operations, allowing efficiency in direct service delivery workforce and ensuring smaller libraries are staffed and are backed up and remain open when absences occur. GLC regularly has staff crossing municipal boundaries and working across multiple branches.
    ii. Collective arrangements and partnerships that benefit all municipalities are negotiated with partners at local, state and national levels. GLC negotiates services with organisations such as the Sydney Writers Festival, Orchestra Victoria, Australian Ballet to deliver programs across the region.

    iii. Agility to shift focus and respond to community without high level approval or delays that may be required in Council decision making. GLC rapidly

develops partnerships and programs that can benefit Council and community, such as story walks and Healthy Loddon Campaspe initiatives that link directly to delivering Council outcomes.

iv. Dedicated collective resources to strategically plan a community driven service, alongside and aligned with member Councils. In 2019, VAGO noted that "…audited Councils do not document their service plans or link library services to the achievement of overall Council objectives." GLC has consistently developed a defined strategy that outlines measurable outcomes and explicitly aligns with Council plans.

v. Providing a skilled workforce with a diversity of capacity to match library service delivery requirements. GLC has 100 staff with a range of professional accreditation and experience that transfers across the region, supporting management, program delivery and IT support.

vi. Collective agreements with partners and service providers deliver a coordinated and economically scaled level of service across all member Councils. Agreements for library management systems (catalogue, collection management, rostering, IT security, email, website) are all collectively negotiated by GLC at significant saving.

vii. A dedicated management structure focused on library industry best practice and library operations management. Collective structures provide dedicated management resources, focused solely on library services. GLC provides a CEO, senior operational managers and dedicated technical managers for IT, Collections, Programs and Communications, removing the need for any day-to-day management resource from Council at any level.

Priority/Importance

The GLC Board sees this step as a commitment from each member Council to progressing the formation of a Beneficial Enterprise. This step is crucial for several reasons. This includes:

1. The collective commitment from all member Councils toward a clear outcome allows GLC to confidently invest funds in the process- there are significant costs associated with undertaking this work that will require legal and accounting consulting services.

2. Certainty for library staff – providing a commitment to move to a Beneficial Enterprise provides certainty and stability for all 100-library staff across the region.

3. Based on the experience of both RLC's that have completed the process, the transition has taken around 18 months to two years to move from establishing a new entity through to transferring resources and winding up the existing RLC. With a deadline of 2030, this work is seen as important to get underway, so completion occurs in 2026/27 at the latest.

Options Considered

The GLC Board explored several options as part of the transition planning.

Option 1 – Not recommended

Dissolve the Library Corporation and member Councils deliver individual library services. This option is not recommended as financial and service review and value analysis suggest that there is greater benefits across the board for the collective service delivery model.

Option 2 – Recommended

GLC Board undertake the necessary work to develop a beneficial enterprise and transition GLC to the new entity.

Timelines

The following briefly outlines the work to date and expected process following this report.

June 2023: Completed
Undertake analysis and review of service value and financial analysis for Board decision and support due diligence for Councils.

December 2023: Completed
Board decision to recommend to member Councils a transition to a Not-for-Profit Company as a preferred collective approach under the Beneficial Enterprise (s. 110 of the 2020 LG Act).

March 2024: Completed
Invitation to attend information session for all member Councils as a Q and A session on findings and information.

May/June 2024: **Outlined in this report**
Reports to each member Council to formally endorse commitment to and progress of Beneficial Enterprise transition.

July 2024:
Proceed with both legal and accounting consultation to develop new library agreements and undertake dissolution of Regional Library Corporation.

May 2025:
Return to Councils with agreed constitution and library service agreement for final endorsement.

July 2025:
Commence operations of new Beneficial Enterprise.

December 2025:
Finalise winding up of North Central Goldfields Regional Library Corporation.

The commencement of legal proceedings to establish a new entity through to the final winding up of the existing Corporation has involved an 18-month process with other RLC's and has associated costs of around $100,000-150,000. All costs will be covered by GLC.

Communications/Engagement

Consultation and work to date has been done by GLC Board who represent the member Councils.

Further community consultation may be considered throughout the transition period.

Financial Sustainability

This model of service delivery has been analysed at a local and state level with results consistently showing that the provision of library services as a collective approach is highly efficient and provides a valued and effective service.

Moving to a library service delivered through a single Council approach is noted as less effective and/or more costly based on data analysed and evidence presented by VAGO and the Service and Value Analysis commissioned by the GLC Board.

The cost to make the transition is covered by the existing Corporation and will require no further funding from Council.

Risk Assessment

As noted above, several independent reviews have assessed the risk of not continuing to provide a shared service approach with the requirement for each Council to establish a new leadership and management structure, increase

requirements for Corporate Services and ensure staffing levels are increased locally to cover absences and specialist roles. The risk assessment undertaken by Know Council is provided as an example and case study of the internal risk assessment undertaken.

GLC has also undertaken an initial risk assessment based on risk assessments provided by the Regional Library Corporations that have transitioned to new entities. This can be viewed in its entirety at Attachment 2.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making
Goal 4 - Leadership that sets a standard for good governance and integrity in action, working in partnership with regional Councils

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Goldfields Library Corporation - A Value and Efficiency Analysis of Collective Services [**15.5.1** - 22 pages]
2. GLC Collective Model Transition Risk Assessment [**15.5.2** - 13 pages]


A Value and Efficiency Analysis of Collective Library Services.
2023
Goldfields Library Corporation

An analysis of Collective Management and Provision of Public Library Services based on a value and efficiency framework.

Goldfields Library Corporation (GLC) is one of the largest collective public library services in Victoria, serving four Local Government Areas (LGAs) in Central Victoria.

GLC was established as a Regional Library Corporation (RLC) in 1996 under the provisions of the *Local Government Act (1989).* The Act allowed Councils that chose to collaborate, to deliver library services at a scale that provided best value for the collective funds invested with the intent of creating economies of scale and shared value.

Changes to the Local Government Act in 2020 removed the legal structure of Regional Library Corporations as an option and requires all RLC's to transition to a new governance model by 2031.

The first decision for each of GLC's four member Councils is whether they wish to continue in some sort of shared service approach or to individually deliver library services to their community as stand-alone Council services.

All Victorian public library services were audited in 2019 by the Victorian Auditor General's Office (VAGO), as a lead up to the proposed changes to the Local Government Act. RLC's were noted by VAGO as generally being the most efficient approach to providing good value library services. In addition to economies of scale that create efficiencies in service delivery, it is also pertinent to consider the value to member Councils and communities that is delivered through collaboration in a dedicated regional library service.

This briefing paper seeks to provide a structured review of the potential value and potential economies of scale that may be developed through collective delivery of public library services. The framework for analysis is drawn from the APLA/ALIA *Standards and Guidelines for Australian Public Libraries*. Specific GLC case study examples are used where possible to illustrate the potential value and efficiencies of a collective approach.

Executive Summary

1. Goldfields Library Corporation (GLC) was formed in 1996 under s. 196 of the Local Government Act 1989 and delivers library services to 200,000 people in four LGAs in central Victoria – the City of Greater Bendigo and Loddon, Macedon Ranges and Mount Alexander Shires.
2. The Local Government Act (2020) removed the section providing for Regional Library Corporations, giving all Corporations and member Councils a 10-year timeframe to shift to a new structure for library service delivery.
3. Independent analysis by both the Victorian Auditor General's Office (VAGO) and Libraries Victoria shows that GLC is **one of the most efficient and well-performed Victorian libraries**, delivering positive outcomes for its community in terms of literacy and lifelong learning, personal wellbeing, social and digital inclusion, and community resilience.
4. The statewide VAGO audit released in November 2019 ranked Goldfields Library Corporation as the **most efficient service at delivering core services compared to all other public libraries in Victoria.**
5. The cost per capita to fund GLC services is around $5.00 per capita less than the Victorian average. This equates to an approximate $1,000,000 saving in comparison to the average cost to provide library services in Victoria.
6. GLC is able to invest in a dedicated group of managers and strategic leadership to coordinate effort across the region because of the collective investment and management approach (provision of a representative Board and executive management team). This leads to efficiencies in service delivery through coordinated and shared programs, staff and physical resources.

7. GLC attracts and retains staff because (unlike single-LGA libraries, especially those in regional and rural areas) it can leverage the resources of the four member Councils' collective investment in people and systems that deliver a community focused and customer focused service.

8. A collective approach does not deliver significant benefits across all aspects of library operations, but there are areas where the benefits are tangible and can be supported with evidence. These include:

    i. Movement of staff across municipalities to ensure continuity of operations, allowing efficiency in direct service delivery workforce.

    ii. Collective arrangements and partnerships that benefit all municipalities.

    iii. Agility to shift focus and respond to community without high level approval or delays that may occur in Council decision making.

    iv. Dedicated collective resources to strategically plan a community driven service, alongside and aligned with member Councils.

    v. Providing a skilled workforce with a diversity of capacity to match library service delivery requirements.

    vi. Collective agreements with partners and service providers that delivers a coordinated and economically scaled level of service across all member Councils.

    vii. A dedicated management structure focused on library industry best practice and library operations management.

9. The review presents multiple, specific examples and evidence that collective investment, particularly in regional and rural areas can deliver higher value outcomes through the recruitment of specialist staff that improves strategic capability and results in innovation, community aligned outcomes and industry leadership.

10. Of the ten pre-existing Regional Library Corporations across the state (representing 44 of 79 Councils), the following actions have occurred:

    - Three have now moved to a new structure (a Not for Proft Company limited by guarantee)
    - Four have board approval and Council commitments to move to a Not for Profit Company Limited by Guarantee
    - Two have dissolved and restructured either as shared services or stand-alone Council libraries.
    - One has yet to make any decision on a future delivery model
    - GLC Board has approved the development of information and a report for all member Councils to work towards a collective Beneficial Enterprise, particularly the Not-for-Profit Company limited by guarantee.

1. INTRODUCTION

This review analyses and quantifies the efficiency and value potential of a collective approach to management and delivery of public library services and has been undertaken for the Board of the Goldfields Library Corporation by Corporation staff and I & J Management Services (IJMS).

IJMS is an independent library consulting service based in Sunbury, Victoria. IJMS wrote *Guidelines, Standards and Outcome Measures for Australian Public Libraries* for the Australian Public Library Alliance (APLA) and Australian Library and Information Association (ALIA) in 2016. IJMS updated the national standards and guidelines for APLA/ALIA in 2021. Among other planning and review work for libraries across Australia, in the last 8 years IJMS has undertaken comprehensive service reviews for Corangamite RLC (2016), Wimmera RLC (2018), Glenelg Shire (2020), Murrindindi Shire (2022), Mitchell Shire (2022-2023), Northern Grampians Shire (2023) and Wellington Shire (2023). IJMS has also developed strategic library plans for Geelong RLC (2017) and the Central Highlands Library Network (2021). Annually since 2013-14, IJMS has, for Public Libraries Victoria (PLV), compiled and analysed statistical and financial data for all Victorian public library services to inform statewide planning and advocacy activities.

2. GOLDFIELDS LIBRARIES – EVIDENCE OF A HIGH-PERFORMING LIBRARY SERVICE

Independent and separate analysis of GLC's operating efficiency, service provision and use indicate that GLC is one of Victoria's most efficient and consistently well-performed libraries. This is a vital consideration in any individual Council's decision about its future library service model.

2.1. VAGO 2019 audit

In November 2019, the Victorian Auditor General's Office (VAGO) released a study reviewing the efficiency and effectiveness of public library services across Victoria. VAGO's primary source data included information on library staff numbers, collection size, loan numbers and opening hours compiled through the annual PLV statistical survey. The VAGO analysis broadly showed that:

- overall, Regional Library Corporations and co-operative models were more efficient than stand-alone Council libraries because their longer opening hours and higher volume of loans offset their larger investments
- rural Councils tended to be more operationally efficient than metropolitan ones, as they have found ways to deliver core library services to their communities with less financial investment, for example, by sharing facilities with other Council or community services.

VAGO noted that at the time, 'shared library services' were used by 44 of 79 local governments in Victoria (56%) and generally fell into one of two models.

- Regional Library Corporations – Under the *Local Government Act (1989)* two or more councils can form an RLC, a separate legal entity to its member Councils that matches some of the provisions under the Act that apply to Councils. For example, RLCs must publish their own annual report and develop a four-year Library Plan which outlines their strategic objectives. VAGO noted that the new Local Government Act proposed the abolition of the Regional Library Corporation as an entity formed under the Act, which duly occurred, with a 10-year time period to transition to new arrangements.
- Co-operative models – The co-operative model is where one Council library service delivers or leads key operational activities on behalf of neighbouring councils (for example, collections management, purchasing and technological support). Rather than form a separate legal entity,

the councils in this model use a service agreement to define roles, responsibilities, and the cost of services.

VAGO's conclusion on a shared services approach was clear.

> *"Sharing services makes libraries more efficient, enabling them to deliver more services to the community with fewer resources. Our data analysis shows that, overall, RLCs and co-operative models deliver core library services more efficiently than most stand-alone council libraries."*

VAGO had ranked all library services in the state in terms of efficiency and effectiveness based on a Data Envelopment Analysis covering comparable variables that included both inputs (Employee FTE, Collection size) AND outputs (Loans, Opening hours, Program attendance).

The ranking table below is taken directly from the VAGO report and places GLC as the most efficient service when considering both core library services and the delivery of programs and events.

Data Envelopment Analysis results, Victorian Libraries VAGO 2019 Report

Library	Service delivery model	Core library services	Programs and events
Goldfields RLC	**RLC**	**1.00**	**1.00**
Glenelg Shire	Council	1.00	1.00
East Gippsland Shire	Council	1.00	1.00
Towong Shire	Council	1.00	1.00
Indigo Shire	Council	1.00	1.00
Eastern RLC	RLC	1.00	1.00
Whitehorse Manningham RLC	RLC	0.90	0.90
Yarra Plenty RLC	RLC	0.87	1.00
Glen Eira City	Council	0.84	1.00
Murrindindi Shire	Council	0.82	0.96
Casey-Cardinia RLC	RLC	0.82	0.82
Mornington Peninsula	Council	0.81	0.81
West Gippsland RLC (now Myli)	RLC	0.78	0.89
Campaspe Shire	Council	0.74	0.79
Central Highlands Network	Co-operative	0.73	0.73
Geelong RLC	RLC	0.69	0.86
Corangamite RLC	RLC	0.68	0.68
Gannawarra Shire	Council	0.67	0.68
Hobsons Bay City	Council	0.67	0.91
Wyndham City	Council	0.65	0.73
Mitchell Shire	Council	0.63	0.95
Melbourne City	Council	0.63	0.71
Goulburn Valley RLC	RLC	0.63	0.78
Monash City	Council	0.62	0.69
Yarra City	Council	0.60	0.69
Darebin City	Council	0.60	0.60
Boroondara City	Council	0.60	0.60
Stonnington City	Council	0.59	0.59
Moonee Valley City	Council	0.59	0.78
Greater Dandenong City	Council	0.59	0.60
Melton City	Council	0.56	0.82
Wellington Shire	Council	0.56	0.66

Library	Service delivery model	Core library services	Programs and events
Frankston City	Council	0.56	0.58
Maribyrnong Shire	Council	0.55	0.56

At the time of the VAGO report there were 10 RLCs and 2 library networks operating in Victoria. Collaborative approaches have historically been preferred by Councils in regional and rural Victoria as they have allowed smaller councils to achieve service efficiencies through aggregation and economies of scale. In 2019, 71% of regional and rural LGAs had library services delivered through an RLC or library network, compared with only 32% in metropolitan Melbourne.

Service Model	Metropolitan	Regional/Rural	Total
RLC	4 RLCs / 10 LGAs	6 RLCs / 23 LGAs	10 RLCs / 33 LGAs
Library network	-	2 Ntwks / 11 LGAs	2 Ntwks / 11 LGAs
Stand-alone	21 LGAs	14 LGAs	35 LGAs
Total	**31 LGAs**	**48 LGAs**	**79 LGAs**
% in collective model	32%	71%	56% LGAs

The current situation for Regional Library Corporations (RLC) continues to change and over the last four years the following movement has occurred:

- The transition of Eastern RLC to a Not For Profit (NFP) Company limited by guarantee (trading as “Your Library”)
- The transition of West Gippsland RLC to an NFP Company limited by guarantee (trading as your Myli, also joined by Cardinia Council)
- Board agreements to move to an NFP Company limited by guarantee for Goulburn Valley RLC, Geelong RLC, Yarra Plenty RLC and Casey RLC.
- The break up of Wimmera RLC (Hindmarsh and Yarriambiack are now stand-alone, Northern Grampians joined the Central Highlands Network, Horsham provides services to Horsham and West Wimmera)
- the break up of Corangamite RLC (Warrnambool is now stand-alone, Colac-Otway joined Geelong RLC, Corangamite and Moyne continue to collaborate)
- the break up of Casey-Cardinia RLC (Casey is moving to an NFP Company, Cardinia joined Myli).

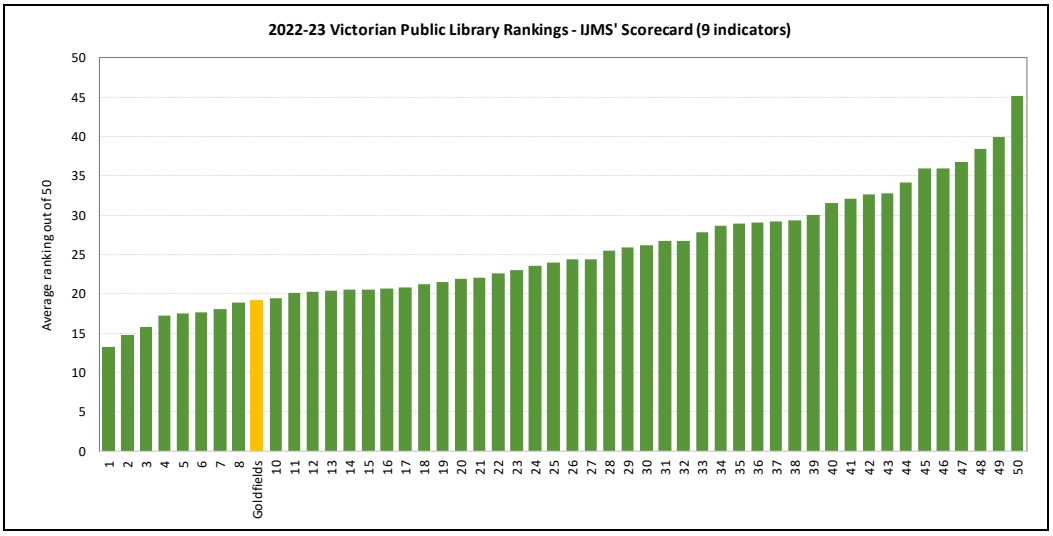
The majority of RLC’s now appear to be moving to a beneficial enterprise as regulated in the Local Government Act with the preferred approach being the Not For Profit Company limited by guarantee. See Appendix 1 for more details.

2.2. Independent library service benchmarking

Since 2013-14 IJMS has been engaged by PLV to manage the collection, aggregation and analysis of annual statistical data from all Victorian public libraries. This data is included in national reporting of library statistics and is used locally for benchmarking and advocacy purposes. All data is published on the PLV website (https://www.plv.org.au/resources/).

IJMS has independently developed a library scorecard that compares the performance of all 50 Victorian library services (excluding Vision Australia). The scorecard combines 9 different indicators of library

service provision, service efficiency and library use. Overall library rankings are based on the performance of each library service against all 9 indicators. Analysis of the 2022-23 PLV survey data indicates that GLC is ranked 9th of 50 Victorian library services.



GLC's highest ranking on the 9 individual indicators is also 9th – for collections items per capita (a measure of the size of fit of the collection to the target population). GLC's overall 9th ranking is based on performing at or above average against 8 of the 9 indicators.

Focus	Indicator	GLC 2022-23	Victoria average 2022-23
Service provision	Funding per capita	$36.39	$41.36
	Staff FTE per '000 population	0.26	0.29
	Collection items per capita	1.24	1.38
Efficiency	Turnover (loans per item)	3.3	4.4
Use	Membership as % of population	30.5%	29.2%
	Visits per capita	3.6	3.1
	Loans per capita	6.1	6.0
	Program attendance per capita	0.34	0.26
Satisfaction	Customer satisfaction	8.9	8.7

The conclusion from this analysis is that GLC is one of Victoria's highest performing library services. And this level of performance is not the result of excellence against any single indicator, but sustained good performance against ALL key library indicators.

As noted in the VAGO analysis, when this performance position is compared against cost of service, VAGO found that GLC ranked highest in the state in terms of return on investment.

It should also be noted that the recent experience of rural Victorian Councils that have left collectives in pursuit of a 'cheaper' library service is not positive.

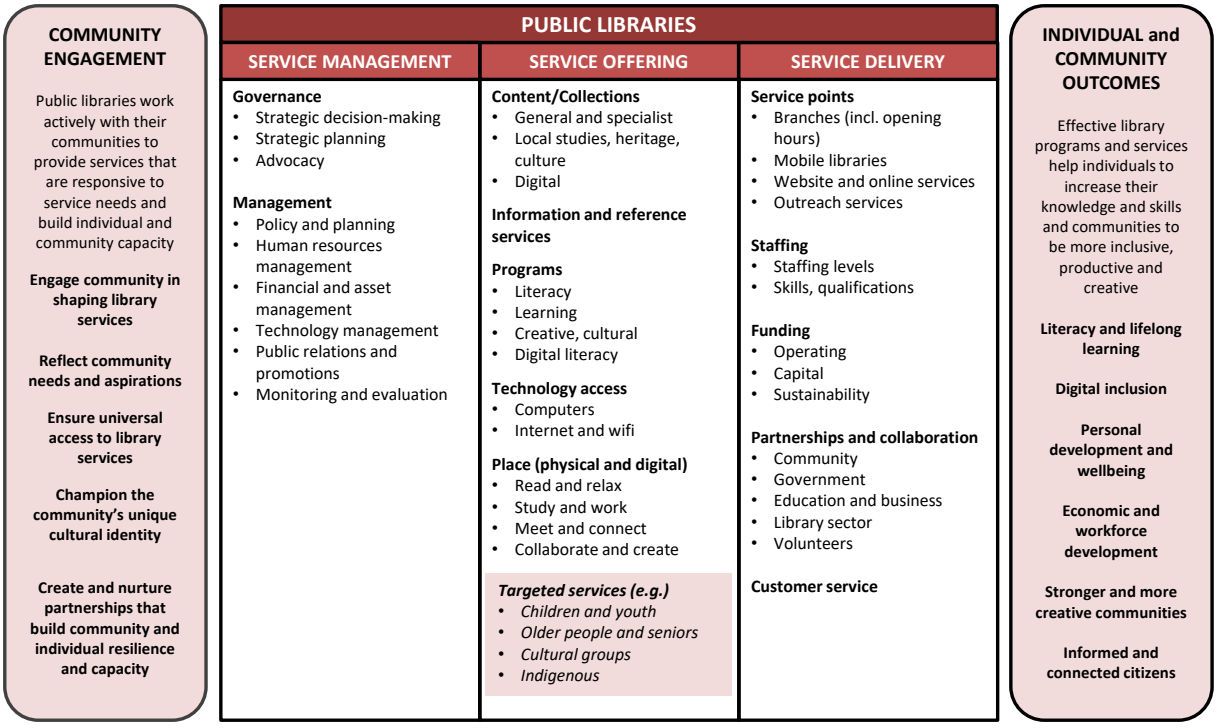
Some have struggled to integrate library services back into Council operations, not fully appreciating the value of dedicated library management, specialist library skills and experience, and industry connections.

As a result, communities in Buloke, Hindmarsh and Yarriambiack (for example) now have access to possibly less costly but fewer and lesser quality library services that rank among the least well-used (on a per capita basis) and lowest performers in the state based on PLV collated data (overall rankings from 43 to 49 out of 50).

3. USING THE FRAMEWORK FOR AUSTRALIAN PUBLIC LIBRARIES TO ANALYSE VALUE.

In 2020 APLA and ALIA released an updated version of *Standards and Guidelines for Australian Public Libraries* (the Guidelines).[1] The Guidelines are presented through a comprehensive framework that brings together and illustrates the essential operational components of a contemporary public library within the Australian context – from strategic community engagement to service governance and management, service offering, service delivery, and the ultimate impact on individual users and the communities that public libraries serve (see diagram below).

A FRAMEWORK FOR AUSTRALIAN PUBLIC LIBRARIES



The Framework indicates five key areas where guidance can be provided to enhance the effective and efficient operation of public libraries.

- At its core, a public library is defined by:
  - i) the services it offers
  - ii) the way it delivers those services to the community
  - iii) the way in which it is managed.

[1] APLA/ALIA, *Standards and Guidelines for Australian Public Libraries*, December 2020.

- The quality and value of the library is defined by:
  i) the way in which it understands and strategically responds to the particular needs of its community
  ii) the extent to which it has a positive impact on library users' knowledge, skills, attitudes and behaviours, and enables communities to be more inclusive, productive and creative.

Investment in public libraries is an investment in the strength, capability and resilience of the community. Therefore, public **libraries must work actively with their communities** to provide services that are responsive to community needs and that build individual and community capacity.

The way in which a public library is **governed and managed** has a significant impact on its capacity to achieve its community-focused goals efficiently and effectively. This includes issues related to:

- leadership, strategic planning and policy, and advocacy
- management of human resources, finance, facilities, capital assets and technology
- public relations and promotions, and monitoring and evaluation.

A modern library offers **five core services** to meet the recreational, educational, social, information and employment-related needs of library users of all ages, interests and backgrounds. These services are:

- physical and digital content and collections
- information and reference services
- reading, literacy, learning, wellbeing, cultural and creative programs
- access to computers, the internet, printers, scanners and other mainstream technology
- places and spaces where people can relax, work, meet, learn, connect and create.

A library's service offerings can be **delivered in different ways** to different users in different places at different times. Traditional and well-loved branch libraries are now complemented by online and outreach services that take the library out and into the community. Libraries are increasingly developing partnerships and alliances with community, education, government and business organisations to leverage resources and broaden access for a wide range of users.

Library programs and services help individuals to increase their knowledge and skills, to change their attitudes and behaviours, and to access information and increase awareness of what is happening in their community. Libraries also have a **positive impact on community, economic and cultural outcomes**.

In its entirety, the Framework provides a structure that can be used to analyse and describe value elements of a shared service model outside of scaled economic efficiency.

4. A VALUE ANALYSIS OF COLLECTIVE LIBRARY SERVICES BASED ON THE NATIONAL FRAMEWORK.

As indicated in Section 3, this analysis steps progressively through the 14 key elements of the Framework for Australian Public Libraries, giving consideration to the value a collective approach may provide under each key heading. For this analysis, the 14 elements of the framework noted below are presented in an order that highlights the value of collective approaches, NOT the sequential order that they appear in the Framework.

4.1. Management
4.2. Staffing
4.3. Partnerships and Collaboration
4.4. Governance
4.5. Community Engagement
4.6. Funding
4.7. Content/Collections
4.8. Programs
4.9 Service Points
4.10. Technology Access
4.11. Individual and Community Outcomes
4.12. Places and Spaces
4.13. Customer Service
4.14. Information and Reference Services

4.1. Service Management – Management

APLA/ALIA Guideline	Establish and implement management policies and approaches that are consistent with the general principles of good organisational management and address the specific requirements of an effective and efficient public library. This includes management of: - library policies and planning - human resources - finance and assets - technology assets and infrastructure - risk management - marketing and promotion - monitoring and evaluation.
Value of a Collective Approach	▪ A collective approach to provision of library services has major implications for the management of high quality community-focused library services. - Pooling resources enables the recruitment of a CEO or high level management team with significantly higher levels of experience, skills and connections than any single LGA Library Manager would possess. This is especially true in regional and rural areas. This has potential to enhance every aspect of organisational performance. - Aggregation of functions across Councils means the collective can also afford to employ middle level staff with **specialist skills and expertise** (e.g. library programming, community engagement, IT). This experience can result in more coordinated management of operations and allows customer-facing library staff to focus on customer service. - Direct control of management functions (e.g. HR, finance, OHS policy, risk management) provides flexibility and agility in organisational decisions.

	- Collective management of a **dedicated library website** efficiently allows for development of a library-focused user interface which enhances the user experience (e.g. eLibrary, online programming).
Specific GLC examples	▪ The ability to employ management that reduces load on Council staff to actively manage operations of the service. ▪ GLC provides dedicated program, collections, operations, HR, IT and outreach managers and coordinators that are overseen by an Executive Officer. This negates the need for each Council to separately consider employment of these positions and provides a coordinated approach both geographically and organisationally. ▪ Ability to deliver specific surveying of community on library service e.g. "libraries of the future" survey that delivered feedback from more than 1000 respondents locally and informed strategic direction for the service. ▪ Capacity to provide inhouse strategic advice to Councils and develop library strategy with no additional resourcing by Councils.

4.2. Service Delivery – Staffing

APLA/ALIA Guideline	Ensure that the size, qualifications, capabilities and mix of the library workforce support delivery of a range of services and programs which meet the needs of the community.
Value of a Collective Approach	▪ Aggregation significantly increases the capacity to attract and retain qualified library staff. ▪ Libraries are a customer service business, with customer satisfaction closely tied to the quality of the professional and personal interactions between library customers and staff. On average, 71% of total library expenditure is on staff costs. ▪ The APLA/ALIA standard is for one staff member (FTE) with industry-recognised qualifications per 10,000 population. At least two Victorian library services currently have no staff with library qualifications. Many rural library services have only one staff member with library qualifications. ▪ A collective approach creates a larger workforce and the opportunity to work with a team of library professionals or community of practice. ▪ A larger workforce also provides the opportunity for: - specialization in key functional areas (e.g. children's services, readers' advisory, programming, IT) - employment of people with a mix of complementary skills relevant in a contemporary library service (e.g. education, community development, social work). ▪ A larger, more qualified and diverse workforce fosters innovation, increases the quality of the service provided and improves community outcomes.
Specific GLC examples	• The ability to transfer staff between municipalities, under a collective agreement, reducing the need for casual and part time staff requirements.

	• The ability to diversify staff skills (IT, story time, STEM, collection managers, youth, catalogue specialists etc.) that operate regionally and share that skill base. GLC employs teachers, early years specialists, science communicators, social workers as well as staff with local government and community development backgrounds. • Dedicated staff that collectively contribute to region wide: IT management and IT staff support Collection management Graphic Design Communications (press, promotions, printing, social media) Program coordination and event management Managing collective partnerships or agreements Attracting and managing significant additional grants money Coordination of Home Library Service, agencies and volunteers.

4.3. Service Delivery – Partnerships and Collaboration

APLA/ALIA Guideline	Develop partnerships and collaborate with individuals and organisations to leverage the complementary knowledge, expertise and resources of the library and partners in order to: - raise awareness of and promote library services to targeted population cohorts, thereby increasing library membership, use and impact - expand service offerings and service delivery options - improve service reach, quality and efficiency.
Value of a Collective Approach	▪ Strategic partnerships with community organisations and Council Departments benefit libraries into two main ways: i) leveraging the resources of both partners to provide service efficiencies; and ii) increasing the reach of the library service into that partner's target audience. These benefits are particularly important in library programming as they enable the library to efficiently offer a more diverse offering to the community. ▪ Collective approaches to library management make it **much more efficient to develop and maintain strategic partnerships**. Rather than each member Council having to manage a partnership with a select organisation (e.g. a book publisher), the collective is able to do this through a single relationship, and often with a staff member who has (or develops) expertise in partnership management. The collective also creates critical mass that is more appealing to potential partners as they can reach more people through a single connection. ▪ The same rationale applies to key industry connections as the collective can more efficiently channel and leverage engagement with PLV, SLV, ALIA, suppliers, etc. -
Specific GLC examples	▪ Orchestra Victoria and Australian Ballet Partnerships- centrally managed with events now having run across all municipalities. ▪ Sydney Writers Festival- partnership to stream live events into local GLC libraries across the region, particularly Macedon Ranges and Mount Alexander Shire.

	▪ Book Publishers, GLC negotiating regionally coordinated author talks that allow for author tours and multiple events across the region. E.g.: William McInnes touring through Macedon Ranges, Mount Alexander and Greater Bendigo or Anne Cleeves touring to Bendigo and Loddon Shire. ▪ Efficient and coordinated agreements with IT organisations or software providers who collectively provide the total library network across all Council areas.

4.4. Service Management – Governance

APLA/ALIA Guideline	Provide governance mechanisms that ensure that the library: - has sound strategic planning and decision-making processes - is accountable to its community and stakeholders for the services it provides - has a voice in advocating to policy-makers, funding bodies and the community the value of public libraries in strengthening community outcomes.
Value of a Collective Approach	▪ The governance models used by Victorian library collectives have both positive and negative aspects. ▪ One positive is that the RLC model reduces the need for immediate internal management of library service within busy Councils ('one less thing to manage'). However, experience has shown that failure to maintain an appropriate level of oversight is a real risk and the library can be disconnected from critical Council decisions ('out of sight, out of mind'). This can be detrimental to both the library and other Council Departments. ▪ A significant benefit of collaboration is the capacity to undertake **dedicated high-level library-focused strategic planning** that is informed by and aligned with Council and regional directions but remains specific to library service delivery. Once again, there are efficiencies in doing this once for the collective rather than each member Council producing separate plans that each individually acknowledge and respond to the same social conditions and industry trends.
Specific GLC examples	▪ The Goldfields Library Plan specifically connects both regional partnership and Council Plan objectives to the Library priorities and actions. This is an active effort of the Board and library executive to align Council and library outcomes from the top down. ▪ Library staff committed to being part of Council working groups and steering committees and ensuring that the Library is noted as one of the services in many Council plans such as Health and Wellbeing, Early Years, Disability, Inclusion and Ageing Well. ▪ Specific and dedicated governance that provides for regular and equal input from all member Councils under an established set of agreed rules (the Regional Library Agreement).

4.5. Community Engagement

APLA/ALIA Guideline	Ensure the scope, delivery and management of public library services is responsive to local community needs and builds individual and community capacity. - Engaging the community in shaping library services - Reflecting community needs and aspirations - Ensuring universal access to library services within the community - Championing the community's unique cultural identity - Creating and nurturing partnerships to build community and individual resilience and capacity.
Value of a Collective Approach	▪ A collective approach to management of library services does not diminish the capacity for local community engagement within a single LGA (e.g. Loddon, Kangaroo Flat). But it does open up the opportunity for agile and focused engagement at a regional level, cognizant of but without having to work through internal Council processes. This can be efficient when exploring the needs of non-geographic communities, for example, young people, seniors, CALD communities, LGBTQIA, writers. ▪ It is also more efficient when engaging with partner organisations that have a regional perspective (see 4.3 Partnerships and Collaboration.
Specific GLC examples	▪ In 2021 GLC ran a Libraries for the Future consultation process involving pop up consultation, surveys and stakeholder interviews, garnering over 1000 responses from local residents about what they would like to see in local libraries. This work informed the Library Plan and strategic development of libraries. ▪ GLC provides dedicated strategic resources focused on community and stakeholder engagement through funded positions such as Engagement Manager, Communications Coordinator, Community Based Services Coordinator and Programs Coordinator. ▪ GLC manages key statewide and regional partnerships with stakeholder groups such as community health, Arts Victoria, Orchestra Victoria etc. that result in value added program and service delivery.

4.6. Service Delivery – Funding

APLA/ALIA Guideline	Fund provision of public library services to at least the minimum level required to sustainably support the local community in meeting its information, educational, recreational and cultural needs.
Value of a Collective Approach	▪ The APLA/ALIA standards note that … *"Very small populations may have significantly higher per capita expenditure due to minimum staffing, collection and infrastructure costs. Large populations (more than 100,000 people) may realise service efficiencies due to economies of scale in collection size, service development and service management."* ▪ In 2022-23, regional library corporations and networks in regional Victoria had **lower average per capita expenditure** ($37.17) than

	metropolitan corporations ($38.02), metropolitan stand-alone libraries ($44.13)[2] and regional stand-alone services ($44.46). ▪ GLC's per capita expenditure in 2022-23 of $36.39 was in line with the average for regional collectives.
Specific GLC examples	▪ With a per capita contribution combined between Council and state government of $36.39, GLC has a lower level of funding per capita than standalone services in either regional or metropolitan Victoria and is slightly lower than the average Corporation funding model. ▪ Council per capita contributions to GLC delivered the 32nd lowest level of per capita funding for libraries across all Councils in 2022-23 (the most recent comparative year available) ▪ GLC was noted by VAGO as having the most efficient ratio of cost or staffing levels in the state, compared to standardised outputs such as program attendance and collection size and movement.

4.7. Service Offering – Content/Collections

APLA/ALIA Guideline	Develop and manage library collections which: - meet the information, education, recreational and cultural needs of the community - foster a love of reading and inspire intellectual curiousity - support lifelong learning. Develop selection, acquisition and collection management procedures that ensure relevant library materials are available and accessible to the community in appropriate formats as soon as possible. Facilitate access by the local community to resources held in other Australian libraries. Collect, preserve, maintain and provide access to resources that document, illustrate and record the history and cultural heritage of the local area and development of the local community.
Value of a Collective Approach	▪ The APLA/ALIA standard on collection size is differentiated for libraries serving different sized populations (from 2.0 items per capita for less than 20,000 population to 0.8 per capita for 400,000 or more). *"Libraries serving smaller populations typically require a greater number of collection items per capita to provide a sufficiently diverse collection and choice to their community. Large library services can realise collection efficiencies by having smaller collections per capita and moving stock around in response to user demand."* ▪ Therefore, aggregation delivers both: - **financial efficiencies** (lower direct collection cost per capita - $6.24 for Victorian corporations and networks in regional areas vs $7.07 for stand-alone libraries in regional/rural areas) and - **operational efficiencies** (smaller relative collections reduce time spent on procurement and stock management). ▪ Given the capacity to reduce the number of collection items per capita, some of this 'saving' can be diverted back into having a **wider range of**

[2] This figure excludes the City of Melbourne library service which has a disproportionally high funding rate due to it being a major provider of services to non-resident CBD workers, visitors and tourists.

	titles available for customers – delivering qualitative benefits to readers while still having lower collection costs.
Specific GLC examples	▪ GLC holds the 11th largest collection in Victoria which is available for loan and easy distribution across all branches. ▪ GLC delivers and manages both an in-house and contracted courier service that provides a twice-weekly distribution of collection across all branches, supporting a responsive patron reserve system. ▪ GLC provides a patron request system that delivers suggested collection purchases or requests for collection outside of that held by GLC. This is internally managed by GLC collection management staff. ▪ GLC has pioneered the Read Now project to have multiple copies of popular titles available and allocated to each branch to improve collection access for patrons.

4.8. Service Offering – Programs

APLA/ALIA Guideline	Provide targeted and engaging activities that reflect the diversity of the community and encourage and enhance effective and productive use of the library.
Value of a Collective Approach	▪ Library programs have the potential to create significant and lasting benefits for participants in relation to literacy and lifelong learning, social and digital inclusion, and community strengthening. ▪ Collective approaches to library service provision deliver three main benefits in relation to library programming. - an aggregated workforce allows for recruitment of staff with **specialist expertise** in program design, development and management (see 4.2 Staffing) - program development and delivery is much **more efficient** as a single (and often better quality) program can be rolled out to multiple locations across the region (e.g. author talks, story walks) - aggregation creates critical mass that is **more appealing to program partners** as they can reach a wider audience (see 4.3 Partnerships and Collaboration).
Specific GLC examples	▪ Agility in running relevant and responsive programs: "*Recently, I approached the Bendigo Library about running an E-Safety session for our teens and preteens, especially for our most vulnerable children. I was given a Projects email. The response was immediate and positive. Now, the concept is up and running with 3 sessions programmed for Spring.*" ▪ Rollout of story walk program after successful pilot initiated in Castlemaine across all municipalities- GLC has capacity to innovate and experiment and then rollout successful programs across the region. ▪ Library lock in events again initiated through work in Castlemaine – piloted and now rolled out at other sites in other municipalities. ▪ One of the highest levels of program delivery and participation in the state. Again, VAGO ranked GLC as having the highest level of program participation when compared to staffing levels in the state. ▪ Partnerships and funding for programs at state and regional levels are developed and managed by GLC- publishing houses, writers festivals,

	arts organisations, Regional Partnerships initiatives, local health services, member Council departments, philanthropic trusts, federal service funding etc.

4.9. Service Delivery – Service Points

APLA/ALIA Guideline	Provide library facilities which: - are convenient and accessible to the public and serve the identified needs of the community - are attractive, functional and stimulate interest in library services - are designed for flexible use, efficiency in operation and sustainability - are safe and secure for library users and staff. Provide mobile, online and outreach services that take the library out and into the community. Support virtual visits to the library via the library website and online services so that library content and services are available when and where customers want them.
Value of a Collective Approach	▪ Collective approaches to library service provision deliver two main benefits in relation to service points. ▪ Firstly, all of the personnel and financial resources that would be separately spent on developing and maintaining separate websites can be invested in **a single higher quality website** with greater functionality that enhances the user experience (e.g. search capability, online programming). ▪ Secondly, greater innovative capacity in the library workforce (see 4.2 Staffing) and economies of scale have been found to foster early trial and deployment of **innovative service delivery models**. Aggregated workforces have been better able to find time and creative energy to research, plan, resource and deliver approaches that reach out to more people in the community.
Specific GLC Examples	▪ GLC Library Agencies and direct volunteer management model represent innovations in service delivery aimed at extending value for Councils. ▪ Free, business standard and high-speed internet for patrons funded and managed by GLC create libraries as digital hubs for remote working and studying. Joint development of working spaces within libraries to support local study and remote working/business. E.g. Work pods funded for Bendigo and Castlemaine, Tammia Long Room development at Castlemaine, consultation, planning and sourcing funding for Gisborne renovations. ▪ GLC has the sixth highest number of branches and opening hours across the state with many branches within a 15-30 minute drive of one another. ▪ Single, high-quality website managed through IT and communications team where items can be reserved, program bookings occur and all eResources are accessible.

4.10. Service Offering – Technology Access

APLA/ALIA Guideline	Provide free public access to computers, the internet and other equipment and applications. Support library users to develop digital skills and confidence.
Value of a Collective Approach	▪ One of the greatest challenges of stand-alone library services is that they are commonly reliant on Council's IT Department for support of library technology infrastructure and assets. This should not (of itself) be an issue, but the experience in many libraries is that there is a failure to recognise the unique technology requirements of a public library. ▪ The major issue is that provision of technology access to the public is a specific library service, creating a user expectation that the service is available at all times when the library is open. If the network or systems are down for any reason reinstatement must be a No. 1 priority as disgruntled users take out their frustration on library staff. ▪ In addition, the Library Management System (LMS) is the lifeblood of the collection. Managing an LMS requires specific technical knowledge, integration with other Council systems (e.g. payments), and any downtime brings borrowing to a halt. ▪ As noted in 4.2 Staffing, an aggregated library workforce can provide for **dedicated and skilled IT staff who can prioritise issues** from a user perspective.
Specific GLC Examples	▪ Dedicated IT infrastructure managed by staff on a collective regional basis. ▪ High level backup, data protection and cyber security and business continuity services in place and managed by executive staff. ▪ Collective agreements with specific library management system software providers. ▪ Boutiques library specific software (loaning systems, collection management, PC booking, remote printing/copying) purchased and managed internally and adds to service suite for users.

4.11. Individual and Community Outcomes

APLA/ALIA Guideline	Help individuals to increase their knowledge and skills, to change their attitudes and behaviours, and to access information and increase awareness of what is happening in their community. Have a positive impact on community, economic and cultural outcomes. - Literacy and lifelong learning - Digital inclusion - Personal development and wellbeing - Economic and workforce development - Stronger and more creative communities - Informed and connected citizens.
Value of a Collective Approach	▪ Public libraries have maximum impact where they are able to attune the service they provide to the specific needs and interests of their local community(ies).

	▪ The major benefits of a collective approach to library service provision are in the quality of library management, the skills and experience of the library workforce and the number and range of local community partnerships. ▪ Collectively these factors can deliver more efficient library operations, provide a wider service offering that appeals to a wider cross-section of the community, and result in higher levels of library use.
Specific GLC Examples	▪ Libraries Victoria statistics indicate that GLC ranks in the top 10 services across Victoria for usage across the following key areas: ▪ Loans: 9th highest ▪ eLibrary collection turnover: 1st ▪ Collection items: 11th largest ▪ Library visits: 9th highest ▪ Active borrowers: 8th highest ▪ Opening hours per week: 6th highest ▪ Number of branches: 6th highest ▪ Gb downloads through public internet: 3rd highest ▪ Program attendees: 6th highest Whilst also ranking 32nd lowest in the cost to Council per capita. (Comparative rankings taken from the 22-23 Libraries Victoria collated statistics for all 50 Victorian public library services)

4.12. Service Offering – Places (physical and digital)

APLA/ALIA Guideline	Provide safe, welcoming and inclusive physical and digital places and spaces that meet the identified needs of the community.
Value of a Collective Approach	▪ In the collective approaches to library services deployed by Victorian Councils, responsibility for provision, presentation and maintenance of library facilities rests with each member Council. ▪ A collective approach provides an opportunity for the funding of furnishings to be planned and funded through the collective model, reducing the burden on Council to solely manage and fund item replacement or maintenance. ▪ Collective services can also provide greater internal investment in furnishings and a standardise approach to symbolic messaging that provides safety, such as acknowledgement of country displays, cultural furnishings and child friendly furnishings. ▪ The benefits of a single more well-resourced library website and online services are addressed in 4.9 Service Points.
Specific GLC Examples	▪ Consistent cultural messaging with rollout of Acknowledgement of Country plaques across all branches. ▪ Bulk purchasing of furnishings provides discounted purchasing power. ▪ Independent assessment of space requirements for safety or replacement of furnishings. i.e. assessment of shelving requirements, introduction of tables and seating to suit use and assessment of public

	liability and OHS elements with management and funding of solutions in many cases.

4.13. Service Delivery – Customer Service

APLA/ALIA Guideline	Efficiently and always provide friendly, welcoming and high quality customer service to all library customers. That is, have a positive effect on the capabilities and wellbeing of the people who use the library and make them want to return.
Value of a Collective Approach	▪ Customer service levels are more likely to be influenced by the culture that exists within the service organisation, more than its size, efficiency or technical capability. Some of the highest levels of customer satisfaction in Victorian public libraries are in small rural libraries where lower demand (due to population size) and minimum staffing levels (at least one staff member during opening hours) allow for a very personalised library user experience. ▪ One potential benefit of a collective approach to service provision is that allocating administrative responsibilities to dedicated staff frees up customer facing staff to concentrate on quality customer interactions. ▪ Collective resourcing of staff training internally and partnering with Councils on multiple shared training opportunities can improve staff skill and capacity.
Specific GLC Examples	▪ GLC has a dedicated training and development plan addressing key capacities identified as potential gaps for staff. This training is rolled out across all four Councils simultaneously. This approach allows for a library focused approach to training around key social issues such as homelessness, gender equality and cultural sensitivity along with consistent training on workplace safety or other technical service delivery elements.

4.14. Service Offering – Information and Reference Services

APLA/ALIA Guideline	Deliver information, reference and readers' advisory services that: - provide customers with information and/or reading materials that suit their needs in an appropriate timeframe - encourage reading and information literacy and support library users to develop their information and digital literacy skills - facilitate customers' effective use of library resources and facilities.
Analysis of a Collective Approach	▪ Access to the internet has reduced demand for information and reference services (IRS), although these continue to be highly valued by the people who do call on librarians' specialist expertise in information discovery. ▪ Generally information and reference services are more likely to be available in larger services, given they require staff time to support patron enquiries on collection, databases or other information sources. ▪ A collective approach to library services creates a larger workforce and the opportunity for specialization in functions such as Information and

	Reference Services (see 4.2 Staffing). This is less likely to occur in smaller library services with fewer qualified library staff.
Specific GLC Examples	▪ GLC has around 85 percent of staff allocated to customer service, with 15 percent of staff allocated to management and coordination of services. ▪ This approach allows for specialist information and referencing skills to be built with value provided through specialist training such as support to access databases for historic or genealogical research, one to one IT support sessions on patron requested topics, supported school research or studies and support with government departments (assisting people with forms or submissions to government services. ▪ Each municipality has a dedicated strategic operational management support as well as day to day branch management. ▪ GLC also has a Community Based Service team that directly manages staff and services for all library agencies and home library services in addition to coordinating a volunteer base of more than 50 people. ▪ GLC also has piloted social work support with a funded staff social work position to assist in building capacity of the workforce in referring patrons to support services.

5. RISK ANALYSIS FOR COUNCILS IN MOVING TO A BENEFICIAL ENTERPRISE

Importantly, GLC has allowed movement in the industry to be part of the analysis in considering risk for member Councils in moving to any new structure of collective services as described in the Beneficial Enterprise section of the Local Government Act 2020.

This has allowed other services to practically test processes and new models of management to ascertain possible risk and consider mitigation to reduce risk and impact as Councils decide on a future approach to library service delivery.

A comprehensive risk review is attached to this report as Appendix 2 and considers the likelihood, impact and mitigating factors of the following business risk categories:

Strategic –	decisions concerning our business' structure and objectives
Compliance –	the need to comply with laws, regulations, standards and codes of practice
Financial –	our financial transactions and systems
Operational –	our operational and administrative procedures
Environmental –	internal and external operations that our business has some control over
Reputational –	the character or goodwill of our business

Given the work that has now been undertaken by several RLC's in shifting to a beneficial enterprise model, there are identified mitigating actions that provide expert and experienced guidance through the process of business transfer. These are identified in the risk analysis but broadly include:

- Use of expert accounting and legal consultants to oversee transfer of business and development of constitution and service agreement.
- Appropriate training for members of any new Board structure.
- Time for Councils to scrutinise any new agreements for services and funding structures.
- Support work from the GLC Board, CEO and Executive Team to transition the business.
- Consistent work with staff and union.
- A coordinated communication plan for staff and community.
- Ensure third party service agreements are transferred seamlessly for business continuity.

6. CONCLUSION

This review provides a structured and evidence-based analysis of collective library services utilising both data collated by the Victorian Auditor General's Office (VAGO) and Public Libraries Victoria (the peak body for public libraries).

Analysis indicates that collective services have potential to create both economical savings and add value to a regionally coordinated service, particularly in regional and rural areas where collective pooling of resources can be beneficial.

Specifically, the Goldfields Library Corporation (GLC) provides evidence of being one of the most efficient and effective library services in the state based on the VAGO comparative analysis that placed GLC at the top of all library services based on data that compares resourcing with common outputs in areas of both collection and programs.

Further to this, collective models are shown to have, on average, a lower cost per capita than stand-alone services and GLC shows this approach in action have a cost per capita more than $5 less per head (around $1,000,000 collectively) than the average per capita cost in Victoria for library services.

This saving estimate or realised value aligns with the financial analysis attached, which provides for a recurring estimated cost saving of around $900,000 per annum utilising a collectively resourced service model. (see Appendix 3 Financial Analysis- Library Models)

Risk Assessment
Transitioning to a Beneficial Enterprise
(Collective Business Model)

Risk likelihood

The likelihood of Identified risks associated with the proposed change from a corporation under the LGA 1989 to a beneficial enterprise are provided in detail as part of this document and, as part of this has assessed the likelihood that a risk may occur for each one. Risk likelihood can be divided into three categories:

- **Improbable** – Small chance of happening
- **Possible** – Some chance of happening
- **Probable** – Very likely to happen

Impact on our business

CMT has determined the impact of the risk to the business if it were to happen. Risk impact can be divided into four categories:

0 – Acceptable – little to no effect on the business

1 – Tolerable – effects are felt but do not seriously affect the business

2 – Unacceptable – causes major disruption to the business

3 – Intolerable – business may not recover

Risk matrix

With these parameters, CMT used the matrix below to determine the likelihood of the risk, the impact of the risk, and to devise measures to mitigate any risks.

			Impact			
			Acceptable	Tolerable	Unacceptable	Intolerable
			Little or no effect	Effects are felt but not critical	Serious impact to course of action and outcome	Could result in disaster
			RATING	RATING	RATING	RATING
Likelihood	Improbable	Risk unlikely to occur	0	1	1	2
	Possible	Risk will likely occur	0	1	2	3
	Probable	Risk will occur	1	2	2	3

Managing the risk

Each identified risk is assigned one of four broad management actions to deal with the risk, based on the matrix values above:

Rating 0:	Accept and proceed
Rating 1:	Reduce with advice and/or strategies
Rating 2:	Avoid through strategies
Rating 3:	Do not proceed

Risk categories

Risks have been considered and analysed against the following business risk categories:

Strategic –	decisions concerning our business' structure and objectives
Compliance –	the need to comply with laws, regulations, standards and codes of practice
Financial –	our financial transactions and systems
Operational –	our operational and administrative procedures
Environmental –	internal and external operations that our business has some control over
Reputational –	the character or goodwill of our business

Strategic Risks

Key Risk	Risk Rating	Measures/Assurances
Remain a corporation under the LGA 1989 until 2030 • Serious impact if inaction for up to 6 years • Interim risks in dealing with Member Councils if the RLC falls further behind legislatively with further changes to the LGA 2020 • Rik if decisions are delayed given current examples take between 18 months and 2 years to enact and Councils need time to make decisions on structural details of new service.	**2 – Unacceptable** • Risk would occur if no action taken. • Could result in major business & statutory complications	**Mitigation** Winding up the Corporation in accordance with LGA 2020 Set up a beneficial enterprise in accordance with LGA 2020 Timely due diligence and consideration for progress by member Councils. Using legal representation to project manage and provide expert advice to GLC and Councils through the process. Analyse the process and experience of other Councils and RLC's that have moved through this process.
Member Councils agree to wind up GLC, but one or more Councils decide not to participate in the new entity • Additional costs (contracts, overheads, etc.) • Redundancies/Transfer of staff	**1 – Tolerable** • Risk has low probability of occurring. • Depending on number of Councils not participating, the impact could result in diminished savings for participating Councils or abandonment of a collective.	**Mitigation** Assessed as very unlikely for the following reasons • The Victorian Auditor General's report: Council Libraries indicated that GLC achieved the highest Data Envelopment Analysis (DEA) business efficiency rating of 1- one of only five in the State. • Further independent and specific analysis shows that the collective approach is financially beneficial for all member Councils and results in a more coordinated and agile response to community needs. • Savings of approximately $1,000,000 pre year collectively have bene estimated based on the average cost per capita to fund library services across the state and an analysis of cost comparisons between a collective beneficial enterprise and stand-alone council models.

Decision to transition or the implementation takes a prolonged period. • Member Councils may take longer to make decisions. • Registrations and application processes may take longer depending on the model (ASIC, ACNC, ATO, etc.) • Union negotiations may take longer.	**1 - Tolerable** • Risk likely to occur- it is expected that Council decision making may vary slightly in timing and the processes to create a new approach or entity will be the responsibility of third-party timeframes. • Little or no effect unless decisions are made after 2028, with wind up required by 2030.	**Mitigation** • Clear timelines for decision making and implementation communicated to all stakeholders through a Staged Transition Plan • Provision of funding has been made for legal expertise and guidance throughout the process • Ability to operate as the current entity until the transition is complete. Winding up will not begin until such time as the new entity is established and operational.
Member Council specific obligations are not considered • Occupancy of building assets Policies and procedures (procurement, competitive neutrality, etc.)	**1 - Tolerable** • **Risk unlikely to occur** **little or no lasting effect**	Mitigation • Maintain policy and procedures in line with Member Council expectations • Audit and Risk Advisory Committee and the Board oversight
Strategies, service plans and goals not aligned with Member Councils • Library Strategies • Action/Service Plans Ineffective planning and delivery	**0 - Acceptable** **Risk very unlikely to occur**	Mitigation • Community and stakeholder engagement and consultation • Corporates Plans and annual reports reviewed and approved by the Board. • Quarterly reporting to Board on achievements and service delivery. • Proven long-term track record of delivering library services at a high standard and an ongoing commitment to align with member Council plans and priorities.

Compliance Risks

Key Risk	Risk Rating	Measures/Assurances
Setting up the Beneficial Enterprise and transfer of business is not conducted according to the Local Government Act 2020	**2 – Unacceptable** • Risk unlikely to occur • Could result in legal compliance issues	**Mitigation** • Legal advice and implementation by expert legal firms • Accounting expertise will also be retained through the process of business transfer and setting up finance. • Member Council due diligence in accordance with the Local Government Act, section 111 has been undertaken.
In the case of moving to a Not for Profit Company Limited by Guarantee, the Corporations Act regulatory obligations and Australian Securities and Investments Commission (ASIC) requirements are not identified or met.	**0 - Acceptable** • Risk very unlikely to occur • The impact would result in resubmitting work or a lengthier process in transitioning.	**Mitigation** • Legal advice and project management by expert legal firm • Training for Directors and Senior Officers on Corporations and Charities • Registration of new board members as Directors.
Reporting and other requirements of Australian Charities and Not-for-Profits Commission not identified or met.	**0 - Acceptable** • Risk very unlikely to occur • The impact would have the potential for delaying reporting or production of appropriate data to regulatory bodies.	**Mitigation** • Legal advice and support throughout the first twelve months of operation to ensure all key milestones and reporting requirements are met. • Training for Directors and Senior Officers on Corporations and Charities

GLC policies affecting Members, Users, etc. are removed- i.e. the Regional Library Agreement and Service and Funding Agreement are removed. Council control or management of a new entity is diminished.	**0 - Acceptable** • Risk unlikely to occur Little or no effect given the checks and measures of the Local Government Act requirements and proposed mitigation actions.	**Mitigation** • An initial Omnibus By-Law that indicates that all the existing policies and regulations of the previous corporation in relation to library members and users will apply to the new entity. • A review of all existing memberships and user policies over time to reflect the new entity. • The transfer of all conditions currently within the Regional Library Agreement and Service and Funding Agreement are made to a new constitution and a library service agreement. These documents would be developed using legal consultants with each Council able to undertake any independent analysis of proposed documents.
Implications around Competitive Neutrality Policy, in the case of a beneficial enterprise being established.	**0 - Acceptable** • Risk unlikely to occur given a commitment to best value. • Minor financial impact – easily rectified by member Councils stipulating requirements for competitive neutrality.	**Mitigation** • Transfer of Business agreement clearly outlines the use of council buildings or lease arrangements. • Member Council Procurement Policies to include a clause specific to Beneficial Enterprises • Any collective to be established within the parameters of the Beneficial Enterprise Sections of the Local Government Act.
Unidentified Member Council policies impacting or conflicting with operations.	**1 - Tolerable** • Risk unlikely to occur • little or no lasting effect given capacity to review through Board processes.	**Mitigation** • Review and update operational practices to reflect local government best practice. • Ensure clarity on policies that have Board review status.

Financial Risks

(see also the report on the financial implications and risks associated with the proposed restructure of ERL)

Key Risk	Risk Rating	Measures/Assurances
Member Councils' liability in the event of a winding-up	**0 - Acceptable** • **Risk unlikely to occur** • **Little or no effect**	• Collective approach will allow for division of assets and GLC has significant funds available ($2,000,000) for employee commitments (LSL and defined benefits) as well as unrestricted cash of a further $2,000,000. • The collective model may well be a Not For Profit company limited by guarantee where each Member's guarantee is $1.
Member Council contributions/funding uncertainty	**2 – Unacceptable** • Risk unlikely to occur • Could result in major impacts on service delivery	• Funding arrangements clearly prescribed and agreed to in the transfer of business agreement and new service agreement. • Annual budget adopted accordingly by the Board. • Members agree to an annual increase calculated each year based on budget requirements and economic conditions.
Loss of alternative revenue streams • Grants • Subsidies • Sponsorships • Fee for Service	**1 - Tolerable** • Risk unlikely to occur • Could have impact on costs or eligibility for funding grants if Government is not coordinated in their recognition of a beneficial enterprise.	**Mitigation** Maintain and expand opportunities through: • Not-for-Profit status by registering as a charity (ACNC) • Register Deductible Gift Recipient (DGR) status as a Public Library Service • Continue to operate as a collective under the Local Government Act to continue qualifying for appropriate grants.
Maintaining Member Councils • Equity • Percentage Ownership	**0 - Acceptable** • Risk unlikely to occur • Little or no effect	**Mitigation** • Using legal consultancy to develop documentation will ensure that the Member Councils' equity and percentage ownership is maintained as per current arrangements. Each Council will have the opportunity to scrutinise the proposed approach and seek independent legal advice. Initial legal advice is funded through GLC at no additional cost to Councils.

Inability to gain new Beneficial Enterprise members or provide fee for service • Constitution restricts new Members • The new collective approach is not seen as best value.	**0 - Acceptable** • Risk unlikely to occur • Little or no effect	**Mitigation** • Clauses in the constitution accommodate New Members and fees for services. • Develop options to provide Membership types or Fee for Service options. • Proven track record of delivering best values services in the State for current Member Councils with no immediate need to extend services to improve financial position or service levels.
Ineffective financial control • Ineffective budget management • Insufficient oversight of finances	**0 - Acceptable** • Risk unlikely to occur • Little or no effect	**Mitigation** • Budget reviewed and approved by the Board annually. • Oversight of budget and finances through the Finance Sub-Committee. • At least Quarterly Budget reports to Board. • Annual Audits (VAGO).
Insufficient funds for winding up GLC	**0 - Acceptable** • Risk unlikely to occur • Little or no effect	**Mitigation** • The Corporation holds extensive unrestricted cash assets and is in a very healthy position to wind up, with funds available to meet all expected liabilities. • The Corporation is able to meet all its liabilities, statutory or otherwise, including all short and long-term employee benefits.

