

# COUNCIL MEETING MINUTES



**6:00 pm on Monday September 16, 2024**

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

Copies of the City of Greater Bendigo Council's Agendas & Minutes  
can be obtained online at <https://www.bendigo.vic.gov.au/about-us/council/council-meetings>

## **NEXT MEETING:**

October 14, 2024

## 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](#)

## ORDER OF BUSINESS

1. ACKNOWLEDGEMENT OF COUNTRY .....	5
2. TRADITIONAL LANGUAGE STATEMENT .....	5
3. OPENING STATEMENT .....	5
4. MOMENT OF SILENT REFLECTION .....	5
5. ATTENDANCE AND APOLOGIES.....	6
6. LEAVE OF ABSENCE.....	6
7. SUSPENSION OF STANDING ORDERS .....	6
8. COMMUNITY RECOGNITION .....	7
9. PUBLIC QUESTION TIME .....	8
9.1. Public Question Time Guidelines.....	8
9.2. Pre-Registered Questions.....	9
10. RESUMPTION OF STANDING ORDERS.....	10
11. WARD REPORTS .....	10
11.1. Eppalock Ward - Cr Evans.....	10
11.2. Lockwood Ward - Cr Williams .....	12
11.3. Whipstick Ward - Cr Sloan .....	13
12. DECLARATIONS OF CONFLICT OF INTEREST .....	15
13. CONFIRMATION OF PREVIOUS MINUTES .....	15
14. PETITIONS AND JOINT LETTERS .....	16
15. LEAD AND GOVERN FOR ALL .....	17
15.1. Contracts Awarded Under Delegation .....	17
15.2. Risk Management Policy and Fraud and Corruption Policy.....	18
15.3. Annual Financial and Performance Statements.....	21
15.4. Community Asset Policy .....	26
15.5. Part Road Discontinuance - Margaret Crescent, Flora Hill .....	35

15.6. Airport Redevelopment Budget .....	41
15.7. Bitumen Panel Contract .....	45
16. HEALTHY, LIVEABLE SPACES AND PLACES .....	50
16.1. 135 Ironstone Road, Ascot - Construction of 16 Dwellings .....	50
16.2. Part Lot 2 Wallenjoe Road, Huntly - Use and Development of the Land for Materials Recycling (Organic Resource Recovery Facility), a Reduction of Car Parking Requirements and Waiver of Bicycle Spaces .....	91
16.3. Public Space Advisory Committee Review .....	137
16.4. Rural Areas Strategy .....	145
16.5. Managed Growth Strategy .....	150
17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY .....	175
18. ABORIGINAL RECONCILIATION .....	175
19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT .....	175
19.1. Big Hill and Mandurang Valley Landscape Review .....	175
20. A VIBRANT, CREATIVE COMMUNITY .....	186
20.1. UNESCO Creative Cities 2024 Annual Conference Report .....	186
20.2. Heritage Strategy .....	191
20.3. Community Feedback from Animal Petting Zoos and Fireworks (Notices of Motion) .....	203
20.4. Post-war Thematic Environmental History - Community Consultation Undertaken and Draft Report for Endorsement .....	213
21. A SAFE, WELCOMING AND FAIR COMMUNITY .....	217
22. URGENT BUSINESS .....	217
23. NOTICES OF MOTION .....	217
24. MAYOR'S REPORT .....	218
25. CHIEF EXECUTIVE OFFICER'S REPORT .....	220
26. CONFIDENTIAL (SECTION 66) REPORTS .....	221

## **1. ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge that the City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

We would like to acknowledge and extend our appreciation to the Dja Dja Wurrung People, the Traditional Owners of the land that we are standing on today.

Today, we pay our respects to leaders and Elder's past, present and emerging for they hold the memories, the traditions, the culture and the hopes of all Dja Dja Wurrung People.

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.

## **2. TRADITIONAL LANGUAGE STATEMENT**

Bangek Knoorarook Bunjil Dja Dja Wurrung  
William Talle tallingingorak wirrmbool bunjil

I honour the wisdom of the Dja Dja Wurrung.  
We will speak words of truth and listen to your wisdom

## **3. OPENING STATEMENT**

## **4. MOMENT OF SILENT REFLECTION**

## **5. ATTENDANCE AND APOLOGIES**

### **Attendance**

- Mayor Cr Andrea Metcalf
  - Deputy Mayor Cr Matthew Evans
  - Cr Dr Jennifer Alden
  - Cr David Fagg
  - Cr Margaret O'Rourke OAM
  - Cr Greg Penna
  - Cr Julie Sloan
  - Cr Vaughan Williams
- 
- Andrew Cooney, Chief Executive Officer
  - Stacy Williams, Director Healthy Communities and Environments
  - Jess Howard, Director Corporate Performance
  - Rachel Lee, Director Strategy and Growth
  - Anthony Petherbridge, Acting Manager Governance

### **Apologies**

- Nil

## **6. LEAVE OF ABSENCE**

Nil

## **7. SUSPENSION OF STANDING ORDERS**

### **MOTION**

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

Moved: Cr Penna

Seconded: Cr O'Rourke

**Resolution No. 2024-159**

**CARRIED**

## 8. COMMUNITY RECOGNITION

- To tonight's community section and congratulations to Sophie Hughes, who is this week making her international debut and representing Australia at the Canoe Marathon World Championships in Metkovic, Croatia. Hughes will be racing against 24 other competitors in the 18-under female division over a 19 kilometre course.
- Sophie has only been involved in the sport for four years and is in year 11 at Catherine McAuley College. Best of luck, Sophie!
- This weekend the BFNL will play its grand final matches. Best of luck to Sandhurst and Gisborne in the seniors football, and Gisborne and Kangaroo Flat in the A grade netball, and to all other teams across the various divisions.
- The BFNL also crowed its best and fairest players for the season, with Sandhurst's Lachlan Tardrew winning the Michelsen Medal in a three-way tie with Gisborne's Braidon Blake and Brad Bernacki, while Chelsea Sartori of Kangaroo Flat won the Betty Thompson Medal for the second year in a row.
- Congratulations to White Hills in the Heathcote and District Football Netball League, which achieved what the Addy called 'football perfection' winning the seniors, reserves and under-18 finals on the one day, as well as a B reserve netball flag and the under-18 girls football premiership. That is an amazing achievement, well done to the players and leaders of the club.
- Also in the HDFNL, congratulations to Elmore for winning the A-grade netball.
- And Marong ran out winners against Pyramid Hill in the Loddon Valley Football League, winning its third-straight premiership. Aside from our tulips popping up, you know it's spring when footy and netball finals are upon us!
- Finally tonight, earlier this month outgoing Managing Director and CEO of Bendigo Bank, Marnie Baker, finished after an amazing 35-year career with the organisation. Congratulations Marnie on your outstanding leadership and support for rural and regional communities through the bank's pioneering community banking model.
- Marnie is succeeded by Richard Fennell and we wish him the very best in his new role.
- And that brings our community section to a close.



## 9. PUBLIC QUESTION TIME

### 9.1. Public Question Time Guidelines

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.

Question time is also not to be used as a platform for campaigning by prospective council candidates.

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, please ensure you leave your contact details with the Governance officer so a response can be provided to you.

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 provided 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.



## 9.2. Pre-Registered Questions

### Question 1:

**From:** Kaylene of Long Gully

**Topic:** The Heritage Strategy

**Question:**

Will council consider printing this document for anyone that wishes to purchase it in the future?

**Answer:**

Thank you for your positive feedback on the Heritage Strategy, which is being considered by Council on tonight's agenda. City officers from the Strategic Planning Unit will be more than happy to provide you with a printed copy of the Heritage Strategy without charge, and for anyone else that might like a copy.

### Question 2:

**From:** Peter of Eaglehawk

**Topic:** Redevelopment of the Bendigo Art Gallery

**Question:**

I have been advised by Council that to see the plans, planning report and other information in relation to the redevelopment of the Bendigo Art Gallery to put in a Freedom of Information request. As it is the largest public capital works project to be carried out by Council in a sensitive heritage area will the Council make these planning documents public for all citizens and could Council also publicly display all of these documents?

**Answer:**

Planning and Heritage Permits were publicly advertised and approved in March 2024.

The City is currently updating the Projects page of the City of Greater Bendigo website and interested members of the public can access more information on the project including the Planning documents. There is also a page on the Bendigo Art Gallery website with information on the project.

The Bendigo Art Gallery redevelopment continues to be the City's number one priority project and has received substantial support from the community.

## **10. RESUMPTION OF STANDING ORDERS MOTION**

That Standing Orders be resumed.

Moved: Cr O'Rourke

Seconded: Cr Penna

**Resolution No. 2024-160**

**CARRIED**

## **11. WARD REPORTS**

### **11.1. Eppalock Ward - Cr Evans**

Eppalock Ward - Cr Evans presented a report on various issues and meeting/events, including:

It is an honour to present the Eppalock Ward report on behalf of Cr O'Rourke, Cr Penna, and I.

#### **Firstly, here are the events that some/all Eppalock Ward councillors attended:**

- A joint meeting with the Youth Council at Yo Bendigo.
- The official opening of 'Fibre' at Djaa Djuwima.
- The official opening of Stage 1 of the Bendigo Foodshare redevelopment.
- The final Eppalock Ward Listening Post at the Elmore Bakery store in East Bendigo.
- Recognition Reception for our Olympic Athletes at the Bendigo Town Hall.
- Drop in session for the Managed Growth Strategy.
- The Intercultural Ambassador's Graduation Ceremony at the Bendigo Tennis Centre.
- Regular meetings with residents and ratepayers, site visits, and briefings.

#### **In addition, Cr O'Rourke attended:**

- Farewell lunch for Marnie Baker and welcome new MD & CEO Richard Fenell to the Bendigo Bank.
- Branding event for La Birpa
- Audit and Risk Committee Meeting
- Bendigo Regional Manufacturing Group monthly meeting
- Meeting with Strathfieldsaye Bowls Club

#### **In addition, Cr Penna attended:**

- Boys to the Bush site visit.

- Launch of the Chinese Film Festival with the Mayor.

**In addition, I attended:**

- The official opening of 'Where I stand' - Lyn Raymer Exhibition at the Living Arts Space.
- Strathfieldsaye & Districts Community Enterprise Meeting.
- Spoke at a Men's Breakfast at the Strathfieldsaye Community Church.
- The Onam Celebration hosted by the Bendigo Malayalee Association.
- The Bendigo District RSL Annual Dinner.

**Summary**

One of the highlights of the past month has been the Recognition Reception for our local athletes and coaches who competed at the Paris 2024 Olympic Games. These Olympics was Australia's most successful campaign ever. And Bendigonians played a huge role in that.

It was great to hear from Jenna Stauch, Andy Buchanan, Marianna Tolo, and Tim Decker. (Aleisha did a fantastic job as MC for the event.) Importantly, it was great that their friends, family, and members of their local clubs were present.

Jenna, Andy, Marianna, Tim, and all of our local athletes and coaches are inspirations for our next generation of sporting heroes. May their success inspire the present and emerging athletes.

Finally, this is the final Eppalock Ward report under the current format. I've enjoyed working with Cr O'Rourke and Cr Penna to put these together. In a small way, it represents the way that we have all worked together.

I will have more to say in my farewell remarks, but I want to acknowledge my fellow ward councillors. We started together as strangers, have got to know each other over the years, and I believe we have been a good team.

On a side note, it was pleasing to have members of the community come to our most recent listening post to thank us for our service. It's rare, but greatly appreciated. Thank you for your partnership, support, and guidance. I've enjoyed working alongside you both, and we have demonstrated the value of a high-functioning multimember ward.

As we enter caretaker period tomorrow, there is still some time before we finish up at the end of October. Your local Eppalock Ward councillors are here to help, so please be in touch with any issues.

Stay classy, Greater Bendigo. See you in the community.

## 11.2. Lockwood Ward - Cr Williams

Lockwood Ward - Cr Williams presented a report on various issues and meeting/events, including:

- Cr Alden and I have had a couple of Farming & Agribusiness Advisory Committee meetings. Which I hope to see will continue next year with the new councillors.
- Cr Alden and I have also attended a few Lockwood ward listening posts. There are always some good questions asked at these listening posts and I love it when people get involved in their wards and Bendigo as a whole.
- I also attended a meeting at the Bendigo Livestock Exchange for a Q&A session regarding the proposed FOGO facility, that will be coming up on the agenda later this meeting.
- Cr Pena & I attended a Boys to the Bush launch, situated out at Red Tank Rd Strathfieldsaye. BttB is focused on prevention and early intervention strategies for disengaged and /or disadvantaged male youth. Since 2017 BttB has impacted over 10,000 lives via involvement in 1:1 MENtoring Programs, Camps, School Programs, Indigenous Cultural Connection Programs, Alternative Care Arrangements and Community Engagement Days. So, sounds like a good program.

I'd also like to briefly summarize a few critical issues affecting our community as I have stated in previous Reports, starting with youth crime in Bendigo. Over the past year, youth crime in our area surged to 651 offences, including aggravated burglaries, car thefts, and serious assaults. This troubling rise is mirrored across Victoria, where offences by children as young as 10 have increased by over 40%. We see aggravated burglaries and car thefts becoming more frequent, with the majority of offenders aged between 13 and 19, highlighting the urgent need for better preventative measures and better liaison between Council and Bendigo Police.

In addition to youth crime, drug abuse, particularly involving prescription medications, is at an alarming level. Bendigo has experienced a significant rise in overdose deaths, with an average of one person dying each month. This issue transcends demographics, impacting young and older populations, with Indigenous Australians disproportionately affected. This drug crisis, coupled with our youth crime problem, points to deeper systemic issues requiring immediate and comprehensive action.

Mental health is another area of concern. Statistics show that two in five Australians have experienced a mental disorder, and suicide rates are rising across all age groups, especially among our young people and elderly. This highlights the critical need for enhanced mental health support services in our city.

Homelessness, exacerbated by economic pressures, remains a pressing issue. I urge the council to explore innovative solutions like Tiny House Communities to provide emergency and transitional housing for those in need. With inflation, rising food and energy costs, and surging rent and mortgage rates, many in our community are struggling to stay afloat, making affordable housing even more essential. In conclusion, these challenges – youth crime, drug abuse, mental health, homelessness, and economic pressures – require a coordinated effort from all levels

of government, local organisations, and our community. I believe we need to work together more proactively to address these pressing issues and build a safer, healthier Bendigo.

### **11.3. Whipstick Ward - Cr Sloan**

Whipstick Ward - Cr Sloan presented a report on various issues and meeting/events, including:

- I am pleased to present September 2024 Whipstick Ward Report of behalf of Mayor Cr Metcalf & Cr Fagg. The previous council meeting was held on 26 August and in the past 3 weeks whipstick ward Crs have been in the community attending community events & meetings, council briefings, site visits & meetings with residents. We are pleased to undertake regular advocacy on behalf of residents by following up requests made in relation to matters requiring an operational response from the City. These matters are important to residents and their ward councillors and have recently related to vegetation removal, road & footpath repair, rubbish dumping, tree pruning, road grading, playspace equipment, e-scooters & car parking.
- We enjoy being with our community & have been offered great opportunities to connect with local people including being interviewed by community radio Phoenix FM and writing regular Cr updates for Long Gully Neighbourhood Centre Newsletter all to share with & inform the community about latest council news, grant opportunities & upcoming civic events. Thank you everyone for offering ward councillors these unique opportunities to connect with the community over the past 4 years.
- Whipstick Ward Cr's have attended community events & outings including a listening post at White Hills, some drop-in information sessions with local residents at Bagshot Hall to discuss the Hall, ask questions & have their say; participated in the monthly empowering eaglehawk meetings; attended the Community Nature Forum at LTU; & spoke with ward residents incl: Elmore, Epsom, Huntly, Long Gully & Eaglehawk about local issues.
- Mayor Cr Metcalf attended & spoke at the Under Cover documentary at the Star Cinema; this documentary revealed our hidden homeless, women over 50 who belong to the fastest growing cohort of people experiencing homelessness in Australia & for whom acknowledgement & advocacy is vital. Cr Fagg attended the successful junior soccer Super Cup final series at Epsom Huntly Recreation Reserve; the series held at this fantastic facility was the culmination of Bendigo Amateur Soccer League's junior season. We acknowledge & congratulate the teams, players & volunteers who contribute to the success of this great League across the municipality, well done everyone. I attended the Central Victoria Biolinks Alliance Symposium focusing on rewilding, a practical approach beyond saving single species or patches of remaining habitat to restoring missing species & wider natural processes supporting life. Environmental experts included Dr Peter Rose, an aquatic ecologist with NCCMA & project manager for Native Fish Recovery Plan, who spoke on rewilding small-bodied threatened floodplain fish in

Central Victoria & acknowledged the City's support & assistance with these specialist fish conservation projects.

- We were pleased to also participate in briefings including managed growth strategy, planning applications, UNESCO creative cities, rural areas strategy, Q4 finance & capital management report, actions register report & public space advisory committee review.
- Thank you to everyone in our community for making us feel welcome at community events, forums & celebrations where serving our community is an honour & privilege.

## 12. DECLARATIONS OF CONFLICT OF INTEREST

No attendee declared a 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 August 26, 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>

## MOTION

That the recommended motion be adopted.

Moved: Cr Alden

Seconded: Cr Fagg

**Resolution No. 2024-161**

**CARRIED**



#### **14. PETITIONS AND JOINT LETTERS**

Nil

## 15. LEAD AND GOVERN FOR ALL

### 15.1. 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.

#### MOTION

That the recommended motion be adopted.

Moved: Cr Sloan

Seconded: Cr O'Rourke

#### Resolution No. 2024-162

**CARRIED**

#### 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 September 2024 [**15.1.1** - 1 page]

## 15.2. Risk Management Policy and Fraud and Corruption Policy

Author:	Rebecca Maple, Risk and Assurance Advisor
Responsible Director:	Jessica Howard, Director Corporate Performance

### Purpose

The purpose of this report is to seek Council approval of the attached:

- Risk Management Policy
- Fraud and Corruption Policy

### Recommended Motion

That Council approve the attached:

- Risk Management Policy
- Fraud and Corruption Policy

### MOTION

That the recommended motion be adopted.

Moved: Cr Evans

Seconded: Cr O'Rourke

### Resolution No. 2024-163

**CARRIED**

### Executive Summary

The Risk Management Policy and Fraud and Corruption Policy have been reviewed in accordance with the City's Policy Framework.

There are no significant changes to the Risk Management Policy. The Fraud and Corruption Policy has been reviewed in light of the new Australian Standard AS 8001:2021 Fraud and Corruption Control released in 2021.

### Background

The Risk Management Policy assists decision makers to make informed and proactive management decisions within the City's risk appetite and provides assurance to key stakeholders that Council are managing risk and making evidence-based decisions. The Risk Management Policy underwent comprehensive review in 2019.

An essential component of good governance is to develop and maintain adequate internal control systems. An effective fraud control framework is widely recognised as a critical element of such systems. The Fraud and Corruption Policy underwent comprehensive review in 2019.

Previous Council decision dates: December 11, 2019

## **Report**

### ***Risk Management Policy***

Effective risk management is required to achieve Council's objectives. To ensure risk is managed consistently and in accordance with the appropriate accountabilities and controls, the Risk Management Policy and associated Risk Management Framework embed an Enterprise Risk Management approach which includes:

- consistent methodology to assess, prioritise and manage risk;
- integration into all activities, including business planning, audit and assurance, business continuity, work, health and safety, project management and procurement;
- clearly defined roles and responsibilities.

Changes proposed following the current review are minimal, with the organisation's focus being to continue embedding the Risk Management Policy and Framework and build risk maturity across the organisation.

### ***Fraud and Corruption Policy***

The Fraud and Corruption Policy has been reviewed and updated in accordance with Australian Standard AS 8001:2021 Fraud and Corruption Control and considering the Australian Standard AS ISO 37001:2019 Anti-bribery management systems.

The primary changes proposed to the Fraud and Corruption Policy are:

- structuring the policy in terms of prevention, detection, reporting and response in accordance with the AS 8001:2021;
- introduction of an Information Security Management System (ISMS); and
- amending the policy review cycle to four yearly.

### ***Priority/Importance***

Effective risk management is essential for the City to understand its risks, modify them as appropriate, and thereby maximise its chances of achieving its objectives.

The City is committed to preventing, deterring and detecting fraudulent and corrupt behaviour in the performance of its activities and has a zero-tolerance approach to fraud and corruption.

### **Communications/Engagement**

Internal consultation was undertaken with the Executive Management and Organisational Leadership Teams.

The policies have been provided to the Audit and Risk Committee.

### **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. DRAFT Risk Management Policy [**15.2.1** - 12 pages]
2. DRAFT Fraud and Corruption Policy [**15.2.2** - 11 pages]

### 15.3. Annual Financial and Performance Statements

Author:	Nathan Morsillo, Manager Financial Strategy
Responsible Director:	Jessica Howard, Director Corporate Performance

#### Purpose

The purpose of this report is to provide Council with the draft Annual Financial Statements and Performance Statement for 30 June 2024, noting their draft pre-audit status at the time of writing this report.

#### Recommended Motion

1. That Council:
  - a. approve in principle the draft Financial Statements and the draft Performance Statement as presented; and
  - b. authorise the Mayor, Cr Metcalf and Cr O'Rourke or Cr Sloan (or their delegates), as the Audit and Risk Committee representatives, to certify the Financial Statements and the Performance Statement in their final form on behalf of the Council of City of Greater Bendigo.
2. The Principal Accounting Officer (Manager Financial Strategy) be authorised to make any non-material changes to the Financial Statements and the Performance Statement that may arise as a result of the audit.
3. The Chair of the Audit and Risk Committee be notified of any material changes proposed to be made to any of the Statements so that it may be decided whether the Audit and Risk Committee needs to meet further to consider such proposed changes prior to two Councillors signing off the Statements.
4. A copy of the Statements in their final form be forwarded to the members of the Audit and Risk Committee.

#### MOTION

That the recommended motion be adopted.

Moved: Cr O'Rourke

Seconded: Cr Alden

**Resolution No. 2024-164**

**CARRIED**

#### Executive Summary

The City of Greater Bendigo has prepared draft Annual Financial Statements and the Performance Statement for the financial year ending 30 June 2024.

This item seeks a resolution authorising two Councillors to certify the statements. The statements are in the process of being reviewed by the Victorian Auditor General's Office (VAGO), and as such are in draft form.

## **Background**

Section 98 of the *Local Government Act 2020* (Vic) requires the following:

- (1) A Council must prepare an annual report in respect of each financial year.
- (2) An annual report must contain the following:
  - (a) a report of operations of the Council;
  - (b) an audited performance statement;
  - (c) audited financial statements;
  - (d) a copy of the auditor's report on the performance statement;
  - (e) a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;
  - (f) any other matters prescribed by the regulations.

The annual report must be presented to a council meeting (open to the public) by 31 October 2024. Council can submit the final version of the Financial Statements to its auditor once it has passed a resolution giving its approval in principle to the Financial Statements and Performance Statement.

## **Report**

### *Annual financials*

The City of Greater Bendigo has prepared draft Annual Financial Statements and the Performance Statement for the financial year ending 30 June 2024.

### *Headline results in the financial statements*

The financial statements, including comprehensive income, balance sheet, cash flows, equity and capital works summarise the financial position as at June 30, 2024. The following section highlights items of note in the Financial Statements.

The year-end result is a \$4.62M operating surplus before revaluation income. The budgeted operating surplus was \$27.54M, resulting in a variance of \$22.9M to budget.



Total expenditure exceeded budget by 11%, whilst revenue was broadly on budget. This result is reported in line with applicable Accounting Standards.

The comprehensive result includes an \$85.9M net asset revaluation gain.

**Key financials:**

- Total income of \$245.1M (Budget \$243.3M) for the financial year
- Total operating expenses, including non-cash items, were \$240.4M (Budget \$215.8M)
- Property, infrastructure, plant and equipment written down value of \$2 billion; being valuations of \$2.91 billion, less depreciation of \$903M
- Capital Works of \$61.6M during 2023/2024
- Capital Works project funding carried forward to 2024/2025 was \$24.5M (\$22.2M in 2020/2021)

Cash or term deposit balances at 30 June 2024 were \$66.7M, a decrease of \$28.8M from the previous year. A large percentage of the 30 June cash balance has some form of restriction or intended allocation for future needs (refer Note 5.1). These include:

- Trust funds and deposits \$4.6M
- Grant funding received in advance \$10.3M
- Reserves \$20.7M
- Council cash contribution held to fund carried forward capital works \$25.4M.

A summary of key financial sustainability indicators is included below:

**Key financial sustainability indicators**

Indicator	2022/2023	2023/2024	Risk indicator
	Result	Result	
Net result (%)	12.03%	2.1%	Low Risk
Adjusted underlying result (%)	(3.3%)	(21.07%)	High Risk
Liquidity (ratio)	2.26	1.73	Low
Indebtedness (%)	39.38%	37.7%	Low
Renewal gap (ratio)	0.77	0.75	Medium

The key indicator with a high-risk rating is the City's adjusted underlying result. The calculation method for this indicator includes significant (non-cash) depreciation charges on the City's assets and is calculated by subtracting any non-cash contributions and removing any one-off or non-recurrent transactions.

The result highlights the challenges the City is facing in a revenue-constrained environment where costs and service demands are outstripping recurrent available funds. Council assets have a written down value of \$2 billion across property, infrastructure plant and equipment.

#### Future Financial Sustainability

The City has already set an internal KPI of \$2M in savings over the coming years to support financial sustainability.

#### Performance Statement

The Local Government Performance Reporting Framework (LGPRF) requires councils to report against prescribed indicators and measures as part of their Annual Report.

Data and information has been collected and finalised to fulfil the requirements of the LGPRF. This information is used in both the Report of Operations and the Performance Statement in the Annual Report. Only the data and information in the Performance Statement must be audited.

There is a larger set of indicators which will be reported through the LGPRF framework and published on the VAGO and Victorian Government websites.

#### **Communications/Engagement**

The draft Annual Financial Statements and the Performance Statement has been presented to the Executive Management Team. The Audit and Risk Committee reviewed and endorsed the draft Statements on September 4, 2024. The financial statements are also reviewed by HLB Mann Judd, contracted by the Victorian Auditor General's Office (VAGO) to undertake the external audit.

#### **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)***

City of Greater Bendigo Financial Plan 2021-2031  
City of Greater Bendigo Budget 2024/2025

### **Conflict of Interest**

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

### **Attachments**

1. Annual Financial Statements- GPF S-2024 05-09-2024 ( Latest) [**15.3.1** - 72 pages]
2. COGB Performance Statement 2024 6.9.24 [**15.3.2** - 14 pages]

## 15.4. Community Asset Policy

Author:	Rebecca Millard, Connected Communities Officer - Positive Ageing
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

### Purpose

For Council to review the final draft Community Asset Policy with a view to adopting it as Council Policy.

### Recommended Motion

That Council adopt the final Community Asset Policy as Council Policy.

### MOTION

That the recommended motion be adopted.

Moved: Cr Sloan

Seconded: Cr Alden

### Resolution No. 2024-165

**CARRIED**

### Executive Summary

The provision of community assets supports the needed services for communities to thrive, including contributing to their overall wellbeing, social and economic participation.

The City owns and/or manages a large asset base with a reported value of around \$1.99B and servicing a population of around 120,000. Having asset management policy guidance supports equitable decisions relating to management of these important community assets, including potential investment or rationalisation.

Community assets include everything from buildings, public toilets, shelters, statues and monuments, play spaces, sporting grounds, parks and reserves, bridges, roads and associated infrastructure and more.

The Policy aims to facilitate sustainable planning and management of community assets predominantly owned and/or managed by the City. It supplies principles that apply to:

- Decisions
- The management of assets
- Strategic documents related to community assets.

The Asset Management Framework (Figure 1) included within the Policy establishes guidelines to ensure that suitable infrastructure and physical assets are available to support the delivery of needed services for the community. It considers current and future community needs and seeks to balance levels of service with community expectations and the City's fiscal responsibilities.

The principles described in the Policy seek to ensure decision making is consistent, fair and equitable, transparent and accountable – creating a balance between the operational and financial challenges faced by the City and community benefits and outcomes.

The Policy applies a community equity lens over decision making, resulting in better outcomes for the community, City and Council.

The Policy's development has been informed by a literature review, benchmarking, an Equity Impact Assessment and community consultation.

## **Background**

The City owns and manages a large portfolio of community assets. This portfolio continues to slowly grow as does the renewal gap. Change is needed by way of guiding principles in decision making, that will supply the needed direction to support prioritisation, investment and rationalisation.

Our community is changing and growing with an estimated population increase of 87,000 people by 2056, as noted in the draft Managed Growth Strategy. Some areas are experiencing rapid population growth, whilst others are experiencing gradual population decline. These evolving community demographics have an impact on asset and service needs.

This Policy supports the Council's vision and outlines how it will contribute to achieving this.

*'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 provision of community assets fulfils obligations under the Local Government Act (Act) 2020 and the principles of:

- Community engagement

- Strategic planning
- Financial management
- Public transparency
- Service performance

In 2020 a draft Community Buildings Policy was presented to Council however it was not adopted.

This Policy combines the existing internal Asset Management Policy and a draft of a Community Infrastructure Policy resulting in the scope incorporating all City assets. The rationale for taking this approach included the value that would be added by way of applying a community equity lens over community asset planning, investment and rationalisation decisions, as well as the similarities policy purposes and intended community outcomes.

The City's Integrated Strategic Planning Governance Group (ISPGG) has been engaged throughout this Policy's initiation and development.

An Equity Impact Assessment was completed. The final recommendation is to produce a summary document of this Policy for the community, allowing for ease of reading and understanding. Additionally, a gendered language review was completed on this Policy, to reduce any bias towards gender.

Previous Council decision dates:

- 19 August 2020: a draft Community Buildings Policy was presented to Council however it was not adopted.
- 29 July 2024: Councillors were briefed on the draft Community Asset Policy and supported its progression to community consultation.
- 2 September 2024: Councillors were briefed on the final draft Community Asset Policy and supported its progression to the September 16, 2024 Council meeting with a view to adopting it as Council Policy.

## **Report**

This Policy has been established in response to:

- The need to have a transparent, consistent and equitable decision-making process relating to community asset management specifically prioritisation, investment and rationalisation.
- Current inequities in existing community asset and infrastructure service levels.
- Increasing financial challenges in supporting the maintenance and operations of a large and ageing asset base.
- Some assets and infrastructure are no longer fit for contemporary purpose.

- Changes in community needs, including areas experiencing population growth or decline.
- Changes in legislation and standards.
- The impacts of a changing climate where extreme weather events are expected to increase in both frequency and severity.
- The need for clarity about the City's role in supporting community assets that are not City owned and/or managed.

In July 2024, Councillors supported the release of the draft Policy for public comment. The public comment period was from July 30 to August 20, 2024.

This multi-modal community consultation included Let's Talk Greater Bendigo and staff drop-in sessions where feedback was sought on the Policy's purpose, principles, definitions and what could be missing.

36 participants engaged in the consultation process. Feedback received via Let's Talk Greater Bendigo indicated 78% of respondents found the purpose clear and easy to understand, similarly 74% found the principles clear and easy to understand.

Simplification of draft Policy language and a need to keep promoting Policy application were key themes identified through the stakeholder consultation processes.

No significant changes were made to the Policy's purpose, principles and overall intent in response to the feedback received. However, the suggestion to simplify the Policy language aligns with the outcome of the EIA which will be responded to with the development of a Plain English version of the Policy for the City website. The need to keep promoting the consistent application of the Policy internally, will be addressed through effective implementation once endorsed by Council.

The Policy will provide the basis for development of multiple strategic documents including Asset Management Plans, a Greater Bendigo Community Hubs Strategy (Strategy) and other community asset related documents.

In addition to the above, an internal *Maturity Assessment* was completed to understand the level of maturity and ensure the Community Asset Policy is aligned with best practice. The National Assessment Framework was used and involves answering a series of questions grouped in maturity levels one 1 to 5 with 3 being 'core' maturity and 5 being 'advanced'. The Community Asset Policy scored 3.99. Measures above 3 are considered to be high scores in this process.

### ***Priority/Importance***



The Policy is a high priority, as no such Policy exists currently that supports community asset prioritisation, investment or rationalisation decisions. Policy need was identified several years ago when a first draft was prepared. Implications of the COVID pandemic implications and limited resourcing have challenged progression since then.

The Policy will guide the development of multiple strategic documents that are planned or in development.

As noted in the Asset Plan and Financial Plan, importantly the Policy will assist with equitable supply of community assets and management of the growing renewal gap.

### ***Timelines***

- Policy application will commence upon adoption.
- The Policy will be used to guide community asset focused strategic documents.
- Whilst the formal Policy review period is currently set at four years, Policy review and recommended changes could commence before if opportunities to strengthen the Policy are identified upon implementation.

### **Communications/Engagement**

The City's ISPGG, a Project Working Group and Project Control Group have provided the governance framework for this Policy's development.

The community consultation period spanned from July 30 to August 20, 2024 and focused on gathering feedback to determine if the Policy's purpose, definitions and principles were clear and understandable and if there were any key principles missing.

36 participants engaged in the consultation via Let's Talk Greater Bendigo and staff drop-in sessions.

Three internal (staff only) drop-in sessions were coordinated as part of the consultation processes. There were 15 attendees over these sessions. Participants indicated they collectively agreed there is a need for this Policy and noted a good understanding of the Policy's purpose and principles.

Let's Talk Greater Bendigo, received a total of 21 responses. The feedback received indicated:

- 78% of responses found the Policy purpose clear and easy to understand.
- 84% found the Policy definition of terms clear and helped them to understand what the Policy is referring to.
- 74% said the principles and their descriptions were clear and easy to understand.

- When asked if there was anything missing in the principles of the Policy, 71% indicated no.

Qualitative responses indicated key areas for action were simplification of draft Policy language and a need to keep promoting consistent Policy application.

### **Financial Sustainability**

The City has a large and growing asset base. Without interventions, including the potential for some asset rationalisation, the gap between asset renewal need and the ability to fund such need will continue to grow. The Policy aims to reduce this gap over time and ensure investment decisions are informed and provide positive outcomes for the community, City and Council.

### **Risk Assessment**

If the Policy is not adopted risks may include:

- Inconsistent asset investment or rationalisation recommendations being directed to Executive Leadership Team / Council for decision and inequitably impacting communities.
- No consistent guidance in the development of key strategic documents that the Policy would help to inform.
- Continued inequities in service levels (including over or under supply of some assets in some areas).
- The renewal gap continues to grow, challenging the City's financial sustainability.
- No clarity on potential investment in non-City owned or managed assets in response to a service level gap.

If the Policy is adopted it is likely there will be challenges to Policy implementation, for example, any proposal for asset rationalisation is likely to be a very sensitive matter for the community involved.

The Policy review cycle is currently set at four years after adoption however this could be brought forward. It is intended to undertake an internal review within two years. If the internal review identifies significant recommended changes or opportunities to strengthen the Policy, these recommendations would be presented to Council for consideration at that time.

### **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 4 - Aboriginal reconciliation

Outcome 5 - A climate resilient and healthy landscape

Outcome 7 - A safe, welcoming and fair community

**Secondary Council Plan Reference(s)**

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

Goal 3 - Active community engagement and excellence in customer service

Goal 1 - Strengthened community health and wellbeing

Goal 6 - More people live in 10-minute neighbourhoods

Goal 7 - Sustainable population growth is planned for

Goal 8 - Targeted investment in services, facilities, and programs to communities most in need

Goal 3 - A transformed and revitalised City Centre

Goal 7 - Work towards developing a major events precinct in Greater Bendigo

Goal 1 - Respecting and celebrating our Traditional Owners and Aboriginal and Torres Strait Islander Peoples and cultures through all levels of our organisation

Goal 2 - Strengthening our trust, relationships and partnerships with Traditional Owners and the Aboriginal and Torres Strait Islander community

Goal 3 - Thriving landscapes and ecosystems

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

Goal 5 - A community that feels safe

Goal 7 - Emergencies are prevented or mitigated

**Other Reference(s)**

Legislation

- The Local Government Act 2020

Alignment to Council Plan's, plans and relevant strategic documents are critical to the implementation of this policy. These include:

- Greater Bendigo Long Term Financial Plan;
- Community Engagement Policy;
- Healthy Facilities Policy;
- Leases and Licences Policy;
- Place Interpretation and Naming Policy; and
- Sustainable Buildings Policy.

This Policy is intended to complement and contribute to the following:

- Council Plan;
- Municipal Health and Wellbeing Plan;
- Greater Bendigo Long Term Financial Plan;
- Asset Plan;
  - Asset Management Plans (respective);
- Integrated Transport and Land Use Strategy;
- Greater Bendigo Public Space Plan;
- Reconciliation Plan (Barpangu);
- Social Justice Framework;
- Greater Bendigo Planning Scheme;
- Gender Equity Strategy;
- Greater Bendigo Climate Change and Environment Strategy;
- Biodiversity Strategy and Action Plan;
- Road Management Plan;
- Walk, Cycle Greater Bendigo Strategy;
- Community Aquatic Facilities Strategy;
- Greater Bendigo Public Toilet Strategy;
- Early Years Infrastructure Framework;
- Economic Development Strategy;
- Greater CREATIVE Bendigo Strategy;
- Greater Bendigo Food System Strategy;
- Service plans.

### **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 Community Asset Policy 2024 [**15.4.1** - 8 pages]

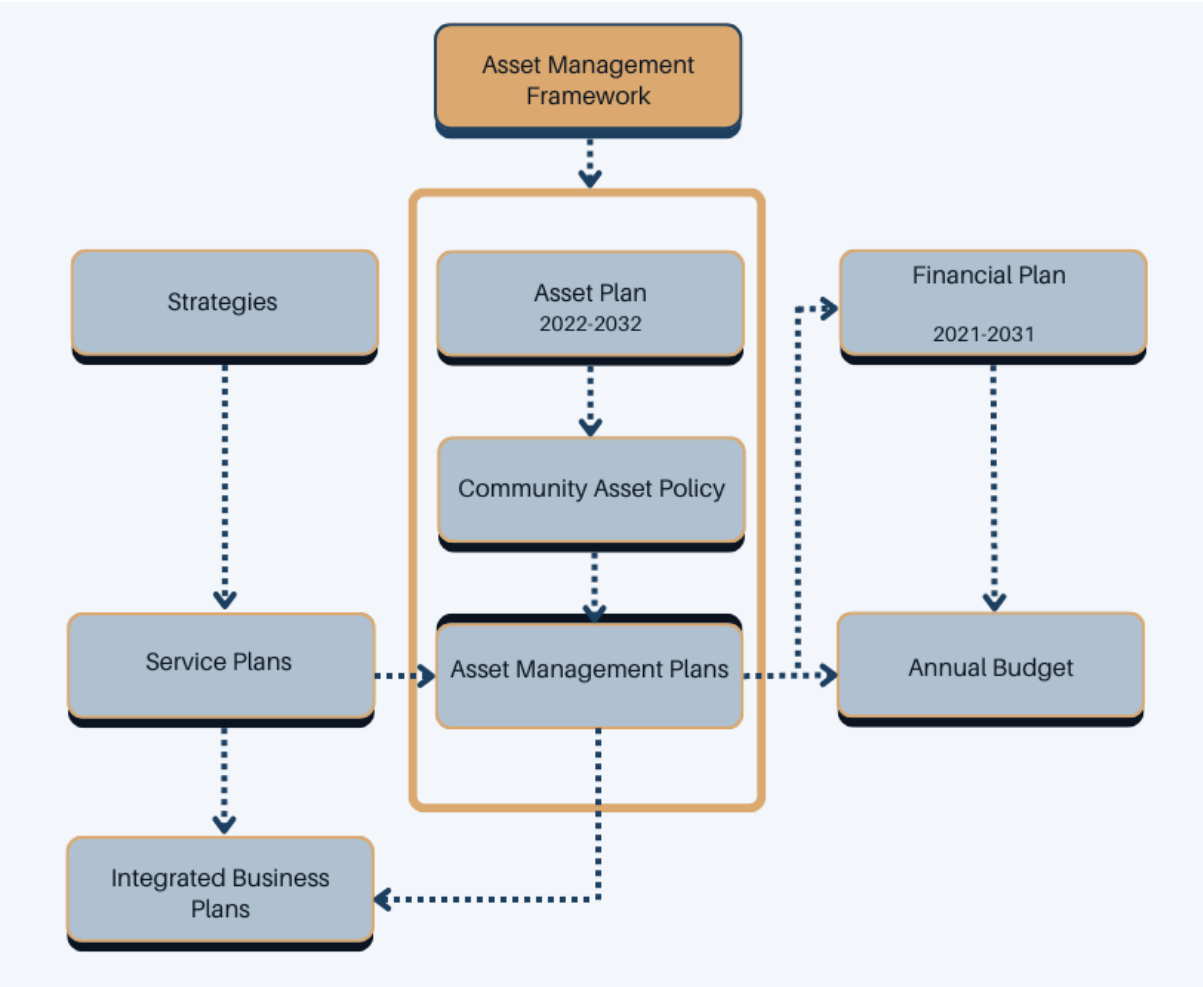


Figure 1. Asset Management Framework

### **15.5. Part Road Discontinuance - Margaret Crescent, Flora Hill**

Author:	Ian McLauchlan, Manager Engineering
Responsible Director:	Brian Westley, Director Presentation and Assets

#### **Purpose**

To seek Council approval to proceed with the statutory process of the part road discontinuance of Margaret Crescent, Flora Hill and the subsequent sale of the excised land to the adjoining landowner.

#### **Recommended Motion**

That Council:

1. Publish the attached public notice stating that submissions in respect of the proposed part discontinuance of the road annotated as R1 on LP21180 will be considered, with a view to consent being given for that portion of road being discontinued to be sold to the adjoining landowner.
2. Contingent on no submissions objecting to the part road discontinuance and subsequent land sale being received, instruct officers to proceed with the:
  - a. Publication of a notice within the Government Gazette, confirming the part discontinuance of the road annotated as R1 on LP21180.
  - b. Sale of the land to the adjoining landowner subject to a fair-and-reasonable market valuation being obtained and consolidation of the land within the adjoining property title (Certificate of Title Volume 6302 Folio 325).

#### **MOTION**

That the recommended motion be adopted.

Moved: Cr O'Rourke

Seconded: Cr Penna

**Resolution No. 2024-166**

**CARRIED**

#### **Background**

The road reserve annotated as R1 on LP21180 (the Road) was created in 1951 as part of the historical subdivision which resulted in the creation of Margaret Crescent, Flora Hill. At the time of this subdivision the boundary alignment for the Road was offset approximately 6m east in relation to the alignment of the residential allotment boundaries to the north (see attachment 1).

A long-standing encroachment over part of the Road exists, whereby the perimeter fence associated with the adjoining property at 5 Carter Street (the Property) has been historically constructed in such a manner as to align with the boundary fences to the north, consequently incorporating approximately 157m<sup>2</sup> of the Road (the Land) into the Property boundary. It is unclear as to when exactly this encroachment took place, however available aerial photography indicates that said fencing has been in place since 1996. No record of any approval or agreement by the City of Greater Bendigo (the City) or its predecessors for the private use/occupation of the Land has been discovered.

In 2013 a complaint was received regarding the above encroachment, at which time officers undertook an investigation. This investigation determined that whilst the boundary fence of the Property had encroached into the Road, the fence configuration appeared orderly/contiguous with respect to adjacent boundary fencing and that the Land was not required for public use as part of the function of either Margaret Crescent or Carter Street.

It was therefore recommended that consideration be given to excision, sale and potential consolidation of the Land into the adjoining Property.

The investigation also identified that the title for the Road remained registered with the original landowner at the time of subdivision. The Road was subsequently transferred and vested with Greater Bendigo City Council in 2017, being Certificate of Title Volume 11183 Folio 910 (see attachment 2).

Previous Council decision dates: Council has not previously considered this matter.

## **Report**

Since the 2013 encroachment investigation, officers have been progressively working towards resolving this matter. More recently, the Property owner has expressed a desire to formalise the excision and consolidation of the Land into the Property title, in preference to the removal and relocation of boundary fencing and internal improvements made upon the Land.

The Land is currently categorised as a public road for which City is the co-ordinating road authority, however has not been developed or used as part of the function of



Margaret Crescent or Carter Street, nor is it likely to be required for such use in the future. The Land is therefore considered to be surplus to the City's needs.

As the Land is vested in City of Greater Bendigo, discontinuance as a public road is the first step to enable its sale to the adjoining owner. Subsequent sale of the Land to the adjoining property owner is subject to further statutory requirements, specifically a fair-and-reasonable market valuation being obtained along with consolidation of the Land into the adjoining Property title, being Certificate of Title Volume 6302 Folio 325.

Discontinuance and consolidation of the Land into the adjoining Property does not represent a risk to the function of either Margaret Crescent or Carter Street or associated ancillary infrastructure (e.g. drainage, paths, power, sewer, water). However, as part of the excision process a 2.5m x 2.5m splay at the southwestern extremity will be required to remain classified as road (i.e. at the intersection between Margaret Crescent and Carter Street) to support pedestrian and intersection safety.

With respect to the statutory process to affect the recommended discontinuance and sale of the Land, section 12 of the Road Management Act sets out the requirements of a proposed discontinuance of a public highway (road). Specifically, Council is required to:

- Publish a public notice stating that submissions in respect of the proposed part discontinuance of the Road will be received and considered over a minimum 28-day notice period, consistent with section 223 of the Local Government Act 1989 (the Act).
- Provide a copy of the public notice to each infrastructure manager which is responsible for any infrastructure, of which the discontinuing body is aware, installed in, on, under or over the road.

Third party infrastructure (Coliban Water sewer main) has been identified as being located within the area of the road proposed to be discontinued and as such will likely require establishment of an easement over this asset if the Land is to be sold.

Further, clause 3, schedule 10 of the Act provides that Council may discontinue a road, or part of a road, by a notice published in the Government Gazette and sell the land from that road, transfer the land to the Crown or retain it for its own purposes.

As the Road is not located on Crown land, following its part discontinuance, the Land will vest in fee simple with the Council, pursuant to section 207B of the Act.

Following the part discontinuance of the Road, should Council then wish to sell the Land it must comply with section 114 of the Local Government Act 2020, which requires that it:

- Publish a notice of its intention to do so on the Council internet site at least 4 weeks prior to selling the Land.
- Undertake community engagement in accordance with its corresponding community engagement policy.
- Obtain a valuation of the Land not more than six months prior to its sale.

Publication of a consolidated notice outlining the Council's proposed part discontinuance of the Road and its intention to sell said Land to the adjoining landowner is recommended, in accordance with both the City of Greater Bendigo Community Engagement Policy and section 223 of the Act.

### ***Priority/Importance***

Discontinuance and sale of the Land is a low to medium priority, however as the subject Land has now been vested in the City and the owner of the Property has expressed an interest in resolving this matter, a recommendation to proceed with the discontinuance and sale is being presented.

### ***Options Considered***

Three options with respect to the encroachment upon the Land were considered, namely:

1. Removal of all encroachments within/over the Land.
- 2.
3. Lease the occupied Land to the adjoining Property owner.
- 4.
5. Part discontinuance of the road and sale to the adjoining Property Owner.

Whilst the Land has been identified as being surplus to the City's needs, Council may choose not to support the proposed part road discontinuance and sale of the Land. Such a decision would require either a separate lease to be established over the Land to recognise the current occupation arrangements or more likely the removal of all encroachments (e.g. fencing and other improvements).

Given the lack of potential public use and the configuration of surrounding allotments, sale of the Land to the adjoining Property owner is considered the most suitable option in the interests of orderly land set-out, development and use. Any submission responding/objecting to either the part discontinuance and sale of the Land or suggested/expressed alternative use or interest in its acquisition will be considered.

### ***Timelines***

Pursuant to section 223 of the Act, Council must provide a minimum of 28 days from the date of publication of the notice for submissions to be received. Any person who makes a submission may also request to appear in person and be heard in support of their submission. Subject to the outcome of the statutory notice process under the Act, the likely timeframe to determine whether discontinuance of the road may proceed is in the order of 2 to 4 months.

The subsequent administrative process to affect sale and transfer of the Land to the adjoining Property owner, including consolidation within the associate title, will also likely take a further 2 to 4 months. The statutory notice period for the potential sale of the land will be run concurrently with the discontinuance process (i.e. publication of a consolidated notice).

### **Communications/Engagement**

Internal Consultation: Internal assessment of the proposed discontinuance has been undertaken by the Engineering and Property Service units. Planning enforcement staff were also involved in the initial encroachment investigation in 2013. Officers' assessment has subsequently led to the recommendation to proceed with the discontinuation and potential sale of the Land subject to the requirements of the Act being met.

External Consultation: The purpose of public and infrastructure manager notice is to provide opportunity for submissions to be received and considered before a final decision to proceed with the proposed road discontinuance and sale of the Land is made.

A copy of the proposed consolidated notice concerning both the part Road discontinuance and subsequent sale of the Land is provided within attachment 3.

### **Financial Sustainability**

Other than internal resources allocated to administering this matter (e.g. staff costs), all costs (e.g. valuation, survey, excision, conveyancing and title consolidation costs) associated with the proposed discontinuance and sale of the Land will be borne by the Property owner.

Funds raised through the sale of the Land will be returned to the City's land and buildings reserve, for future allocation towards future strategic public land acquisition or development.

## **Risk Assessment**

No risks associated with part discontinuance of the Road have been identified. It is not anticipated that the Land will be required, or is viable, for future public use.

## **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)***

Local Government Act 1989

Local Government Act 2020

Road Management Act 2004

City of Greater Bendigo Community Engagement Policy 2024

## **Conflict of Interest**

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

## **Attachments**

1. Attachment 1 - Road Reserve Encroachment - 5 Carter Street, Flora Hill [**15.5.1** - 1 page]
2. Attachment 2 - Certificate of Title - Vol 1183 Folio 910 - L P 21180 [**15.5.2** - 2 pages]
3. City of Greater Bendigo Public Notice with Plan Margaret Crescent Flora Hill [**15.5.3** - 1 page]

## 15.6. Airport Redevelopment Budget

Author:	Joshua Owens, Senior Project Officer
Responsible Director:	Brian Westley, Director Presentation and Assets

### Purpose

- To provide Council with an update on the Bendigo Airport Redevelopment Project.
- To seek Council Resolution on the project budget.

### Recommended Motion

That Council formalise and endorse the final expenditure to enable City Officer's to formalise practical completion.

### MOTION

That the recommended motion be adopted.

Moved: Cr O'Rourke

Seconded: Cr Williams

### Resolution No. 2024-167

**CARRIED**

### Executive Summary

The Bendigo Airport Redevelopment is one of Council's highest priority projects. The project has been delivered with financial support of a \$4.5M from the Federal Government and \$4.5M from the State Government; in addition to a direct contribution of \$2.995M from the City of Greater Bendigo (City). In total, the current revised funded budget for the project is \$11.995M.

### Background

The Bendigo Airport recently underwent a large redevelopment to a significant portion of the site. At the core of the redevelopment was the construction of a new terminal and administration building. The buildings were granted a Certificate for Occupancy on February 23, 2024.

In addition to the buildings, the project scope also consisted of large-scale civil development, with the installation of key public network infrastructure. Services included new stormwater drainage, a new water main and sewer infrastructure. There

were also significant electrical infrastructure upgrades, with the installation of new high voltage power supply and associated sub-station equipment. Furthermore, the project also delivered roadway upgrades, a new car park, street lighting, security and CCTV upgrades.

**Previous Council Decision Dates:**

1. May 23, 2022 - Authority to procure contract CT000620. (Terminal and Admin construction) - Endorsed.
2. March 27, 2023 - Council Resolution seeking additional funding of \$2.1M - Resolution No. 2023-45.

**Report**

This report seeks endorsement, regarding an additional City contribution of \$655,000.00 to close the project out. The additional commitment takes the total City contribution to \$3.65M, for a total project budget of \$12.65M.

The Bendigo Airport Redevelopment has experienced significant cost pressures throughout its life cycle. Cost escalations placed strain on the project, although costs were controlled through quantity surveyor and value-management workshops throughout delivery.

As tabled in the budget summary, there are several actual costs that have increased from the initial and subsequent revised budget. These costs include, but are not limited to, the additional excavation and Traditional Owner landscaping elements to the terminal project, to provide a suitable interface with the rest of the civil development in the public domain.

There was also a requirement for additional pavement on the Airport Airside to enable safe and effective operation.

The civil component of the project faced further challenges which included undetected rock in service trenches, clashes with undocumented and old services, and unstable ground conditions, resulting in re-work. It was also deemed necessary that an extension to the sewer main be constructed in this project to service existing tenants. The recommendation to proceed with this key piece of infrastructure is due to the difficult nature of installation, once roadways and pavements are completed. Furthermore, if the sewer was completed in future, there is a high probability of damage and the require costly repairs that follow.

An analysis of contributing budget overruns includes the following elements:

1. Budget and grant applications undertaken prior to Covid market interference.

2. Realisation of previously unknown or undocumented project infrastructure and associated costs.
3. Federal commitment and grant agreement delay.

### ***Priority/Importance***

High importance

### ***Options Considered***

Considering budget constraints, the project team value managed the budget and scope throughout the life of the project. The team introduced a range of cost saving measures, to not only reduce costs, but to also direct budget to critical components of the project, ensuring of a delivery a suitable and successful product. The most significant option introduced was the removal of utility branch infrastructure and associated civil works, as endorsed under Council Resolution No. 2023-45.

### ***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 4 - Aboriginal reconciliation

Outcome 5 - A climate resilient and healthy landscape

Outcome 7 - A safe, welcoming and fair community

#### ***Secondary Council Plan Reference(s)***

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

Goal 2 - Commitment to innovation, systems improvement and learning

Goal 3 - Active community engagement and excellence in customer service

Goal 1 - Strengthened community health and wellbeing

Goal 5 - More sustainable active and public transport services

Goal 7 - Sustainable population growth is planned for

Goal 8 - Targeted investment in services, facilities, and programs to communities most in need

Goal 3 - A transformed and revitalised City Centre

Goal 4 - Employment land available for industry expansion and attraction

Goal 6 - Improved safe freight networks

Goal 1 - Respecting and celebrating our Traditional Owners and Aboriginal and Torres Strait Islander Peoples and cultures through all levels of our organisation

Goal 2 - Strengthening our trust, relationships and partnerships with Traditional Owners and the Aboriginal and Torres Strait Islander community

Goal 4 - Water Sensitive Bendigo

Goal 1 - A culture of creativity

Goal 2 - More activated spaces

Goal 5 - Recognise and celebrate our significant national and international heritage

Goal 2 - A welcoming community that understands and respects cultural and religious differences and supports multiculturalism

Goal 5 - A community that feels safe

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**

1. 240611 Council Briefing Budget Project Actuals [**15.6.1** - 1 page]



### 15.7. Bitumen Panel Contract

Author:	Brett Martini, Manager Works
Responsible Director:	Brian Westley, Director Presentation and Assets

#### Purpose

To seek Council approval to authorise the panel contract for Bituminous Surfacing works to be awarded by Procurement Australia for City of Greater Bendigo, Mount Alexander Shire and Campaspe Shire.

#### Recommended Motion

That Council authorise the panel contract for Bituminous Surfacing works by Procurement Australia in accordance with the recommendation of the evaluation panel. The evaluation panel, made of representatives of the three Councils involved in the panel contract, recommended the panel contract be awarded to:

1. AARA Constructions Pty Ltd
2. Boral Resources (VIC.) Pty. Limited (Boral Asphalt)
3. Head, Transport for Victoria (t/a SprayLine Road Services)
4. Downer EDI Works Pty Ltd
5. Fulton Hogan Industries Pty Ltd
6. VSA Roads Pty Ltd (trading as Centre State Asphalt Pty and Primal Surfacing Pty Ltd)
7. Rich River Asphalt Pty Ltd
8. Roadsafe Asphalt (VIC) Pty Ltd
9. The Trustee for SuperSealing Unit Trust

#### MOTION

That the recommended motion be adopted.

Moved: Cr O'Rourke  
Seconded: Cr Fagg

**Resolution No. 2024-168**

**CARRIED**

## **Executive Summary**

The City of Greater Bendigo (City) has traditionally advertised and awarded contractors for road sealing and surfacing works. Single contracts for a package of works have been replaced with multi-year panel contracts more recently. The panel contracts have proved successful in engaging key industry contractors on a panel of contractors following public tender. Quotes for works packages were then sought and awarded under delegation.

The City had discussions with Procurement Australia about the opportunity to work with adjoining councils to increase the scale of work and opportunities for works across the municipalities to be combined to create larger packages of work, economies of scale and lower costs to councils.

The procurement process has been undertaken by Procurement Australia with three councils involved in the tender evaluation. The proposed panel of contractors provide a range of asphalt and spray sealing works. These services will be engaged via quotes sought from the panel members and purchase orders issued under current financial delegations.

## **Background**

Previous Council decision dates:

Council awarded the current panel contract for Bituminous Works in August 2019. The contract expires on 30 September 2024.