Operational Risks

Key Risk	Risk Rating	Measures/Assurances
Dilution of services to our communities	**0 - Acceptable** • Risk very unlikely to occur • Could have service implications	**Mitigation** • Community and stakeholder engagement and consultation • Library plans and annual reports reviewed and approved by the Board. • Quarterly reporting to Board on achievements and service delivery • Proven long-term track record of delivering high standards of library services in an efficient environment.
Conflict between Members, Member Representatives, Directors of the Company	**2 – Unacceptable** • Risk unlikely to occur • Could result in major impacts on service delivery	**Mitigation** • Specific governance and decision-making structure established with legal consultation and agreed to by all member Councils. • Dispute resolution processes and escalation points in the Constitution to ensure negotiation pathways.
Board of Directors lack the diversity and specific skills required for the company	**2 – Unacceptable** • Risk unlikely to occur • Could result in major impacts on governance	**Mitigation** • Specific training for appointed directors to cover key requirements and obligations. • The constitution allows for additional external directors. • Clear terms of appointments, eligibility for reappointments in the Constitution. • Ability for Members to appoint and terminate Directors as required.

Industrial relations • Transfer of staff to the new entity • Enterprise agreement • Redundancies	**2 – Unacceptable** • Risk unlikely to occur • Could result in major impacts to service delivery and costs	**Mitigation** • Received legal advice that the change does not trigger eligibility for redundancies if employment conditions are maintained. • Clause added to the new EA negotiation to make it explicitly clear for staff. • Clear communication to staff and ASU as transfer process is developed.
Voiding current contracts and other agreements (e.g. IT service provider etc.)	**0 - Acceptable** • Risk very unlikely to occur • Could have service implications	**Mitigation** • Agreements and contracts will be developed to have a clause that covers our successor entities or transfers of business. • These contracts will be identified, and appropriate negotiations put in place to include any new entity as a party and ultimately remove GLC as the Corporation winds up.
Continuity of ICT systems • Library Management System • Internet Service Providers • Etc.	**0 - Acceptable** • Risk very unlikely to occur • Could have service implications	**Mitigation** • Assess GLC agreements and contracts with software providers to ensure clauses that covers our successor entities or transfers. • Internal infrastructure will be transferred to the new entity and managed by the new entity.
General Business Operational Risks • Occupational Health & Safety • Child Safety • Privacy and Copyrights • Fraud • Cyber security risks • Gender Equality	**1 - Tolerable** • Risk unlikely to occur • If the risk was realised, the impact could be more significant given legal requirements for many of these legislated areas.	**Mitigation** • Maintain and review current business continuity plans. • Maintain cyber security strategy. • Internal Policy and procedures reflecting best practice and reviewed with the Board. • Maintain auditing and act on recommendations. • Maintain policies and action plans in key legislated areas of risk. • Periodical and systematic review of controls (policies, systems, etc.)

Environmental Risks

Key Risk	Risk Rating	Measures/Assurances
Amendments/changes to the Local Government Act 2020 or other relevant government Acts.	**1 - Tolerable** • Risk likely to occur • Little or no lasting effect	**Mitigation** • Contribute and participate in law reform consultations through Members • Identify and plan for changes proactively as per current approaches (i.e. Gender Equality Act, Child Safety and Wellbeing Act etc.) **Respond** • Implement changes under the direction of the Board and Members that impact on any beneficial enterprise.
Rate Capping and other financial constraints outside of control	**1 - Tolerable** • Risk likely to occur • Little or no lasting effect	**Mitigation** • Identify constraints and budget/forecast accordingly. **Respond** • Work in partnership with Member Councils to respond appropriately in managing service levels and resources.

Reputational Risks

Key Risk	Risk Rating	Measures/Assurances
Not completing the transition to the new entity	**2 – Intolerable** • Risk unlikely to occur • Could result in a negative reputation for Councils and any future entity	**Mitigation** • Legal advice and implementation by well-established and experienced legal firms • Accounting consultants to assist with the process of business transfer and setting up finance • Member Council due diligence in accordance with the Local Government Act, section 111 • Guidance and direction from the Board, Consultants and Member Councils.
Unsatisfactory service delivery and negative backlash from the community	**0 - Acceptable** • Risk very unlikely to occur • Could have service implications	**Mitigation** • Communications Plan developed and implemented for Community and Stakeholder enagagement as the transfer occurs. • Corporate plans and annual reports reviewed and approved by the Board to ensure a smooth transition to a new entity. • Quarterly reporting to Board on achievements and service delivery. • Proven track record of delivering high standard, efficient library services.
Community objection to transition due to fear of change	**1 - Tolerable** • Risk likely to occur • Minimal lasting effect	**Mitigation** • Clear and simple communication to the community with a developed communication plan. • Continuity of service throughout transfer of business operations. • Reduce or eliminate any operational or material differences to services and resources.

15.6. RATES PAYMENT OPTIONS AND REVENUE AND DEBT COLLECTION POLICY

Author:	Katelyn Stone, Senior Coordinator - Rates
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

This report updates Councillors on recent increased financial hardship and rates collection activity, updates the City's Revenue and Debt Collection Policy and Financial Hardship Guidelines and proposes a change to payment options for Rates notices.

Recommended Motion

That Council:

1. Endorses the changes to payment options for Rates notices for the 2024/2025 financial year.
2. Adopts the revised Revenue and Debt Collection Policy (including Hardship).

Executive Summary

This year has seen a marked increase in unpaid rates notices referred to next stages of debt collection. Hardship issues are most stark for ratepayers where there is no engagement until *after* the February (Pay in Full) date for rates.

Until recently, the plan was to progress any changes to rate payments as part of the next Council Plan, Financial Plan and Revenue and Rating Plan cycle – with new Councillors and in advance of the 2025/2026 Budget.

However, the significant and material increase in hardship and debt collection issues in 2024 (which crystallised in March 2024) has prompted officers to propose bringing this change forward in line with reviewing the associated policy.

The Revenue and Debt Collection Policy (the Policy) requires review every four years. Council endorsed the last policy on June 15, 2021. This Policy outlines and details the City's debt management and recovery decisions, process and practices. The Policy aims to ensure overdue general debts, rates and charges are collected in a fair and reasonable manner and, where required, in line with the City's Financial Hardship Guidelines.

Background

The *Local Government Act 1989* (Vic) states that the City "must" offer payments by four instalments and "may" offer a pay in full option. The City must also send rates

notices 14 days prior to a notice due date. Note that despite the introduction of the *Local Government Act 202*0 (Vic), much of the legislation guiding rates and charges still refers to the 1989 Act as the State government continues to work through legislative and guideline changes recommended by the 2019 Rating Review.

The City generates around 62,000 assessments annually, and has three primary payment options for all ratepayers, these being:

1. Pay in full with discount, due September 30 (currently 32% of ratepayers);
2. Pay by four instalments, due dates September 30, November 30, February 28 and May 30 (42% of ratepayers); and
3. Pay in full, due February 28 (26% of ratepayers).

The City encourages other flexible payment options such as fortnightly and monthly direct debits and Centrepay – these are also highly popular amongst the City's ratepayers.

Report

Change in payment options

The 2024/2025 Rate Notices will be issued at the end of August 2024. Over recent financial years we have seen 26 per cent of ratepayers opting to pay in full in February with the remaining 74 per cent either opting to pay in full with discount (early, in September, at the time the first instalment is due), via quarterly instalments or via other flexible options.

In the current year, as at March 2024, 6,748 final notices were issued totalling $15.6M. This is an increase of 33 per cent (or $4.8M) compared to last year for those that had not yet made payments as at March. There has also been a significant year on year increase of 88 per cent (or $4.3M) in outstanding debts being sent to the next stage of collection with an external agency.

Removing the pay in full (February 2025) option aims to assist ratepayers and collection processes for those who may experience financial hardship by engaging earlier, as opposed to the current trend - with engagement by those experiencing financial hardship not commencing until *after* the pay in full deadline has passed. The intent is to smooth the larger financial burden of an annual payment, as hardship issues are most stark where there is no engagement until after the February (pay in full) date.

Historically, in March each year there is a significant increase in payment arrangements, particularly this year, with ratepayers citing varying degrees of financial stress around current costs of living, increased mortgage interest rates and

personal and/or business cash flow. These are generally ratepayers who have opted to pay in full (February) who are now struggling financially to pay.

The primary options for payment would become the full payment on September 30, (which would retain a small discount) or quarterly instalments. As is the case currently, direct debit and other deduction arrangements are also available fortnightly or monthly.

Considerations in changing to Quarterly Instalments

A greater proportion of the community is facing financial stress. As a City we must take into consideration how we can best support our community in the current financial climate in a way that is still equitable between ratepayers, and which enables City service provision.

A greater emphasis on instalments offers several advantages. It enables earlier engagement with ratepayers who may be facing financial difficulty and for appropriate supports and arrangements to be put into place. Longer term, this can lead to greater ratepayer satisfaction by engaging people more flexibly for payment options and reduce the burden for those who cannot manage a larger annual payment.

It is also important that the City preserves financial viability and cashflow to fund services to the community. Note there is no City-wide liquidity or cash flow requirement to collect additional rates earlier – however, decreases in collection rates over many years would impact available funds. For the City to continue to deliver its services, ongoing debt collection remains essential. However, being able to follow up earlier and more regularly with ratepayers on outstanding debts will assist in managing debts while they are smaller.

Utility companies, insurance, telecommunication companies and Vic Roads all offer monthly or quarterly billing. This provides their customers with more predictable and manageable payment schedules which support budgeting. Council rates and charges is one of the few remaining bills that continues to also offer a deferred annual payment option.

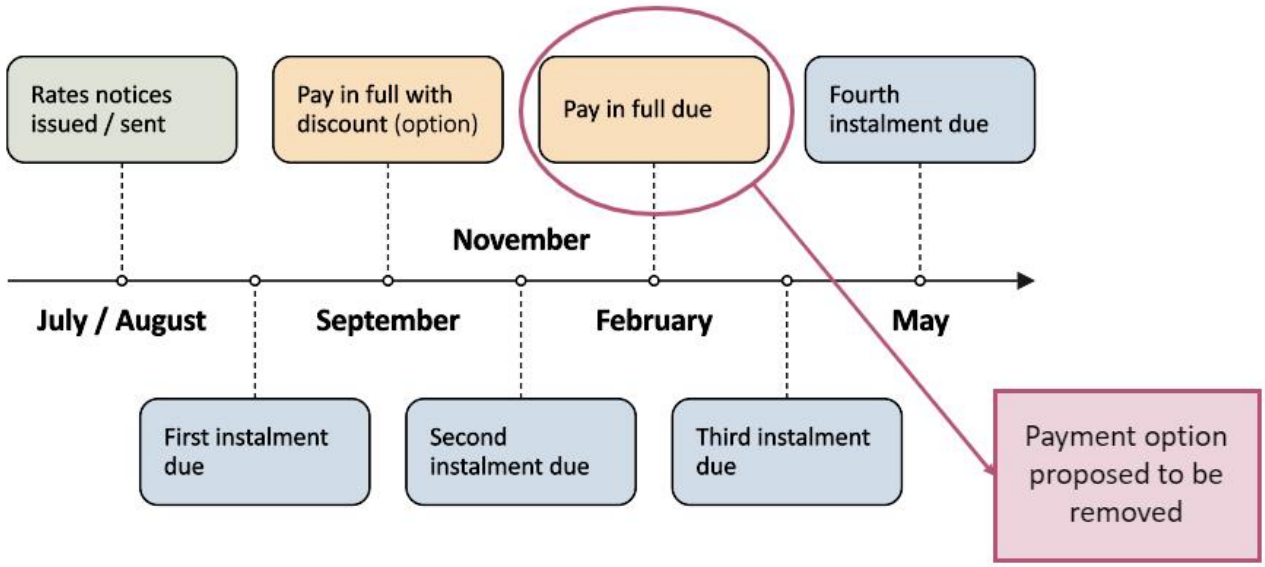
Other Councils who have removed the pay in full (February) option include Mt Alexander Shire, Greater Shepparton, Mitchell Shire, Strathbogie, Hepburn Shire and Macedon Shire, noting that two of these (Mt Alexander and Macedon Shire) have also kept the pay in full (September) option.

Impact assessment of the proposed change

The following table sets out the largest 'category' of ratepayer payment types and the impact of the change:

Payment options w/ current ratepayers	Approx. # of ratepayers	Change / high level comments
Pay in full with discount	21,000	No change required (September payments).
Quarterly Instalment	26,000	No change required.
Pay in Full	16,000	• Communication via social media, comms and advertising on making it easier to manage payments • These ratepayers who miss the quarterly date will receive reminders in October and January for missed Q1 and Q2 instalments. SMS reminders that payments are now due quarterly would be sent. • In year 1 of the change (2024/2025), for those that pay or engage in February, there would be no late-payment interest or fees charged for the first two missed instalments.

*Figure 1: Primary payment options**



* Fortnightly/monthly direct debits and other flexible arrangements (including payment plans) remain available as they are currently.

Pros

- Reduces the financial burden (earlier intervention) for those ratepayers experiencing financial hardship
- Longer term, supports ratepayers with more regular control and flexibility over finances
- An ability for the City to communicate with more ratepayers more frequently
- Increased convenience for ratepayers

- Allows discrepancies to be picked up regularly and fixed quickly
- Streamlines processes and spreads work for key internal call centres across the year which is more efficient and provides a better service to ratepayers (currently annually these centres can be overwhelmed)
- Supports the City following up on small balance debts more regularly.

Cons

- Less flexibility for some ratepayers in removing a payment option Perception that Council is seeking more cashflow earlier
- Some additional costs associated with sending out more frequent rates notices of approximately $30,000 per year – noting this would likely be offset by spreading the internal call centre load more evenly through the year
- This is a change 'outside' of the regular refresh of the City's Rating & Revenue Plan that occurs every four years with a new Council
- This is an additional change on top of the Waste/Bin charge changes being implemented in July for 2024/2025
- Potential minor additional fees and charges from payee banks and BPay / BPoint.

Revenue and Debt Collection Policy (the Policy) update

The attached Revenue and Debt Collection Policy including Hardship outlines the City's debt management and recovery decisions, process, and practices and was last updated in June 2021.

Two key principles in this policy are:

- *Equity* – ensuring the fair and consistent application of lawful recovery principles without bias, taking into account all relevant considerations; and
- *Financial Viability* – that the ongoing financial viability of the City is ensured.

The Policy aims to ensure overdue general debts, rates and charges are collected in a fair and reasonable manner and, where required, in line with the City's Financial Hardship Guidelines (the Guidelines).

The Guidelines are contained within the Policy, at Appendix 1 and outline how the City supports community members who may be having difficulty paying their debts with the City.

The Guidelines aim to provide transparency, fairness and consistency when dealing with ratepayers experiencing financial hardship. Financial hardship is deemed to be a situation where a ratepayer or debtor is having difficulty providing for themselves, their family or other dependents, and the financial hardship is likely to continue for more than one year. Causes of financial hardship can include prolonged illness or

injury; unemployment; family violence, decreased income or loss of income; or natural disaster.

To enable the City to balance the need to fund services with the need to support those experiencing financial hardship, the following principles are included:

- ***Transparency and accountability –*** the City will provide targeted and consistent information, payment terms and advice for the type of service being charged. This includes processes around the follow-up of non-payment, and decisions made in accordance with the relevant legislation. This Policy provides the community with the overarching principles associated with applying for hardship ensuring transparency of the process.
- ***Consistency –*** the City will consistently apply and interpret the Policy across all debts.
- ***Equity –*** the City will ensure the fair and consistent application of lawful recovery principles without bias, taking account of all relevant considerations.
- ***Fairness and sensitivity –*** the City will treat requests for assistance consistently, objectively and in a sensitive and confidential manner***.***
- ***Financial Viability –*** the City will ensure the ongoing financial viability of the City. Providing hardship does not affect the ongoing financial viability of the City.

In response to the changes in the *Local Government Act 2020* (the Act), “Rating and Other Matters”, the Policy and Guidelines have been significantly revised.

The City’s Guidelines adhere to the changes in the Act. The City also completed its own Equity Impact Assessment and determined that we should provide more consistency and clarity around our processes. Key changes to the Policy and the Guidelines include more detail on the City’s debt collection processes.

Priority/Importance

This is a key Policy supporting the City’s compliance with s101(1c) of the Act, which states ‘financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community’.

Communications/Engagement

Engagement with local Financial Counsellors has been completed. There has been internal consultation with key business areas on the Policy and the Guidelines. The draft Guidelines have also been sent to the agencies that provide financial counselling in Bendigo. At the time of drafting this report, no feedback has been

received. As noted earlier in the report, the Policy was subject to an internal Equity Impact Assessment.

Financial Sustainability

Financial sustainability remains a key City strategic risk, currently assessed as 'Medium'. Having financial policies in place that are reviewed frequently assists in mitigating this risk.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Other Reference(s)

Revenue and Rating Plan 2021-2025
Local Government Act 1989
Local Government Act 2020

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Draft Revenue and Debt Collection Policy Including Hardship [**15.6.1** - 16 pages]

REVENUE & DEBT COLLECTION POLICY INCLUDING HARDSHIP

Approval Level:	Council
Policy Type:	Council
Approval Date:	24/06/2024
Review cycle:	4 Years
Review Date:	24/06/2028
Responsible Officer:	Manager Financial Strategy
Owner:	Financial Strategy
Responsible Director:	Corporate Performance
Relevant Legislation/Authority:	Local Government Act 1989 Local Government Act 2020 Competition and Consumer Act 2010
DOCSETID:	Click here to enter text.

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1. PURPOSE

This policy outlines and details the City's debt management and recovery decisions, process and practices. The policy aims to ensure overdue general debts, rates and charges are collected in a fair and reasonable manner, and where required in line with the City's Financial Hardship Guidelines. The City is committed to ensuring all ratepayers and general debtors are treated equally and given a fair opportunity to pay outstanding debts.

2. SCOPE

This policy applies to all City staff and departments recovering or managing funds owed to the City including:

- Rates and charges;
- Fire Services Property Levy;
- Associated property debts;
- User fees and charges
- Administrative charges and Grant receivables; and
- Commercial, community and residential leases and on-costed utilities.

3. DEFINITIONS

ACCC means the Australian Competition and Consumer Commission

Act means the *Local Government Act 1989* (Vic)

ASIC means the Australian Securities and Investments Commission

CCA means the Competition and Consumer Act 2010 (Cth)

City means the Greater Bendigo City Council

CIV means Capital Improved Value

Debt means an amount of money owed, including an alleged outstanding balance

General Debtor means any individual, organisation, business or other entity owning monies to the City other than rates, charges levy collection through the rating valuation process.

4. PRINCIPLES

The management and recovery of overdue debts is an important aspect of the City's financial management function. Debtor management is an essential element of the City's budget monitoring, cash management and Revenue and Rating Plan. The principles that apply to the management and recovery of overdue debts are as follows:

Transparency and accountability – the City will provide targeted and consistent information, payment terms and advice for the type of service being charged. This includes processes around the follow up of non-payment, and decisions made in accordance with the relevant legislation. This policy provides the community with the overarching principles associated with applying for hardship ensuring transparency of the process.

Consistency – the City will consistently apply and interpret the policy across all debts.

Equity – ensuring the fair and consistent application of lawful recovery principles without bias, taking into account all relevant considerations.

Fairness and sensitivity – requests for assistance will be treated consistently, objectively and in a sensitive and confidential manner***.***

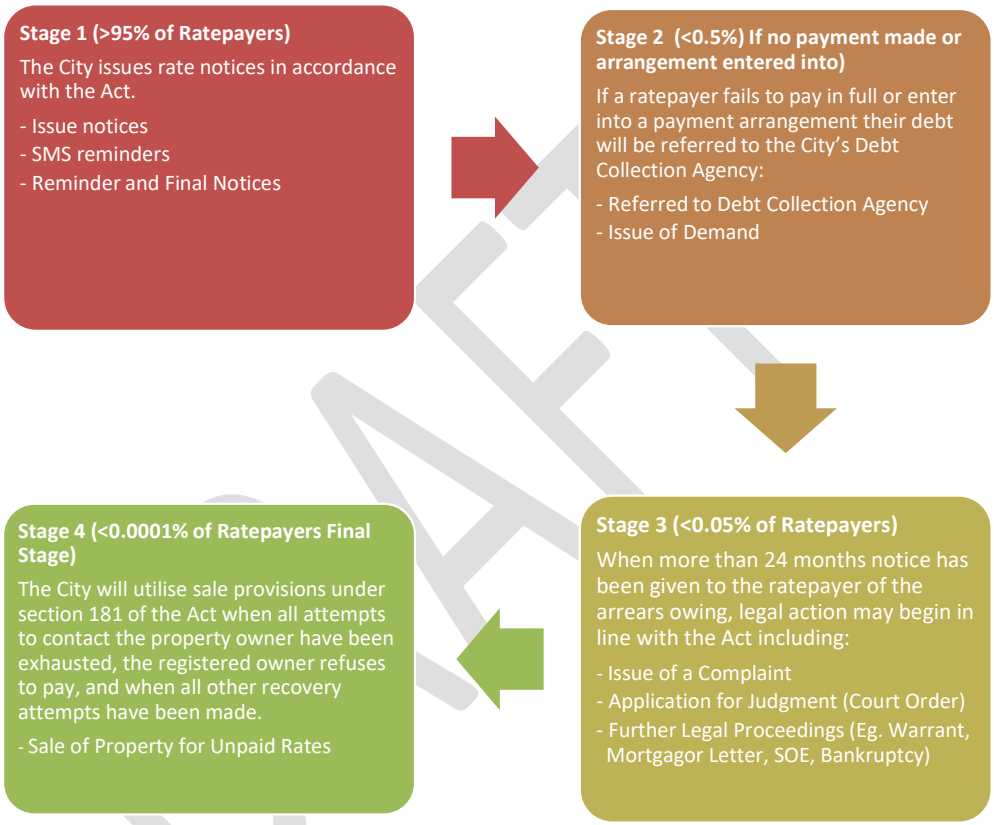
Financial Viability – The ongoing financial viability of the City is ensured. The provision of hardship relief must not affect the ongoing financial viability of the City.

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5. POLICY

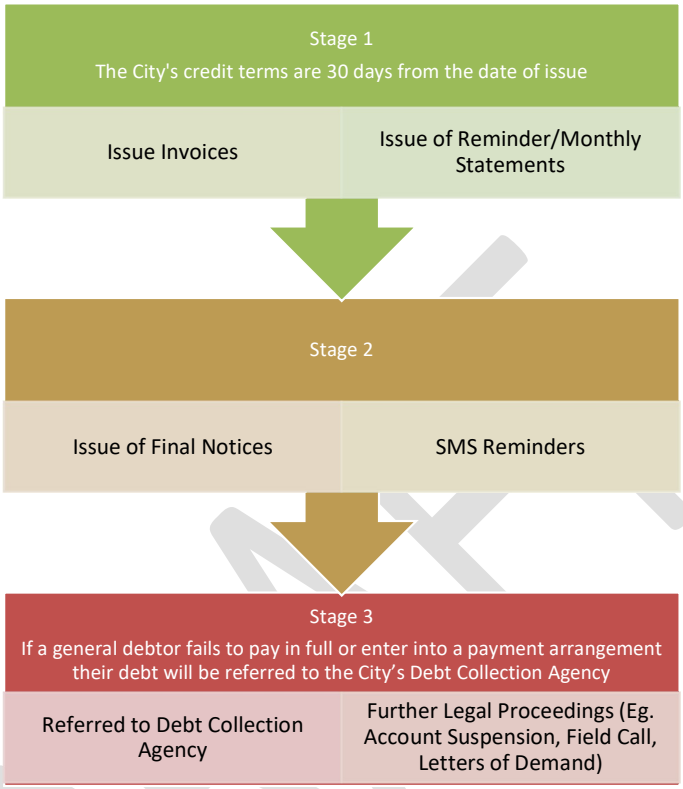
5.1 Rates Collection Process

(For more detailed information regarding the stages of debt collection please refer to Appendix 2)



5.2 General Debtor Collection Process

(For more information regarding the stages please refer to Appendix 3)



5.3 Calculating Interest – Rates and Charges

Interest is set by the Minister in accordance with section 172 of the Act and published in the Government Gazette.

5.3.1 Where rates are paid by instalments and an instalment amount is not paid by the due date, interest will accrue from the due date of the missed instalment to the date the payment is made in full.

5.3.2 If the first instalment is not paid by the due date, the property owner will be deemed to be paying the full sum by February 15. If payment is not made by this date, interest will be payable until the rates are paid in full. Interest will be calculated from the date when each instalment is due, regardless of whether the ratepayer has chosen to pay by the instalment or lump sum option.

5.3.3 Interest will be charged on the fifth day of the month on any overdue amounts.

5.4 Calculating Interest – General Debtors

The City will not charge interest on any general debt account unless permitted under legislation.

5.5 Authority to Waive Debt

The City acknowledges there are situations where recovering a debt is difficult and it may be uneconomic to recover or pursue further action. In these situations, the debt may be waived.

General debts can only be waived under the following authority:

Management Level	Authorisation Level
CEO	Over $50,000
Director	Up to $50,000
Unit Manager	Up to $10,000
Coordinator/Team Leader in Financial Strategy	Up to $1,000

Rates interest can only be waived under the following authority:

Management Level	Authorisation Level
CEO	Over $50,000
Director	Up to $50,000
Manager Financial Strategy	Up to $10,000
Coordinator/Team Leader in Financial Strategy	Up to $1,000
Staff in Financial Strategy	Up to $100

5.6 Administrative Waivers/Amendments

A debt may be waived or amended in situations caused solely by administrative issue, error, or omission, including administrative errors related to Goods and Services Tax (GST).

5.7 Minor Debts

When other economical avenues have been exhausted and a balance on an account within the scope of this policy is identified as less than the threshold, for a 'minor debt' , the amount will be either written off or paid by the City, with the corresponding expense recorded against a budget established for this purpose.

5.8 Legal Costs

Legal costs will not be waived once proceedings have commenced unless there was an administrative error made by the City causing legal proceedings to be issued incorrectly.

5.9 Property Owner Responsibilities

A property owner is responsible for:

- Keeping their contact details (in writing) up to date with the City (e.g. residential address, mailing address, mobile number, email address)

- Communicating with the City if their financial circumstances change and they are unable to make payment by the due date
- If they are experiencing extreme financial hardship, contacting the National Debt Helpline on 1800 007 007 or at www.ndh.org.au

5.10 Confidentiality

All communication, including written communication, will remain confidential and subject to the City's Privacy Policy.

6. ROLES AND RESPONSIBILITIES

Further information or advice on this policy should be directed to Financial Strategy.

7. RELATED DOCUMENTS

Readers are encouraged to access relevant documents and/or resources which are available as per the below.

These include:

- Local Government Act 1989
- Local Government Act 2020
- Local Government Legislation Amendment (Rating and Other Matters) Act 2022
- Fire Services Property Levy Act 2012
- Internal Review of Infringements Policy

Further information or advice on this policy should be directed to Financial Strategy

8. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

9. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a City unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

10. DOCUMENT HISTORY

Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
15/06/2021	*NM*	*Financial Strategy*	*Update*	*1*	*15/06/2024*
24/06/2024	*KS*	*Financial Strategy*	*Update*	*2*	*24/06/2028*

11. APPENDICES

Appendix 1 – Financial Hardship Guidelines

Appendix 2 – Rates Collection Process

Appendix 3 – General Debtor Collection Process

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APPENDIX 1

FINANCIAL HARDSHIP GUIDELINES

Sometimes situations happen that affect your ability to pay for services. This could be illness, accident, loss of employment, some family issues, or another change in your circumstances.

The City's Financial Hardship Guidelines allow for flexible payment arrangements and the ability to defer payments on eligible debts.

We recommend anyone facing financial difficulty seeks free financial counselling. You can be referred to a local financial counsellor by calling 1800 007 007 (Monday to Friday, 9.30 am – 4.30 pm) or you can visit the National Debt Helpline https://ndh.org.au/financial-counselling/find-a-financial-counsellor/. This service provides access to a range of support options.

Alternatively, please contact the City as soon as possible on 1300 002 642 or visit www.bendigo.vic.gov.au if you are unable to pay, so that we can advise you of your options.

These guidelines outline:

- the definition of hardship
- the definition of financial hardship
- your eligibility for financial hardship consideration
- the process for applying for a payment arrangement
- the process for applying for a payment deferral.

1. Hardship

Hardship is where a person is experiencing short term financial difficulty. This may include when a person has limited or low income and is temporarily unable to make a repayment on outstanding debts.

If you believe you are experiencing hardship you can apply for a short-term payment arrangement directly with the City. Please refer to section 5.

2. Financial Hardship

Financial hardship is where a person is having difficulty providing for themselves, their family or other dependents and the financial hardship is likely to continue for the foreseeable future, longer than one year.

Financial hardship assistance will be considered on an individual basis and always with a view to the ratepayer or debtor re-establishing financial capacity and meeting their financial obligations.

If you believe you are experiencing financial hardship you may be eligible for a payment deferral or a long-term payment arrangement.

3. Eligibility
The property must be the ratepayer's principal place of residence and only applications from the property owner will be eligible. If a ratepayer who is not the property owner would like to seek financial hardship assistance, they will be referred to the property owner.

4. Application for Hardship Assistance
Any eligible ratepayer may apply for hardship assistance. Applications can be made directly with the City or through a financial counsellor. The City may recommend applicants seek financial counselling via a counselling service as they provide access to a greater range of support options than what the City can offer.

5. Late Payments
Late payments will be subject to interest. A late payment is a payment that is not received within two weeks after the due date.

6. Payment Arrangements – Rates and Charges (short term)
Ratepayers experiencing hardship causing temporary financial difficulties and are not able to pay their outstanding rates and charges can apply for a short-term payment arrangement.

Proposed arrangements must be regular (e.g. weekly, fortnightly, or monthly) and paid in full by June 30 of the current financial year.

The City will review and communicate with ratepayers to ensure payment arrangements are followed or modified as circumstances change.

No legal action will be undertaken while there is an active arrangement is in place and interest will not be charged on outstanding amounts. If two or more payments have defaulted under an arrangement the City will contact the ratepayer, and if not rectified the arrangement will be cancelled, and the ratepayer will be advised.

7. Payment Arrangements – General Debtors (Short Term)
Limited financial assistance arrangements will be considered for general debtors. Arrangements will only be negotiated for outstanding balances at the time of granting the arrangement, with subsequent invoices payable on the due date.

Proposed arrangements must be regular (eg. weekly, fortnightly or monthly) and paid in full within six months.

No legal action will be undertaken while there is an active arrangement in place. Where an arrangement is in place and two or more payments have defaulted, the arrangement will be cancelled, and the debtor will be notified.

8. Payment Deferral and Long-Term Arrangements – Rates and Charges
This option only applies to long term cases of extreme financial hardship. Where a long-term arrangement is in place, the City may require the ratepayer to attend financial counselling.

Ratepayers experiencing long term financial hardship and are not able to pay their outstanding rates and charges can apply for a long-term payment arrangement. Arrangements negotiated will be based on weekly or fortnightly payments, but irregular arrangements will be considered based on the ratepayer's individual circumstances.

Any payment arrangement negotiated under this section must consider the ratepayer's capacity to pay and allow for the arrangement to be re-negotiated at the request of the ratepayer if there is a demonstrable change in their circumstances.

To support ratepayers who are unable to enter into any form of payment arrangement, the City will outline options for a range of programs that the ratepayer may use including information about appropriate government concession programs and financial counselling services.

Ratepayers who are experiencing financial hardship may apply to have rates and charges, or part thereof, deferred under the following conditions:

- must be the ratepayers sole or principal place of residence
- the ratepayer must be able to show they are experiencing financial hardship
- a confidential Statement of Financial Position must be submitted by the ratepayer as evidence of financial hardship
- for a Debt exceeding $500 the ratepayer may be requested to provide a confidential statement from a recognised financial counsellor, or similarly qualified person, in support of the application.

Where interest has accrued on rates and charges, a partial interest waiver may be granted on special considerations. No legal action to recover the debt will be instigated whilst the deferral is in place.

The City will review the application annually and may contact the ratepayer or nominated representative to confirm that financial hardship conditions still exist.

If two or more payments have defaulted on an arrangement, this will cause the arrangement to be cancelled, and the ratepayer will be notified.

9. Waiving Rates and Charges

The City does not generally waive rates or charges. Any waiver of rates or charges must be approved by the Chief Executive Officer.

Hardship assistance is provided to support ratepayers experiencing financial difficulty and delays action that could otherwise be undertaken to recover the debt. In situations of financial hardship, rates may also be deferred in recognition of the longer term financial difficulty being experienced.

APPENDIX 2 – Stages of Debt Collection (Rates and Charges)

STAGE 1

1. Issue of Rates and Charges

Rates and charges are levied by rates notice or a supplementary notice. This notice will be issued no fewer than 14 days before the due date for payment in accordance with the Act. Rate notices will be sent to the last known mailing address as advised in writing by the property owner.

Rates can be paid by four quarterly instalments. Subsequent instalment payments are due on November 30, February 28, and May 31 of each financial year. Where a due date falls on a weekend or public holiday, the next business day will be deemed to be the due date.

2. Issue of Reminder SMS

Where an instalment has not been paid and the City has a record of the property owner's mobile phone number, a reminder SMS will be sent prior to issuing a reminder notice.

3. Issue of Reminder and Final Notices

The City will issue a reminder letter and final notice including penalty interest raised where:

- the ratepayer has rates or charges owning to council seven days after the due date; and
- a current payment arrangement is not in place; and
- a financial hardship application has not been approved; and
- no other recovery action has been commenced.

Reminder and final notices will be sent to the last known mailing address as directed in writing by the property owner. The notice advises the property owner that if they fail to pay in full or enter into a payment arrangement that the debt could be referred to the City's Debt Collection Agency.

STAGE 2

1. Issue of Demand Letter (Debt Collection Agency)

If a ratepayer fails to pay in full or enter into a payment arrangement, their debt will be referred to the City's Debt Collection Agency.

The Debt Collection Agency may issue a letter of demand, make telephone calls and/or issue an SMS/email as instructed by the City.

STAGE 3

2. Issue of a Complaint in the Magistrates Court

If rates and charges remain unpaid the City may, recover it in the Magistrates' Court or by suing for debt.

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If 24 months have passed since the ratepayer was notified of the debt owing, legal action may begin where:

- the City has notified the person liable to pay the rate or charge in writing of the arrears and advised them of payment options available;
- they have failed to make payment or enter into another payment option, including deferral and payment plans;
- if payment of the rate or charge was deferred by the City, the City has sent a notice requiring payment of the deferred rate or charge and the person has failed to make payment required by that notice;
- if a payment plan was entered by the person, the plan has been cancelled by the City due to the person not complying with its terms and at least 24 months have passed since the cancellation of the plan.

Note this action is only considered following the issue of a demand letter where it was advised that legal action may be taken if debt remains unpaid.

3. Application for Judgement (Court Order)

Upon the issue of a Court order relating to arrears of rates or charges, the City will take any steps it considers appropriate in the circumstances to recover the judgement debt owed. Judgments are recorded against the ratepayers credit rating.

The City may also consider utilising its power under section 181 of the Act.

4. Further Legal proceedings

Further legal proceedings may be initiated which could include but not limited to:

- Writ of Oral Examination
- Issue of a Warrant
- Attachment of Earnings (deduction from wages)
- Issue of a Rent Demand
- Mortgagor Letter
- Bankruptcy

STAGE 4

1. Sale of Property for Unpaid Rates

The City may utilise the power of sale provisions under section 181 of the Act in the following circumstances:

- the amount due to the City for, or in respect of, rates or charges (including enforcement costs and interest) in respect of any rateable land is more than three years overdue;
- where all attempts to contact the registered owner are exhausted
- no current arrangement, including a payment plan, exists for the payment of that amount to the City; and
- the City has a Court order requiring the payment of the amount (or part of the amount).
- the outstanding rates, legal and other costs do not exceed the CIV of the property, except in cases where the property has a CIV of less than $10,000.

In exercising its rights under section 181 the City will strictly comply with the various procedural requirements prescribed by the Act.

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APPENDIX 3 – General Debtors

STAGE 1

Issue of Invoice
An invoice is raised showing the details of the goods and/or services provided and a due date for payment. The City's credit terms are strictly 30 days from the date of issue.

STAGE 2

Issue of Reminder and Final Notices of General Debt
Where an invoice remains outstanding after 30 days from the date of issue of the invoice, reminder notices will be issued 14 days after the invoice due date. If the invoice remains unpaid, a final notice will be issued 14 days after the reminder notice is issued.

STAGE 3

Debt Collection Services
If a debtor has failed to pay in full or enter into a payment arrangement, their debt will be referred to the City's Debt Collection Agency.

The debt collection agency will:

- contact the debtor via SMS, mail, phone, email or other methods; and
- administer any legal action on behalf of the City.

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15.7. DRAFT GOOD GOVERNANCE FRAMEWORK - ADOPTION

Author:	Geoff Fallon, Coordinator - Governance
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

The purpose of this Report is to present to Council the final draft of the Good Governance Framework and to seek adoption.

Recommended Motion

That Council:

- **Adopt** the Good Governance Framework content.
- **Note** that the published document is yet to be graphically designed.

Executive Summary

This Report presents a final draft of the Good Governance Framework (**Attachment 1**). It addresses relevant good governance guidance material reviewed to date, including public feedback.

Background

Governance is the framework of structures, rules, and processes by which an organisation is directed and controlled. Good governance is about the processes for making and implementing sound decisions.

Previous Council decision dates: April 22, 2024 – released for public consultation.

Report

Overview

The *Local Government Act 2020* (Vic) (the 2020 Act) addresses many of the better practice principles identified in earlier good governance guidance material. Compliance with the 2020 Act is, in itself, evidence of good governance, noting that we should always:

- Strive to continually assess how we could better address each good governance principle.
- Acknowledge the importance of, and limitations to measuring, culture and leadership on good governance.

Please note that the Good Governance Framework does not cover election content.

The City would like to acknowledge the substantial body of work done by the Victorian Local Governance Association (VLGA) and partners in their 2012 Good Governance Guide that informed our Framework.

Priority/Importance

Good governance is important and should remain a priority of Council, Councillors and the organisation.

A Good Governance Framework could make an important contribution to good governance at the City.

Communications/Engagement

External engagement on the draft Good Governance Framework was undertaken during April and May 2024. There were:

- 153 unique visitors to Let's Talk page
- 36 downloads of the Framework itself
- 1 person complete the survey and provide the following comment:
- Would like to see how this document is championed across the whole organisation. I believe there needs to be a reset on governance culture across COGB and highlight the important of good effective governance. Effective decisions, communication and engagement.

This comment regarding the importance of ownership and championing of good governance is important. As documented in the Framework, leadership and culture is critical to good governance.

Following adoption (if Council resolves) this Framework will be instrumental in the induction of both new staff and new Councillors. It will remain a document that can be referenced by decision-makers. It will be publicly available for community and integrity agencies to measure us against.

Financial Impacts

There are no financial impacts.

Risk Assessment

There is a risk that our reputation with community is compromised if the Good Governance Framework falls short of community expectations. This is assessed as LOW risk (and lower than failing community expectations by not having a Framework).

Policy Context

Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025:

- Outcome 1 - Lead and govern for all
    - Goal 1 - Accountable, financially responsible, equitable, transparent decision making
    - Goal 2 - Commitment to innovation, systems improvement and learning

Other Reference(s)

Not applicable.

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Good Governance Framework [**15.7.1** - 38 pages]



GOOD GOVERNANCE FRAMEWORK

For good and ethical decision-making

ABSTRACT

Good governance is about performance, responsible stewardship, ethical behaviour, decision making, leadership, trust, inclusion, accountability, legitimacy, responsiveness, transparency and fairness.

City of Greater Bendigo

Governance Unit

ABOUT GOOD GOVERNANCE

MAYOR FOREWORD

Good governance …

CEO FOREWORD

Good governance…

ACKNOWLEDGEMENT OF COUNTRY

The City of Greater Bendigo is located on the traditional lands of the Dja Dja Wurrung and the Taungurung Peoples of the Kulin Nation. They are the traditional custodians of this land.

We express our gratitude in the sharing of this land, our sorrow for the personal, spiritual and cultural costs of that sharing and our hope that we may walk forward together in harmony and in the spirit of healing.

ABOUT GOOD GOVERNANCE

WHAT IS GOOD GOVERNANCE

Good governance lays the foundation for the fulfillment of a **system's** purpose in an ethical, effective and responsible manner in line with stakeholder expectations. It encompasses performance, responsible stewardship, ethical behaviour, decision making, leadership, trust, inclusion, accountability, legitimacy, responsiveness, transparency and fairness.

Where the **system** might be an entire organisation, the governing body, a Directorate, a Unit, or a specific project or undertaking.

WHY IS THIS FRAMEWORK IMPORTANT

This Framework is important to:

1. **Local community** – as it provides assurance that Council, Councillors and the organisation decision making process:
   - Serves the public interest of the entire municipal community
   - Meets legislative requirements
   - Supports mutual respect and trust between all participants
   - Is ethical, defensible and able to withstand public scrutiny.

   Even if community members are opposed to individual decisions they should be able to recognise that the decision has been a result of a good governance process.

2. **Councillors** – provides a summary of your legislative obligations and how you might achieve this ethically and in line with stakeholders expectations.

3. **Employees** – provides an overview of how your frank and fearless advice and/or your own delegated decisions fit into the overarching Council decision-making process.

PART ONE – THE FRAMEWORK

HOW TO APPLY THIS FRAMEWORK

This Framework consists of two parts.

Part One, provides an overarching framework against which any system can be created or evaluated against being 1) the Vision); 2) Our Principles; and 3) the contextual environment of leadership, culture and respect.

Part Two, evaluates the dual governance structures of the Council and the City organisation against this framework. Noting that good governance is not linear or simple. Each of the principles interact, cross-over and compound in complex ways and are intrinsically interwoven with leadership and organisational culture.

DEFINITIONS

This Framework uses 3 discrete and separable terms:

	Councillor cohort meeting formally as decision-makers	**Broader organisation**	**Both combined**
***Local Government Act 2020* (the Act)**	Council	Council	Council
This Framework	Council	City organisation	The City (of Greater Bendigo)

DOCUMENT CONTROL

Approval Level:	Council
Owner:	Governance, Corporate Performance
Approval Date:	
DOC SETID:	
Administrative Updates:	It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a City unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation and by resolution of Council only.

Part One - The Framework

THE GOOD GOVERNANCE FRAMEWORK



Figure 1 - Good Governance Framework

THE GOOD GOVERNANCE FRAMEWORK

VISION

Good governance is important to all City of Greater Bendigo Councillors, Executive and employees. We will be accountable to *Our Principles*, especially when this becomes difficult or challenging to Council or the organisation. Behaviour that does not accord with these principles will not be tolerated as we acknowledge that the standard we walk past is the standard we set.

OUR PRINCIPLES

1. Accountable – we have an obligation to report, explain and be answerable for the consequences of decisions to those we represent.
2. Transparent – the community should be able to clearly see how and why a decision was made.
3. Compliant with rule of law – our decisions are consistent with relevant legislation or administrative law (particularly the presumption for natural justice) and are within the powers of the decision-maker.
4. Responsive – we will interact with community members in an informed, timely, appropriate and responsive manner.
5. Equitable and inclusive - we serve the needs of the entire community - all groups, particularly the most under-represented or marginalised, should feel their interests have been considered.
6. Effective and efficient – we will implement decisions and follow processes that make the best use of the available people, resources and time to ensure the best possible results for our community.
7. Participatory - Anyone affected by or interested in a decision should have opportunities to have their voice heard whilst understanding that competing interests are inevitable, valid and must be balanced.

LEADERSHIP & CULTURE

Leadership and culture is critical to good governance. By proactively and consistently applying *Our Principles* and upholding the Vision positive leadership and culture will be created and maintained which will promote and sustain good governance for the municipal community of Greater Bendigo.

- We are all responsible for, and can be leaders in, good governance. Promoting integrity, ethical role modelling and ethical management, fairness and transparency is up to everyone.
- Our culture must empower individuals to understand their responsibilities, provide frank and fearless advice to decision-makers, ask questions and to disclose or raise concerns and issues.

RESPECT

All parties, including community, should interact in a respectful manner towards each other - without prejudicing robust debate.

PART TWO - THE COUNCIL & CITY GOVERNANCE

Part Two - The Council & City Governance

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LOCAL GOVERNMENT CONTEXT – ROLES & POWERS

ROLE OF LOCAL GOVERNMENT

WHAT THE ACT SAYS

- The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community, section 8 (1).
- Council must achieve this through the overarching governance principles, section 9:
  - Council decisions are to be made and actions taken in accordance with the relevant law
  - Priority is to be given to achieving the best outcomes for the municipal community, including future generations
  - The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
  - The municipal community is to be engaged in strategic planning and strategic decision making
  - Innovation and continuous improvement is to be pursued
  - Collaboration with other Councils and Governments and statutory bodies is to be sought
  - The ongoing financial viability of the Council is to be ensured
  - Regional, state and national plans and policies are to be taken into account in strategic planning and decision making
  - The transparency of Council decisions, actions and information is to be ensured.
- Council must also take in account the supporting principles:
  - Community engagement principles
  - Public transparency principles
  - Strategic planning principles
  - Financial management principles
  - Service performance principles.

WHAT THE CITY DOES

The Act gives councils a very broad remit and a principles-based approach to good governance – that is very closely aligned to *Our Principles*. The subsequent sections of this Part 2 Framework demonstrate how the City achieves legislative compliance and alignment to *Our Principles*.

Council decisions, whether made by Councillors at a Council Meeting or by City employees under delegation, must achieve the best outcomes for the **entire** municipal community, including into the **future**.

LOCAL GOVERNMENT CONTEXT – ROLES & POWERS

ROLES OF INDIVIDUALS / SEPARATION OF DUTIES

WHAT THE ACT SAYS

ROLE OF MAYOR

- Role of the Mayor, section 18.
- Specific powers of the Mayor, section 19.

ROLE OF DEPUTY MAYOR

- Role and powers of the Deputy Mayor, section 21.

ROLE OF A COUNCILLOR (INCLUDING MAYOR AND DEPUTY MAYOR)

- Role of a Councillor, section 28.

ROLE OF CEO (AND ORGANISATION)

- Functions of the CEO, section 46.
- Delegations by CEO, section 47.

WHAT THE CITY DOES

The Act clearly distinguishes between the roles and responsibilities of the Council and elected Councillors (including the Mayor) and the administrative (Council employees) arm of Local Government. This demarcation of roles is sometimes referred to as the separation of powers. Powers can be delegated (subject to the Act), as detailed in the Delegations section, below.

The primary role of Councillors is to focus on policy development and strategic delivery of services in the public interest. Council decisions are made to direct the work of the City of Greater Bendigo and realise the planned goals that are set out in the Council Vision and Plan.

The internal day-to-day work of Local Government is carried out by City employees under the direction of the CEO. This operational work is directed by the decisions of the Council through the Council Plan.

Council and Councillors operate essentially how a Board of Directors might in a publicly listed entity. With the notable exception that Councillors are democratically elected, not appointed on a merit or skills basis. For example, Councillors:

- **Can** - influence and approve (or not) the Greater Bendigo Public Space Plan and approve the overall budget allocation each year that will attribute dollars to implementing this Plan's outcomes.
- **Cannot** – direct that a play space be built in the vacant block on your street.

Councillors operate collectively, individually neither the Mayor nor Councillors have the legal authority to act or make decisions on behalf of Council. Decisions made at formal Council Meetings provide the direction and authority for the City organisation to act.

LOCAL GOVERNMENT CONTEXT – ROLES & POWERS

ROLES OF EMPLOYEES

WHAT THE ACT SAYS

- Employees must comply with the Employee Code of Conduct, section 49.
- The Code of Conduct must contain provisions for:
  - Gift Policy
  - Conflict of Interest

WHAT THE CITY DOES

- The City organisation adopted this Gifts, Benefits and Hospitality Policy on June 9, 2020.
- The City Employee Code of Conduct, at section 7.2.g, requires all City employees to declare and avoid conflicts of interest.
- Additionally, the City has adopted:
  - This Fraud and Corruption Policy on December 11, 2019. This policy assists good governance by identifying and preventing inappropriate allocation of community funds.
  - This Risk Management Policy on December 11, 2019. This policy assists good governance by assisting decision-makers to make informed and proactive decisions within an environment of tolerable strategic and business risk limits.
  - The Staff values and behaviours of we lead, we learn, we contribute, we care, we respond, and we respect.
  - A suite of People & Culture policies, including recruitment and selection and appropriate workplace behaviours, supported by procedures relating to managing misconduct and underperformance.
  - This Records Management Policy establishes processes and practices for records from their creation, through their effective use, to disposal or preservation as archives.
  - This Privacy Policy which sets out our commitment to protecting your right to privacy and the management of your personal and health information.
- Additionally, the City organisation should apply monitoring, evaluation and learning (MEL) principles to service and project delivery.

LOCAL GOVERNMENT CONTEXT – ROLES & POWERS

ROLE OF AUDIT AND RISK COMMITTEE

WHAT THE ACT SAYS

- Council must have an Audit and Risk Committee, section 53, that:
  - Is Chaired by and has a majority of independent members (not Councillors) who have appropriate expertise and experience.
  - Includes Councillors
- The Audit and Risk Committee must:
  - Have a Charter
  - Monitor Council:
    - compliance
    - financial and performance reporting
    - risk management and fraud prevention systems and controls
  - Oversee internal and external audit functions

WHAT THE CITY DOES

- As required by the Act, the City has an Audit and Risk Committee, who meet a minimum of 4 times per year.
- The Audit and Risk Committee is an advisory committee formally appointed by Council and is responsible to the Council. It plays an important role in providing oversight of the City of Greater Bendigo's financial and performance reporting, risk management, compliance with legislation and internal and external audit functions.
- The Internal Audit Program is a risk-based plan which sets out the intended internal audits for the organisation. It is based on extensive planning and consultation across the City and is approved by the Audit and Risk Committee and Council. There is an Internal Audit Program, which is regularly reviewed and approved, based on emerging and changing internal and external risk profile.
- Further information, including the Charter and Minutes of prior meetings, can be found on the Audit and Risk Committee website.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law
- Effective & Efficient

COUNCIL DECISION MAKING

COMMUNITY ACCOUNTABILITY

WHAT THE ACT SAYS

- Council must have and apply a community engagement policy, section 55 that covers the principles below.
- Principles of community engagement, section 56:
  - Processes must have a clearly defined objective and scope
  - Participants must:
    - Have access to objective, relevant and timely information
    - Be representative of those affected
    - Receive reasonable support to enable meaningful engagement
    - Be informed how the engagement will influence the decision-making.
- Council must have and apply a public transparency policy, section 57:
- Principles of public transparency (unless confidential), section 58:
  - Decision making processes must be transparent.
  - Information must be 1) publicly available and 2) understandable and accessible.

WHAT THE CITY DOES

- The City adopted this Community Engagement Policy, in Mar 2020. The City uses Let's Talk Greater Bendigo as the primary community engagement platform.
- The City adopted this Public Transparency Policy, in Dec 2021.
- The default setting for the City is to publish or release information in the interest of public transparency. As such, we encourage community members to contact the Freedom of Information (FOI) Officer by contacting 1300 002 642 before making a formal application.
- The Freedom of Information Act 1982 (Vic) gives everyone the right to access documents held by government agencies and Ministers, including local councils. This City webpage details how to make a request for information.
- The Office of the Victorian Information Commissioner (OVIC) can independently review a formal FOI determination on request of the applicant.
- Confidential information (as defined by the Act) is treated differently.
- Decision makers should seek out and impartially listen to the community's views before making decisions. Noting that decisions will need to consider the best interest of the entire municipal community over time and including overall financial sustainability – not just the "squeakiest wheel".

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law
- Responsive
- Equitable & Inclusive
- Role of Local Government

COUNCIL DECISION MAKING

COUNCIL MEETINGS

WHAT THE ACT SAYS

- Council Meetings must be conducted in accordance with Governance Rules, section 60.
- Council Meetings must be kept open to the public, section 66.

WHAT THE CITY DOES

- The City adopted these Governance Rules in Mar 2022.
- The City keeps all Meetings open to the public unless to consider confidential information, for security reasons, or to enable the Meeting to proceed in an orderly manner.
- The Governance Rules also allow for, and control, public attendance at Meetings, public question time and petitions and joint letters. Public Question Time is not a requirement of Council under the Act. This Council has provides for Public Question Time to ensure greater public transparency and accountability.
- Further information on Council Meetings, including Agendas, Minutes, livestream and recordings, can be found here: https://www.bendigo.vic.gov.au/About/Council/Council-meetings
- The purpose of Council Meetings is for the elected community representatives (Councillors) to decide matters. To inform Councillors prior to making these decisions:
    - The City organisation regularly arranges briefings for Councillors, including internal Councillor Briefings, workshops, site and/or community group meetings and Community Presentations. Records of all these meetings can be found on the Record of Assembly website. Whilst maintaining records of assemblies is no longer a legislative requirement (as it was under the previous 1989 Local Government Act) the City recognises the importance of this to good governance. Decisions of Council cannot be made at these forums.
    - The City often engages with community on discrete projects through Let's Talk Greater Bendigo.
    - Community members can provide feedback directly to Councillors via:
        - Ward Engagement events, generally held monthly
        - Councillor attendance at many and varied events across the Municipality and over the year
        - Councillor committee membership
    - Various methods of contacting the City and individual Councillors.
- It is important for Councillors to be informed about, and actively participate in, decision making. It is important that Council employees provide frank, honest, well-evidenced and timely advice to Councillors.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law
- Effective & Efficient

COUNCIL DECISION MAKING

LOCAL LAWS

WHAT THE ACT SAYS

- A Council may make local laws for or with respect to any act, matter or thing to provide good governance in its municipal district for the benefit and wellbeing of the municipal community, Division 3 of Part 3 (or sections 71-86).

WHAT THE CITY DOES

Local laws enable Council's to identify local issues that are important to the community and put controls in place to ensure public safety, amenity and protection of natural and community assets.

The City creates local laws that apply to its municipal district through the Local Government Act 2020.

Local laws must not be inconsistent with other legislation or regulation or duplicate any matters contained within a planning scheme.

Local laws determine when activities require permits for residents and others.

City of Greater Bendigo current laws include:

- Local law 2: Keeping of animals
- Community Local Law
- Local law 10: Administration
- Local law 11: Protection of public assets and control of building sites

More about Greater Bendigo's local laws can be found on our Local Laws website.

OUR PRINCIPLES

- Transparent
- Compliant with Law
- Responsive
- Equitable & Inclusive
- Effective & Efficient

COUNCIL DECISION MAKING

DELEGATIONS

WHAT THE ACT SAYS

- A Council may delegate any power, duty or function of Council (except the listed exemptions) section 11, to:
  - members of a delegated committee
  - the Chief Executive Officer.
- The Chief Executive Officer may delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to, section 47:
  - a member of Council staff
  - the members of a Community Asset Committee.

WHAT THE CITY DOES

- The City adopted this Delegations and Authorisations Policy on July 19, 2021.
- Councils have wide-ranging responsibilities, and are given many powers, duties and functions under different pieces of legislation. It would be impossible for a council to exercise all these powers, duties and functions itself because it would need to pass a Council resolution each time it wished to act.
- For day to day operations, Council need others to make decisions and act on their behalf. Delegating a Council's powers, duties and functions is essential to fulfilling the responsibilities of local government.
- When a council delegates a power, duty or function to a City employee or to a committee, the decision of the delegate is deemed to be a decision of the Council.
- All the City delegations are listed on the Instruments of Delegation website.
- City employees should ensure that, when making decisions, they have the delegated power, and that they are in possession of all the facts and have considered all views (particularly of those most affected).

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law
- Responsive
- Equitable & Inclusive
- Effective & Efficient

COUNCIL DECISION MAKING

COMPLIANCE

WHAT THE ACT SAYS

- The Local Government Act 2020 is silent on the many compliance activities undertaken by local government, which are inherited by other Acts, local laws and/or convention.

WHAT THE CITY DOES

- The City provides compliance activities in the following spaces:
  - Public Health
    - Unreasonable Residential Noise
    - Smoke
    - Regulated business (food, accommodation, beauty, aquatic, etc)
    - Septic
  - Statutory Planning
  - Parking
  - Fire Services
  - Public spaces
  - Animals
- Having compliance activities that are transparent, compliant with law, equitable and efficient is important so that residents know:
  - What is expected of them
  - What avenues are available to recourse if others are non-compliant
  - How to seek review if believe the compliance activity is unlawful or unfair
- The City adopted this Compliance Policy on June 17, 2020 which provides a rationale and framework for compliance activities to be:
  - Outcome based, not punitive
  - Realistic, in providing time to correct problems
  - Proportional
  - Risk-based
- The City prioritises compliance actions in the following order 1) Inform; 2) Educate; 3) Warn and 4) Enforce.
- Compliance activities are often raised by residents due to escalating neighbourhood disputes. In most instances this does not lead to satisfactory outcomes for any party. The City encourages neighbours to work together early and collaboratively.
- Parking regulation is a critical element in ensuring equitable access to high-use areas and businesses. However, nobody enjoys receiving an infringement notice. All your questions regarding parking are answered on our Parking website including further information on appealing your fine.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law
- Responsive
- Equitable & Inclusive

COUNCIL DECISION MAKING

DIVERSITY

WHAT THE ACT SAYS

- The role of a Councillor includes considering the diversity of interests and needs of the municipal community (s 28). The Act is otherwise silent on the benefits of diversity and inclusion to good governance.

WHAT THE CITY DOES

- Diversity is critical to good governance for two reasons:
  - Firstly, in a democracy elected representatives should be largely representative of the community they are drawn from. However, the election process is highly legislated and regulated and is outside the scope of this Framework to cover or to influence.
  - Secondly, decisions – whether made by Council in the Chamber or by City employees under delegation – benefit from being influenced by a variety of people with varying backgrounds, skills, knowledge and lived experience. This can be encouraged both by fulsome community engagement and by ensuring diversity within the City organisation.
- The City encourages diversity in the municipality and the City organisation through a range of strategies:
  - Cultural Diversity and Inclusion Plan
  - Intercultural Ambassador Program
  - Aboriginal and Torres Strait Islander reconciliation
  - Positive Ageing
  - Gender equity
  - Youth action plan and programs
  - Disability and Inclusion Reference Committee
  - LGBTIQA+ Inclusion Action Plan
- The City adopted this Social Justice Framework which was adopted Jun 27, 2022. This Framework builds upon human rights with a focus on reducing vulnerabilities through addressing the barriers to equality in the economic, environmental, social and cultural domains.

OUR PRINCIPLES

- Responsive
- Equitable & Inclusive
- Participatory

PLANNING AND FINANCIAL MANAGEMENT

STRATEGIC PLANNING

WHAT THE ACT SAYS

- Council must maintain a Community Vision, section 88.
- Principles: strategic planning must, section 89:
  - Integrate planning, monitoring and performance reporting
  - Address the Community Vision
  - Consider resourcing
  - Identify and address the risks
  - Provide for ongoing monitoring of progress and regular reviews.
- Council must adopt a Council Plan that sets the strategic direction of Council, integrates with other strategic plans, addresses the Community Vision and complies with the strategic planning principles, section 90.
- The other strategic plans that Council must develop in accordance with its deliberative engagement practices and adopt by 31 October in the year following a general election, are:
  - 10-year Financial Plan, section 91 and Part 2 of the Statutory Rule S.R. No. 117/2020 Local Government (Planning and Reporting) Regulations 2020
  - Asset Plan, section 92.
  - Revenue and Rating Plan, section 93.

WHAT THE CITY DOES

- Imagine Greater Bendigo was a two-stage planning process the City of Greater Bendigo undertook throughout 2021 to use extensive community feedback to inform and develop the community vision (and also the Council Plan, Municipal Public Health and Wellbeing Plan, 10-Year Financial Plan and Asset Plan). Our community vision is:
  - *Greater Bendigo celebrates our diverse community. We are welcoming, sustainable and prosperous. Walking hand-in-hand with the Traditional Custodians of this land. Building on our rich heritage for a bright and happy future.*
  - The community vision is further underpinned by 5 values of transparency, sustainability, inclusion, innovation and equity.
- The City adopted this Council Plan (Mir wimbul 2021-2025) in Oct 2021. This Plan is based upon 7 outcomes: 1) Lead and govern for all; 2) Healthy, liveable spaces and places; 3) Strong, inclusive and sustainable economy; 4) Aboriginal reconciliation; 5) A climate-resilient built and natural environment; 6) A vibrant, creative community; and 7) A safe, welcoming and fair community.
- The City adopted this Financial Plan 2021-2031 in Oct 2021, this Asset Plan 2022-2032 on Jun 27, 2022 and this Revenue and Rating Plan in Jun 2021.
- The City has an internal Framework and Governance Group to oversee Integrated Strategic Planning.

OUR PRINCIPLES

- Compliant with Law
- Responsive
- Equitable & Inclusive
- Participatory

PLANNING AND FINANCIAL MANAGEMENT

BUDGET PROCESS

WHAT THE ACT SAYS

- Adopt a 4-year Budget each year that delivers against the Council Plan, section 94 and contains information prescribed by Part 3 of the Statutory Rule S.R. No. 117/2020 Local Government (Planning and Reporting) Regulations 2020.
- Present a quarterly budget report to Council, section 97.

WHAT THE CITY DOES

- The current and previous Budgets, adopted each year prior to end of financial year, are located on the Budget website.
- Each quarter the City organisation presents a budget report to Council:
  - Quarter 1 (Jul-Sep) – at Nov Meeting (Report titled Finance Committee Report Qx)
  - Quarter 2 (Oct-Dec) – at Feb Meeting
  - Quarter 3 (Jan-Mar) – at May Meeting
  - Full year, including quarter 4 (Apr-Jun) – at Sep Meeting (Report titled Annual Financial and Performance Statements).

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law
- Responsive
- Effective & Efficient

PLANNING AND FINANCIAL MANAGEMENT

REPORTING

WHAT THE ACT SAYS

- Council must prepare an Annual Report each financial year, section 98 and Part 4 of the Statutory Rule S.R. No. 117/2020 Local Government (Planning and Reporting) Regulations 2020. The Report must contain:
  - a report of operations of the Council, including:
    - An assessment of Council's governance and management
    - Service performance indicators in report of operations
  - an audited performance statement (with auditor's report)
  - audited financial statements (with auditor's report).
- Each Annual Report must be certified by two Councillors and adopted by Council, section 99.
- Each Annual Report must be adopted by Council, section 100.