## **Report**

The City had discussions with Procurement Australia (PA) regarding the opportunity to undertake the joint procurement of bituminous surfacing services by several Northern Victorian Councils. Initially five-six Councils expressed interest in a joint contract model, however ultimately three Councils, City of Greater Bendigo, Mount Alexander Shire, and Campaspe Shire, proceeded with the joint procurement. There are a relatively small number of competitors in this field. There can be challenges at times in securing contractors to undertake works at an appropriate cost and timeframe depending on the level of work that is being undertaken by the industry at the time. The benefit of the combined contract is to increase the scale of the works and provide savings, particularly by the smaller municipalities, by two or three of the municipalities combining works when seeking quotes and gaining more competitive prices due to economies of scale available to the contractors.

The specification and tender document were developed by all four parties, the three councils and PA. The range of services sought was also broader than previous contracts with crack sealing and minor asphalt works included. PA hosted an online

industry briefing on April 10, 2024, and advertised the tender on May 8, 2024. Tenders closed on June 5, 2024.

PA undertook an initial evaluation of tender submissions regarding compliance with submission requirements. All tender submissions were considered to be complying tenders subject to some further clarification and were provide to the evaluation panel for consideration. Two representatives from each council formed the evaluation panel and an evaluation was undertaken regarding capability, capacity, environment sustainability and local content. PA prepared the attached evaluation report.

All tender submissions were considered appropriate for inclusion in the panel contract and provide sufficient resources for the utilisation by all three councils. Tender submissions were received from

1. AARA Constructions Pty Ltd
2. Boral Resources (VIC.) Pty. Limited (Boral Asphalt)
3. Head, Transport for Victoria (t/a SprayLine Road Services)
4. Downer EDI Works Pty Ltd
5. Fulton Hogan Industries Pty Ltd
6. VSA Roads Pty Ltd (trading as Centre State Asphalt Pty and Primal Surfacing Pty Ltd)
7. Rich River Asphalt Pty Ltd
8. Roadsafe Asphalt (VIC) Pty Ltd
9. The Trustee for SuperSealing Unit Trust

Quotes will be sought for packages of work from the members of the panel throughout the period of the contract. These works will be awarded in accordance with the City's purchase order terms and conditions and awarded in accordance with the financial delegations at the time.

***Priority/Importance***

Nil

***Options Considered***

Readvertising of the existing City of Greater Bendigo contract was considered however the opportunity to gain more competitive prices through joint procurement was chosen. This will be reviewed throughout the initial three-year term of the contract.

### ***Timelines***

The existing contract expires on September 30, 2024. Due to the cumulative spend on bituminous surfacing works, a public tender and contract is required for works commencing in October 2024. The initial contract term is for a three-year period, with two one-year extensions available.

### **Communications/Engagement**

The three councils worked with PA to prepare a list of potential contractors who were notified of the industry briefing. All key suppliers attended the industry briefing.

### **Financial Sustainability**

The bituminous surfacing contract is used for services to maintain and renew the existing sealed road assets. This is in accordance with asset management best practice and the City's asset management strategy and plans.

The City spend on the service covered by this contract is approximately \$7M per annum.

### **Risk Assessment**

Nil

### **Policy Context**

#### ***Primary Council Plan Reference***

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

Healthy and Liveable Spaces and Places

Targeted investment in services, facilities and programs to communities most in need.

#### ***Secondary Council Plan Reference(s)***

Lead and Govern for All

Accountable, financially responsible, equitable, transparent decision making.

#### ***Other Reference(s)***

Nil

### **Conflict of Interest**

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

### **Attachments**

1. PA Tender Evaluation Report [**15.7.1** - 24 pages]

## 16. HEALTHY, LIVEABLE SPACES AND PLACES

### 16.1. 135 Ironstone Road, Ascot - Construction of 16 Dwellings

Author:	Beth Lavery, Senior Statutory Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

#### Summary/Purpose

Application No:	DR/659/2023
Applicant:	Lazarovski Design
Land:	135 Ironstone Road, ASCOT 3551
Zoning:	General Residential Zone
Overlays:	Land Subject to Inundation Overlay 1 Development Plan Overlay 3
No. of objections:	6
Consultation meeting:	Consultation was undertaken in a written format
Key considerations:	<ul style="list-style-type: none"><li>• Whether the development accords with planning policy; the purpose and decision guidelines of the General Residential Zone, and the requirements of Clause 55 of the Planning Scheme;</li><li>• Whether the proposed density of the development is acceptable;</li><li>• Whether the development can mitigate flood risk appropriately in accordance with the requirements of the Land Subject to Inundation Overlay; and</li><li>• Whether there would be any adverse impacts on traffic and road safety resulting from the development.</li></ul>
Conclusion:	The proposed development of the site with sixteen dwellings accords with the requirements of the Greater Bendigo Planning Scheme and will promote increased residential diversity and density within the Urban Growth Boundary. The proposal provides for increased residential density on an underutilised site in a location which is well located in terms of access to transport and services. Flood risk has been appropriately recognised and assessed and mitigation measures identified which will ensure that the development will not result in unacceptable risk to life or property.

## **Recommended Motion**

That Council issue a Notice of Decision to Grant a Permit for the construction of 16 dwellings at 135 Ironstone Road Ascot subject to the conditions at the end of this report.

## **MOTION**

That the recommended motion be adopted.

Moved: Cr Fagg

Seconded: Cr Sloan

## **Resolution No. 2024-169**

**LOST**

## **MOTION**

That Council issue a Notice of Decision to Refuse to Grant a Permit for the construction of 16 dwellings at 135 Ironstone Road, Ascot 3551 for the following reasons:

1. The intensity and location of the development is not appropriate owing to its location in relation to the closest Activity Centre in Epsom (Clauses 02.03-1 – *Settlement*; and 02.03-6 *Housing*)
2. The density and site coverage of the development is not in accordance with neighbourhood character (Clause 55.02-1 *Neighbourhood character objectives*)

## **Resolution No. 2024-170**

**CARRIED**

## **Report**

### **Subject Site and Surrounds**

The subject land is formally known as Lot 1 on Plan of Subdivision 709673U and has a total area of 4,049m<sup>2</sup>. Containing an existing dwelling in the south-east corner of the land, the southern part of the allotment adjoins Ironstone Road, while the western boundary adjoins an unmade road reserve. Land to the immediate north and east contains existing dwellings, as does the majority of the surrounding land, with the exception of a childcare centre which is located directly opposite the site at 134 Ironstone Road. The Bendigo-Echuca railway line is located a short distance to the west of the site, with the Midland Highway 600m further west, and Back Creek

approximately 300m east of the site. Epsom Village shopping centre is located approximately 1km south west of the land.



**Figure 1.** Aerial photo of subject site and surrounds





**Figure 2.** Street view of site, looking towards existing dwelling on the land



**Figure 3.** Street view of site, looking towards existing dwelling



**Figure 4.** Street view of site, looking towards existing dwelling

### Proposal

The application proposes the construction of sixteen single storey dwellings on the land. Fifteen of the dwellings would be accessed via a new common property driveway, with one dwelling proposed to have direct access from Ironstone Road.

Of the 16 dwellings, two would contain three bedrooms and a double garage, one would contain three bedrooms, a single garage and tandem parking space, with the remaining 13 dwellings all to contain two bedrooms and a single garage. All dwellings have a bathroom, laundry and open kitchen/meals/living area. The majority of the two bedroom dwellings proposed are sited in pairs with adjoining garages and a mirrored floor plan.

Three visitor car parking spaces are proposed, which will be located centrally on the allotment.





Figure 5. Proposed site and floor plans

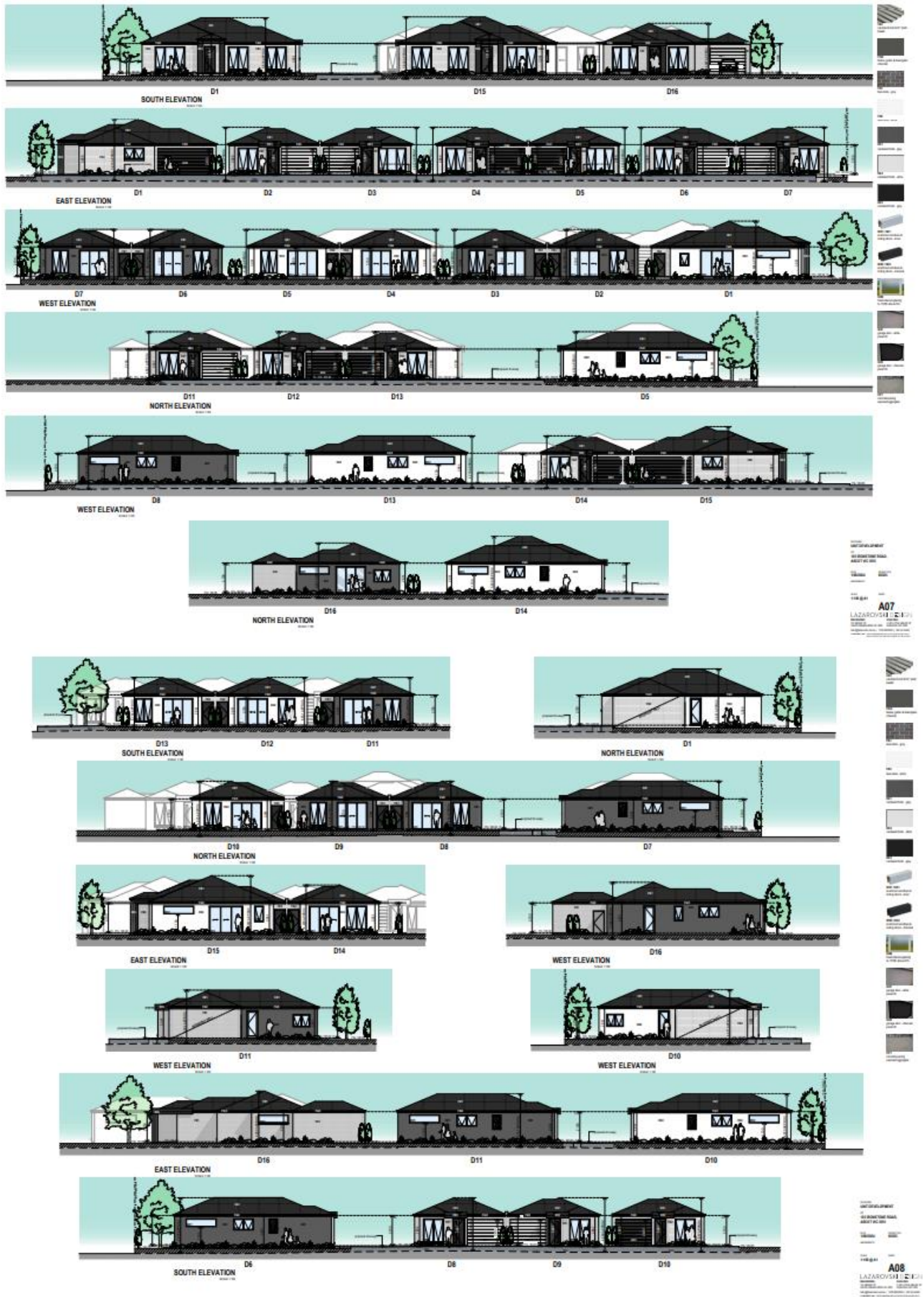


Figure 6. Proposed elevation plans

## Planning Controls - Greater Bendigo Planning Scheme

### Why is planning permission required?

Clause	Trigger	Is there any exemption from notice and review?
Clause 32.08-7 General Residential Zone	A permit is required for the construction of two or more dwellings on a lot within the General Residential Zone.	No
Clause 44.04-2 Land Subject to Inundation Overlay	A permit is required to construct a building or to construct or carry out works within the Land Subject to Inundation Overlay.	Yes. Clause 44.04-6 states that an application under this Overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Note:** With respect to the elements of the proposal which are exempted from Notice and Review rights; the following is relevant:

*Clifftop at Hepburn Pty Ltd v Hepburn SC* [2023] VCAT 201 involved a question of law which was:

*“What is the extent to which respondents can make submissions about matters relating to the Bushfire Management Overlay and other bushfire related matters having regard to the exemptions from notice, decision requirements and rights of review set out in Clause 44.06-7 of the Hepburn Planning Scheme?”*

The answer to that question of law was that:

*“Third parties are not entitled to be involved in the Tribunal’s consideration of the permit trigger under the BMO through the making of submissions or the cross-examination of any witness dealing with the BMO permission sought.... In the application before us the BMO ‘covers the field’ with respect to bushfire hazard assessment and management...”*

*Myers v Southern Grampians SC* (Red Dot) [2022] VCAT 695 and *Myers v Southern Grampians Shire Council* [2023] VSC 658, involved consideration of whether third parties (who were objectors to an application for Group accommodation) had rights to

make submissions on matters pertaining to a Design and Development Overlay (DDO) that included exemptions from third party notice and review rights, and subsequently whether the Tribunal had jurisdiction to consider matters under the DDO given the appeal was a section 82 appeal only.

Based on the above, in terms of the application under consideration within this report, in the event that the application was to be appealed, it would only be the *non-exempt* permissions which would be able to be reviewed.

The following clauses are relevant to this proposal:

#### Municipal Planning Strategy

- 02.03-1 – Settlement
- 02.03-3 – Environmental risks and amenity
- 02.03-5 – Built environment and heritage
- 02.03-6 – Housing
- 02.03-8 – Transport

#### Planning Policy Framework

- 11 – Settlement
- 11.01-1S – Settlement
- 11.01-1R – Settlement – Loddon Mallee South
- 11.01-1L-01 – Settlement – Greater Bendigo
- 11.01-1L-02 – 10 minute neighbourhoods – Greater Bendigo
- 13.01-1S -Natural hazards and climate
- 13.03-1S – Floodplain management
- 13.03-1L – Floodplain management – Greater Bendigo
- 15.01-1S – Urban design
- 15.01-2S – Building design
- 15.01-2L – Environmentally sustainable development – Greater Bendigo
- 15.01-5S – Neighbourhood character
- 16 – Housing
- 16.01-1S – Housing supply

#### Other Provisions

- 52.06 – Car parking
- 55 – Two or more dwellings on a lot
- 65.01 -Approval of an application or plan

## 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 authorities and internal departments have been consulted on the proposal:

Referral	Comment
North Central Catchment Management Authority	Requested hydraulic flood modelling to demonstrate the impact of the proposal on flood behaviour.  Conditional consent has subsequently been provided following the submission of a Flood Impact Assessment, along with subsequent modifications to the report to address climate change impacts.
Engineering – Drainage	No objection, subject to conditions relating to the preparation of detailed drainage plans and the construction of works on the site relating to drainage and the installation of kerb and channel and associated pavement works.
Engineering – Traffic	No objection subject to standard conditions regarding driveway construction and sight distance requirements.
Environmentally Sustainable Design	No objection, subject to the inclusion of a Sustainable Design Assessment condition.



### Public Notification

The application was advertised by way of notice on the site and letters to adjoining and nearby owners and occupiers and a sign displayed on the site. As a result of advertising, six objections were received (including one petition with 125 signatures).

The grounds of objection are summarised below:

- Traffic and safety concerns. Ironstone Road is already a busy and narrow street, and the development of sixteen new dwellings will exacerbate these issues. The site is located on a 'blind corner'.
- Concerns with the location of the proposed new crossovers.
- Proximity to childcare centre. Construction and increased traffic from the development. poses danger to the children.
- Inadequate car parking to be provided. Concerns with a number of dwellings only being provided with a single garage, and only three visitor spaces, which may result in demand for on street parking.
- Concerns with high density development and minimal green spaces to be provided, not consistent with the pattern of development in the area.
- Uncertainty about water runoff and drainage, as well as potential for flooding and adverse impacts to surrounding properties.
- Overshadowing and impacts to sunlight on adjoining properties.
- Fence height and privacy, clarity required for proposed finished floor levels and fence heights.





**Figure 7.** Location of objector properties, noting that one objector does not own or occupy land proximate to the site, and that one of the objectors indicated in the map above was also the lead petitioner for the petition received.

These grounds of objection are discussed within the planning assessment below.

### **Planning Assessment**

Is the development consistent with planning policy, as well as the purpose and decision guidelines of the General Residential Zone, and the requirements of Clause 55 of the Greater Bendigo Planning Scheme?

- *Consistency with planning policy*

There is extensive planning policy support contained within the Greater Bendigo Planning Scheme for increased residential densities in appropriate locations.

Clause 02.03-1 (*Settlement*) recognises that Greater Bendigo's population growth is forecast to continue and sets out a range of strategic directions including containment of growth within the Urban Growth Boundary, and facilitating 10 minute neighbourhoods, while Clauses 11.01-1S (*Settlement*), 11.01-1R (*Settlement – Loddon Mallee South*), 11.01-1-01 (*Settlement – Greater Bendigo*) and 11.01-1L (*10*

*Minute Neighbourhoods – Greater Bendigo*) build on these themes, seeking to direct growth into existing settlements, and supporting compact development on underutilised sites and land within Bendigo.

Housing Supply is contemplated both at Clause 02.03-6 (*Housing*) and 16.01-1S (*Housing supply*), recognising the key issues for Greater Bendigo in terms of housing is location, diversity and affordability. A need to provide housing which departs from the typical three or more bedroom dwellings is required to better cater for differing needs within the community. Planning must ensure that an appropriate quantity, quality and type of housing is provided, and should increase the proportion of housing in established urban areas. Opportunities for increased residential densities to consolidate these urban areas, and the provision of higher density housing should be supported on sites which are well located in terms of services and transport.

The need for planning to facilitate built environments which are both pleasant and consistent with environmentally sustainable development and neighbourhood character objectives is identified at Clauses 02.035 (*Built environment and heritage*), 15 (*Built environment and heritage*), 15.01-1S (*Urban design*), 15.01-2S (*Building design*) and 15.01-2L (*Environmentally sustainable development – Greater Bendigo*). The facilitation of a compact and sustainable urban form is important, while also facilitating a visually appealing urban environment.

Environmental risk is also recognised within policy as an important consideration at Clauses 02.03-3 (*Environmental risks and amenity*), 13 (*Environmental risks and amenity*) and flooding specifically at 13.03-1S (*Floodplain management*) and 13.03-1L (*Floodplain management – Greater Bendigo*). Ultimately these policies seek to identify and manage environmental risks – such as flooding - that have the potential to cause harm to people and property, as well as the environment. Planning should avoid intensifying the impacts of flooding through inappropriately located use and development and should manage risk from flooding by directing development into areas either with no flooding, or low level inundation risk where the Land Subject to Inundation Overlay, Schedule 1 is applied.

The proposed development accords with these policy objectives by providing for infill development which will increase residential density and housing diversity within urban Greater Bendigo, consistent with 10 minute neighbourhood principles. The environmentally sustainable built form of the proposed development will also be appropriate in terms of the context of the site and surrounding development and will appropriately insert into the existing residential streetscape.

Flood risk has also been appropriately identified and can be mitigated to an acceptable level, which will be discussed further later within this report. The site is located within an area subject to Schedule 1 of the Land Subject to Inundation Overlay, which is a location where policy supports development to occur.

- *Purpose and decision guidelines of the General Residential Zone*

The purpose of the General Residential Zone are:

- ❖ To implement the Municipal Planning Strategy and the Planning Policy Framework.
- ❖ To encourage development that respects the neighbourhood character of the area.
- ❖ To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- ❖ To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

As demonstrated above, there is policy support for the proposed development, with respect to the provision of increased residential densities and diversity of housing options in appropriate locations, while taking into account environmental risk.

In terms of neighbourhood character, while the density of the proposed development is higher than what currently surrounds the land, it has been designed so as to ensure that the impact on the streetscape is not significant and that the additional dwellings will insert into this existing streetscape appropriately. This is demonstrated in Figure 8 below, which indicates the proposed streetscape view of the development from Ironstone Road. It is noted that there are no specific neighbourhood character guidelines for this area within Ascot/Epsom which prescribes how development should be sited.



**Figure 8.** Proposed streetscape elevation plan

The proposed development would achieve the third purpose of the Zone through the provision of *‘a diversity of housing types and housing growth, particularly in locations offering good access to services and transport’*. Planning policy notes that there is an oversupply of three and four bedroom dwellings, and an undersupply of smaller dwellings. By providing a large number of two bedroom dwellings, this development would contribute to the diversity of dwellings available not only within this specific area in Ascot and nearby Epsom, but also within the broader municipality. The site is located approximately 1km from the Epsom train station, and 1.3km from the Epsom Village Shopping Centre, satisfying requirements to locate dwellings in areas where there is good access to services and transport.

The final purpose of the General Residential Zone is not applicable in this instance given that the application does not relate to a non-residential use.

In terms of the decision guidelines of the Zone, for the construction of two or more dwellings on a lot, Clause 32.08-14 sets out that the responsible authority must consider the objectives, standards and decision guidelines of Clause 55. An assessment of Clause 55 is included below.

- *Clause 55 of the Greater Bendigo Planning Scheme*

The assessment table below indicates the proposal's consistency with the requirements of Clause 55 of the Planning Scheme, which relates to the construction of two or more dwellings on a lot. Note: Objectives which are 'Deemed to Comply' where the *Standard* is met are noted 'DTC' in red.

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
<b>B1 – Neighbourhood Character</b> Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Development responds to features of the site and surrounding area.	Appropriate design response to the neighbourhood and site. Design respects the existing or preferred neighbourhood character and responds to site features.	<input checked="" type="checkbox"/> While the density of the proposed development will be higher than existing surrounding dwellings, it is considered that the layout and siting of the dwellings has ensured that they will insert appropriately into the streetscape. There is not any specific neighbourhood character policy applicable to this site.
<b>B2 – Residential Policy</b> Residential development is consistent with housing policies in the MPS and PPF. Support medium densities in areas to take advantage of public transport and community infrastructure and services.	Application to be accompanied by written statement that explains consistency with relevant housing policy in the MPS and PPF.	<input checked="" type="checkbox"/> An acceptable statement has been provided. An assessment against relevant planning policy is also included earlier within this report.
<b>B3 – Dwelling Diversity</b> Encourages a range of dwelling sizes and types in developments of ten or more dwellings.	Development of ten or more dwellings to provide for: <ul style="list-style-type: none"> <li>• Dwellings with a different number of bedrooms.</li> <li>• At least one dwelling containing a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	<input checked="" type="checkbox"/> The proposed development provides a mix of two and three bedroom dwellings. The layout of the dwellings varies appropriately, and all dwellings have a kitchen, bath/shower, toilet and wash basin at ground level.
<b>B4 – Infrastructure</b> Provide appropriate utility services and infrastructure.	Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available.	<input checked="" type="checkbox"/> All dwellings will be appropriately serviced.

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
Ensure development does not unreasonably overload the capacity of utility services and infrastructure.	Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	
	In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	
<b>B5 – Integration with the Street</b> Integrate the layout of development with the street.	Development orientated to front existing and proposed streets.	<input checked="" type="checkbox"/> Three of the proposed dwellings will front Ironstone Road, while the remainder will be accessed via the internal common property driveway.
	Vehicle and pedestrian links that maintain and enhance local accessibility.	<input checked="" type="checkbox"/> A new footpath will be required along the property frontage. Vehicle access will connect into the existing road network.
	High fences in front of dwellings should be avoided if practicable.	<input checked="" type="checkbox"/> No high front fences are proposed.
	Development next to public open space should be laid out to complement the open space.	NA, no public open space adjoins the site.
<b>B6 – Street Setback (DTC)</b> The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	<p>Walls of building should be set back from streets at least the distance specified in the schedule to the zone; or:</p> <ul style="list-style-type: none"> <li>If no distance is specified in the schedule to the zone, setbacks should be as set out below.</li> </ul> <p><i>Porches, pergolas and verandahs less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard.</i></p>	<p><input checked="" type="checkbox"/> There are three dwellings which front Ironstone Road. An existing dwelling adjoins the site to the east, while there is no adjoining dwelling to the west.</p> <p>The setback of the adjoining dwelling to the east is 4m</p> <p>The proposed setbacks of these three dwellings are also 4m, which will be consistent with this adjoining dwelling, and will fit appropriately into the streetscape.</p>
	<p>Existing building on both the abutting allotments facing the same street and site is not on a corner.</p> <ul style="list-style-type: none"> <li>Min front setback - average setback of existing buildings on abutting allotments facing the front street or 9m, whichever is the lesser.</li> </ul>	
	<p>Existing building on one abutting allotment but not the other facing the same street (site not corner)</p> <ul style="list-style-type: none"> <li>The same setback of the front wall of the existing building on</li> </ul>	



Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
	<p>the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>No existing building on either of the abutting lots (site not corner)</p> <ul style="list-style-type: none"> <li>6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</li> </ul> <p>Site is on a corner</p> <ul style="list-style-type: none"> <li>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</li> <li>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</li> </ul>	
<p><b>B7 – Building Height (DTC)</b></p> <p>Building height should respect the existing or preferred neighbourhood character.</p>	<p>The maximum building height should not exceed that specified in the zone, schedule to the zone or any overlay that applies to the land.</p> <p>Where no maximum height is specified, the max height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8m of the site is 2.5 degrees or more, in which case the max height should not exceed 10m.</p>	<p><input checked="" type="checkbox"/> Building height does not exceed maximum allowable and heights are graduated where appropriate.</p> <p>NA</p>
<p><b>B8 – Site Coverage (DTC)</b></p> <p>Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> <li>The max. site coverage specified in the schedule to the zone; or</li> <li>If no max. site coverage, is specified 60%.</li> </ul>	<p><input checked="" type="checkbox"/> The overall site area is 4049m<sup>2</sup>. The proposed dwellings will result in a coverage of 1850m<sup>2</sup>.</p> <p>Total coverage =45% which is less than the maximum 60% allowed.</p>
<p><b>B9 – Permeability and stormwater management</b></p> <p>Reduce the impact of stormwater run-off on the drainage system, facilitate on-site stormwater infiltration, and encourage stormwater management that maximises the retention and reuse of stormwater</p>	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> <li>The minimum area specified in a schedule to the zone, or</li> <li>If no minimum is specified in a schedule to the zone, 20 percent of the site.</li> </ul> <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> <li>Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines</li> </ul>	<p><input checked="" type="checkbox"/> The overall site area is 4049m<sup>2</sup>.</p> <p>Pervious surfaces will account for 1348m<sup>2</sup> of the site, equating to 33% of the site being permeable.</p> <p>Management of stormwater from the site will be to the satisfaction of the Responsible Authority and will be incorporated into permit conditions.</p>

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
	<p>(Victorian Stormwater Committee, 1999).</p> <ul style="list-style-type: none"> <li>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul>	
<p><b>B10 – Energy Efficiency</b></p> <p>Achieve and protect energy efficient dwellings, residential buildings and small second dwellings.</p> <p>Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</p>	<p>Buildings should be:</p> <ul style="list-style-type: none"> <li>Oriented to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.</li> <li>Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li> </ul> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p><input checked="" type="checkbox"/> The development has been designed to make appropriate use of solar energy.</p> <p>Living areas have been oriented towards the north side of the development where possible.</p>
<p><b>B11 – Open Space</b></p> <p>Integrate layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p>Public or communal open spaces should:</p> <ul style="list-style-type: none"> <li>be substantially fronted by dwellings.</li> <li>provide outlook for dwellings.</li> <li>be designed to protect natural features.</li> <li>be accessible and useable.</li> </ul>	<p>NA No public open space adjoins the site.</p>
<p><b>B12 – Safety</b></p> <p>Layout to provide safety and security for residents and property.</p>	<p>Entrances to dwellings and residential buildings should not be isolated or obscured from the street and internal accessways.</p> <p>Planting should not create unsafe spaces along streets and accessways</p> <p>Good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Protection of private spaces from inappropriate use as public thoroughfares.</p>	<p><input checked="" type="checkbox"/> The layout does not create any concerns regarding safety and security.</p> <p>Entrances to each dwelling will be clearly visible from the internal common property accessway.</p> <p>Appropriate lighting will be required.</p> <p>The site does not provide for any public access and will not be used as a public thoroughfare.</p>

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
<p><b>B13 – Landscaping</b></p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p>Landscape layout and design should:</p> <ul style="list-style-type: none"> <li>• Protect predominant landscape features of the neighbourhood</li> <li>• Take into account the soil type and drainage patterns of the site</li> <li>• Allow for intended veg. growth and structural protection of buildings</li> <li>• In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>• Provide a safe, attractive, and functional environment for residents</li> </ul> <p>Development should:</p> <ul style="list-style-type: none"> <li>• Provide for the retention or planting of trees, where these are part of the character of neighbourhood.</li> <li>• Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</li> </ul> <p>Landscape design should specify landscape themes, vegetation location &amp; species, paving &amp; lighting.</p>	<p><input checked="" type="checkbox"/> There are no significant trees to be removed and a detailed landscaping plan will be required by condition. The landscape plan will include requirements for the planting of canopy trees.</p>
<p><b>B14 – Access</b></p> <p>Ensure the number and design of vehicle crossovers respects neighbourhood character.</p>	<p>The width of the accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>• 33% of the street frontage; or</li> <li>• 40% if the width of the street frontage is less than 20m.</li> </ul> <p>For each dwelling fronting a street, only one single width crossover should be provided.</p> <p>The location of crossovers will maximise the retention of on-street car parking spaces.</p> <p>Access points to a road in Transport Zones to be minimised.</p> <p>Access for service, emergency and delivery vehicles must be provided.</p>	<p><input checked="" type="checkbox"/> Two access points are proposed to support the development, with a combined width of 8.2 metres. The property frontage along Ironstone Road has a total length of 71.18 metres. The width of accessways will comprise only 11% of the street frontage, comfortably meeting this requirement.</p> <p>There are no marked on site car parking spaces that would be affected by the proposal, and while Ironstone Road is not a Transport Zone road, care has been taken to minimise access to it.</p> <p>Access for service, emergency and delivery vehicles can be accommodated via the internal common property accessway.</p>



Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
<b>B15 – Parking Location</b> Provide resident and visitor vehicles with convenient parking. Protect residents from vehicular noise within developments.	Car parking facilities should be: <ul style="list-style-type: none"> <li>Reasonably close and convenient to dwellings.</li> <li>Secure.</li> <li>Well ventilated if enclosed.</li> </ul>	<input checked="" type="checkbox"/> Each three bedroom dwelling is provided with two car parking spaces, with each two bedroom dwelling provided with one car parking space. Each dwelling has at least one of these car parking spaces within a garage. This accords with the requirements of Clause 52.06. Three visitor car parking spaces are also provided internally within the development to accord with the requirements of Clause 52.06.
	Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where windowsills are at least 1.4 metres above the accessway.	<input checked="" type="checkbox"/> A minimum setback of 1.5 metres is provided between habitable room windows and the internal accessway.
<b>B17 – Side and Rear Setbacks (DTC)</b> Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.	A new building not on or within 200mm of a boundary should be setback from side or rear boundaries: <ul style="list-style-type: none"> <li>At least the distance specified in the schedule to the zone, or</li> <li>1m+ 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> (refer Diagram B1 for more detail and information about minor encroachments).	<input checked="" type="checkbox"/> All setbacks exceed the recommended standard.

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
<p><b>B18 – Walls on Boundaries (DTC)</b> Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</p>	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than:</p> <ul style="list-style-type: none"> <li>• 10m plus 25 % of the remaining length of the boundary of an adjoining lot; or</li> <li>• Where there is existing or simultaneously constructed walls or carports abutting the boundary of an abutting lot, the length of the existing or simultaneously constructed walls or carports - whichever is the greater.</li> </ul> <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in effective height of the wall or carport being less than 2m on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p><input checked="" type="checkbox"/> There are no walls on boundaries within the development.</p>
<p><b>B19 – Daylight to Existing Windows (DTC)</b> Allow adequate daylight into existing habitable room windows.</p>	<p>Buildings opposite an existing habitable room window should provide a light court of at least 3sqm and a minimum dimension of 1m clear to the sky (this can include land on the adjoining lot).</p> <p>Walls or carports more than 3m in height opposite should be setback from the window at least 50% of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p><input checked="" type="checkbox"/> Adequate daylight will be maintained to existing habitable room windows on adjoining lots.</p>

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
<b>B20 – North Facing Windows (DTC)</b> Allow adequate solar access to existing north-facing habitable room windows.	Buildings should be setback 1m if an existing north-facing habitable window is within 3m of the abutting lot boundary. (Add 0.6m to this setback for every metre of height over 3.6m and add 1m for every metre over 6.9m.) Refer to 55.04-4 for further clarification (a diagram is included).	<input checked="" type="checkbox"/> The proposed dwellings are setback at least 1 metre from all boundaries, with no impact to existing north facing habitable rooms on adjoining lots.
<b>B21 – Overshadowing Open Space (DTC)</b> Ensure buildings do not significantly overshadow existing secluded private open space.	Where sunlight to a secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with min. 3m, whichever is the lesser area, of the SPOS should receive a min. of 5 hours of sunlight between 9 am and 3pm on 22 Sept.  If the existing sunlight to the private open space of an existing dwelling is less than these requirements, the amount of sunlight should not be reduced further.	<input checked="" type="checkbox"/> There will be some minor overshadowing of the adjoining property at 147 Ironstone Road, but this has been shown to be fully compliant with the standard. The adjoining properties will receive at least 5 hours of sunlight between 12pm and 5pm to each POS, at a minimum size of 40m².
<b>B22 – Overlooking (DTC)</b> Limit views into existing secluded private open space and habitable room windows.	A habitable room window, balcony, terrace, deck, or patio should be designed to avoid direct views into the secluded private open space of an existing dwelling within 9m (see clause for details) should have either: <ul style="list-style-type: none"> <li>• A minimum offset of 1.5m from the edge of one window to the other.</li> <li>• Sill heights of at least 1.7m above floor level.</li> <li>• Fixed obscure glazing in any part of the window below 1.7m above floor level.</li> <li>• Permanently fixed external screens to at least 1.7m above floor level and be no more than 25 % transparent.</li> </ul> Obscure glazing below 1.7m above floor level may be openable if there are no direct views as specified in this standard.  Screens to obscure view should be: <ul style="list-style-type: none"> <li>• Perforated panels or trellis with solid translucent panels or a maximum 25% openings.</li> <li>• Permanent, fixed, and durable.</li> <li>• Blended into the development.</li> </ul> See Clause 55.04-6 for instances where this standard does not apply.	<input checked="" type="checkbox"/> There is existing boundary fencing which exceeds 1.8 metres and will prevent any overlooking between the development and secluded private open spaces of adjoining dwellings.

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
<b>B23 – Internal Views</b> Limit views into existing secluded private open space and habitable room windows of dwellings and residential buildings within the same development.	Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building within the same development.	<input checked="" type="checkbox"/> No overlooking will occur within the development as internal fencing at a height of 1.8 metres will be provided.
<b>B24 – Noise Impacts</b> Protect residents from external noise Contain noise sources in developments that may affect existing dwellings.	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.	<input checked="" type="checkbox"/> No noise sources are located near bedrooms and there are no noise sources on immediately adjacent properties.
	Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.	
	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	<input checked="" type="checkbox"/> While the site is near to a railway line, there is an appropriate setback to ensure that noise impact will be acceptable.
<b>B25 – Accessibility</b> Consider the needs of people with limited mobility in the design of developments.	Dwelling entries of the ground floor of buildings should be accessible or able to be easily made accessible to people with limited mobility.	<input checked="" type="checkbox"/> Dwelling entries are accessible or able to be made accessible.
<b>B26 – Dwelling Entry</b> Provide a sense of identity to each dwelling/residential building.	Entries are to be visible and easily identifiable from streets and other public areas.	<input checked="" type="checkbox"/> The dwelling entries are visible and identifiable from the street for the three dwellings which would front Ironstone Road. Entries for the remaining dwellings will be identifiable from within the development.
	The entries should provide shelter, a sense of personal address and a transitional space.	<input checked="" type="checkbox"/> Shelter and/or personal address is provided in the form of a porch for each of the proposed dwellings
<b>B27 – Daylight to New Windows (DTC)</b> Allow adequate daylight into new habitable room windows.	Habitable room windows to face: <ul style="list-style-type: none"> <li>Outdoor space clear to the sky or light court with minimum area of 3sqm and a min. dimension of 1m clear to the sky or;</li> <li>A verandah, provided it is open for at least one third of its perimeter or;</li> <li>A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul>	<input checked="" type="checkbox"/> Daylight to habitable room windows is provided with a minimum area of 3sqm and a minimum dimension of 1m clear to the sky for each dwelling.
<b>B28 – Private Open Space (DTC)</b> Provide reasonable recreation and service needs of residents by adequate private open space provision.	Unless specified in the schedule to the zone, a dwelling should have private open space consisting of: <ul style="list-style-type: none"> <li>40sqm with one part at the side or rear of the dwelling/residential building with a minimum dimension of 3m, a minimum area of 25sqm</li> </ul>	<input checked="" type="checkbox"/> Each dwelling has at least 40 square metres of private open space and 25 square metres of secluded private open space, with the total open space provided to each of the

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
	and convenient access from a living room or; <ul style="list-style-type: none"> <li>Balcony - minimum 8sqm, minimum width 1.6m and accessed from living room or;</li> <li>Roof-top - minimum 10sqm, minimum width 2m and convenient access from living room.</li> </ul>	dwellings ranging from 60 square metres to 166 square metres.
<b>B29 – Solar Access to Open Space</b> Allow solar access into the secluded private open space of new dwellings/buildings.	The private open space should be located on the north side of the dwelling if appropriate. Southern boundary of secluded private open space should be setback from any wall on the north of the space at least $(2+0.9h)$ , where $h$ = height of wall.	<input checked="" type="checkbox"/> Private open space is provided to the north of each dwelling where possible, and the boundaries of the open space are setback accordingly.
<b>B30 – Storage (DTC)</b> Provide adequate storage facilities for each dwelling.	Each dwelling should have access to a minimum 6m <sup>3</sup> of externally accessible, secure storage space.	<input checked="" type="checkbox"/> Storage is provided externally for each of the dwellings in the form of a garden shed with a minimum area of 6m <sup>3</sup> .
<b>B31 – Design Detail</b> Encourage design detail that respects the existing or preferred neighbourhood character.	Design of buildings should respect the existing or preferred neighbourhood character and address: <ul style="list-style-type: none"> <li>Façade articulation &amp; detailing</li> <li>Window and door proportions</li> <li>Roof form</li> <li>Verandahs, eaves, and parapets.</li> </ul> Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	<input checked="" type="checkbox"/> The design of the proposed dwellings is consistent with the range of modern dwelling styles which surround the land. The dwellings are all single storey, which is also consistent with the existing pattern of development in the area.  There is limited visibility of garages from Ironstone Road, with dwelling 16 the only dwelling to have a garage facing the road.
<b>B32 – Front Fences (DTC)</b> Encourage front fence design that respects the existing or preferred neighbourhood character.	A front fence within 3m of the street should not exceed the maximum height specified in the schedule to the zone or if no max. specified, the front fence should not exceed: <ul style="list-style-type: none"> <li>2m if abutting the Transport Zone 2</li> <li>1.5m in any other streets.</li> </ul>	<input checked="" type="checkbox"/> No front fencing is proposed.
<b>B33 – Common Property</b> Ensure car parking, access areas and other communal open space is practical, attractive, and easily maintained. Avoid future management difficulties in common ownership areas.	Public, communal, and private areas should be clearly delineated. Should be functional and capable of efficient management.	<input checked="" type="checkbox"/> The common property driveway will be clearly delineated and will be both functional and capable of appropriate management. There will be no other common property areas.
<b>B34 – Site Services</b> Ensure site services can be installed and easily maintained.	Dwelling layout and design should provide for sufficient space and facilities for services to be installed and maintained.	<input checked="" type="checkbox"/> Sufficient space is provided for all required servicing.

Title and objective	Standard	Comments where applicable. <input checked="" type="checkbox"/> Complies <input checked="" type="checkbox"/> Does not comply
Ensure site facilities are accessible, adequate, and attractive.	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and should blend in with the development.	Bins will be stored in the backyard of each dwelling, so a separate enclosure is not required. A Waste Management Plan was submitted to support the application which details how waste will be managed on the site.
	Bin and recycling enclosures located for convenient access.	
	Mailboxes provided and located for convenient access as required by Aust. Post	A mailbox will be provided nearby to the common property entry. Dwelling 16 will have its own mailbox.

### Conclusion

Based on the above assessments against policy, the purposes of the General Residential Zone and the requirements of Clause 55, it has been demonstrated that the proposal is in accordance with strategic vision for housing growth and will represent an acceptable response to the site and conditions in terms of built form and amenity.

### *Is the proposed scale and density of the development acceptable?*

As noted above, planning policy supports increased residential density, particularly in locations which are well connected in terms of services and transport. As has been identified earlier within this report, the site is proximate to the Epsom Railway Station, has good connectivity to the existing road and pedestrian network (including to the Midland Highway), with all of these providing easy access to required services located both within Epsom Village and central Bendigo.

The site is a large, underutilised parcel of land which is surrounded by established residential development. Development of the site as proposed, while being at a somewhat higher density than surrounding development, will result in an appropriate use of what is now mostly vacant land. Both two bedroom and three bedroom dwellings are proposed as part of the development, with the majority comprising two bedrooms. The provision of two bedroom accommodation provides for housing diversity and will fill a current gap in the type of housing provided within Greater Bendigo, where there is an oversupply of larger dwellings.

In addition, the assessment of the development against Clause 55 has demonstrated that the dwellings will provide an appropriate level of amenity to future occupants.

To this end, the scale of the development and the density proposed is considered an acceptable planning outcome.

Can the development mitigate flood risk appropriately in accordance with the requirements of the Land Subject to Inundation Overlay?

The entirety of the site is affected by the Land Subject to Inundation Overlay (Schedule 1). This Schedule refers to *Flooding from waterways (Depths up to and including 350 millimetres)*. The Overlay includes the following particularly relevant purposes:

- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.

The Overlay sets out that an application must be consistent with any local floodplain development plan which has been incorporated into this Scheme, and that an application must be referred to the relevant floodplain management authority under Section 55 of the Planning and Environment Act.

In this instance, the *Bendigo Local Floodplain Development Plan* has been incorporated into the Greater Bendigo Planning Scheme, meaning that any application must be consistent with the requirements contained within. An application must also be referred to the North Central Catchment Management Authority.

The application was referred to the North Central Catchment Management Authority as required, who have provided consent to the proposed development, with the following conditions:

1. *Prior to the commencement of works for the dwellings, an impervious flood wall must be built to a height of 183.2 metres AHD, must be built in the North-Eastern Corner of the site in accordance with the Flood Impact Assessment: 135 Ironstone Road, Ascot, dated 3/07/2024 and prepared by Cumulus Engineering.*
2. *The finished floor level of units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 13 must be constructed a minimum of 300 millimetres above the 1% AEP flood level of 182.7 metres AHD, i.e. no lower than 183.0 metres AHD.*
3. *The finished floor level of units 11, 12, 14, 15 & 16 must be constructed a minimum of 300 millimetres above the 1% AEP flood level of 182.8 metres AHD, i.e. no lower than 183.1 metres AHD.*

The *Bendigo Local Floodplain Development Plan* sets out performance requirements to construct a building or carry out works, or to subdivide land in areas affected by the

Land Subject to Inundation Overlay Schedule 1 and 2. An application should meet all the relevant performance criteria for the relevant section.

Section 6.2.1 refers to dwellings and outbuildings, with Section 6.2.1.1 specifying the requirements for new or replacement dwellings and outbuildings. The Plan states that applications for new or replacement dwellings or outbuildings must satisfy the following performance criteria, as appropriate:

- *Dwellings must have a finished floor level at least 300 millimetres above the 1 per cent AEP flood level, or a higher level as determined by the relevant floodplain management authority.*
- *Outbuildings associated with a new or existing dwelling, including sheds and garages, must have a finished floor level at least 150 millimetres above the 1 per cent AEP flood level, unless it can be demonstrated that this cannot be practically achieved.*

The conditions required by the North Central Catchment Management Authority address the first performance criteria, with the second irrelevant in this instance as the application does not provide for separate standalone outbuildings for each of the dwellings. As such, the proposal remains consistent with the requirements of the *Bendigo Local Floodplain Development Plan*

In order to assist the North Central Catchment Management in forming their response to the application, detailed hydraulic flood modelling to demonstrate the impact of the proposed development on flood behaviour was required. This flood modelling was required to also consider the impacts of climate change, to ensure that the proposal would not result in unacceptable afflux<sup>1</sup> in line with current floodplain management practices, and to also ensure that floor levels are set with adequate freeboard to provide the proposed dwellings with protection from the impacts of climate change.

The submitted Flood Impact Assessment makes the following conclusions:

- The proposed development and associated works will have no adverse impacts on flood behaviour to downstream properties or key access routes under both current and climate change (SSP3 2100) conditions.
- The development does not adversely impact flood hazard and facilitates safe access and egress under both current and climate change (SSP3 2100) conditions.
- Minimum floor levels have been set based on climate change (SSP3 2100) 1% AEP flood levels ensuring freeboard requirements are met.

The Assessment also recommends a 600 mm high impervious flood wall along a 45 metre section of the northern and eastern boundary of the site. The purpose of this

---

<sup>1</sup> Afflux is defined as “something that flows to or towards a point or the act of flowing to or toward” (www.collinsdictionary.com)



wall would be to eliminate minor afflux impacting the adjoining properties. The location of the proposed flood wall is indicated in red in Figure 9 below:



**Figure 9.** Excerpt from Flood Assessment showing developed conditions of the site and the location of the flood wall.

These conclusions have been accepted by the North Catchment Management Authority in determining their position and conditions outlined earlier within this section.

Through the above assessments the application has thoroughly and appropriately considered flood risk to the site and from the proposed development. It has been demonstrated that risk can be appropriately mitigated without unreasonable or adverse impact to the nearby waterway, the floodplain, to surrounding properties and within the site itself.

Would there be any adverse impacts on car parking, traffic and road safety resulting from the development?

- Car parking – on site

Table 1 at Clause 52.06-5 of the Greater Bendigo Planning Scheme sets out the number of car parking spaces required for a range of uses. For a dwelling, this Table sets out the following parking rates:

Table 1: Car parking requirement

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Dwelling	1	1	To each one or two bedroom dwelling, plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every 5 dwellings for developments of 5 or more dwellings

The application proposes 13 two bedroom dwellings, and 3 three bedroom dwellings. Each of the two bedroom dwellings is provided with a single car parking space, while the 3 three bedroom dwellings each have two car parking spaces, satisfying the requirements of Table 1.

Additionally, three visitor car parking spaces are also provided, in line with the requirement in Table 1 for 1 space for every 5 dwellings.

The proposal therefore satisfies the car parking requirements set out within the Greater Bendigo Planning Scheme.

- *Car parking – externally*

There is no formal on-street vehicle parking proposed to be provided as part of the development, nor are there existing line marked on-street vehicle parking spaces proximate to the site. As such, the proposed development of the site will not have an impact on any existing formalised on street parking which may occur nearby to the site.

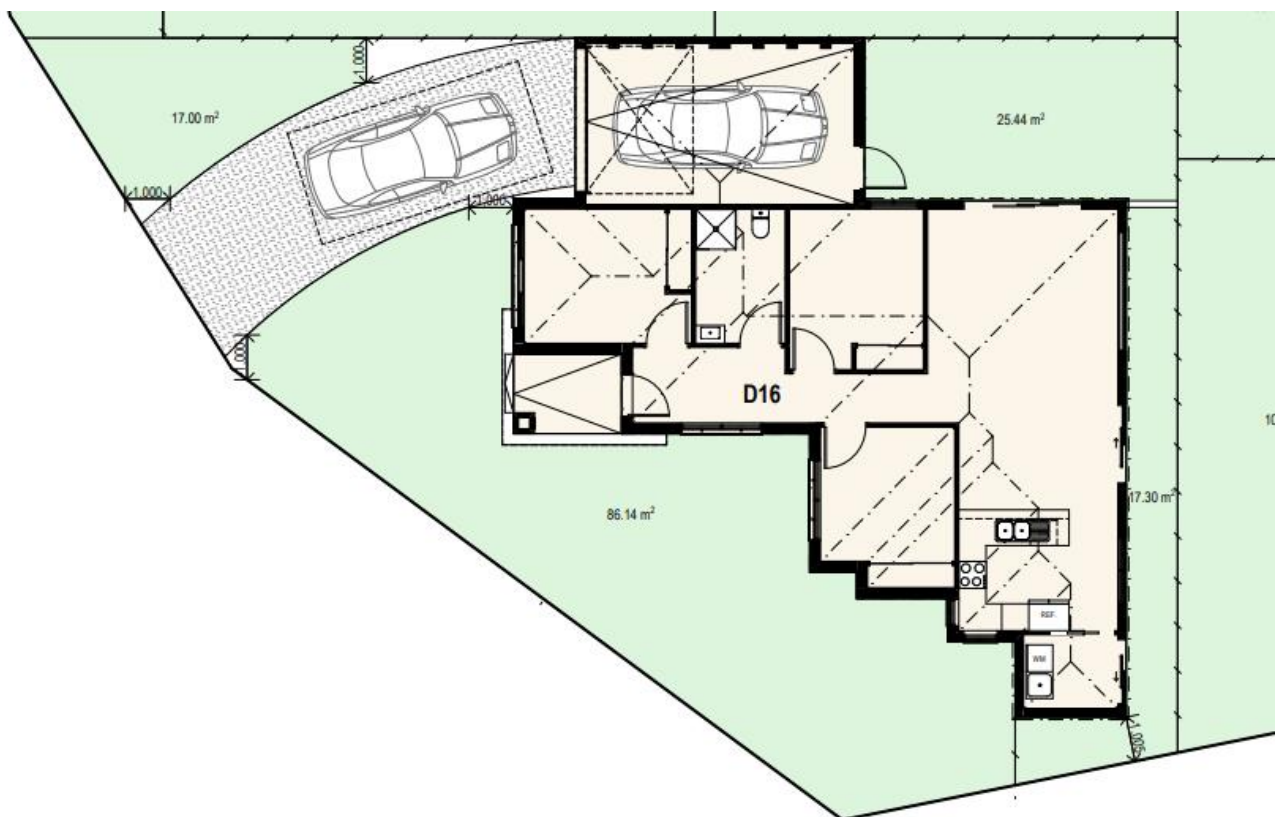
It is noted that works to Ironstone Road to provide for kerbing and a footpath to adjoin this development would result in a widening of this part of Ironstone Road which may result in additional areas which could be used for parking.

- *Traffic and road safety*

The site's location on a bend and potential road safety risks associated with entry and exit points on this part of the road were identified within some of the objections. To inform whether there were likely to be any unacceptable impacts from the development, advice was sought from the City's Traffic Engineers regarding the location of both of the proposed driveways (being the common property driveway, and the driveway for dwelling 16).

Following this review, it was identified that the proposed driveway location for dwelling 16 was unacceptable, being that it was located on the bend and adjacent to a power pole which would further obscure vision. A subsequent minor amendment to the plans to reposition the location of this crossover (with some resulting layout change for this dwelling) was made by the applicant, in line with recommendations made by the Engineering Department.

The location of the driveway for dwelling 16 is now considered acceptable. The location of the common property driveway was assessed as acceptable by both the City's Traffic Engineers and a car parking and traffic assessment which was submitted by the applicant to respond to objections.



**Figure 10.** Previous location of driveway for dwelling 16

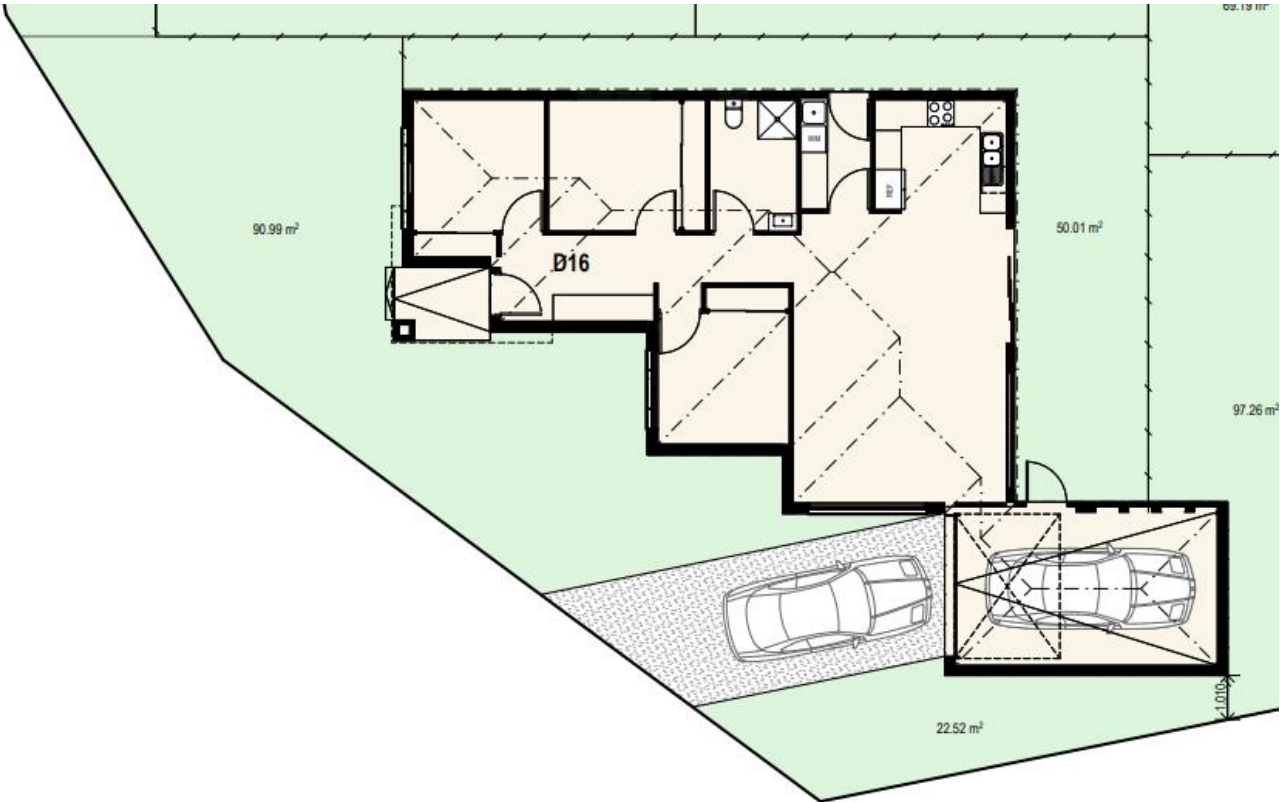


Figure 11. Revised layout of driveway for dwelling 16 following advice from Traffic Engineers





**Figure 12.** Overall site plan showing location of both common property driveway and driveway of dwelling 16 in the context of Ironstone Road

In terms of traffic impacts to/from the childcare centre as a result of this development, it is not considered that the additional traffic movements into and out of the site will have significant impact on users of the childcare centre.

The car parking and traffic assessment submitted with the application contained parking surveys which recorded parking activity associated with the centre during peak drop off and pick up times in the early morning and afternoon. The majority of parking associated with the centre occurs on the childcare centre site itself. While some vehicles during this time do use Ironstone Road for parking, development of the subject land as proposed is unlikely to reduce this parking availability given the development complies with the statutory car parking requirements with the required number of car parking spaces to be provided on the site itself reducing any need to park externally from the site on the roadway.

Likewise, any vehicle congestion resulting from the childcare centre is again likely to be limited to the peak drop off and pick up times only, and the addition of vehicular traffic from the subject site is unlikely to exceed the capacity of the road, even during these peak periods given the relatively small number of additional vehicle movements from the site (estimated to be 9 vehicle movements during peak periods). These limited additional movements are also unlikely to have significant impact on traffic or on users of the nearby road network more broadly.



Source: Nearmap

**Figure 6.2:** Example of on-street parking activity associated with child care centre

**Figure 13.** Excerpt from Parking Impact Assessment Report prepared by EB Traffic solutionsRemaining objector concerns

- *Drainage*

The application was assessed by the City's Development Engineer as having the capacity to manage all stormwater/drainage requirements associated with the proposed development. Detailed drainage plans will be required by condition and will ensure that there are no adverse impacts to neighbouring properties in terms of drainage outfall from the site.

- *Lack of green spaces within the development*

Private Open Space and Garden Area will be provided for the development in accordance with (and exceeding) the requirements of the Greater Bendigo Planning Scheme and are considered acceptable. There is no statutory requirement to provide communal open space areas for a development of this scale. Figures 14 and 15 below indicate the (private) open spaces to be provided within the development.

**Figure 14.** Plan showing areas of the site set aside as garden area, satisfying Minimum Garden Area requirements





**Figure 15.** Plan showing private open space for each of the dwellings

- *Overshadowing*

As indicated in Figures 16 to 18 below, overshadowing from the proposed development into neighbouring properties will be minimal and in accordance with Planning Scheme requirements. There will be no significant overshadowing of areas of private open space of adjoining dwellings.