WHAT THE CITY DOES

- The City prepares, certifies, adopts and publishes an audited Annual Report each year, no later than Oct, which can be found on the Annual Report website.
- The City actively participates, as we are regulatory required to, in the Local Government Performance Reporting Framework (LGPRF), under the LGV Know Your Council – Greater Bendigo City Council and VAGO Reporting on Local Government Performance websites.
- The City tables quarterly, at Council Meeting, a report on the progress against the Council Plan actions, generally aligned with the budget reporting above.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law

PLANNING AND FINANCIAL MANAGEMENT

FINANCIAL MANAGEMENT

WHAT THE ACT SAYS

- Principles of financial management, section 101:
  - Revenue, expenses, assets, liabilities, investments and financial transactions must be managed
  - Financial risks must be monitored and managed prudently
  - Policies and strategic plans must seek to provide stability and predictability
  - Accounts and records must be kept.
- Council must prepare and adopt financial policies, section 102.
- The Principal Accounting Officer must ensure that there are kept proper accounts and records, section 105.
- Prohibition of Councillor discretionary funds, section 70.

WHAT THE CITY DOES

- The City has the following financial policies:
  - Asset Capitalisation Policy
  - Asset Management Policy
  - Asset valuation and revaluation policy
  - Assets and Surplus Land Disposal Policy
  - Borrowing Policy
  - Corporate Purchasing Card Policy
  - Employee Travel and Related Expenses Policy
  - External Grant Management Policy
  - Financial Reserves Management Policy
  - Garbage, Recycling and Organic Waste Charge Policy
  - Investment Policy
  - Loan Guarantee and Joint Funding Arrangements Policy
  - Portable and Attractive Assets Policy
  - Pricing Policy
  - Public Open Space Contributions Policy
  - Revenue and Debt Collection Policy
  - Financial Hardship Guidelines
- The Principal Accounting Officer at Greater Bendigo is the Manager Financial Strategy Unit.
- The City does not allow Councillor discretionary funds.
- Our Annual Report financial statements are audited by the Victorian Auditor-General's Office (VAGO).
- Members of the public may submit audit suggestions to VAGO via this form.
- The City adopted these Councillor Expense and Support Policy in Mar 2022.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law
- Effective & Efficient

COUNCIL OPERATIONS

SERVICE PERFORMANCE

WHAT THE ACT SAYS

- The principles of service performance, section 106, are:
  - Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community
  - Services should be accessible to the members of the municipal community for whom the services are intended
  - Quality and costs standards for services set by the Council should provide good value to the municipal community
  - Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring
  - Service delivery must include a fair and effective process for considering and responding to complaints about service provision.
- Council must have a complaint policy, including an internal, independent review process, section 107.

WHAT THE CITY DOES

The City of Greater Bendigo delivers 68 services. Some have a legal obligation (ie animal management, local roads, food safety and statutory planning) but most services are discretionary (ie libraries; building permits; playgrounds and sporting facilities). The City has processes to support service planning and review, to ensure all services continue to provide value for money and are in line with changing community expectations and the service performance principles, above. The City seeks to engage with the community to determine how to prioritise resources and balance service provision against other responsibilities such as asset maintenance and capital works – in accordance with the Community Accountability section. Local Government is not responsible for matters such as hospitals, public transport, public housing, education, major road/highway upgrades, mental health services, state and national parks, wildlife management and police.

Our Customer Service Charter explains how employees at the City of Greater Bendigo will interact with you. We commit to the delivery of high quality, accessible and responsive customer service in accordance with our values and behaviours.

Complaints. Feedback is very important in helping the City of Greater Bendigo to deliver a quality experience for our customers. We welcome both positive and constructive feedback as this helps us to improve services for the future. We take all complaints seriously and will work to address complaints in a fair and transparent way. Greater Bendigo approved this Complaints Handling Policy in Dec 2021 and further information can be found on the Feedback and Complaints webpage.

Complaints about an action or decision made can also be escalated to the Victorian Ombudsman.

OUR PRINCIPLES

- Accountable
- Compliant with Law
- Responsive
- Equitable & Inclusive
- Effective & Efficient

COUNCIL OPERATIONS

PROCUREMENT

WHAT THE ACT SAYS

- Council must have a Procurement Policy that seeks to promote open and fair competition and provide value for money, section 108.
- Council must comply with its Procurement Policy.

WHAT THE CITY DOES

- The City adopted this Procurement Policy on Dec 2021.
- Further information, including pre-qualification, tenders and quotes, can be found on this website.
- The City reports, each month at Council Meeting, the capital and service contracts that have been executed in that period under delegation by the City organisation. This report also covers contracts that were awarded at the previous confidential Council Meeting, under section 66 of the Act.

OUR PRINCIPLES

- Accountable
- Compliant with Law
- Equitable & Inclusive
- Effective & Efficient

COUNCILLOR INTEGRITY

IMPROPER CONDUCT - MISUSE OF POSITION

WHAT THE ACT SAYS

- A Councillor must not intentionally misuse their position to advantage themselves or cause detriment to Council or another person, section 123, including by:
  - Making improper use of information acquired as a Councillor
  - Disclosing confidential information, section 125
  - Directing or improperly influencing staff, section 124
  - Performing non-authorised functions
  - Improper use of public funds or resources
  - Participating in decision-making, where they have a conflict of interest
- Penalties may apply and an offence is indictable.

WHAT THE CITY DOES

- The City monitors Councillor behaviour at all times.
- Councillors are required to, under section 5 of the Councillor Code of Conduct, to report all instances of fraud and corruption, and serious and gross misconduct.
- The City encourages any community member to report concerns with Councillor conduct, either:
  - To the City through our Community Complaints About a Councillor Policy
  - To the relevant authority under our Public Interest Disclosure Procedures (formerly whistleblower)
  - To the relevant integrity agency:
    - IBAC – for corruption
    - Victorian Government Inspector (Chief Municipal Inspector) – for breaches of the Local Government Act (including improper conduct).
- The City is committed to:
  - Community members have a right to complain, if necessary.
  - Our process being accessible, transparent, objective and fair, confidential and accountable.
- Noting complaints that have insufficient information provided or are deemed frivolous or vexatious will not be progressed.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law

COUNCILLOR INTEGRITY

IMPROPER CONDUCT – DIRECTING A MEMBER OF STAFF

WHAT THE ACT SAYS

- A Councillor must not intentionally direct, or seek to direct, a member of Council staff, section 124.
- Penalties may apply.
- Directing, or seeking to direct, a member of Council staff is defined as serious misconduct.
- The CEO is responsible for managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented, section 46.

WHAT THE CITY DOES

- The City adopted this Councillor Communication and Information Policy in Mar 2022 which in part seeks to regulate the interactions between Councillors and City employees including from the perspective of preserving integrity and avoiding directing employees.

OUR PRINCIPLES

- Accountable
- Compliant with Law

COUNCILLOR INTEGRITY

IMPROPER CONDUCT – CONFIDENTIAL INFORMATION

WHAT THE ACT SAYS

- Councillors and City staff must not intentionally or recklessly disclose information that the person knows, or should reasonably know, is confidential information, section 125.
- Penalties may apply.
- The Act, at section 3, defines confidential information as:
  - Council business information
  - Security information
  - Land use planning information
  - Law enforcement information
  - Legal privileged information
  - Personal information
  - Confidential Council Meeting information
  - Internal arbitration information
  - Councillor Conduct Panel confidential information
- Disclosing confidential information is defined as serious misconduct.

WHAT THE CITY DOES

- The City adopted this Councillor Communication and Information Policy in Mar 2022 which in part seeks to regulate the access to information by Councillors including from the perspective of preserving integrity and avoiding misuse.
- The City Employee Code of Conduct, at section 7.2.d, requires all City employees to maintain confidentiality.
- Noting that the City seeks to maximise public transparency and accountability.

OUR PRINCIPLES

- Accountable
- Compliant with Law

COUNCILLOR INTEGRITY

CONFLICT OF INTEREST

WHAT THE ACT SAYS

- As per section 130 a relevant person who has a conflict of interest in respect of a matter must:
  - disclose the conflict of interest
  - exclude themselves from the decision
- Conflicts of interest may either be:
  - **General**, at section 127 – where an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.
  - **Material**, at section 128 – where an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.
- Penalties may apply.
- Breaching conflict of interest obligations by a Councillor is defined as serious misconduct.
- There are exemptions, at section 129 section 7 of the Statutory Rule S.R. No. 116/2020 Local Government (Governance and Integrity) Regulations 2020, including:
  - Remoteness or insignificance
  - Held in common with a substantial proportion of the community.

WHAT THE CITY DOES

- Part 7 of the City's Governance Rules detail the obligations of Councillors and City employees to:
  - Avoid, identify, disclose and manage conflicts of interest.
  - Not exercise, participate or influence (including by leaving the meeting) decisions.
  - Record conflicts of interest and how they were managed.
- The City Employee Code of Conduct, at section 7.2.g, also requires all City employees to declare and avoid conflicts of interest.
- The transparency and integrity of planning and property development decision making within Victoria, including but not limited to, the provision of donations and in-kind assistance to candidates at State and local government elections has been identified by IBAC (through the Operation Sandon report) to be a serious corruption risk. This is a risk that the City takes extremely seriously and will continue to monitor Councillors and delegated decision-makers and will all reasonable legislative reform and Ministerial guidance.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law

COUNCILLOR INTEGRITY

PERSONAL INTERESTS RETURNS

WHAT THE ACT SAYS

- Councillors, CEO, and City staff nominated by the CEO are required to provide an initial Personal Interests Return (section 133) and resubmit each March and September (biannual Personal Interests Return, section 134).
- The content of the initial and biannual Personal Interests Returns are prescribed by section 8 and 9 respectively of the Statutory Rule S.R. No. 116/2020 Local Government (Governance and Integrity) Regulations 2020.
- Penalties may apply for submissions that are not received, supplied late or are false or incomplete.
- The CEO must prepare and publish a summary of the Personal Interests Returns, section 135.
- The CEO must ensure corporate records are retained and confidentiality maintained, section 136.

WHAT THE CITY DOES

- The City prepares and publishes this summary of the Personal Interests Returns after each specified period.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law

COUNCILLOR INTEGRITY

GIFTS

WHAT THE ACT SAYS

- Councillors must not accept anonymous gifts, section 137. Penalties may apply.
- Council must have and maintain a Councillor gift policy, section 138.

WHAT THE CITY DOES

- The City adopted this Councillor Gift Policy in Mar 2022.
- The City reports on this Policy, the process and the Registrar at least annually to the ARC.

OUR PRINCIPLES

- Accountable
- Transparent
- Compliant with Law

COUNCILLOR INTEGRITY

COUNCILLOR CONDUCT

WHAT THE ACT SAYS

- Council must have a Councillor Code of Conduct, as per section 139, that:
  - Incorporates the standards of conduct prescribed in Schedule 1 of the Statutory Rule S.R. No. 116/2020 Local Government (Governance and Integrity) Regulations 2020.
  - Prohibits discrimination, harassment (including sexual) and vilification.
  - Is re-adopted within the period of 4 months after a general election by at a least two-thirds majority.

WHAT THE CITY DOES

- The City adopted this Councillor Code of Conduct in Feb 2021, that incorporates and expands upon the proscribed requirements.
- This Councillor Code of Conduct is also further supplemented by:
  - Councillor Appropriate Behaviour Policy, adopted Mar 2022.
  - Councillor Prevention of Sexual Harassment Policy, adopted Mar 2022.

OUR PRINCIPLES

- Accountable
- Compliant with Law

COUNCILLOR INTEGRITY

MISCONDUCT / INTERNAL ARBITRATION

WHAT THE ACT SAYS

- Misconduct is defined as a breach of the standards of conduct, as defined in the above section, but excluding behaviour which is defined as Serious or Gross Misconduct under the Act.
- If there is an allegation that a Councillor has engaged in misconduct:
  - The Council or Councillor(s) may apply to the Principal Councillor Conduct Registrar to examine, within 3 months of the alleged incident.
  - The Principal Councillor Conduct Registrar will refer it to an arbiter if an examination determines:
    - It is not frivolous, vexatious, misconceived or lacking in substance
    - There is sufficient evidence.
  - An arbiter will:
    - Be appointed, from a list maintained by the Secretary.
    - Investigate
    - Escalate if the behaviour is deemed serious.
    - Make a finding, including (section 147):
      - Direct the Councillor to apologise or undertake training/counselling
      - Remove the Councillor from other representational duties
      - Suspend the Councillor for up to 1 month
- A copy of the Arbiter's determination must be tabled at the next Council Meeting.
- Misconduct and internal arbitration is detailed at sections 141-147A of the Act and section 11 of the Statutory Rule S.R. No. 116/2020 Local Government (Governance and Integrity) Regulations 2020.

WHAT THE CITY DOES

- Before Council or Councillor(s) apply to the Principal Councillor Conduct Registrar to examine an allegation of misconduct:
  - By a community member – the complaint should be clarified, preliminary checked by the City Governance Unit and undergo an initial assessment by the Mayor (or delegate) and the CEO in accordance with the Community Complaints About a Councillor Policy
- By other Councillor(s) - the Dispute Process in part 6 of the Councillor Code of Conduct.
- The City monitors the Arbiter's determinations as they are released on the Local Government Victoria website.

OUR PRINCIPLES

- Accountable
- Compliant with Law

COUNCILLOR INTEGRITY

SERIOUS MISCONDUCT / COUNCILLOR CONDUCT PANELS

WHAT THE ACT SAYS

- Serious misconduct is defined as:
  - Failure to comply with the arbitration or Councillor Conduct process or an arbiter's or Panel direction.
  - Continued misconduct
  - Bullying
  - Sexual harassment
  - Disclosure of confidential information
  - Directing, or seeking to direct, a member of staff
  - Breach of conflict of interest obligations.
- If there is an allegation that a Councillor has engaged in serious misconduct:
  - The Council, Councillor(s) or the Chief Municipal Inspector may apply to the Principal Councillor Conduct Registrar to examine, within 12 months of the alleged incident.
  - The Principal Councillor Conduct Registrar will refer it to a Councillor Conduct Panel if an examination determines:
    - It is not frivolous, vexatious, misconceived or lacking in substance
    - There is sufficient evidence
    - The Council has taken sufficient and appropriate steps to resolve.
  - The Councillor Conduct Panel will:
    - Consist of two individuals appointed from a list maintained by the Minister.
    - Investigate
    - Make a finding, including (section 167) 1) direct the Councillor to apologise; 2) reprimand the Councillor 3; remove the Councillor from other representational duties; 4) suspend the Councillor for up to 12 months.
  - The Councillor will also, automatically, be ineligible to hold the office of Mayor or Deputy Mayor for the remainder of the Council's term (unless the Panel directs otherwise).
- A copy of the Panel's determination must be tabled at the next Council Meeting.
- Serious misconduct and Councillor Conduct Panels are detailed at sections 153-169 of the Act.

WHAT THE CITY DOES

- Cooperates fully with this process, in accordance with the Act.
- The City monitors the Panel determinations as they are released on the Local Government Victoria website.

OUR PRINCIPLES

- Accountable
- Compliant with Law

COUNCILLOR INTEGRITY

GROSS MISCONDUCT & VCAT

WHAT THE ACT SAYS

- Decisions of a Councillor Conduct Panel may be reviewed by Victorian Civil and Administrative Tribunal (VCAT), if requested by the parties, section 170.
- VCAT may also hear an application for gross misconduct, if requested by the Chief Municipal Inspector.
- Gross misconduct by a Councillor is defined as conduct that demonstrates a Councillor is:
  - Not of good character
  - Otherwise not a fit and proper person to hold the office of Councillor.

WHAT THE CITY DOES

Cooperates fully with this process, in accordance with the Act.

OUR PRINCIPLES

- Accountable
- Compliant with Law

COUNCIL INTEGRITY

MINISTERIAL GUIDANCE

WHAT THE ACT SAYS

- The Local Government Minister may direct a Council, section 175, to:
  - Update its governance processes and policies
  - Adopt a good practice guideline issued by the Minister
  - Adopt any recommendation made, or take any action recommended, by 1) Municipal Monitor; 2) the Chief Municipal Inspector; 3) a Commission of Inquiry; 4) the Ombudsman; or 5) IBAC.

WHAT THE CITY DOES

Cooperates fully with this process, in accordance with the Act.

The Minister has issued three good practice guidelines since the commencement of the LGA 2020:

- Ministerial Good Practice Guideline (MGPG) 1 - Virtual Meetings (Superseded by MGPG 3)
- MGPG 2 – For Councils Engaging with Aboriginal Victorians
- MGPG 3 – Virtual Meetings.

MUNICIPAL MONITORS

WHAT THE ACT SAYS

- The Minister may appoint a Municipal Monitor, Division 3 of Part 7 (sections 179-181), to:
  - Monitor Council governance processes and practices
  - Advise the Council about governance improvements
  - Report to the Minister on any steps or actions taken by the Council to improve
  - Make recommendations to the Minister
  - Investigate a Councillor and provide a report to the Minister, section 225
  - Monitor and report to the Minister on any other matters determined by the Minister.

WHAT THE CITY DOES

- Cooperates fully with this process, in accordance with the Act.
  The City monitors the Monitor determinations as they are released on the Local Government Victoria website.

OUR PRINCIPLES

- Accountable
- Compliant with Law

COUNCIL INTEGRITY

CHIEF MUNICIPAL INSPECTOR

WHAT THE ACT SAYS

- The Chief Municipal Inspector has wide ranging powers to investigate, examine and prosecute offences, breaches, all types of misconduct, and public interest complaints, Division 4 of Part 7 (sections 182-199A).

WHAT THE CITY DOES

Cooperates fully with this process, in accordance with the Act.

COMMISSIONS OF INQUIRY

WHAT THE ACT SAYS

- The Minister may appoint a person or persons to be a Commissioner of a Commission of Inquiry, Division 5 of Part 7 (sections 200-223), to conduct an inquiry into the affairs of a Council.

WHAT THE CITY DOES

- Cooperates fully with this process, in accordance with the Act.
- The City monitors the Commissions of Inquiry Reports as they are released on the Local Government Victoria website.

SUSPENSION OF COUNCILLORS / TEMPORARY ADMINISTRATION

WHAT THE ACT SAYS

- The Governor in Council may, on the recommendation of the Minister, suspend all Councillors and appoint temporary administrators, Division 7-8 of Part 7 (sections 230-233).

WHAT THE CITY DOES

- Cooperates fully with this process, in accordance with the Act.

OUR PRINCIPLES

- Accountable
- Compliant with Law

APPENDICES

APPENDIX ONE – PRINCIPLES MATRIX

Framework Section	Accountable	Transparent	Compliant with Law	Responsive	Equitable & Inclusive	Effective & Efficient	Participatory
Community Accountability	X	X	X	X	X		X
Council Meetings	X	X	X			X	
Local Laws		X	X	X	X	X	
Delegations	X	X	X	X	X	X	
Compliance	X	X	X	X	X		
Diversity				X	X		X
Strategic Planning			X	X	X		X
Budget Process	X	X	X	X		X	
Reporting	X	X	X				
Financial Management	X	X	X			X	
Service Performance	X		X	X	X	X	
Procurement	X		X		X	X	
Improper Conduct – Misuse of Position	X	X	X				
Improper Conduct – Directing a Member of Staff	X		X				
Improper Conduct – Confidential Information	X		X				
Conflict of Interest	X	X	X				
Personal Interests Returns	X	X	X				
Gifts	X	X	X				
Councillor Conduct	X		X				
Council Integrity	X		X				

15.8. CEO EMPLOYMENT AND REMUNERATION POLICY REVIEW

Author:	Kylie Cheal, Manager People & Culture
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

The purpose of this report is to seek Council approval of the reviewed CEO Employment and Remuneration Policy.

Recommended Motion

That Council approves the reviewed CEO Employment and Remuneration Policy.

Executive Summary

The CEO Employment and Remuneration Policy is due for review in December 2025. Following the CEO recruitment process in late 2023, consultation was undertaken with involved parties to review its effectiveness and efficiency.

In response to feedback obtained and identified key themes, the requirement for a review to the policy was identified to:

- Provide clarity on roles and responsibilities for all parties involved in the CEO recruitment process and the CEO performance review process.
- Correct inconsistencies within the policy document.
- Incorporate findings from benchmarking and include additional sections.

Proposed changes to the Policy will result in the revision of additional related documents. To further support clarity of roles and responsibilities, procedure documents have been developed.

Background

The CEO Employment and Remuneration Policy is a requirement of the *Local Government Act 2020* (the Act) (Section 45 (1): *A Council must develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy*) and describes how CEO employment matters (recruitment, performance and development plan, performance monitoring and remuneration) will be managed.

The current policy was approved in December 2021 and administratively updated in March 2023 to correct inconsistencies with the CEO Employment and Remuneration Advisory Committee Terms of Reference (i.e. quorum number and nominated Chairperson).

Previous Council decision dates: N/A

Report

CEO Employment and Remuneration Policy

The CEO Employment and Remuneration Policy **(Attachment 1)** has been reviewed. In summary, the changes are:

- Revision of formatting for policy template consistency, revision of some definitions, correct grammatical errors and duplication of content.
- Deleted *5.1.1 Establishment:* content covered elsewhere in document.
- Revision of *6. Roles and Responsibilities* for clarity: expanded listed responsibilities, added roles; The Committee, Director Corporate Performance and Council Officer (as delegated).
- Integrated *5.3. Renumeration and Expenses* content into relevant sections within document.
- Separated *CEO Recruitment* and *CEO Appointment* sections and expanded, including delegation of a CEO Recruitment Sub-Committee who will participate in recruitment activities and make related recommendations to Council on behalf of the Committee.
- Added *5.4. CEO Induction and Onboarding Program.*
- Revised *5.4 CEO Performance Plan* to *5.5. CEO Performance Monitoring* (to ensure meeting obligations of the Act Section 45 (2): *A Chief Executive Officer Employment and Remuneration Policy must – (b) provide for the following (iii) performance monitoring)* and expanded sections therein.
- Added *5.6 Reappointment of the CEO.*
- Added *5.7 Appointment of Acting CEO* (to ensure meeting of obligations of the Act, Section 11 (3): *A Council may delegate to the Chief Executive Officer the power to appoint an Acting Chief Executive Officer for a period not exceeding 28 days* and the Act, Section 44 (4) *If there is a vacancy in the office of Chief Executive Officer or the Chief Executive Officer is unable to perform the duties of the office of Chief Executive Officer, the Council must appoint a person to be the Acting Chief Executive Officer.*
- Added *5.8 Provision of Independent Advice* (to ensure meeting of obligations of the Act Section 45 (2): *A Chief Executive Officer Employment and Remuneration Policy must – (a) provide for the Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration policy*).
- Added *5.9 Confidentiality.*

Risk Assessment

Effective review of the CEO Employment and Remuneration Policy ensures the City meets related obligations under the Act.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. CEO Employment and Remuneration Policy [**15.8.1** - 9 pages]

CEO EMPLOYMENT AND REMUNERATION POLICY

Approval Level:	Council
Policy Type:	Council
Approval Date:	24/06/2024
Review cycle:	4 Years
Review Date:	24/06/2028
Responsible Officer:	Manager, People & Culture
Owner:	People and Culture
Responsible Director:	Corporate Performance
Relevant Legislation/Authority:	Local Government Act 2020 (Vic) Public Administration Act 2004 (Vic)
DOCSETID:	4660814

1. INTRODUCTION

Under various provisions of the *Local Government Act 2020* (the Act), Council is responsible for the appointment of the Chief Executive Officer (CEO) and reviewing the performance of the CEO at least once each year.

The City of Greater Bendigo (the City) is committed to ensuring the application of good governance, transparency and respect in all matters relating to the employment, performance management and remuneration of the CEO.

2. PURPOSE AND SCOPE

The purpose of this policy is to:

- Fulfill the requirements related to this policy under Section 45 of the Act
- Outline the way in which the City will manage CEO employment matters by ensuring consistency in the development, undertaking or review of the CEO performance plan, performance monitoring and review, recruitment, remuneration and contract inclusions.
- Establish a CEO Employment and Remuneration Advisory Committee (the Committee).

This policy applies to the role of CEO and encompasses all mechanisms which support Council in fulfilling its obligations regarding the employment and remuneration aspects of the role of CEO and under the Act.

3. DEFINITIONS

In this policy:

CEO means the person appointed by a Council under section 44 to be its Chief Executive Officer or any person acting in that position;

CEO Employment and Remuneration Advisory Committee (the Committee) means the group consisting of all Councillors and the Independent Advisor that is tasked with advising Council on matters related to the employment, performance and remuneration of the CEO

City means the City of Greater Bendigo Council, being a body corporate constituted as a municipal Council under the Local Government Act 2020 (Vic)

Council means the Greater Bendigo City Council being all the Councillors collectively

Councillor means an individual holding the office of a member of City of Greater Bendigo Council

Independent Advisor means a suitably qualified individual who is independent of Council and the City, provides expert advice and is a member of the Committee.

4. PRINCIPLES

Council will carry out its functions relating to CEO employment matters in accordance with the following principles:

- Decision-making processes that are fair, accessible, impartial and applied consistently in comparable circumstances.
- Decision-making criteria that are relevant and objective
- Decisions and actions that are conducive to ongoing good governance.
- Documentation that is sufficiently clear and comprehensive to render decisions transparent and capable of effective review.
- Employment decisions that are based on the proper assessment of an individual's work-related qualities, abilities and potential against the genuine requirements of the role.
- Decisions to appoint new employees that are based on competitive selection, open processes, objective criteria, and has regard to gender equity, diversity and inclusiveness.

5. POLICY

5.1 CEO Employment and Remuneration Advisory Committee

5.1.1 Purpose

The purpose of the Committee is to provide advice and make recommendations to Council on CEO employment matters which include:

- CEO Recruitment
- CEO Performance and Development Plan
- CEO Performance Monitoring

- CEO Remuneration

The Committee has no delegated authority and does not have the power to make decisions on behalf of Council. Any voting rights of committee members are in an advisory capacity only and relate to the making of recommendations to the Council for decision.

5.1.2 Committee membership and chairperson

The Committee will be comprised of all Councillors and an Independent Advisor who undertakes an advisory role with the Committee. The Committee Chairperson will be the Mayor.

5.1.3 Committee quorum and meeting frequency

A quorum of the chairperson, at least four other Councillors and the Independent Advisor will be necessary to transact business of the Committee. The Committee will meet in accordance with the Committee's terms of reference and as required to fulfill the obligations of this policy.

5.1.4 Secretariat Support

The Manager People & Culture will provide secretariat support to the Committee, namely:

- Initiating actions and/or processes with the Mayor, Committee, Independent Advisor and/or Responsible Officers as required under this policy to enable responsible parties to fulfill their obligations
- Supporting the development of relevant documentation as required including CEO Employment Contract.
- Ensuring effective and confidential document management of related records including employment contracts, performance plans and performance reviews.

5.2 CEO Recruitment

Council will engage an independent and suitably qualified executive recruitment consultant to provide required services for recruitment of a CEO, as per the City's Procurement Policy.

Where recruitment of a CEO is required, the Committee may delegate a *CEO Recruitment Sub-Committee*. The *CEO Recruitment Sub-Committee* will comprise the Mayor and two (2) Councillors, with secretariat support provided by the Manager People & Culture.

The *CEO Recruitment Sub-Committee* will:

- participate in a competitive tender process for engagement of a suitable executive recruitment consultant (lead by the Manager People & Culture as Contract Manager);
- make recommendation of a preferred supplier to the Council on behalf of the Committee;
- undertake any other recruitment functions delegated by the Committee.

The engagement of an executive recruitment consultant will be made by resolution of Council.

Unless otherwise delegated, the Committee will work with the engaged recruitment consultant in:

- developing a Recruitment Plan and Timeline
- determining the CEO selection criteria
- setting an appropriate salary and conditions of employment based on industry benchmarks.

- The CEO remuneration package should be developed with consideration of Victorian Public-Sector Commission Policy on Executive Remuneration in Public Entities. In this respect, the package will be sufficient to attract, retain, and motivate senior executives of the quality required but avoid paying more than is necessary for this purpose.

5.3 CEO Appointment

The appointment of the CEO must be made by a resolution of Council.

The CEO contract of employment term will not exceed 5 years and will at a minimum outline:

- the duties and responsibilities of the position;
- leave and other terms and conditions of employment
- conflict of interest management requirements;
- remuneration;
- legislative obligations including those continuing after appointment; and
- processes for managing unsatisfactory performance or early termination.

5.4 CEO Induction and Onboarding Program

Following determination of the preferred candidate, a CEO Induction and Onboarding Program will be developed to guide the first 3 months of induction activities for the incoming CEO. In consultation with the Committee and Director Corporate Performance (and the incoming CEO where relevant), the Manager People & Culture will lead development of the program having consideration of:

- Local Government experience of the incoming CEO
- City of Greater Bendigo plans and strategies, corporate planning and reporting, budget cycles and policies and procedures
- Development of the CEO Performance and Development Plan (including KPIs) which are to be determined and documented within 3 months of the commencement date
- Any handover documents as relevant.

The Committee will recommend the CEO Induction and Onboarding Program to the Council for endorsement.

5.5 CEO Performance Monitoring

The CEO's performance will be reviewed against the requirements of the position and the CEO Performance and Development Plan, via scheduled performance reviews at six (6) monthly intervals. Such CEO performance reviews will be undertaken by the Committee and the CEO.

5.5.1 CEO Performance and Development Plan

- The CEO Performance and Development Plan will be developed by the CEO, in consultation with the Committee.
- The CEO Performance and Development Plan will document agreed objectives and outcomes (Key Performance Indicators [KPIs]) to be delivered over a twelve-month period and will be adopted by Council.
- The twelve-month period should, in line with relevant corporate planning and reporting, be based on the financial year. It is recognised that some flexibility is required depending on the timing of commencement of the CEO.

5.5.2 Mid-year Performance Review

Based on an annual (financial year) CEO Performance and Development Plan, the mid-year performance review should occur early in the calendar year and aim to review and assess the CEO's performance in the preceding six months.

5.5.3 Annual Performance Review

Based on an annual (financial year) CEO Performance and Development Plan, the annual performance review should occur in June and aim to review and assess the CEO's performance over the preceding financial year.

5.5.4 Remuneration Review

Remuneration will be reviewed annually in accordance with the CEO Annual Performance Review process and contract requirements.

5.6 Reappointment of the CEO

At least 6 months prior to the expiry of the current CEO's Contract of Employment, the Committee will provide a recommendation to Council on:

- whether the CEO should be reappointed under a new Contract of Employment; and
- if the recommendation is to reappoint the CEO, the proposed provisions of the further Contract of Employment.

Any reappointment of the current CEO must be made by a resolution of Council.

5.7 Appointment of Acting CEO

In accordance with Section 11 (3) of the Local Government Act 2020, Council may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days.

If there is a vacancy in the office of CEO, or the CEO is unable to perform the duties of the office of CEO for a period exceeding 28 days, the Council must appoint a person to be the Acting CEO.

5.8 Provision of Independent Professional Advice

In accordance with section 45 of the Act, Council may obtain independent professional advice on relation to the matters dealt with in this policy including the CEO recruitment and appointment process, CEO Contract of Employment and remuneration, the preparation of a CEO Performance Plan, CEO performance monitoring and management or any other matter dealt with under this policy.

Requests for such independent professional advice should be made by the Mayor (on behalf of Council) to the Manager People & Culture, who will engage an appropriate provider and obtain the requested advice, or delegate to the relevant Officer.

5.9 Confidentiality

In addition to responsibilities outlined below (see *6. Roles and Responsibilities*) all roles described under this policy will ensure confidentiality is maintained for all information related to CEO employment

matters and related documents are managed accordingly. All roles are bound by expectations related to confidentiality in accordance with the Councillor Code of Conduct or Employee Code of Conduct (as relevant) and any legislation, terms of contract and/or policies relating to dealing with confidential information.

6. ROLES AND RESPONSIBILITIES

The following roles and positions have defined functions and responsibilities as follows:

Council:

- Meet the requirements of the Act and other relevant legislation;
- The appointment and management of the CEO, including an Acting CEO, where required;
- Where a vacancy occurs for the role of CEO, initiate a recruitment process in accordance with this policy.
- Appoint an Independent Advisor to support the committee
- Appoint an executive recruitment consultant (as required)

Mayor:

- Chair and lead the Committee
- On behalf of the Committee, liaise with the Independent Advisor in respect to the timing and approach to CEO performance reviews
- Provide written notification to the CEO on the outcome of the Annual Review
- Approve applications for annual leave, long service leave, personal leave or an extended absence made by the CEO, on behalf of Council.

The Committee:

- Provide advice and make recommendations to Council on CEO employment matters
- In consultation with the CEO, develop annual performance objectives (KPIs) to inform the CEO Performance and Development Plan
- In consultation with the CEO, develop the CEO Performance and Development Plan
- Conduct CEO performance reviews in line with adopted policy
- Delegate a CEO Recruitment Sub-Committee (as required)
- Working with the recruitment consultant, undertake required recruitment activities including participation in reviewing applications and/or shortlists, interview panels and any salary and conditions of employment

CEO:

- Actively engage in the development of the CEO Performance and Development Plan and CEO performance reviews including providing updates to the Committee.
- Provide relevant information to the Committee in a timely manner;
- Advise Council in instances where an Acting CEO is to be appointed under delegation

during the temporary absence of the CEO, in accordance with approved delegations;

- Support the Mayor and the Councillors in the performance of their roles in accordance with the Act;
- Ensure the effective and efficient management of the day-to-day operations of Council in accordance with the Act.

Independent Advisor:

- Provide information and advice to the Committee in relation to the matters dealt with in this policy (CEO employment matters) as required/requested and support the resulting Committee's recommendations to Council.
- Participate as a Committee member in an advisory capacity, and document accurate Committee Meeting minutes.
- Provide support to the Mayor to fulfil their role as Chairperson of the Committee
- Assist in the development of the CEO Performance and Development Plan and participate in the mid-year and annual review of the CEO's performance against the CEO Performance and Development Plan
- Accurately document records/minutes of Committee meetings and mid and annual CEO performance reviews and develop any related reports as required and on behalf of the Committee, ensure complete and accurate documentation is provided to the Manager People and Culture for appropriate document management.
- As part of the CEO Performance Review process, provide independent and impartial advice to the Committee on the CEO's remuneration review (at least annually) which includes reference to informed, relevant and best-practice bench-marking.
- Advise of any conflicts of interest.

Director Corporate Performance:

- Delegate Council Officer (below) to provide administrative support to the Committee where appropriate and subject to confidentiality provisions.
- Liaise between the Mayor and any Council Officer as required to fulfill the obligations, roles and responsibilities under this policy

Manager People & Culture:

- Initiate the necessary process by notifying the Mayor of the expiration of the CEO's current contract within 12 months of expiry.
- Provide secretariat support to the Committee which facilitates development of any additional reports and documentation required under this policy (outside those identified as responsibility of the Independent Advisor as above)
- Provide secretariat support to the CEO Recruitment Sub-Committee (as per 5.2 CEO Recruitment) including attending meetings and taking minutes and providing liaison support between the recruitment consultant and CEO Recruitment Sub-Committee.
- Provide advice to the Committee on the interpretation and application of this Policy including roles and responsibilities

- Assist the Committee and/or Council to obtain independent professional advice from external parties on any matter under this policy, if requested.
- Lead the tender process for engagement of the Independent Advisor and executive recruitment consultant (where required) as per the City's Procurement Policy
- Undertake the role of Contract Manager for any supplier contract entered into under this policy
- Act as liaison between Council/the Committee, the Recruitment Consultant and Manager Communications to ensure timely development and approval of communications related to recruitment (including advertising material and internal and external announcements of recruitment activities and appointment of the new CEO) as required.
- Lead the development of a CEO Onboarding program, in consultation with the Committee, Director Corporate Performance and incoming CEO.

Council Officer (as delegated):

- Schedule and coordinate meetings of the Committee
- Provide support to ensure effective communication between responsible parties and follow up of required actions
- Ensure relevant and complete documentation is provided to the Manager People and Culture for appropriate document management including: Council reports, any minuted decisions related to CEO employment matters and the minutes of CEO Employment Committee meetings.
- Support the Committee Chairperson (the Mayor) in the development of agendas for Committee Meetings as required

7. RELATED DOCUMENTS

Relevant documents and/or resources are available as outlined below. These include:

- Terms of reference CEO Employment & Remuneration Advisory Committee
- Procurement Policy
- Victorian Public Sector Commission Policy on Executive Remuneration in Public Entities.
- Victorian Public Sector Executive Remuneration Guidelines
- Protecting integrity: Leading the way - Managing the Employment Cycle of a CEO, Local Government Inspectorate (Feb 2019)
- Councillor Code of Conduct
- Employee Code of Conduct

Further information or advice on this policy should be directed to People and Culture

8. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

9. EQUITY IMPACT ASSESSMENT

This policy has been assessed as not requiring an Equity Impact Assessment as it does not have a direct and significant impact on the public.

10. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a City unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

11. DOCUMENT HISTORY

Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
May, 2021	*VOT*	*People & Culture*	*Develop initial*	*1*	
December 2021	*VOT*	*People & Culture*	*Revise based on Council feedback*	*2*	*Dec 2025*
March 2023	*KC*	*People & Culture*	*Administrative*	*3*	*Dec 2025*
June2024	*KC*	*People & Culture*	*Review*	*4*	*June 2028*

DRAFT

16. HEALTHY, LIVEABLE SPACES AND PLACES

16.1. 47 HUNT ROAD, LOCKWOOD SOUTH - CONSTRUCTION OF A DWELLING

Author:	Tiffany Bussem Jorgensen, Statutory Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

Summary/Purpose

Application No:	DR/603/2023
Applicant:	Inception Planning
Land:	47 Hunt Road, LOCKWOOD SOUTH 3551
Zoning:	Farming Zone
Overlays:	Environmental Significance Overlay 1
No. of objections:	0
Consultation meeting:	Nil.
Key considerations:	• Whether the proposed use and development of a dwelling on the land is appropriate in the Farming Zone. • Whether the dwelling will be supporting a viable agricultural use. • Whether the use of the land for Horse Husbandry is considered the primary use. • Whether an agricultural focus will be retained over time.
Conclusion:	The applicant has failed to demonstrate the land will be used for a genuinely viable agricultural use that warrants the need for a dwelling. The Greater Bendigo Planning Scheme has clear strategies and policy guidelines regarding the development of dwellings in the Farming Zone, and to support this application would be simply contrary to the Scheme. The applicant's insufficient evidence does not suggest the dwelling would enhance or support a genuinely viable agricultural use, or that the agricultural use of the land is being treated as the primary use and the dwelling is secondary or ancillary to the agricultural use. It is recommended that the Council issue a Notice of Decision to Refuse to Grant a Permit as the proposal presents an unacceptable planning outcome.

Recommended Motion

That Council issue a Notice of Decision to Refuse to Grant a Permit for the use and development of land for a dwelling at 47 Hunt Road, LOCKWOOD SOUTH 3551 on the following grounds:

1. The proposal is inconsistent with the purposes of the Farming Zone as it does not;
    a. Propose the primary use of the land for agriculture.
    b. Ensure that non-agricultural uses do not adversely affect the use of land for agriculture.
    c. Provide for the retention of productive agricultural land.
2. The proposal is inconsistent with the strategies of Clauses 14.01-1S and 14.01-1L as it does not;
    a. Protect productive agricultural land from unplanned loss due to permanent changes in land use.
    b. Provide sufficient evidence to demonstrate the dwelling is to support a genuinely viable agricultural use of the land that requires permanent and continuous care, supervision or security.
    c. Demonstrate that the agricultural use has been established on the land.
3. The proposal is inconsistent with the Rural Areas Strategy 2009 as the proposal does not demonstrate:
    a. Why the proposal should be approved contrary to the City's position of minimising housing in farming areas.
    b. That agriculture would remain the primary land use.
    c. That it is likely that the land would remain in agricultural use into the future following development of the dwelling.

Report

Subject Site and Surrounds

The site is located on the southern side of Hunt Road and is formally known as Crown Allotment 11 Section 31 Parish of Lockwood (Volume 12229 Folio 936). The allotment is rectangular in shape and bounds Hunt Road for 701.3 metres. The depth of the allotment extends for 402.34 metres giving an overall site area of 28.21 hectares.

In the northwest corner of the site is an existing shed, previously used as a shearing shed associated with the historic broad acre grazing that occurred throughout the site and surrounding area. Around the shed are two shipping containers, water tanks, a caravan and children's play equipment. A pony was observed on site during the site visit. There is some established fencing on the site. No infrastructure associated with Horse Husbandry was observed. The site is fenced and contains a gate near the existing shearing shed where access to the site is gained.

Hunt Road is a dead-end, gravel, local access road and provides access to one other property, 52 Hunt Road to the north. A dwelling, associated outbuilding, and two dams are within this property, which is formally known as Allot. 7 Sec. 31 PARISH OF LOCKWOOD. 52 Hunt Road is the original farmstead for a larger land holding, which included the subject site and land further south. Collectively, the farmstead, subject site and adjoining parcels provided sufficient land to graze sheep at a viable scale. The individual Crown allotments that formed this larger landholding have recently been sold, with new landowners throughout the area now seeking approval for the use and development of these parcels for dwellings associated with various agricultural style pursuits.

The site is mostly cleared of vegetation with scattered trees more prominently in the southeast corner of the site and along the waterway which cuts through the middle of the allotment. The land slopes down west to east. Four dams are within the site. The site is partially affected by the Environmental Significance Overlay which spans either side of the waterway for a distance of 50 metres. The Salinity Management Overlay is present within the site in the southeast corner.

Broiler farms are within 2 kilometres of the site to the southeast.

The township of Lockwood South is northeast of the site and contains pockets of residentially zoned land. Approximately 1.5 kilometres south of the site is an area of Rural Living Zone with an approximate overall area of 780.56 hectares, both these areas are developed to a density appropriate for their zoning. The site and abutting lots are zoned Farming and there is a clear separation between these lots and the rural lifestyle properties.

The bordering properties to the west, south and east are all vacant parcels and previously part of a single larger landholding under one ownership, which included the subject site. The larger land holding was previously utilised as part of broad acre farming practices. All parcels individually are below the minimum lot size within the Farming Zone, collectively the parcels create a generous area suitable for genuine agricultural uses.



Figure 1: Location map showing subject site.

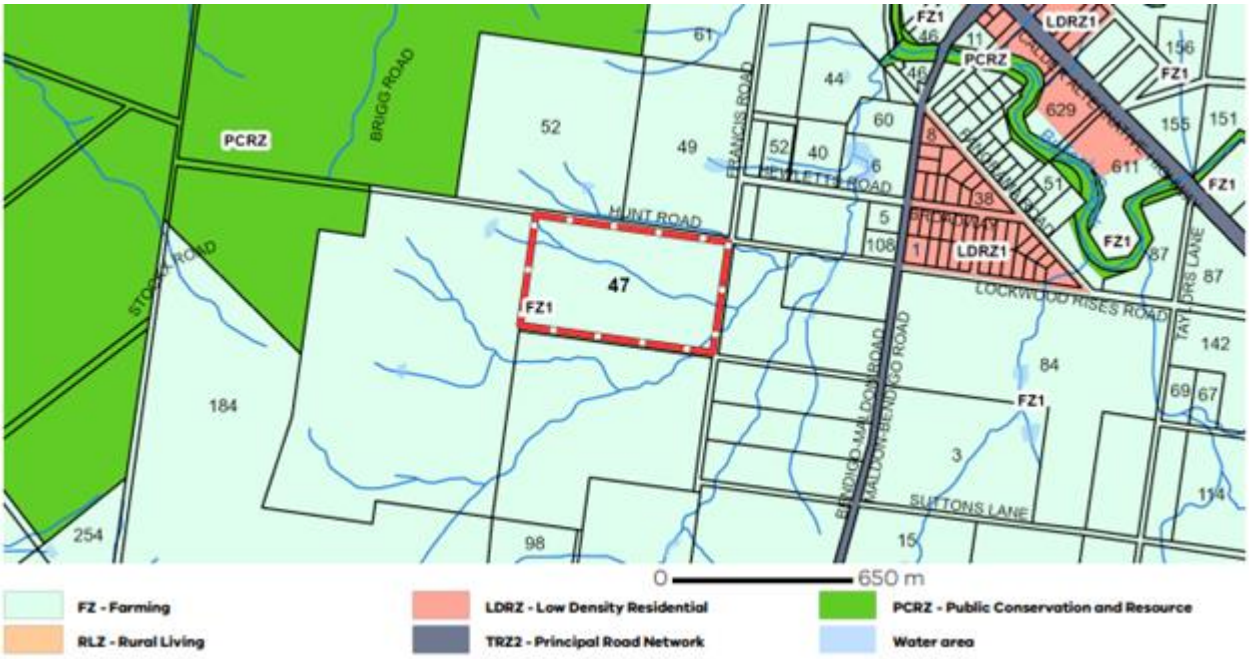


Figure 2: VicPlan planning zones map.



Figure 3: View facing east midway along Hunt Road.



Figure 4: View facing southeast midway along Hunt Road.



Figure 5: View facing southwest at the end of Hunt Road.



Figure 6: View facing the structures on site looking east from the end of Hunt Road.

Proposal

The proposal is for the use and development of the land for a dwelling. The application states the dwelling is to support horse husbandry activities already established on the site.

The dwelling is proposed to be set back 32.2 metres from the north boundary and 353.2 metres from the east boundary. A new crossover to the site would be required. The dwelling is proposed within 100 metres of the waterway on the property.

The dwelling proposed is a single storey brick veneer with a Colorbond roof. It is laid out with four bedrooms and a study, open plan kitchen, meals and living area, alfresco, two bathrooms, separate lounge and retreat and double bay garage. The total area including garage and external living areas is 343.44 square metres. Two 22,500-litre water tanks are also proposed.

There are no outbuildings proposed. There is no infrastructure associated with the horse husbandry shown or described in the application.

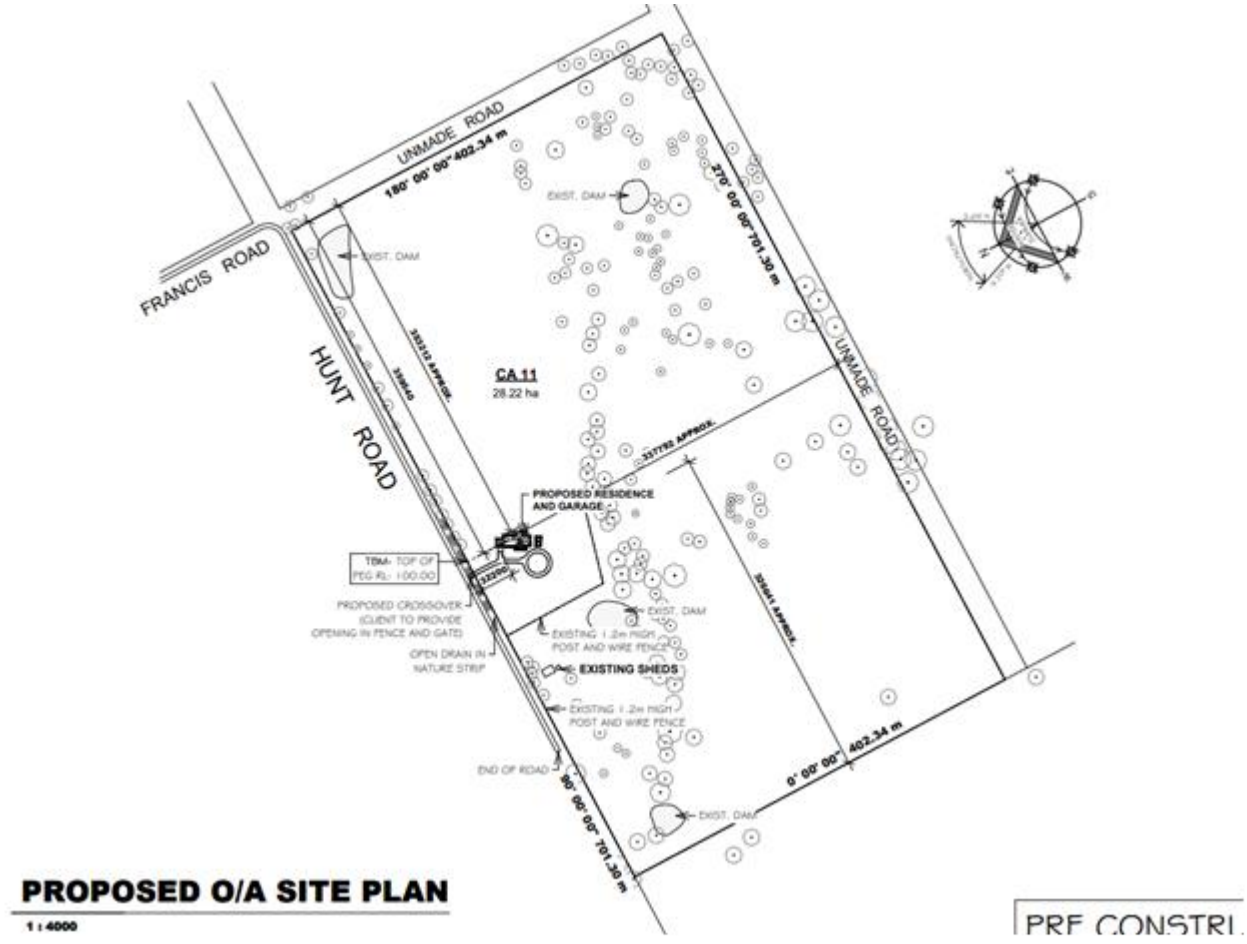


Figure 7: Site plan.

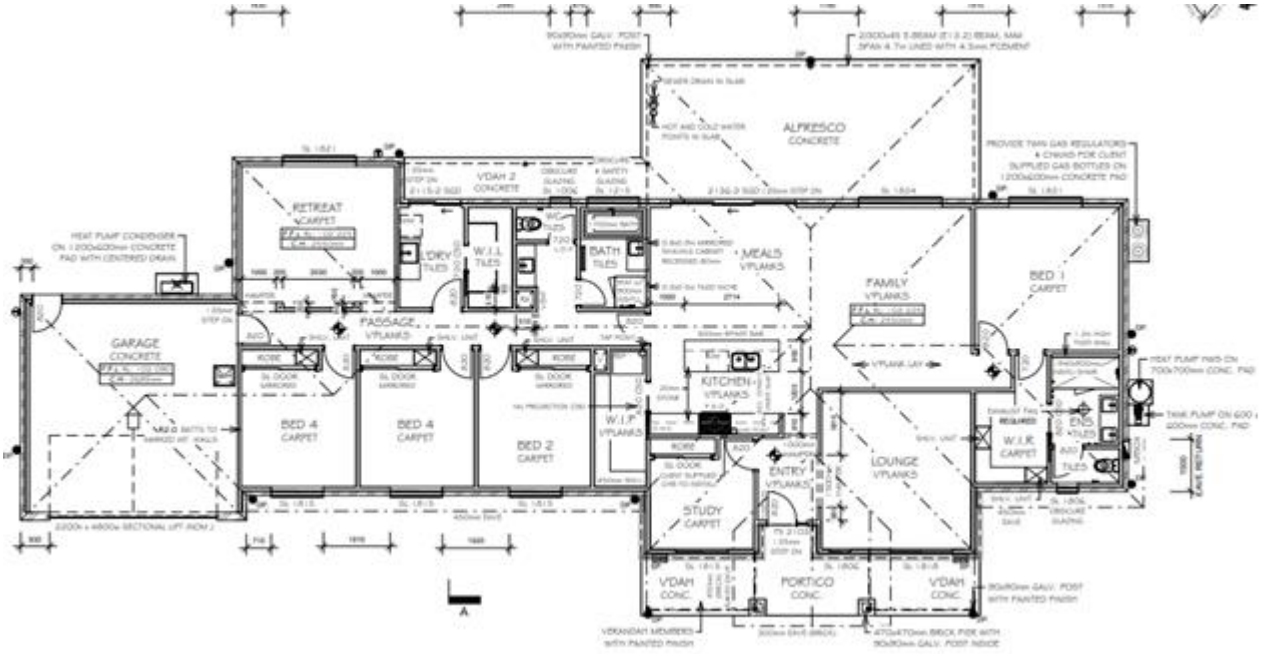


Figure 8: Dwelling floor plan.

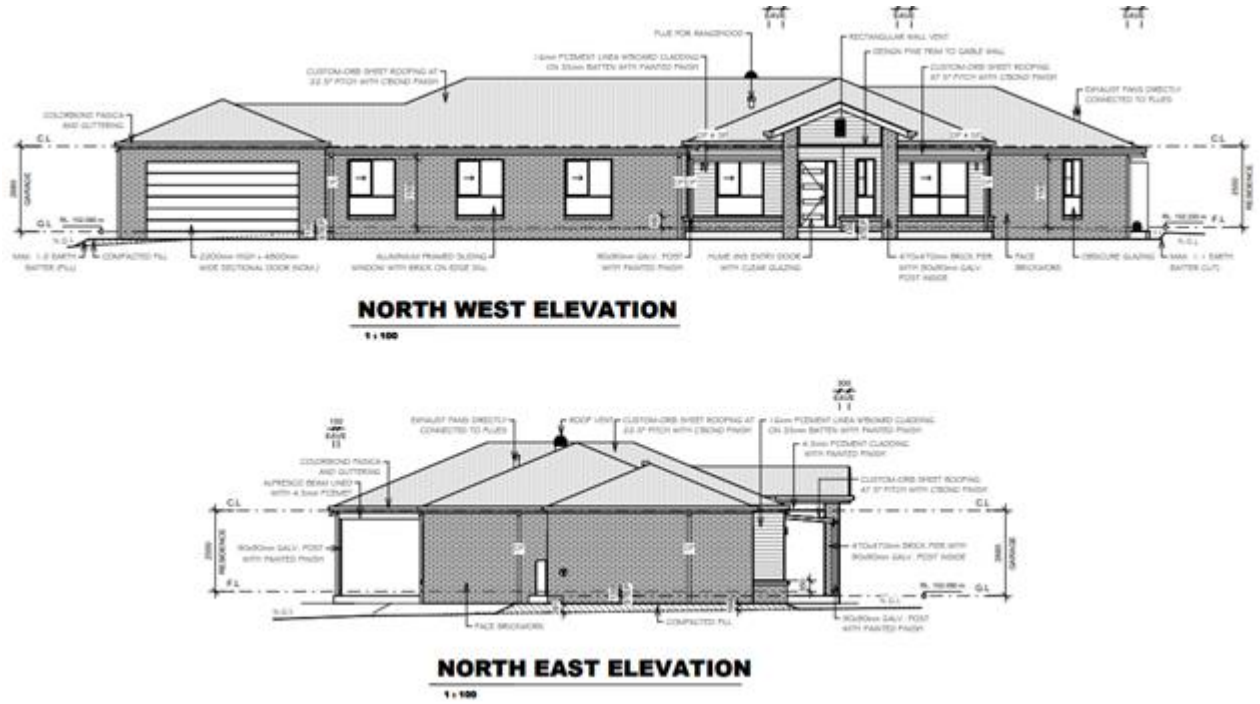


Figure 9: Northwest and northeast elevation.

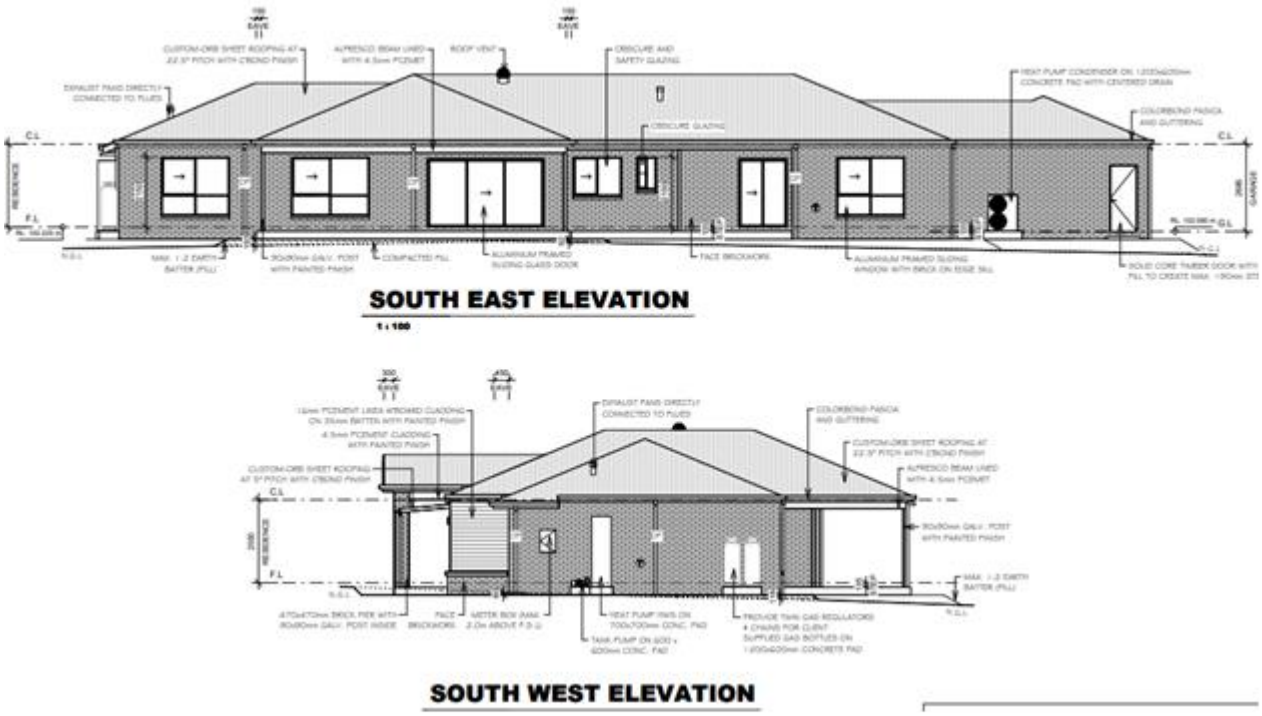


Figure 10: Southeast and southwest elevation.

Planning Controls - Greater Bendigo Planning Scheme

Why is a planning permit needed?

The following table lists all the relevant planning permit triggers that apply to this application.

Clause	Permit trigger
35.07-1 Farming Zone	• A permit is required to use the land for a dwelling as the minimum lot size of 40 hectares is not met.
35.07-4 Farming Zone	• A permit is required to construct a building or carry out works with a use in Section 2 of Clause 35.07-1. • A permit is required to construct or carry out works within 100 metres of a waterway.

Note: A permit is not required under the provisions of the Environmental Significance Overlay as the proposed works are located wholly outside the overlay's extent.

Consideration of cultural heritage sensitivity is not required in association with this application in accordance with the requirements of the *Aboriginal Heritage Regulations 2018*.

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

Municipal Planning Strategy

Clause 02.03	Strategic directions
Clause 02.03-1	Settlement
Clause 02.03-3	Environmental risks and amenity
Clause 02.03-4	Natural resource management
Clause 02.03-6	Housing
Clause 02.04	Strategic framework plans

Planning Policy Framework

Clause 11.01-1S	Settlement
Clause 12.01-1S	Protection of biodiversity
Clause 13.02-1S	Bushfire planning
Clause 14.01-1S	Protection of agricultural land
Clause 14.01-1L	Protection of agricultural land – Greater Bendigo
Clause 14.01-2S	Sustainable agricultural land use
Clause 14.02-1S	Catchment planning management
Clause 15.01-6S	Design for rural areas
Clause 16.01-3S	Rural residential development
Clause 16.01-3L	Rural residential – Greater Bendigo

Other Provisions

Clause 35.07	Farming Zone
Clause 42.01	Environmental Significance Overlay – Schedule 1
Clause 65.01	Approval of an application
Clause 71.02-3	Integrated decision making

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 2 – Healthy, liveable spaces and places

Secondary Council Plan Reference(s)

Goal 7 – Sustainable population growth is planned for

Consultation/Communication

Referrals

The following internal departments have been consulted on the proposal:

Referral	Comment
Engineering -Traffic and Infrastructure	**No objection** Subject to conditions relating to vehicle crossings and driveways.
Environmental Health	**No objection** Provided notes to be included at the end of a permit.
Agribusiness Officer	**Unsupportive** Unsupportive of the application for the following reasons: • Inconsistent with the purpose of the zone as it does not encourage the retention of agricultural land or ensure impacts from non-agricultural uses are avoided. • Inconsistent with clause 14.01-1L as it does not demonstrate the dwelling is required to support a genuinely, economically viable agricultural use of the land. • The dwelling and associated infrastructure would result in the loss of the land as productive agricultural land. • The surrounding areas are Farming Zone – approving this proposal may lead to additional concentration of small hobby dwellings in the area.

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, no objections were received.

Planning Assessment

Introduction

Rural lifestyle development poses an ongoing risk to agricultural land. Planning Schemes in rural municipalities will usually seek to address these challenges through directing 'rural lifestyle' development to appropriately zoned land (i.e. the Rural Living Zone) and using local planning policies to manage the development of dwellings in other rural zones, to protect the primacy of agriculture. Clause 16.01-3S and 16.01-3L of the Greater Bendigo Planning Scheme address rural residential development policy and have been developed for the purpose of managing the large number of vacant rural parcels present across the municipality. This Policy will be further discussed in the sections below alongside the Statewide Farming Zone provisions.

The *Rural Areas Strategy, September 2009* notes that "*the use of discretion to approve new houses in rural areas is still being generously applied, despite an over supply of zoned Rural Living land (estimated to be an 80 year supply) to cater for such demand."*

Such decision making poses a significant threat to the viability of the local agricultural sector as it progressively compromises the ability of local agricultural businesses to grow and operate relatively unhindered. It should also be noted that the Farming Zone has been facing increasing pressures in more recent years for subdivision and residential development, primarily for rural lifestyle opportunities rather than for farming purposes. Policy requires that rural residential development, where the dwelling does not support genuine agricultural use, be directed to existing planned rural living areas.

The subject site is partially affected by the Environmental Significance Overlay – Schedule 1 (Watercourse protection), spanning approximately 50 metres either side of the waterway which transverses through the centre of the site. Development is proposed outside this overlay and as such will not form part of this application's considerations.

Horse husbandry is identified as the agricultural use which the dwelling is proposed to support. Horse husbandry in the Planning Scheme is defined as *Land used to keep, breed, board or train horses.* The land use term is nested under agriculture and is a Section 1 use in the Farming Zone, otherwise described as a use not requiring a planning permit under the zone. The horse husbandry component is not up for consideration, however, it forms the basis of justification for the proposed use and development of the land for a dwelling. This aspect of the site's use is discussed in greater detail below.

Planning Scheme Policy Context

Any application under the provisions of the Farming Zone must address the purpose of the zone. This is the primary basis for any decision-making process for the responsible authority.

The purposes of the Farming Zone are as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

[emphasis added]

The use and development of the land for a dwelling requires planning approval in this instance due to the subject site being located in the Farming Zone and the lot being less than 40 hectares in size. The right to apply for a permit in this circumstance does not denote support or approval of an application nor confirm the viability of the agricultural use and this is further reinforced by Clause 65 of all planning schemes in Victoria which states:

> *"Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause."*

In addition to the purpose of the Farming Zone outlined above, the provisions of the Farming Zone direct that consideration must be given to specified decision guidelines under the Zone. These decision guidelines inform the consideration of the question of how rural dwellings fit within the purposes of the zone.

The decision guidelines provide a means by which to assess such applications and require consideration to be given to matters such as:

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*

- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

In considering the proposal in respect of the purpose and decision guidelines of the Farming Zone, consideration of whether the proposal is consistent with the Planning Policy Framework is required.

Statewide policy at Clause 14.01-1S – Protection of agricultural land seeks '*to protect the state's agricultural base by preserving productive farmland.'* Some of the main strategies in response to this objective seek to:

- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Protect strategically important agricultural and primary production land from incompatible uses.*
- *Limit new housing development in rural areas by:*
  - *Directing housing growth into existing settlements.*
  - *Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*
  - *Encouraging consolidation of existing isolated small lots in rural zones.*

Specific to Greater Bendigo, Clause 14.01-1L – Protection of agricultural land reiterates the statewide themes to provide a consistent basis for considering the use of dwellings in rural zones. Specific strategies pertinent to this proposal are:

- *Avoid the construction of a dwelling unless required to support a genuinely economically viable agricultural use of the land that requires permanent and continuous care, supervision or security.*
- *Ensure that where a dwelling is deemed necessary to support an agricultural use, that the use is viable based on the level of investment required and the estimated return as shown in an integrated land management plan.*
- *Ensure that where a dwelling has been deemed necessary to support an agricultural use, that the agricultural use has been established on the land prior to the construction of a dwelling.*
- *Avoid the construction of a dwelling on existing small lots (lots smaller than the zone schedule minimum) in the Farming Zone, except if allowed under a Restructure Overlay.*

[emphasis added]

It is apparent the overall objective of the State and local policies seeks to ensure that agricultural land is carefully managed in order to prevent adverse impacts on agricultural production, prevent the fragmentation of rural land and to ensure an orderly development of appropriate residential development in rural areas so that agricultural production of these areas is not disadvantaged or prejudiced by ad hoc and unplanned residential development.

With consideration of policy and historical land use, the subject site and surrounding land is suitable for productive agricultural land uses and a proposal for a non-agricultural land use (dwelling) runs counter to these policies. The Greater Bendigo Planning Scheme clearly encourages that, unless required to support a genuinely economically viable agricultural land use, the construction of dwellings should be avoided.

There are a range of other zones within the Greater Bendigo area which encourage residential development and it is evident the Farming Zone is not one of them. Where a dwelling cannot demonstrate consistency with the purpose of the zone, nor demonstrate the dwelling is secondary or ancillary to the agricultural use, the appropriateness of the dwelling is without a doubt in question.

In preparing a decision, consideration also should be given to why there is a need for a dwelling on the subject site and how the presence of a dwelling would support and enhance agricultural use or production and whether it is likely that an agricultural focus will be retained into the future. The applicant has not produced an acceptable planning argument that persuades this assessment to recommend approval which would be contrary to planning policy and the decision guidelines of the Farming Zone.

Assessment Findings

In summary, the application is recommended for refusal as a dwelling on the site would be contrary to policy with the Planning Policy Framework and the provisions of the Farming Zone. Specifically, to the City's policy at Clause 14.01-1L which states:

> *Avoid the construction of a dwelling unless required to support a genuinely economically viable agricultural use of the land that requires permanent and continuous care, supervision or security.*

At present, the subject site could be consolidated with adjoining parcels to create a suitably sized land holding for a viable agricultural land use to occur. The development of a dwelling on this parcel of land is a permanent commitment and where a dwelling is not an as-of-right use, the applicant must show how the dwelling’s use and development would support and enhance agricultural production of the site and surrounding area.

In assessing this application, the applicant has not provided sufficient documentation to demonstrate this and therefore the effect of supporting a dwelling in the Farming Zone would de-couple the land from its agricultural value and encourage a precedence to support dwellings over agricultural production, straying from the primary purpose of the zone. Not only does this impact the subject site's ability to be used for agricultural purposes but also for adjoining parcels.

The Planning Report provided with the application explained that the dwelling would support the keeping and breeding of Timor ponies for exclusive use in equine facilitated learning and therapy for a business operating in Taradale. The equivalent of 8 adult Timor ponies would be kept on site, some ponies would be rotated from the subject site to the Taradale business.

A Farm Management Plan was absent from the application; however, a Land Management Plan was provided. The Land Management Plan has a specific focus on weed and pest eradication and revegetation of the site. The plan failed to demonstrate the need for a dwelling to support a genuine and viable agricultural use. The plan excluded necessary details such as:

- The business logistics of the horse husbandry land use;
- The economic viability of the operation;
- The extent of existing or proposed facilities to support the breeding and keeping of Timor ponies.

The lack of business information and facilities does not provide reassurance that once the dwelling is constructed an agricultural use will occur. Nor does it persuade the assessor that should the current landowner sell the property or the Taradale business cease, that in future the land would retain an agricultural focus. In both the site plan and accompanying reports, the applicant failed to provide information regarding shelters for the protection of the ponies, feeding and watering troughs, fencing or any form of storage for the tack, equipment or feed. The plan has also failed to highlight budget details, future growth or projections for the said enterprise.

The application was referred to the City’s Agribusiness Officer for comment. The response provided also highlighted the inconsistencies between the proposal and the requirements of the Greater Bendigo Planning Scheme, including relevant planning policy and the provisions of the Farming Zone.

The officer’s assessment contends that:

- The capability of the land to graze up to 12 adult ponies is an overestimation of the carrying capacity of the land.
- There are no details on the breeding program and the management of the increase in nutrition demand.

- Horses generally contribute significantly to erosion, however, the land management plan does not provide clear timelines on the implementation of protective measures. The protective measures would need to be established well before the introduction of stock.
- Without explaining the economic viability of the enterprise, the agricultural use appears to operate more as a hobby farm rather than as a commercial agricultural venture.

Further, the officer stated:

> *"Greater Bendigo's top two most important broadacre commodities by value are sheep and lamb production ($148.3M) and wheat production ($77.7M), both require economy of scale to be efficient. Historically the land was used for sheep and lamb production, infrastructure such as the shearing shed is still present. Approving this proposal may lead to additional concentration of small hobby dwellings in the area and set a precedent for fragmentation that would impact the use of the area as effective, productive farming land."*

The proposal would result in the loss of this type of agriculture venture with no viable agricultural use proposed in its stead.

Dwelling siting, design and servicing

Irrespective of the above assessment, the siting of the proposed dwelling is deemed to respond to the constraints of the site (i.e. it is positioned in the best location within the confines of this specific allotment ignoring the impact to agricultural activities for the site and surrounding area). The siting of the building envelope has taken into account landscape features, vistas, access and road location. Materials used would be of a natural palate, non-reflective and designed to integrate with the natural environment.

The proposal is also able to meet the mandatory requirements outlined in Clause 35.07-2 of the Farming Zone to use the land for a dwelling which includes the following:

- *Access to the dwelling provided via an all-weather road with dimensions adequate to accommodate emergency vehicles;*
- *The wastewater generated from the dwelling treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system;*
- *The dwelling connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes; and*

- *The dwelling connected to a reticulated electricity supply or have an alternative energy source.*

The dwelling is within 100 metres of the waterway which transverses the site. However, the dwelling is proposed outside the Environmental Significance Overlay and close to the property boundary adjacent to Hunt Road. All other setback requirements are met. The siting minimises site cut requirements and avoids vegetation removal and is generally appropriate. A Land Capability Assessment accompanied the application to determine a suitable site for wastewater disposal. This was supported by the City's Environmental Health team and is also deemed appropriate. The design and siting of the dwelling is considered appropriate in this regard; however, this does not justify support for the dwelling at the expense of the inconsistencies outlined in the section above.

The absence of comprehensive documentation about the agricultural use of the land and why a dwelling might be justified presents as nothing more than an attempt to create a rural lifestyle property with the potential for keeping and breeding of ponies at a hobby farm level. This application has not demonstrated that an agricultural use is being treated as the primary use of the land and has failed to display that the horse husbandry agricultural undertaking is viable based on the level of investment and estimated return.

The land has historically been used for broad acre agriculture without a dwelling and the refusal of the application would not in any way hinder the ability for the land to continue to be used for similar agricultural undertakings. In contrast, allowing the dwelling, which has not demonstrated to be supporting a genuine agricultural enterprise, leads to permanent fragmentation of this area, which is strongly discouraged in the Greater Bendigo Planning Scheme.

Conclusion

The Greater Bendigo Planning Scheme recognises that agricultural land is a valuable and finite resource that must be protected from fragmentation and encroachment by conflicting land uses.

The application proposes a dwelling on an undersized lot within the Farming Zone in an area that has historically been used for broadacre farming practices.

The application has not demonstrated that the proposed dwelling will support and enhance an economically viable agricultural use; rather, the horse husbandry use indicated in application material depends on the presence of the dwelling. If the agricultural use is dependent on the dwelling, the dwelling is considered the land's primary use.

Regarding the Farming Zone, the agricultural use of the land must be the primary use and any dwelling must be secondary or ancillary The applicant has failed to:

- Show a genuinely viable agricultural use is established (or will be prior to a dwelling) on the land and that the dwelling would enhance or support that agricultural use.
- Provide evidence of any infrastructure or facilities required to operate a horse husbandry land use.
- Provide information regarding the economic viability of agricultural use.

Without supplying the above, it is considered the applicant has not justified the use of land for a dwelling in the Farming Zone. As such, the application has been deemed to be inconsistent with the Planning Scheme. For these reasons the application cannot be supported.

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.

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Nil

16.2. 134 CONDON STREET, KENNINGTON - DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY

Author:	Michael St Clair, Statutory Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

Summary/Purpose

Application No:	DM/668/2023
Applicant:	Waveconn
Land:	134 Condon Street, KENNINGTON 3550
Zoning:	Commercial 1 Zone
Overlays:	No overlays apply
No. of objections:	5
Consultation meeting:	A consultation meeting was not undertaken for this application. Written correspondence between the objectors and applicant was exchanged. The nature of the concerns raised meant that a satisfactory resolution was not possible. As such, a consultation meeting was not undertaken.
Key considerations:	• Whether the proposed telecommunications facility is supported by the relevant provisions of the Greater Bendigo Planning Scheme. • Whether the design and siting of the proposed telecommunications facility is appropriate. • Whether the proposed telecommunications facility will have unreasonable effects on adjacent land. • Whether all objector concerns have been addressed.
Conclusion:	An effective telecommunications network is a key driver for commercial development throughout the municipality, especially within the City's defined Large Activity Centres. The proposed telecommunications facility is assessed as having been sited to minimise all impacts to the surrounding public and private domains to the greatest extent possible. A small number of dwellings will be visually impacted by the proposal, but to a level that is not unreasonable within this urban context. The proposed Telecommunication facility has been designed as an appropriate response to the relevant planning considerations under the Greater Bendigo Planning Scheme and is recommended for approval by Council.

Recommended Motion

That Council issue a Notice of Decision to Grant a Permit for the Development of a Telecommunications Facility at 134 Condon Street, KENNINGTON 3550, subject to the conditions at the end of this report.

Report

Subject Site and Surrounds

The subject site is an irregular shaped allotment located on the southern corner of the intersection of Condon Street and Edwards Road, Kennington. The subject site contains the Strath Village Shopping Centre, which has an overall area of 31,725 square metres. The site and surrounding area are shown in figure 1 below.

The proposal only affects a small portion of the overall site, with the area approximately 100 square metres in size. This is located within the loading bay area at the rear of Strath Village, in the area between Kennington Village and the shopping centre on the subject site.



Figure 1: Aerial image of subject site (white symbol showing approximate location of telecommunications facility)



Figure 2: View to the site of the telecommunications facility from the southern (rear) carpark to Strath Village (facility to be located behind, and not impacting on, the large native tree in centre of image)

The area impacted by the proposal is shown in figure 2 above. It is well removed from the public focused spaces within the Strath Village site, located in an unutilised area within the operational loading bay area. This area is used for loading and unloading facilities for the various tenancies of Strath Village.

60 metres to the south of the proposed telecommunication facility is the closest boundary for a residential allotment (18 Bolton Drive). This allotment fronts onto Bolton Drive, which comprises a standard residential street connecting to Marnie Road. Allotments along Bolton Drive all contain single storey dwellings set within lots ranging in area from 750 to 1,200 square metres.

The broader area is characterised by the Large Activity Centre of Strathdale. In addition to the Strath Village and Kennington Village shopping centres mentioned above, the area contains Strath Hill shopping centre, Strath Haven aged care facility, Bendigo Community Telco and a range of other, smaller commercial developments reflective of the commercial zoning for the area.

Previous application history

A previous planning permit application was lodged by the applicant for the development of a telecommunications facility on 28 February 2023. This application was for a tower similar to that proposed under this application. The only real difference being the location of the facility, with the earlier application seeking to develop the tower behind the Kennington Village Shopping centre. This location was closer to the residential dwellings on Bolton Drive, with a higher relative height to what is currently proposed.

This previous application proceeded to notice, with a total of nine objections being received.

Following review of the objections received, and discussions with the operator of Strath Village shopping centre (an objector), the earlier application was withdrawn. This was prefaced on the relocation of the proposed tower to a better location within the Strath Village shopping centre site (better access and greater distance from residential properties). The earlier application was withdrawn 30 August 2023 (not refused as indicated by objectors).

Proposal

The proposal seeks to establish a new telecommunications facility in the form of a monopole (tower), equipment shelter and equipment cabinets.

The proposal consists of the following elements:

- 30-metre tall, steel monopole and compound located at the rear of the shopping centre along the eastern boundary;
- A triangular headframe mounted at the top of the monopole to accommodate up to nine (9) panel antennas;
- An equipment shelter (dimensions 3.0 metres high x 2.5 metres wide x 3.0 metres deep), connected to the monopole by an overhead cable tray;
- A 4-bay equipment cabinet (dimensions 2.32 metres high x 0.75 metres deep x 2.87 metres long), connected to the monopole by a cable tray; and
- Security fencing with double gates for access.

All cables connecting the antennas to the various cable trays will be internal to the monopole, except where they exit the monopole to connect to the relevant antennas. The monopole does not have any provision to allow it to be climbed and will be specifically designed to allow for collocation to occur.

Figures 3 to 5 show the location of the telecommunication facility in relation to Strath Village and Kennington Village shopping centres, the site layout for the facility and the northern elevation for the tower.



Figure 3: Site location in respect of both shopping centres

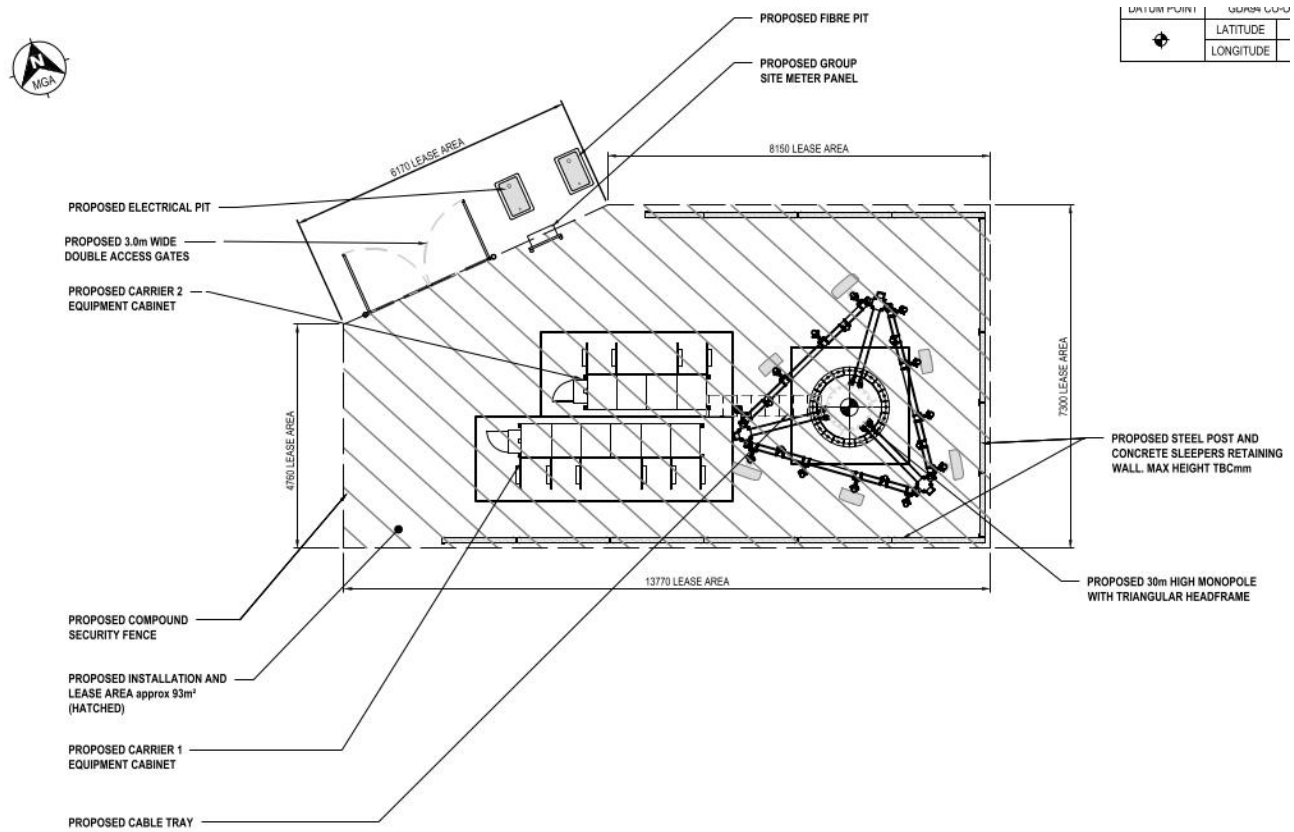


Figure 4: Telecommunications facility proposed layout

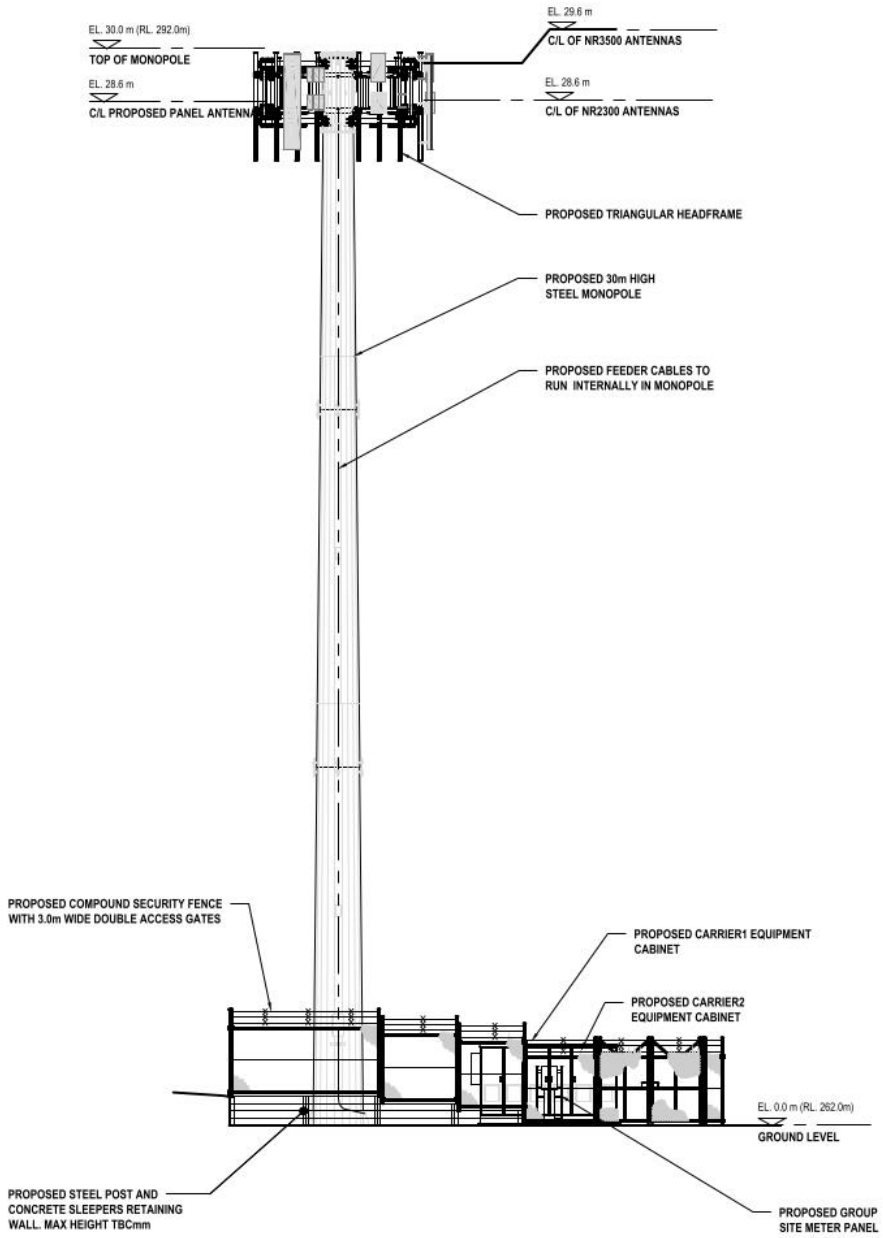


Figure 5: Northern elevation plan of telecommunication facility

Planning Controls - Greater Bendigo Planning Scheme

Why is a permit needed?

The following table lists all the relevant planning permit triggers that apply to this application.

Clause	Permit Trigger
Clause 34.01-4 Commercial 1 Zone	• Construct a building or construct or carry out works.

Clause	Permit Trigger
Clause 52.19-1 Telecommunications facility	• Construct a building or construct or carry out works for a telecommunications facility.

Note: No permit is required to use the land for a telecommunications facility as this is exempt under Clause 62.01: Uses not requiring a permit.

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

Municipal Planning Strategy

02.03 Strategic directions
02.03-1 Settlement
02.03-5 Built environment and heritage
02.03-7 Economic development
02.03-9 Infrastructure
02.04 Strategic framework plans

Planning Policy Framework

11.03-1S Activity centres
11.03-1L Activity centres – Greater Bendigo
13.07-1S Land use compatibility
15.01-1S Urban design
15.01-5S Neighbourhood character
17.02-1L Business – Greater Bendigo
19.03-4S Telecommunications

Other Provisions

34.01 Commercial 1 Zone
52.19 Telecommunications facility
62.01 Uses not requiring a permit
65 Decision Guidelines
71.02-3 Integrated decision making

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025

Outcome 2 – Healthy, liveable spaces and places

Secondary Council Plan Reference(s)

Goal 7 – Sustainable population growth is planned for

Consultation/Communication

Referrals

The following internal department has been consulted on the proposal:

Referral	Comment
Bendigo Airport (Internal comment sought)	No objection subject to conditions. Conditions requiring that the tower mast be lit in accordance with international requirements for structures that breach the Operational Limitation Surface (OLS) for the Bendigo Airport.

Public Notification

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

As a result of advertising, five (5) objections were received with the grounds of objection summarised as follows:

- Impact on residential amenity relating to visual impact of the structure due to its height and utilitarian appearance.
- Seeks to duplicate telecommunication facilities already in operation within the surrounding area.
- Health and safety concerns from exposure to electromagnetic radiation.
- Overlooking and loss of privacy associated with maintenance activities.
- Overshadowing of residential properties.
- Need for the facility.
- Carparking and traffic congestion would increase as a result of the new facility.
- Noise produced by the facility increasing noise impacts from the commercial area on residential properties.
- Repeat application seeking the same facility as previously applied for which was ‘knocked back’.
- Impact to property values.

Consultation between parties was undertaken through the exchange of written correspondence. No resolution was reached as a result of this process, with no objections withdrawn.

The objections are discussed through the planning assessment, with Figure 6 showing the properties that objected to the proposal.



Figure 6: Objector properties (site delineated by the blue star, objectors properties delineated by red stars)

Planning Assessment

The planning assessment for an application of this nature requires consideration of a broad range of matters. The key matters for consideration are:

- Whether the proposed telecommunications facility is supported by the relevant provisions of the Greater Bendigo Planning Scheme.
- Whether the design and siting of the proposed telecommunications facility is appropriate.
- Whether the proposed telecommunications facility will have unreasonable effects on adjacent land.
- Whether all objector concerns have been addressed.

Any application under the provisions of the Commercial 1 Zone must accord with the purpose of the zone. This is the primary basis for any decision-making process of the responsible authority.

The purposes of Commercial 1 Zone are as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

These purposes are referenced throughout the discussion below.

Whether the proposed telecommunications facility is supported by the relevant provisions of the Greater Bendigo Planning Scheme.

The purpose of Clause 52.19 – Telecommunications facility is as follows:

- *To ensure that telecommunications infrastructure is provided in an efficient and cost-effective manner to meet community needs.*
- *To facilitate an effective state-wide telecommunications network consistent with proper and orderly planning.*
- *To support the provision of telecommunications facilities with minimal impact on the amenity of the area.* **[Emphasis added]**

Under the decision guidelines of the zone, consideration is required to be given to applicable policy within the Municipal Planning Strategy and Planning Policy Framework. Of note to this application is the siting of the proposed telecommunications facility within the defined 'Large Activity Centre' of Strathdale.

Under the City of Greater Bendigo *Commercial Land and Activity Centre Strategy (November 2015)*[1], a Large Activity Centre is described as follows:

> *These centres provide a range of economic, social and some civic activities, together with goods and services to meet the daily and weekly needs of their suburban catchments. Some are town centres while others are larger suburban centres strategically located around the city on or adjacent to arterial roads. Some include 'destination based retailing' that draws people from a much larger catchment. They are connected to one another, and to the City Centre, by the urban bus system, while some also have a train station which encourages regional connections.*

[1] The Commercial Land and Activity Centre Strategy is listed as a Policy Document to Clause 11.03-1L: Activity Centres – Greater Bendigo within the Greater Bendigo Planning Scheme.

These centres form the second layer in the activity centres hierarchy within the City of Greater Bendigo (behind the central city area). By providing for the daily and weekly needs of their suburban catchments, they are envisaged to be well-utilised locations within the urban structure of Bendigo. The supporting infrastructure needs for these areas are therefore imperative for their success.

This is supported by policy contained within Clause 19.03-4S: Telecommunications which seeks '*To facilitate the orderly development, extension and maintenance of telecommunications infrastructure'*. A key strategy under this objective is to:

> *Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.*

The applicant has indicated that there is at present a lack of appropriate telecommunications service within the Strathdale Large Activity Centre, in particular within both Strath Village and Kennington Village shopping centres. This lack of service results in both customers and businesses alike experiencing low (or no) mobile phone reception within the respective buildings. The positioning of the proposed telecommunications facility has been located within an appropriate location to rectify this service shortfall.

The proposal is also designed to facilitate co-location of a number of different service providers (i.e. Telstra, Optus, Vodafone or others) on the same tower. This approach seeks to avoid numerous telecommunications towers being constructed within the same location. This approach is encouraged by the strategy under clause 19.03-4S to:

> *Co-locate telecommunications facilities wherever practical.*

A number of objectors raised concerns about the existing telecommunications facilities in the area and that there was therefore no need for a new site to be established. The closest existing facility to the site is at 108 Lowndes Street, 500 metres to the north, operated by Telstra. This service is only 14 metres above ground level and is not sufficient to service the internal areas of both shopping centres. The next closest facility is 1 kilometre to the south on a high voltage transmission tower and is of no benefit to either shopping centre.

To supplement this poor service, there are a number of 'In Building Communication' (IBC) facilities in the immediate area (both to the south, one in the Ambulance Victoria building and the other in the Bendigo Telco building). The presence of these facilities provides further weight to the need for the proposed telecommunications facility as these building owners have had to provide their own service to supplement

their operations. The in-building nature of these services provides no benefit to the wider area.

A balance in telecommunication facility delivery is required in respect to any potential impacts to the environment. This is required by the following strategy:

> *Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.*

The proposed facility has been located within an area to the rear of the existing Strath Village shopping centre adjacent to the building's main loading dock. As an existing service area, there is little environmental value in this space. Planted vegetation exists along this interface with residential properties to the southeast. This vegetation is not proposed to be impacted in any way, with the existing topography of the area to be maintained.

The proposed telecommunication facility is located 60 metres from the nearest residential boundary (85 metres from the rear wall of the dwelling at 18 Bolton Drive, Strathdale). Policy at Clause 15.01-1S: Urban design seeks to:

> *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads*.

This strategy does not seek to avoid impacts, only requiring that they be minimised. As a starting point in assessing whether this has been met, it is relevant to note the earlier application for a telecommunications facility in this location, DP/110/2023[2] sought approval for the same facility to the rear of Kennington Village. It was subsequently withdrawn due to access constraints. This previous location was positioned approximately 40 metres from the rear walls of the dwellings at 16 and 18 Bolton Drive.

By relocating the telecommunication facility further away from residential properties the proposed facility was able to benefit from a number of improvements to the proposal in relation to the strategy above. Firstly, it was able to benefit from additional screening from the residential properties by the existing vegetation within the Strath Village site. Secondly, by a reduction in the relative height of the tower

[2] This application was lodged by the same applicant as this current application. It was subsequently withdrawn following negotiations with the body corporate for Strath Village for access to the site. These negotiations identified a better location within the Strath Village site in relation to access and also increased the distance between residential properties and the tower, which had been raised as an issue by objectors to the earlier permit application.

through construction on land that is lower than the land that is to the rear of Kennington Village. Thirdly, through the doubling of the distance between the tower and residential properties.

When these policy outcomes are considered in concert, it is officer assessment that the proposal satisfies the policy intent of the Municipal Planning Strategy and Planning Policy Framework.

Whether the design and siting of the proposed telecommunications facility is appropriate.

The utilitarian nature of the proposed tower was raised as a point of objection in a number of the submissions received. This was in relation to visual impact concerns for residents who will be able to see the structure from their rear private open space areas as they look out to the north-west.

Clause 15.01-2S: Building design seeks '*To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development'*. Key strategies as they relate to this proposal are as follows:

- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Encourage development to retain existing vegetation.*

Whilst the objectors' concerns in this matter are valid, the proposed building design must be assessed in a broader sense. The visibility of this proposed tower will likely be limited to the private open space of only 4 to 5 dwellings located on Bolton Drive.

In a broader context, the applicant has sought to ensure that the proposed tower is located in a site that is as far removed as possible from the public domain. It is proposed within a service loading area to the rear of the existing Strath Village shopping centre. This area is to the southeast of the existing building and is as far removed from both Condon Street and Edwards Road as is possible within the site. It is located adjacent areas of existing vegetation, which are all proposed to be retained.

The tower structure itself is narrow in stature, with the proposed antenna panels located at the top being the main feature that will be visible. These panels are sized to the minimum dimensions necessary to do the task they are designed to achieve.

As such, there is no scope to further reduce the visual impact of the tower. There is also no better site for the tower to be located when balancing both public and private visual impact.

Officer assessment is that the design and siting within Strath Village shopping centre site is appropriate.

Whether the proposed telecommunications facility will have unreasonable effects on adjacent land.

Under Clause 52.19; Telecommunication facilities, the responsible authority is required to consider whether there will be any unreasonable effects on adjacent land. In relation to this application, this is in relation to all potential amenity impacts raised by objectors within their submissions. The following section provides discussion on potential noise, traffic, privacy and overshadowing impacts that have been raised as areas of concern.

Noise

A number of objectors raised concerns with the potential noise impacts from the proposed facility, and with noise impacts from construction activities.

The applicant has provided further information as to the noise impacts from the operation of the facility. The facility will comprise of two main components, the tower structure and a building containing the required electronic equipment.

The tower itself will not produce any noise, with no moving plant. The panels themselves do not generate noise when in operation.

The building will house electronic equipment in the form of computer server racks and computer systems. These systems produce noise that is not perceivable external to the building. To maintain operating temperatures for the building, air conditioning equipment is required to be installed. This equipment is identified as standard air conditioning equipment that is common on residential properties.

The nature of the equipment proposed is not out of the ordinary for the area. The equipment will not be audible above the ambient noise levels of the site, especially noting the 80 metres plus that separates the air conditioners from the nearest dwelling.

Construction activities will have the potential to generate noise that will be audible at the nearby dwellings. It must be noted that construction activities occur all over the municipality on a daily basis, with the works required here no different. These construction activities will occur during daylight hours and are not expected to extend

beyond a couple of months. A Construction Management Plan will be required that will ensure noise impacts from construction activities are controlled in accordance with standard EPA requirements.

Traffic

Some objectors raised concerns that the traffic generated by the facility would impact the operation of the surrounding road network.

The facility will not be manned once constructed. It will be visited a couple of times a year by 2 personnel to undertake periodic inspections. This level of traffic generation is negligible and will not impact the operation of the surrounding road network.

The greatest traffic impact associated with the development of the site will occur during construction. These impacts are also deemed to be negligible when compared against the existing traffic generation of the two shopping centres.

Privacy

A number of the objectors raised concerns with privacy and overlooking from the tower into their individual properties.

There will be a direct line of sight between the top of the tower and the rear areas of 4 to 5 dwellings. These views range in distance from 80 metres through to 110 metres.

The opportunity for these direct views to occur would only result when someone is at the top of the tower. Ready access to this area is not provided. All maintenance activities at the top of the tower will be controlled activities and occur infrequently. Maintenance personnel will not be allowed to dwell at the top of the tower to enjoy the view, and when up there will be focused on their task. These maintenance activities are no different to what occurs on the adjoining shopping centre roof or that of any neighbouring property.

Overshadowing

Objectors raised concerns that the tower would overshadow their properties.

The proposed tower is 30 metres high. It is proposed a minimum distance of 80 metres from the nearest dwelling to the northwest. The structure itself is minimal and would not cast a large shadow.

Due to the distance between the tower and the nearest dwelling, the likelihood of any shadow being cast on a residential property is minimal. It would be confined to a brief few minutes just prior to sunset in the winter months. This impact is negligible.

Officer assessment is that there are no unreasonable effects on adjoining land from the proposed development of the telecommunications facility on this land.

Whether all objector concerns have been addressed.

Repeat application

Objectors raised issues with the repeat applications being lodged for the same proposal, stating that the previous application had been ‘knocked back’. Objectors stated that if the previous application has been ‘knocked back’ why were they allowed to lodge a fresh application.

For clarity, the previous application had not been ‘knocked back’ (refused). The previous application was withdrawn by the applicant on their own for commercial reasons. This decision was two-fold, to provide improved access to the facility and in consideration of some of the relevant planning matters raised through the notice process for the earlier application.

It is also noted that this application is materially different to the first application, as it relates to a different property and location for the proposed facility.

Level of electromagnetic radiation

The majority of objectors raised concern with electromagnetic radiation exposure from the proposed tower within their respective properties.

This aspect of the proposal is not a valid planning consideration in assessing this application. It has not, and cannot, be considered as part of this proposal.

Electromagnetic Radiation is regulated by the Australian Government’s Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). Specifically, the facility must comply with the *Radiation Protection Series S-1 (Rev. 1)* which relates to the ‘Standard for Limiting Exposure of Radiofrequency Fields – 100 kHz to 300GHz’.

Whilst not required to support this planning application, the applicant indicated that the proposed facility easily complies with this standard. This is demonstrated by the facility only emitting up to 2% of the allowable Electromagnetic field allowable under this standard.

Impact on property values

It is a well-established principle of planning permit application assessment that the potential/perceived impacts on property values is not a valid planning consideration. As such, no assessment of this objector concern is possible without any valid evidence.

Summary

Whilst the concerns raised by objectors are reasonable, they are not considerations that can be considered in a planning context. Officer assessment is that the proposal has adequately responded to these concerns.

Conclusion

Officer assessment is that the application should be supported, subject to the conditions contained at the end of this report.

The application has come before Council for decision due to the number of objections raised throughout the assessment of the proposal. Objector concerns are detailed above and have been addressed throughout the subsequent discussion in this report.

The proposal seeks to construct a telecommunications facility within an identified Large Activity Centre within Strathdale that has identified issues with mobile phone service coverage. The development of this tower is proposed to collocate a number of service provider infrastructure to support the commercial activities within this defined activity centre.

The tower has been sited to minimise all impacts to both the surrounding public and private domains to the greatest extent possible. A small number of dwellings will be visually impacted by the proposal, but to a level that is not unreasonable within this urban context.

The proposal is compliant with the Municipal Planning Statement, Planning Policy Framework, Commercial 1 Zone, relevant Particular Provisions and General Provisions 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.

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Proposed Notice of Decision Conditions

1. NO LAYOUT ALTERATION
   The development permitted by this permit as shown on the endorsed plan*(s)* and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

2. OBSTACLE LIGHTING
   The Tower Mast must be a lit in accordance with the Obstacle Marking Standards contained within the Manual of Standards Part 139 – Aerodromes (MOS139) immediately upon erection of the monopole tower.

   The installed lighting must be maintained to the satisfaction of the responsible authority.

3. GENERAL DRAINAGE
   The proposed buildings and works must be drained to the satisfaction of the City of Greater Bendigo as the responsible drainage authority.

4. AMENITY OF THE LOCALITY
   The facility permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the emission of noise, artificial light or vibration.

5. 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.
   (e) Management of noise impacts associated with construction activities
   (f) Management of traffic related impacts associated with construction activities

   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.

6. EXPIRY OF PERMIT

This permit will expire if the development permitted by this permit is not completed within 2 years from the date hereof. The time within which the development must be completed may be extended, on written request to the responsible authority, before or within 6 months after the expiry of this permit where the development has not yet started or 12 months where the development has commenced.

Permit Notes:

ELECTRO MAGNETIC EMISSIONS

The facility must comply with *Radiation Protection Series S-1 (Rev. 1) – Standard for Limiting Exposure of Radiofrequency Fields – 100 kHz to 300GHz,* ARPANSA, Feb 2021 or any subsequent standard.

Attachments

Nil

16.3. O'KEEFE RAIL TRAIL PLAN

Author:	Matthew Kerlin, Coordinator, Strategy and Policy
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

Purpose

To inform Council of changes made to the O'Keefe Rail Trail Plan following community engagement and seek adoption of the Plan.

Recommended Motion

That Council adopt the O'Keefe Rail Trail Plan.

Executive Summary

The O'Keefe Rail Trail Plan (the Plan) has been developed to guide the ongoing development and management of the O'Keefe Rail Trail and to promote increased usage by local residents and visitors to the region.

Key actions and elements of the draft Plan include:

- Improving amenities along the Rail Trail (toilets, drinking fountains, wayfinding signage and seating)
- Improving safety along the Rail Trail (improved road crossings at high traffic areas, reviewing areas of shared use with motor vehicles)
- Ongoing management including detailing how the City will manage and maintain the Rail Trail along with confirming a commitment to continue working with the Friends of the Bendigo Kilmore Rail Trail (FBKRT)
- Ongoing marketing and promotion of the Rail Trail
- Defining level of infrastructure and maintenance service standards to help clearly define the expectations for the Rail Trail.

A draft version of the Plan was released for community engagement for a period of four weeks in February and March 2024, which resulted in the following key changes to the Plan:

- A greater emphasis on the importance the O'Keefe Rail Trails in supporting biodiversity values, including a number of new actions linked with the City's Biodiversity Strategy and Action Plan (2023-2033).
- A broader consideration on reducing conflicts at road crossings on the section of the trail between the Bendigo Creek Trail and Junortoun.

Background

The O'Keefe Rail Trail is one of the City of Greater Bendigo's primary nature-based attractions for both local residents and visitors to the region. The 49km long rail trail is located along the decommissioned rail corridor between Bendigo and Heathcote, passing through Axedale.

Although the trail's surface is mostly sandy gravel, there are small sections of asphalt. The rail trail is used by a wide variety of local residents and visitors for walking, cycling, trail running and horse riding in some sections. Key attractions along the rail trail include Bendigo, Axedale, the Campaspe River, Lake Eppalock, Heathcote, replica railway stations, an original railway wagon and peaceful bush and farm vistas.

The original railway line on which the O'Keefe Rail Trail is constructed, was developed by Andrew O'Keefe in 1887 using funds from the Victorian Railways and opened in October 1888. The line featured 13 stations and platforms (not all operational over the life of the line) and 50 bridges. Due to the proposed construction of Lake Eppalock across a section of the railway line, along with a decline in service demand and maintenance neglect, the line was permanently closed in December 1958.

A 19km stretch of the O'Keefe Rail Trail was initially constructed between Bendigo and Axedale in the early 1990's over a number of years and was officially opened in 1993. In 2015, the trail was extended an additional 30km to Heathcote.

At a regional trail level, the O'Keefe Rail Trail connects with the 65km trail that circles Bendigo, the Bushland Trail, and indirectly links with the 210km long Goldfields Track that extends south of Ballarat via Castlemaine and Daylesford. There are also plans to potentially develop a link from Heathcote to Rushworth in the east and Kilmore and Wallan in the south.

Part of the O'Keefe Rail Trail around Knowsley has been constructed on private farming land. There is a legally binding licence agreement with a number of landowners outlining, should these landowners choose to sell their property in the future, the City of Greater Bendigo will have first right of refusal.

An economic impact study that was conducted in 2016 determined that the average domestic overnight expenditure by users of the O'Keefe Rail Trail was $134 per person and was $123 for domestic day visitors. The study stated that the overall annual benefit to the region in 2016 was $669,000.

Usage of the O'Keefe Rail Trail has grown strongly with usage by bike riders doubling since 2016 (12,700 to 26,735), while walking usage in 2023 was its highest

(at 20,540) of the three years data we have. Data is currently measured at Cashens Road, with a safe assumption that there is additional usage along the trail at different points such as Axedale and Heathcote.

The City has made a significant financial investment into the O'Keefe Rail Trail over the years, supported by a significant amount of volunteer support from the Friends of the Bendigo Kilmore Rail Trail (FBKRT).

Previous Council decision dates:

26 February 2024 - *That Council release the draft O'Keefe Rail Trail Plan for a minimum period of four weeks for the community to review and provide feedback on the plan.*

Report

The Rail Trail is already well established both locally and as a tourist destination, with significant infrastructure and investment already having occurred to develop it into what it is today. The draft Plan looks to build on this solid foundation to guide the ongoing development and management of the O'Keefe Rail Trail and to promote increased usage by local residents and visitors to the region. To ensure that the Rail Trail can achieve its full potential as a recreational and tourist trail and at the same time be sustainable, this plan outlines some key actions to improve the way the rail trail is governed, managed, maintained, promoted, funded, activated and evaluated.

Key actions and elements of the draft Plan include:

- Improving amenities along the Rail Trail (toilets, drinking fountains, wayfinding signage and seating)
- Improving safety along the Rail Trail (improved road crossings at high traffic areas, reviewing areas of shared use with motor vehicles)
- Ongoing management including detailing how the City will manage and maintain the Rail Trail along with confirming a commitment to continue working with the FBKRT
- Ongoing marketing and promotion of the Rail Trail
- Defining level of infrastructure and maintenance service standards to help clearly define the expectations for the Rail Trail.

Significant community engagement was first undertaken in 2020 with the draft Plan developed in 2021 before work on the project was paused, refined and finalised in partnership with the FBKRT in 2023.

Development of the plan also considered existing strategic documents of the City, including the engagement that informed those, with actions included from the

Greater Bendigo Public Space Plan and Greater Bendigo Public Toilet Strategy, while an action of the Walk, Cycle Greater Bendigo Strategy was to develop a sustainable trail plan for the O'Keefe Rail Trail.

Council resolved in February 2024 to release the draft Plan for a period of community engagement, which was undertaken over a 4 week period with signage posted along the length of the Trail, media release, social media, targeted engagement with key stakeholders and previously interested community members undertaken as part of the engagement process.

Key questions as asked as part of the engagement were:

- What's good about the Trail?
- What's missing from the Trail?
- Any other feedback?

The majority of the feedback was positive with regards the existing trail and the plan, with a number of comments echoing key challenges previously identified and already included in the Plan.

Two key themes emerged from the engagement period that have resulted in significant changes to the Plan, with the community requesting that a greater acknowledgement of the role the Trail plays in supporting positive biodiversity outcomes be included and the need for all road crossings between Bendigo and Junortoun be reviewed to ensure safer crossings for pedestrians and bike riders.

Key changes with regards biodiversity include the inclusion of a dedicated Biodiversity section within the document at 6.0, which reflects the important role the trail plays and the great work that a number of community groups play within this space. While four new prioritised projects were included that relate improving biodiversity outcomes along the trail.

For safer crossings between Bendigo and Junortoun the priority for the McIvor Road crossing was increased from medium to high, while a new action to review all other minor road crossings between Bendigo and Junortoun as part of the City's Protected Walking and Cycling Network program was added.

Priority/Importance

The Plan will ensure that a clear, proactive and planned approach is taken to the ongoing development and management of the O'Keefe Rail Trail and to promote increased usage by local residents and visitors to the region.

The recommendations and content of the Plan will also help create clarity with the City and key stakeholders, and reaffirm the City's commitment to working with the FBKRT.

Options Considered

Council may adopt the O'Keefe Rail Trail Plan or alternatively seek amendments or further information and/or work from officers prior to considering it for adoption.

Timelines

Following adoption, officers will utilise the Plan to inform next steps for the Rail Trail. The key next step is development of an MOU with the FBKRT.

Communications/Engagement

To ensure that relevant issues and opportunities were identified and so that a sustainable management plan could be developed, engagement was undertaken with several key stakeholders and the broader community in late 2020, with further engagement undertaken with the FBKRT and via user surveys in an ongoing manner since.

The first round of engagement included:

- 7 written submissions from individual community members or groups
- 290 completed community surveys
- 4 surveys from tourism operators located near the rail trail
- 22 participants involved in key stakeholder meetings (FBKRT; City of Greater Bendigo staff; Department of Energy, Environment and Climate Action (DEECA); Parks Victoria; Sport and Recreation Victoria; Department of Transport and Planning and Coliban Water).

The second round of engagement, undertaken in February-March 2024, which was designed to receive feedback on the draft report, included:

- 31 survey responses
- 7 written submissions from individual community members, groups and organisations, (including FBKRT, Junortoun Community Action Group, Rail Trails Australia).

Some of the key areas identified included:

- Positive aspects of the rail trail, e.g. safe off-road cycling and walking experience away from cars; bush environment; relatively flat surface; and opportunities for short loops
- Suggested infrastructure upgrades, e.g. toilets and drinking water
- Mapping and signage

- Promotion, marketing and development of packages / experiences
- Potential safety issues, e.g. Bobs Street and McIvor Road crossings
- Potential realignments and extensions to the trail
- Usage data
- Potential governance, management and maintenance improvements.

These issues and opportunities have been considered and formulated into the actions and elements contained within the draft Plan. A background report was also prepared which incorporates the evidence base behind this plan, i.e. community engagement analysis and a literature review.

In addition to community engagement, the results of previous evaluation reports, surveys (including ongoing visitor experience surveys) and plans (e.g. information about road crossings and lack of signage in specific areas) were also considered and helped to formulate key action areas.

Financial Sustainability

The implementation of the Plan is subject to future budget and resourcing allocations. Budget bids will be generated and administered through the City's budgetary process. There is an acknowledgement of the City's constrained financial environment and where appropriate officers will work to support any projects with grant funding.

The draft Plan also identifies a number of advocacy projects that will need to be delivered by partners, such as the Department of Transport and will be dependent on their future budget and resource availability also.

From a long-term perspective, with regards the extension from Heathcote to Wallan, the majority of the trail extension sits within Mitchell Shire who will be the appropriate lead for development. Mitchell Shire have previously acknowledged that there are further challenges to work through within their municipality and when Mitchell Shire Council endorsed the feasibility study they committed to progress further engagement, planning, feasibility and investigations.

Risk Assessment

The plan mitigates the chances of inappropriate assets being developed along the Rail Trail. Failure to adopt the plan may lead to ongoing, haphazard planning and implementation of improvements, and a disconnected or uneven level of service for the Rail Trail.

Primary risks associated with the draft Plan include the failure to adequately fund the implementation and the need to ensure that partners deliver works along the Rail Trail that are consistent with the vision for the Rail Trail.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 2 - Healthy, liveable spaces and places
Outcome 3 - Strong, inclusive and sustainable economy

Secondary Council Plan Reference(s)

Goal 1 - Strengthened community health and wellbeing
Goal 3 - Everyday walking and cycling is easier for all ages and abilities.
Goal 5 - A strong vibrant tourism sector

Other Reference(s)

- Greater Bendigo Public Space Plan (2019)
  Action: Support the extension of the O'Keefe Rail Trail from Heathcote to Kilmore
- Greater Bendigo Public Toilet Strategy (2017)
  Recommendation: Investigate a location for a new public toilet in along the O'Keefe Trail
- Walk, Cycle Greater Bendigo (2019)
  Action 1.3: Progress and/or prioritise planning and implementation of key walking and cycling infrastructure projects
  - Develop sustainable plans for existing regional trails
- Greater Bendigo Biodiversity Strategy and Action Plan (2023-2033)

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. O' Keefe Rail Trail Plan [**16.3.1** - 28 pages]
2. O Keefe Rail Trail Plan Engagement Summary 3 April 2024 [**16.3.2** - 5 pages]





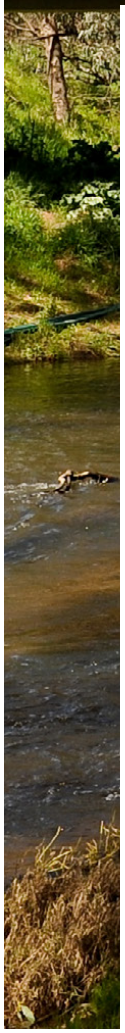


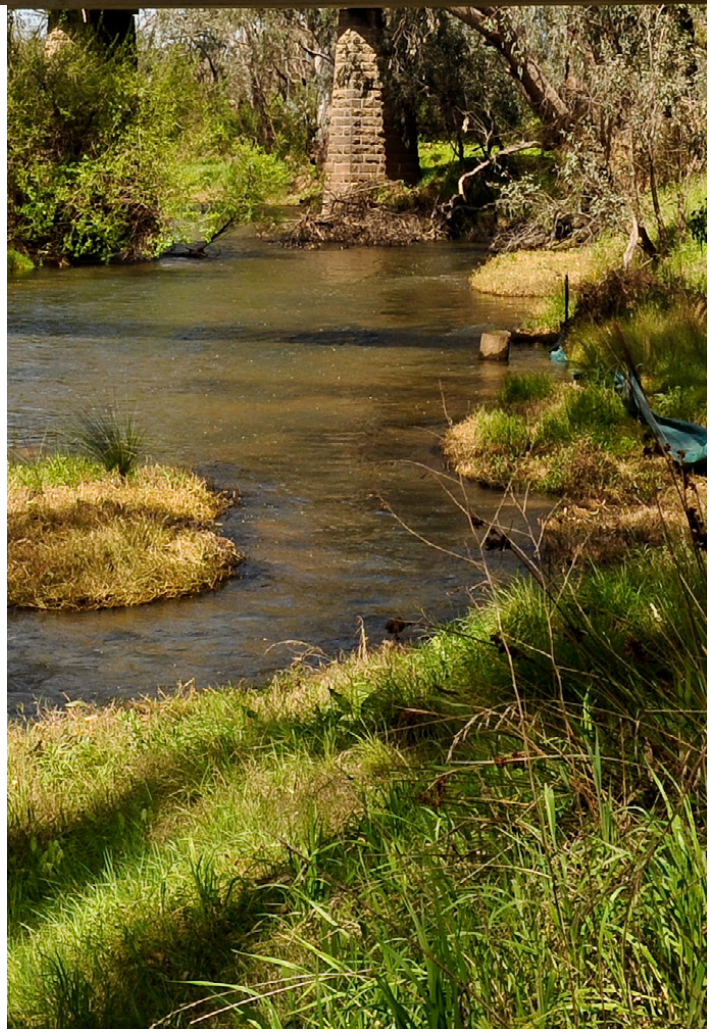
O'KEEFE RAIL TRAIL PLAN 2024



Acknowledgement of Country

We acknowledge both the Dja Dja Wurrung people and the Taungurung people as the Traditional Owners of the land. We recognise their continuing connection to land, waters and culture and pay our respects to Elders past, present and future. We look after this land while recognising the ground we're walking or riding upon.





Disclaimer

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May 2024

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O'KEEFE RAIL TRAIL
WALK RIDE
BENDIGO – HEATHCOTE

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1

OVERVIEW OF MANAGEMENT PLAN

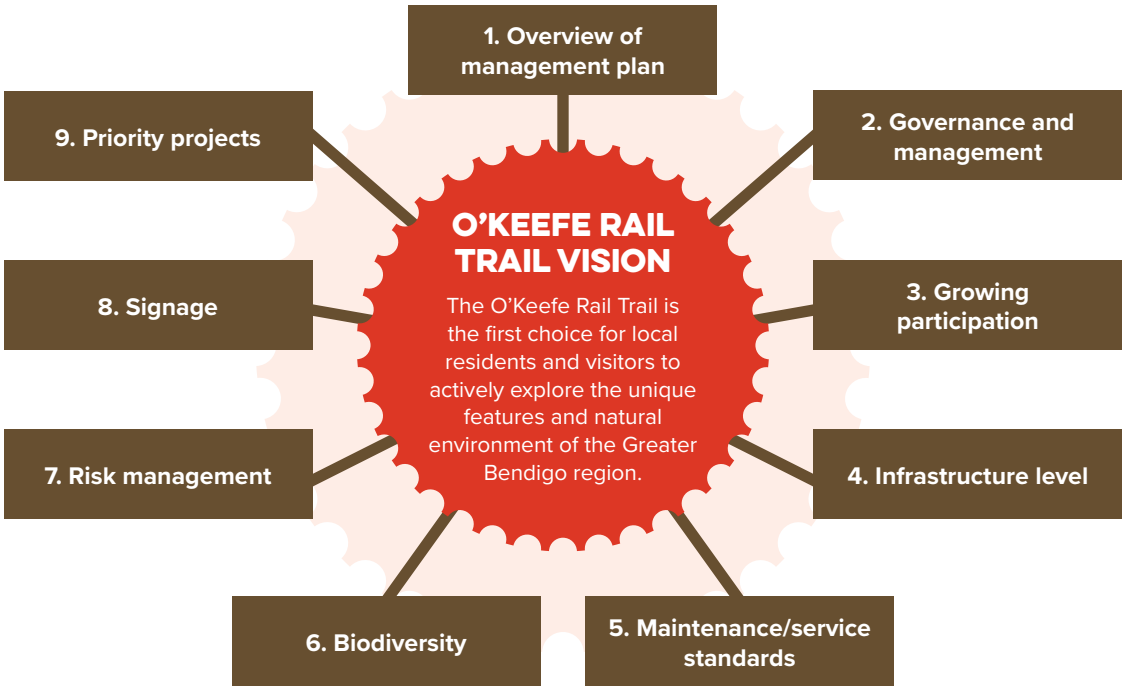
1.1) Purpose of the plan

The purpose of this plan is to develop a sustainable regional trail plan to guide the ongoing development and management of the O'Keefe Rail Trail and to promote increased usage by local residents and visitors to the region. To ensure that the Rail Trail can achieve its full potential as a recreational and tourist trail and at the same time be sustainable, this plan outlines some key actions to improve the way the Rail Trail is governed, managed, maintained, promoted, funded, activated and evaluated.

The drive for this plan was identified as an action of the City of Greater Bendigo's (the City) *Walk, Cycle Greater Bendigo* strategy.

This plan has 9 key focus areas and is structured in the following way (pictured below).

To ensure that relevant issues and opportunities were identified and so that a sustainable management plan could be developed, engagement was undertaken with several key stakeholders and the broader community.



The first round of engagement included:

- 7 written submissions from individual community members or groups
- 290 completed community surveys
- 4 surveys from tourism operators located near the Rail Trail
- 22 participants involved in key stakeholder meetings - Friends of the Bendigo-Kilmore Rail Trail (FBKRT); City staff; Department of Energy, Environment and Climate Action (DEECA); Parks Victoria; Sport and Recreation Victoria; and Coliban Water

The second round of engagement, which was designed to receive feedback on the draft report, included:

- 31 survey responses
- 7 written submissions from individual community members, groups and organisations

Some of the key areas identified included:

- Positive aspects of the Rail Trail, e.g. safe off-road cycling and walking experience away from cars; bush environment; relatively flat surface; and opportunities for short loops
- Suggested infrastructure upgrades, e.g. toilets and drinking water
- Mapping and signage
- Promotion, marketing and development of packages/experiences
- Potential safety issues, e.g. Bobs Street, Napier Street and McIvor Road crossings and poor mobile phone coverage
- Potential realignments and extensions to the trail
- Usage data
- Potential governance, management and maintenance improvements

These issues and opportunities have been considered and formulated into the directions and actions contained within this plan.

In addition to community engagement, the results of previous evaluation reports, surveys and plans (e.g. information about road crossings and lack of signage in specific areas) were also considered and helped to formulate key action areas.

A background report has been prepared which incorporates the evidence base behind this plan, i.e. community engagement analysis and a literature review.

1.2) Overview of the trail

The O'Keefe Rail Trail is one of the City's primary nature-based attractions for both local residents and visitors to the region. The 49km long Rail Trail is located along the decommissioned rail corridor between Bendigo and Heathcote, passing through Axedale. Although the trail's surface is mostly sandy gravel, there are small sections of asphalt.



Key attractions along the Rail Trail include Bendigo, Axedale, the Campaspe River, Lake Eppalock, Heathcote, replica railway stations, an original railway wagon and peaceful bush and farm vistas.

The trail is very much valued by the local community and enjoyed by many visitors. It's a place where people can enjoy taking part in recreational cycling or walking (either in groups or alone), or perhaps use the trail to improve their fitness by going for a cycle, run or walk. Some sections of the trail are suitable for horse riders. Beginners and less experienced cyclists can learn to safely ride a bike away from traffic. The trail is used as a transportation link to visit friends and neighbours and to commute to work or school. It also provides opportunities to enjoy time in nature.

In addition to the predominantly sandy gravel trail itself, there is a variety of infrastructure along the 49km linear O'Keefe Rail Trail, including:

- 11 interpretive signs and numerous directional signs
- 3 bike repair stations (Wilkie Road in Junortoun, Axedale Hall Reserve and Heathcote)
- 4 water refill stations (Junortoun, Axedale Hall Reserve, Heathcote Dog Park – next to the trail head and Heathcote Visitor Information Centre)
- 3 toilet blocks (Lake Weeroona, Axedale Hall Reserve and Heathcote Visitor Information Centre, with additional toilet facilities being constructed at Longlea Lane)
- Picnic tables and seats (Lake Weeroona, Junortoun, Axe Creek, Axedale, Lake Eppalock and Heathcote)
- 2 shelters – one in Heathcote and one in Axedale (with a 3rd being constructed at Longlea Lane). There are also shelters at Lake Weeroona.
- Barbeques (Lake Weeroona, Axedale and Heathcote)
- Bridges
- 8 replica railway stations and platform sites
- 27 replica concrete railway mileposts
- Railway wagon at Axedale Station

The original railway line on which the O'Keefe Rail Trail is constructed, was developed by Andrew O'Keefe in 1887 using funds from the Victorian Railways. It was opened in October 1888. The line featured 13 stations and platforms (not all operational over the life of the line) and 50 bridges. During the time in which it was operational, the railway line hauled timber for gold mining in Bendigo, firewood and charcoal for fuel, railway sleepers, quarried rock, clay, grain, produce and livestock. Due to the proposed construction of Lake Eppalock across a section of the railway line, along with a decline in service demand and maintenance neglect, the line was permanently closed in December 1958.

A 19km stretch of the O'Keefe Rail Trail was initially constructed between Bendigo and Axedale in the early 1990's over a number of years and was officially opened in 1993. In 2015, the trail was extended an additional 30km to Heathcote. At a regional trail level, the O'Keefe Rail Trail connects with the 65km trail that circles Bendigo, the Bushland Trail, and indirectly links with the 210km long Goldfields Track that extends south of Ballarat via Castlemaine and Daylesford. There are also plans to develop a link from Heathcote to Rushworth (to connect with Murchison and Shepparton) in the east and Kilmore and Wallan in the south.