Figure 16. Shadow diagram – 9am 22 September





**Figure 17.** Shadow diagram – 12pm 22 September**Figure 18.** Shadow diagram – 3pm 22 September

- *Site levels and fence heights*

Site levels were not included on the initial set of plans submitted with the application, however, were included in the amended plan set submitted in response to the objections.

Conditions from the North Central Catchment Management Authority will require minimum floor levels for each of the dwellings, which are required to mitigate flood risk. Any flood mitigation measures are not expected to result in adverse impacts to surrounding landowners through increase of flood risk. Drainage from the site will incorporate these conditions and ensure that stormwater is management appropriately.

Existing external fence heights along the north and eastern boundaries exceed 2 metres and is therefore expected to maintain privacy for existing residents despite any site level changes.

## **Conclusion**

The proposed development of the site with sixteen dwellings accords with the requirements of the Greater Bendigo Planning Scheme and will promote increased residential diversity and density within the Urban Growth Boundary. Traffic generation associated with the proposal will not result in adverse or unsafe impacts to the road network. Additionally, flood risk to the site has been appropriately identified and assessed and can be mitigated so as to not result in unacceptable risk to life or property. Approval is recommended.

## **Options**

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

## **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. MODIFIED PLAN REQUIRED**

Before the use and/or development start(s), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:

(a) A table indicating the requirements of Condition 3.

### **2. NO LAYOUT ALTERATION**

The use and development permitted by this permit as shown on the endorsed plans 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.

### **3. ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT**

The following initiatives committed to in the Sustainable Design Assessment (SDA) and Built Environment Sustainability Scorecard (BESS) must be shown on the development plans, and include the following requirements:

(a) A 2000L water tank will be provided to each dwelling. They are to be connected to toilets for flushing

- (b) Stormwater run-off from the impervious driveway will be treated by 12 x Enviss Sentinel pits or equivalent, in accordance with the approved drainage plan.
- (c) Water fixtures and fittings efficiency commitment: 4 star showerheads, 5 star taps, 4 star toilets (WELS ratings)
- (d) This is an all-electric development. No gas connection will be made
- (e) Heating and cooling system will be reverse cycle heat pump units within 1 star of the best available system on the market of relevant size/capacity
- (f) Hot water systems will be electric heat pumps (min Band 2)
- (g) Internal lighting maximum illumination power density of 4W/sqm or less
- (h) An outdoor clothesline will be provided to each dwelling
- (i) Dwellings will have a minimum 7 star NatHERS rating on average
- (j) Doubled glazing to all habitable room windows, at a minimum.
- (k) Operation of the external lighting to be controlled by a motion detector
- (l) A electric vehicle charging circuit minimum 30Amp will be provided to each dwelling garage. This will include a junction box/isolator at the future charger location, a timer at the switchboard to access off-peak energy, and EV charge signage.
- (m) The building roof colour is to be a light to medium colour (as per BCA definitions)
- (n) Framing timber will be sourced from accredited sustainable plantations (either FSC PEFC/AFS accreditation)
- (o) At least 33% of the site will be covered with vegetation

#### 4. SUSTAINABLE DESIGN ASSESSMENT

- (a) All works must be undertaken in accordance with the endorsed SDA (including BESS and STORM report etc.) to the satisfaction of the responsible authority. No alterations to the SDA or associated documents may occur without the prior written consent of the responsible authority.
- (b) Prior to use or occupation, a post construction report must be submitted to the satisfaction of the responsible authority and must confirm that all measures specified in the SDA have been implemented in accordance with the approved plan. The report must include the following documents and photographic evidence of:
  - i. Size and number of rainwater tanks installed pumps and connection to toilets
  - ii. Final NatHERS certificates
  - iii. The efficiency of electrical and water fittings and fixtures installed including the heating/cooling and hot water system
  - iv. Clothes lines
  - v. External lighting motion detectors
  - vi. Electric Vehicle charging circuit and equipment

#### 5. NO RESIDENTIAL RETICULATED GAS SERVICE CONNECTION

Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

6. GENERAL EXTERIOR TREATMENT

The exterior treatment of the buildings permitted by this permit, including all exterior decoration, materials, finishes and colours must be to the satisfaction of the responsible authority. The exterior treatment of the building(s) must be maintained to the satisfaction of the responsible authority.

7. REFRIGERATION & AIR-CONDITIONING EQUIPMENT

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

8. CONSTRUCTION PHASE

All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the responsible authority and all care must be taken to minimise the effect of such activities on the amenity of the locality.

9. DETAILED DRAINAGE

Prior to commencement of the development, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then will form part of the permit. The plans must be drawn to scale with dimensions. The plans must include

- (a) Direction of stormwater run off
- (b) A point of discharge;
- (c) Easements as required.

10. CONSTRUCTION OF WORKS

Road works, drainage and other civil works must be constructed in accordance with the City of Greater Bendigo Infrastructure Design Manual and plans and specifications approved by the Responsible Authority and must include:

- (a) Drainage
- (b) Stormwater detention
  - i. Allowable Discharge  $Q_{10\%} = 44 \text{ l/s}$
- (c) Stormwater quality
- (d) Kerb and channel including associated pavement works along the Ironstone Road frontage
- (e) Footpath along the Ironstone Road frontage

11. VEHICLE CROSSINGS

Vehicular access to the subject land from any roadway or service lane (and vice versa) must be by way of a vehicle crossing(s) constructed at right angles to the road, to suit the proposed driveway(s) and vehicles that will use the crossing. A Works within Road

Reserves permit must be obtained from the City of Greater Bendigo Engineering Department prior to any work commencing in the road reserve.

12. CAR PARK CONSTRUCTION

Before the occupation of the development, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be constructed to meet the following requirements and standards:

- (a) Properly formed to such levels that they can be used in accordance with the plans;
- (b) Surfaced with an all-weather-seal coat;
- (c) Drained;
- (d) Visitor car parking spaces marked;
- (e) Provided with security bollard lighting.

The car parking and access areas must comply with the requirements of clause 52.06 of the Greater Bendigo Planning Scheme and meet all other applicable Australian and New Zealand Standards unless otherwise agreed in writing with the responsible authority.

13. USE OF CAR PARKING AREAS

Areas set aside for the parking and movement of vehicles as shown on the endorsed plan must be made available for such use and must not be used for any other purpose.

14. PEDESTRIAN SIGHTLINES

The minimum sight line for pedestrian safety must be provided at the exit lane frontage so as to accord with Clause 52.06-9 of the City of Greater Bendigo Planning Scheme.

15. FENCING OF SITE

The fence(s) as shown on the endorsed plans(s) must be erected and maintained to the satisfaction of the responsible authority.

16. NO MUD ON ROADS

In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the responsible authority.

17. LANDSCAPE PLAN

Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions.

The plan must show:

- (a) A survey (*including botanical names*) of all existing vegetation to be retained and/or removed
- (b) Details of surface finishes of pathways and driveways
- (c) Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- (d) At least one canopy tree (*minimum two metres tall when planted*) for each dwelling.

All species selected must be to the satisfaction of the responsible authority.

18. COMPLETION OF LANDSCAPING

Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.

19. LANDSCAPING MAINTENANCE

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

20. NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY

- (a) Prior to the commencement of works for the dwellings, an impervious flood wall must be built to a height of 183.2 metres AHD, must be built in the North-Eastern Corner of the site in accordance with the Flood Impact Assessment: 135 Ironstone Road, Ascot, dated 3/07/2024 and prepared by Cumulus Engineering.
- (b) The finished floor level of units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 13 must be constructed a minimum of 300 millimetres above the 1% AEP flood level of 182.7 metres AHD, i.e. no lower than 183.0 metres AHD.
- (c) The finished floor level of units 11, 12, 14, 15 & 16 must be constructed a minimum of 300 millimetres above the 1% AEP flood level of 182.8 metres AHD, i.e. no lower than 183.1 metres AHD

21. EXPIRY

This permit will expire if the development permitted by this permit is not completed within 4 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.

**Attachments**

Nil

## 16.2. Part Lot 2 Wallenjoe Road, Huntly - Use and Development of the Land for Materials Recycling (Organic Resource Recovery Facility), a Reduction of Car Parking Requirements and Waiver of Bicycle Spaces

Author:	Michael St Clair, Statutory Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

### Summary/Purpose

Application No:	DC/627/2023
Applicant:	Western Composting Technology Pty Ltd
Land:	Part Lot 2 Wallenjoe Road, HUNTLY 3551
Zoning:	Industrial 1 Zone
Overlays:	Bushfire Management Overlay Land Subject to Inundation Overlay 1
No. of objections:	142 objections have been received at the time of drafting this report.
Consultation meeting:	<p>Consultation was undertaken through the exchange of written correspondence. The objections received were sent to the permit applicant who provided a written response that was sent to all objecting properties within 1.2km of the site.</p> <p>Due to the number of objections received, and the nature of the objections being fundamentally opposed to the proposal, it was considered unlikely that a formal consultation meeting would resolve objector concerns.</p>
Key considerations:	<ul style="list-style-type: none"> <li>• Whether the proposed use is consistent with the relevant clauses of the Municipal Planning Strategy, Planning Policy Framework and the Industrial 1 Zone.</li> <li>• Whether the proposal has considered potential amenity impacts associated with air quality and noise and reduced these to an acceptable level.</li> <li>• Whether the car parking and access arrangement is acceptable</li> <li>• Objector concerns.</li> </ul>
Conclusion:	The proposal is consistent with the relevant policies contained within the Municipal Planning Strategy and the Planning Policy Framework, the Industrial 1 Zone, Clause 52.06 Car parking, Clause 53.10 Uses and activities with potential adverse impacts, Clause 53.14 Resource Recovery, Clause 53.18 Stormwater management in urban development and the Clause 65 General Decision Guidelines.

	<p>Potential air quality impacts have been appropriately modelled and considered, with the application able to demonstrate that the proposal will not result in any unreasonable air quality impacts relating to odour and dust. The EPA have supported this conclusion.</p> <p>Potential noise impacts have been appropriately modelled and considered, with the application able to demonstrate that the proposal will not result in any unreasonable noise impacts. The EPA have supported this conclusion; however, they did raise concerns with the proposed hours of operation. The hours of operation will be restricted by condition to address the EPA comments.</p> <p>In summary, the proposal is considered to respond to the features of the site, the planning and strategic context of the site as well as the surrounding character. It will facilitate resource recovery processes as sought by the planning scheme and provide a good design outcome in an industrial area, whilst making efficient use of existing social and physical infrastructure.</p> <p>The proposal will facilitate a sustainability outcome whilst aiding Victoria in establishing a circular economy by diverting the organic waste streams treated at the site away from landfill and enabling it's reuse in soil improvement processes.</p> <p>The proposed configuration is practical and takes into account surrounding amenity and the built form. The development has suitably demonstrated compliance with relevant planning policies, and general provisions of the Greater Bendigo Planning Scheme. Accordingly, the proposed use and development is considered to be appropriate and worthy of support.</p>
--	---

### **Recommended Motion**

That Council issue a Notice of Decision to Grant a Permit for the use and development of the land for materials recycling (organic resource recovery facility), a reduction of car parking requirements and waiver of bicycle spaces at Lot 2 Wallenjoie Road, HUNTLY VIC 3551, subject to the conditions at the end of this report.



## **MOTION**

That the recommended motion be adopted.

Moved: Cr Alden

Seconded: Cr Fagg

### **Resolution No. 2024-171**

**LOST**

## **MOTION**

That this Agenda Item 16.2 be deferred until the first Council meeting after the Environment Protection Authority has completed its assessment on the Development Licence application.

Moved: Cr Evans

Seconded: Cr Penna

### **Resolution No. 2024-172**

**CARRIED**

## **DIVISION**

Cr Alden called for a division on the voting for the Motion.

Those voting **for** the Motion:

- **5** (Cr Metcalf, Cr Evans, Cr Penna, Cr Williams and Chairperson Casting Vote)

Those voting **against** the Motion:

- **4+0:**
  - Against (Cr Alden, Cr Fagg, Cr O'Rourke and Cr Sloan)
  - **plus**
  - Abstained (Nil)

Absent:

- Nil

The Motion is confirmed as **CARRIED**.

## Report

### Background

This planning permit application is made concurrently with a Development Licence application. The Development Licence application is currently under assessment with the Environment Protection Authority (EPA).

The other permission, required from the EPA is designed to work alongside the *general environmental duty* under that legislation to ensure performance standards and conditions are meeting across a range of activities. There are 3 tiers of permissions based on the level of risk to human health and the environment:

- **Licences for high-risk prescribed activities [author emphasis – this is the EPA approval sought];**
- Permits for medium-risk prescribed activities; and
- Registrations for low-risk prescribed activities.

This risk-based approach means that the EPA approval processes target different levels of risk with the right balance of permissions and conditions

Both the planning permit and development licence processes consider separate issues related to the proposed use and development. Generally, this can be summarised as the Development Licence application focusing on the technical aspects of the operation of the site. The planning permit process therefore assesses the appropriateness of the wider impacts of the proposal to the surrounding community.

For instance, in respect to odour, the EPA assessment considers whether the technology proposed is to manage odour appropriately for a facility of this size, detailing what separation distance should then result. The planning assessment then determines whether the proposed odour impacts are appropriate in relation to surrounding sensitive receptors (in this case nearby dwellings in the farm zone). There are inherent overlaps in these assessments.

As a result of these two separate approval pathways, some aspects of the proposal are not able to be considered as part of this planning assessment. These are generally captured by the concurrent Development Licence application. Both processes are open to community engagement processes.

### Subject Site and Surrounds

The site is located on the western side of Wallenjoe Road and is formally described as Lot 2 on Plan of Subdivision 3471766V (Volume 10275 Folio 703). The site is

rectangular in shape with an overall area of 48.76 hectares with frontage onto Wallenjoe Road to the east, Adelaide Hills Road to the north and Saleyard Lane to the south.

The site is located approximately 2.8 kilometres to the southwest of the Huntly Township. The site currently contains the Huntly Saleyards (Bendigo Livestock Exchange) and associated infrastructure which is located in the southwestern portion of the site. Both covered and uncovered livestock enclosures are found on the site.

There are two large dams, and a small dam located on the site, along with a number of solar panels. The remainder of the site is vacant in terms of buildings. The site also comprises native vegetation particularly along the boundaries and within the northern portion of the site. The site has access from Wallenjoe Road.

The surrounding context is as follows:

- To the north of the site is Adelaide Hills Road. On the other side of Adelaide Hills Road is a parcel of land within different ownership located on the corner of Wallenjoe Road and Adelaide Hills Road. The parcel of land is currently vacant and used for grazing purposes. The site is mostly cleared of vegetation other than the vegetation found along the waterways that traverse through the site.
- To the east of the site is Wallenjoe Road. On the other side of Wallenjoe Road are two parcels of land within different ownership. The northern parcel of land is currently vacant and located on the corner of Leans Road and Wallenjoe Road. The southern parcel of land is also vacant and contains a dam. The southern parcel fronts onto Wallenjoe Road. A waterway traverses through both properties and both properties adjoin the Bendigo Creek to the east of the site.
- To the south of the site is Saleyard Lane. On the other side of Saleyard Lane is a parcel of land owned by Coliban Water. This parcel has frontage onto Wallenjoe Road and Simpsons Road and contains large treatment ponds located in the eastern portion of the site and the western portion of the site is mostly vegetated.
- To the west of the site is a parcel of land within different ownership. This parcel of land is rectangular in shape with frontage onto Adelaide Hills Road. The parcel is currently vacant, with a large dam located in the central portion of the site. The eastern portion of the site is mostly cleared other than some scattered trees and the western portion of the site heavily vegetated.

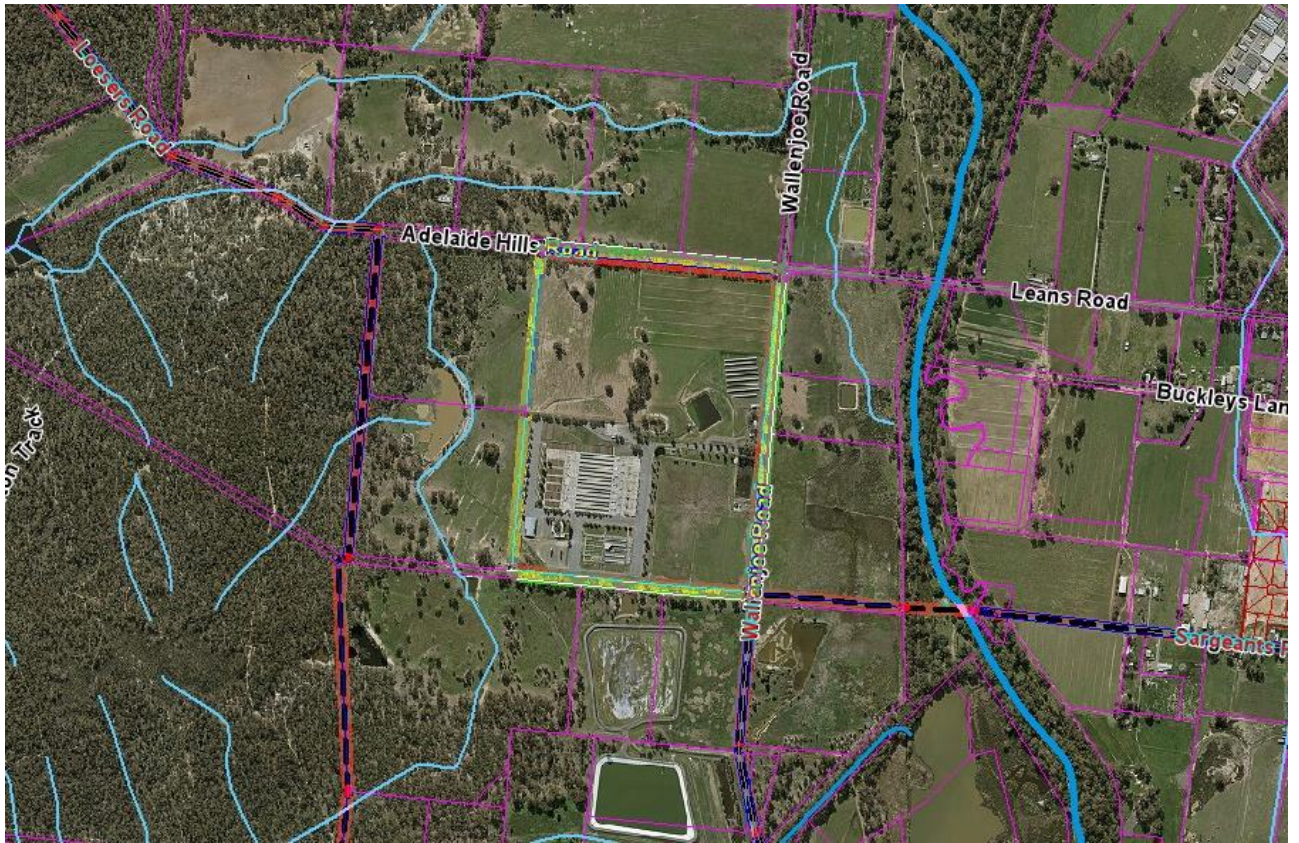


Figure 2: Aerial image of the site and surrounds – (Source: City's GIS – Exponare).





*Figure 3: View of the site from Wallenjoe Road looking towards the south-west.*





*Figure 4: View of the site from Wallenjoe Road looking towards the south-west.*

The site is located within the Industrial 1 Zone, the north-western corner of the site is affected by the Bushfire Management Overlay and the north-eastern corner of the site is affected by the Land Subject to Inundation Overlay.

Land surrounding the subject site in all directions is within the Farming Zone. Land further to the east is found within the Public Conservation and Resource Zone and contains the Bendigo Creek and the Huntly Streamside Reserve. Land further to the west of the site is also within the Public Conservation and Resource Zone and contains the Whipstick State Forest.



Figure 5: Zoning map of the subject site and surrounds.



Figure 6: Extent of the Bushfire Management Overlay that affects a portion of the site.





Figure 7: Extent of the Land Subject to Inundation Overlay – Schedule 1 that affects a portion of the site.

The proposed buildings and works are not located within the extent of the Bushfire Management Overlay or the Land Subject to Inundation Overlay. Therefore, these planning scheme overlays will not form part of the assessment of the application.

### Proposal

The application is proposing the use and development of the land for materials recycling (organic resource recovery facility), a reduction of car parking requirements and waiver of bicycle spaces.

### *Materials recycling*

Pursuant to Clause 73.03 of the Greater Bendigo Planning Scheme, materials recycling is defined as *land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials*.

The proposal seeks to use a 6.2-hectare section of the subject site located in the southeastern portion of the site for the material recycling. The materials recycling will be operated by Western Composting Technology Pty Ltd. Western Composting Technology have also lodged a Development Licence application with the Environment Protection Authority (EPA) Victoria. The Development Licence application has been prepared by Sustainable Project Management Pty Ltd and has been provided with the current planning application. The Development Licence application includes details in regard to the proposed activities to be undertaken on the land including the mitigation of any potential impacts.



The City of Greater Bendigo has recently entered into service agreement and lease with Western Composting Technology for the establishment of a materials recycling facility on the site (owned by the City).

The materials recycling facility will process the recycling of a maximum 30,000 ton of organic waste per annum that will primarily be of food organics, garden organics and commercial garden waste and food waste.

Material will be received in a semi-enclosed building where it will be shredded prior to being placed in climate-controlled vessels to undergo pasteurisation. The material will then be transferred to windrows where it will mature for up to 16 weeks prior to screening before dispatch as a final compost product.

The site will include the following features, plant, and equipment:

- An office and amenities building with staff and visitor carparking located to the west of the building.
- A weighbridge equipped with digital load cells and an in-built software and remote display.
- A hardstand area covering areas to be used by incoming/outgoing trucks and front-end loaders.
- A receivals building; three-sided, covered building (approximately 60m x 40m) with a concrete floor. The building will be open on the western elevation. Within the shed there will be a sorting drum with sorting table/ picking station.
- Four tunnels will be provided with a length of 30 metres, a width of 7 metres and a height of 6 metres.
- A humidifier with a fan.
- A biofilter with a length of 26 metres and a width of 17 metres.
- A washdown pad (with triple interceptor)
- A total of 31 windrows and a compost maturation pad having an area of 26,770m<sup>2</sup> adjacent to the southern boundary of the land.
- A contact water dam with an area of 4,305m<sup>3</sup>.
- A chain wire (litter) fence will be provided around the site and a 1.2m high earthen bund will be established inside the fence to divert any offsite stormwater around the site. The bund is proposed to be vegetated. The bund will capture all internal stormwater flows for treatment within the contact water dam.
- A mobile plant including:
  - Three front end loaders;
  - A mobile high-speed shredder (for pre-shredding);
  - A windrow turner; and
  - A mobile trommel/shaker screen.

### *Staffing*

The materials recycling operation is proposed to have a maximum number of 10 staff.

### *Hours of operation*

The application is seeking permission to operate the facility 24 hours a day 7 days a week. However, the application indicates that the facility will generally operate between 7:00am and 5:00pm from Monday to Saturday; however, on occasion specific activities such as product screening and deliveries may occur outside of the normal hours of operation.

The application material states that specific hours are not material given that the assessment indicates that compliance can be achieved for all hours. This will be discussed in greater detail in the planning assessment section of the report.

### *Vehicle movements*

The application has been accompanied by a Traffic Impact Assessment Report that concludes that approximately 40 vehicle movements will occur per day (20 inbound and 20 outbound) including kerbside collection vehicles, hook lift truck, semi-trailers, truck, and dogs and the 3 loaders operating on site.

### *Car parking reduction*

12 car parking spaces are proposed to be provided in the northwestern corner of the site to be used for the materials recycling. The car parking spaces will be located to the north of the proposed office building and be provided with access via the internal road and onto Wallenjo Road. The application is seeking a reduction in car parking spaces and has been accompanied by a Traffic Impact Assessment Report. The car parking reduction will be discussed in greater detail further into the report.

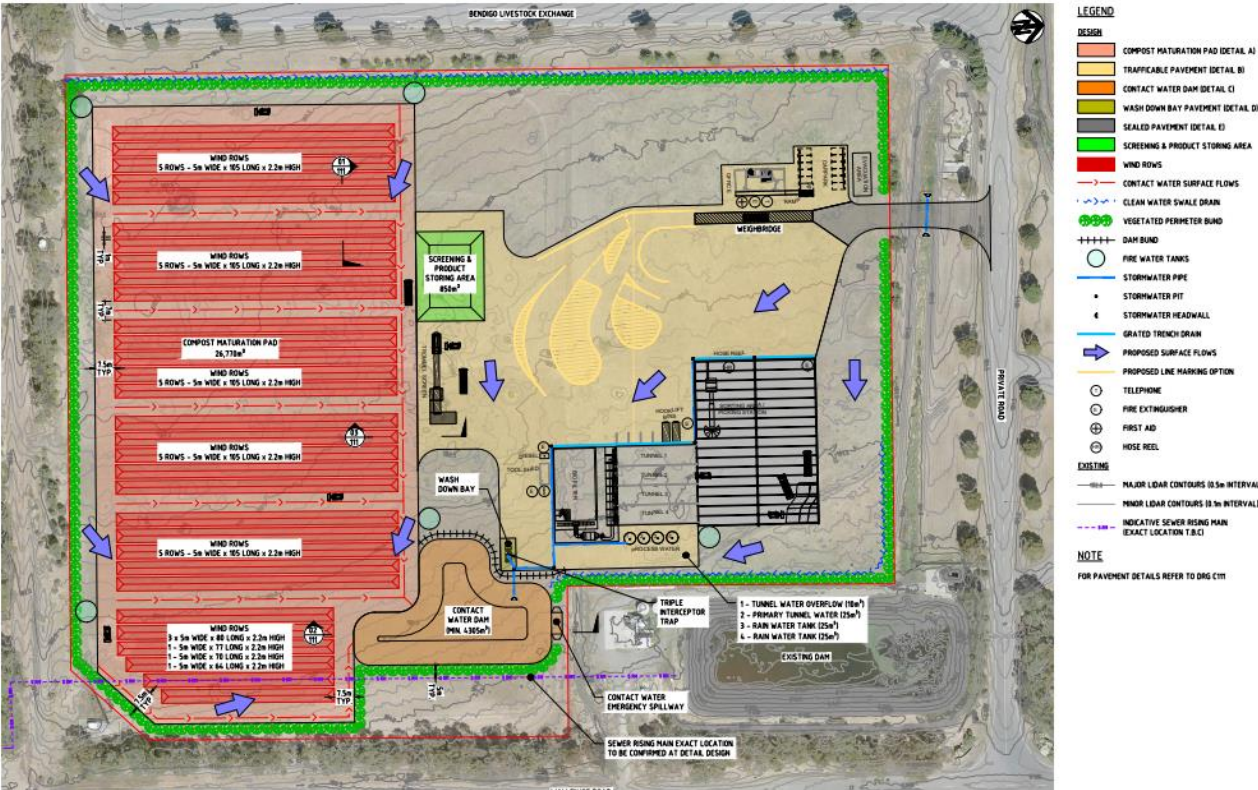


Figure 8: Proposed site plan.

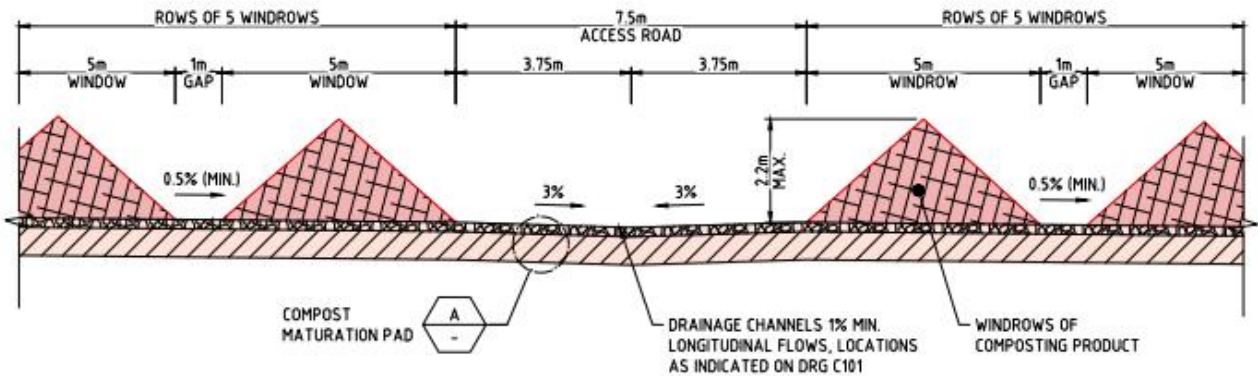


Figure 9: Cross section plan of the proposed windrows.