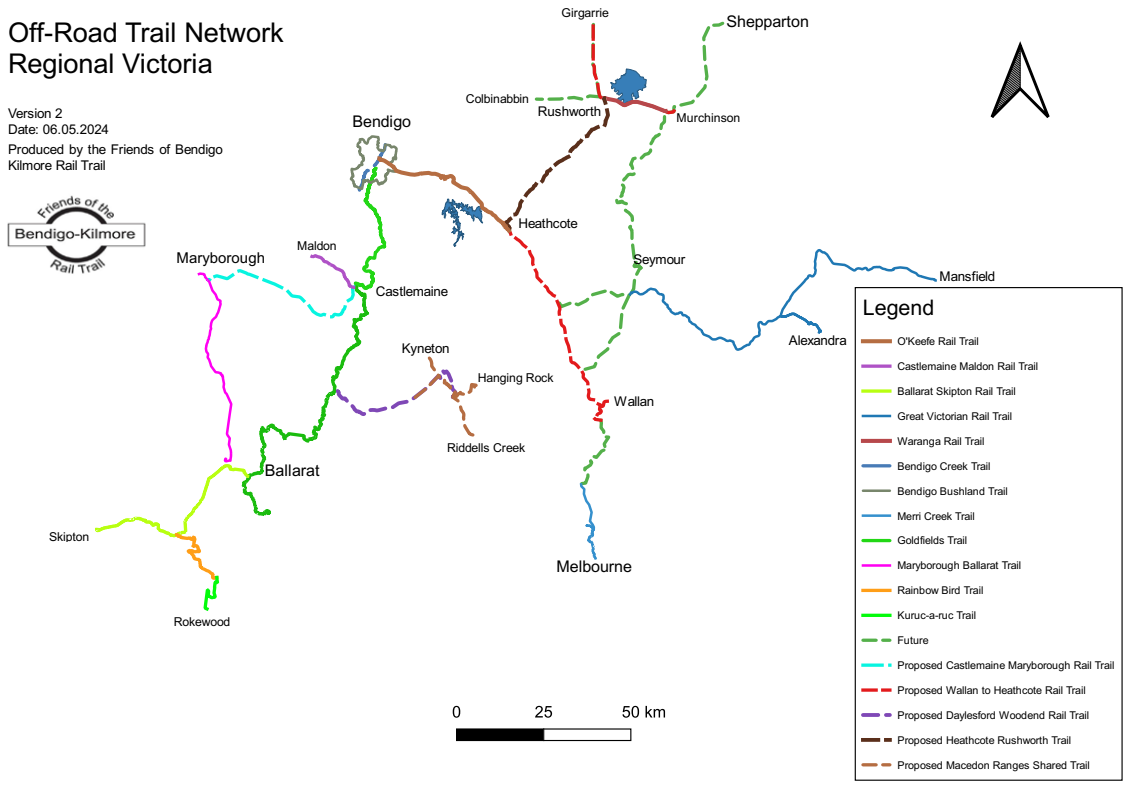
Part of the O'Keefe Rail Trail around Knowsley has been constructed on private farming land. There is a legally binding licence agreement with three landowners. Should these landowners choose to sell their property in the future, the City will have the first right of refusal.

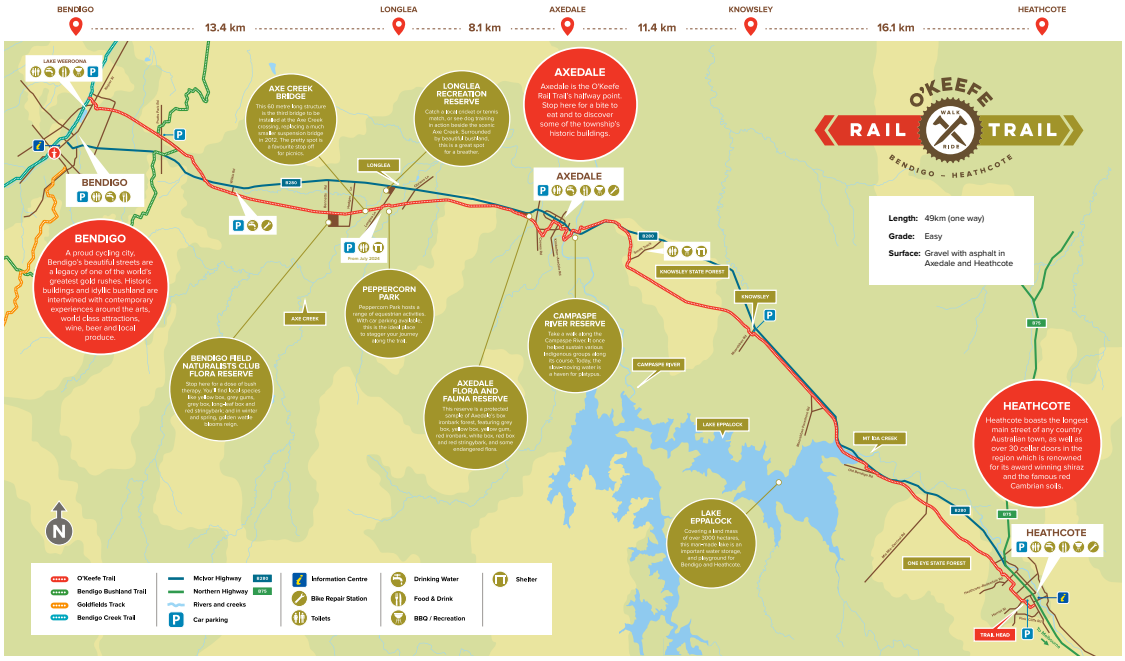
A variety of events are organised by community-based groups and other organisations on the O'Keefe Rail Trail each year. These events and programs include:

- O'Keefe Challenge (comprising of full and half marathon running race, 10km fun run, 5km walk/ run, relay running race, kids' race and kids' dash – run by the community)
- Light the Trail night ride from Axedale to Heathcote (26km)
- National Tree Day events
- Friends of the Bendigo-Kilmore Rail Trail (FBKRT) member activities

Previous events include Spring in the Bush (last held in 2013), Ride for Dad (last held in 2014) and the Scout Jamboree (2022). A Catholic Pilgrimage from Heathcote to Bendigo is in the planning stage.

An economic impact study that was conducted in 2016 determined that the average domestic overnight expenditure by users of the O'Keefe Rail Trail was $134 per person and was $123 for domestic day visitors. The study stated that the overall annual benefit to the region in 2016 was $669,000.





The City has made a significant financial investment into the O'Keefe Rail Trail over the past 10 years, supported by a significant amount of volunteer support from the Friends of the Bendigo-Kilmore Rail Trail. Ideally the City and FBKRT would like to see usage of the trail by local residents and visitors to the region continue to increase delivering a range of health, social, economic and environmental benefits, and so that the capital and volunteer investment thus far can be further capitalised on.

> **The O'Keefe Rail Trail is one of the City's primary nature-based attractions for both local residents and visitors to the region.**

Within municipal boundaries, the O'Keefe Rail Trail connects to a variety of local recreational and commuting paths such as the Bendigo Creek Trail via its entry point near Lake Weeroona, as well as Bendigo Bushland Trail, Grassy Flat Creek Trail and urban trails within Heathcote. It is indirectly linked to the Long Gully Trail, Back Creek Trail, Goldfields Track, Junortoun-Strathfieldsaye Trail/Sheepwash Creek Trail and Strathdale-Junortoun Trail.

Various cycle trails emanate from the Visitor Information Centre in Heathcote - the O'Keefe Rail Trail's most easterly entry point. Planning is also underway by other organisations for the proposed Heathcote to Rushworth Trail, which will ultimately link to the Waranga Trail between Rushworth and Murchison (with a further link to Shepparton).

From a long-term perspective, with regards to the extension from Heathcote to Wallan, the majority of the trail extension sits within Mitchell Shire. Mitchell Shire will be the appropriate lead for development. It has previously acknowledged that there are further challenges to work through within its municipality.

1.3) The key role of the Friends of the Bendigo-Kilmore Rail Trail and other community groups

The Friends of the Bendigo-Kilmore Rail Trail (FBKRT) has been instrumental in the ongoing development of the O'Keefe Rail Trail through countless volunteer hours undertaking working bees and minor maintenance tasks, constructing infrastructure along the trail, sourcing materials, running events, promoting the trail and attracting funding for works. Its contribution to the trail has, without a doubt, helped to create one of Victoria's best rail trails. Labour and funding provided by the Friends Group has also decreased capital and operational costs for Council.

It is vitally important that a strong relationship is maintained between the City and the FBKRT to ensure that this group continues to flourish and continue improving the O'Keefe Rail Trail for the benefit of all.

Several other community groups such as Junortoun Community Action Group, Axedale Our Town Our Future, Advance Heathcote, Bendigo Field Nats and Nature Network have also been actively involved in the O'Keefe Rail Trail. Their continued involvement is welcomed and much appreciated by the City.

1.4) Vision and proposed outcomes

The goals, proposed outcomes and action areas of the City's *Council Plan (Mir Wimbul) 2021-2025* and *Walk, Cycle Greater Bendigo* have been incorporated into the vision and planning principles for the O'Keefe Rail Trail.

Proposed outcomes (which are incorporated into *Mir Wimbul*) to guide future works and initiatives related to the O'Keefe Rail Trail are listed below.

Lead and govern for all

The City will take a strong leadership role with the O'Keefe Rail Trail and will ensure that appropriate policies and strategies are in plan to guide the management and operation of the trail and that a sufficient budget and human resources are available to undertake ongoing management and renewal responsibilities.

Wherever possible, works and initiatives will be undertaken in partnership with communities, community-based organisations or the private sector to encourage community involvement and participation and to promote the utilisation of shared resources.

Any works undertaken or initiatives implemented will ensure that relevant safety standards are met and that a detailed risk management assessment is conducted.

A strong evidence base/demonstrated need must be identified prior to undertaking initiatives.

Healthy, liveable spaces and places

Any works or initiatives should be designed to provide positive health and wellbeing benefits for all trail users. These initiatives should also be designed to increase usage of the O'Keefe Rail Trail by local residents and visitors of all ages, genders, cultural backgrounds, socio-economic status and abilities.

The trail should also provide healthy, liveable spaces and places for flora and fauna by enhancing the biodiversity of the trail.

Strong, inclusive and sustainable economy

Any works or initiatives should deliver positive economic benefits to the Greater Bendigo community and businesses along the trail or businesses who support the trail.

Works or initiatives along the trail will aim to link towns to one another and to distribute revenue across the municipality.

Aboriginal reconciliation

Dja Dja Wurrung and Taungurung culture should be celebrated on the trail. There is potential to investigate opportunities for Aboriginal place naming along the trail. Partnerships with Dja Dja Wurrung and Taungurung will be encouraged.

A climate-resilient built and natural environment

Any works or initiatives undertaken must be designed to be as sustainable as possible. This may mean using locally sourced materials or recycled materials in construction and avoiding damage to surrounding flora and fauna and Aboriginal cultural heritage sites. It also means using quality materials with a long lifespan to help reduce environmental impacts caused from unnecessary manufacturing and disposal of materials.

A vibrant, creative community

The Rail Trail should embrace the UNESCO Creative City of Gastronomy status and link to food and beverage experiences.

Unique local features, e.g. bushland/water views or aesthetically attractive bridges should be incorporated into the trail to provide a point of difference with other rail trails around the state.

Any works or initiatives need to be relevant to the local region. Historical railway infrastructure placed along the trail should ideally reflect the type of infrastructure that was used along the former rail line.

A safe, welcoming and fair community

The trail and infrastructure along it need to be designed for use by all ages and abilities to enable trail users to choose the length of trail that they traverse, i.e. the whole section or shorter sections. Universal Design Principles and Disability Discrimination Act (DDA) compliance needs to be factored into all works.

The trail, its infrastructure and the supporting spaces along it need to be designed according to Crime Prevention Through Environmental Design (CPTED) principles to maximise safety and to ensure good passive surveillance.

The trail has numerous well-signed access points which allow people to join and exit the trail from roads, estates or townships along its route.

Trail etiquette needs to be considered on signage and in promotional materials to encourage trail users to respect one another. Warning signs for motorists also need to be provided near key crossings to warn motorists to look out for trail users.



2

GOVERNANCE AND MANAGEMENT

2.1) City of Greater Bendigo

The land on which the O'Keefe Rail Trail is located is owned partially by the City, partially by three private landowners and partially by the Crown. The Department of Energy, Environment and Climate Action (DEECA) has issued a licence to the City to enable it to utilise Crown Land areas around Heathcote and has appointed the City as the Committee of Management for reserved Crown Land from Junortoun to Napier Street. Similarly, the City has been granted a licence by the three private landowners to utilise a section of their land for the Rail Trail. Goulburn Murray Water is responsible for land around Lake Eppalock. Parks Victoria has no responsibility for the Rail Trail but does play a role in some of the trails that link to the O'Keefe Rail Trail, e.g. Bendigo Bushland Trail and the Goldfields Track.

The City is therefore responsible for the day-to day-management, maintenance, upgrade and marketing of the trail. DEECA doesn't play an active role in the Rail Trail unless there is a requirement under the relevant Act to do so.

The City has a responsibility to evaluate the O'Keefe Rail Trail on a regular basis to ensure that its investment is achieving the desired outcomes. This evaluation may include installation of trail counters as well as qualitative and quantitative feedback from existing trail users, as well as those who do not currently use the trail. Data obtained from evaluations may also contribute to an evidence base to support increased investments or the attraction of external funding.

2.2) Friends of the Bendigo-Kilmore Rail Trail

The Friends of the Bendigo-Kilmore Rail Trail (FBKRT) is an incorporated membership-based organisation operated by volunteers from a range of professional and trade backgrounds. It was instrumental in helping to establish the Rail Trail with lobbying, advocacy and on-ground works. It now has an informal advisory role to the City and undertakes 'hands on' works and advocacy to improve the quality of the trail experience. It regularly seeks grants and sources materials to provide facilities and improve existing infrastructure and experiences along the trail. FBKRT currently has a membership of over 70, all of whom pay an annual fee.

The Friends group has a licence to manage the wagon on the trail near Axedale, but no formal lease, licence or management agreement associated with any other aspect of the Rail Trail.

2.3) Memorandum of Understanding

To formalise the important relationship and to provide greater clarity of the roles and responsibilities of the City and the Friends of the Bendigo-Kilmore Rail Trail, it is recommended that a Memorandum of Understanding (MoU) is developed and signed by both parties.

An MoU specifically states how each party will work with one another and describes the roles and responsibilities and contributions of each organisation in terms of the management, maintenance, marketing and further development of the Rail Trail.



3

GROWING PARTICIPATION

In order to increase participation by local residents and visitors on the O'Keefe Rail Trail, a number of strategies should be undertaken.

3.1) Activation of the trail

Activation of the trail essentially refers to introducing measures that will help make the experience more enjoyable or user friendly. Ways to activate the trail include:

- Infrastructure – developing the desired level of infrastructure that would attract more people to use the trail, e.g. shaded rest stops, picnic tables, wayfinding signage, water refill stations and toilets
- Events – providing events along the trail that appeal to various markets, including family rides, people wanting a fitness challenge, fund raising initiatives, and environmental initiatives
- Storytelling – through interpretive signage, public art and railway infrastructure, tell the story of the O'Keefe Rail Trail's history and provide information about Dja Dja Wurrung and Taungurung culture, post-European settlement history, flora, fauna and biodiversity
- Loops – creating rides of different lengths or loops with clear entry and exit points so that people don't feel that they need to ride or walk the entire length of the Rail Trail, e.g. investigate a loop around the Derrinal waterfront precinct
- Public transport linkages – promoting the 'Bikes-on-Buses' initiative so that trail users know that it's possible to ride one way along the Rail Trail and place their bike on public transport to return. Public Transport Victoria (PTV) Bendigo Heathcote bus service has buses with an external bike rack for two bikes. Bus stops close to the O'Keefe Rail Trail can be located via the PTV web page map (**https://bit.ly/3FiVNRG**). A PTV myki card is required to access this service. Trains also have the capacity to carry a limited number of bicycles

3.2) Supporting business growth

The most successful rail trails in other locations both in Australia and internationally are well supported by businesses along the length of the trail. Businesses may include accommodation, cafes, restaurants, pubs, wineries, breweries, farm gate sales and pick your own fruit, shuttle services, bicycle hire, tour guiding services, on-trail picnic hamper delivery and cellar door 'wine to home' purchase delivery service.

To ensure that the O'Keefe Rail Trail continues to grow and attract more local residents and visitors to the area, there needs to be a focus on supporting existing businesses to more effectively meet the needs of cyclists and pedestrians, and promote their goods and services to trail users. There also needs to be an environment that supports the growth of new businesses along the trail. To some extent business growth will be dictated by the private sector, however there is also a role for the City's Economic Development and Tourism and Major Events units to play in this space.

3.3) Promoting the trail

To increase awareness of the O'Keefe Rail Trail for both local residents and visitors to the region, it is important that it is promoted effectively. A priority for the City's Tourism and Major Events unit is to develop a marketing plan and to set aside an annual budget to undertake promotional activities. This marketing plan should align with the State Visitor Economy Master Plan, specifically the Nature Based strategic direction, and incorporate information about the target market and initiatives that are likely to increase awareness of the trail with the target group and translate to increased usage of the trail. Some of the potential tools that may be incorporated into the marketing plan include:

- **Website** – investigate whether a dedicated O'Keefe Rail Trail website is needed/sustainable and if yes, apply for budget/grants to support this. This should be linked to the City's websites and other relevant websites such as the FBKRT and Rail Trails Australia
- **Maps and brochures** - maps and brochures of the Rail Trail that link to online resources via QR code that provide information about distances, elevations, supporting infrastructure (such as locations of car parks, toilets, water refill stations, picnic tables, etc) and businesses along the trail (including accommodation and places to camp). These maps and brochures should be available in the Bendigo and Heathcote Visitor Information Centres and local bike shops and in motel/hotel compendiums as well as other key destinations including Visitor Information Centres in other towns/cities. These maps and brochures also need to be made available online on the O'Keefe Rail Trail website, on relevant apps and the City's websites
- **Itineraries** – suggested routes that provide people with ideas about different cycling and walking options, e.g. Bendigo to Heathcote with a stop at Axedale Pub and then accommodation and dinner in Heathcote or a short loop from Lake Weeroona out to Junortoun and back. These itineraries should also include multi-day options that link local experiences and the City's listing as a UNESCO City of Gastronomy, e.g. one day on the O'Keefe Rail Trail with wine sampling in Heathcote, another day on the Bushland Trail experiencing breweries and gastropubs in Bendigo, and another day at the Mountain Bike Park in Harcourt (La Larr Ba Gauwa) sampling apple cider
- **Traditional/electronic media** – Look for opportunities to highlight the Rail Trail, including editorial articles, blogs, social posts, advertorials, advertisements, cycling, walking and outdoor magazines and TV shows (e.g. Trail Towns). These may be prepared by City's Tourism and Major Events unit or may be prepared by journalists or influencers



- **Signage** – directional signs on roads pointing to trail access points; trail access point signs in central locations in Bendigo, Axedale and Heathcote; billboards in other towns
- **Social media** – use a variety of social media tools to promote the O'Keefe Rail Trail, e.g. Facebook, Youtube, Instagram, Snapchat and TikTok. This will necessitate the need for high quality images and videos

Three marketing campaigns should be held annually, focussing on the three seasons in which the O'Keefe Rail Trail is at its best:

- **Autumn** – pleasant weather, Autumn leaves
- **Winter** – low rainfall, open fires, red wine
- **Spring** – pleasant weather and wildflowers

The marketing campaign needs to be focussed on attracting local residents as well as visitors from intra-state and interstate. It also needs to focus on the trail's points of difference from other trails – adventure, forest, lake, gastronomy, variety of other trails and experiences to link to and the potential to travel from Melbourne to Bendigo via train with a bicycle to ride the Rail Trail.

Ideally both the City's Tourism and Major Events unit and Heathcote Tourism bodies will promote the trail in collaboration.



4

INFRASTRUCTURE DEVELOPMENT LEVEL

In 2019, the Greater Bendigo Public Space Plan was adopted by Council. Part of this plan identifies the appropriate level of development for various areas of open space, including trails, according to its public space hierarchy, i.e. neighbourhood, suburb, township, municipal, regional, state or national. The O'Keefe Rail Trail is considered a regional trail, hence according to the City's Public Space Plan, such a facility should generally feature infrastructure relevant to its hierarchy. Furthermore, as it is a linear corridor connecting localities within the municipality, it should have a consistent feel to it where practical in relation to branding, signs, furniture and trail surface.

The following table has been adapted to incorporate specific considerations for the Rail Trail. It should be used as a guide to inform the level of development of the Rail Trail into the future.

Access		
Feature	**Details for regional level facilities**	**Rail Trail considerations**
Car parking (on-site)	Integrated and minimal impact on use of the space	Car parking will only be provided at key trail access points and well utilised entry/exit points. Wherever possible, existing parking will be used as opposed to constructing new parking, e.g. parking around Lake Weeroona.
Car parking (off-site)	Available on-street or elsewhere within short walking distance	The use of existing off-site car parking will be encouraged.
Design to prevent illegal vehicle access	Bollards, railings, fences, landscape features, grading, etc.	Half gates will be used to prevent illegal vehicle access to the Rail Trail.
Emergency or maintenance vehicle access	Should be determined in consultation with relevant emergency services	Emergency or maintenance vehicle access will be provided. Consideration will also be given to installing emergency marker signage to assist with location of injured cyclists and walkers.

> Continued on next page

Internal roads (optional)	Should generally be avoided excepting emergency/ maintenance access needs. Road should be suitably integrated and have minimal impact on use of the space	Internal roads will be avoided excepting emergency/ maintenance access needs. Road will be suitably integrated and have minimal impact on use of the space
Public transport proximity	A rail station or bus stop within short walking distance	Links are proposed between Bendigo Railway Station and Ewing Park Trailhead, Back Creek and Bendigo Creek Trails.
Universal access car parking (on-site or on-street)	Car parking compliant with relevant Australian Standards and requirements of the National Construction Code	Universal access car parking (on-site or on-street) should be provided at key trail access points in Bendigo, Axedale and Heathcote.
Universal access design	Site design compliant with relevant Australian Standards and requirements of the National Construction Code	Infrastructure along the trail should be designed according to Universal Access designs and other relevant standards, codes and regulations.

Features

Feature	Details for regional level facilities	Rail Trail considerations
Interpretive signs		Interpretive signage should be placed at locations where such information will appeal to a significant number of trail users. However, it is important not to create signage clutter. Some interpretive information will be better provided through websites, potentially accessed via QR codes. Signs also need to align with design and locational principles and processes included in the City's Place Interpretation and Naming Policy. Requests may need to go through the City's Place Naming Committee to ensure consistency.
Location/place sign		Location/place signs should be provided at each key entrance point along the trail. It is important not to create signage clutter. Signs also need to align with design and locational principles and processes included in the City's Place Interpretation and Naming Policy. Consideration will be given to utilising indigenous place signs.
Public artwork		A limited amount of public artwork will feature at key locations along the Rail Trail, e.g. at the underpass at Campaspe River Reserve in Axedale and in the format of a railway carriage near Axedale. It is important not to over-develop the trail as its prime purpose is physical activity and nature appreciation.
Water features		Other than natural water features, e.g. Lake Eppalock, the Campaspe River and Lake Weeroona, there will be no water features along the Rail Trail.
Water sensitive urban design (optional)		Best practice water sensitive urban design will be considered at the concept design stage of individual projects impacting the Rail Trail.

> Continued on next page

Facilities and fixtures		
Feature	**Details for regional level facilities**	**Rail Trail considerations**
Barbecues		Barbeques will only be available at key trail access points in Bendigo, Axedale and Heathcote.
Bicycle racks and storage		Bicycle racks or hoops will be available at or near key trail access points in Bendigo, Axedale and Heathcote, along with the shelter at Longlea Lane, the proposed shelter between Axedale and Heathcote, the proposed shelter at Lake Eppalock and next to picnic tables and seats along the trail.
Bins – recyclables		Recyclable bins will be available at key trail access points in Bendigo, Axedale and Heathcote.
Bins – waste		Waste bins will be available at key trail access points in Bendigo, Axedale and Heathcote.
Water refill stations	Where a reliable and cost-efficient water supply is/can be available	Water refill stations will be available at key trail access points in Bendigo, Axedale and Heathcote. Ideally a water refill station will be made available between Axedale and Heathcote (at Knowsley), however drinking water locations are dependent upon access to treated water and sufficient funds in the maintenance budget to maintain these features. Five water refill stations (counting one around the Knowsley area if possible) will enable a distance of approximately 10km between each facility or the equivalent of a 30-45 minute bike ride or a 1.5-2 hour walk (note that promotional materials/signs also need to state that people need to take their own water with them).
Pedestrian-scale lighting	Additional to lighting provided by street or building lighting	No lighting will be provided on the Rail Trail.
Picnic tables		Picnic tables will be provided at key trail access points in Bendigo, Axedale and Heathcote and spaced at intervals along the Rail Trail (approximately a 15-minute ride apart or near a specific attraction).
Seating		Seating will be provided at key trail access points in Bendigo, Axedale and Heathcote and Heathcote and spaced at intervals along the Rail Trail (approximately a 15-minute ride apart or near a specific attraction).
Shade structures and shelters	Covering activity areas and seating areas where structures are more appropriate than trees for shade	Shade structures will be provided at trail heads in Bendigo, Axedale and Heathcote, with one located between Bendigo and Axedale (currently being constructed at Longlea Lane) and another located between Axedale and Heathcote. It is proposed that an additional shelter will be constructed at Lake Eppalock.
Toilets		Toilets will be provided at Lake Weeroona in Bendigo, Axedale Hall Reserve and Heathcote Visitor Information Centre. An additional toilet will be made available between Bendigo and Axedale (at Longlea Lane) and ideally between Axedale and Heathcote at Knowsley. Five toilets (counting a potential one around the Knowsley area) will enable a distance of approximately 10km between each facility or the equivalent of a 30-45-minute bike ride or a 1.5-2 hour walk.

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Landscaping		
Feature	**Details for regional level facilities**	**Rail Trail considerations**
Irrigation		There will be no irrigation on the Rail Trail.
Food-producing plantings		There will be no food-producing plantings on the Rail Trail.
Ornamental garden beds		There will be no ornamental garden beds on the Rail Trail.
Shade trees		Explore opportunities for increased plantings of shade trees along sections of the Rail Trail where appropriate.
Wild/low-maintenance area		Land next to the Rail Trail will be wild/low maintenance. The surrounding Rail Trail corridor should be naturalised as much as possible, i.e. native grasslands are being established as part of long-term sustainable management practices being implemented – these grasses need to drop seed most years before mowing





5

MAINTENANCE AND SERVICE STANDARDS

Proactive maintenance of the O'Keefe Rail Trail is primarily guided by the City's Road Management Plan (2022).

The City's Asset Management System (AMS) records inspection dates, defects, works programmed and completion dates. Location information is recorded in the City's Geographic Information System (GIS). The City uses a mobile computing solution to accurately record the inspection date and time of each asset, and the spatial location of any defects.

Reactive maintenance, reported by either City staff or the community, is logged into the City's Pathways system.

The FBKRT undertake minor maintenance tasks such as repainting signage, removing litter and removing small fallen branches. They currently report larger maintenance issues to the City either via formal feedback mechanisms via customer services or directly to City staff.

The following service standards have been developed to guide the maintenance of regional trails such as the O'Keefe Rail Trail. An annual budget bid is available to undertake the maintenance levels required.

Infrastructure	Inspection regime	Routine maintenance	Structural issues, defects and safety issues
Trail surface	Inspected every 12 months	• Condition assessments will identify sections of trail surface that need to be upgraded within the confines of the existing budget. It is expected that a section of the trail surface will be upgraded annually (if required) • Where the trail is shared with vehicles in certain sections between Axedale and Heathcote, additional maintenance may be required • Additional inspections may also be required after heavy rain events	Degraded sections of the Rail Trail, e.g. potholes greater than 300mm in diameter and greater than 25mm in depth will be repaired within one month of reporting by either City staff or community members.

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Infrastructure	Inspection regime	Routine maintenance	Structural issues, defects and safety issues
Bridges	Inspected annually	• A visual inspection will be undertaken annually • The structural integrity and condition of bridges will be inspected every two years	Where the structure of a bridge is compromised, the bridge will be closed. If trail users can be diverted around the bridge and still maintain usage of the trail, works will be carried out within three months of reporting by either City staff or community members. If trail users cannot use the trail as a result of a bridge that has a compromised structure, the bridge will be repaired within one week if possible.
Vegetation	Inspected every six months	• Overgrown vegetation such as long grass or weeds (e.g. bindis) on or within one metre of the trail, or tree branches hanging over the trail, will be removed as per the annual works plan • Some areas that are particularly prone to long grass and weeds may need to be included in the annual works plan each year, whilst other areas may require maintenance less frequently • Native grasslands are being established as part of long-term sustainable management practices and these grasses need to drop seed most years prior to mowing	• Potential safety issues such as large branches across the Rail Trail will be responded to within two business days of notification by either City staff or community members • Long grass that is reported as a high fire risk will be risk assessed within seven business days of notification by either City staff or community members and responded to accordingly
Bollards, fences, gates, cattle grids, culverts and drains	Inspected every two years	Bollards, fences, gates, cattle grids, culverts and drains will be inspected every two years.	• Where bollards, fences or gates have fallen down, or where cattle grids have broken and there is a risk that trail users and stock could be injured, repairs will be carried out within one week of notification by either City staff or community members. Suitable warning signage will be installed until works are carried out • Where culverts and drains have been damaged, repairs will be carried out within 20 working days
Signage	Inspected every two years	Inspect signs to ensure that they are structurally sound. Undertake repairs and replace as necessary.	Missing signs need to be replaced according to their level of importance in wayfinding and safety. Those that are most critical (i.e. they could result in someone getting lost or injuring themselves by riding onto a road) should be replaced within one month of notification by either City staff or community members. Suitable warning signage will be erected immediately until the signage can be replaced.

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Infrastructure	Inspection regime	Routine maintenance	Structural issues, defects and safety issues
Toilets	Inspect daily	Toilets need to be inspected and cleaned daily to ensure that a suitable level of supplies are available, bins are emptied and cleanliness is maintained.	Damaged, unsafe or deteriorated toilets need to be isolated immediately and repairs undertaken within 10 working days of notification by either City staff or community members. Suitable signage needs to be provided to inform trail users that the toilets are closed. This information should also be provided on websites and social media sites associated with the trail.
Picnic tables, seats and shelters	Inspected every two years	The structural integrity and overall condition of picnic tables, seats and shelters need to be inspected every two years and in response to a customer request.	Damaged picnic tables, seats and shelters need to be isolated or removed immediately and repaired within 10 working days of notification by either City staff or community members.
Bike repair stations	Inspected every two years	Bike repair stations will be inspected every two years and in response to a customer request.	A damaged bike repair station needs to be repaired within 10 working days of notification by either City staff or community members if possible. If not possible, suitable signage needs to be provided to inform trail users that the bike repair station is damaged. This information should also be provided on websites and social media sites associated with the trail.
Water refill stations	Inspected every two years	Water refill stations will be inspected every two years and in response to a customer request.	A damaged water refill station needs to be repaired within 10 working days of notification by either City staff or community members. Suitable signage needs to be provided to inform trail users that the water refill station is damaged. This information should also be provided on websites and social media sites associated with the trail.
Historical artefacts and public art	Inspected every two years	Historical artefacts such as the railway wagon on the trail near Axedale and public art need to be inspected every two years to ensure that these items are structurally sound and not likely to cause injury to trail users.	Where historical artefacts or public art has been damaged, it will be repaired within three months of reporting by either City staff or community members if possible. If the object is damaged beyond repair, it will only be replaced if sufficient funds can be obtained to replace it.
Car parks	Inspected every two years	Car parks next to the Rail Trail need to be inspected every two years to ensure that the entry from the road and surface is adequate for people wishing to transport their bike(s) to trail access points via car.	Where there are potholes greater than 300mm in diameter and greater than 25mm in depth, repairs will be undertaken within three months of reporting by either City staff or community members.



6

BIODIVERSITY

In addition to being a recreational and tourism trail, the O'Keefe Rail Trail connects Bendigo and Heathcote through a rich and diverse corridor of flora, fauna and indigenous sites, including Greater Bendigo National Park, Knul-doorung Woodland Reserve and Honeyeater Bushland Reserve. This corridor traverses areas previously dominated by Box Ironbark forests and grassy woodlands, and is one of the few corridors that runs east-west, crossing significant north-south drainage alignments. The corridor is vital for connecting key natural and cultural sites such as Box Ironbark forests and yellow gum woodlands.

The Greater Bendigo region is currently home to 92 threatened plants and 67 threatened animal species and the O'Keefe Rail Trail also offers crucial flyways for the critically endangered Swift Parrot (Lathamus discolor), which moves along these wildlife corridors between the isolated fragments of Box Ironbark forests.

Local community groups such as Junortoun Community Action Group, Axedale – Our Town Our Future, Advance Heathcote, Bendigo Field Nats, Nature Network (who coordinate many of the Landcare and volunteer environmental groups throughout the region) and local schools contribute to land conservation, revegetation, rehabilitation and wildlife habitat activities along the breath of the O'Keefe Rail Trail, including the installation and monitoring of nesting boxes for birds and mammals.





7

RISK MANAGEMENT

The key tool to use to assess and mitigate risk is the City's Risk Management Policy. This policy has been prepared using a Risk Management Framework aligned with the International Risk Management Guidelines and Principles (ISO 31000) and specified in the 'Assurance of a risk management framework', Section 3.4 of 'Delivering assurance based on ISO 31000:2009 Risk Management – Principles and guidelines, HB 158-2010'.

Some of the potential risks and mitigation responses associated with the O'Keefe Rail Trail are listed below and undertaken as normal business operations. Additional notes and continuous improvements will be captured in the City's Risk Register, which is currently delivered through the City's 'Pulse' software.

Potential risks	Potential mitigation responses
Damaged surface or infrastructure, e.g. washed away surface; large potholes; or a bridge that has become structurally unsound.	Inspected every 12 months.
Hazards along the trail that could potentially cause an injury or death to a walker or cyclist, e.g. tree across the trail; loose surface; water across the trail; a bushfire in the vicinity of the trail; a snake; an assault; wildlife or livestock collisions.	• Responding to reported incidents immediately • Use of signage to warn trail users of specific issues and hazards • Posting of information online to warn trail users of specific issues and hazards

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Potential risks	Potential mitigation responses
A trail user injured or killed at one of the road crossings.	• Use of signage, road painting and traffic calming measures to warn trail users and motorists of specific issues and hazards • Improving safety measures at locations which are deemed to be hazardous, e.g. at road crossings and sections of the trail shared with vehicles. Note that plan recommends installation of crossings at McIvor Road and Napier Street (both of which are the responsibility of the Department of Transport and Planning), and Bobs Street, along with a review of all other road crossings between Junortoun and Bendigo Creek Trail
Conflicts of use by trail users, e.g. dogs off leashes, training cyclists using the trail at high speed.	Education and signage around appropriate uses of the trail and how to share the trail.
Trail users suffering from heat exhaustion and dehydration on hot days.	Installation of water refill stations and shaded rest stops.
Illegal use of the trail by motorcycle riders.	• Use of signage to inform people of prohibited uses • Provide QR codes on signs and information on websites to enable trail users to report issues
High speed vehicles using shared sections of the trail injuring or frightening trail users.	Monitoring of trail usage through visits.
Trail users getting lost in the sections of the trail shared with vehicles.	Providing effective wayfinding signage.
Theft or vandalism to signs, infrastructure or railway items.	• Monitoring of trail usage through visits and cameras • Insuring the trail against vandalism
Insufficient City funds available to carry out maintenance or upgrades.	• Establishing a regular maintenance budget • Budgeting for trail renewal
Cessation of Friends of the Bendigo-Kilmore Rail Trail (FBKRT) resulting in a lack of activation of the Rail Trail.	• Regularly communicating with the FBKRT and landowners along the trail • Providing support to FBKRT to strengthen • Introducing an MOU with the FBKRT
A trail volunteer being injured while undertaking works on the trail.	• Ensuring FBKRT volunteers adhere to relevant safety standards, e.g. OH&S • Insuring the trail • Ensuring that all volunteers are covered by insurance
Landowners who have granted a licence to the City to enable trail users to ride or walk on part of their land choosing not renewing the licence.	Regular communications with all key stakeholders in order to identify risks, issues or opportunities.
Reputational damage of poor reviews by local residents of visitors to the area on online cycling and tourist websites or social media sites.	• Commit to quality services and experience • Ensure advertising of trail is reflective of its attributes and limitations • Provide training to businesses along the Rail Trail about how to ensure businesses are bike/walking friendly and are welcoming to Rail Trail users • Monitor and manage images on social media effectively • Monitor and respond to user reviews online effectively
Inappropriate infrastructure is gifted to the trail.	Refuse acceptance based on appropriate level of infrastructure document, signage policies, etc.



8

SIGNAGE

There needs to be a clear plan about what is required regarding signage on the trail to ensure that the signage that is installed is legible, accurate, necessary, located in the right place, a suitable size, durable, aesthetically pleasing, reflects the branding of the trail and does not cause clutter. Research indicates that a lack of signage can cause people to get lost and adversely impact the visitor experience and that conversely, excessive signage can detract from the visitor experience. It is therefore recommended that a signage audit of the trail is undertaken and that signage adheres to the following principles and processes, as well as the City's Place Interpretation and Naming Policy.

A portion of the maintenance budget will need to be set aside for maintenance of signs due to vandalism and wear and tear, as well as the ultimate renewal of signs when they reach the end of their useful life. Careful consideration needs to be given to the type of materials used. Signs must also adhere to relevant safety standards. All signs need to be approved prior to design and installation.

Community groups such as FBKRT, Junortoun Community Action Group, Axedale – Our Town Our Future and Advance Heathcote will be invited to provide input into the signage audit.

Type of sign	Details
Trail access point sign	A trail access point sign should be located at the beginning of the trail at Lake Weeroona, at the Axedale Hall Reserve and at the trail head in Heathcote. These signs should feature name of the trail, map, trail distance, distance to other locations, length of time to travel to key locations, surface type, information about infrastructure (toilets, water, bike repair stations), location of nearby/adjoining attractions, contact details of managing authority (to report issues such as illegal use of the trail and maintenance requirements – potentially linked to a QR code on the sign), skill level required, etc.
Directional sign	Directional signs show trail users the direction and distance to a specific location along the trail, e.g. Axedale 10km (route fingerboards) or to a nearby experience/attraction (facilities fingerboards). These should be installed as fingerboard signage 30 metres before route junctions and route turnings. These signs should also include estimated time by walking, estimated time by cycling, and iconography for landmarks referred to on the signs for purposes of language accessibility (as per the signage along the Long Gully Trail).

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Type of sign	Details
Reassurance markers	Another form of directional signage is a reassurance or route marker. These are small signs installed at various points along a trail, preferably to an existing pole or to a new pole, which reassures users that they are still on the trail and still travelling in the correct direction. These signs may include an arrow to indicate direction and some sort of branding to indicate that the marker relates to the trail, e.g. logo, set of colours, etc. According to Austroads, route markers for recreational routes should be placed at 5km maximum spacing in rural locations and every 1km in urban locations. This spacing can be increased to 10km on lengthy rural off-road paths where there are no intersecting roads of paths along the route.
Tourist attraction signs	Brown and white tourist attraction signs (approved by the Department of Transport and Planning) should also be provided near trail heads in Bendigo, Axedale and Heathcote and at any other significant point of entry along the trail where car parking is available.
Interpretive sign	Interpretive signs should be placed at key locations along the trail where there is a significant view, type of flora or fauna, geological or ecological features, water body, historic site or location of an historic event. There should be a standard format for such signs, they need to be approved prior to design and installation and it is important not to provide signage clutter along the trail. It might be more appropriate for some interpretive information to be included on promotional websites, social media pages, apps or QR codes.
Warning sign	Warning signs provide information about a specific hazard to trail users, e.g. road crossing ahead or livestock ahead. These signs should be located on both sides of the road where trail users are required to cross a road, prior to each cattle grid along the trail and any other sites where a warning is required. Similar warning signs should also be provided on roads/highways to alert motorists that trail users cross the road at that particular location.
Regulatory sign	Regulatory signs provide information about the type of uses permitted or not permitted on the Rail Trail, e.g. motorised trail bikes are not permitted on the trail or dogs are only permitted on leashes. These signs should be installed at key trail access points and any other significant point of entry along the trail, such as intersections with roads.
Behavioural sign	Behavioural signs provide guidance to trail users about how to best share paths with other users, e.g. give way to horse riders or keep to the left. These should be located in areas where trail conflict is most likely to occur, i.e. areas of high use, areas where the trail and trail corridor is narrow or where there is high concentration of a particular use, e.g. horse riding.
Information sign	Information signage provides trail users with details that they need to be aware of when using the trail, e.g. where the track may change to a different type of surface.
Emergency marker signage	Signs that have details of the exact location of a trail user can be invaluable when guiding emergency services to an injured cyclist or walker. These signs should be spaced out along the trail and be located in areas where injuries are more likely to occur, e.g. road crossings or where the exact location may not be clear.
Advertising sign	Advertising signs provide information to trail users about businesses along the trail, e.g. pubs, bed and breakfasts, cafes, wineries, etc. There should be a standard format for such signs, they need to be approved prior to installation (including any relevant planning permit approval) and consideration should be given to a fee for all advertising signs on the trail. Such signs will typically be installed near relevant businesses. It is important not to provide signage clutter at trail exit points.
Temporary sign	Temporary signs are installed to inform trail users about a temporary condition such as water over the track, slashing of adjacent land or bridge repairs for example. These should be installed only whilst the particular issue is current and removed once the issue has resolved and should ideally include the proposed completion date of works/ issues. These signs need to be very clear and easy to read by people travelling at speed on a bicycle.



9

PRIORITISED PROJECTS

The FBKRT established a list of trail priorities in 2019, which was presented to the City. This list was reviewed by FBKRT in early 2021 and 2023. Further, through the community engagement undertaken to prepare this plan, feedback was received from over 300 community members and numerous other stakeholders about their trail development priorities. The highest priorities of FBKRT, key stakeholders and the broader community have been combined to provide the following list of prioritised projects (taking into consideration available resources). Note that each of the capital works projects will be assessed in line with the City's Capital Investment Framework and that the FBKRT will have a key advocacy role in many of these projects.

Indicative resources legend

$ = under $50,000

$$ = $50,000 - $100,000

$$$ = Over $100,000

Timeframe

Priority projects = 1-5 years (high priority)

Aspirational project = 5+ years (medium and low priority)

Capital works					
	Project	Details	Responsibility/partners	Resources	Priority
1	**Longlea Lane toilets**	Finalise installation of toilets at Longlea Lane.	City - Active and Healthy Communities	$$$	High
2	**Drinking water**	Install water refill stations at the Heathcote Trail Head and explore opportunities to install another water refill station between Axedale and Heathcote (around Knowsley area) pending access to water.	• City – Active and Healthy Communities • Coliban Water	$$	High
3	**Signage and wayfinding**	Undertake a signage audit of the Rail Trail to determine needs and gaps and then install suitable signs as required. The review will consider branding and the full suite of signs.	• City – Active and Healthy Communities, Engineering, Parks and Open Space, Works • Community groups such as FBKRT, Junortoun Community Action Group, Axedale – Our Town Our Future, Advance Heathcote and Nature Network • Department of Transport and Planning • DEECA	$$	High
4	**Outdoor table-seat units**	Refurbish timber components on a number of the existing Rail Trail table-seat units.	• City – Parks and Open Space • FBKRT	$	High
5	**Shared sections**	Review the shared use of One Eye Forest (Heathcote) with the intention of closing this shared road to motor vehicles if feasible.	• City – Engineering • DEECA	$$$	High
6	**Review road crossings**	Review all road crossings between Junortoun and the Bendigo Creek Trail as part of the City's protected walking and cycling network.	City – Active and Healthy Communities, Engineering	$	High
7	**McIvor Road road crossing**	Advocate to Department of Transport and Planning to undertake works to improve safety at McIvor Highway for trail users.	• City – Engineering • Department of Transport and Planning	$$$	High
8	**Napier Street road crossing**	Advocate to Department of Transport and Planning to undertake works to improve safety at the Napier Street crossing.	• City – Engineering • Department of Transport and Planning	$$$	Medium
9	**Knowsley toilets**	Explore opportunities to install another toilet between Axedale and Heathcote (around Knowsley area).	City – Active and Healthy Communities	$$$	Medium

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Capital works					
	Project	Details	Responsibility/partners	Resources	Priority
10	**Shelters and picnic facilities**	Install a shelter at the Lake Eppalock crossing.	• City – Active and Healthy Communities, Property Services, Parks and Open Space • FBKRT • Goulburn Murray Water	$	Medium
11	**Regional linkages**	Advocate for linkages to the following destinations: • Heathcote to Wallan • Heathcote to Murchison via Rushworth	• FBKRT • Mitchell Shire Council • Campaspe Shire Council • Greater Shepparton City Council • DEECA • Parks Victoria • Department of Transport and Planning	$$$	Medium
12	**Artwork**	Install artwork at the Axedale underpass.	• City – Active and Healthy Communities • FBKRT • Axedale Primary School	$	Medium
13	**Bridges**	Develop a works plan for systematic upgrade of bridges (where appropriate) to ensure that they are able to carry emergency vehicles and maintenance vehicles.	City – Engineering, Parks and Open Space	$$	Medium

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Other					
	Project	**Details**	**Responsibility/ partners**	**Resources**	**Priority**
14	**Memorandum of Understanding (MoU)**	Adopt and sign the MoU between the City and Friends of the Bendigo-Kilmore Rail Trail.	City – Active and Healthy Communities	Staff time	High
15	**Marketing**	Develop a marketing plan to promote the trail to potential users within Greater Bendigo, Victoria and interstate, and review this plan regularly.	• City – Tourism and Major Events • Community groups have a role to promote the trail to local residents	$	High
16	**Evaluation**	Continue to undertake evaluations of trail usage and trail users in line with the O'Keefe Rail Trail Monitoring, Evaluation and Learning (MEL) Plan.	City – Active and Healthy Communities, Tourism and Major Events	Staff time	Ongoing
17	**Biodiversity**	Undertake the following biodiversity initiatives: 1. Engage in activities that align with the City's Biodiversity Strategy and Action Plan 2023-2033, particularly those related to protecting, enhancing and connecting natural values. Key actions include: 1.17, 2.6, 2.8, 3.1, 5.10. 2. Engage in the development of the City's proposed Habitat Connectivity Plan to ensure the O'Keefe Rail Trail is considered a key biolink across Greater Bendigo. 3. Continue to monitor biodiversity values along the trail (e.g. nestboxes) and look to align any additional monitoring with the City's monitoring plan. 4. Consider adopting a focal species (e.g. Swift Parrot) or community (e.g. grasslands) to help guide restoration of natural values along the trail.	• Biodiversity • FBKRT • Junortoun Community Action Group • Axedale – Our Town Our Future • Advance Heathcote • Bendigo Field Nats Club • Nature Network	$	Ongoing
18	**Management**	Conduct twice yearly meetings between all City units with a responsibility for the Rail Trail.	City – Active and Healthy Communities	Staff time	Ongoing
19	**Management**	Meet twice yearly with FBKRT to discuss issues and opportunities related to the Rail Trail.	City – Active and Healthy Communities	Staff time	Ongoing
20	**Business development**	Work with existing businesses to increase to help them become more cycling/walking friendly and encourage the establishment of new businesses to support trail users.	• City – Tourism and Major Events, Economic Development • Business owners	Staff time	Medium and ongoing
21	**Public transport**	Advocate to the Department of Transport and Planning for train carriages and buses that can carry more bicycles.	City – Active and Healthy Communities	Staff time	Medium and ongoing



For further information please contact the City of Greater Bendigo

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O'Keefe Rail Trail Plan				
	What's good?	**What's missing?**	**Any other feedback?**	**Response to feedback**
	The trail is overall excellent, definitely the skeleton for all other trails in the region. Close relationship between council and the Friends group is excellent and should be continued.	Navigation to trail in Bendigo & within Axedale and Heathcote can be challenging for visitors (signage & trail quality). Crossing McIvor highway is a priority to make safe. Lake Eppalock is the natural stopping point - shelter/water/toilet needed	National perspective should be canvassed by council engagement with Rail Trails Australia, encouraging learnings from other rail trails	A signage audit of the OKRT is a high priority action. McIvor Road crossing is listed as a medium priority. Whilst a shelter has been proposed at Lake Eppalock as a medium priority, water and toilets at Lake Eppalock are not considered to be as high a priority as some other works along the trail and have therefore not been included in the plan.
	Beautiful quiet trail for cyclists and walkers alike	More appealing posts and signs in Axedale e.g. wooden posts with animal carvings in them. Similar to around Kennington lake		Art work is proposed at the Axedale underpass. Limited funds prevent artistic posts, however, such works may be funded in Axedale in the future as part of another project.
	The length of the rail trail	Signage and no emergency markers. Not well maintained there are pot holes and sandy spots makes it dangerous.	Seal the trail. Yes you have limited funds but the better the trail then cyclist will visit the region just to use the rail trail. Look at what Bright have done.	A signage audit of the OKRT is a high priority action. Emergency markers at key locations (i.e. between towns) is supported as part of the signage audit. Trail inspections and maintenance works are undertaken by Council in accordance with Council's Road Management Plan and opportunities exist for people to report poor conditions via the City's request system or via Customer Services. A QR code to facilitate reporting of trail works required will be incorporated onto signage in the future.
		THE TRAIN TO HEATHCOTE	BRING BACK THE TRAIN!	Not possible
	It is all good really!	Dog poo bins in the section leading out of Heathcote to the sewerage farm, people don't pick up after their dogs and I think having to carry the bags of poo long distances is a contributing factor.	I would suggest that some speed reducing signs be installed in the section between Parson's Bridge and Mia Mia Derrinal Rd to slow down the traffic, some drivers are very inconsiderate.	Additional bins along the trail is not supported - bins are available in Bendigo, Axedale and Heathcote. As part of the signage audit, consider a reminder to dog owners to carry their own dog bags and pick up their dog's excrement. Motorist signs will be considered as part of the signage audit (high priority) - this location is noted.
			I think there is great potential for improving the path so that students can ride from northern Bendigo into the Coolock Campus	The City's long term plan is to deliver a network of safe trails to schools. Sealing of the trail is not a high priority at this stage.
	Water stations	Toilets and bins		A high priority is to complete the toilet at Longlea Lane and a medium priority is to install an additional toilet around the Knowsley area if feasible. Additional bins along the trail is not supported - bins are available in Bendigo, Axedale and Heathcote.
	the whole trail, shaded in most places, away from cars and noise	water for more then 30-35km. at least another water fountain along the way would be great		Installation of two additional water refill stations is a high priority - one at the Heathcote trail access point and another around Knowsley.
	Fabulous recreation facility that is well maintained	Needs some 'grooming' at the start, around the area behind Boral asphalt	Keep up the great work!	Improvements to the aesthetics of the trail is an ongoing priority for the Parks and Open Space team.
	The quality of the trail and obvious regular maintenance are much appreciated. Variety of landscape and vegetation.	safe crossings in particular, Roh's Road, McIvor Road. At a busy time of day on these crossings (a time when majority of bikes are crossing) it's a game of 'Russian Roulette' trying to cross. there is no signage that I'm aware of alerting motorists	Some sections (perhaps around Knowsley?) feel very isolated and not particularly safe for a lone female. Very comfortable riding Bendigo to Axedale alone	McIvor Road crossing is listed as a medium priority. A signage audit of the OKRT is a high priority action. As part of this signage audit, a review of motorist signage will be undertaken. Roh's Road crossing will be incorporated into a review of all road crossings between Junortoun and the Bendigo Creek Trail as part of the City's protected cycling / walking network. It is acknowledged that some sections of the OKRT may feel somewhat isolated from McIvor Highway and towns - this is partly a strength of the trail, but also a consideration when reviewing vegetation, site lines and activation of the trail at Knowsley and other locations along the trail.
	Great that maintenance and amenities will be reviewed	Suggestions: Include interpretation relating to pre-colonisation; introduce a development control (such as a design and development overlay) to ensure that future development adjoining the trail properly addresses it (e.g. open-style fencing)...	...as at present this is only enforced in an ad-hoc manner; and advocate for public transport links capable of carrying bikes	Interpretive signage will form part of the signage audit (a high priority). Development controls are outside the scope of this plan and much of the trail is located in natural settings. Public Transport Victoria (PTV) Bendigo Heathcote bus service has buses with an external bike rack for two bikes. Bus stops close to the O'Keefe Rail Trail can be located via the PTV web page map (https://bit.ly/3FiVNRG). A PTV Miki card is required to access this service. Trains also have the capacity to carry a limited number of bicycles. This type of advocacy is a key focus of state bodies (e.g. Bicycle Network and Rail Trails Australia).
	The overall general condition of the trail is excellent	A tunnel at the McIvor hwy Junortoun	It's only a matter of time before someone gets killed at that crossing. The one At Axedale is awesome	McIvor Road crossing is listed as a medium priority. McIvor Road is the responsibility of the Department of Transport and Planning, not the City of Greater Bendigo.
		The focus is largely on visitors and occasional users of the trail. There could be so much more benefit to local health and wellbeing by encouraging more local use of the trail, specifically for cycle commuting to Bendigo for work, out to CMC for school	More emphasis on connections to encourage the trails use for commuting. It is not very safe to ride from the end of the trail into the cbd!	The City's long term plan is to deliver a networks of safe trails across the region suitable for commuting to work and school. The OKRT can currently be used by commuters, but its primary function is as a recreational and tourist trail. Road crossings (a key barrier to commuter use) will be addressed through this plan.
	O'Keefe rail trail to Weeroona secondary college.	Increase path linkage to Wanyarra Dum Frog Ponds	Increase path linkage to Wanyarra Dum Frog Ponds	The ponds are deliberately not incorporated into the OKRT route, but are accessible to anyone who wishes to visit them (20 metres from the OKRT).

	The plan is good	Improved connection to Catherine McAuley College Coolock Campus along McIvor Rd and through to Atlas Rd McIvor Rd intersection		The City's long term plan is to deliver a networks of safe trails across the region suitable for commuting to work and school. The OKRT can currently be used for commuting to school, but its primary function is as a recreational and tourist trail. Road crossings (a key barrier to commuter use) will be addressed through this plan.
	Promotion of the trail to be extensive and resources developed.	Definitely need additional toilets, particularly between Bendigo and Axedale, and Axedale and Heathcote. Need bins and bags for dog poo so people pick up after their dogs.		A high priority is to complete the toilet at Longlea Lane and a medium priority is to install an additional toilet around the Knowsley area if feasible. Additional bins along the trail is not supported - bins are available in Bendigo, Axedale and Heathcote. As part of the signage audit, consider a reminder to dog owners to carry their own dog bags and pick up their dog's excrement .
	Having access to the whole trail as a safe varied & interesting cycling/walking trail for all ages.	Reminder notices at intervals advising users to "keep left"	Highest priority should be the McIvor Rd road crossing. Lives will be lost. A lower cost option would be a pedestrian operated traffic lights similar to the Weeroona crossing at the team stop.	McIvor Road crossing is listed as a medium priority. McIvor Road is the responsibility of the Department of Transport and Planning, not the City of Greater Bendigo. Inclusion of trail behaviour (e.g. keep left) will form part of the signage audit (a high priority).
	The OKT is a great asset for Bendigo and provides a safer environment for exercise by locals and a drawcard for visitors to Bendigo. I believe the key areas of action have been identified.	There is a risk identified of riders being injured crossing roads with the answer being to provide more signage to alert riders. I believe the focus should be on more driver awareness of riders and the installation of traffic calming devices.	The Napier St crossing is dangerous with riders having to cross four lanes of traffic and be alert to traffic entering from Weeroona Ave. The Rohs and McDowall's Rd crossings are also dangerous due to high volume of cars and limited visibility.	Napier Street crossing has been identified as a medium priority. Roh's Road and McDowell's Road crossings will be incorporated into a review of all road crossings between Junortoun and the Bendigo Creek Trail as part of the City's protected cycling / walking network. A signage audit of the OKRT is a high priority action - suitable motorist signage will form part of this audit.
	Good location and outlook	Safety for children to ride bikes (needs crossings at McIvor Road, Pratts Park Road and Napier St)		Both McIvor Road and Napier Street crossings are listed as a medium priority. A review of all road crossings between Junortoun and the Bendigo Creek Trail will be undertaken as part of the City's protected cycling / walking network. A request has been lodged by Council staff to include a footpath on Pratts Park Road to connect to the trail.
	Draft plan looks good...more water bubbles & another toilet plus safety upgrades.	Many people ride the rail trail both ways from either Bendigo or Heathcote. This can be a bit boring. Be good to offer a dirt rd option too...easy to make a route on the north side of the highway...could signpost it or just have a gps link & paper map.	Many people bike pack along the trail...many camping options in Bendigo...can you mention camping options at Heathcote maybe on map.	The development of a new dirt track that mirrors the OKRT's location is not a priority. Accommodation options can be located through Council's Visitor Information Centre or online information - the map will be too cluttered if accommodation options are also added, hence a QR code with links to accommodation information is the preferred option. A high priority is to complete the toilet at Longlea Lane and a medium priority is to install an additional toilet around the Knowsley area if feasible. Installation of two additional water refill stations is a high priority - one at the Heathcote trail access point and another around Knowsley.
	Access and signage	Water spots are important	We love it	No comments
	Acknowledging how unsafe many of the crossings is great. Napier St is terrifying and confusing. These crossings should be a priority.	Simple bike repair stands with simple tools! BMX/skate park like curated loops w obstacles would be amazing to integrate.	The rail trail does deserve some love and attention so it's great to see this proposal.	Napier Street crossing is identified as a medium priority. Bike repair stations already exist on the trail. BMX / skate park curated loops with obstacles is not a priority of this trail and is outside the scope of this plan. This opportunity is available at other locations in the City such as the Spring Gully Pump Track, skate park at Axedale and the skate park at Ewing Park (which connects to the OKRT).
	THINK THEY COULD AD A FEWW MORE SIGNS ABOUT HISTORY AT STOPPING POINTS AND FIX PART OF THE TRACK AT SLIPPER POINTS LOOSE GRAVEL AND WIDEN A COUPLE TIGHT SPOTS NEAR FUNZONE AS YOU RIDE DOWN OR UP THERE.	A COUPLE OF MORE TOILETS ON THE WAY AND GRASS CUT ON WAY TO HEATHCOTE		Interpretive signage will form part of the signage audit (a high priority). Trail inspections and maintenance works are undertaken by Council in accordance with Council's Road Management Plan and opportunities exist for people to report poor conditions via the City's request system or via Customer Services. A QR code to facilitate reporting of trail works required will be incorporated onto signage in the future. A high priority is to complete the toilet at Longlea Lane and a medium priority is to install an additional toilet around the Knowsley area if feasible. Native grasslands are being established as part of long term sustainable management practices being implemented, these grasses need to drop seed most years before mowing.
	Track is maintained regularly after rain	I think more places to fill up your drink bottle would be helpful!		Installation of two additional water refill stations is a high priority - one at the Heathcote trail access point and another around Knowsley.
		Wheelchair access	Access for all abilities and mums with prams	Sealing of the trail is not a priority. Accessible sections are available at key points of the trail, e.g. Lake Weeroona end, Axedale and Heathcote end. Most prams would be suitable on the trail, along with off road wheel chairs. Consider the balance between accessibility and preventing unwanted vehicles such as motorbikes.

	improved signage; openness to using Dja Dja Wurrung/Taungurung language in place names; toilet upgrades; use of scannable QR codes with historical information; water facilities to discourage buying plastic bottles; bin facilities to discourage littering	removal of invasive plant species; revegetation, where needed, with indigenous plant species	consider renaming the trail itself from "O'Keefe" using an Aboriginal place name that encourages young and old to connect to country as they cycle through it :)	A signage audit is a high priority - it will include usage of QR codes to provide additional information. The existing name will remain as it recognises the original contractor of the Bendigo to Heathcote section of the railway. Consideration will be given to incorporating place signage according to its indigenous name and reflecting indigenous culture via interpretive signage - there is an acknowledgement that the trail crosses both Dja Dja Wurrung and Taungurung land. A high priority is to complete the toilet at Longlea Lane and a medium priority is to install an additional toilet around the Knowsley area if feasible. Installation of two additional water refill stations is a high priority - one at the Heathcote trail access point and another around Knowsley. Additional bins along the trail is not supported - bins are available in Bendigo, Axedale and Heathcote. The City supports the work of volunteer groups in the areas of revegetation, guided by the City's Natural Parks and Reserves Service Plan.
	Excellent gravel surface on most parts. Eppalock looks stunning with water in it.	Permanent signage to advertise events on the trail such as The O'Keefe Challenge - could direct users to website managed by O'Keefe committee. O'Keefe committee could share costs of advertising signage. . More signage for km distance markers.		A signage audit is a high priority - event signage and distance markers will be considered as part of this assessment.
	Nice track, good locations, good length.	Signage!!!! I got lost a few times....	Water stations, somehow more security and signals for cars warning of crossings....	A signage audit is a high priority - this will include warning signage and signals for motorists. Installation of two additional water refill stations is a high priority - one at the Heathcote trail access point and another around Knowsley.
	We live nearby to the trail in Strathdale/ Junortoun and we love taking the family along the trail as once we are there it is quiet, safe for youngsters away from traffic and easy for bikes & walking.	Improved access to the trail by foot	From Pratts Park Road it is difficult to access the trail especially by foot especially with a pram and toddlers ride their bikes. the was a foot path along pratts park road down to the trail it would be more enticing to visit	A request has been lodged by Council staff to include a footpath on Pratts Park Road to connect to the trail.
	This trail is an absolute gem and an example to other areas of VIC for how great a rail trail can be. Scenery, trail surface and most amenities are excellent.	A few more water bubblers and a couple of shade structures at strategic points would be very welcome. Extension of the trail to other nearby towns - Kilmore! - is the main missing feature.	Wonderful trail. We just need more of it!	Installation of two additional water refill stations is a high priority - one at the Heathcote trail access point and another around Knowsley. The installation of a shelter at the Lake Eppalock crossing is a medium priority. Shade structures exist at Lake Weeroona, Axedale and Heathcote. Extension of the rail trail to Kilmore has been scoped. With regards to the extension from Heathcote to Wallan, the majority of the trail extension sits within Mitchell Shire, who will be the appropriate lead for the development. Mitchell Shire has previously acknowledged that there are further challenges to work through within their municipality.
	Pathways	Better maps	More toilets would be great.	The City plans to produce updated maps of the rail trail. A high priority is to complete the toilet at Longlea Lane and a medium priority is to install an additional toilet around the Knowsley area if
Email Submission 1			Greater acknowledgement of the FBKRT. Need to update map. Include on map where trail traverses private property to demonstrate community acceptance of the trail. Change the vision to state that it 'becomes' the first choice, rather than 'is' the first choice.... There should be more emphasis on biodiversity.	Will add more detail about how the FBKRT have contributed to the trail. City staff will update map. Disagree that private property needs to be marked as a sign of acceptance. The existing vision, which was established through workshopping with Council staff, will remain. A paragraph about biodiversity will be added to the plan.
Email submission 2			Vision needs to be more embracing and invigorating. Biodiversity should have its own section in the plan.	The existing vision, which was established through workshopping with Council staff, will remain. A paragraph about biodiversity will be added to the plan.
Email submission 3			The term 'Aboriginal reconciliation' is outdated. Work in partnership with indigenous groups. Rename trail with an indigenous name. Plan doesn't note poor quality of mobile phone coverage. Need more emergency location markers. Need more art work. Condition of the trail is poor between Axedale and Heathcote. How are hazards reported? Is signage adequate? MOU between BCC and FBKRT needs to be signed.	The term 'Aboriginal reconciliation' is included in Mir Wimbul, so cannot be changed. The plan already notes the need to celebrate indigenous culture, consider opportunities for Aboriginal place naming along the trail and for working in partnership with community groups. Advocating for quality of mobile phone service is outside the scope of this plan. A signage audit of the OKRT is a high priority action. Emergency markers at key locations (i.e. between towns) is supported as part of the signage audit. Trail inspections and maintenance works are undertaken by Council in accordance with Council's Road Management Plan and opportunities exist for people to report poor conditions via the City's request system or via Customer Services. A QR code to facilitate reporting of trail works required will be incorporated onto signage in the future. Some artwork is already proposed (e.g. Axedale underpass), however additional artwork may detract from enjoyment of the natural environment along the trail. Agree that MOU between BCC and FBKRT needs to be signed - this is listed as a high priority.
Email submission 4			Support for the draft plan	No changes required

Email submission 5			Provide greater recognition of the role that FBKRT has in relation to the trail. Update maps to reflect trail planning occurring, e.g. Heathcote to Rushworth Trail. Suggestion that FBKRT collaborates with the City to develop a marketing plan. Desire for consistency of branding, signs, furniture and pavement surface. Include bike hoops at picnic locations on the trail. Change terminology from water bubblers to water refill stations. Include more public art. Maintenance standards are confusing. Inspections of the trail, culverts and drainage should be carried out after major weather events. Where does Snap Send Solve fit within the formal maintenance inspection and repair regime? Develop a crossing across Napier St as a high priority.	Agree that greater recognition of the role that FBKRT has in relation to the trail needs to be incorporated into the plan. Council staff will update maps to reflect trail planning occurring, e.g. Heathcote to Rushworth Trail. Disagree that FBKRT collaborates with the City to develop a marketing plan as the marketing plan for OKRT will extend to all trails. Agree with desire for consistency of branding, signs, furniture and pavement surface - but add to sentence "where practical". Agree that bike hoops should be installed at picnic locations on the trail. Agree with change of terminology from water bubblers to water refill stations. Some artwork is already proposed (e.g. Axedale underpass), however additional artwork may detract from enjoyment of the natural environment along the trail. Confusion about maintenance standards will be addressed within the document so that it is clear that issues will be responded to after reporting from either Council staff or the community. It is not feasible for the City to carry out inspections immediately after major weather events (it is still addressing flood related damage from the 2022 floods), however key issues will be addressed as per the Road Management Plan. The community is able to report maintenance issues through the City's request system or via customer service. The Napier St crossing is listed as a medium priority (it is not a Council road).
Email submission 6			Disappointed that Junortoun Community Plan was not referenced and its recommendations are not cited. Believe that the plan does not give sufficient recognition of the value of the OKRT to the residents of Junortoun in relation to linear park, wildlife corridor, east-west access, commuting to work and school and as a place to learn to ride a bike. Believe that the purpose of the trail should also be transportation. Want to see 'intersection safety' and 'use as a commuter route' as major sections in the plan. Add Junortoun picnic table to infrastructure list. Want a different longer vision. Want acknowledgement of nest boxes along the trail and a commitment to maintenance and extension of these boxes. Suggest change to wording around access points. Concern that warning signs for motorists is inadequate. Want road crossings addressed. Want the trail promoted as a commuter trail with a sealed surface, lights, road crossings and promotion. Support for emergency markers. Suggest that the term 'trail head' be changed to 'trail access point'. Want to be involved in signage audit planning decisions. Want signs in designated locations. Want an underpass at McIvor Highway as a high priority. Clarify missing link in Junortoun around Grassy Flat Creek. Want clarification of what works are required on the Bendigo Bushland Trail. Want trail to be better promoted to local residents. Plan does not address micromobility devices such as e-scooters. Plan should recommend development of a revegetation and weed management plans. Believe that the FBKRT group should better acknowledged. Want to preview the next version of the plan.	Junortoun Community Plan was written after the Management Plan was drafted, however it will be read and incorporated into the literature review in the Appendix. This plan has not been endorsed by Council. Agree that the plan can expand on the value of the trail to local residents. The primary purpose of the trail is recreation and tourism - commuting is a secondary purpose. Intersection safety is addressed in the plan. Additional reference will be made to the fact that commuting is a secondary purpose of the trail, but there will not be a chapter referencing this. Will add Junortoun picnic table to infrastructure list. The existing vision, which was established through workshopping with Council staff, will remain. Council is not responsible for the nest boxes, but acknowledges the role that community groups play in this space. Agree with change to wording around access points. The City intends to install signage to warn motorists of trail users crossing the trail and to develop crossings as per the plan. It is delivering protected paths in Bendigo as a priority where risks are greater. It's acknowledged that the trail will be used by some commuters, but it will not be sealed or have lighting installed. A signage audit of the OKRT is a high priority action. Emergency markers at key locations (i.e. between towns) is supported as part of the signage audit. Agree that the term 'trail head' be changed to 'trail access point'. Junortoun Community Planning Group will be invited as a stakeholder in the signage audit. Location of signs to form part of signage audit. A crossing at McIvor Road is identified as a medium priority. It is the responsibility of the Department of Transport and Planning. An underpass is unlikely to be constructed. Change report to clarify the gap around Grassy Flat Creek. Level of detail around Bendigo Bushland Trail is vague, so has been deleted. The activation plan within the City's Walking and Cycling Plan details how trails will be better promoted to local residents. Micromobility devices (other than e-bikes) are not suitable for the OKRT and no charging points will be provided for electrical devices. Revegetation and weed management plans form part of the Natural Parks and Reserves unit. Plan will incorporate additional information about the role of the FBKRT. There will be no additional consultation with community groups, or reviewing of draft reports (two rounds of engagement have already been undertaken).

Email submission 7			Wants a target of 50k users per year. Map needs to be updated. Need to better acknowledge the FBKRT. Provide more information about bio-diversity. Better promotion of the trail. Provide rumble strips on the road near a crossing point. Identify free camping locations. Napier Street (with a traffic light crossing) is a priority. Plant suitable indigenous plants at key locations. Want interpretive signage that promotes local wildlife. Want more frequent inspections of the trail. Should provide signage on trail to say when certain remedial works will be completed. Continue to work towards extension of OKRT to Kilmore and Rushworth. Shelter at Lake Eppalock should be high priority. Want all landowners adjoining the trail to actively look after the trail.	No targets will be set, however, regular trail counters will be installed to determine number of users. Provide additional information about the value of the contribution made by the FBKRT. Agree that more information should be provided about bio-diversity. All trails are promoted by the City and new maps will be released soon. Traffic calming measures and warning systems to be incorporated into crossing review and signage audit. Not enough space on maps for information about free camping locations - this can be achieved through QR codes and online information. Napier Street crossing is identified as a medium priority in the plan. The planting of indigenous plants falls within the Natural Parks and Reserves responsibilities -plantings likely to be minimal due to workload required to maintain it and the desire to retain a more nautral look (i.e. native grasslands are being established as part of long term sustainable management practices being implemented, these grasses need to drop seed most years before mowing). Signage audit will address interpretive signage. Council does not have the resources to undertake more frequent inspections of the trail. Opportunities exist for people to report poor conditions via the City's request system or via Customer Services. A QR code to facilitate reporting of trail works required will be incorporated onto signage in the future. Signage audit will determine messaging to trail users around when trail works are expected to be completed. Development of trails outside Bendigo are outside the scope of this project, but their location will be acknowledged in the plan. With regards to the extension from Heathcote to Wallan, the majority of the trail extension sits within Mitchell Shire, who will be the appropriate lead for the development. Mitchell Shire has previously acknowledged that there are further challenges to work through within their municipality. Shelter at Lake Eppalock is considered to be a medium priority. It is not possible to ensure that all landholders who back onto the trail will choose to actively look after the trail.

16.4. C263GBEN MARONG STRUCTURE PLAN

Author:	Alison Kiefel, Strategic Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

Purpose

This report seeks consideration of the Panel Recommendations and City officer responses for Planning Scheme Amendment C263gben and recommends that the updated Amendment C263gben is adopted by Council and submitted to the Minister for Planning for approval.

Recommended Motion

That Council:

1. Having considered the Planning Panel report and the Panel Recommendations for Amendment C263gben provided at Attachment 1, endorses the officer's response to the issues and recommendations as outlined in this report.
2. Adopts Amendment C263gben in accordance with Section 29 of the *Planning and Environment Act 1987*, with changes as reflected in the final Amendment C263gben documentation provided at Attachment 2.
3. Adopts the revised Marong Township Structure Plan (June 2024) and revised Heritage Citations (June 2024) at Attachment 3.
4. Submits the adopted Amendment C263gben, together with the prescribed information, to the Minister for Planning for approval in accordance with Section 31 of the *Planning and Environment Act 1987.*
5. Advises parties who made written submissions to Amendment C263gben of Council's decision.

Executive Summary

Amendment C263gben proposes to implement the Marong Township Structure Plan (June 2024) and the Marong Flood Study 2018 by:

- Revising the Planning Policy Framework in the Greater Bendigo Planning Scheme to make policy changes including a new local places policy for Marong;
- Making several rezoning changes to land within and adjoining the existing township, including from the Township Zone to more specific residential and commercial zones; and
- Applying the Heritage Overlay, Design and Development Overlay, Development Plan Overlay and Flood Overlays to land within the township and the surrounding area.

The Amendment has met the requirements for the relevant Ministerial Directions and *Planning and Environment Act 1987*, including public exhibition of the Amendment for six (6) weeks from 25 May to 7 July 2023. A total of 34 submissions were received, including two late submissions following consideration of 32 submissions by Council on 23 October 2023.

At this meeting, Council resolved to request an independent planning panel to consider all submissions. A directions hearing was held in November 2023, and a four day panel hearing was held in February 2024 (both online and in person at Galkangu, Bendigo).

The Panel report was publicly released on 28 March 2024. Overall, the Panel was complimentary of the Amendment and proposed changes to address the submissions received. The majority of changes proposed by the City were supported with minor modifications by the Panel.

Officers recommend adopting the Amendment with changes as per the Panel recommendations. Refer to Attachment 4 for specific details on the changes to the amendment documentation.

Background

Marong is located approximately 15 kilometres west of the Bendigo City Centre. The township supports a large rural hinterland for public and private services and infrastructure. Marong is positioned at a key State and regional road transport corridor intersection with three major highways (the Calder, Calder Alternative and Wimmera Highways) converging at the township. These important transport networks provide connections between Melbourne, Mildura, Swan Hill, Echuca and other northwestern regions. The former Bendigo to Inglewood broad gauge railway also traverses east-west though the township. This railway is currently not operational.

The Marong Township Structure Plan was prepared to accommodate population growth and development in accordance with City of Greater Bendigo strategic policies. Marong has long been identified for growth through the *Bendigo Residential Development Strategy 2004*, and the subsequent revised *Greater Bendigo Residential Strategy 2014,* which recommended that Marong be planned as a self-contained, satellite township accommodating a population of 8,000 people. The proposed residential growth precincts in Marong will provide for continued population growth that will meet existing market demand and provide greater housing diversity within the municipality.

To inform the Marong Township Structure Plan, the North Central Catchment Management Authority (NCCMA) prepared the *Marong Flood Study* (November

2018), and the City of Greater Bendigo engaged a consultant to prepare the *Marong Heritage Citations 2018*. The Marong Township Structure Plan, together with these two studies, have informed the proposed Amendment C263gben.

Amendment C263gben proposes to make the following changes to the Greater Bendigo Planning Scheme (the Scheme):

- Rezone land within Marong from Township Zone to more specific residential and commercial zones, including the Neighbourhood Residential Zone.
- Rezone public land used for recreation, sport and vegetation conservation to Public Park and Recreation Zone or Public Conservation Resource Zone.
- Rezone land in the Fletchers Creek Road area to apply a new schedule to the Low Density Residential Zone.
- Remove the existing Development Plan Overlay Schedule 6, Townships, from Marong and delete it from the Scheme.
- Apply overlays to guide development, protect historical places and identify land subject to flooding, including through the introduction of the Floodway Overlay to the Scheme.
- Insert a local area policy for Marong with strategies to achieve the outcomes sought by the *Marong Township Structure Plan* and to identify four future residential growth precincts to the east, west and south of the township.
- Amend existing local policy relating to activity centre classification and commercial floor areas, floodplain management and the walking and cycling network.
- Amend operational provisions to introduce incorporated and background documents, new map pages and revise further strategic work clauses to reflect the work undertaken as part of this amendment.

Amendment C263gben is the first in a sequence of likely planning scheme amendments to support the future growth of Marong. Other projects currently underway include:

- The preparation of a Development Contributions Framework for Marong by City officers.
- Planning for the Bendigo Regional Employment Precinct (BREP) by the Victorian Planning Authority.
- Planning for the Marong Western Freight Corridor by the Department of Transport and Planning – Transport.
- The rezoning of the residential growth precincts in accordance with the City's Private Amendment policy.

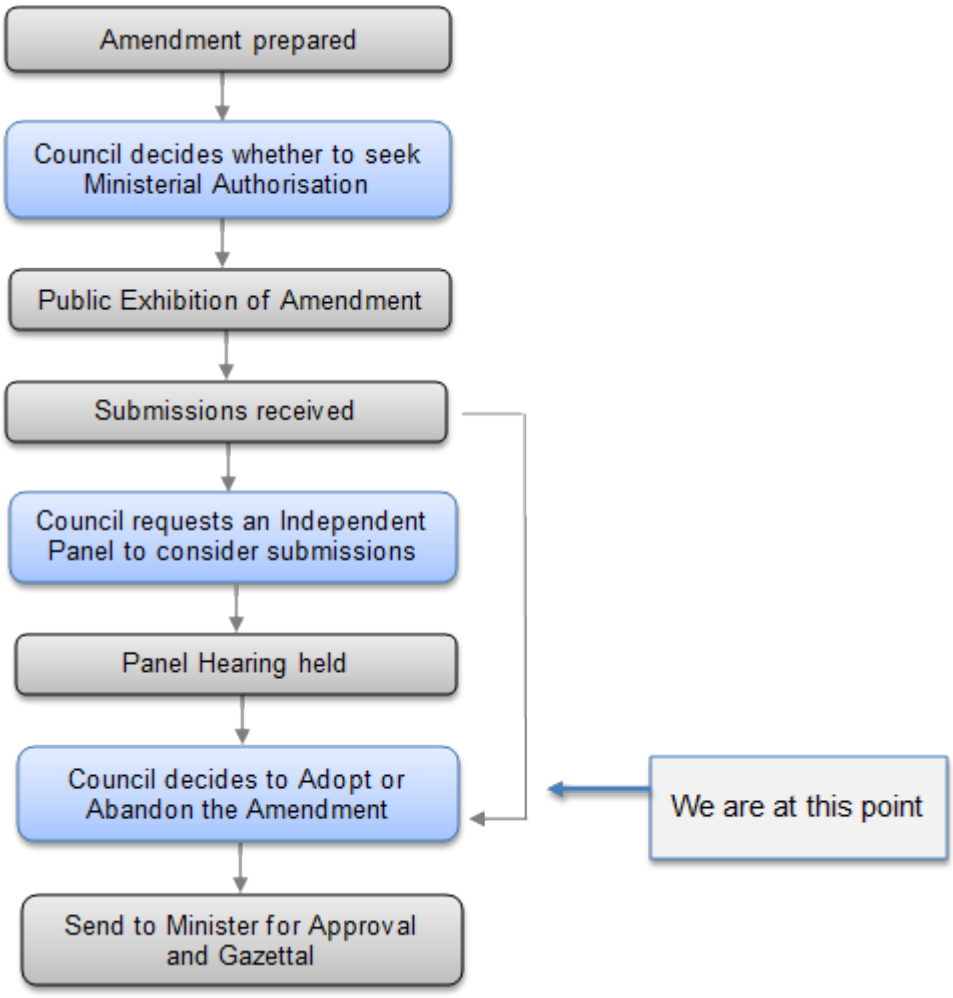
Since the Marong Township Structure Plan was adopted in 2020 the City has purchased 155 hectares of land within a broader 294 hectare precinct to the south of the Marong township to progress the BREP. The Minister for Planning appointed the Victorian Planning Authority (VPA) as the Planning Authority for BREP and since

then City officers have worked with the VPA to progress the planning for the precinct, with stakeholder engagement and technical background reports being undertaken.

Amendment C263gben was submitted to the Department of Transport and Planning (DTP - Planning), (previously the Department of Environment, Land, Water and Planning) on 4 August 2022. Authorisation to prepare the Amendment was received with conditions on 31 October 2022.

Amendment C263gben was publicly exhibited for six (6) weeks from 25 May to 7 July 2023, and a total of 34 submissions were received to the Amendment. In general, the Amendment received support and several submitters sought progression of the project as soon as possible. No objections were received to rezoning the existing township area, the introduction of flooding controls, the application of the Neighbourhood Residential Zone or the expansion of the Commercial 1 Zone.

At its 23 October 2023 meeting, Council resolved to request the Minister for Planning to appoint an independent planning panel to consider all submissions to the Amendment.



Previous Council decision dates:

16 September 2020	Adopted the Marong Township Structure Plan and sought authorisation from the Minister for Planning to prepare and exhibit planning scheme amendment C263gben. Specifically that Council: 1. Adopt the Marong Township Structure Plan 2. Adopt the Marong Township Structure Plan Background Report. 3. Seek authorisation from the minister for Planning to prepare a planning scheme amendment to commence implementation of the first stage of the Marong Township Structure Plan.
15 November 2021	Requested the Minister for Planning to appoint the Victorian Planning Authority as the Planning Authority for the BREP.
3 May 2023	Removal of the proposed Vegetation Protection Overlay within Amendment C263gben under delegation.
23 October 2023	Council considered submissions received to Amendment C263gben and resolved to request the Minister for Planning to appoint an independent Planning Panel. Specifically that Council: 1. Having formally considered all written submissions received to Amendment C263gben, notes the issues raised by the submissions and the officer's response to those issues as outlined in this report. 2. Having formally considered the late submissions received to Amendment C263gben, notes the issues raised by the submissions and the officer's response to those issues, as outlined in this report. 3. Requests the Minister for Planning appoint a planning panel to consider submissions received for Amendment C263gben, in accordance with Part 8 of the Planning and Environment Act 1987. 4. Endorses the officer's response to the issues raised by submissions and the recommended changes to Amendment C263gben as the basis for Council's submission to the planning panel. 5. Advises those persons who made a written submission to Amendment C263gben of Council's decision.

22 January 2024	Consideration and referral of two late submissions under delegation of the Manager Strategic Planning to the Panel.

Report

Consideration of submissions

At the 23 October 2023 Council meeting, Council considered 32 submissions (including five late submissions) to Amendment C263gben, endorsed the officer's response to the issues raised by these submissions and endorsed the recommended changes to the Amendment in response to these. This included minor changes to the Amendment C263gben documentation and drafting annotations to the Marong Township Structure Plan. These changes are listed in Attachment 4. At this meeting, Council resolved to request the Minister for Planning to appoint an independent planning panel to consider all submissions to Amendment C263gben.

Panel appointment

Following the Council meeting on 23 October 2023, the City requested the Minister for Planning to appoint a Panel on the 27 October 2023. A Panel consisting of two members, Tim Hellsten (Chair) and Shelley McGuiness was appointed on 1 November 2023.

A directions hearing was held online on 30 November 2023.

Two late submissions were received after the directions hearing, relating to properties 12 Leslie Street, Marong and 74 Barnes Road, Willsons Hill. These submissions were considered under delegation by the Manager Strategic Planning and referred to the Panel for consideration. This enabled an opportunity for these late submitters to present to Panel.

Panel hearing

The Panel hearing was conducted in person at Galkangu (Bendigo Gov Hub) and online on Monday 12 – Thursday 15 February 2024. The Panel considered all written submissions for Amendment C263gben, conducted unaccompanied site visits and reviewed all hearing materials submitted.

The City of Greater Bendigo was represented by Maddocks Lawyers and called one expert witness, Dr Gary Hill of Minerva Heritage regarding heritage. A second expert witness, Dr Iain Cowan of Zephyr Environmental, was used to support the City's submission in relation to air quality, however as resolution between parties on this matter was agreed on Day 1 of the hearing, Dr Cowan was not called. For more

details on this, refer to the further discussion below under ‘Panel Hearing: Key Issues’ regarding the odour buffer.

The City’s submission to the Panel was in several parts as requested by the Panel. A chronology of events, conditions of authorisation and procedural matters were circulated to parties on 29 January 2024 (Part A submission). This included details of proposed changes to the Marong Township Structure Plan and Amendment C263gben in response to submissions. During the Panel a further submission which documented the verbal presentation by the City’s representatives was submitted. This focussed on the issues and response to submissions (Part B submission). The Panel sought further clarification of items which was provided by the City at the conclusion of the Panel (Part C). A list of all changes to the amendment documentation throughout the amendment process has been collated and detailed in Attachment 4 to this report.

Panel report: Summary of Panel findings and recommendations

The Panel report was received on 14 March 2024 and publicly released on the City’s web page and Planning Panels Victoria web page on 28 March 2024. All submitters and parties to the Panel hearing were notified via email of the Panel report’s public release.

A copy of the Panel report is provided in Attachment 1.

Overall, the Panel was complimentary of the Amendment and the City’s proposed changes to address submissions. The majority of changes proposed by the City in response to submissions were supported with minor modifications by the Panel.

The Panel complimented the City for its work on both the Marong Township Structure Plan and the Amendment:

> *The strategic basis for the Amendment and the overall framework for the Marong TSP was broadly supported. The Panel considers that subject to addressing specific issues, the Marong TSP is sound and provides a solid foundation for the Amendment and will provide for the orderly growth of Marong. Council is to be commended for its in-house development of the structure plan and working with the community and other stakeholders to resolve key issues.*
>
> Pages 9-10 of Amendment C263gben Panel report

In the Panel report, the Panel recommends that Greater Bendigo Planning Scheme Amendment C263gben be adopted as exhibited subject to the following:

1. Amend Clause 11.03-6L-04 as shown in Appendix F.

2. Amend Design and Development Overlay Schedules 31, 32 and 35 and Development Plan Overlay Schedule 31 as specified in Appendix D.
3. Amend the Clause 72.04 Schedule as specified in Appendix D.
4. Amend the Clause 74.02 Schedule as specified in Appendix D.
5. Amend the Statement of Significance: 1329 Calder Highway, Marong, September 2020 as shown in in Appendix E.

The Panel also recommended the following:

6. Amend the Marong Township Structure Plan as specified in Appendix D with the following additional changes:
    a) Provide greater recognition of Aboriginal cultural heritage values and to guide appropriate planning responses to understand, protect, acknowledge and celebrate cultural heritage values and engage with Traditional Owners.
    b) Include an additional objective under 'Medium density residential development' that allows for the development plan process for new residential development precincts to identify additional opportunities for medium density housing inappropriate locations.
    c) Amend guideline G42 to read as follows (or similar):
        The planning for the Marong Western Freight Investigation Corridor (RD4) should be completed so that the alignment is confirmed prior to rezoning Precinct 1 or the Precinct 2 (west of Calder Alternative Highway).
    d) Include the following additional actions in the Action Implementation Plan, and retain the lead responsibility, partners and timeframes identified in Document 53a):
        Action A11:
        Continue to monitor and consider whether the boundaries of Precinct 1 can be extended to include the balance of parcels 1A, 1B, 1C, 1D (to McCreddons Road) having regard to resolution of:
        - *the alignment of the potential Marong Western Freight Investigation Corridor and interface with the Bendigo Regional Employment Precinct;*
        - *the completion of an odour risk assessment to the satisfaction of Council and the EPA, which assesses the operations of the broiler farm at 74 Barnes Road, Marong and which demonstrates there is additional land suitable for residential development; and*
        - *infrastructure and servicing constraints, bushfire management and drainage.*

        Action A12:
        Continue to monitor whether the boundaries of Precinct 4 can be extended to include the balance of parcel 4I (to Salvarezza Road and

Birchalls Road) and parcels 4K and 4J (to Birchalls Lane) having regard to resolution of:

- *biodiversity values within the property and abutting road reserves; and*
- *infrastructure and servicing constraints, bushfire management and drainage.*

Action A13:

Continue to monitor land supply and take up of residential land within Marong, including within Precincts 1-4 of the TSP. Any additional future residential development areas considered for growth beyond Precincts 1-4 will prioritise the land to the immediate west of the existing township, south of Calder Highway and east of McCreddons Road, and must demonstrate:

- *sufficient demand for additional residential development in Marong;*
- *the suitability of the land for development, including the resolution of infrastructure and servicing constraints, bushfire management and drainage; and*
- *that the development of the land would not conflict with a potential Marong Western Freight Investigation Corridor, the operations of the broiler farm at 74 Barnes Road, Marong, the Marong Business Park, the Calder Highway and the Eaglehawk to Inglewood railway line.*

7. Amend the Marong Heritage Citations (Minerva Heritage, 2018) to include the amended citation for 1329 Calder Highway, Marong with any further changes to ensure consistency with the Statement of Significance in Appendix E.

<u>Recommended changes to the Amendment following Panel</u>

Officers recommend supporting all the Panel's recommendations above as per the changes made in Attachments 2 and 3 and outlined in Attachment 4.

Further additional changes to Amendment C263gben include:

- Updating relevant ordinance, clauses and maps to align with changes by gazetted Amendments that have occurred to the Greater Bendigo Planning Scheme over time.
- Removing the proposed Heritage Overlay Schedule 939 (HO939), which applies the Heritage Overlay to 1320 Calder Highway, Marong, as notice was incorrectly given to a neighbouring property. The Overlay is proposed to be applied in Amendment C285gben, which was considered by Council at its meeting of 22 April 2024, and which will include a new exhibition period.

Panel report: Key issues

The Panel categorised the main submission issues as relating to matters of detail and implementation including:

- The consideration of cultural heritage and the impact of heritage controls;
- Contamination;
- The planning for the BREP and Marong Western Freight Corridor;
- Directions for housing growth including the impacts on the Scott's Gallus Lane broiler farm, bushfire buffers, BREP and planning for the western Freight Corridor on the provision of residential land supply;
- Transport and community infrastructure.

These issues are further summarised below under the following sub-headings:

- Bushfire
- Odour buffer
- Potentially contaminated land
- Native vegetation
- Aboriginal cultural heritage
- Post contact heritage
- BREP and Western Freight Corridor
- Extension of Precinct 4
- Additional growth - north of Precinct 1
- Additional growth - north of township
- Local transport infrastructure and development contributions
- Future education facility and open space provision

Bushfire

Three submissions regarding the application of mandatory setbacks for bushfire were received and considered at the 23 October 2023 Council meeting.

The Panel summarises the issues as:

- Whether the guidelines and requirements of the Marong Township Structure Plan relating to bushfire are appropriate.
- Whether the mandatory bushfire buffer and exposure levels requirements are appropriate for inclusion within the proposed Design and Development Overlay Schedule 31 (DDO31), Design and Development Overlay Schedule 32 (DDO32), Design and Development Overlay Schedule 35 (DDO35) and Development Plan Overlay Schedule 31 (DPO31).

In consideration of the issues and submissions, the Panel referred to relevant Planning Scheme provisions and guidance, and the CFA's satisfactory views on the amendment.

As part of the City's recommended changes to the Amendment following submissions, changes were proposed to the controls (DDO31, DDO32, DDO35 and DPO31) that would allow consideration of a bushfire assessment by a qualified professional demonstrating that the proposal achieves bushfire exposure levels of no more than 12.5 kilowatts per square metre with a reduced setback than specified.

The Panel concluded and agreed that the proposed changes to the DDO31, DDO32, DDO35 and DPO31 put forward by the City are appropriate and supported. The Panel also advised that using the DDO or DPO to manage bushfire risk is appropriate and consistent with Planning Practice Note 64.

City officers support the Panel's recommendation to the amendment in relation to bushfire (Panel recommendation 2).

Odour buffer

The panel summarises the issue as:

- How the buffer to the Scott's Gallus Lane broiler farm should be managed in the Marong Township Structure Plan.

The separation distance between the existing broiler farm and potential residential land is a complex issue and was raised in submissions.

City officers maintained support for the 1 kilometre buffer/separation distance from the broiler farm located at 74 Barners Road, Marong. This position was further supported by the EPA and expert evidence, in the absence of further testing from submitters.

A submitter sought a reduction in the separation distance and provided two expert evidence statements that both supported a significant reduction in the separation distance (approximately half of this distance). A late submission was received after the 23 October Council meeting from the broiler farm owners, which opposed a reduced separation distance.

The contention between experts related to the interpretation of the relevant guidelines and regulations, particularly given the age of the broiler farm. Representatives of the three experts met on site at the broiler farm in January 2024 with cooperation from the landowner. The week before the panel hearing, alternative wording for the Marong Township Structure Plan was proposed to the City by a submitter's representative, that would allow for further testing and consideration of the issue at a later date. This wording was further negotiated with City officers and as a result the City's expert witness was no longer required to be called for the hearing.

The wording agreed by parties and put to the Panel makes additions and changes to the Action Implementation Plan section of the Marong Township Structure Plan on page 91 (as shown in Figure 1 below).

	Action	Type of action	Lead responsibility	Partners	Timeframe	Resources
A11	Continue to monitor whether the boundaries of Precinct 1 can be extended to include the balance of Precincts 1A, 1B, 1C, 1D (to McCreddons Road) having regard to resolution of: • the alignment of the potential Marong Western Freight Corridor; • the completion of an odour risk assessment to the satisfaction of Council and the EPA, which assesses the operations of the broiler farm at 74 Barnes Road, Marong and which demonstrates there is additional land suitable for residential development; and • infrastructure and servicing constraints, bushfire management and drainage.	Council collaboration	City of Greater Bendigo Strategic Planning	Internal Engineering External EPA Coliban Water CFA DEECA DTP NCCMA Powercor	Ongoing	OT + $

Figure 1: Proposed changes to the Action Implementation Plan for the Marong Township Structure Plan

The Panel supports the proposed changes with further minor changes (Panel recommendation 6(d)), amending the first dot point to (underline added by Panel):

- the alignment of the potential Marong Western Freight Investigation Corridor and interface with the Bendigo Regional Employment Precinct;

City officers support the Panel's recommendation in relation to the odour buffer (Panel recommendation 6(d)).

Potentially contaminated land

Part of the submission by the Environmental Protection Authority (EPA) questioned whether suitable investigations had been carried out in accordance with *Ministerial Direction 1 – Potentially Contaminated Land*. The City undertook a Contaminated Land Assessment (September 2023) which found no evidence to suggest land being rezoned was potentially contaminated. The Panel agreed that the work undertaken by the City following receipt of the EPA's advice met the requirements and had no further recommendations.

Native vegetation

Following authorisation, the application of the Vegetation Protection Overlay (VPO) was removed from Amendment C263gben, however the Marong Township Structure

Plan retained a section and background on vegetation with recommendations to apply the VPO to roadsides and two patches throughout the new growth precincts.

One submission identified that the background document did not provide the relevant evidence to support the patch in Precinct 4 as being of high biodiversity quality and therefore requiring retention.

In response to the submission, the City proposed to alter the wording in the Marong Township Structure Plan to acknowledge that further assessment is required to determine the vegetation's biodiversity value. The submitter's representative at Panel provided in-principle support for the proposed change.

The Panel agreed that further assessment to confirm if retention of vegetation is required in this area is warranted and supported changes to the Marong Township Structure Plan (Panel recommendation 6(d) and further detailed in Section 4.3(v) of the panel report).

Aboriginal cultural heritage

Marong is located on Dja Dja Wurrung Country. A submission from the Dja Dja Wurrung Aboriginal Corporation (DJAARA), the Registered Aboriginal Party representing the Dja Dja Wurrung people, was received which advised of no objection to the Amendment and sought earlier consideration of Aboriginal cultural heritage in the development process, particularly for the future growth areas and for Precincts 2 and 3 adjacent to Bullock Creek.

As part of the City's recommended changes to the Amendment following submissions, the City proposed to require an Aboriginal Cultural Heritage Assessment to be submitted with the privately sponsored amendments for new development precincts to ensure that Aboriginal cultural heritage is considered early in the planning and design phase.

The Panel enquired further with the City about the scope of an Aboriginal Cultural Heritage Assessment and how this could be better reflected in the Marong Township Structure Plan. The Panel recommends a series of additions throughout the Marong Township Structure Plan to support early consideration of Aboriginal cultural heritage in the planning process (recommendation 6(a)):

- Amend the Marong Township Structure Plan to provide greater recognition of Aboriginal cultural heritage values and to guide appropriate planning responses to understand, protect, acknowledge and celebrate cultural heritage values and engage with Traditional Owners.

In making this recommendation the Panel also advised which sections of the Marong Township Structure Plan this could be considered.

City officers support the Panel's recommendation in relation to Aboriginal cultural heritage (Panel recommendation 6(a)). Additional text has been prepared for the Plan in consultation with DJAARA and DJAARA has confirmed that the additions are appropriate and satisfactory.

Post contact heritage

Two objecting submissions related to the proposed application of the Heritage Overlay to 1329 Calder Highway and 12 Leslie Street.

The submitter opposing the application of the Heritage Overlay to 1329 Calder Highway, disputed the accuracy of the statement of significance for the site, stating that the City did not have substantial evidence about the history of the dwelling on the property. Furthermore, since the original citation was completed in 2018, the house had undergone renovation (with permission), which meant that aspects of the Statement of Significance that referred to components of the dwelling were no longer accurate.

As part of the City's recommended changes to the Amendment following submissions, a revised citation and Statement of Significance was prepared. This had regard to the renovation of the dwelling and concluded that the dwelling still meets the threshold for local heritage significance.

The submitter opposing the application of the Heritage Overlay to 12 Leslie Street did not agree that the dwelling is of heritage significance and advised that the dwelling was not rare, that remnants of the former dairy were no longer associated with the site as it had been subdivided, that the dwelling was unremarkable and would require a rebuild to be livable, and the link to William Holland was not significant as he was not recognised elsewhere in Marong.

The City's expert witness Dr Gary Hill of Minerva Heritage provided expert evidence in relation to both submissions. Dr Hill supported the amended Statement of Significance and citation for 1329 Calder Highway and outlined why the property at 12 Leslie Street meets the significance threshold of local significance.

The Panel supported the revised citation and statement for 1329 Calder Highway with minor typographical corrections (Panel recommendations 5 and 7). The Panel agreed with the City that 12 Leslie Street is of historic and rarity significance and that the Heritage Overlay should be applied.

Bendigo Regional Employment Precinct and Western Freight Corridor

Several submissions referred to the BREP land, south-west of the Marong township.

One submitter, a landholder in the BREP designation, sought that a portion of the land located in the north-east corner, known as ‘Precinct 2A’ be identified in the Marong Township Structure Plan and Amendment C263gben for residential growth. This portion of land doesn’t align with a titled parcel, rather it is a portion that is divided by an arbitrary alignment of the yet to be determined Marong Western Freight Corridor. The submitter called an economic expert and a town planning expert in support of their submission.

The VPA submitted that it would be premature to identify this for residential growth and the ultimate uses for all the BREP land should be master planned as a whole. The City supported these views. The Department of Transport and Planning advised they are currently investigating the preferred options for alignment of the future Marong Western Freight Corridor.

As part of the City’s recommended changes to the Amendment following submissions, the City proposed changes to the Marong Township Structure Plan and Amendment C263gben documentation to update the mapping to show the extent of BREP and to identify the Precinct 2A land as being subject to investigation, with the ultimate land use to be determined through the BREP process, having regard to the alignment of the Marong Western Freight Corridor and other infrastructure as relevant.

The Panel agreed that Precinct 2A has qualities that would make it suitable for residential development in the future, such as its proximity to the Marong town centre and open space and being adjacent to future residential areas. The Panel acknowledged, however, that the need for further residential growth in Marong can be accommodated in the township and other precincts in the short to medium term. It further noted that the planning for BREP and the Marong Western Freight Corridor were substantially progressed and will be known in 2024/2025. Given their significance to the region and influence on the development of Precinct 2A and Precinct 1 (which also interfaces with both projects) it would be appropriate to await the outcomes of these projects.

The Panel recommends changes to Clause 11.03-6L-04 in Amendment C263gben and the Marong Township Structure Plan in relation to BREP, the Marong Western Freight Investigation Corridor and Precinct 2. Details of changes are attached to this report and generally relate to clarifying the mapping for BREP and Precinct 2A (to be shown as ‘Precinct 2’) and adjusting wording of guideline (G42) to:

> *The planning for the Marong Western Freight Investigation Corridor (RD4) should be completed so that the alignment is confirmed prior to rezoning Precinct 1 or the Precinct 2 (west of Calder Alternative Highway).*

The Panel also recommends additions to the 'Action Implementation Plan' in the form of a new proposed Action 11 (as discussed above in *Odour buffer*) relating to the potential extension of Precinct 1.

City officers support the Panel's recommendations in relation to the Marong Western Freight Investigation Corridor and BREP (Panel recommendations 1 and 6(c)).

Extension of Precinct 4

One submission was received to extend the boundary for future growth to the south-east in Precinct 4 (extend to include Precinct 4I).

As part of the City's recommended changes to the Amendment following submissions, the City advised that the extension was not supported at this time and would require constraints assessment and consideration by authorities.

The submitter's planning expert advised that the site is well suited for residential development. Mr Woodland identified that the area is largely cleared and used for agriculture, had no known servicing, drainage or flooding constraints, had considered the bushfire risk, and provided a more logical boundary for the Precinct than the current water race.

As part of its submission to the Panel, the City proposed to include a new action in the Action Implementation Plan of the Marong Township Structure Plan that would consider the future extension of Precinct 4 subject to resolution of issues relating to biodiversity values within the property and abutting road reserves, infrastructure servicing constraints, bushfire management and drainage.

The Panel supported the additional Action (A12) with minor changes, as the expanded Precinct 4 does not form part of the exhibited documentation, and bushfire and biodiversity considerations need further investigation (Panel recommendation 6(d)).

Additional growth- north of Precinct 1

Four submissions sought to extend the new development precincts to include land west of the township bound by McCreddons Road, Landry Lane, the railway line and the Calder Highway.

The City advised that the extension was not supported at this time and could be considered in the long-term following realisation of this structure plan's growth.

As part of the City's recommended changes to the Amendment following submissions, a new action in the Action Implementation Plan was proposed (A13) to

continue to monitor land supply and that additional growth beyond that already designated should prioritise this land for consideration. The Action includes several conditions, including demonstrating the need for additional development, assessment of the suitability of the land including servicing, drainage and bushfire management, and consideration given to the final alignment of the Marong Western Freight Corridor and the odour buffer. The Panel supports the proposed Action (Panel recommendation 6(d)).

Additional growth – north of township

Two submissions requested to extend the new development precincts to include land north of the township.

The City advised that an extension to the north of the township was not supported as the sites are geographically removed from the township, superfluous to land supply needs and would result in inefficient delivery of infrastructure. It is also noted that the views and considerations by relevant authorities particularly in relation to the bushfire risk, flooding and Aboriginal cultural values had not been undertaken.

The Panel agreed with the City's position and states:
'…*while the land may have few constraints and possess qualities to offer such as additional open space along Bullock Creek or providing downstream drainage solutions that make it attractive for potential development, this does not mean it is strategically suitable for growth.'*

No changes to the amendment documentation were recommended by the Panel.

Medium density

One submission requested that additional wording regarding medium density housing locations be provided to allow other locations by agreement.

This was supported by the City and changes were proposed in Clause 11.03-6L-04. However, the Panel has suggested further changes to the Marong Township Structure Plan in the 'Medium density residential development' objectives section (Panel recommendation 6(b)), which are supported by City officers.

Local transport infrastructure and development contributions

Three submissions requested deletion of the infrastructure map in Clause 11.03-6L-04 and deletion of specific infrastructure.

When the Marong Township Structure Plan was prepared, a Development Contributions Plan (DCP) was proposed to fund community infrastructure,

recreational spaces, arterial and collector road networks with intersection upgrades and drainage infrastructure. This intent was therefore translated into planning policy and controls in Amendment C263gben. City officers later determined that a Development Contributions Framework, that requires developer contribution by agreement at rezoning rather than being a requirement of the Scheme, is more appropriate and provides greater flexibility for developers and the City. The Development Contribution Framework for Marong is being finalised and will be presented to Council for consideration later in 2024.

In response to this, the City recommended the following changes to the Amendment and the Marong Township Structure Plan following submissions:

Amendment C263gben
- Delete the infrastructure map at Clause 11.03-6L-04 and move relevant information to the Marong development map.
- Update reference in Clause 74.02 to replace ‘development contributions plan’ with ‘development contributions framework’.

Marong Township Structure Plan
- Replace Development Contributions Plan with Development Contributions Framework (also referenced as Shared Infrastructure Funding Plans) and new text explanation.
- Update notes for State infrastructure projects to be subject to future approval.
- Update Movement and Access text to correct typographical errors in daily movements, incorporate BREP and freight network.
- Update infrastructure tables to align with proposed Development Contributions Framework and related ‘requirement’ wording.
- Update maps and infrastructure references to refer to ‘intersection upgrade’.

The Panel supported the changes and the City’s approach to development contributions.

Future education facility and open space provision

One submission sought certainty regarding timing and mechanisms for rezoning of the land which is identified for a future education facility and open space. The submission sought direction in the Marong Township Structure Plan that the land be rezoned for residential, or a greater commitment be made to acquiring the land.

The City is not obligated to acquire the land and the Department of Education indicated they do not purchase prospective school sites. Furthermore, the site could be privately purchased for the use as an education facility. The City maintains support for the future use designation as per the Marong Township Structure Plan.

The Panel observed that the designated site is appropriate because it is located central to existing and future growth areas, existing and proposed transport and open space networks. The overall development of Precinct 4 will require consideration of the education facility, open space and infrastructure requirements in preparation of development plan/s, and the development contributions framework. The Panel acknowledged that this does not address the landowners' requests, however confirmed that an acquisition process within the Marong Township Structure Plan is not needed for a strategic document of this nature.

The Panel supported changes proposed by the City to the Marong Township Structure Plan and Amendment C263gben to change the name of the site from new government primary school and open space, to education facility and open space (detailed in Section 7.2(v) of the panel report).

Priority/Importance

Timely progression of amendments is required as per Ministerial Direction No. 15 – the planning scheme amendment process.

The completion of the project is required to meet the growth needs of urban Bendigo and to support key associated projects that are underway, including BREP.

Options Considered

Council has the option of:

1. (Recommended option) Adopting Amendment C263gben in accordance with the Panel's recommendations and the officer's additional recommendations as outlined earlier in this report and sending Amendment C263gben to the Minister for Planning for approval.
2. Adopting Amendment C263gben with changes contrary to the Panel's recommendations, with supporting justification and sending Amendment C263gben to the Minister for Planning for approval.
3. Abandoning all or part of Amendment C263gben.

Timelines

If adopted by Council, Ministerial Direction No. 15 – the planning scheme amendment process, requires that a planning authority must submit an adopted amendment under Section 31 of the Act, together with the prescribed information, within 10 business days of the date the amendment was adopted.

Communications/Engagement

As required under Section 19 of the Planning and Environment Act 1987, Amendment C263gben was publicly exhibited for six (6) weeks from 25 May to 7 July 2023. This is two weeks longer than required by the Act.

The Panel process invited anyone who had made a submission to be heard at the hearing and the hearing could be attended online or in person. The City updated its website during the process and published the Panel report as required within 10 days following receipt, on the 28 March 2024. Officers also notified submitters and parties via email of the availability of the Panel report.

A draft version of the Marong Township Structure Plan was open for public comment in March 2017 and June 2018 before being adopted in 2020. This plan formed the basis of the Amendment.

Financial Sustainability

Amendment C263gben is covered by the Strategic Planning Unit's operational budget, including the costs associated with the Panel Hearing, officer time in preparing and submitting the Amendment to the Minister for Planning for approval and statutory fees for submitting for approval.

Risk Assessment

As this is one of the final stages of the planning scheme amendment process, most risks associated with the Amendment have been managed throughout the process.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 – Lead and govern for all
Outcome 2 – Healthy, liveable spaces and places
Outcome 3 – Strong, inclusive and sustainable economy
Outcome 6 – A vibrant, creative community

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making
Goal 7 - Sustainable population growth is planned for
Goal 1 - Inclusive employment opportunities for all, sustainable jobs and investment and a diverse economy

Goal 6 - Improved safe freight networks
Goal 5 - Recognise and celebrate our significant national and international heritage
Goal 4 - A community that values and engages with people of all ages, abilities, genders and sexualities
Goal 7 - Emergencies are prevented or mitigated

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Attachments can be found on the City website along with the Agenda.

17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY

17.1. PLANNING SCHEME AMENDMENT C282 - GREATER BENDIGO INDUSTRIAL LAND DEVELOPMENT STRATEGY UPDATES

Author:	Richie Dean, Strategic Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

Purpose

This report seeks adoption of the revised Greater Bendigo Industrial Land Development Strategy (Amended 2024) and the Addendum (2024) to the Greater Bendigo Industrial Land Development Background Report 2020.

This report also recommends that Council requests authorisation from the Minister for Planning to prepare and exhibit planning scheme amendment C282gben to implement the recommendations of the Greater Bendigo Industrial Land Development Strategy (Amended 2024) and seeks endorsement of the draft Greater Bendigo Industrial Development Guidelines 2024 for the purpose of exhibition.

Recommended Motion

That Council:

1. Adopt the revised *Greater Bendigo Industrial Land Development Strategy (Amended 2024)* and the *Addendum (2024)* to the *Greater Bendigo Industrial Land Development Background Report 2020*.
2. Request authorisation from the Minister for Planning to prepare and exhibit Amendment C282gben to the Greater Bendigo Planning Scheme, in accordance with section 8A of the *Planning and Environment Act 1987*.
3. Endorse the draft Greater Bendigo Industrial Development Guidelines 2024, for public exhibition as part of Amendment C282gben.
4. Note that the associated background documents *Review of Future Industrial Land Supply in Bendigo, March 2023* and the *Bendigo Industrial Land Review – Strategic Economic Inputs, January 2019* will be exhibited with Amendment C282gben.
5. Place Amendment C282gben on exhibition in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.
6. Authorise the Director Strategy and Growth to make minor changes to Amendment C282gben if those changes do not alter the overall intent of the Planning Scheme Amendment, or if the changes are requested by the Department of Transport and Planning.

Executive Summary

The *Greater Bendigo Industrial Land Development Strategy (GBILDS)* and the accompanying *Greater Bendigo Industrial Land Development Strategy Background Report (the Background Report)* were originally adopted by Council in June 2020.

The *Greater Bendigo Industrial Land Development Strategy (GBILDS)* has been updated (see Attachment 1) to include the details of the Bendigo Regional Employment Precinct (BREP) and other minor changes to ensure the strategy reflects the current state of industrial land supply in Greater Bendigo. A list of corresponding changes to the *Background Report 2020* have been included in the *Addendum 2024* (see Attachment 2).

Amendment C282gben has been prepared (see Attachment 3) and proposes to implement the *GBILDS* by making changes to the Municipal Planning Strategy and the Planning Policy Framework of the Greater Bendigo Planning Scheme. It also proposes to rezone a 21.27-hectare property at 1029 Calder Highway, Maiden Gully from Industrial 1 Zone to Public Conservation and Resource Zone, consistent with the GBILDS.

As well as making updates to the *GBILDS*, the City has prepared *draft Greater Bendigo Industrial Development Guidelines 2024* (see Attachment 4). These were recommended by the *GBILDS* and are proposed to replace the *Good Design Guide for Industry 1997*. Public exhibition on the d*raft Greater Bendigo Industrial Development Guidelines 2024* is intended to be undertaken as part of the exhibition process for Amendment C282gben.

Background

The *Greater Bendigo Planning Scheme Review 2019* recommended a comprehensive review and update of the *Bendigo Industrial Land Strategy 2002* along with an update to supporting documents including the *Good Design Guide for Industry 1997*.

The City, supported by the Victoria Planning Authority (VPA), in 2018 prepared the *GBILDS* and the associated *Background Report*. *GBILDS* provides a strategic framework and roadmap to identify a 30-year pipeline of future industrial land to meet industry needs, reduce land use conflicts and to plan for the future of Greater Bendigo's industrial precincts. The implementation of this strategy will provide more certainty to existing and future industries in Greater Bendigo. *GBILDS* was informed by the *Bendigo Industrial Land Review – Strategic Economic Inputs* which identified a significant shortfall, particularly in larger industrial lots in the municipality. It

identified the need for a pipeline of additional industrial land over and above current supply. Without this the number of industry jobs would be negatively impacted.

Public consultation on the draft Strategy was undertaken between June and August 2019. During the consultation period 16 submissions were received from businesses, landowners, and consultants acting for landowners, as well as State Government agencies. Changes were made to the strategy in response to submissions. *GBILDS* and the *Background Report*, were adopted by Council in June 2020.

The *GBILDS* identified the need for additional industrial land supply in Greater Bendigo. While it identified criteria for future industrial land supply, it did not go as far as identifying a site for this additional supply.

Since the adoption of the *GBILDS*, the City has completed further detailed investigations and identified a 294-hectare site to the south of the Marong township for a future employment precinct to meet long term industry needs, known as the Bendigo Regional Employment Precinct (BREP). Further investigation as to the ultimate land use for all of the BREP investigation area is being considered by the VPA, including an area identified in the north-east corner as Precinct 2A in the Marong Township Structure Plan.

In November 2021, Council resolved to fast track the delivery of the BREP and request the Minister for Planning to appoint the VPA as the planning authority for the precinct, with confirmation of the VPA's appointment being received on 6 February 2022.

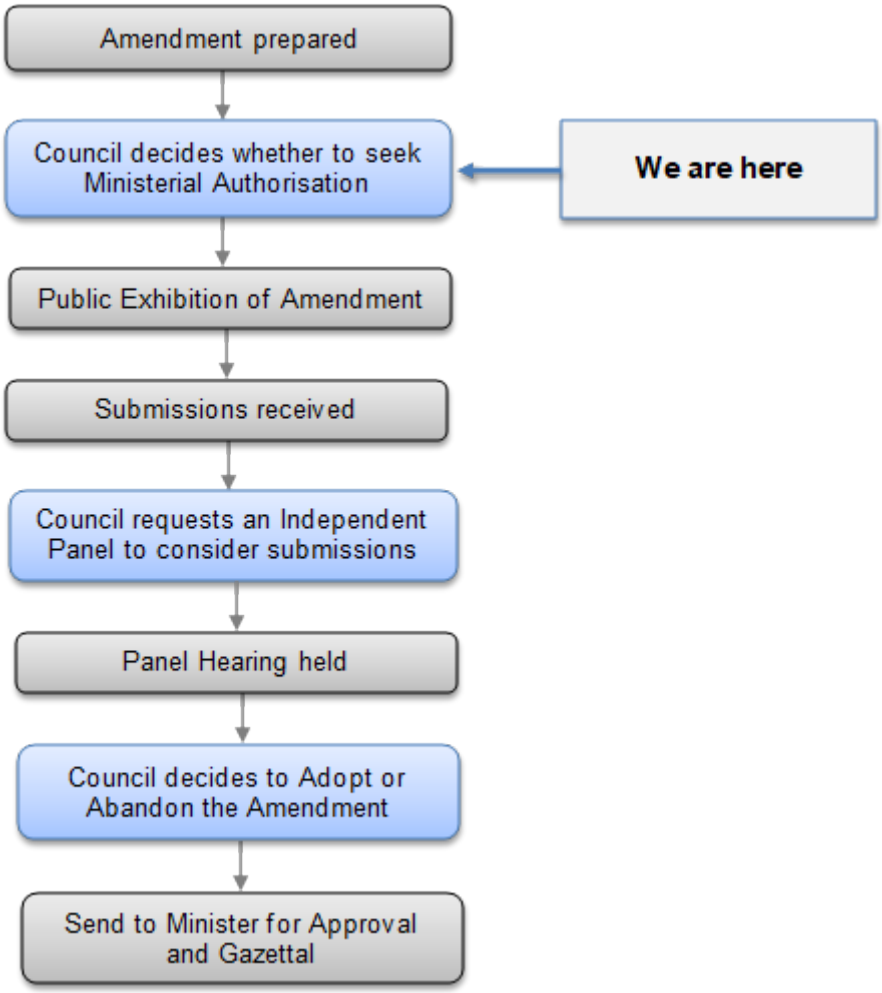
The recent update to *GBILDS* was largely undertaken to include the new details of BREP. Other changes are proposed to *GBILDS* to ensure the strategy reflects the current state of industrial land supply in the municipality, including updating statistics and references to recent strategic work undertaken. In conjunction with the 2024 updates to GBILDS, a number of corresponding changes to the accompanying Background Report have been included in an addendum.

In 2023 City officers commissioned an independent strategic assessment of future industrial land supply in Greater Bendigo. The *Review of Future Industrial Land Supply in Bendigo* was undertaken to further confirm the need for both the BREP and the Marong Business Park for longer term industrial land supply. The report supported the need for both sites, providing further justification for the recommendations in *GBILDS*.

There is one change worth noting that has been made to the most recent version of *GBILDS* following the receipt of the *Review of Future Industrial Land Supply* report. The report identified a forecasted industrial land consumption rate of up to eleven hectares per year. The previous adopted *GBILDS* 2020 forecasted the consumption

rate at nine hectares per year. The updated *GBILDS* refers to an additional industrial land supply total needed of between 170 and 270 hectares over and above the existing supply over the next 30 years. Previously the report stated 170 hectares was needed.

A recommended action under GBILDS was to review and update the *City of Greater Bendigo Good Design Guide for Industry 1997*. An extensive review of the guide has been undertaken, and the *Greater Bendigo Industrial Development Guidelines* (the Guidelines) have been prepared.



Previous Council decision dates:

- 20 March 2019 – Council adopted the final review report and recommendations of the *Greater Bendigo Planning Scheme Review 2019*.
- 19 June 2019 - Council endorsed the draft *GBILDS* and *Background Report* for community consultation.
- 17 June 2020 – Council adopted *GBILDS* and the *Background Report.*

- 15 November 2021 – Council resolved to fast track the delivery of the BREP and request the Minister for Planning to appoint the VPA as Planning Authority for the proposed BREP.

Report

The changes proposed to the *GBILDS* from the previously adopted version are relatively minor in nature. For clarity, table 1 provides an overview of each of these proposed changes.

Table 1 – GBILDS proposed changes

Greater Bendigo Industrial Development Strategy – proposed updates to May 2020 version	
Foreword (page 4)	Foreword and photo updated to reflect incumbent Mayor. Text updated to remove reference to a growing population "*of 2,000 more residents each year"* in Greater Bendigo given the statistic is outdated.
List of abbreviations, acronyms and terms (page 7)	Four strategic land use categories / hierarchy with definitions added.
Executive Summary (page 8)	ABS 2021 Census data updates included to reflect population growth forecasts.
	Text updated to introduce industrial land supply investigations, to identify BREP as the preferred site and future precinct to meet long-term industrial land needs, and to identify that the planning and rezoning of BREP is to be led by the Victorian Planning Authority (VPA). Current population growth trends amended from "*121,000 people to around 200,000 people over the next 30 years"* to *"124,000 people to over 200,000 people over the next 30 years."*
	Deleted *'Demand for industrial development rose during 2019'* as the

Greater Bendigo Industrial Development Strategy – proposed updates to May 2020 version	
	specific reference for this was unclear. The report more broadly discusses the increasing demand for industrial development.
	In the last paragraph, the Industrial land 30 year pipeline requirement has been amended from *"170-230 hectares"* to *"170-270 hectares"* in consistency with the *Review of Future Industrial Land Supply in Bendigo 2023*. A footnote was also added.
Section 1 – Overview	
1.5 Consultation outcomes (page 13)	Text added that the community has been notified of BREP and that extensive community engagement will be undertaken in future as part of the planning process for the precinct.
Strategic Land Use Categories map / Study area *Figure 1 (*page 14*)*	The map has been revised to categorise industrial areas by strategic land use categories and hierarchy (municipal, secondary, local and specialised areas) with colour coding instead of by industrial zoning. The map has also been revised to add the proposed BREP.
Section 2 - Vision, principles, objectives and rationale	
Objective 2A: Reduce industry-residential land use conflicts (page 18)	Corrected the linking of Objective 2A with Objective 2B instead of Objective 3 in last sentence.
Objective 5: Promote sustainable industrial land use and development (page 19)	Third paragraph added that outlines sustainability potential of BREP, given the scale of the future precinct.
Objective 7: Advocate for State and Commonwealth funding both for core	Second and third paragraphs deleted from the Rationale.

Greater Bendigo Industrial Development Strategy – proposed updates to May 2020 version	
infrastructure and for priority economic initiatives (page 20)	New paragraph added noting the $6 million State Government funding investment towards BREP. New paragraph added outlining support and investment in BREP, and that other economic initiatives are important to the ongoing growth of the region.
Section 3 - General recommendations and actions for industrial land	
Objective 1: Provide for 30 years of industrial land supply (page 22)	Implementation timeframes and actions to reflect BREP and the VPA role have been included.
Objective 4: Improve the function, design and amenity of existing and new industrial areas (page 23)	Reference to the 'Good Design Guide for Industry' revised to 'Greater Bendigo Industrial Development Guidelines'.
Objective 7: Advocate for State and Commonwealth funding both for core infrastructure and for priority economic initiatives (page 23)	First dot point removed.
Section 4 - Precinct-specific recommendations and actions	
4.1.1 Precincts (page 25)	A 23rd precinct added to the precinct list to reflect the proposed BREP.
Industrial land precincts map (Figure 2) (page 26)	The map has been revised to include the proposed BREP site.
P10 – Heathcote (page 30)	Action added: "*Support the Heathcote Township Plan recommendation for the longer-term industrial development of land at 2-24 Back Kyneton Road subject to an environmental audit being undertaken.*"
P11 – Golden Square (page 32)	Reference to rezoning *"all 11 GRZ*

Greater Bendigo Industrial Development Strategy – proposed updates to May 2020 version	
	properties in the south west of the precinct" amended to include specific property addresses consistent with Amendment C270gben and the recommendations of the *Golden Square Structure Plan*. A recommendation and action added to support the rezoning of land at 66, 68 and 70 Belle Vue Road and 21 and 123 Hattam Street from General Residential Zone and Industrial 1 Zone to Industrial 3 Zone consistent with Amendment C270gben and the recommendations of the *Golden Square Structure Plan*. Spelling of 'McDougall Road' corrected to 'MacDougal Road'.
P17 - Rowe Lane, Maiden Gully (page 34)	Recommendations and actions updated to reflect a rezoning of the precinct from Industrial 1 Zone to Public Conservation and Resource Zone. This land is unsuitable for future industrial use due to its isolated location, heavy vegetation, bushfire risk and sensitive natural surroundings.
P23 – BREP (page 36)	A 23rd precinct added to reflect the proposed BREP with accompanying recommendations and actions.
Future industrial land precincts (page 38)	Industrial land supply needs/ forecasts updated. Figures provided in the second paragraph with a footnote referencing the *Review of Future Industrial Land Supply in Bendigo 2023*. Economic growth statistics updated to

Greater Bendigo Industrial Development Strategy – proposed updates to May 2020 version	
	reflect $4.3 billion from 2015-2023 and economic output stats in accordance with 2024 REMPLAN data. Reference to 5 year review of GBILDS in relation to Marong Business Park (MBP), removed. MBP to be retained as Comprehensive Development Zone. Reference to future industrial land investigations revised to update the identification of BREP as key future industrial precinct to meet industrial land needs.
Monitoring and review framework (page 40)	Timeframe for monitoring actions (sections 3 and 4) updated from 6 to 12 months.
Throughout the document	References to 'Settlement Strategy' changed to 'Managed Growth Strategy'. References to State Government departments and agencies updated to reflect current names. References to Greater Bendigo units updated to reflect current names.

The implementation of GBILDS requires changes to the Municipal Planning Strategy, Planning Policy Framework and Operational Provisions of the Greater Bendigo Planning Scheme. Planning Scheme Amendment C282gben proposes the following changes:

- Amend Clause 02.03-7 (Economic development) of the Municipal Planning Strategy
- Amend Clause 14.01-1L (Protection of agricultural land – Greater Bendigo)
- Amend Clause 15.01-1L-02 (Urban design in industrial areas – Greater Bendigo)
- Amend Clause 17.03-1L (Industrial land supply – Greater Bendigo)
- Amend the Schedule to Clause 72.08 (Background documents)
- Amend the Schedule to Clause 74.02 (Further strategic work)

- Rezone 1029 Calder Highway, Maiden Gully from Industrial 1 Zone (INZ1) to Public Conservation and Resource Zone (PPRZ).