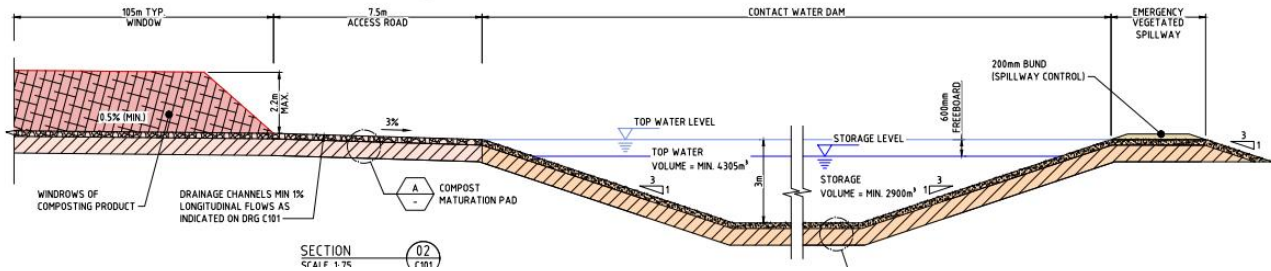


Figure 10: Storage dam cross section.

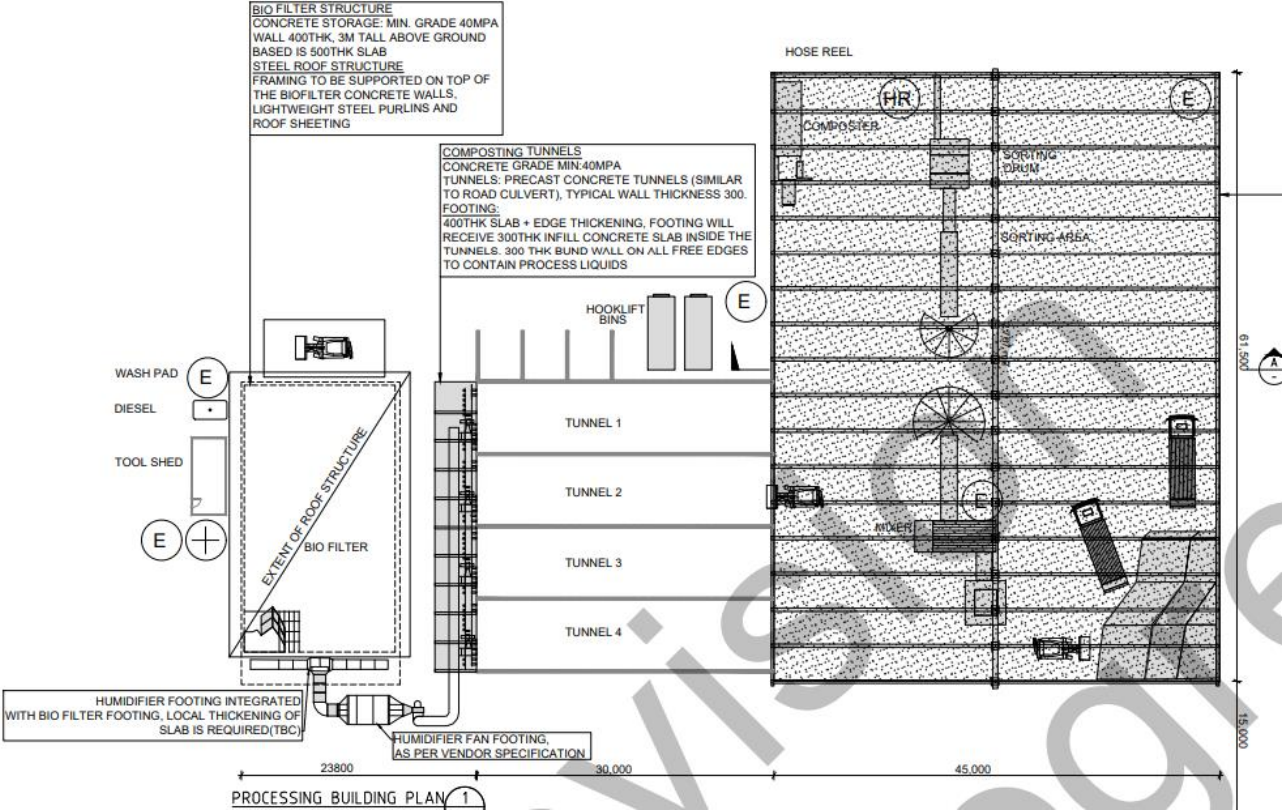


Figure 11: Proposed floor plan.

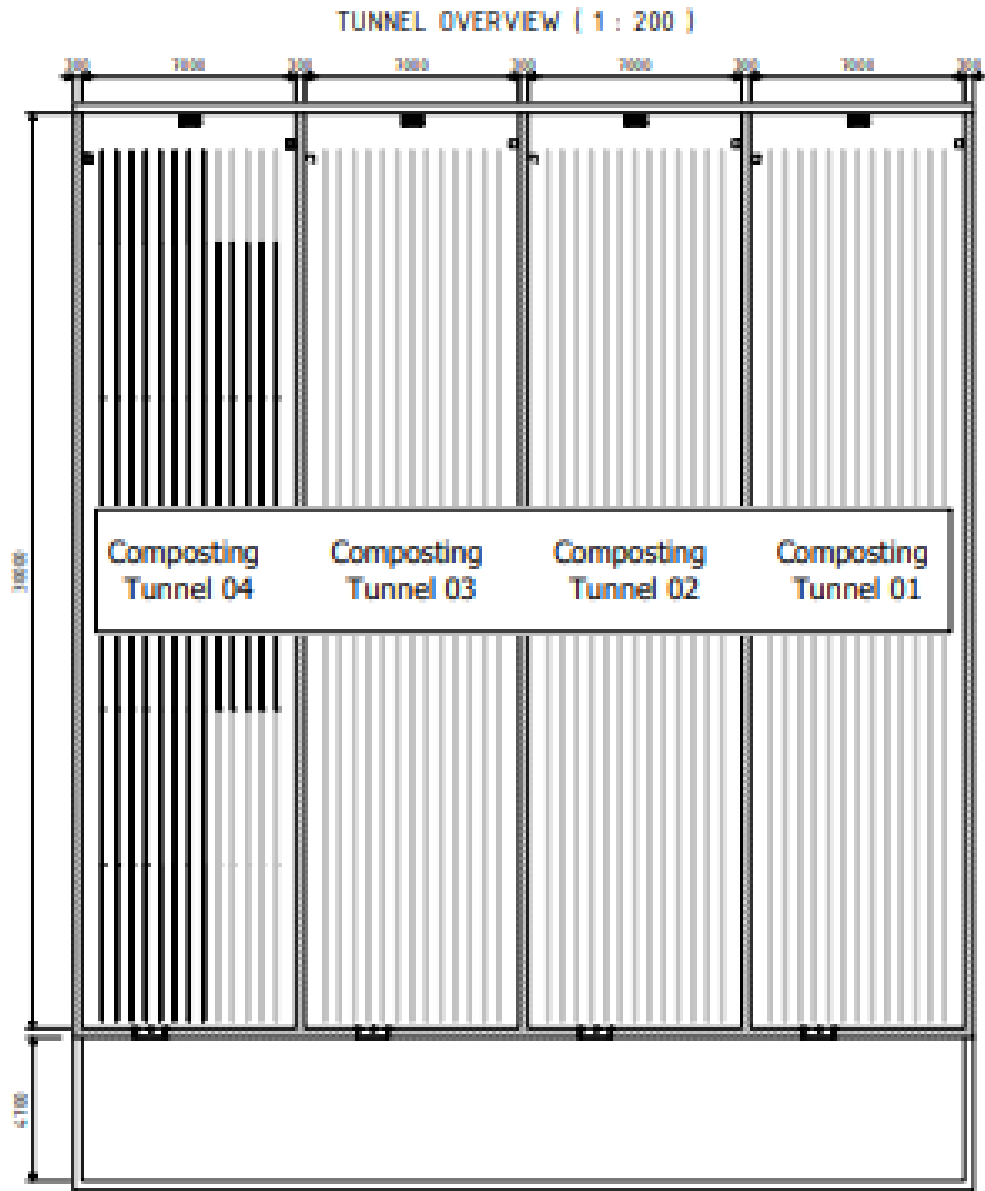


Figure 12: Composting tunnel floor plan.

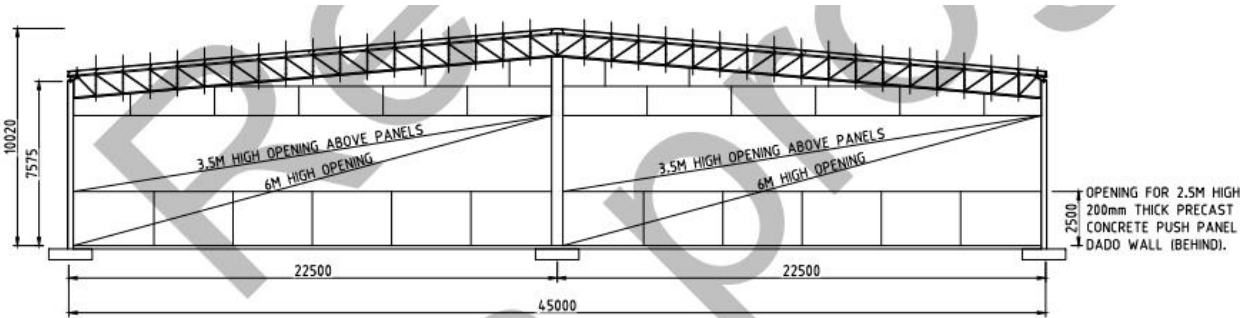


Figure 13: Elevation of the sorting area building.



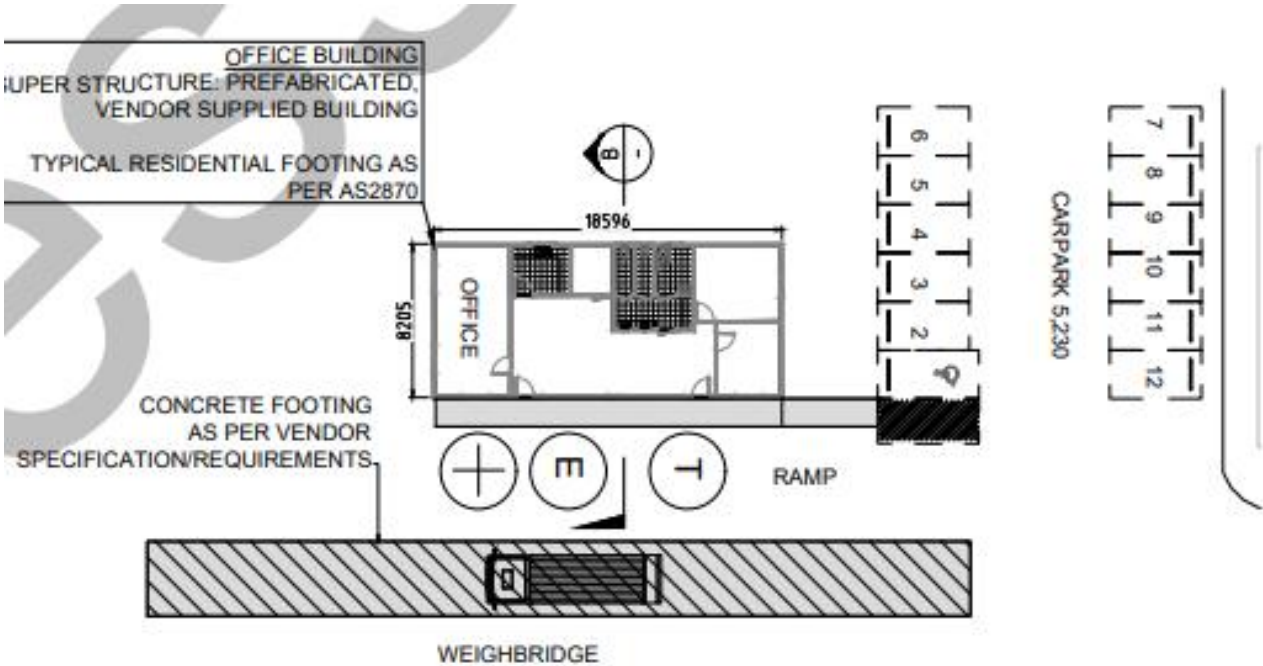


Figure 14: Floor plan of the office, weighbridge, and car parking area.

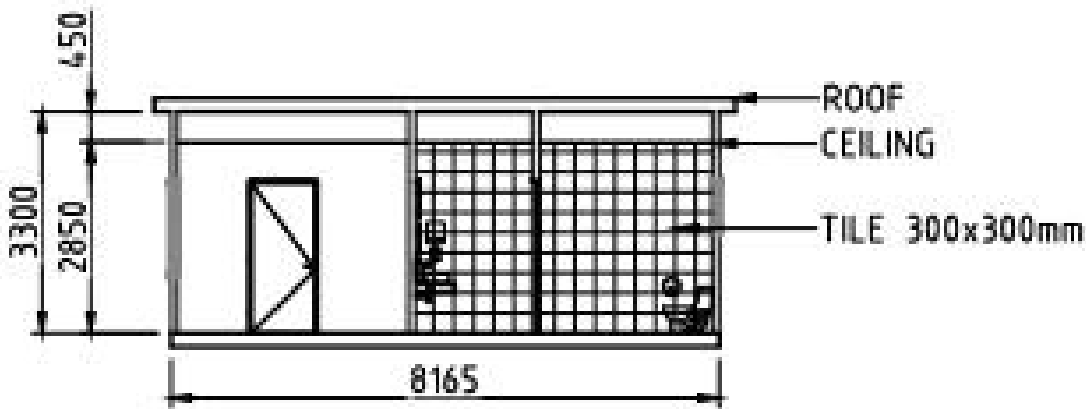


Figure 15: Office elevation plan.

## Planning Controls - Greater Bendigo Planning Scheme

### Why is a planning permit needed?

The need for a planning permit is triggered by the following clauses:

Planning Control	Why is a permit required?	Does any exemption from notice and review apply?
Clause 33.01-1 Industrial 1 Zone	A permit is required to use the land for materials recycling.	No.
Clause 33.01-4 Industrial 1 Zone	A permit is required to construct a building or construct or carry out works.	Yes. The Planning Scheme notes that:  <i>“An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre”.</i>
Clause 52.06-3 Car Parking	A permit is required to reduce the number of car parking spaces required under Clause 52.06-5.	No.
Clause 52.34 Bicycle Facilities	A permit is required to waive the number of	Yes. Clause 52.34-3 notes that:

Planning Control	Why is a permit required?	Does any exemption from notice and review apply?
	bicycle spaces required under Clause 52.34-5.	<i>“An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act”.</i>

**Note:** With respect to the elements of the proposal which are exempted from Notice and Review rights; the following is relevant:

*Clifftop at Hepburn Pty Ltd v Hepburn SC [2023] VCAT 201* involved a question of law which was:

*“What is the extent to which respondents can make submissions about matters relating to the Bushfire Management Overlay and other bushfire related matters having regard to the exemptions from notice, decision requirements and rights of review set out in Clause 44.06-7 of the Hepburn Planning Scheme?”*

The answer to that question of law was that:

*“Third parties are not entitled to be involved in the Tribunal’s consideration of the permit trigger under the BMO through the making of submissions or the cross-examination of any witness dealing with the BMO permission sought.... In the application before us the BMO ‘covers the field’ with respect to bushfire hazard assessment and management...”*

*Myers v Southern Grampians SC (Red Dot) [2022] VCAT 695* and *Myers v Southern Grampians Shire Council [2023] VSC 658*, involved consideration of whether third parties (who were objectors to an application for Group accommodation) had rights to make submissions on matters pertaining to a Design and Development Overlay (DDO) that included exemptions from third party notice and review rights, and subsequently whether the Tribunal had jurisdiction to consider matters under the DDO given the appeal was a section 82 appeal only.

If Council resolve to grant a permit and such a decision was to be appealed, it would only be the **non-exempt** permissions which would be able to be reviewed by



objectors. The non-exempt provisions are regarding land use under the zone and the car parking provision.

### *Overlays*

Note: No development is proposed within the areas affected by the Bushfire Management Overlay and the Land Subject to Inundation Overlay – Schedule 1, As such, no assessment against these overlays is required.

### *Area of Aboriginal Cultural Heritage Sensitivity*

The site is partially located within an area of Aboriginal Cultural Heritage Sensitivity. The application has been accompanied by advice from a qualified Aboriginal Heritage Advisor confirming that the proposal is a high impact activity. However, the activity area is not located within the area of Registered Cultural Heritage Sensitivity. As a result, a Cultural Heritage Management Plan is not required.

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

### Municipal Planning Strategy

- 02.03-1 Settlement
- 02.03-3 Environmental risks and amenity
- 02.03-4 Natural resource management

### Planning Policy Framework

- 11.01-1S Settlement
- 11.01-1R Settlement – Loddon Mallee South
- 13.06-1S Air quality management
- 13.07-1S Land use compatibility
- 17.01-1S Diversified economy
- 17.01-1R Diversified economy - Loddon Mallee South
- 17.03-2S Sustainable industry
- 18.02-4L-03 Car parking – Greater Bendigo
- 19.03-5S Waste and resource recovery

### Other Provisions

- 33.01 Industrial 1 Zone
- 52.06 Car parking
- 52.34 Bicycle facilities
- 53.10 Uses and activities with potential adverse impacts

- 53.14 Resource Recovery
- 53.18 Stormwater management in urban development

## **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 authorities and internal departments have been consulted on the proposal:

Referral	Comment
EPA	Consent subject to the inclusion of notes on a permit.
Engineering – Drainage	Unconditional consent.
Engineering – Traffic	Conditional consent.
Environmental Health	Defer to EPA approval.
Sustainable Development Officer	Conditional consent.

### Public Notification

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

As a result of advertising, 142 objections were received with the grounds of objections summarised as:

- Amenity
- Biosecurity to livestock
- Contaminated waterway

- Dust
- Fire risk
- Flies
- Flooding
- Health and wellbeing
- Nearby farmland
- Odour
- Poorly sited
- Proximity to residential land
- Proximity to saleyard
- Rodents
- Rubbish
- Storage dam
- Stormwater and drainage
- Traffic

The permit applicant has provided a written submission responding to objections and an aerial image that shows the location of the subject site and objector properties.

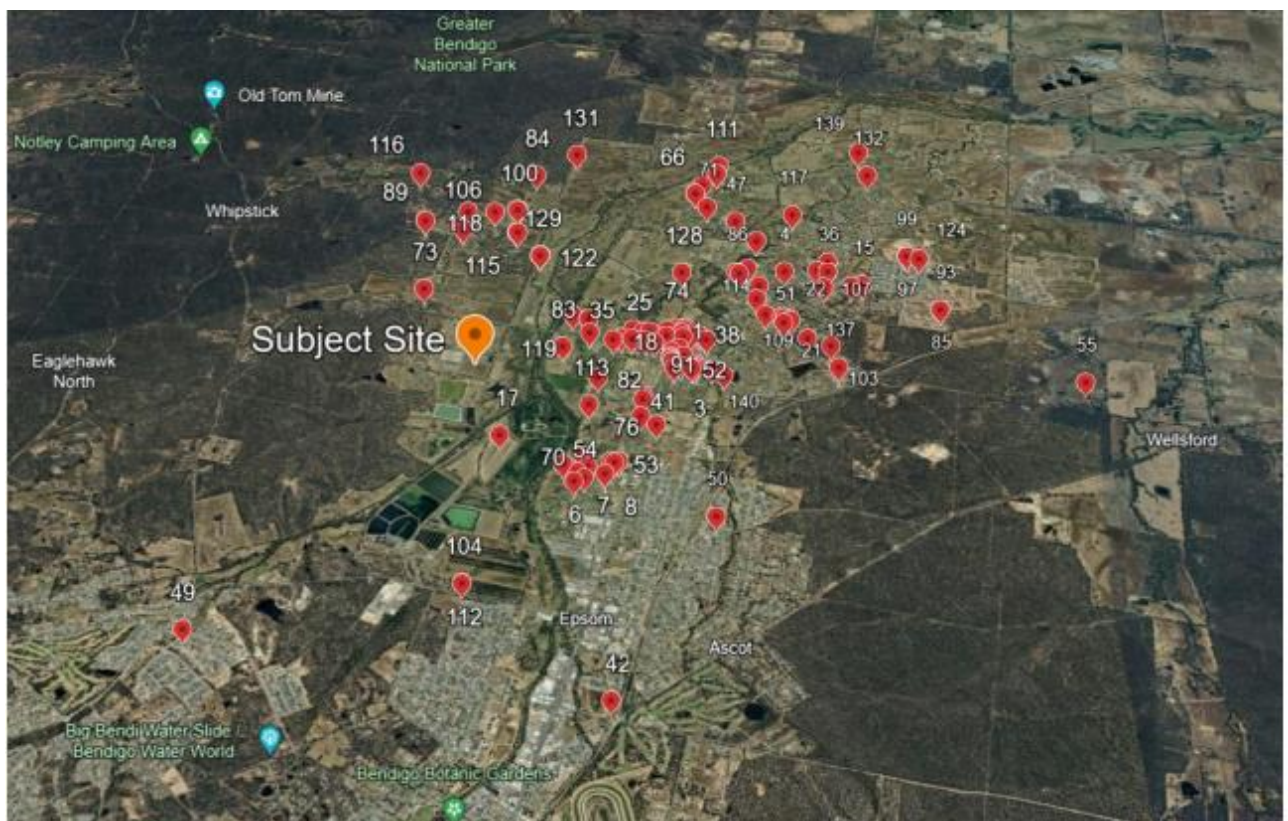


Figure 16: Aerial image showing the subject site and objector properties (in red).

Due to the high volume of objections received, it would appear that the proposal could potentially have a large social impact on the local Huntly Community. Consideration

was given to requesting the applicant to provide a Social Impact Assessment. However, given the siting and scale of the proposal, the potential for material detriment will be limited. The majority of objections received are from properties that are a significant distance from the subject site and raise issues that can be addressed through the imposing of and ongoing compliance with planning permit conditions, or the conditions of the EPA licence.

To assist with consideration of the objector concerns, the following table should be noted.

ISSUE	Primary responsibility COGB PLANNING	Primary responsibility COGB OTHER	Primary responsibility EPA	Primary responsibility OTHER
Land use	√√√		√	
Amenity	√√√		√	
Distance to township/residents (buffer)	√√√		√√√	
Odour	√√√	Enviro Health √√√	√√√	
Dust	√√√	Enviro Health √√√	√√√	
Noise	√√√	Enviro Health √√√	√√√	
Traffic	√√√	Engineering √√√	√√√	
Rubbish	√√√		√√√	
Flooding	√√√	Engineering √√√	√	NCCMA √√√ (land not flood prone – No overlay)
Impact to waterways	√√√	Engineering √√√	√√√	NCCMA/DEECA √√ (referral not mandated)
Impact to groundwater	√√√		√√√	NCCMA/DEECA √√√ (referral not mandated)
Drainage	√√√	Engineering √√√	√	NCCMA √ referral not mandated)

<b>Air quality (general/non-specific – dust, human health impacts etc.)</b>	√√√	Enviro Health √√√	√√√	
<b>Vermin</b>	√√√		√√√	√√√ Ag Vic (referral not mandated)
<b>Impact to local flora and fauna</b>	√√√		√	√√√ Federal EPBC (applicant onus)
<b>Asbestos</b>	√√	Enviro Health √√√	√√√	
<b>Fire risk</b>	√√√		√	√CFA
<b>Impact to land quality</b>	√√√		√	√√√ Ag Vic (referral not mandated)
<b>Waste management/types</b>	√√		√√√	
<b>Mining licences</b>				√√√ DEECA
<b>Other future land uses</b>	√√√		√√	
<b>Biosecurity</b>	√		√√√	√√√ Ag Vic (referral not mandated)
<b>OHS issues</b>	√	Saleyards√	√	√√√ Work Safe
<b>Operator Licensing</b>	√ (planning approval)		√√√	
<b>Property value</b>	Not a relevant planning consideration	Rates		

**Note:** The types of material permitted to be received is generally regulated by the EPA, however there is overlap with the Planning Permit assessment in terms of related amenity and odour considerations.

### Planning Assessment

The issues raised throughout all of the objections received primarily focus on odour, traffic, noise, and other amenity impacts from the proposed materials recycling facility. The following planning assessment has been shaped around these concerns in

addition to directly assessing the proposal against the relevant planning policy. The key considerations are:

- *Whether the proposed use is consistent with the relevant clauses of the Municipal Planning Strategy, Planning Policy Framework and the Industrial 1 Zone.*
- *Whether the proposal has considered potential amenity impacts associated with air quality and noise and reduced these to an acceptable level.*
- *Whether the car parking and access arrangement is acceptable*
- *Objector concerns.*

*Whether the proposed use is consistent with the relevant clauses of the Municipal Planning Strategy, Planning Policy Framework and the Industrial 1 Zone.*

The site is located within the Industrial 1 Zone which contains the following purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

The use of land for a materials recycling (organic resource recovery facility) is an allowable use within the Industrial 1 Zone, subject to planning approval. As such, consideration must be given to whether the use of the land for a materials recycling (organic resource recovery facility) is appropriate in this instance, with regard to the relevant planning policy framework and the context of the site and surrounding area.

In determining the appropriateness of such a land use, the Decision Guidelines of the Industrial 1 Zone direct that consideration must be given to the following considerations:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.*
- *The effect that nearby industries may have on the proposed use.*
- *The drainage of the land.*
- *The availability of and connection to services.*
- *The effect of traffic to be generated on roads.*
- *The interim use of those parts of the land not required for the proposed use.*

In addition to the decision guidelines relating to use, the following decision guidelines relate to buildings and works:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any natural or cultural values on or near the land.*
- *Streetscape character.*
- *Built form.*

- *Landscape treatment.*
- *Interface with non-industrial areas.*
- *Parking and site access.*
- *Loading and service areas.*
- *Outdoor storage.*
- *Lighting.*
- *Stormwater discharge.*

An assessment of the proposed land use against the relevant Municipal Planning Strategy and Planning Policy Framework is included below.

The main guiding policies within the Planning Scheme for the consideration of the appropriateness of the proposed materials recycling facility are Clause 13.07-1S Land use compatibility, Clause 17.03-2S Sustainable industry and Clause 19.03-5S Waste and resource recovery. The key strategies that guide decision making in these policies are:

- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial, and other uses through land use separation, siting, building design and operational measures.*
- *Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance, or exposure to hazards.*
- *Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.*
- *Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste streams and maximise opportunities for resource recovery.*
- *Ensure the long-term viability of waste and resource recovery infrastructure (including state and regional waste and resource recovery hubs) is secured through the use of defined buffer areas that protect against encroachment from incompatible land uses.*
- *Ensure waste and resource recovery facilities are sited, designed, built, and operated so as to minimise impacts on surrounding communities and the environment.*
- *Enable waste and resource recovery facilities to be located in proximity to other related facilities and to materials' end-market destinations, to reduce the impacts of waste transportation and improve the economic viability of resource recovery.*
- *Site, design, manage and rehabilitate waste disposal facilities to prevent or minimise contamination of groundwater and surface waters, litter, odour, dust, and noise.*
- *Encourage technologies that increase recovery and treatment of resources to produce high value, marketable end products.*

- *Encourage development that facilitates sustainable waste and resource recovery, including facilities for Victoria's container deposit scheme.*

The site forms part of an industrial area that also contains the Bendigo Livestock Exchange (Saleyards). In addition to the industrial zoning, the site adjoins the Coliban Water Treatment Plant directly to the south. This treatment plan encompasses several parcels of land within both the Public Use Zone and the Farming Zone (with the portion within the Farming Zone adjoining the site). Due to the surrounding context and the potential for offsite amenity impacts for the existing land uses in the area, there is strong justification for the siting of the current proposal.

The impetus for the proposal is to allow for the processing of organic material to be provided to achieve the strategies outlined above and also to ensure that the potential for amenity impacts to surrounding and nearby land uses is reduced to an acceptable level.

To support the application, the applicant has provided a range of supporting assessments prepared by suitably qualified consultants. These include:

- Air Quality Impact Assessment
- Baseline Environmental Site Assessment
- Biosecurity Impact Assessment
- Contact Water and Stormwater Impact Assessment
- Fire Impact Assessment
- Geotechnical Factual Report
- Greenhouse Gas Impact Assessment
- Land and Groundwater Impact Assessment
- Noise Impact Assessment
- Water Balance Modelling
- Waste Management
- Transport Impact Assessment

Clause 53.10 relates to uses and activities with potential adverse impacts and seeks *'to identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.'* The intent of this provision is to ensure that threshold distances are met and in instances where the threshold distance cannot be met, or in this instance where no threshold distance is specified, referral to the EPA is required to support the assessment of an application with potential adverse impacts.

The application is described as *Waste, recycling and resource recovery for composting and other organic materials recycling* which does not have a threshold distance specified. Therefore, the application must be referred to the Environment Protection Authority under Section 55 of the *Planning and Environment Act*.



The application and all accompanying documents were formerly referred to the EPA for review. The EPA employs technical experts with vast experience in reviewing assessments to support industrial applications. Further, as the EPA is the authority overseeing the Development Licence application for the site, they have an extensive history and understanding of the proposed operation. This includes a detailed understanding of the operation of a similar site by the same operator within Shepparton.

The EPA referral response referred to recommended separation distance for the proposed composting facility which is calculated from Section 4 of *EPA Publication 1588.1: Designing, constructing, and operating composting facilities* and is based on:

- Facility 1 categorisation, as material will be received in a semi-enclosed building where it will be shredded prior to being placed in climate-controlled vessels to undergo pasteurisation. The material will then be transferred to windrows where it will mature for up to 16 weeks prior to screening before dispatch as a final compost product; and
- A maximum of 30,000 tonnes per annum of organic wastes accepted at the site.

The referral response indicates that the recommended separation distance of 800 metres can be met as the nearest dwelling is located approximately 823 metres to the north-west of the subject site. In addition to the proposal meeting the recommended separation distance, the site is located approximately 1.6 kilometres to the west of the nearest residential zoned land within the Low-Density Residential Zone. Residents from the nearest dwelling, and residents within the nearby Low Density Residential area, are unlikely to be subject to odour impacts during the general running of the facility.

Clause 53.14: Resource Recovery includes the purpose to facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

The application has addressed the application requirements outlined in Clause 53.14-2 which requires the applicant to confirm whether a Development Licence is required from the Environment Protection Authority.

As outlined above, a Development Licence is required, and an application has been lodged with the EPA and is under concurrent assessment. Most recent correspondence from the EPA has confirmed that the Development Licence is still under assessment.

This proposal is not able to commence without obtaining both a planning permit and an approved Development Licence.

The proposal is sited within an appropriate location and will have minimal impact on the environment and amenity of the area and will assist in achieving resource recovery targets established by the Victorian Government and is consistent with the objectives outlined in the Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).

The EPA provided consent to the proposal and did not request any conditions to be included on the permit. The EPA did however request notes to be included on the permit which require the permit holder to ensure that obligations under the *Environment Protection Act 2017* are met and to require the permit holder to mitigate risk to human health or the environment from pollution or waste.

The EPA referral response has concluded that the main risks to human health and the environment associated with the use will be odour, dust, and fire if the activities at the site are not managed well. The response also stated that the operator (Western Composting Technology Pty Ltd) operates a similar composting facility in Greater Shepparton, so it is expected that the risks (and required controls) involved with the activity are well understood. However, all materials will need to be managed and stored in a manner that minimises risks of harm to human health and the environment. This requirement can be controlled through the inclusion of appropriate permit conditions.

Overall, the proposal is aligned with the objectives and strategies outlined in the Municipal Planning Strategy and the Planning Policy Framework. The proposal is consistent with the relevant particular provisions outlined above and is consistent with the purpose and decision guidelines subject to further discussion relating to amenity impacts below

*Whether the proposal has considered potential amenity impacts associated with air quality and noise and reduced these to an acceptable level.*

The decision guidelines under the Industrial 1 Zone, for both use and development, place a high emphasis on potential amenity impacts of the any proposal on surrounding land uses. The EPA in their referral response is satisfied that the proposal will be compliant for an amenity perspective due to the closest dwelling being located 820 metres from the subject site. The EPA have advised that the main risks associated with the use will be odour, dust, and fire

Whilst the EPA are satisfied with the proposal, Council must also reach a position of support. Potential amenity impacts from odour, dust and fire are discussed below in greater detail.

The interface between urban development, forested areas and waste management facilities in the municipality need to be managed to safeguard community amenity, protect forest values and support key services and industries.

A key environmental risk for Greater Bendigo outlined in Clause 02.03-3 Environmental risks and amenity is land use compatibility. The strategic directions for land use compatibility are:

- *To manage the interface between urban development and incompatible uses including waste management facilities, gold mines and other uses with off-site amenity impacts to support land use compatibility.*
- *To minimise land use compatibility issues through separating waste management facilities, gold mines, and other uses with off-site amenity impacts.*

Policy through Clause 13.06-1S Air quality management seeks to assist the protection and improvement of air quality. Relevant strategies outlined in this policy seeks to:

- *Ensure, wherever possible, that there is suitable separation between land uses that pose a human health risk or reduce amenity due to air pollutants, and sensitive land uses (residential use, childcare centre, school, education centre, residential aged care centre or hospital).*
- *Minimise air pollutant exposure to occupants of sensitive land uses near the transport system through suitable siting, layout, and design responses.*

### *Odour*

The site is remote from built up areas, located within an industrial area and surrounded by an agricultural setting. However, if the organic material/compost piles are not effectively managed, they can emit strong and unpleasant odour.

Odour risks from this type of facility generally result from composting materials being left to break down in a low oxygen environment. These environments result where the bacteria in the material are left to consume the oxygen as they break down the organic matter. This creates a hostile environment whereby strong odours are created.

The application has detailed how it seeks to avoid the creation of unpleasant odours. Primarily this is done through a pasteurisation (heating in an oxygen rich environment) process upon receipt of the organic waste material. Following receipt, the waste material is screened to remove contaminants before being shredded to an ideal size for the composting process. The shredded material is then moved into a sealed pasteurisation chamber. This chamber is sealed, and computer controlled, to create the ideal environment for bacteria to undergo aerobic (oxygen rich) decomposition. The chamber reaches a temperature of over 70 degrees, which is high enough to kill present pathogenic microorganisms. This process also neutralises any seeds or insects within the material.

The air that is circulated through the pasteurisation process maintains the ideal decomposition rate of the material. The process air, once discharged from the sealed tunnels, is directed to a humidifier and biofilter. This step removes any odourous gases from the decomposition process before release into the atmosphere.

As a result, the main source of odour through the composting process is actively managed to ensure that any excessive odour is effectively managed.

Following pasteurisation, the processed material is moved to maturation windrows for final composting. Following pasteurisation, these windrows are the secondary odour source that must be actively managed.

The windrows are in place for up to 16 weeks, during which time they are regularly turned to maintain an aerobic environment and monitored to ensure temperature and moisture levels are maintained. This process ensures that odour production is kept to a minimum (whilst also reduces any potential dust impacts).

The EPA in reviewing the submitted application material (for both the planning permit and development licence applications) advised that the separation distance of the facility from the nearest sensitive receptors (dwelling) be 800 metres (which is a conservative distance to account for a wide range of environmental conditions). The nearest dwelling is located 823 metres from the site to the northwest. As such, the proposal meets its separation requirements.

As identified above, the site is located in an area zoned for farming. This land use zone has an expectation associated with it for a level of amenity impacts, one of which relates to odour. This is further enhanced by the existing uses in the surrounding area. Both the Coliban Water wastewater treatment plant and the Bendigo Livestock Exchange are known creators of strong odours.

Based on site suitability and likelihood that the risks of the facility can be managed effectively it is officer assessment that this amenity impact is appropriate.

### *Dust*

As for any industrial operation of this scale, an amenity risk from dust generation exists. The application documentation indicates that this could be generated from the following potential sources:

- Heavy vehicle movements (deliveries, front-end loaders etc.)
- Shredding and grinding
- Maturation windrow composting - compost pads generating dust during material movement, formation, turning.

- Refinement, storage, and dispatch of final product

These generation sources are similar to what is currently experienced at the operators Shepparton site. As a result of this experience, the following proposed mitigation measures will be employed:

- Water spraying (sprinklers / hoses) will be used for dust suppression as required
- All access roads will be sealed (hard stand) to reduce dust creation
- Vehicle speeds will be limited
- Water cart is utilised as dust suppression on windy days or during dry conditions
- Dust production will be monitored during trommelling operations. If there are dust plumes external to the sites boundaries, trommeling operations are to be postponed.
- All windrows are to be appropriately watered down before turning

The EPA's planning referral advised that these measures present as reasonable and would be further reviewed from a technical perspective as part of the Development Licence application.

From a planning permit perspective, the mitigation measures proposed are reasonable and should not result in an unreasonable amenity impact. The specific requirements for dust management will be regulated under any Development Licence that may issue. As such, there is no specific requirement for planning permit conditions to also regulate this.

It is officer assessment that dust impacts have been appropriately managed by the proposal.

### *Fire*

As outlined previously in the report the subject site is partially affected by the Bushfire Management Overlay. However, the proposed development is sited outside of the extent of the overlay to assist in mitigating the potential of the development to be affected by bushfire. Due to this it is considered that there is ample separation between the potential fire risk and the proposed activity.

A key environmental risk for Greater Bendigo as outlined in Clause 02.03-3 Environmental risks and amenity is bushfire. A strategic direction for natural environmental risks is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

A Fire Risk Assessment was conducted with the conclusion that fire risk would be manageable, with a number of recommendations to be implemented. The facility will

be required to be managed appropriately to ensure that activities on the site do not increase the risk of fire.

A technical review of the Fire Risk Assessment will be considered in greater detail as part of the EPA Development Licence application to ensure that the potential fire risk associated with the proposal can be reduced to an acceptable level.

### Noise

The application has been supported by the submission of an Acoustic Report prepared by Enfield Acoustics Noise and Vibration (20 September 2023). The report concludes that *the use is expected to comply with the Noise Protocol by comfortable margins at all times, providing that the following mitigation is adopted:*

- *All mobile plant must be installed with broadband squawker alarms to eliminate the risk of tonal impacts.*

The acoustic report will be endorsed to form part of the permit, and a condition included on the permit requiring all acoustic measures detailed to be in place prior to the commencement of the use.

The EPA in their referral response stated that while noise is not a primary risk of the use, it could become a risk as the facility is requesting approval for 24 hours even if it is stated to generally operate Monday to Friday between 7:00am-5:00pm.

The application material attempts to justify the 24-hour operation to allow for operations to occur outside of typical hours and within 'night period' (as defined under the Regulations) for product screening and customer requirements.

During the nighttime period, background noise levels will likely be lower and if non-standard activities are occurring there is potential for noise exceedance to occur, contrary to the findings of the submitted acoustic report. Given that noise was a key concern raised by the permit objectors and by the EPA it is not considered *reasonable* to support a proposal for a 24-hour, 7 day a week operation on this site.

A more reasonable outcome is to condition the permit to specific hours of operation for the active components of the use. The proposed conditions permit the following hours of operation

- Monday to Saturday 7:00am and 6:00pm

The conditioned hours will ensure that the active components of the proposed use will operate entirely within the 'daytime period' and still allow for flexibility for the operator to accept late deliveries. As the condition will prevent the proposal from operating in

the 'nighttime period,' it is less likely that there will be adverse impacts associated with noise.

#### Whether the car parking and access arrangement is acceptable

Clause 52.06 of the Greater Bendigo Planning Scheme relates to the Car parking provision and includes the following purpose:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06 applies to the commencement of a new use and the provision of car parking must be considered before a new use commences.

#### *Car parking reduction*

Clause 52.06-5 of the provision outlines the number of car parking spaces required and a materials recycling facility is required to be provided with 10% of the site area of car parking.

The Traffic Impact Assessment Report assumes an area of 30 square metres is required for a car parking space and a total of 235 car parking spaces are required to be provided to comply with the car parking. The application material outlines that 235 car parking spaces is excessive, and approval has been sought for the reduction in the car parking reduction in car parking requirements.

The Traffic Impact Assessment Report includes a car parking demand assessment.

The application details that a total of 12 car parking spaces are proposed to be provided on the site, adjacent to the proposed office building to cater for the 10 staff and any visitors to the site.

The majority of vehicle movements to and from the site will be trucks to unload organic materials and to lodge process compost that will be removed from the site. These vehicles will not be required to utilise the car parking arrangement as they will enter

the site, access the weighbridge, load, or unload, and then leave the site. It is considered that sufficient car parking will be provided on site to cater for the anticipated demand that will be generated.

As a result, the proposed car parking reduction is considered to be acceptable.

#### *Car parking layout*

The proposal is considered to be compliant with the design standards for car parking outlined in Clause 52.06-9.

The accessway will meet minimum width requirements and allow for vehicles to enter and exit the site in a forward direction. Car parking spaces will be constructed in accordance with the minimum dimension, the car parking area can be lit for safety and can be appropriately landscaped to soften the appearance of hard surfacing.

The car parking layout will be functional and will allow for safe and efficient vehicle and pedestrian movements. A condition will be included on the permit outlining the construction requirements for the car parking area.

#### *Clause 52.34 Bicycle facilities*

Clause 52.34 Bicycle facilities include the following purpose:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible, and convenient bicycle parking spaces and associated shower and change facilities.*

Clause 52.34-5 outlines that 1 bicycle space is required to be provided for each 1000 square metres of net floor area for an industry land use.

The accompanying Traffic Impact Assessment outlines that 3 bicycle spaces are required to be provided as the proposal will have a net floor area of 2,800 square metres (the required number of bicycle facilities is calculated to the nearest whole number).

The application is not proposing to provide any bicycle facilities and is seeking a waiver. Approval for a waiver is required pursuant to Clause 52.34-5. This is due to the context of the site being isolated from residential area and not provided with connectivity to any bicycle routes.

As a result, it is unlikely that staff or visitors will access the site via bicycle. Therefore, it is appropriate to support a waiver of the bicycle facilities in this circumstance.



## Access

The application is proposing to utilise the existing road network to access the materials recycling facility. The site will be accessed via a new crossover onto the existing private road that is used to provide access to the Bendigo Livestock Exchange. From the private road, access will then be provided onto Wallenjoe Road.

The application has been accompanied by a Traffic Impact Assessment Report prepared by One Mile Grid. The report was revised as requested by the assessing officer to consider traffic movements on a peak Monday which is the day the Livestock Exchange operates.

The report outlines that the largest vehicles accessing the site will be 'Truck and Dog' and semitrailer combinations and the site is expected to generate 60 vehicle movements per day. The assessment outlines that the proposal will have a negligible impact on the surrounding road network, including the intersection of the Midland Highway and Leans Road, due to only a small increase in the number of vehicle movements.

In conclusion, the existing road network has the capacity to cater for the increase in vehicle movements, adequate car parking will be provided on the site, the car parking area will be designed appropriately to allow for safe and efficient vehicle movements, and the waiver of bicycle facilities is justified. The application has been referred to the City's Traffic Engineering Department who have provided consent to the proposal subject to conditions to facilitate appropriate car parking and access.

## Objector concerns.

Objector concerns that have not been discussed previously are addressed below:

### *Biosecurity to livestock*

The application has been accompanied by a Biosecurity Impact Assessment. This assessment outlines that biosecurity risks are present in the transport, storage, processing, and the use of inadequately pasteurised organic wastes that could contain a range of pathogens.

The Biosecurity Impact Assessment is particularly important in this circumstance given the proximity of the Livestock Exchange. The following measures will be implemented at the site to mitigate biosecurity impacts on and off the site:

- Prevent access by vectors to high-risk putrescible organic waste through appropriate storage and handling of incoming feedstock.
- Prevent water from pooling and stagnating across the site where insects can breed.

- Regularly turn and move maturation windrows to prevent vermin from sheltering/nesting.
- Keep the site free from any weeds and establish perimeter bunds to limit weeds blowing onto or from the site.
- Exclude all ruminant stock by securely fencing the site boundary.
- Remove waste and contaminants and keep the site and sheds in a generally tidy state.
- Control dust moving off site through appropriate management practices.

The EPA in their referral response did not raise any issues in relation to biosecurity. As a result, the Biosecurity Impact Assessment will include appropriate measures to mitigate the potential for biosecurity impacts.

#### *Contaminated waterway*

The proposal is unlikely to adversely affect waterways due to a diversion bund erected around the perimeter of the site. This will prevent flood water traversing across the site and prevent contamination to waterways occurring. Collected water will be treated prior to any discharge from the site occurring.

#### *Flies*

Due to the surrounding land uses such as cattle grazing the Livestock Sale Yards and the Water Treatment Plant it is considered highly likely that there is a high presence of flies within the area.

The same-day pasteurisation of material received by the proposed facility will significantly reduce risks associated with vermin and other vectors. The proposal is unlikely to cause any significant impact in relation to flies. However, a standard condition will be included on the permit relating to the amenity of the area and the operation of the use. The conditions will prevent the presence of vermin to the satisfaction of the responsible authority. If this becomes an issue in the future, the City can undertake appropriate compliance action to rectify the issue.

#### *Flooding*

The proposed use and development are not sited within the extent of the of the Land Subject to Inundation Overlay. In addition to this, a 1.5-metre-high diversion bund will be constructed around the perimeter of the site to migrate external stormwater flows from impacting the site.

### *Health and wellbeing*

The potential for health and wellbeing impacts have been mitigated to an acceptable level due to the siting of the proposal, the separation distances provided to sensitive land uses, and measures implemented into the design response to minimise amenity impacts. As a result, it is considered that the proposal will not cause any unreasonable impacts to health and wellbeing.

### *Nearby farmland*

The subject site is surrounded by land within the Farming Zone that is mostly used for grazing purposes. A key purpose of the Farming Zone is to provide for use of land for agriculture. The proposed materials recycling will not adversely affect the ability of surrounding agricultural activities to operate.

Adverse amenity impacts are often associated with agricultural activities and residential uses within the Farming Zone should not expect the same level of amenity to that of properties within a residential zone. Whilst it is acknowledged that residential land uses are occurring within the Farming Zone, the nearest dwelling is located approximately 820 metres to the north-west of the site. The buffer distance provided between the material recycling facility and the dwelling is considered ample to mitigate the potential for adverse impacts.

### *Poorly sited*

It is officers view that the proposed use has been well sited. The site is located within the Industrial Zone and will operation on the same site as the Bendigo Livestock Exchange and within proximity to the Coliban Water Treatment Plant directly to the south of the site. Given that the proposal will operate within proximity to these uses that also have potential to cause adverse odour impacts and the proposal is provided with a substantial buffer to the Huntly Township, the subject site is considered to be well sited for such a proposal.

There is unlikely to be any better located land within the Municipality for this proposed use when ease of access is also considered.

### *Proximity to residential land*

The nearest residential land to the subject site is found within the Low-Density Residential Zone, approximately 1.16km to the east of the subject site. It is considered that there is ample separation distance between the subject site and residential land to mitigate the potential amenity impacts that have been discussed above. As outlined above the required separation distance specified by the EPA is 800 metres.

### *Rodents*

The same-day pasteurisation of material significantly reduces risks associated with vermin and other vectors.

A standard condition will be included on the permit relating to the amenity of the area and the operation of the use. The conditions will prevent the presence of vermin to the satisfaction of the responsible authority. If this becomes an issue in the future the City can undertake appropriate compliance action to rectify the issue.

### *Rubbish*

Given that the proposal is for the recycling of organic material, it is unlikely that the proposal will generate rubbish in any significant way.

When organic material arrives at the site it will be screened by the plant operators. Any non-organic material and rubbish will be removed from the organic material and cleared from the site regularly. If any rubbish was to accumulate on the site, it will be captured by perimeter fencing and required to be regularly removed.

### *Storage dam*

The storage dam proposed will hold stormwater during high rainfall events and release the water at a rate which matches the existing flow rate.

### *Stormwater and drainage*

The application has been referred to the City's Development Engineering department who have provided consent to the proposal and did not request any conditions to be included on a permit. As a result, it is not anticipated that the proposal will result in any drainage or water quality issues. The proposed development will be required to be drained to the satisfaction of the responsible authority. The management of water within the site will be regulated by the EPA, with these forming conditions as part of any Development Licence that may issue separate to this planning approval process.

### **Conclusion**

The proposal is consistent with the relevant policies contained within the Municipal Planning Strategy and the Planning Policy Framework, the Industrial 1 Zone, Clause 52.06 Car parking, Clause 52.34 Bicycle facilities, Clause 53.10 Uses and activities with potential adverse impacts, Clause 53.14 Resource Recovery, Clause 53.18 Stormwater management in urban development and the Clause 65 General Decision Guidelines.

Potential air quality impacts have been appropriately modelled and considered, with the application able to demonstrate that the proposal will not result in any unreasonable air quality impacts relating to odour and dust. The EPA have supported this conclusion.

Potential noise impacts have been appropriately modelled and considered, with the application able to demonstrate that the proposal will not result in any unreasonable noise impacts. The EPA have supported this conclusion; however, they did raise concerns with the proposed hours of operation. The hours of operation will be restricted to address the EPA comments.

In summary, the proposal is considered to respond to the features of the site, the planning and strategic context of the site, as well as the surrounding character. It will facilitate a stated need for resource recovery as sought by the planning scheme and provide a good design outcome in an industrial area, whilst making efficient use of existing social and physical infrastructure.

The proposal will facilitate a sustainability outcome whilst aiding Victoria establish a circular economy by diverting the organic waste streams treated at the site away from landfill.

The proposed configuration is practical and takes into account surrounding amenity and the built form. The development has suitably demonstrated compliance with relevant planning policies, and general provisions of the Greater Bendigo Planning Scheme. Accordingly, the proposed use and development is considered, to be appropriate and worthy of support.

## **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. MODIFIED PLAN REQUIRED**

Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When

approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- (a) A landscape plan in accordance with Condition 3.
- (b) A Sustainable Design Assessment in accordance with Condition 6.
- (c) Elevation plans of the office building.
- (d) Elevation plans of the 'sorting area building.'

2. NO LAYOUT ALTERATION

The use and 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.

3. LANDSCAPE PLAN REQUIRED

Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The plan must show:

- (a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
- (b) Details of surface finishes of pathways and driveways.
- (c) Planting schedule of all proposed trees, shrubs, and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- (d) Canopy trees (minimum two metres tall when planted) around the perimeter of the car parking area where possible to offer shading of the parking area.
- (e) Screen planting (minimum two metres tall when planted) around the perimeter of the site (where possible).

All species selected must be to the satisfaction of the responsible authority.

4. LANDSCAPING MAINTENANCE

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

5. COMPLETION OF LANDSCAPING

Before the commencement of the use or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.

6. SUSTAINABLE DESIGN ASSESSMENT (SDA)

In accordance with the Greater Bendigo Planning Scheme *Clause 15.01-2L Environmentally Sustainable Development* an SDA is required to be prepared and submitted to demonstrate best practice environmentally sustainable development and address the following relevant categories, to the satisfaction of the responsible authority:

- (a) Integrated water management
- (b) Energy performance
- (c) Stormwater management
- (d) Indoor environment quality
- (e) Transport
- (f) Waste management
- (g) Urban ecology

Note:

- The STORM Calculator ([melbournewater.com.au](http://melbournewater.com.au)) may be used to address the stormwater quality component of the BESS report.
- The commitments in BESS and/or the SDA are required to be detailed on the relevant applications plans – this may include initiatives proposed such as water tanks connected to toilets for flushing and washdown areas, solar panels, etc.

7. HOURS OF OPERATION

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

- (a) Monday to Saturday 7:00am and 6:00pm

8. GENERAL EXTERIOR TREATMENT

The exterior treatment of the building(s) permitted by this permit including all exterior decoration, materials, finishes and colours must be to the satisfaction of the responsible authority. The exterior treatment of the building(s) must be maintained to the satisfaction of the responsible authority.

9. WASTE MANAGEMENT PLAN

Prior to the commencement of works on the site, a Waste Management Plan for the collection and disposal of garbage and recyclables for the site must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will then form part of the permit. The approved Waste Management Plan must be complied with at all times. The Waste Management Plan must provide for:

- (a) Hours for collection of waste;
- (b) The method of collection of garbage and recyclables;
- (c) Designation of methods of collection including the need to provide for private services;



- (d) Appropriate areas of bin storage on site and areas for bin storage on collection days;
- (e) Litter management.

10. NOISE CONTROL

Should the responsible authority understand the operation resulting from the proposed activities is likely to have been generating negative noise impacts, the owner and/or occupier of the land is to submit within 30 days an Acoustic Report, to the satisfaction of the responsible authority, containing amongst other things:

- (a) Noise measurements and acoustic assessment demonstrating noise generated is no greater than the applicable noise limits as per current legislation, EPA guidelines and best practices; and
- (b) Any measures considered necessary for noise generated to be no greater than the applicable noise limits as per current legislation, guidelines, and best practices.

11. AIR QUALITY CONTROL

Should the responsible authority understand the operating resulting from the proposed activities is likely to have been generating air pollution impacts, including odour and dust, the owner and/pr occupier of the land is to submit within 30 days an Air Quality Management Plan, to the satisfaction of the responsible authority containing amongst other things:

- (a) Prepared in accordance with relevant EPA guidelines.
- (b) Identification of potential sources of air pollutants caused by the operation.
- (c) Identification of strategies to monitor the effectiveness of the measures for on-site containment of air pollution.
- (d) Identification of an air pollution compliant management program to contain at least the below:
  - i. A 24-hour phone number to be publicly available to complainants.
  - ii. Engagement with complainants regarding their concerns.
  - iii. A maximum time period for response to any complaints.
  - iv. An annual review of the complaint management program based on the prior 12 months.

12. BAFFLED LIGHTING

External lighting must be designed, baffled, and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

13. FENCING OF SITE

The fence(s) as shown on the endorsed plans must be erected and maintained to the satisfaction of the responsible authority.

14. NO MUD ON ROADS

In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the responsible authority.

15. CONSTRUCTION PHASE

All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the responsible authority and all care must be taken to minimise the effect of such activities on the amenity of the locality.

16. GENERAL DRAINAGE

The proposed building(s) and works must be drained to the satisfaction of the City of Greater Bendigo as the responsible drainage authority.

17. ACOUSTIC MEASURES

All acoustic measures detailed on the plans must be in place prior to the commencement of the use to the satisfaction of the Responsible Authority.

18. CITY OF GREATER BENDIGO ASSETS

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

19. AMENITY OF THE LOCALITY

The use permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise.

20. CAR PARK CONSTRUCTION

Before the commencement of the use, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be constructed to meet the following requirements and standards:

- (a) Properly formed to such levels that they can be used in accordance with the plans;
- (b) Surfaced with an all-weather-seal coat;
- (c) Drained;

- (d) Line marked in accordance with AS/NZ 2890.6-2009;
- (e) Clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the responsible authority;
- (f) Provided with public lighting in accordance with AS/NZ 1158.3.1 with fittings to minimise spill lighting on to neighbouring property (including road reserves) in accordance with AS/NZ 4282-1997;
- (g) Provided with accessible parking bays, where required by the BCA, must be provided in accordance with AS/NZ 2890.6-2009, section 2 and must be signed in accordance with AS/NZ 1742.11-1999 and line marked;
- (h) Provided with appropriate signage for one-way traffic. e.g. one way; no entry; left only.

The car parking and access areas must comply with the requirements of clause 52.06 of the Greater Bendigo Planning Scheme and meet all other applicable Australian and New Zealand Standards unless otherwise agreed in writing with the responsible authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

21. USE OF PARKING AREAS

Areas set aside for the parking and movement of vehicles as shown on the endorsed plan must be made available for such use and must not be used for any other purpose.

22. VEHICLE MANOEUVRING

All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.

23. VEHICLE CROSSINGS

Vehicular access to the subject land from any roadway or service lane (and vice versa) must be by way of a vehicle crossing(s) constructed at right angles to the road, to suit the proposed driveway(s) and vehicles that will use the crossing. A Works within Road Reserves permit must be obtained from the City of Greater Bendigo Engineering Department prior to any work commencing in the road reserve.

24. PEDESTRIAN SIGHT LINES

The minimum sight line for pedestrian safety must be provided at the exit lane frontage so as to accord with Clause 52.06-9 of the Greater Bendigo Planning Scheme.

25. NOISE LIMITS

The premises must comply with the Environment Protection Authority's publication 1826.4 Noise Limit Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (May 2021).

## 26. EXPIRY OF PERMIT

This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two (2) years of the issue date of this permit.
- (b) The development is not completed within four (4) years of the issue date of this permit.
- (c) The use permitted by this permit is not commenced within four (4) years from the date of this permit.
- (d) The use permitted by this permit is discontinued for a period of two (2) years.

The time within which the use must commence may, on written request made before or within 6 months after the expiry of this permit, be extended by the responsible authority.