It is proposed to amend two of the existing strategic directions under Clause 02.03-7 (Economic Development) to integrate objectives from *GBILDS* into the Municipal Planning Strategy.

Existing strategies listed under Clause 17.03-1L (Industrial land supply – Greater Bendigo) are proposed to be restructured and rewritten to translate the hierarchical roles and functions of industrial precincts from *GBILDS* into local policy under the Planning Policy Framework. Industrial precincts / areas have been classified under four strategic land use categories (Municipal, Secondary, Local and Specialised areas) with corresponding strategies to better identify existing and future industrial land uses for those areas. This creates clearer policy for future industrial land uses and intensities across Greater Bendigo's industrial areas.

An existing strategy relating to industrial use in rural areas is proposed to be moved from Clause 17.03-1L (Industrial land supply – Greater Bendigo) to Clause 14.01-1L (Protection of agricultural land – Greater Bendigo) as this is more relevant to the protection of rural or agricultural land.

It is proposed to translate the draft *Greater Bendigo Industrial Development Guidelines 2024* into the list of strategies in the local policy under Clause 15.01-1L-02 (Urban design in industrial areas – Greater Bendigo).

It is also proposed to amend the schedule to Clause 74.02 (Further strategic work) to delete the first item, 'The Industrial Land Strategy and Good Design Guide for Industry', as the strategic work has been completed.

<u>1029 Calder Highway, Maiden Gully (Rowe Lane)</u>

The land at 1029 Calder Highway and 39 Rowe Lane, Maiden Gully was originally purchased by the Rural City of Marong around 1984 and rezoned to Special Use (Stock Saleyards) for the purpose of proposed saleyards. In 1992 it was proposed to sell the land for a proposed aluminium rolling mill and the property was rezoned to an industrial zone although the sale of the land did not proceed. In 2007 the southern part of the property at 39 Rowe Lane was subdivided and set aside for vegetation offsets and later rezoned from Industrial 1 Zone to Public Conservation and Resource Zone, with the Lot 1 1029 Calder Highway, Maiden Gully remaining as Industrial 1 Zone. In 2008 it was proposed to sell 1029 Calder Highway, Maiden Gully to another manufacturing business although this sale also did not proceed.

A recent review of this precinct by City officers concluded that the land is no longer suitable for potential industrial use and development given its isolated location, high

bushfire risk and established high-value vegetation and biodiversity values. It was determined that the most appropriate zoning is the Public Conservation and Resource Zone to protect and conserve the natural environment and natural processes on the land and surrounds. The site contains established native vegetation and there is future revegetation potential for future native vegetation offset credits. Accordingly, it is proposed to rezone the land from Industrial 1 Zone to Public Conservation and Resource Zone.

Draft Greater Bendigo Industrial Development Guidelines 2023

The current *Good Design Guide for Industry 1997* is referenced in the Greater Bendigo Planning Scheme under Clause 15.01-1L-02 (Urban design in industrial areas – Greater Bendigo) and as a background document under Clause 72.08. In line with the recommended actions in GBILDS, the guide has undergone a comprehensive review and major update. The guide's look and feel has been refreshed, providing examples of best practice industrial development and subdivision, and includes a suite of revised development and subdivision standards, including Environmentally Sustainable Development. It is proposed to translate the objectives of the new Guidelines into the list of strategies under Clause 15.01-1L-02 (Urban design in industrial areas – Greater Bendigo) and to replace the previous guide as a background document under Clause 72.08.

These draft guidelines provide direction to planning permit applicants undertaking industrial subdivision and development in Greater Bendigo. The guidelines outline how future industrial areas should look, function and perform relative to the surrounding context and environment through a series of objectives and guidelines that must be considered and addressed in future planning permit applications.

Priority/Importance

The *GBILDS* and its implementation is of high importance given the need to plan for a future pipeline of industrial land and enable employment growth to occur, and to provide certainty to industry across Greater Bendigo. The inclusion of the BREP into the Strategy will provide further support for the planning and development of the precinct.

Options Considered

Although Council has the option of not adopting *GBILDS* (amended 2024) or the *Addendum 2024* to the Background Report, this is not recommended for the reasons outlined in this report. Council also has the option to not endorse the draft *Greater Bendigo Industrial Development Guidelines 2024* or not request to the Minister for Planning to authorise Council to prepare Amendment C282gben to the Greater

Bendigo Planning Scheme. Similarly, this is not recommended for the reasons outlined in this report.

Timelines

If the recommendations are supported, a request will be made to the Minister for Planning to authorise and exhibit planning scheme amendment C282gben.

The time required to undertake the planning scheme amendment will be approximately 18-24 months.

Communications/Engagement

Consultation commenced on GBILDS in 2018 (with stakeholders, landowners and government agencies) and continued through to the finalisation of the Strategy in 2020. Given the extensive consultation being undertaken as part of the BREP project and the minor nature of the other changes proposed, further consultation on the changes to *GBILDS* and Background Report wasn't considered necessary at this stage.

Subject to the Minister for Planning authorising the preparation of Amendment C282gben, the amendment will be placed on public exhibition. Public consultation on the draft *Greater Bendigo Industrial Development Guidelines 2024* is yet to be undertaken and is intended to occur though the exhibition of Amendment C282gben. Any comments and submissions received in relation to the exhibition of Amendment C282gben and the Guidelines will be reported to Council for further consideration.

Financial Sustainability

Any costs incurred under the project can be covered within the Strategic Planning operational budget.

Risk Assessment

The proposed update to the *GBILDS*, Greater Bendigo Industrial Development Guidelines 2024 and all changes proposed under Amendment C282gben presents a low risk to the City as it is implementing a previously adopted strategic direction.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 3 - Strong, inclusive and sustainable economy

Secondary Council Plan Reference(s)

Goal 4 - Employment land available for industry expansion and attraction

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

Attachments can be found on the City website along with the Agenda.

18. ABORIGINAL RECONCILIATION

Nil

19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT

19.1. LANDSCAPE DEVELOPMENT GUIDELINES

Author:	Tyrone Downie, Coordinator Sportsfields and Passive Reserves
Responsible Director:	Brian Westley, Director Presentation and Assets

Purpose

To present the recently revised Landscape Design Guidelines for Subdivisions (LDG).

Recommended Motion

That Council:

- Approve the Landscape Design Guidelines for Subdivisions;
- Note that, following Council approval, City Officers will publish the Guidelines on Council's website; and
- Note that, following Council approval, the Guidelines will be used as a Reference Design document by the Statutory Planning unit when assessing planning applications.

Executive Summary

The Landscape Design Guidelines for Subdivisions (LDG) has been prepared to communicate the City's expectations with respect to the planning, design, construction, and maintenance of public landscapes in new subdivisions.

The LDG is intended to be a reference document that provides consistent advice to developers, design consultants and contractors on the City's expectations for landscapes in new subdivisions. It will also assist the City's staff when assessing and approving plans, and during construction, maintenance and handover phases.

The LDG will:

- Be referred to in planning permit conditions.
- Be a reference for the preparation and assessment of landscape plans.
- Clearly articulate the City's standards for all types of landscape construction works in subdivisions.
- Support the efficient handover of public space and landscape assets.
- Support consistency and equity in the provision of landscape features across the City.

- Support the creation of environmentally sustainable, safe, and engaging public spaces to improve community wellbeing and enhance the natural environment.

Background

In recent years, feedback from the development sector has confirmed the need for a resource to guide the planning and design of new open space assets in subdivisions – like other guides and design manuals already in use in other cities and municipalities.

In late 2020, Parks and Open Space and Engineering Officers met to discuss subdivision quality standards and opportunities for improvements in relation to subdivision planning, design and asset handover.

A series of officer-level workshops were held to refine the scope and issues covered in the document, and a bus tour was arranged to facilitate cross-Council onsite discussion about design and maintenance ‘pain-points'. These workshops and the bus tour were attended by representatives from all Council units involved in subdivision planning and design, planning assessment, asset handover and management; namely, Engineering, Parks and Open Space (all teams represented) and Statutory and Strategic Planning.

In May 2021, a Landscape Architectural consultancy with experience in subdivision design was appointed to draft Guidelines. Once drafted, the final guidelines were refined by a small Project Working Group and forwarded to Council’s Communications unit for graphic design and imagery.

A presentation on the purpose and scope of the forthcoming Guidelines were provided to a Development and Planning Industry Forum in early June 2022. The discussion generated excitement, particularly from private sector landscape architects – many of whom were aware the guidelines were in development and eagerly awaiting their release.

It was communicated to the Development and Planning Industry Forum that following the release of the Guidelines, Council will undertake an 18-month review of the document. This review will involve inviting feedback from developers and development sector design professionals plus relevant internal staff on its usability and to identify any gaps.

The Landscape Design Guidelines have been well received by the development industry. Since the Guidelines were released in June 2022 it has become obvious, during discussions with Statutory Planning, that it must be approved by Council to have more weight in the planning process.

Report

In October 2021 the review of the Guidelines began with internal staff invited to add comments to the document. An article was included in Planning Talk in November 2023 inviting feedback from developers and their consultants and contractors.

Changes made to the Guidelines include:

- Strengthening the protection of remnant trees to be retained by requiring Arborist report on the effect of subdivision works on trees, within private property and adjoining Council land.
- Removing the Preferred Street Tree List and Wetland Plant Species List from the Guidelines, to enable staff to review more frequently (but still making it available on Council's website).
- Strongly encouraging the use of indigenous plants in natural reserves to provide bio-links through the suburbs.
- Highlighting the process for designing more complex open space reserves, e.g. play spaces, requiring several rounds of consultation between consultants, developers and Council staff.

Following any Council approval, another presentation on the Guidelines will be provided to the Developers Forum explaining how they will be referred to in planning permits which will require for greater adherence to them in plans and construction work.

A copy of the revised Landscape Design Guidelines for Subdivisions is attached to this report.

Priority/Importance

The review of the Guidelines responds to issues raised by City staff, developers and consultants and has strengthened the wording of the document and clarified processes. Important feedback from Statutory Planning recommended the Guidelines be approved by Council to give it more weight when assessing planning permits and writing permit conditions. The Guidelines will continue to be a significant resource for developers, design consultants, and landscape and civil contractors, and a useful tool for Council officers involved in subdivision planning and design and assessment.

Options Considered

This is the best outcome to ensure consistent messaging to developers delivering growth and assets across our City.

Timelines

The document is considered ready to be published.

Communications/Engagement

Internal stakeholders were asked to comment on the revision of the Guidelines. Stakeholders included staff working in the subdivision area from Engineering, Statutory Planning, Climate Change and Environment and Parks and Open Space.

External stakeholders, developers and their consultants, were informed of the review via an article in Planning Talks. This newsletter is produced every six months by for the City's Statutory Planning team for the development industry.

The Guidelines will be available on the City's website for downloading. Other related documents on the website with the Guidelines will be the Preferred Urban Tree List, Preferred Wetland Species List, Standard Landscape Details, and Landscape Bond Agreement template.

Release of the Guideline will be promoted through Bendigo's Development and Planning Industry Forum communication channels.

Financial Sustainability

Ensures City of Greater Bendigo are able to manage future development growth.

Risk Assessment

Following the 18 month review period the Guidelines have been updated to reflect feedback and strengthen the content. By inviting feedback from internal and external stakeholders the risk of non-compliance has been reduced.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making

Other Reference(s)

No other references

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Landscape Design Guidelines FINAL [**19.1.1** - 36 pages]



City of Greater Bendigo

Landscape Design Guidelines for Subdivisions

CITY OF GREATER BENDIGO

Acknowledgement of Country: The City of Greater Bendigo is located on the traditional lands of the Dja Dja Wurrung and the Taungurung Peoples of the Kulin Nation. They are the traditional custodians of this land. We recognise their continuing connection to land, waters and culture, and pay our respects to their elders past and present.

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Definitions

The following clarifies definition for the purposes of the *City of Greater Bendigo Landscape Design Guidelines for Subdivisions*:

City of Greater Bendigo Landscape Design Guidelines for Subdivisions = **LDG**.

City is synonymous with the **City of Greater Bendigo** (organisation), or the **Responsible Authority**.

Greater Bendigo is synonymous with the municipality of the **City of Greater Bendigo**.

The City's Representative is the Landscape Development Officer (LDO) responsible for the approval of landscape plans and inspection and approval of the works.

Developer is synonymous with the **planning permit holder** or proponent and is responsible for the obligations for compliance with the planning permit.

Native vegetation includes trees, shrubs, groundcovers and grasses indigenous to the City.

Preliminary acceptance is issued when landscape works shown on the approved landscape plans are completed to the satisfaction of the City.

Final acceptance is issued at the completion of the *Maintenance Period* when the landscape is handed over to the City.

Maintenance Period commences at *preliminary acceptance* when the landscape works are accepted by the City. The maintenance period is 24 months unless otherwise specified in the planning permit. The Maintenance Period is synonymous with the Defects Liability Period where it relates to the approved landscape works.

Statement of Compliance = **SOC.**

Water Sensitive Urban Design = **WSUD**. Drainage infrastructure to improve stormwater quality within the subdivision including detention basins, sedimentation ponds, wetlands, raingardens and swales.

The Local Government Infrastructure Design Manual = **IDM**.

Tree Protection Zone = **TPZ**. A defined area around a tree for protection during construction and is calculated using Australian Standard 4970 Protection of trees on development sites.



Introduction

The purpose of the City of Greater Bendigo Landscape Design Guidelines for Subdivisions (LDG) is to set standards for the planning, design, construction and maintenance of quality, equitable, safe and sustainable public landscapes in new subdivisions in the City.

The guidelines are to be used by developers, design consultants and contractors to provide certainty regarding the expectations of the City in relation to all aspects of landscape development in new subdivisions. It will also assist the City's staff when assessing and approving plans and during the construction phase of the subdivision process.

The LDG sets out the following:

- **Part A – Landscape and policy context**
- **Part B – Landscape approval process**
- **Part C – Landscape design standards**
- **Part D – Landscape construction standards**
- **Appendices**

The LDG is designed to:

- Create environmentally sustainable, safe and engaging public spaces supporting improved health and wellbeing for the community while protecting and enhancing the natural environment
- Ensure consistency and equity in subdivision design and development, the provision of open space and landscape features across the City
- Be a reference for the preparation and assessment of landscape plans
- Define the quality of landscape works in new subdivisions by providing detailed information on the City's horticultural, landscape construction, environmental management and maintenance standards

The LDG will take precedence over the Infrastructure Design Manual (IDM) on landscape matters in the City. However, the IDM guides and sets standards for civil and other infrastructure works in Bendigo.



PART A

Landscape and policy context

Successful development of new subdivisions is based on sound strategic planning, good urban and landscape design and an understanding of the following:

- Greater Bendigo's Landscape Context
- Policy Context
- Landscape Design Principles

A1. Greater Bendigo landscape context

Underpinning the landscape character of the City of Greater Bendigo is the Traditional Owners connection to and aspirations for the healing of Country outlined in their Country Plans. *Dhelkunya Dja, the Dja Dja Wurrung Country Plan (2014-2034), p6* states 'Our Vision is for our lands and waters to be in good condition and actively managed to protect our values and to promote laws, culture and rights of all Dja Dja Wurrung People.' The Taungurung Country Plan, *Taungurung Buk Dadbagi (2016), p13* expresses their desire to be 'Engaging in all aspects of Country including beneath the ground to the tops of our mountains and trees and the length of the waterways, and all within them.'

Bendigo covers more than 3,000 square kilometres and is almost completely encircled by 40,000 hectares of bushland (*Greening Greater Bendigo 2000 - 2070*, p7). Bendigo is often referred to as 'the City in the Forest' and is part of a large and diverse public space network across central and northern Victoria including National Parks, Regional Parks, State Forests, waterways, waterbodies and trails. While more than a quarter of Bendigo is covered by public space (*Greater Bendigo Public Space Plan*, p9), it is unevenly distributed, especially in the outer areas where most subdivisions occur.

Bendigo's climate is temperate to semi-arid and is characterised by hot, dry summers and relatively cooler, wet winters with a long-term average annual rainfall of 510mm, nearly 25% less than Melbourne. Climate projections for the region predict increasing temperatures, more frequent and extreme heatwaves, less rainfall and more intense storm events (*Greening Greater Bendigo 2020*, p27) with Bendigo's climate becoming more like that experienced in arid inland areas of western New South Wales and Western Australia.

A2. Policy context

There are numerous state-wide and regional strategies relevant to the planning and provision of subdivisions. The City continues to develop a strategic framework of planning and policy to address issues impacting on communities, place and environment both locally and regionally, including the *Greater Bendigo Public Space Plan 2019* and *Greening Greater Bendigo 2020-2070* outlined below and local precinct or development plans.

All relevant policies, strategies and documents should be considered and referenced when planning and designing landscapes in the City. In particular *Council Plan Mir Wimbul 2021-2025*, *Reconciliation Plan Barpangu 2021-2025* and *Climate Change and Environment Strategy 2021-2026*. These documents are regularly updated and refined and are available for viewing on the City of Greater Bendigo website **www.bendigo.vic.gov.au**

Greater Bendigo Planning Scheme

The *Greater Bendigo Planning Scheme* controls land use and development within our municipality. It contains the Planning Policy and Local Planning Policy Frameworks, zones, overlays and other provisions that affect how land can be used and developed including subdivisions.

The planning controls specify the type of information required to accompany an application and what must be considered when assessing the application. Clause 56 provides particular provisions relating to subdivisions with objectives and standards to meet these on lot design, urban landscape, access and mobility, integrated water management, site management and utilities.

Greening Greater Bendigo (GGB) 2020

GGB provides a 50-year vision and 10-year action plan for a greener Bendigo. It targets 25% tree cover across urban Bendigo by 2030, 35% by 2050 and 45% by 2070 with aims of increasing biodiversity and providing urban cooling.

GGB includes the following actions relating to the LDG:

- Ensure all new trees handed over from new developments are incorporated into the City's asset database
- Promote greater species diversity while maintaining a balance of indigenous, native and exotic trees
- Actively increase natural shade and opportunities for nature-based play
- Increase biodiversity in urban areas by creating more natural plantings with the inclusion of understorey species

Greater Bendigo Public Space Plan (PSP) 2019

The PSP is a comprehensive, long term strategy that:

- Defines a conceptual vision for public space in the City
- Establishes guidance and priorities for planning and provision,
- Sets a framework of standards for access, quality, uses, maintenance and design of public space.

The PSP applies criteria-based standards for new public open spaces and provides detailed information for public space planning in all parts of the City by using Precinct Plans and a Matrix of acceptable infrastructure.

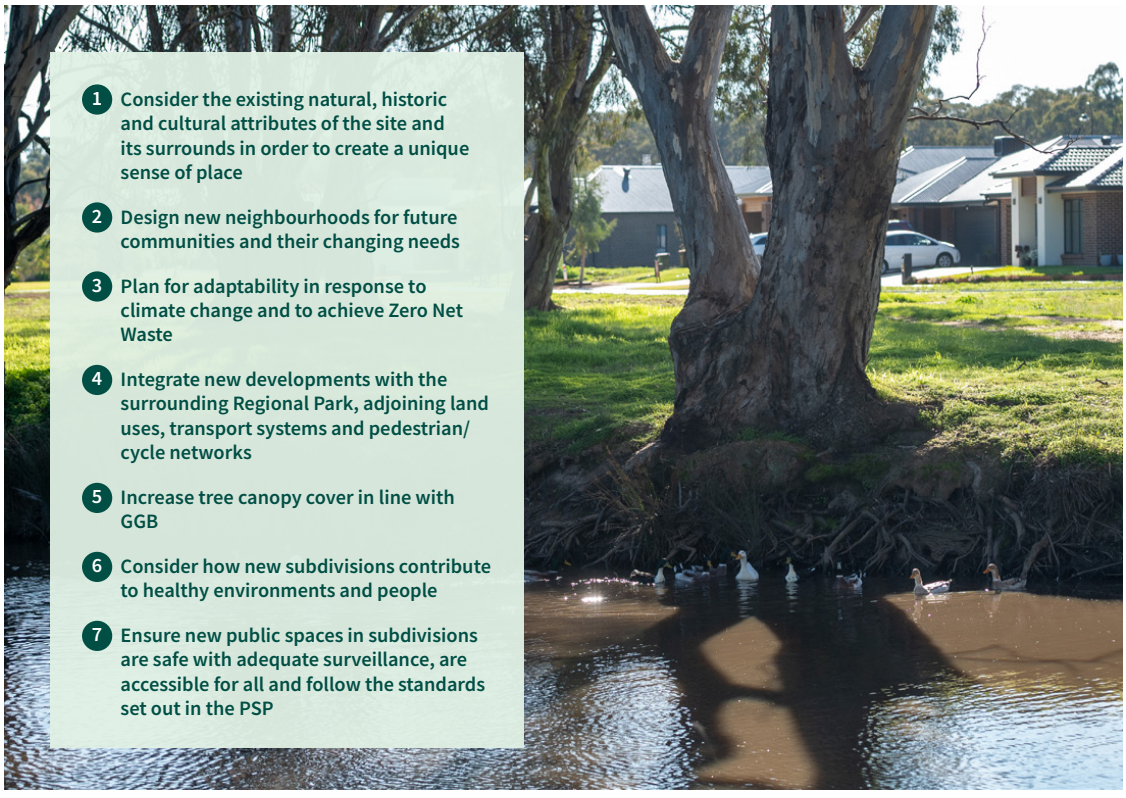
Other City documents

- Council Plan Mir Wimbul 2021-2025
- Reconciliation Plan Barpangu 2021-2025
- Climate Change and Environment Strategy 2021-2026
- Waterway Development Guidelines 2022 in conjunction with North Central Catchment Management Authority
- Biodiversity Strategy and Action Plan 2023-2033
- Nature Strip Guidelines 2022

A3. Landscape design principles

Bendigo's Landscape Context and Policy documents inform the planning and design of new subdivisions and public spaces.

A set of seven Landscape Design Principles has been developed to reflect this context and inform decisions relating to the development of new subdivisions.





PART
B

Landscape approval process

This section outlines the planning process from pre-application to final acceptance of the landscape works and includes explanatory and background information to assist planners, designers and developers to prepare and present landscape plans, construct and achieve preliminary acceptance and maintain to achieve final acceptance of public spaces. The flowchart (right) outlines the general approval process for subdivisions in the City.

B1. Pre-application discussions

The City encourages developers and their consultants to discuss planning, engineering and landscape design issues and concepts with the City, including provision of open space, before making an official application or producing detailed landscape plans. This will reduce the likelihood and time associated with preparing plans not acceptable to the City.

The City encourages innovation in subdivision design including a diversity of lot sizes with medium density lots located close to main transport routes, open space or commercial centres.

Developers and consultants must refer to the Greater Bendigo Planning Scheme, precinct or development plans and other strategic documents. During pre-application discussions planning may require developers to prepare a concept landscape master plan to form part of the application.

B2. Planning permit conditions

Developers must check the planning permit conditions to understand the requirements for landscape plans. Planning permits may contain standard, site or development specific conditions. Depending on the proposal, permits may contain conditions relating specifically to landscape works such as the following:

- Protection of existing vegetation to remain or offsets for cleared vegetation
- Preparation of a landscape masterplan or street tree master plan
- Preparation of a landscape plan
- Instructions on the bonding of landscape works, acceptance of works, and maintenance of landscape works
- Fencing requirements for example on boundaries with main roads or reserves



** More complex open space, including playspaces, may require several concept designs.*

B3. Landscape masterplans

A landscape masterplan may be required for large developments, high-profile or strategic sites and staged subdivisions either as part of the planning permit application or after the issuing of the permit. Landscape masterplans must be prepared by a suitably qualified Landscape Architect or other professional designer with relevant professional experience.

The landscape masterplan identifies the landscape character of the subdivision and must include the following details:

- An accurate survey of the entire development showing all existing vegetation, topography, title boundaries, public reserves, extent of planning scheme overlays such as the Bushfire Management Overlay, surrounding roads, paths and other site features
- Supporting documentation such as photos, sketches, or tree/vegetation assessment reports
- A context plan showing the subdivision within the surrounding neighbourhood and any connections such as pedestrian/cycle paths
- Recommendations on native vegetation, cultural heritage or any other specialist and adjoining reports such as vegetation retention and protection within the subdivision site
- A site analysis of opportunities and constraints and the development of a neighbourhood character
- The proposed layout and staging of the development including adherence to a waterway setback of 30m from top of bank
- Proposed major features and concepts for open spaces including play spaces, passive and natural reserves, drainage and WSUD infrastructure, native or existing vegetation to remain, path networks and linkages with adjoining areas
- Show width of road reserves and proposed features such as shared paths, shadeways or traffic calming
- Proposed planting character or styles and locations in public reserves and streets

Where a landscape masterplan is required, it must be approved prior to the development of detailed landscape plans and works on site.

B4. Landscape plans

Landscape plans provide a greater level of detail and will be required for all subdivisions. The plan must be developed in conjunction with civil engineering design, especially WSUD treatments, and submitted to **landscapedev@bendigo.vic.gov.au** for approval by the City before any landscape and civil works commence.

Landscape plans must provide details of the following:

- Existing structures and landscape features to be retained and how they will be protected during civil and landscape construction with reference to any relevant tree, vegetation (shrubs, groundcovers and native grasses) or cultural heritage management plans, including *AS 4970-2009 Protection of trees on developments sites*
- Relevant earthworks, drainage and other engineering infrastructure including WSUD and drainage infrastructure; underground pipes; retaining walls; and stormwater outlets and relevant levels and contours
- Details of fencing style and heights around City reserves, including drainage reserves and walkways, and note to be completed during landscape works for protection from abutting building works
- If the TPZ's of remnant trees on City road or bushland reserves extend into the subdivision, the developer must prepare an Arborist report outlining the affect of construction on the trees and any remediation work required. This will be monitored for the duration of the two year maintenance period
- All proposed landscape works within open spaces and other public reserves such as: tree planting, garden beds and lawn areas; playgrounds; paths; fencing; and park furniture
- Street tree plantings and landscaping in road reserves including within nature strips, roundabouts and centre medians and details on clearances from services
- Canopy coverage of streets and open spaces with the aim of maximising shade and cooling over public space
- Planting schedules detailing botanical names, common names, mature height and width, supply sizes, and plant numbers or number per square metre
- Construction details and specifications as required particularly for non-proprietary furniture or structures.
- Design details for playgrounds including but not limited to equipment, soft-fall, edging, drainage, and plantings
- Relevant landscape maintenance notes
- The City's standard Weed Management Plan must be referred to on the landscape plan – see Appendix 1
- For large subdivisions, or those located in environmentally sensitive areas, such as adjoining waterways or Regional Parks, a detailed and specific weed management plan must be prepared for the site
- Any specific requirements as part of other permit conditions, approved plans or additional information requested by the City, the referral, service or other authorities

For more detailed design guidance see **Part C - Landscape design standards (page 9)**.

Landscape plans must be prepared by a suitably qualified landscape architect or other professional designer with relevant professional experience. Presentation of landscape plans must include the following standards:

- Provide neighbourhood context if a master plan was not required
- Show the context of each stage within the whole subdivision, if in a staged development
- Include a north arrow, surrounding road names, lot numbers, address and suburb, title block, scale of drawing at A3 size, scale bar, date, the name and contact details of the Landscape Architect/ designer who has prepared the plan
- Include the planning permit number
- Be submitted to the City in PDF format; and be clearly legible when viewed or printed at A3 size
- The area in square metres of all open space reserves including natural, passive or play space, and drainage reserves whether natural or passive
- Integrate new developments with the surrounding Regional Park, adjoining land uses, transport systems and pedestrian/cycle networks
- Calculate on the plan the tree canopy cover in streets and public open spaces, to maximise canopy cover as per the targets outlined in GGB

B5. Landscape bond agreement

The City requires all developers to complete a Landscape Bond Agreement to provide security for the implementation and maintenance of all landscape works. The City's standard Landscape Bond Agreement must be signed and paid to the City prior to the Statement of Compliance for each stage of the subdivision.

The Landscape Bond Agreement outlines the developer and City's responsibilities with regards to inspections, notices, timeframes, preliminary acceptance of the works, landscape maintenance, final acceptance of the works and return of the bond. The standard landscape bond agreement is available on the City's website **www.bendigo.vic.gov.au**

There are two possible scenarios for the payment of landscape bonds:

1. Landscape works are not completed prior to SOC – this requires a payment of a **security deposit**, based on a professionally prepared estimate of costs or contractors quote for the works, plus a 50% loading. Also a payment of a **maintenance bond** for 50% of the estimated works. After attaining preliminary acceptance, the security bond will be returned to the developer. After issuing final acceptance, the remaining maintenance bond is returned to the developer.
2. Landscape works are completed prior to SOC – the developer is required to pay to the City a maintenance bond of 50% of the total cost of the works, calculated as above, and this will be returned to the developer upon issuing of final acceptance and after outstanding works are completed.

B6. Landscape construction work

Civil and landscape construction works must not commence until the landscape plans have been approved. The developer must ensure all works are constructed in accordance with the approved landscape plans and any specific planning permit conditions to ensure high quality landscapes are established.

Any changes to landscape works, plant species, specifications or materials are required to be approved by the City's Representative. Major changes to the approved plan must be recorded on a revised landscape plan and sent to the City's representative.

The process for completion, inspection, maintenance and handover of landscape works to the City is specified in the Landscape Bond Agreement and is outlined briefly below:

- Once the landscape works shown on the approved landscape plans are completed, the developer must request the City Representative to inspect the works and ensure all items on the **Form A - Preliminary acceptance checklist** have been completed
- The City's Representative will organise an on-site preliminary acceptance inspection with the developer and relevant City staff to inspect the works
- At the inspection, the City will record any outstanding items to be completed in 2 weeks' time by the developer. Once all the landscape works are completed to the satisfaction of the City the preliminary acceptance form will be issued and the security deposit will be returned to the developer
- To ensure the proper establishment of landscapes and to allow plants and trees to be established through two growing seasons, the City will not issue preliminary acceptance of landscape works during summer (December to February)
- The City will retain the maintenance bond to ensure the works are maintained to the standards as outlined in the approved landscape plan
- At the written request of the developer, the City may defer the implementation date, as outlined in the bond agreement, of the landscaping works
- Depending on the complexity of the landscape the City will inspect works during the maintenance period and communicate any defects to the developer in writing. These must be rectified as per the instruction from the City's representative and when completed reported back to the City's representative
- At the completion of the maintenance period, the developer must ensure all items on **Form B - Final acceptance checklist** are completed and then contact the City's representative to inspect the works for final acceptance
- At the inspection, a final acceptance form will be issued if the works have been maintained to the satisfaction of the City and the maintenance bond will be returned and the City will take over maintenance. If further maintenance work is required, this will be described in the form and outstanding works must be completed prior to the return of the maintenance bond to the developer



Example of correct TPZ fencing



PART C

Landscape design standards

This section contains design standards and specifications for common types of public landscapes in new subdivisions. Less common works or customised design works require discussion with the City's Representative early in the design process and the provision of detailed drawings and specifications for approval as part of the landscape plans.

C1. Design/layout

The City encourages developers to include landscape architects in the design stage of subdivisions as the layout of roads, lot sizes and orientation form the backbone for the landscape character of a new area, setting the rhythm for vehicular, pedestrian and cycle movement. The City encourages innovation in this area to achieve safe, attractive, sustainable and climate responsive environments. The City also strongly encourages early discussions about WSUD location and design given the potential to add high amenity and biodiversity values to the landscape.

Developers should consider the following considerations in subdivision design.

Street Trees

Trees are an important landscape component of new subdivisions creating urban character, alleviating climate change by providing shade, shelter and cooling and enhancing biodiversity and environmental connections.

The following landscape design standards relating to street trees must be met:

- In larger subdivisions with multiple streets the selection of tree species must be a mixture of evergreen and deciduous either indigenous, native or exotic species and from diverse genera to provide resilience to current or future pests and diseases and be adaptable to changes in climate
- Selection of street tree species to be based on the Preferred Urban Tree List found on the City's website
- The outcome of the streetscape design is to establish an avenue effect maximising shade
- A minimum of one tree per lot frontage and additional trees on side boundaries. Early consideration and coordination of street tree and landscape design during the urban, civil and service design will assist in reaching canopy targets and healthy establishment of street trees
- Canopy coverage of streets and open spaces with the aim of maximising shade and cooling over public space. The canopy coverage assessment must show the total road reserve or open space area divided by the tree canopy, as shown in the City's Preferred Tree List, or another method approved by the City's Representative. Lower canopy coverage percentages may be considered by the City to achieve species diversity targets using tree species with smaller mature canopies
- Nature strips adjoining natural reserves must have native trees and if space allows indigenous species
- All tree stock must be supplied in accordance with *AS 2303:2015 Tree stock for landscape use* including stock supplied in 45 litre containers
- In small developments only, the developer may negotiate to pay the City to supply, plant and maintain the street trees in accordance with the approved Landscape Plan
- Street trees must comply with these standard offsets unless otherwise specified by service authorities:
  - 1.5m from footpath crossings and 2.5m from paths in reserves
  - 1m from domestic service tapping points and 2m from stormwater outlets
  - 2m from service assets including pits, underground service conduit crossings, tapping points and above-ground infrastructure
  - 2.5m from underground electrical cable joints and tees
  - 1.5m - 3m from driveways, depending on mature size of tree
  - 3m from fire hydrants
  - 4m from light and power poles
  - 10m at intersections from the intersecting road lane kerb line (at residential intersections of 50kmh) or as per *Austroads Guide to Road Design (2010)*
- No trees planted within the TPZ of existing trees to be retained



Table 1: Landscape Design Guidelines				
Hierarchy*	**Parks and Open Space Service Level**	**Maintenance Regime**	**Infrastructure#**	**Examples**
Municipal	1	Weekly	All facilities inc. toilets, bbqs, bins, carpark, drinking water, playspace over 6 items, bike racks	Lake Weeroona
Suburban/ Township	2	Fortnightly	As above playspace 5-6 items and seats, picnic setting, water, bike racks, shade minus toilets and bbq's optional	Viewpoint Reserve Huntly, Wolstencroft Reserve Flora Hill
Neighbourhood	3	3-4 weeks	Basic inc. playspace 3-4 items, seats, shade and bike racks with minimal garden beds, trees and grass	Top Paddock Ascot, Olympic Parade Kangaroo Flat
Neighbourhood	4	6-8 weeks	No playspace, seats and path with grass and trees	Provenance Estate Waratah Road Huntly

*PSP, 2019, page 54-55 # PSP, page 176-177

Roads

- Provide a clear hierarchy of road widths and types to create a variety of streetscape characters
- Locate roads on the boundary of at least three sides of all open spaces and linear reserves so houses front these spaces to provide surveillance and allow space for planting of large trees
- Increase road reserves to create wide nature strips allowing large trees to be planted
- Explore the creation of road reserves with one wider nature strip to create "shadeways" forming a continuous shaded route through the subdivision providing active transport for pedestrians and cyclists
- Include driveways/crossovers and barrier kerbs in the subdivision design to protect existing and new street trees and to prevent vehicles parking on nature strips

C2. Open space reserves

The design of open space reserves in new subdivisions must accord with the broad principles in PSP page 18 or precinct, development or township plans. The PSP guides planning and provision of open space by applying criteria-based standards for access, quality, uses and design of public space. Part 4 of the PSP provides detailed information on the location of open space in all areas of the City in the precinct plans for each suburb or township. A matrix of acceptable infrastructure or amenities is also provided.

Reserves are classified as Regional, Municipal, Suburb/ Township or Neighbourhood to guide site planning, design and management. In new subdivisions, only Suburb/Township or Neighbourhood classifications are likely to be relevant. The above classifications also align with Parks maintenance service levels and designs must take this into consideration.

Maintenance is also an important factor when designing open spaces in subdivisions. The City has a hierarchy of maintenance standards with the highest level allocated to municipal level reserves which have a high profile, high visitation and are highly developed such as Rosalind Park. However most open space within subdivisions will be neighbourhood level reserves for local community use only and will have a moderate level of maintenance.

The following landscape design standards for reserves must be met:

- Comply with the hierarchy and principles in the PSP and Parks maintenance levels
- Retain and protect existing vegetation, trees and other landscape features, and use indigenous species wherever appropriate
- Maximise the canopy cover target outlined in GGB
- Connect paths to the surrounding pedestrian/cycle path system
- Have streets fronting reserves so houses overlook them to provide good surveillance
- Cluster play spaces and picnic area to leave space for flexible use of unimpeded open areas for passive play and activity
- Provide a clear physical definition between natural/ indigenous and passive spaces where they exist in the same reserve
- Consider the level of maintenance the City will undertake once handed over
- The design of linear reserves for pedestrian/cycle access or overland flow purposes must connect to the surrounding footpath network and have appropriate vehicle access control. If required by a planning permit condition they must be fenced by the developer
- The location and mature size of trees selected for linear and drainage reserves must consider impacts on the drainage functionality, neighbouring private properties and services infrastructure
- Planting beds with shrub planting are to be kept to a minimum and only where they serve a purpose such as screening, on steep slopes, to increase biodiversity or as a barrier for public access to water
- Ensure no vehicle access is possible through reserves to private properties by providing vehicles barriers such as tree planting, rocks, site logs or bollards



Reserve trees

- Trees must be planted to provide shade for public open space features such as seating and play spaces
- Park trees in grassed areas must be planted at least 3m from fixed edges, structures and mulched garden beds to allow for mower access
- In mulched planting beds, tree stock must not be specified any smaller than 30cm pot size and tubestock trees will not be accepted
- Tree stock in grassed areas must be supplied in accordance with *AS 2303:2018 Tree stock for landscape use*
- Trees planted close to private properties must be at a distance equal to the radius of mature tree width, as shown in the Preferred Tree List, from property boundaries to prevent an overhanging risk and to allow solar access to private lots
- Allow for large growing trees and a diversity of species given the space available in reserves compared to streetscapes
- Tree selection in natural reserves, or in areas adjoining the Regional Park or native vegetation areas, must be locally indigenous species. Note indigenous stock in smaller container sizing may be acceptable if larger stock is not available
- No trees are to be specified within the canopy of existing trees due to competition for nutrients and water

C3. Drainage and water sensitive urban design

Drainage reserves and WSUD infrastructure in subdivisions aim to manage stormwater to minimise flood damage, improve water quality on site and at receiving waters, and to retain stormwater on site for urban cooling, and habitat and open space improvement. The City supports best-practice WSUD which balances stormwater functionality with amenity, biodiversity enhancement and maintenance requirements. The City strongly encourages the involvement of landscape architects in early discussions about the designs of WSUD to maximise the potential for adding high amenity and biodiversity values to the landscape and to avoid delays in the approval of landscape plans.

The following landscape design and works standards for drainage infrastructure must be met:

- Balance the engineering functionality and water quality with environmental and habitat improvement
- Explore opportunities for integration with open space reserves to maximise aesthetics and shading whilst considering construction and maintenance costs over the life of the asset
- WSUD features must be designed and constructed to comply with IDM standards, catchment authority requirements and Royal Life Saving Society of Australia guidelines for water safety in urban developments including placement of fences and safety benches where necessary

- Following approval of the engineering design any proposed landscape works must not require changes to approved engineered shape or levels
- Planting must be in jute-mat between normal water level and top water level (TWL) with no loose timber or plant-based mulch below TWL acceptable
- Plant species must be locally indigenous species, suitable for the level of inundation and from the City's *Preferred wetland plant species list* available on the City's website
- Plant selection must include a mixture of indigenous species from diverse genera to provide resilience and diversity of habitat
- Planting around areas of open water, sedimentation ponds or wetlands, must be designed to act as a barrier to public access
- Show safe maintenance vehicle access in accordance with the approved engineering drawings and include the installation of a standard lockable bollard at the entrance and indicate an area for desilting material
- Water bodies not serving as drainage, water quality or aquatic habitat function are not accepted
- The design of drainage outlet/inlet must prevent any erosion and be easily maintained as per the City's standard
- Rocks for energy dissipation at pipe outlets must be placed in a concrete base to prevent safety issues associated with rocks and mowing, to limit herbicide use in on-going maintenance and to assist in maintenance of silt build-up
- Rocks used in landscape treatments must be locally sourced sandstone or mudstone
- Areas with exotic grass species must include a spatial barrier between the grassed area and the WSUD planting to prevent spread of exotic grass into the planting. A minimum 1m barrier is required of treatments such as paths, jute mat, mulched areas or access track
- Batter slopes for grassed retarding basins and wetlands must not be steeper than 1 in 5 to allow for safe mowing. Steeper batters must be fully planted with indigenous species
- Drainage features requiring grass cover to protect their function must be grassed to achieve 90% coverage at final acceptance
- Erosion control must be implemented for overland flows, batters and overflows as required on civil plans and jute mat installed as per manufacturer's instructions including trenching and tying in at the top of embankments
- Rocks placed in or near water flow areas must be underlined with a non-woven, biodegradable geotextile or matting designed for this application to prevent erosion
- Markers of the NWL and recommended maximum silting level must be provided to facilitate future maintenance of the infrastructure
- Sedimentation ponds must be cleaned out before any landscape works commence
- Bio-retention filters in raingardens and sedimentation ponds must not be constructed until 85% of houses are built or as directed by the City's development engineer
- Nature strips adjoining drainage reserves must be seeded with exotic or native seed, turfed or gravel paved



The following landscape design and works standards for drainage infrastructure should be met:

- The inclusion of walking paths around drainage reserves, creation of natural creek flows with pools and riffles and placement of large logs for habitat are encouraged
- Tree planting should be included within and around retarding basins to improve canopy coverage and biodiversity. Locations and species selection must consider distance from adjoining properties to prevent overhang or excessive shade and access for maintenance vehicles
- Planting around basins should be either all grass species or all shrubs to simplify herbicide treatment



C4. Planting beds

Well-designed and planted garden beds provide visual interest, character, spatial definition, habitat and biodiversity. Landscape designs must ensure a balance between these benefits and the maintenance resources needed to maintain garden beds. Plant species must be suitable for the Greater Bendigo climate and the site conditions and indigenous where appropriate.

Planting

The following landscape design standards for planting beds must be met:

- Plant selection must consider the site conditions and micro-climate and be resilient to more frequent and extreme temperatures and lower rainfall conditions
- Species selected in an area covered by a Bushfire Management Overlay must be fire retardant, for example, as suggested by the Australian Plants Society Victoria at apsvic.org.au
- Planting styles and layouts must consider the ability for them to be maintained with minimal intervention and watering, once established
- No tree planting within the canopy of existing trees to be retained
- Planting bed species must be selected and located with consideration to sightlines and public safety to maximise passive surveillance from the surrounding properties and footpaths
- Plantings along waterways or within natural reserves must be indigenous and of local provenance including grass and herbaceous species
- Grouped or massed planting beds are preferred to multiple small garden beds to assist with maintenance
- Planting densities and layout should be enough to achieve full cover of garden beds within three years

Edging

Planting bed edging is only supported in formal areas where a clear definition is required between garden beds and other surfaces or where retention of mulch or other materials is required. Paths are the preferred method of separating garden beds from lawn wherever possible to avoid the need for separate edging.

Where edging is required, the following landscape design standards for edging must be met:

- Comply with standard construction details for edging as per the City's standard details
- Edging must finish flush with adjoining surfaces
- Edging must be designed to remain securely in the ground
- A minimum 150mm wide flush concrete edge (mower strip) must be provided where grass areas abut walls, bollards or other features to allow mowing with a ride-on machine
- A 1m wide strip of unplanted jute mat or mulch must be included at the interface between exotic lawn grass and indigenous plantings, wetlands, waterways or remnant vegetation to limit weedy grass invasion into these areas

Topsoil

The following landscape design standards for topsoil must be met:

- Imported or site topsoil must be spread over garden beds or grassed areas to a depth of 75mm and cultivated 150mm into the subsoil
- Topsoil must be of fine to medium texture, as per *AS 4419-2003 Soils for Landscaping and Garden Use*, and be free of stones > 25mm diameter, clay lumps, weeds, tree roots, rubbish and toxic materials
- Any changes to soil levels within the TPZ of trees to be retained must be approved by the City's arborists

Mulch

The following landscape design standards for mulch must be met:

- Organic such as wood-based products or inorganic locally sourced gravel products with a particle size of less than 20mm
- Installed at a depth of 75mm and be free of weed material, seeds, debris and foreign matter
- Not be dyed or have any other colourings or additives
- Weedmat must not be used under mulch

C5. Grass

Grassed open spaces in new subdivisions contribute to residents well-being by providing areas for passive play, informal games, picnics, community gatherings or extensions to playspaces. In natural reserves native grasses can be used. Grass species must be suitable for the Greater Bendigo climate and the site conditions.

Table 2 (right) provides an indication of the types of grass species and mixes for use in different types of open spaces in Bendigo.

The following landscape design and works standards for grass or grassed areas must be met:

- Grassed slopes must not be steeper than 1 in 5 for safe mowing
- Designs must provide for grassed areas to be accessible by a ride-on mower with a 1.8m wide cutting deck and must allow for a 3m turning circle around furniture and other structures
- Avoid narrow areas of grass or junctions with acute angles
- Provide separation of at least one metre between exotic lawn grass and indigenous plantings, wetlands, waterways or similar natural (remnant vegetation) to limit grass invasion into these areas
- The City does not expect developers to sow grass seed in nature strips but they must be left in a neat and tidy state with topsoil flush with footpaths and kerbs

The City encourages the use of native grasslands in natural reserves or Category 3 or 4 reserves where maintenance regimes require less frequent mowing. Our preference is for a lower growing native grass such as Kneed Wallaby Grass Rytidosperma geniculatum.

Table 2: City of Greater Bendigo grass types

Open space function	Recommended grass mix
Parks, nature strips and lawn areas without irrigation	• 70% Kikuyu + 15% Rye + 15% Tall Fescue seed mix OR • Kikuyu Turf OR • Low growing native grassland mixes • Alternate blends or seeding techniques will be considered and must be documented on the landscape plans and approved by the City
Retarding basins, swales or other WSUD drainage	• Fescue / Rye Turf mix OR • Native grassland mixes
Wetland Waterways and other conservation or natural bushland reserves	• Native grass species only (or sterile pasture grasses), along with an approved weed management plan • Couch and kikuyu are discouraged in areas adjoining waterways, wetlands or areas of native vegetation





C6. Roundabout, median and nature strip landscaping

Sightlines for pedestrians and drivers, sustainable on-going maintenance and safety of maintenance staff are critical in the design of any landscapes within road reserves.

Table 3 (below) provides a summary of the City's preferred treatments for different types of street landscapes.

The following landscape design standards for planting in streets must be met:

- Only in exceptional situations will the City allow low planting within the road reserve or roundabouts
- A 1m wide non-planted set-back strip must be provided along all planted areas where they are adjacent to or within a road to allow safe maintenance
- Lawn grass in roundabouts and centre medians will only be approved in specific circumstances
- Stone or aggregate mulches within nature strips, medians, and roundabouts must have particle sizes less than 20mm to limit damage to people, vehicles or property if dislodged or thrown
- Concrete edging in medians and roundabouts must be flush with the finished ground level - timber, steel or plastic edges are not acceptable
- Walls or other structures are not acceptable in roundabouts
- Developers must include grass establishment in nature strips in front of open space or drainage reserves and along fence lines of adjoining subdivisions where the properties do not face the street

Table 3: Preferred street landscape treatments

Street landscape	Preferred treatment	Minimum width	Maximum height	Setback
Centre medians	Gravel/stone mulches and trees where compliant with clear-zone, setback and sightline requirements	N/A	N/A	1m
	Where WSUD treatment is included massed low growing groundcover plantings	3m	0.6m	1m unplanted from back of kerb
Roundabouts	• No shrub planting, only a tree with an upright branching habit which crown out up high • Gravel/stone mulches	N/A	0.6m	1m unplanted from back of kerb
Nature strips (nibs and kerb outstands) and intersections	• Lawn grass or gravel • Planting only in exceptional circumstances	N/A	N/A	N/A
Traffic islands	Asphalt, plain or stencilled concrete	N/A	N/A	N/A
	Gravel mulches	1m	N/A	N/A

C7. Paths and paving

Accessibility and connectivity are important in subdivisions and paths must be provided to link key features such as play spaces, shelters, park furniture and connect to the street footpath network to provide passive recreation opportunities. Table 4 (below) provides a guide to the recommended path types, widths and their typical area of application in public open spaces in Bendigo.

Concrete paths

The following landscape design standards for concrete paths must be met:

- Concrete paths must be constructed in accordance with the IDM standard for footpaths
- Alternate paving such as exposed aggregate, coloured concrete, stencilled or other types of paving must be approved by the City and are generally not acceptable in neighbourhood parks
- There must be no obstructions (such as rocks, trees, posts, fences, walls or holes) within 1m of either side of a shared path to allow cyclists to pass safely except for bollards to control vehicle access
- If paths by Civil contractors have subsided and water is ponding, the developer must rectify this before Preliminary Acceptance

The following landscape design and works standards for concrete paths should be met:

- Wherever possible concrete paths should be used as a separation between conservation/natural areas and passive areas or between lawn and garden beds or playgrounds
- The longitudinal slope on paths should be no steeper than 1 in 20 to provide universal access

Gravel paths

The following landscape design standards for gravel paths must be met:

- Gravels must be locally sourced and suitable for path construction
- Timber edging along gravel paths is not accepted as it can create trip hazards
- Gravel paths must not be specified in low-lying areas or where water flows or ponds
- Gravel paths must not be steeper than 1 in 20 (longitudinal slope) for maintainability and universal access
- Paths must have a central crown or one-way cross fall of a minimum 1:100 (1%) to prevent ponding of water

Table 4: Paths in reserves

Path surface	Path function and application	Typical width	Construction
Concrete	Shared pedestrian/ bicycle path within major linear reserves. Surface type to consider existing surface types, likely intensity of use and the existing or proposed character of the reserve	2.5m - 3m	IDM Footpath
	Boundary, high-use or paths prone to erosion such as on overland flows paths or on steep slopes	Minimum 1.5m	IDM Footpath
	Paths within a reserve. Paths must connect to the adjacent footpath network and include kerb ramps for accessibility	1.5m or to match street footpaths	IDM Footpath
Gravel	Secondary or informal paths. These are only permitted on level ground, not susceptible to water inundation, and when in keeping with character and use, e.g. within natural reserves	1.5m - 2.5m	Standard Detail





C8. Play spaces

Play spaces are essential elements of community infrastructure, providing opportunities for personal development at all stages of childhood, as well as places for people of all ages and backgrounds to meet and socialise. Play spaces are inherently connected with public space and must be located within key public spaces or public space corridors to maximise community access to play opportunities and to create a more integrated public space network.

Play spaces must be planned and designed in accordance with the PSP and relevant Australian Standards for playground equipment and surfacing. Developers must consult with the City during pre-application discussions before considering whether to include a play space in a new subdivision.

In assessing an application, the City will consider the following:

- Whether the proposed location and design meets the public space hierarchy and other requirements outlined in the PSP page 54 –55, *Play Space Hierarchy*, and Precinct Plans in the PSP Part 4
- Application of good play space planning and design principles as outlined in the PSP, page 81
- Whether the proposed location and design is connected and accessible to, and visible from, the surrounding neighbourhood
- Consider if the proposal compliments and contributes to a variety of play provided by other play spaces in the vicinity
- Proximity of the play space to roads, open water or other risks and its impacts on surrounding neighbours

Play space design and documentation

The developer must produce play space concepts for discussion and agreement with the City which may take several iterations. The City encourages developers to resolve design issues at the concept stage to avoid time consuming changes on the detailed landscape plans. In some locations the design of a new play space may have to go through a public consultation process which the City will organise using concept plans from the developer.

Full and detailed documentation, permits, certification and costings must be provided as part of the landscape plans for approval by the City. The developer must arrange for a suitably qualified Playground Auditor to inspect the play space prior to handing over to the City at the time of Preliminary Acceptance and provide certification document.

The following standards for the design and documentation of play spaces must be shown on plans:

- Scale, levels and any other features (such as nearby roads or open water) affecting the location of the play space in a public reserve
- Fall zones for each piece of equipment as required by the relevant Australian Standards
- Details of the type, depth and installation of the soft fall including confirmation of compliance with Australian Standards
- Details of the type, depth and details for containment of the soft fall edging
- Details of drainage or services to the play space
- Details of any proposed fencing and gates. Fencing of an entire play space is not supported but sections of fencing or other barriers maybe be appropriate near roads and open water bodies
- Details of the brand, model number, colours as well as illustrations, photos or a list of individual components of the playground equipment and manufacturer/installer details
- Shade/shelter, seating, and the use of natural elements
- Custom designed play spaces are not accepted in neighbourhood reserves unless approved by the City. They must include a desktop audit by an independent and certified playground auditor paid for by the developer
- Design must not replicate equipment in nearby play spaces and offer different types of play experience
- Ensure accessibility to structural components for future maintenance
- Wherever possible make equipment accessible to all abilities

Play equipment selection

The following standards for the selection of playground equipment must be met:

- All materials and fixings must be weather resistant and attached with anti-theft fasteners
- Timber elements are discouraged due to higher maintenance requirements and there must be no timber in the ground; only in metal stirrups
- All equipment must comply with Australian Standards

The following standards for the selection of playground equipment should be met:

- Avoid fully enclosed spaces and structures
- Consideration should be given to parent's ability to see through equipment to supervise children
- Recreation elements such as hard-courts, skate elements and fitness equipment may be considered if not provided in nearby reserves
- The inclusion of nature play elements is encouraged. Timber elements must be Australian hardwood certified and seasoned, and preferably kiln dried. Rocks must be locally sourced sandstone or mudstone

Play space layout

The following standards for the layout of play spaces must be met:

- Provide a high level of natural shade to play equipment and seating. In Suburban level reserves the use of structural shade elements is acceptable
- Accessible seats with backs and armrests must be suitably located for supervising carers
- Some accessible play elements
- Paths connecting the play space to the surrounding path network
- Playground edging must finish flush with the surrounding ground levels to provide the appropriate level of universal access and depth of soft fall. The preference is for concrete paths or flush edging of a minimum width of 150mm with a 25mm radius/chamfer to all playground edges

The following standards for the layout of play spaces should be met:

- The design and layout of the equipment should minimise the number of separate soft-fall areas and overall size whilst maintaining fall zones
- Slides should be orientated away from the north and west to minimise overheating of the surface in hot weather
- Paths of travel within the play space should avoid potential clashes with swing paths, slide runoffs and other paths of movement
- The shape of the playground should ensure it is easy to mow and maintain around the edges with no tight curves and corners in grassed areas
- Additional "perching" elements like larger rocks, shaded by nearby trees, are encouraged to provide a comfortable space for carers and as extra play items
- Any planting should be located away from direct lines of travel and be protected from trampling by rocks or trees or other features



C9. Furniture, fencing and structures

Public furniture

The PSP sets recommendations for the provision of furniture in public spaces that is appropriate to the setting and improves quality, attractiveness and use of the space. The City has developed standard details for all public furniture to simplify future replacement and maintenance.

The following landscape design standards for public furniture must be met:

- Planning, design and provision of street and park furniture and other infrastructure must be in accordance with the Amenities, Facilities and Infrastructure Framework matrix contained in Appendix 2 of the PSP and be selected from the City's standard furniture found on the website
- Shelters and other structures are not normally provided in Neighbourhood reserves, except with the City's discretion, and be proprietary items. Developer to provide full and detailed documentation, permits, certifications and costings
- In accordance with the *Amenities, Facilities and Infrastructure Framework*, barbecues and public toilets must only be provided in municipal, regional and state or national public spaces
- Rubbish bins are only included in suburban or higher level spaces

The following landscape design standards for park furniture should be met.

- Public furniture should be universally accessible
- Seating should be provided at 800m intervals along paths and around high-activity areas such as play spaces and should be located with consideration of shade, views and safety

Fencing and bollards

The following landscape design standards for fencing and bollards must be met:

- Private vehicles must be excluded from open space reserves through the combination of plantings, kerbing, bollards, large rocks or other fencing as a barrier
- Maintenance access must be provided by the installation of removeable bollards
- Bollards or fences must be located within a garden bed or 325mm wide concrete edge, for ease of grass mowing
- If the planning permit requires the developer to fence public open space, the adjoining private property boundary fence must be designed to the following standards:
  - styles, materials, heights and colours must be shown on the landscape plans for approval by the City
  - must be constructed (at the full cost of the developer) at the same time as landscape works are completed to prevent builders impacting the reserve
  - Consider maximising passive surveillance into the open space by having low fence heights, 1.2m or less, and be semi-transparent
  - Where low or transparent fences are not practicable, fences should be a suitable, visually recessive colour to ensure fencing is not dominant and blends in with the landscape

C10. Irrigation

Where supported by the *Amenities, Facilities and Infrastructure Framework* matrix contained in the *Greater Bendigo Public Space Plan 2019*, the following landscape design standards for irrigation must be met:

- Permanent irrigation systems must be clearly shown on the landscape plans for approval by the City, and are only approved by the City in exceptional situations
- Design and construction standards for permanent irrigation systems, where approved, are available from the City
- Systems must be complete and independent
- Include an approved controller to communicate with the centralised control system to enable remote access
- Connected to recycled water where available
- Sacrificial irrigation systems are acceptable but must be paid for by the developer and turned off, infrastructure removed and ground made good three to six months prior to final acceptance depending on the time of year

C11. Other landscape features

Service infrastructure

The following landscape design for services infrastructure within public open spaces must be met:

- Service infrastructure such as electrical kiosk substations, water pump stations and other above-ground service infrastructure proposed to be located within public open space must be shown on both the engineering and landscape plans. Details to be shown include the surface treatment surrounding, size and colour of the infrastructure proposed and access requirements
- Above-ground services infrastructure must be located to account for their visual and physical impact on the open space
- Any reserve required to be created must not be in the ownership of the City. The reserve and infrastructure should not be fenced, landscaped or screened separately unless required by the service authority

Signage

The following standards for signage, place and estate naming must be met:

- The City does not support permanent estate names or entrance features including estate naming signage and associated landscaping on public land including road reserves
- Temporary estate entrance features or signage may be permitted on private land or with special permission within road reserves where the design is approved by the City
- Temporary signs must be shown on the landscape plan and comply with road safety requirements. A formal, written agreement between the developer and the City must be in place for the signs to be removed and the site reinstated prior to preliminary acceptance of the last stage of a subdivision or as otherwise agreed
- Entry statements (or signs) advertising the estate are subject to separate planning approval
- High walls or gates creating the impression of "gated entries" are not acceptable
- The City will not be responsible for the maintenance of estate entrance features including signage or plantings
- The formal naming of public open spaces is undertaken by the City including installation of signs



Public art

In new subdivisions, public art provides opportunities to create a sense of place by enriching and interpreting local identity. The City has a *Permanent Public Art Policy and Procedure* which developers must refer to when commissioning public art.

When developers propose public art, the following standards must be met:

- Provide a short, written rationale for the design of the artwork outlining how it contributes to the cultural and physical setting with design drawings for approval by the City
- Consider on-going maintenance issues including materials and access
- Provide structural requirements, standards and permits
- Artwork on posts must be steel or timber poles on steel stirrups

The following standards should be met:

- Developers should use local artists for public artwork if possible
- Style, materials and design should relate to the location and site character

C12. Maintenance

The following landscape design standards for maintenance must be met:

- Design of public spaces must minimise the need to use herbicides or other chemical sprays by establishing dense plantings or by increasing areas of mown grass
- Where requested by the City, on complex projects, the developer must lodge a maintenance plan with the landscape plans for approval by the City. The maintenance plan must include the scope and standards of maintenance including but not limited to grass areas, trees, pruning, mulch, planting and replanting, watering, weed control, rubbish, furniture, structures and play spaces, hard pavements and gravel surfaces
- The standard weed management plan in Appendix 1, must be referred to on the landscape plan to guide the developer throughout the whole subdivision process from civil to landscape construction
- A more detailed weed management plan must be produced, alongside landscape plans, for subdivisions where numerous weeds exist, including declared environmental weeds, or where the subdivision is adjacent to a natural environment such as a regional park
- The Weed Management Plan must include:
  - the location, extent and type of weeds present
  - initial weed control methods prior to civil and landscape works
  - weed management throughout the maintenance period including on-going treatment methods and timing



PART D

Landscape construction standards

This section contains construction standards and specifications for common types of public landscapes in new subdivisions to assist with ongoing maintenance. Less common works or customised design works require discussion with the City's Representative early in the design process and the provision of detailed drawings and specifications for approval as part of the landscape plans.

D1. Site establishment

The following works standards for site establishment must be met prior to any landscape works commencing:

- Complete Dial-Before-You-Dig research and service location on-site. Any damage to utility infrastructure is the responsibility of the developer
- Protect all existing site features such as trees, native vegetation, waterways, significant cultural heritage sites or utility services in accordance with the planning permit conditions and approved plans. Protection may include temporary or permanent fencing, signage or other works
- The developer must continue to maintain sediment and litter control to prevent sediment and litter leaving the site in accordance with any planning permit conditions or approved management plans
- Works identified in any approved weed management plan must be started when civil construction begins on-site
- Under no circumstances may vegetation, debris, building waste or rock be buried in any public space
- The City encourages the reuse of the existing topsoil on site. Reused site topsoil must be free from weeds (including roots, bulbs or rhizomes), rubble, debris, rock (greater than 5mm diameter) or other contamination. This usually requires careful stripping of the site topsoil and vegetation (including avoiding mixing with subsoil) and windrow stockpiling on site for reuse
- Imported topsoil must comply with relevant Australian Standards (such as *AS 4419 Soils for Landscaping and Garden Use*) and must be certified free of debris, waste, rock or other contamination. Soil must have light to medium friable texture, pH between 6.0-7.0 and be free from silt material and non-hydrophobic. The developer must provide certification that imported soil is free of contamination, meets the above standard and is fit and suitable for its intended purpose. The City retains the right to reject topsoil and other excavated materials not meeting these standards

D2. Earthworks

The following landscape construction standards for earthworks must be met:

- All earthworks near trees must follow the requirements of the current *AS 4970 Protection of trees on development sites*, any approved Arborist's Impact Assessment or other conditions in the planning permit
- All construction vehicles and machinery must be washed down and free of weed seed and soil prior to entering the site to prevent spread of weeds and pathogens
- Initial weed control must have been completed prior to stripping in accordance with the Weed Management Plan, in particular, any weeds classified in *Catchment and Land Protection Act 1994*
- Rocks excavated from site may be considered for reuse on-site for landscape purposes
- In areas where no builders are present, the nature strips must be left in a neat and tidy state with topsoil matching the level of footpaths and kerbs

D3. Drainage and WSUD

The following landscape construction standards for drainage and WSUD must be met:

- Final planting of wetlands and bio-retention basins should be delayed until 80% of dwellings in the subdivision are constructed or otherwise at the direction of the City's development engineer
- Areas of erosion control are in place including jute matting securely installed as per manufacturers' instructions with trench fixing at the top of embankments and installed under retaining rocks if they are retaining steep slopes
- WSUD layout and construction materials are in accordance with the approved civil and landscape plans
- A 1m wide plant and grass free zone is in place on the edge of WSUD planting
- Prior to landscaping commencing, all sediment and weeds to be removed from basin area and any lose rock beaching secured in the ground

D4. Vegetation management

Existing vegetation

The following landscape construction standards for the protection and management of existing vegetation must be met:

- Protection of trees must be in accordance with current *AS 4970 Protection of trees on development sites*, any approved Arborist's Report or other requirements of the planning permit shown on engineering and landscape plans
- The developer is responsible for the impact of construction works on or resulting in the death of existing vegetation, shown on the approved plans to be protected, during works and the maintenance period or native vegetation offset. The developer must pay the Tree Valuation (Amenity Value) as set out in the City's *Urban Tree Management Policy* for any tree impacted by construction works
- The developer must complete remedial works to allow damaged trees to safely remain in place or remove dead or damaged trees as required and directed by the City

Planting beds

The following landscape construction standards must be met:

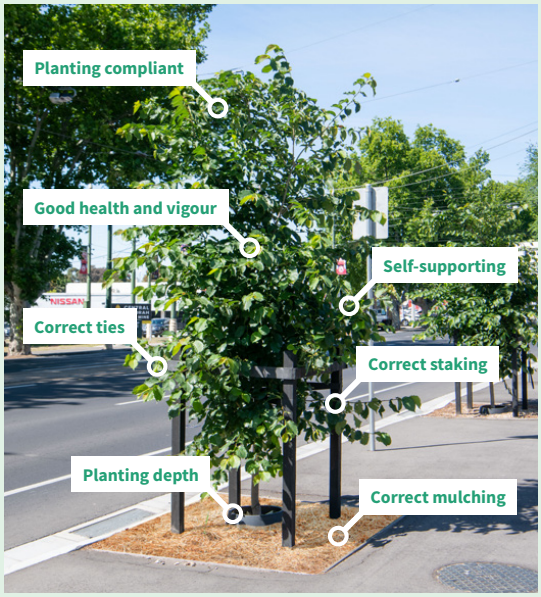
- Garden bed layout and construction materials are in accordance with the approved landscape plans
- Garden bed edges are flush with abutting surfaces and well defined, neat and tidy
- Plant species and numbers are in accordance with the approved landscape plans and substitutes are approved by the City's representative
- All plants display healthy growth
- Mulch is spread evenly to a depth of 75mm
- Garden beds are tidy and free of litter, rocks, debris, weeds and builders rubbish
- A 1m wide non-planted strip is provided to all planting areas along or within roads including roundabouts

Weed management

The following landscape construction standards for weed management must be met:

- The standard or approved weed management plan must be followed and implemented throughout the landscape construction and maintenance period and must be sprayed prior to seed setting to reduce future weed management issues
- All declared weeds must be removed or treated appropriately
- Only herbicides registered for use in Victoria may be used
- All herbicides are to be used in accordance with the Manufacturer's directions and at the recommended rates
- Herbicides can only be applied by a qualified and certified operator
- Grass area and garden bed planting must not commence until initial weed control programs have been completed in accordance with the Weed Management Plan
- Weed management must be conducted in manner that protects existing vegetation to be retained

Refer to **Appendix 1 (Page 24)** for a standard weed management plan.



Tree planting

The following landscape construction standards for tree planting must be met:

- Trees must be planted in accordance with the landscape plans and may need to be ordered well in advance of planting. Any tree species substitutions or other changes must be approved by the City's representative prior to the commencement of works. Substituted stock without approval will not be accepted at preliminary acceptance
- Indigenous trees are hard to source and must be pre-ordered as early as possible to ensure supply and size requirements are achievable
- The City reserves the right to reject any trees not meeting supply standards and landscape plans and recommends an independent arborist assess and tag nursery stock prior to delivery to ensure compliance with *AS 2303 Tree stock for landscape use*
- Top of root ball must not be lower than final or natural ground level
- Trees must be free of pest and disease
- Trees must display good form, appropriate for its species
- Where tree stock has a defined central leader, an apical bud must be intact and any stem deviation from vertical shall not exceed 15°
- Where tree stock has branch dominance, terminal buds must be intact. At least one half of the foliage distribution must be on branches in the lower two-thirds of the trunk
- Trees display structural integrity with the root ball not moving and display vigorous healthy growth
- Advanced trees are correctly planted with weed free mulched rings, guard protection, stakes and ties as per the City's standard street tree detail
- Augers must not be used for tree planting
- All weeds and suckering material have been removed
- Ensure tree ties are appropriately tightened to allow for some stem movement to create sturdy trees at final acceptance

Grass

The following landscape construction standards must be met:

- New grass areas are evenly graded and free of rock, rubbish and other debris within 100mm of the surface, with an even coverage of good quality imported or improved site-won topsoil and be weed free
- Grass areas must be germinated and showing even coverage heading to 90% with no significant bare patches and must be at second cut stage prior to preliminary acceptance or at the discretion of the City's representative
- Sacrificial irrigation to improve grass coverage is acceptable, but at no cost to the City, and all infrastructure must be turned off three to six months prior to final acceptance and ground made good
- Grassed batter slopes are 1 in 5 or flatter
- Exotic grass areas display an even coverage with minimal bare patches and no weed growth
- Native grass areas are best sown in autumn and must be scarified following contours, spread with a thin layer of mulch and temporary fencing in place with native grass signage (as germination can be slow) available from the City's Representative

D5. Play space construction

The following standards for the construction of play spaces must be met:

- All works associated with play equipment installation must comply with the current Australian Standards and manufacturer's recommendations and be completed by a certified play equipment installer. Certification of the equipment and an onsite play space audit must be completed by a qualified Auditor to Australian Standards and include a City representative prior to or at preliminary acceptance
- During installation, the playground site must be fully fenced off to exclude the public. The fence must remain in place until the playground has been signed off (in writing) by a Playground Auditor and the City's Representative
- Playground edging must finish flush with the surrounding ground levels to provide the appropriate level of universal access and depth of soft fall
- Underground drainage must be installed to ensure the playground drains freely to the underground stormwater drainage system, a soak for passive irrigation purposes or other point of discharge in accordance with the City's standard construction details. Plans of constructed drainage submitted to the City at Preliminary acceptance
- Safety tile or wet-pour rubber must be provided under swings and at the base of slides
- Safety tile or wet-pour rubber is acceptable to improve accessibility to playground equipment but is discouraged over large areas
- Only compliant wood-based soft-fall mulches should be provided in accordance with Australian Standards for Playground Surfacing. Certification of soft-fall mulch compliance must be provided to the City prior to preliminary acceptance
- Suppliers' information for each piece of equipment including part numbers and installation details must be provided to the City prior to preliminary acceptance of the works



Following preliminary acceptance, the maintenance of the playground equipment including graffiti removal, the replacement of stolen or vandalised components and topping up of soft-fall mulch becomes the responsibility of the City. The developer will remain responsible for any defects in the equipment or installation during the maintenance period.

D6. Maintenance

The City expects the developer to maintain the landscapes according to the approved landscape plans and weed management plan and as per the standards set out in **Form A - Preliminary acceptance checklist**.

- All new landscape works must be maintained for 24 months minimum to include 2 summers with no inspections in summer from December to February
- The developer is responsible for notifying the City if any trees die or are removed or damaged. The City is only able to follow up on damage whilst the builder is on site. Some trees may be removed when the owner attains a Works Within Road Reserve permit for a new driveway
- Tree maintenance includes stakes, ties, mulch topped up and free of weeds, watering, formative pruning and keeping building or garden rubble from tree surrounds
- Before final acceptance the developer must use Form B checklist to ensure the site is ready for the inspection with the City



Appendices

City of Greater Bendigo fact sheets

- Appendix 1 - Standard weed management plan

Landscape works handover forms

- LDG Form A – Preliminary Acceptance Checklist
- LDG Form B – Acceptance Documentation
- LDG Form C – Final Acceptance Checklist



APPENDIX 1

Standard weed management plan

The purpose of weed management is to not only remove the current weeds from the site, but to reduce the seed burden in the soil. The required seasonal follow ups are to treat new germination events and to not allow additional seed burdens, to accumulate in soil. Refer to the City's current Environmental Weed List, on the website, for weeds requiring immediate treatment and control.

Stage 1: Prior to any landscaping works commencing		
Item	**Description**	**Frequency**
1.1 **Broad area control of emergent and broadleaf weeds.** Ensure you identify any native vegetation, especially understory plants – do not spray or remove these unless approved.	During the initial period between the major earthworks and landscape works commencing, all affected broad areas are to be herbicide sprayed as per manufacturer's instructions twice annually to catch various weed species that will potentially be present. Winter applications to target winter emergent weeds such as Dock and Marshmallow, and summer application for weeds such as emerging Blackberry, Kikuyu and Couch grasses. Herbicides to be applied by a suitably competent person following all product directions.	Minimum of two applications annually. Winter and Summer germination events are your main targets.
1.2 **Woody weed control.** Ensure you identify any native vegetation, especially understory plants – do not spray or remove these unless approved.	Established woody weeds within the site boundary are to be removed using the 'cut and paint' method, with stems and canes cut close to the ground and immediately painted with herbicide, using manufacturer's instructions. Herbicide applications should be during warmer months (Summer / Autumn) as much of the woody weed present are actively growing (Blackberry, Ash). Note any herbicide applications should be away from publicly accessible areas.	As required during the active growing season. Spring and Summer.

Stage 2: Preparation for and during your landscaping works		
Item	**Description**	**Frequency**
2.1 Broad weed spray prior to any landscaping works.	As per any weed control note on your approved landscape plan. All areas for landscaping are to be sprayed with herbicide, at a minimum of one week prior to landscape works commencing. Apply all herbicides as per manufacturer's instructions, with two applications spaced 1-2 weeks apart. In dry weather, areas are to be watered one week prior to initial application to encourage weed seed germination prior to works.	Prior to commencing any landscaping works.
2.2 Control of new weeds with landscape works.	As per the plan, site stockpiled topsoil is to be used for garden beds. If this is unavailable or insufficient, any imported topsoil is to be up to the current *AS 4419 Soils for Landscaping and Garden Use*, any imported materials must also be managed for weeds as per this plan. All imported mulch must be clean and weed-free.	Earthworks, landscaping, rainfall or irrigation may stimulate a weed germination event. Evidence of follow up weed control must be visible on final inspections prior to hand over.
Stage 3: Post completion of landscaping works - to hand over to the City		
Item	**Description**	**Frequency**
3.1 Control of emergent weed grasses and broadleaf.	Any weeds away from planted areas are to be treated with herbicides as per the manufacturer's instructions, with a minimum inspection and treatment of twice annually (Summer and Winter) to catch various weed species, as per item **1.1**. All herbicide applications must be supervised and applied by a suitably qualified and competent person during still and fine weather, utilising correct PPE and following product directions. Extra precautions must be taken to avoid overspray or spray drift onto planting or neighbouring areas.	As required after any germination event. Minimum of twice yearly in Winter and Summer.
3.2 Spot Spraying and mechanical weed removal.	Spot spraying with herbicides (caution with spray drift), hand removal of weeds may also be required. All remaining Woody Weeds should be mechanically removed. Any further germination events must be assessed at a minimum of every 3 months and adequate treatments must be undertaken as required. Any emergent woody weeds must be treated with the 'cut and paint' method as per Item **1.2**.	Assess at a minimum of every 3 months, or after rainfall/ irrigation events. Weeds allowed to set seed will risk extending your timeline for your final handover to the City.



FORM A

Preliminary acceptance checklist

Form A is to be completed by the developer prior to requesting an inspection for preliminary acceptance of the landscape works to ensure all items are compliant with the standards outlined in the LDG.

Site establishment and preparation

DEVELOPER	REQUIREMENT	COMMENTS
☐	Environmental protection works remain in place.	
☐	Works have been carried out in accordance with any specific plans required by the planning permit or approved civil or landscape plans.	
☐	Weed management has been started as per the standard or approved weed management plan.	
☐	Any imported topsoil is weed and debris free and in accordance with the relevant Australian Standard.	

Existing vegetation management

DEVELOPER	REQUIREMENT	COMMENTS
☐	Tree protection measures are in place as per approved landscape plan or arborist report.	

Drainage and WUSD

DEVELOPER	REQUIREMENT	COMMENTS
☐	Drainage and WSUD features are constructed in accordance with the approved civil and landscape plans and shapes and levels have not been altered.	
☐	There is no loose mulch below the Natural Top Water Level.	
☐	Maintenance access is in accordance with the approved plans.	
☐	Vehicle access, other than for maintenance, is restricted in accordance with the approved plans.	
☐	The landscape around civil infrastructures such as pits, outlets, inlets can easily be maintained particularly for mowing.	
☐	Drainage and WSUD planting is in accordance with the approved landscape plans, jute matting installed as per manufacturer's instructions. and where it abuts grass there is a 1m wide strip with no planting.	
☐	Grassed batter slopes are 1 in 5 or flatter.	
☐	Grassed areas associated with drainage or WSUD features have been sown or turfed.	
☐	Drainage and WSUD features have sediment control in place in accordance with the approvals.	
☐	Drainage and WSUD features and surrounds are free of litter and weeds.	
☐	Safety fencing installed as part of the civil works to prevent access to open water or falls from heights has been maintained or removed if no longer required.	

Trees and tree management including street trees		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Correct tree species, size, number and locations in accordance with approved landscape plans.	
☐	Trees are planted a minimum of 3m from fences or other structures or fixed edges to allow mowing.	
☐	Trees are correctly planted (in accordance with current City standard street tree planting details) including stakes, ties and wells. Ties allow room for the tree to move and grow.	
☐	Trees must be supplied in accordance with *AS 2303-2018 Tree stock for landscape use*	
☐	Nursery stakes and ties have been removed unless required by the City.	

Planting, edging and mulch		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Garden bed layout and construction materials are in accordance with the approved landscape plans.	
☐	Garden bed edges are flush with abutting surfaces and well defined, neat and tidy.	
☐	Plant species and numbers are generally in accordance with the approved landscape plans.	
☐	All plants display healthy growth.	
☐	Mulch is spread evenly to a depth of 75mm.	
☐	Garden beds are tidy and free of litter and weeds.	
☐	A 1m wide non-planted strip is provided to all planting areas along or within roads including roundabouts.	
☐	Tubestock are mulched with stakes and tree guards securely fixed and displaying healthy and vigourous growth.	

Grassing		
DEVELOPER	REQUIREMENT	COMMENTS
☐	New grass areas are evenly graded and free of rock, rubbish and other debris with an even coverage of good quality imported or improved site-won topsoil.	
☐	Grassed batter slopes are 1 in 5 or flatter.	
☐	Exotic grass areas display an even coverage with minimal bare patches and no weed growth.	
☐	For native grassed areas, weed management activities have commenced and site access is controlled in accordance with the approved landscape plans.	
☐	For native grassed areas, approved public information signage is in place.	
☐	Temporary fencing is installed to protect grass areas has been installed.	

Paths and paving		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Path locations, materials, widths and construction comply with the approved civil or landscape plans.	
☐	There are no defects or trip edges along paths and pavements.	
☐	Abutting surfaces are level with path and pavement surfaces with no trip edges or lips.	
☐	Any areas subject to surface ponding on paths and pavements have been rectified.	

Furniture, fencing and structures		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Park furniture type, locations and installations are in accordance with the approved civil or landscape plans.	
☐	Fence types, locations and installations are in accordance with the approved landscape plans without defects.	
☐	Vehicle access controls are in place and are in accordance with the approved landscape plans including provision of lockable maintenance access and maintenance considerations.	

Play spaces		
DEVELOPER	REQUIREMENT	COMMENTS
☐	All acceptance documentation including but not limited to independent playground audits, as-built drawings if required, equipment details and warranties, certification of installation and certification of soft-fall mulch has been provided to the City's representative as per Form C.	
☐	Note safety fencing shall not be removed until the City's Representative approves in writing all of the above documentation.	
☐	Playground equipment, installation, drainage, edging and soft fall complies with the approved landscape plans and is safe, clean and tidy.	

Irrigation		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Where the developer has installed a sacrificial irrigation system all components are flush with the surrounds and do not create a tripping hazard. Note this system must be turned off at least 3 months before final acceptance or as directed by the City's Representative.	
☐	Where a permanent irrigation system is approved, irrigation systems including all components have been installed in accordance with the approved landscape plans.	

Maintenance		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Maintenance of all landscape works shown on the approved landscape plans is being undertaken including weed management as per standard weed management plan or a more detailed approved plan.	

FORM B

Final acceptance checklist

Form B is to be completed by the developer at least 2 weeks prior to requesting an inspection for final acceptance of the landscape works to ensure all items are compliant with the standards outlined in the LDG.

Acceptance documentation (FORM B)

DEVELOPER	REQUIREMENT	COMMENTS
☐	Information has been provided to the City prior to final acceptance in accordance with Form B including evidence that any utilities have been transferred to the City's name or have been disconnected.	
☐	Any works instructed to be completed or defects instructed to be rectified as part of an inspection by the City during the maintenance period have been completed.	

Site establishment and preparation

DEVELOPER	REQUIREMENT	COMMENTS
☐	Environment protection works are established or removed as per civil or landscape plans.	
☐	Works have been carried out in accordance with Site Management Plan and any other specific plans required by the planning permit or approved plans.	
☐	A standard or detailed Weed Management Plan has been undertaken in accordance with the requirements of the WMP. Proof of weed control works may be requested by the City.	

Existing vegetation management

DEVELOPER	REQUIREMENT	COMMENTS
☐	Existing trees to be retained, whether on subdivision land or adjoining property, must be not be showing signs of distress due to subdivision construction and any remediation works are complete. The City may ask for an independent arborist audit on the health and structure of existing trees.	

Drainage and WSUD

DEVELOPER	REQUIREMENT	COMMENTS
☐	All drainage and WSUD features and surrounds are free of litter.	
☐	All drainage and WSUD features have no more than 10% undesirable weed cover and 0% noxious weed cover.	
☐	All planting, including aquatic and terrestrial plants, are established and display good health.	
☐	All permanent sediment control measures are in place, have been recently cleaned out and are operational.	
☐	All temporary sediment traps are removed as directed by the City.	
☐	Grassed areas have achieved 90% coverage, have been maintained and any temporary irrigation systems have been removed 3 months prior to final acceptance.	
☐	Safety fencing installed as part of the civil works has been removed.	
☐	Areas of erosion have been controlled and are no longer active.	
☐	Rockwork is secure and in correct location with no evidence of erosion.	

Trees and tree management including street trees		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Correct tree species, size, number and locations in accordance with approved landscape plans.	
☐	Trees display sound structure, good health and form in accordance with the City's standards including having a single, straight leader where appropriate.	
☐	Formative pruning has been undertaken to ensure trunk and graft (if applicable) is free from offshoots and crown displays good form and no branches are obstructing the footpath.	
☐	Trees display structural integrity (the root ball does not move) and display vigorous healthy growth. Any tree where movement occurs shall be replaced.	
☐	Top of root ball must not be lower than final or natural ground level.	
☐	The calliper at any given point on the stem must be less than the calliper at any lower point on the stem.	
☐	At least one half of the foliage distribution must be on branches in the lower two-thirds of the trunk.	
☐	Where tree stock has a defined central leader, an apical bud must be intact and any stem deviation from vertical shall not exceed 15°.	
☐	Trees are free of pests and diseases.	
☐	All weeds, builder's rubble and suckering material have been removed.	
☐	Tree stakes and ties, protection frame, plastic watering collar and tree guards have been removed where houses are fully constructed or as directed by the City.	

Planting, edging and mulch		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Garden bed edges are flush with abutting surfaces, securely fixed and well defined, neat and tidy, trimmed to paths and edges, guards are removed and weed free.	
☐	Any dead, diseased or missing plants have been replaced a minimum of 3 months prior to final acceptance. Proof (such as photos/site meeting) of planting date may be requested.	
☐	All plants display healthy and vigorous growth and if growing over paths have been trimmed back.	
☐	Mulch is spread evenly to a depth of 75mm and there are no trip edges with footpaths.	
☐	A 1m wide non-planted strip has been maintained to all planting areas along or within roads including roundabouts and is weed free.	

Grassing		
DEVELOPER	REQUIREMENT	COMMENTS
☐	Grass areas are level and topped up against edges and do not have low points.	
☐	Exotic grass is displaying even, healthy, vigorous growth and has maintained coverage of 90% with no consistent dead patches evident with no active weed growth.	
☐	Exotic, lawn grass is no longer than 100mm and no shorter than 50mm.	

☐	Native grass areas are to be free of weeds (10% coverage tolerable in certain conditions), 75% coverage and free of stones over 25mm diameter	
☐	For native grassed areas, approved public information signage is in place if still required by the City.	
☐	Any temporary fencing has been removed unless requested to remain by the City's Representative.	

Paths and paving

DEVELOPER	REQUIREMENT	COMMENTS
☐	There are no defects or trip edges along paths and pavements.	
☐	Abutting surfaces are level with path and pavement surfaces with no trip edges or lips and no evidence of water ponding over paths.	
☐	Gravel paved areas have no evidence of washout areas.	

Furniture, fencing and structures

DEVELOPER	REQUIREMENT	COMMENTS
☐	All park furniture is cleaned, timber components have been oiled (where appropriate) and is in good working order.	
☐	Contractor to notify City's Representative of how many padlocks are required prior to the inspection and remove all contractor padlocks.	

Play spaces

DEVELOPER	REQUIREMENT	COMMENTS
☐	All play equipment is free from defects.	
☐	Soft-fall mulch is a minimum depth as required by the relevant Australian Standard.	
☐	Planting within and around the play space is healthy and growing vigourously and has not been adversely damaged by play spaces users.	

Irrigation

DEVELOPER	REQUIREMENT	COMMENTS
☐	Temporary irrigation system has been turned off and removed a minimum of 3 months prior to final acceptance unless otherwise agreed by the City. The City may request photographic proof of the date that the system was removed. Where a permanent irrigation system is approved, all acceptance documentation including but not limited to supply of operation manuals, as-built drawings and maintenance schedule have been provided to the City's Representative in accordance with Form C.	

Other landscape features

DEVELOPER	REQUIREMENT	COMMENTS
☐	Approved temporary entry features, estate or other signage have been decommissioned and removed in accordance with any agreements with the City.	

Maintenance

DEVELOPER	REQUIREMENT	COMMENTS
☐	Maintenance, including weed management, of all landscape works shown on the approved landscape plans has been completed.	

FORM C

Final acceptance documentation

If relevant the developer must complete the following documentation and send to the City's representative.

ITEM	DOCUMENT	PRIOR TO	DATE PROVIDED
Structures	Building Permit	Preliminary acceptance	
	Structural as-built drawings and Certificate of Compliance - Engineering	Preliminary acceptance	
	Certificate of Compliance - Plumbing	Preliminary acceptance	
	Certificate of Compliance - Electrical	Preliminary acceptance	
	Material details and maintenance schedule or proprietary item details including colours (if not included on landscape plans)	Preliminary acceptance	
	Final Certificate (or Statement of Occupancy)	Preliminary acceptance	
Barbecues	Certificate of Compliance - Electrical	Preliminary acceptance	
	Utility connection in City's name	Final acceptance	
Boardwalks, decks etc.	Structural as-built drawings and Certificate of Compliance - Engineering	Preliminary acceptance	
	Building permit (if necessary)	Preliminary acceptance	
	Material details and maintenance schedule (if not included on landscape plans)	Preliminary acceptance	
Drinking fountain	Certificate of Compliance - Plumbing	Preliminary acceptance	
	Utility connection in City's name	Final acceptance	
	Proprietary item details (if not included on landscape plans)	Preliminary acceptance	
Play equipment	Independent Playground Audit - Design	Preliminary acceptance	
	Independent Playground Audit - Construction	Preliminary acceptance	
	As-built drawings including drainage (if required)	Preliminary acceptance	
	Proprietary equipment details and manufacturers warranties	Preliminary acceptance	
	Certification of installation of play equipment	Preliminary acceptance	
	Certification of soft-fall mulch as compliant with *AS4422*	Preliminary acceptance	
Irrigation systems	Operations Manual including schedules of items and parts, as-built plans, instructions and maintenance	Preliminary acceptance	
	Utility connection in City's name	Final acceptance	
Public art	Material details and maintenance schedule	Preliminary acceptance	
	Certificate of Compliance - Engineering	Preliminary acceptance	



City of Greater Bendigo

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CITY OF GREATER BENDIGO

19.2. SUBMISSION TO THE VICTORIAN GOVERNMENT INQUIRY INTO CLIMATE RESILIENCE

Author:	Ashley Fletcher, Climate Change Resilience Officer
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

Purpose

To seek endorsement from Council for the City of Greater Bendigo's submission to the Parliament of Victoria's Inquiry into Climate Resilience.

Recommended Motion

That Council endorse the officer submission to the Parliament of Victoria's Inquiry into Climate Resilience as attached to this report.

Executive Summary

The Parliament of Victoria's Legislative Council Environment and Planning Committee is currently seeking submissions to their Inquiry into Climate Resilience. Submissions are due 28 June 2024.

Officers from the Climate Change and Environment Unit have prepared the submission in collaboration with relevant staff from Engineering, Risk and Assurance, Finance and Strategic Planning.

The submission responds to all aspects of the Terms of Reference provided by the State Government and focuses on:

- The barriers Council faces to ensuring the City's infrastructure is resilient to the impacts of climate change, including the challenges associated with post-disaster reconstruction funding.
- The challenges hazard based funding programs present when supporting communities with recovery and community resilience.
- The barriers rural and regional local governments face in preparing or updating flood modelling.
- The need to support households to retrofit existing homes for climate resilience.

Background

On 4 October 2023, the Legislative Council resolved to require the Environment and Planning Committee to inquire into:

(a) the main risks facing Victoria's built environment and infrastructure from climate change and the impact these will have on the people of Victoria;

(b) how the Victorian Government is preparing for and mitigating the impacts of climate change on our built environment and infrastructure;

(c) the barriers facing Victoria in upgrading infrastructure to become more resilient to the impacts of climate change, including barriers in rebuilding or retrofitting infrastructure, including but not limited to, issues relating to insurance and barriers faced by local government;

(d) the adequacy of the current Victorian planning system as it relates to its adaptation to, preparation for, and mitigation of climate change impacts;

(e) what more could be done to better prepare Victoria's built environment and infrastructure, and therefore the community, for future climate disaster events; and

(f) whether further inquiries or investigation may be needed into other aspects of climate change adaptation and climate disaster preparedness in Victoria, noting that climate change will have far-reaching impacts on all aspects of Victorian life, including but not limited to biodiversity, human health, primary production, industry, emergency services and more, and that while these areas may overlap with the matters covered in this inquiry, they may also warrant further investigation in their own inquiries.

Report

Council's submission responds to the above Terms of Reference with particular focus on items (a), (c) and (e).

The key messages outlined in the submission are as follows:

1. **Risks facing the built environment and infrastructure -** Council managed road, drainage and tree assets are particularly at risk from flooding, drought and extreme heat. The municipality's built environment more broadly (e.g. homes and commercial and industrial buildings) are at risk from all climate change related hazards. The risks facing the City's infrastructure and built environment impact on our community in many ways, including through potential disruption to transport routes and community services. Community health and wellbeing is also impacted from living and working in buildings that are not resilient to extreme temperatures or which are at risk from flooding, storms and bushfires.

2. **Reconstruction funding does not enable 'betterment' -** The current criteria for reconstruction funding is a barrier to achieving climate resilient public assets and infrastructure. Reconstruction funding is complex and resource intensive to administer and currently does not fund 'betterment'. In response the Victorian Government could seek to establish a Victorian Betterment Fund, similar to the Queensland Betterment Fund, to help overcome some of the above-mentioned reconstruction challenges.

3. **Resource constraints limits Council's capacity to retrofit infrastructure for resilience** - The financial constraints faced by Council limits our capacity to take a proactive approach to retrofitting assets for climate resilience. This is particularly evident in relation to drainage where Council often struggles to upgrade infrastructure to the new, climate informed design standards due to our limited renewal budget. These financial constraints limit the capacity for Council to implement proactive upgrades, instead resulting in upgrades only occurring after an asset fails.

4. **Insurance costs are increasing while coverage is decreasing** - Council's insurance premiums continue to increase as a result of the organisation's increased natural disaster related claims. In addition, Council's insurer has reduced coverage for local governments who have made flood claims in the past 12 months.

5. **Centralising flood modelling would expedite the introduction or review of flooding overlays to ensure they reflect new climate informed modelling -** Greater support is required for rural and regional councils and / or catchment management authorities to conduct or update their flood modelling. While Melbourne Water completes the bulk of flood studies in metropolitan Melbourne, this responsibility sits with local government or catchment management authorities in rural and regional areas who are often subject to significant resource constraints. Centralising flood studies and the associated planning scheme amendments (as occurred when Bushfire Management Overlays were updated) may be a more efficient way to ensuring planning provisions across the state reflect current climate change informed flood modelling.

6. **Most homes require investment in retrofitting to be climate resilient -** Retrofitting housing stock to be more resilient needs to be a priority for state and federal governments. Most homes in the City are poorly sealed and insulated, exposing residents to extreme heat and cold. In addition, many homes were constructed before current climate change adjusted flood and bushfire modelling and, therefore, are not built to withstand these hazards. A state-wide retrofitting program would help enhance the resilience of existing homes to climate risks such as extreme heat, flooding and bushfire while improving energy efficiency and reducing utility costs to the community. This could be in the form of loans,

grants, rebates and / or direct program delivery. Introducing minimum standards for rental properties and prior to sale could also help enhance resilience in the built environment.

7. **Integrated recovery and resilience programs would help build climate resilience in the community** - Currently most climate adaptation and community recovery programs and funding relate to single incidents or specific climate hazards such as bushfires, flooding, drought or heat waves. This makes it difficult for councils to work with communities to build resilience to all climate change related hazards which may affect their township or locality. Integrated community recovery and climate resilience funding and programs would enable councils to take a holistic approach to working with our communities. For example, programs dedicated to delivering local community climate vulnerability assessments and action plans could help accelerate work many local governments and agencies are keen to undertake.

8. **Climate change is impacting the natural environment and biodiversity** - The rapidly heating climate will result in greater disease and death of native animals, reduced capacity for plant establishment and survival and increased bushfire risk, putting our natural environments under huge stress. Mitigating these impacts will require continued implementation and enforcement of environmental legislation, increased investment in works that protect and enhance existing remnant native vegetation on public and private land, investment in revegetation that enhances connectivity and protection of natural assets through emergency management planning and response processes.

The full submission is attached to this Council Report.

Timelines

Submissions are due 28 June 2024.

Communications/Engagement

Council’s submission is being prepared by the Climate Change and Environment Unit with input from various internal departments including Engineering, Finance, Risk and Assurance and Strategic Planning. Officers have also reviewed the draft submissions by the Victorian Greenhouse Alliances and the Council Alliance for a Sustainable Built Environment.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 5 - A climate resilient and healthy landscape

Secondary Council Plan Reference(s)

Goal 7 - Emergencies are prevented or mitigated

Other Reference(s)

N/A

Conflict of Interest

No officer involved in the preparation or approval of this report declared a general or material conflict of interest.

Attachments

1. Draft Submission from Greater Bendigo City Council Inquiry into Climate Resil (1) [**19.2.1** - 20 pages]

CITY OF GREATER BENDIGO

Parliament of Victoria
Inquiry into Climate Resilience

Submission by Greater Bendigo City Council

Endorsed by Council on 24 June 2024

Draft

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Introduction

The Greater Bendigo City Council (Council) is pleased to provide a submission to the Legislative Council's Environment and Planning Committee Inquiry Into Climate Resilience. Council welcome's the chance to respond, as we are already seeing the impacts of climate change. As a local government authority, we are often at the forefront of recovery and disaster planning and play a key role in supporting community climate resilience.

This submission was endorsed by the Greater Bendigo City Council at the Council Meeting on 24 June 2024.

The key messages outlined in the submission are as follows:

1. **Risks facing the built environment and infrastructure -** Council managed road, drainage and tree assets are particularly at risk from flooding, drought and extreme heat. The municipality's built environment more broadly (e.g. homes and commercial and industrial buildings) are at risk from all climate change related hazards. The risks facing the City's infrastructure and built environment impact on our community in many ways, including through potential disruption to transport routes and community services. Community health and wellbeing is also impacted from living and working in buildings that are not resilient to extreme temperatures or which are at risk from flooding, storms and bushfires.

2. **Reconstruction funding does not enable 'betterment' -** The current criteria for reconstruction funding is a barrier to achieving climate resilient public assets and infrastructure. Reconstruction funding is complex and resource intensive to administer and currently does not fund 'betterment'. In response the Victorian Government could seek to establish a Victorian Betterment Fund, similar to the Queensland Betterment Fund, to help overcome some of the above-mentioned reconstruction challenges.

3. **Resource constraints limits Council's capacity to retrofit infrastructure for resilience** - The financial constraints faced by Council limits our capacity to take a proactive approach to retrofitting assets for climate resilience. This is particularly evident in relation to drainage where Council often struggles to upgrade infrastructure to the new, climate informed design standards due to our limited renewal budget. These financial constraints limit the capacity for Council to implement proactive upgrades, instead resulting in upgrades only occurring after an asset fails.

4. **Insurance costs are increasing while coverage is decreasing** - Council's insurance premiums continue to increase as a result of the organisation's increased

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natural disaster related claims. In addition, Council's insurer has reduced coverage for local governments who have made flood claims in the past 12 months.

5. **Centralising flood modelling would expedite the introduction or review of flooding overlays to ensure they reflect new climate informed modelling -** Greater support is required for rural and regional councils and / or catchment management authorities to conduct or update their flood modelling. While Melbourne Water completes the bulk of flood studies in metropolitan Melbourne, this responsibility sits with local government or catchment management authorities in rural and regional areas who are often subject to significant resource constraints. Centralising flood studies and the associated planning scheme amendments (as occurred when Bushfire Management Overlays were updated) may be a more efficient way to ensuring planning provisions across the state reflect current climate change informed flood modelling.

6. **Most homes require investment in retrofitting to be climate resilient -** Retrofitting housing stock to be more resilient needs to be a priority for state and federal governments. Most homes in the City are poorly sealed and insulated, exposing residents to extreme heat and cold. In addition, many homes were constructed before current climate change adjusted flood and bushfire modelling and, therefore, are not built to withstand these hazards. A state-wide retrofitting program would help enhance the resilience of existing homes to climate risks such as extreme heat, flooding and bushfire while improving energy efficiency and reducing utility costs to the community. This could be in the form of loans, grants, rebates and / or direct program delivery. Introducing minimum standards for rental properties and prior to sale could also help enhance resilience in the built environment.

7. **Integrated recovery and resilience programs would help build climate resilience in the community** - Currently most climate adaptation and community recovery programs and funding relate to single incidents or specific climate hazards such as bushfires, flooding, drought or heat waves. This makes it difficult for councils to work with communities to build resilience to all climate change related hazards which may affect their township or locality. Integrated community recovery and climate resilience funding and programs would enable councils to take a holistic approach to working with our communities. For example, programs dedicated to delivering local community climate vulnerability assessments and action plans could help accelerate work many local governments and agencies are keen to undertake.

8. **Climate change is impacting the natural environment and biodiversity** - The rapidly heating climate will result in greater disease and death of native animals, reduced capacity for plant establishment and survival and increased bushfire risk, putting our natural environments under huge stress. Mitigating these impacts will require continued implementation and enforcement of environmental legislation,

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increased investment in works that protect and enhance existing remnant native vegetation on public and private land, investment in revegetation that enhances connectivity and protection of natural assets through emergency management planning and response processes.

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Background

About the City of Greater Bendigo

The City of Greater Bendigo is in the centre of Victoria, covering almost 3,000 km2. Greater Bendigo has the third largest urban area in Victoria. It also includes many small towns and villages such as Heathcote, Axedale, Huntly, Marong, Elmore, Goornong, Kamarooka, Lockwood, Neilborough, Sebastian, Woodvale, Raywood, Mia Mia and Redesdale. The municipality's population is approximately 122,500 and is growing quickly.

Bendigo is known as the 'City in the forest' due to the state and national parks which surround the urban area. Large areas of bushland also extend through the municipality's rural areas which contain rural living and bush blocks. This increases the bushfire risk for the municipality's rural community, including residents in small towns such as Heathcote.

Most of urban Bendigo drains to Bendigo Creek which bisects the City. This creek along with other tributaries and waterways are prone to flooding due to the topography of the municipality and the history of mining and disturbance which has reduced the capacity of the landscape to absorb water.

History of natural disasters in the City

In recent years the City of Greater Bendigo has experienced an increase in the number of natural disasters. In addition, Council has increasing played a regional support role by providing assistance to our neighbouring local governments. A summary of recent events is provided below.

Black Saturday fires

The City was impacted by the 2009 Black Saturday fires mainly in Redesdale (9,445 hectares burnt) and Eaglehawk (594 hectares burnt). On this day fire spread to within 1.2km of the City Centre. During those fires one life was lost, 57 houses were destroyed and significant other damage occurred.

2022 floods

The City was impacted by the 2022 flood event. In this incident the region received over 150mm rainfall over 48 hours which led to flash flooding around urban areas and major flooding of the Campaspe River. Lake Eppalock experienced the largest flow over the spillway on record. Numerous creeks also reached their highest recorded levels resulting in overland flooding.

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Council, as a part of the Northern Victorian Emergency Management Cluster, provided assistance to its neighbouring councils during these floods. The assistance included establishing and operating the largest relief centre since Black Saturday. The relief centre provided temporary relief and accommodation services to over 270 people from across the Cluster area (with largest numbers being from Rochester).

The financial implications for Council were substantial. It is estimated that the total damage cost was $3.3M, $650,000 of which fell to Council after reimbursements. These costs included:

- Repairs and reconstruction of essential public assets (infrastructure assets).
- Repairs to other damaged assets.
- Operation and staffing for the Bendigo Emergency Relief Centre.
- Costs relating to waste disposal and transportation.
- Building insurance excess for claims lodged.
- Internal staffing and use of plant and equipment to support repairs and recovery.

It is likely that other additional costs were incurred across the organisation as a result of this event but did not fit the eligibility criteria for reimbursement or were not captured in a way that could be easily reported.

2023 and 2024 floods

The City experienced the following flood and weather events from Christmas Day 2023 through to February 2024:

- 25 December 2023 Boxing Day rain event
- 2 & 3 January 2024 storm / hail event
- 7 & 8 January 2024 main rain/flood event
- 13 & 14 February 2024 storm event

In many cases people were affected by flooding twice in 15 months.

Emergency services received 4,668 requests for assistance during the period of 2 January to 20 January alone. During the Secondary Impact Assessment (SIA) process, 113 homes in the municipality were recorded to have experienced above floor inundation.

The impact of these events on the built environment and infrastructure was substantial. In addition, the event placed a significant burden on Council staff resourcing, both during the response and the recovery process.

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Early estimates from the January storms and flooding indicate that these events caused between $15M and $25M of damage to Council managed infrastructure. Council has engaged a consultant to capture asset defect data and prepare damage claims for the early stages of this event.

There were many lessons learned from the October 2022 in terms of uplifting resourcing when such events occur, some of which Council applied in response to this event.

In February 2024, the City was impacted by a storm/hail event which did not result in significant infrastructure damage, but which did result in a number of fallen trees which required clearing with the use of internal staff, plant and external contractors. At this stage, the cost estimate of this event is approximately $100,000.

The concurrent events and the long tail of recovery have meant Council is responding to new events whilst still actively recovering from previous events.

Whilst the abovementioned events were considered emergencies, slow onset climate impacts such as drought, increased heat and lower rainfall will also impact on our built environment and infrastructure in the future.

Due to its proximity and connection to the local community, local government has a unique perspective on what is needed to build resilience for infrastructure and within the community.

Responding to Terms of Reference

(a) the main risks facing Victoria's built environment and infrastructure from climate change and the impact these will have on the people of Victoria;

Council completed a Climate Change Risk Assessment of the organisation's operations focusing on the risk to assets, service delivery and staff in 2022/23. The process for undertaking the assessment was informed by other local governments and overseen by an external consultant.

The risk assessment provides Council with an understanding of the risks to infrastructure and assets in the municipality. The risk assessment considered the climate risks in 2030 and 2050 under a high emissions scenario (RCP 8.5) that is consistent with the current emission trend.

The assessment determined that:

- Council managed **roads** are particularly vulnerable to flooding and extreme heat.

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- Council managed **drainage assets** are particularly vulnerable to flooding.
- Council managed **buildings** are vulnerable to all climate hazards, particularly bushfire, storms and flooding. In addition, many Council buildings are not able to be used during extreme heat and heat waves due to their poor thermal performance.
- **Trees and open spaces** are vulnerable to drought, extreme heat, and storms.

Additionally, the added clean up and maintenance during an event can be resource intensive and delay maintenance and renewal programs.

When Council managed infrastructure and assets are impacted by climate related hazards, these impacts flow through to the community in many ways. These include private property flooding (when drainage assets fail), reduced or interrupted services, lack of community spaces for meetings and recreation and isolation due to road closures.

Whilst Bendigo has completed a risk assessment, this is only the first step to becoming resilient. Funding and resourcing is required to mitigate these risks.

In addition, guidance and support with undertaking local government climate risk and vulnerability assessments would help standardise the process while enabling these assessments to be completed by smaller councils with less resources.

Recommendations

- That the Victorian Government provide guidance and support for local government climate change risk and vulnerability assessments.
- That the Victorian Government consider funding and support mechanisms to assist local government implement measures that reduce climate related risks to infrastructure and assets.

(b) how the Victorian Government is preparing for and mitigating the impacts of climate change on our built environment and infrastructure.

No response provided.

(c) the barriers facing Victoria in upgrading infrastructure to become more resilient to the impacts of climate change, including barriers in rebuilding or retrofitting infrastructure, including but not limited to, issues relating to insurance and barriers faced by local government.

Council has experienced a number of barriers to upgrading and bettering assets, many of which are due to state and federal government funding criteria.

These barriers can be summarised as follows:

- Current **funding criteria** that only allows for like for like rebuilds after an event.
- **Resource constraints** which limit Council's capacity to undertake proactive maintenance and upgrading of infrastructure in response to climate change.
- The changes to local government **insurance** in recent years due to multiple flooding events.

Further detail about these barriers is outlined below.

Current funding criteria and processes

Council recently applied for funding from various streams after the 2022 flood events. The main funding stream was the Commonwealth Government Natural Disaster Relief and Recovery Arrangements (NDRRA), also referred to as the Disaster Recovery Funding Arrangements (DRFA). This stream brought the following challenges and barriers:

- **Resource intensive process -** Council found the claims process to be complex and resource intensive. While the introduction of day labour costs (use of Council's in-house resources to undertake allowable repair and restoration works after eligible events) and internal plant use was welcomed, a standard fixed rate adopted would be better than each council needing to produce a calculation and justification for internal plant hire rates.

- **Lack of support -** The process for claiming was not clear or straight-forward and the roll out of the new claims platform was not supported at a level needed in order to utilise the system to its fullest potential. This, coupled with our assessor being relatively new at the time, meant we lacked authoritative advice and support at each stage of the process.

- **Administrative burden** -The process requires meticulous record keeping of expenditure for works clamed as well as collation and submission of detailed information about asset conditions and specifications for works completed. This places a significant burden on Council and Council suppliers.

- **Lack of betterment funding** - Under the current model in Victoria, funds are provided to councils to reinstate the infrastructure to their pre-disaster condition. If a council wants to improve the infrastructure it must cover the gap in funding between the 'like for like' outcome and the climate resilient standard. This is further complicated by the requirement to provide extensive evidence as to the pre-event condition of an asset, even where the consequential damage to the asset is clearly linked to disaster events.

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Due to a lack of betterment funding and emerging interpretation of the DRFA guidelines to only provide restoration funding based upon a pro-rata value determined by written down asset value, councils could be left to fund up to 75% of reconstruction costs which places significant strain on Council's budget. An example of this would be gravel road re-sheets which are funded at 50-75mm, however, practically many councils will re-sheet to the standard depth of 100mm. The cost of gravel re-sheeting for one flood impacted council in our Northern Victorian Emergency Management Cluster will be more than $10 million. Full funding for restoration costs to contemporary design and service levels standards is therefore imperative to ensure that assets are returned to a fully functional and serviceable state without imposing unreasonable or impractical financial and delivery burdens of councils.

Further, the strict interpretation of allowable works means that councils have to make choices between funding betterment or undertaking works in a highly inefficient manner. For example, current funding would cover rectification of isolated defects such as scours on gravel roads due to flooding but would not cover grading of the rest of the road as it would be considered betterment. This results in the inefficient use of both state and local government resources or excessive delays in completing flood restoration works, i.e. delaying works to when peripheral renewal works may be scheduled which may prove challenging in the context of community expectations as well as complying with the 2 year timeframe to lodge eligible DRFA claims.

A local example of incurred betterment costs for Council is Spillway Road, Eppalock which was impacted by the 2011 floods and again by the October 2022 floods. Approximately 150 metres of the road was severely compromised/undermined requiring closure of the road to through traffic. Council applied through DRFA to renew the road, however experience demonstrated that the road was susceptible to future flood damage if reconstructed to the same standard as applied after 2011 (like for like). As a result, Council is electing to cover the additional $340,000 cost above and beyond like for like reinstatement, to upgrade the road to a higher standard to reduce the risk of flood damage in the future. Such investment will in effect reduce the likelihood or extent of future DRFA claims, however is having to be funded by Council.

Council appreciates the additional funding allocated through the Council Flood Support Fund which is intended to support councils with reinstatement and recovery works not eligible under the DRFA funding program. This additional funding is invaluable, however, it is only able to be applied to "minor repairs" and is a small amount in the context of the betterment or reinstatement and recovery work needed (Council's allocation after the 2024 floods and storms is $500,000 which would largely be consumed by the betterment costs for Spillway Road only).

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Resources for proactive maintenance and renewal of assets

The City is responsible for building, maintaining and upgrading the drainage network across the municipality. The Australian Standard for drainage design changed to incorporate consideration of climate change. This change has increased the design standards for stormwater networks and infrastructure.

However, the renewal expenditure for local government is not tied to changes in standards and therefore the cost to repair assets has increased. In the current rate capping environment it is challenging to continue to deliver a renewal program to the higher standards without financial support.

Additionally, the scope of work needed to take a holistic approach to upgrading the entire drainage network would require considerable resources for local government to investigate. Therefore, the only viable approach for Council is to upgrade assets as they fail.

Insurance

Council has engaged its insurer for flood related damage in recent years. As a result, costs have continued to increase year on year. As an example, Council's property contribution increased by 25% from 2020/21 to 2023/24. At the same time Council's ability to claim for flood damages reduced from $20M to $2M.

There has also been an increase in members of the public pursuing claims against Council where they believe the organisation is liable for flooding to their property rather than lodging a claim with their insurer.

In addition, Council has encountered issues with several sites where the 2022 damage was still being addressed and then further damage has occurred with the recent 2024 storms. With increasing and clustered weather events due to climate change this is likely to become more common.

Recommendations

- The current criteria for DFRA funding for rebuilding infrastructure after an event should include the betterment of assets to become more resilient to climate change. Alternatively, the Victorian Government should establish a Victorian Betterment Fund, similar in purpose and operation to the Queensland Betterment Fund.
- The Victorian Government should investigate opportunities to support local governments to undertake proactive maintenance and upgrades to assets as standards change to account for climate change.

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(d) the adequacy of the current Victorian planning system as it relates to its adaptation to, preparation for, and mitigation of climate change impacts.

Council would like to congratulate the Victorian Government on the update to the *Planning and Environment Act 1987* to include climate change in its purpose. This will help ensure the design and implementation of planning provisions considers the impacts of climate change.

The Council Alliance for a Sustainable Built Environment has provided a submission to the Inquiry that provides further recommendations for how the Victorian planning system could better account for climate change impacts. Greater Bendigo City Council supports the CASBE submission.

(e) what more could be done to better prepare Victoria's built environment and infrastructure, and therefore the community, for future climate disaster events; and

This submission contains a number of recommendations for better preparing Victoria's built environment. Three additional recommendations that are not covered under the other terms of reference are as follows:

Flood studies and overlays

The responsibility of flood modelling is inconsistent across Victoria with responsibilities split between councils and catchment management authorities, especially in rural and regional areas. Additionally, flood studies are complex to prepare and require resources and extensive engagement. In regional areas such as Greater Bendigo, preparation and implementation of flood studies relies on Council resourcing or successful applications for funding by the North Central Catchment Management Authority to the Victorian Government.

Due to these constraints, Council in collaboration with the North Central Catchment Management Authority has focused on studies in areas of the municipality at the greatest risk of flood impact, mainly Bendigo and Heathcote. For a completed list of the flood studies Council has completed in the past ten years please see **Appendix 2.** These studies have led to updated planning controls (i.e. planning overlays) and identified potential flood mitigation interventions for further investigation and/or delivery.

Resource constraints have meant that implementation of some flood studies completed in 2019, 2020 and 2022 are still pending. This limits the capacity of residents to make informed decisions about their homes and it impacts the Council's capacity to ensure newly built or renovated homes are built to minimize flood risk.

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The 2022 and 2024 events also highlighted some of the gaps in the City's flood studies and / or flood related planning provisions. As a result, Council has applied to the Australian Government Disaster Ready Fund to complete a Goornong Flood Study given the repeated flooding events in this locality and the lack of community awareness about this risk to homes and properties.

While Melbourne Water completes the bulk of flood studies in metropolitan Melbourne, this responsibility sits with local government or catchment management authorities in rural and regional areas, even though rural councils and catchment management authorities generally experience greater resource constraints. Centralising flood studies and the associated planning scheme amendments (as occurred when Bushfire Management Overlays were updated) may be a more efficient and equitable way to ensuring planning provisions across the state reflect current climate change informed flood modelling.

Retrofitting homes

While the planning and building regulatory system can help enhance the energy efficiency and climate resilience of new homes, retrofitting existing homes also needs to be addressed.

Vulnerable Australians especially are experiencing acute financial, health and social disadvantage due to the high energy prices, poor energy performing homes and inadequate income support payment[1]. Lack of energy efficient homes are cited as the primary factor in deaths associated with heat waves, which are the deadliest of all other extreme weather events combined[2].

Approximately 50% of Greater Bendigo homes were built before 1990. A Sustainability Victoria study found that homes of this era generally perform in accordance with a 1.6 star energy rating[3]. The same Sustainability Victoria study found that homes built between 1990 and 2004 (20% of Bendigo's housing stock) are likely to perform in accordance with a 3.1 star energy rating. These homes are vulnerable to both extreme heat and cold and are expensive for residents to run.

Sustainability Victoria's Victorian Healthy Homes Program retrofitted the homes of 1,000 low-income households over three years, reporting that work costing on average less

[1] Australian Council of Social Service, 'Energy and Cost of Living Snapshot', Australian Council of Social Services (2023) https://www.acoss.org.au/wp-content/uploads/2023/10/ACOSS-Energy-Cost-of-Living-Snapshot-October-2023.pdf
[2] Australian Council of Social Service, 'Energy and Cost of Living Snapshot', (2023)
[3] Sustainability Victoria, 'Energy Efficiency Upgrade Potential of Existing Victorian Houses (2015), https://www.sustainability.vic.gov.au/research-data-and-insights/research/research-reports/household-retrofit-trials

than $3,000 per home resulted in meaningful increases in comfort and health for residents[4].

Given when they were built, most homes in Sustainability Victoria's pilot project are at risk from flooding and bushfires which has a flow on affect to insurance premiums and coverage. This is an issue for Greater Bendigo but also statewide.

A state or national retrofitting program would help enhance the resilience of existing homes to climate risks such as extreme heat, flooding and bushfire while improving energy efficiency and reducing utility costs to the community.

For disaster resilience, simple initiatives such as raising electrical switchboards, installing flood resistant floor coverings and permeable fencing can help reduce damage from flood events in established neighbourhoods and townships with housing stock built before contemporary flood mitigation standards. Similarly, support for installation of fire retardant plantings and external sprinkler systems can help reduce the risk of property damage in fire prone areas.

Funding for a retrofitting program could take the form of low or no interest loans, grants, rebates or, for low wealth homes, direct service delivery at no cost.

A state or nation-wide program could build on existing work including the Retrofitting for Resilience resources prepared by the Castlemaine Institute. The workbook helps to identify the type of housing stock, the vulnerability of the housing stock aligned to the climate impacts of the region and suggest upgrades and retrofitting options to increase resilience.

Greater Bendigo City Council through the Greater Bendigo Climate Collaboration is also currently conducting a feasibility assessment to determine how a local retrofitting program could be delivered that targets low wealth homes.

In addition, introduction of minimum standards for rental properties and prior to sale would also help enhance the resilience of existing homes over time.

Recommendations

- Centralising flood studies and the associated planning scheme amendments across the state to reflect current climate change informed flood modelling.
- Review existing flood modelling to include the latest climate projections.
- Invest in a state-wide retrofitting program, that targets low-income and low energy star homes.

[4] Castlemaine Institute, 'Retrofitting for Resilience' (2024) Retrofitting for Resilience, https://www.cvga.org.au/uploads/9/8/3/8/9838558/ci-rpt-retrofitting_for_resilience-230918-final.pdf

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- Introduce minimum energy efficiency and climate resilience standards for rental properties and potentially prior to sale.

(f) whether further inquiries or investigation may be needed into other aspects of climate change adaptation and climate disaster preparedness in Victoria, noting that climate change will have far-reaching impacts on all aspects of Victorian life, including but not limited to biodiversity, human health, primary production, industry, emergency services and more, and that while these areas may overlap with the matters covered in this inquiry, they may also warrant further investigation in their own inquiries

Council believes further inquiries into the following would highlight the increasing role local government is playing in the resilience and disaster preparedness space and the require funding, resourcing and change of approach that is needed to increase the resilience of Victorian communities.

Moving away from single incident funding

Currently most climate adaptation and community recovery programs and funding relate to single incidents or specific climate hazards such as bushfires, flooding, drought or heat waves. This approach fails to recognise the new climate reality which is resulting in concurrent events. This makes it difficult for councils to work with communities to build long term resilience to all climate change related hazards which may affect their township or locality.

For example, Greater Bendigo City Council has been fortunate to receive funding through the Flood Recovery Hubs as well as through Safer Together and the Risk and Resilience Grants Program. Together these funds are critical to enabling Council to continue to work with flood affected and bushfire prone communities. However, the incident and hazard based nature of the funding creates a patchwork of resources which Council is currently working to coordinate into a coherent community recovery and resilience program that responds to the needs of local communities in a holistic manner.

Integrated community recovery and climate resilience funding and programs would enable councils to take a holistic approach to working with our communities. For example, programs dedicated to delivering local community climate vulnerability assessments and action plans could help accelerate work many local governments such as Greater Bendigo City Council are trying to progress with local communities.

Climate change impacts on biodiversity

The rapidly heating climate will result in greater disease and death of native animals, reduced capacity for plant establishment and survival and increased bushfire risk,

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putting our natural environments under huge stress. Storm events and flooding are also predicted to increase, which will displace and kill many plants and animals and increase weed spread that will compete with native plants. Compositional change in communities will occur (e.g., loss or re-ordering of species and interactions), particularly in ecosystems already reduced in area or under stress.

While almost all species will be affected in some way, there is particular concern for species inhabiting Greater Bendigo that are already listed under federal legislation as threatened with extinction. These include Swift Parrot, Regent Honeyeater, Eltham Copper Butterfly, Spiny Rice Flower and the Grey-Box Grassy Woodland and Derived Native Grassland communities of South East Australia. The biggest threat to these are drought, bushfire, flood and pathogens that could cause extinction with one or few major events.

Mitigating climate impacts to the natural environment will require continued implementation and enforcement of legislation and regulations that protects remnant native vegetation and other environmental assets from removal or damage, increased state government investment in restoration works in existing state government managed conservation reserves which act as a refuges for flora and fauna, as well as support for revegetation across the landscape to support improved connectivity. Supporting private land holders to protect, enhance and connect native vegetation on their properties will also be key. This could include supporting landholders to apply Trust for Nature covenants on parts of their properties.

Opportunity also exists to consider how natural assets such as conservation reserves can be protected as a part of emergency management planning and response processes. Not only are conservation reserves important for biodiversity, they are also valued by the community and can play an important role in facilitating recovery after disasters.

Recommendations

- Continue to implement and enforce legislation aimed at protecting remnant native vegetation and other environmental assets from removal or damage.
- Increase investment in restoration works to state government managed parks and reserves which act as refuges for native flora and fauna.
- Increase support for private landholders to protect, enhance and connect areas of remnant native vegetation on their properties, including through increased support for Trust for Nature.
- Consider opportunities to integrate protection of natural assets into emergency management planning and response processes.

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CITY OF GREATER BENDIGO

Appendix 1: Detail of 2024 storm impacts

Date	Event	Impact
25 – 26 December	Rain event	• 80 mm of rain in a 48 hour period • Minor flooding of creek systems
2 – 3 January	Storm event	• 30 mm of rain recorded at the Bendigo Airport – other areas reported more • Localised thunderstorms cells were centred around Huntly/Epsom area resulting in damaging rain and hail (size of golf balls and bigger). • The hail caused damaged to cars, roofs, skylights and blocked drains and guttering, resulting in dwelling inundation.
7 – 8 January	Rain event	• Over 90 mm of rain recorded at the Bendigo Airport • Isolated cells of rain saw scattered impacted areas throughout the City, Key areas being Goornong, Bagshot, Huntly, Heathcote and Redesdale • There was also a cluster in White Hills, and dwellings impacted in the Junortoun, Axedale and Strathfieldsaye areas • As a result of the rain, the ERC was activated at 3am Monday 8 January – open for 24 hours • 480 SIA's were completed across the Municipality resulting in: • Approx. 113 dwellings with above floor inundation reported. • Approx. 44 significant under floor inundation • Approx. 88 Properties who lost fencing and contacted the City were passed on to BlazeAid for assistance
13 – 14 February	Storm event	• Customer Support experienced a larger than usual influx in calls to the City over these two days, with a significant amount regarding trees due to the storm (inspections, removal, fallen or hanging limbs). • The SES also received a significant amount of requests for assistance (RFA), 328, during the two

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Date	Event	Impact
		days with an estimate of 99% of those relating to storm damage. • Areas for assistance within the Municipality were quite dispersed with the majority in Junortoun, Kangaroo Flat, Lockwood, Spring Gully, Heathcote/Toolleen areas • At the peak of the storm approximately 30 – 40 roads were closed, this is an approximate as many locations were isolated due to roads being blocked and many not reported, particularly in the Heathcote area where the power was out and phones where down.

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CITY OF GREATER BENDIGO

Appendix 2: Completed flood studies - past 10 years

Year	Study Title	Subsequent mitigation action focus
2013	Bendigo Urban Flood Study	• Investigate use of Crusoe Reservoir as capture and detention basin • Further investigate various targeted levee bank construction sites • Further investigate retention of Bendigo Creek levee bank • Consider implementing Total Flood Warning System
2016	Heathcote Flood Study	• Declare designated flood levels and implementation of appropriate Planning Scheme and building controls • Implement of a Total Flood Warning System • Develop a flood response plan • Disseminate flood intelligence and consequence Information
2018	Marong Flood Study	• Update planning scheme overlays to reflect 1% AEP flood extents determined by study
2019	Epsom, Ascot and Huntly Flood Study	• Design and construct a levee bank along Racecourse Creek – Racecourse to Howard Street • Bendigo Creek levee improvements ***Implementation of planning controls to be completed*
2020	Kangaroo Flat and Golden Square Flood Study	• Reinstate the upstream Crusoe Reservoir catch drain system • Symonds Street pipe upgrades • Levee bank construction near Alder Street and Bank Street ***Implementation of planning controls to be completed*
2020	Heathcote Flood Mitigation Study	• Vegetation clearing upstream and downstream within Possum Gully and Caledonian Gully – High Street Intersections

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Year	Study Title	Subsequent mitigation action focus
		• Construct new Golden Gully retention basin • Pipe upgrades at Barrack Street – High Street Intersection • Feasibility investigation for Dead Horse Gully protection measures
2022	Central Bendigo Flood Study	• Isolated increase in creek waterway area at various structures/bridges • Levee construction along Back creek downstream of McIvor Road ***Implementation of planning controls to be completed*
2022	Sandy Creek Flood Study, Bagshot	• Informed development planning and investigate additional planning controls

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20. A VIBRANT, CREATIVE COMMUNITY

Nil

21. A SAFE, WELCOMING AND FAIR COMMUNITY

Nil

22. URGENT BUSINESS

Nil

23. NOTICES OF MOTION

Nil

24. MAYOR'S REPORT

25. CHIEF EXECUTIVE OFFICER'S REPORT

26. CONFIDENTIAL (SECTION 66) REPORTS

RECOMMENDED MOTION

That Council close the meeting to members of the public pursuant to Section 66(2) of the Local Government Act 2020, to consider (a) report(s) relating to:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that
    - (i) relates to trade secrets; or
    - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- (h) confidential meeting information, being the records of meetings closed to the public under section 66(2)