### **City of Greater Bendigo Engineering Note:**

A Works within Road Reserves permit must be obtained from the City of Greater Bendigo Engineering Department prior to any work commencing in the road reserve.

### CONSENT FOR WORK ON ROAD RESERVES

The applicant must comply with:

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

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

### **Environment Protection Authority Note:**

- (a) This permit is not an EPA permission/approval. Before the use or development authorised under this permit starts, the permit holder must ensure that any obligations or duties that arise under the *Environment Protection Act 2017* are met. This may include obtaining an EPA permission, approval, or exemption, in accordance with the Environment Protection Regulations 2021.
- (b) The *Environment Protection Act 2017* came into effect on 1 July 2021 and impose new duties on individuals and/ or businesses undertaking the activity permitted by this permit. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.

For further information on what the new laws will mean for Victorian businesses go to <https://www.epa.vic.gov.au/for-business/new-laws-and-your-business>.

For further information on what the new laws will mean for individuals and the community go to <https://www.epa.vic.gov.au/about-epa/laws/new-laws/the-new-actfor-the-community>.

**Environment Protection and Biodiversity Conservation Act 1999 Note:**

This permit has been assessed and approved under the planning scheme provisions only. This approval does not indicate that requirements of the *Environment Protection and Biodiversity Conservation Act 1999* have been satisfied.

**Attachments**

Nil

### 16.3. Public Space Advisory Committee Review

Author:	Fraser Neele, Recreation and Open Spaces Strategic Planner
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

#### Purpose

The purpose of this report is to present the findings from the evaluation and review of the Public Space Advisory Committee to Council and identify a future model for the committee.

#### Recommended Motion

That Council:

- Thank the members of the Public Space Advisory Committee and acknowledge their work, contributions and cooperation of over the last four years.
- Conclude the existing Public Space Advisory Committee
- Note that officers will develop a new model for consultation and engagement that is in line with the Community Engagement Policy and meets the needs and objectives of the Greater Bendigo Public Space Plan.

#### MOTION

That the recommended motion be adopted.

Moved: Cr O'Rourke

Seconded: Cr Alden

#### Resolution No. 2024-173

**CARRIED**

#### Executive Summary

The Public Space Advisory Committee (PSAC) was appointed in late 2020 in response to an action within the Public Space Plan to provide guidance and oversight to strategic planning and decision making relating to public open space. The committee included six members of the public, representatives from DEECA, Parks Vic and Dja Dja Wurrung, Councillors, Youth Councillors and officers.

The Committee has met regularly since 2020 with a review and evaluation process undertaken at the end of the committee's term. The evaluation process determined that although the committee was functional, the structure and timing of meetings made

it difficult for the committee members to fulfil the aims of the Terms of Reference despite their best endeavours. It was also determined through the evaluation that changes to the City's online engagement platforms and a more flexible approach to in-person engagement could deliver on the intended outcome of the committee, while also allowing a broader spectrum of engagement where required.

The recommendation is to thank the existing committee for their valuable service, conclude the committee in its current form and establish a new model of engagement to maintain and enhance community involvement in decision making that will operate under the guidance of the internal Public Space Committee.

## **Background**

Council adopted the Greater Bendigo Public Space Plan in 2018 and the Public Space Plan Implementation Framework in 2020. As part of this process, it was determined to strengthen public space coordination within Council, with other agencies and within the community. The plan directed officers to:

*"Investigate options to for the establishment of a public space advisory committee with a broad remit to provide oversight for the implementation of public space related planning, design and management and to provide recommendations to The City." (City of Greater Bendigo Public Space Plan, 2018, Pg.87)*

To support the above requirement, a Terms of Reference for this committee was developed and approved by Council in late 2019. Subsequently, an Expression of Interest EOI process was undertaken in August/September 2020 after a delay due to the COVID19 pandemic.

The committee was appointed with six community representatives, a Youth Councillor, three (later reduced to one) Councillors and representatives from DEECA, Parks Victoria and Dja Dja Wurrung invited. The Terms of Reference included a three year committee term with a complete renewal of the committee every three years.

This committee was appointed through a two-step EOI and interview process with six community members appointed from 12 interviews. The inception meeting occurred in 2021.

Previous Council decision dates:

18 July 2018 – Council adopts the Greater Bendigo Public Space Plan.

16 October 2019 – Council adopts the Terms of Reference for the Public Space Advisory Committee.

14 December 2020 – Council adopts an amended Terms of Reference for the Public Space Advisory Committee and appoints six members of the public to the committee.

## Report

### *Evaluation*

In late 2023 officers undertook a detailed review of the Public Space Advisory Committee (PSAC). This included interviews (or surveys where required) with PSAC members, the Committee Chair and officers who had a role with the committee. This evaluation report addressed the draft rubric developed for the evaluation of Advisory Committees and considered four topics including:

- Governance Documents,
- Operational Practices,
- Representation, and
- Effectiveness.

Committee members and staff were asked to rate each topic out of five with a total score out of 20 in addition to comments.

Across these factors it was identified that there was a consistent challenge between the perspective of the Committee members and staff regarding the role of the committee, the feedback that could be sought from the committee, and the way that the committee's contributions should be utilised. This was demonstrated by committee members rating on the rubric scale higher than that of staff (15.9 compared to 12.96). The breakdown of this rubric analysis is below:

	Governance	Practices	Representation	Effectiveness	Total
Officers	3.76	3.35	3.17	2.68	12.96
Members	4.1	4.2	3.9	3.7	15.9
Combined	3.82	3.68	3.5	3.14	14.14

The clear gap between staff and member perceptions of the committee is demonstrated through the comments and reflections captured via the interviews. The analysis was quite clear that the committee set up has challenges that are preventing the committee providing strategic representation, making it difficult for the committee to provide advice and guidance.

It is important to note there are different ways of viewing the role and purpose of the Committee between public and City staff members. There are public members who value being updated and informed yet the concern held by staff is that of effective use of resources when only informing the committee, rather than seeking advice. As such, there is a variance of value to how the role and purpose being achieved.



The committee has developed a culture (both through internal officers and committee requests) where various information is shared and disseminated with the committee operation straddling informing and consulting under the IAP2 framework rather than the higher levels involvement generally required and sought of an Advisory Committee.

One consistent element that occurred within staff interviews and discussions was the challenge of aligning project timelines with the committee schedule to allow for meaningful and timely feedback. The six to eight weeks between scheduled meetings often results in entire project consultation periods fitting between committee meetings. This often resulted in officers providing a project update as an information conduit rather than an involved decision making or guidance outcome. Where the committee has had the opportunity to provide advice they have provided constructive and relevant feedback for strategic work.

The committee was established from the Public Space Plan in 2018 with the City in the interim making substantial investment in alternative consultation methods. The evaluation report has also identified that Council's methods of engagement have changed since the PSAC inception with an increased focus on online and involved engagement. New tools include Let's Talk Greater Bendigo which enables the city to engage continuously with wider groups of interested community members in addition to social media, community drop in sessions and focus groups for specific projects.

Regardless of the option adopted by Council it is important to note that all engagement will continue to be delivered in accordance with the City's Community Engagement Policy (2024) and there is no intention to replace face to face engagement with purely online opportunities only.

### *Opportunities*

The intent of the Public Space Plan (PSP) was for a representative group to provide oversight and guidance for public space planning and management. At the time the model established by the City of Melbourne's Parks and Gardens Advisory Committee was nominated as a suitable option as a traditional advisory panel. This model could also develop on the previous Rosalind Park Advisory Committee. However intrinsic weaknesses exist with the small membership base limiting opportunities for representation, limited flexibility in engagement and while only engaging a select minority of the community based on Committee membership.

Following an analysis of the committee's operation and the purpose for the committee as adopted in the PSP and the City's broader engagement structures there is an opportunity to modify how engagement is undertaken in relation to public space and subsequently the role of the PSAC.

A workshop undertaken with committee members, and staff who have regular engagement with the committee, identified an opportunity to change the way community engagement in relation to public open space occurs. Alternatives could include utilising Let's Talk and other platforms to ensure wider engagement combined with more accessible and timely face to face engagement. This would allow the Council to bring much greater diversity to consultation, scaling involvement to the project complexity and stage while still providing clear, structured and meaningful engagement.

Any new model of engagement or future iteration of the PSAC must also ensure that the principles of the Public Space Plan be retained at its core, retaining the primary function of providing strategic representation, guidance and advice through input to the development of Public Space Planning.

The Public Space Committee (the PSC) is an internal committee that is responsible for strategic decision making relating to Public Open Space and the implementation of the Public Space Plan. It consists of managers from: Active and Healthy Communities, Property Services, Climate Change and Environment, Parks and Open Space, Strategic Planning and Community Partnerships as well as the Coordinator of Public Space Design and the Recreation and Open Spaces Strategic Planner. It is intended that the implementation of any future model of engagement will be supported by the PSC to ensure that it delivers on the objectives of the Public Space Plan and delivers a consistent internal and external approach.

### ***Options Considered***

The evaluation report and the engagement with the existing committee and staff members considered 5 primary options:

#### **Option 1: Continue Business as Usual (not recommended)**

Reappointing a new committee with only minor changes to the ToR. While this would be a simple option to implement existing challenges to the operation and efficacy of the committee would remain unchanged. Existing resourcing would remain unchanged.

#### **Option 2: Review and refine the Committee role and purpose to align with an 'inform' level of engagement (not recommended)**

Redesigning the committee to perform as an information conduit in line with how the committee is currently utilised. This would not meet the requirements of an advisory group and does not respond to the feedback provided through the evaluation. This

model would be simple to implement, however would not support the outcomes of the Public Space Plan.

Option 3: Review and refine the Committee role and purpose to align with an 'involve' level of engagement (not recommended)

This would be a redesigned committee that would meet the requirements of an Advisory Committee. This model would address some of the concerns of the existing committee, increasing participation and increasing online engagement. However, many of the challenges of the current model would still exist to a lesser degree including the select minority being engaged with, the challenges of scheduling and organisation as well as the high resourcing. If this option is chosen the existing committee term should be extended to allow for a new Terms of Reference and EoI process to be developed and implemented.

Option 4: Establish a new model of engagement to service the Public Space Plan (recommended)

This option is to move away from the traditional committee model to a more open model in line with the Local Government Act 2020 and the City's Community Engagement Policy utilising platforms such as Let's Talk and targeted in-person sessions. This would involve Active and Healthy Communities, Parks and Open Space and Community Partnerships Units working together to establish this new model that will achieve the principles of the Public Space Plan and the Community Engagement Policy.

The new model would engage with the broader community while continuing to offer opportunities for existing advisory group members to participate in any future public space engagement activities; would acknowledge the financial and resourcing constraints of Council; would include a mix of engagement opportunities and information sharing; would utilise existing online and in-person opportunities including Let's Talk, workshops, forums and requests; and would provide equity for involvement across the community with opportunity for any interested and invested community.

Option 5: Acknowledge the contribution of the group for their time on the committee and conclude the Committee (not recommended)

This option would acknowledge the contribution of the members of the committee before ceasing the group. Participants would be able to provide feedback through other options including Let's Talk and service requests. This would meet the minimum requirements of the Public Space Plan having "investigated the formation of a Public Space Advisory Committee".

***Timelines***

---

The existing committee's term expired in April 2024 and has continued on a monthly basis awaiting the outcome of the evaluation and review process and confirmation of next steps. The committee will continue to operate in line with the Terms of Reference until September 2024 when the Chair position will become vacant.

Subject to approval of this report, Officers would commence working on the new model late 2024 for implementation in early 2025.

### **Communications/Engagement**

The existing PSAC undertook multiple workshops and discussions on this topic including utilising an online visioner tool. These workshops have informed both the Evaluation Report and this report.

Due to several apologies at the PSAC meeting on the 27 June 2024 a quorum was not achievable, and the Committee's preferred outcome was not able to be minuted.

Committee members were asked to submit their preferred option via email with three responses received. One supported Option 3, another supported Option 4 while the final supported either Option 4 or 5.

Internal workshops and consultations were undertaken included representatives of the Engaged Communities, the Parks and Open Space, Active and Healthy Communities, and Governance.

The Public Space Committee was also consulted and supported the dissolution of the committee and replacement with an alternate model.

### **Financial Sustainability**

The ongoing operation of the committee is estimated to be a resource of 25 hours a month. This has been considered in the deliberations.

Officer time would be reallocated to the approved model.

### **Risk Assessment**

The primary risks associated with this decision is that no future model is implemented and a gap in Council's engagement framework specific to public open space establishes. This will be managed by ensuring a future model is designed in collaboration with Council's internal Public Space Committee to ensure a consistent and complementary external and internal approach to public open space engagement.

## **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 2 - Commitment to innovation, systems improvement and learning

Goal 3 - Active community engagement and excellence in customer service

Goal 3 - Everyday walking and cycling is easier for all ages and abilities.

### ***Other Reference(s)***

City of Greater Bendigo Public Space Plan 2018 - Section 3.8 Public Space Management

## **Conflict of Interest**

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

## **Attachments**

1. Public Spaces Advisory Committee Terms of Reference August 2019 [**16.3.1** - 7 pages]

## 16.4. Rural Areas Strategy

Author:	Rebecca Fisher, Strategic Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

### Purpose

To seek support from Councillors for the release of the *Greater Bendigo Rural Areas Strategy Background Review and Issues and Opportunities Paper* for community feedback.

### Recommended Motion

That Council:

1. Endorses the *Greater Bendigo Rural Areas Strategy Background Review and Issues and Opportunities Paper* provided at Attachment 1 for public consultation.
2. Receives a further report following consultation, outlining the findings of the engagement process.

### MOTION

That the recommended motion be adopted.

Moved: Cr Sloan

Seconded: Cr Evans

### Resolution No. 2024-174

**CARRIED**

### Executive Summary

Council has an adopted *Rural Areas Strategy 2009* (RAS). Given the time which has elapsed since the RAS was adopted and the new emerging directions over this time, it was important to review and update. This will complement the work that the City has recently undertaken to progress a Managed Growth Strategy which is primarily focused on urban Bendigo and the larger townships.

The City appointed consultants (Hansen Partnership, supported by Ag-Challenge Consulting) to progress this review. The first deliverable for this project is the *Greater Bendigo Rural Areas Strategy Background Review and Issues and Opportunities Paper* (the Issues and Opportunities paper) which is provided as Attachment 1.

The Issues and Opportunities paper is expected to be exhibited for four weeks in late 2024. During this time the community will have an opportunity to provide feedback and

identify any land use issues and opportunities in rural communities that haven't been considered. The community will have a further opportunity to provide feedback on a draft Rural Areas Strategy in mid-2025.

## **Background**

A review and update of the existing *Rural Areas Strategy 2009* (RAS) is required to provide certainty on the future planning of rural areas for landowners, communities and industry. Whilst the existing strategy is working well, it was prepared during the final years of the Millennium drought and needs to be updated to remove outdated references and address emerging issues.

Some of the early issues and opportunities identified for the RAS to consider include:

- Protection of productive farming land.
- Protection and enhancement of natural and cultural values.
- Potential opportunities for non-agricultural uses in appropriate locations.
- Opportunities to reduce land use conflicts by identifying appropriate locations for rural residential, tourism and other non-agricultural uses.
- Needs of existing and future agricultural operations, particularly intensive animal industries, including appropriate lot sizes and buffer areas.
- Infrastructure such as roads and water.
- External pressures such as the impact of climate change and changing forms of energy production.

The project is broadly focused on land in the rural areas of Greater Bendigo that have not been addressed through other recent strategic planning work. It captures the entire municipality, excluding:

- Land within the current Urban Growth Boundary.
- Land identified for future urban growth within the Managed Growth Strategy.
- Rural towns which have been, or are currently being, considered through separate structure or township plans.
- Land within the Public Conservation and Resource Zone (PCRZ) which generally applies to National, Regional and State forests, reserves and parks.

## **Report**

The consultants have undertaken a review of relevant background materials including existing City strategies, relevant mapping data and feedback on key issues and opportunities gathered by City staff, Councillors and the Farming Advisory Committee. A bus tour across the rural areas of the municipality was undertaken by both the Project Working Group and consultants which provided an opportunity to view a variety of land and settlement types.

The first deliverable for this project is the Issues and Opportunities paper, which is provided as Attachment 1.

The Context section of the Issues and Opportunities paper provides an overview of the study area and a review of the existing literature. The Emerging Issues and Opportunities section of the Issues and Opportunities paper separates out key themes which have been considered during the background research phase and identifies issues, opportunities and potential strategies requiring further investigation to inform the updated RAS.

The Issues and Opportunities paper will be exhibited for a period of four weeks in late 2024. There will be various opportunities for the community to provide input over this period.

At the same time, background work will progress on some of the identified opportunities. An example of this is updated mapping to identify agricultural land quality. A land quality class will be determined for all land outside of the urban areas of Greater Bendigo to support decision makers in better understanding the locations of the City's productive agricultural land.

Informed by the community feedback on the Issues and Opportunities paper, the updated RAS will be prepared in the early part of 2025, with community consultation on a draft version expected in mid-2025. All feedback will be reported back to Council prior to considering a final RAS and commencing implementation.

The intent of the updated RAS is to provide greater guidance to current and future landowners, planning professionals and Councillors when proposing change and making decisions regarding Greater Bendigo's rural areas.

### ***Timelines***

November 2024	Community consultation on Issues and Opportunities paper
December 2024	Consider community feedback
Early 2025	Prepare draft RAS
Mid 2025	Community consultation on draft RAS
Late 2025	Finalise updated RAS and commence implementation

### ***Communications/Engagement***

The planned consultation on the *Greater Bendigo Rural Areas Strategy Background Review and Issues and Opportunities Paper* will be the first opportunity for the broader community to provide feedback to inform an updated RAS.



In preparing an engagement strategy, consideration will be given to the intended audience including those who may not have access to the internet, with additional focus on making use of existing community channels such as posters in community spaces, notices in newsletters, contacting community groups and sports clubs, holding drop-in sessions and sending letters to impacted property owners, in addition to use of the City's Let's Talk platform and social media channels. Not all methods will be utilised at every stage of the project, with each phase being tailored to level of impact the stage of the project will have individuals and the amount of influence the community have.

### **Financial Sustainability**

This project is being prepared within the budget amount previously approved.

### **Risk Assessment**

Seeking community feedback on the *Greater Bendigo Rural Areas Strategy Background Review and Issues and Opportunities Paper* is considered a low-risk activity. The feedback received will enable City officers to ensure that community views are considered in the preparation of the draft Rural Areas Strategy.

### **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  
Goal 3 - Thriving landscapes and ecosystems  
Goal 7 - Emergencies are prevented or mitigated

### **Conflict of Interest**

It is recognised that the City's Strategic Planning officers may inherently have a perceived or general conflict of interest if they or their families reside within the City of Greater Bendigo. In consultation with the City's Legal Services team, we are satisfied that such conflicts are effectively managed through internal peer review and a robust hierarchical approval pathway. This ensures that the ultimate direction and outcomes of any strategy, plan or structure plan produced by the Strategic Planning Unit is vetted and approved at multiple stages by multiple people, through to approval by the City's Executive Management Team, before being presented to Council for consideration.

## **Attachments**

1. Rural Areas Strategy Issues & Opportunities Paper [**16.4.1** - 93 pages]

## 16.5. Managed Growth Strategy

Author:	Bridget Maplestone, Coordinator Planning Strategy and Policy
Responsible Director:	Rachel Lee, Director Strategy and Growth

### Purpose

This report advises Council of the submissions received during the community engagement process for the Draft Managed Growth Strategy (MGS), Draft Housing and Neighbourhood Character Strategy (HNCS) and relevant background documents.

The report also seeks Council's adoption of the final strategies and recommends seeking authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C287gben which seeks to give effect to the strategies.

### Recommended Motion

That Council:

1. Adopt the Managed Growth Strategy (Attachment 1).
2. Adopt the Housing and Neighbourhood Character Strategy (Attachment 2).
3. Note that the draft Neighbourhood Character Design Guidelines will be released for public exhibition as part of Amendment C287gben (Attachment 5).
4. Endorse the documentation, provided at Attachment 6 for public exhibition as part of Amendment C287gben.
5. Note the Managed Growth Strategy Action Plan 2024-2025 (Attachment 7).
6. Note the final Review of Neighbourhood Character and Significant Landscape Overlays Report (Attachment 8)
7. Support the commencement of a new residential framework plan for Maiden Gully (an Initiative within the Managed Growth Strategy) to demonstrate to an independent planning panel that it can be effectively planned and designed in response to bushfire risk and biodiversity.
8. Requests authorisation from the Minister for Planning to prepare and exhibit Amendment C287gben to the Greater Bendigo Planning Scheme, in accordance with section 8A of the *Planning and Environment Act 1987*.
9. Prepare Amendment C287gben to the Greater Bendigo Planning Scheme to give effect to the Managed Growth Strategy and Housing and Neighbourhood Character Strategy generally in accordance with the documentation provided at Attachment 6, subject to Ministerial Authorisation.
10. Place Amendment C287gben on exhibition in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.

11. Authorise the Director Strategy and Growth to make minor changes to Amendment C287gben 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.
12. Authorise the Director Strategy and Growth to make minor changes to the Managed Growth Strategy, Housing and Neighbourhood Character Strategy and relevant background documents if those changes do not alter the overall intent of the documents, or to provide greater context to any additional changes supported by Council.

## MOTION

That Council:

1. Adopt the Managed Growth Strategy (Attachment 1), with the inclusion of land in Ravenswood (on the east side of the Calder Highway) as an investigation area, but note that City officers will prioritise the planning of identified Potential Growth Areas including Huntly, Maiden Gully, Marong and Strathfieldsaye.
2. Adopt the Housing and Neighbourhood Character Strategy (Attachment 2).
3. Note that the draft Neighbourhood Character Design Guidelines will be released for public exhibition as part of Amendment C287gben (Attachment 5).
4. Endorse the documentation, provided at Attachment 6 for public exhibition as part of Amendment C287gben.
5. Note the Managed Growth Strategy Action Plan 2024-2025 (Attachment 7).
6. Note the final Review of Neighbourhood Character and Significant Landscape Overlays Report (Attachment 8)
7. Support the commencement of a new residential framework plan for Maiden Gully (an Initiative within the Managed Growth Strategy) to demonstrate to an independent planning panel that it can be effectively planned and designed in response to bushfire risk and biodiversity.
8. Requests authorisation from the Minister for Planning to prepare and exhibit Amendment C287gben to the Greater Bendigo Planning Scheme, in accordance with section 8A of the *Planning and Environment Act 1987*.
9. Prepare Amendment C287gben to the Greater Bendigo Planning Scheme to give effect to the Managed Growth Strategy and Housing and Neighbourhood Character Strategy generally in accordance with the documentation provided at Attachment 6, subject to Ministerial Authorisation.
10. Place Amendment C287gben on exhibition in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.
11. Authorise the Director Strategy and Growth to make minor changes to Amendment C287gben 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.

12. Authorise the Director Strategy and Growth to make minor changes to the Managed Growth Strategy, Housing and Neighbourhood Character Strategy and relevant background documents if those changes do not alter the overall intent of the documents, or to provide greater context to any additional changes supported by Council.

Moved: Cr O'Rourke

Seconded: Cr Evans

**Resolution No. 2024-175**

**CARRIED**

**DIVISION**

Cr Alden called for a division on the voting for the Motion.

Those voting **for** the Motion:

- **5** (Cr Metcalf, Cr Evans, Cr O'Rourke, Cr Penna and Cr Williams)

Those voting **against** the Motion:

- **3+0:**
  - Against (Cr Alden, Cr Fagg and Cr Sloan)
  - **plus**
  - Abstained (Nil)

Absent:

- Nil

The Motion is confirmed as **CARRIED**.

**Executive Summary**

The MGS establishes a long-term residential framework plan to accommodate the expected 87,000 more residents and 38,000 more dwellings needed in Greater Bendigo to 2056 (based on a growth rate of 1.6 per cent). The HNCS prepared concurrently with the MGS provides a framework for how urban Bendigo will accommodate population growth, including identifying change areas in established areas in the sewerage townships of Heathcote, Elmore and Axedale.

At its May 27, 2024 meeting, Council endorsed the draft MGS, the draft HNCS and associated background documents for community and stakeholder engagement.

Consultation on the draft strategies took place from Tuesday May 28, 2024 until Friday July 12, 2024.

Community and stakeholder engagement opportunities were promoted extensively through flyers, adverts in local papers, direct emails to interested stakeholders and media releases. A bulletin was distributed to all households in Marong, Huntly, Strathfieldsaye and Maiden Gully. A series of 15 information sessions were held at various locations across the municipality to provide residents with the opportunity to meet one on one with Strategic Planning officers.

Over the consultation period, there were over 2,750 unique visitors to the City's Let's Talk Page. The Draft MGS was downloaded 549 times; the summary brochure downloaded 497 times; and the Draft HNCS downloaded 253 times.

There were 73 surveys completed by community members and stakeholders and 64 submissions. A summary of submissions with an officer response is provided in Attachment 3 to this report with a summary of changes made following consultation provided in Attachment 4. All changes as outlined in Attachment 4 have been incorporated into the final MGS in Attachment 1 and the HNCS in Attachment 2.

The next steps in the project are to commence Planning Scheme Amendment C287gben to implement the strategies into the Greater Bendigo Planning Scheme. A summary of Amendment C287gben is provided in the report section of this report with a copy of proposed Amendment documents (excluding planning scheme maps) provided in Attachment 6.

During any future exhibition process for Amendment C287gben, some landowners and residents will be sent a letter outlining the proposed changes to their property as a result of Amendment C287gben. It will be challenging to notify all landowners and residents of all changes, particularly given the extent of rezonings proposed in urban Bendigo in accordance with the HNCS. Where direct notification is not possible, City officers will widely promote, consult and engage on Amendment C287gben. While Council has considered the submissions received on the draft strategies, all submitters to Amendment C287gben would have the opportunity to be heard at a planning panel convened by the Minister for Planning.

To complement the MGS and HNCS, City officers have prepared draft Neighbourhood Character Design Guidelines. The purpose of this document is to make it easier for the community to understand how new development should consider the important elements of preferred neighbourhood character. The draft Neighbourhood Character Design Guidelines is provided in Attachment 5 to this report. It is proposed the draft

Neighbourhood Character Design Guidelines will be exhibited along with Amendment C287 to implement the MGS and HNCS.

A number of submissions requested that the City be clear on how it will deliver on the goals in the MGS, particularly to increase infill supply. In response to this, the Managed Growth Action Plan 2024-25 (see Attachment 7) has been prepared and will be monitored.

## **Background**

The *Greater Bendigo Residential Strategy* and the *Greater Bendigo Housing Strategy* were adopted by Council in 2014 and 2018 respectively. The *Greater Bendigo Residential Strategy 2014* establishes the concept of a compact Greater Bendigo. The *Greater Bendigo Housing Strategy 2018* identifies the key drivers for housing growth and change in the municipality also expanding upon the concept of a compact Greater Bendigo. It was timely to review these documents given the release of updated *Planning Practice Note 90 (Planning for Housing)* and *Planning Practice Note 91 (Using the residential zones)* by the Department of Transport and Planning. These Planning Practice Notes provide guidance around planning for housing growth while protecting neighbourhood character and using the residential zones.

It is an objective in the Greater Bendigo Planning Scheme at Clause 11.02-1S to *'ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.'* A strategy within this Clause is to ensure each municipality has a plan to accommodate a minimum of 15 years of population growth, including providing clear direction on locations where growth can occur. The MGS has been prepared to address Clause 11.02-1S and is consistent with a number of other clauses in the planning scheme by directing diverse housing growth to infill areas, maximising the use of existing infrastructure and limiting development in areas of natural hazards.

In September 2020, Council endorsed a project brief to commence the Managed Growth Strategy identifying the need to proactively plan for where the future population of Greater Bendigo will live.

From here the City prepared a Managed Growth Issues and Opportunities Paper. Consultation on this paper took place from Monday, January 31 until Friday, February 25, 2022. Key issues raised during the consultation period included housing affordability, housing sustainability, the need to better facilitate growth and the challenges in balancing bushfire risk and the need to retain vegetation. It is also worth noting that there were mixed views during the consultation on whether the existing Urban Growth Boundary should change.

At the same time as the consultation on the MGS Issues and Opportunities paper, the City called for Expressions of Interest (EOI) to give landowners and developers the opportunity to nominate properties to be considered and investigated for future residential development. The City received 64 EOIs through this process. Each of which has been considered through the process.

Following consultation on the Draft MGS Issues and Opportunities paper, the City commenced work on the Draft MGS. Consultants were also appointed to prepare the Draft HNCS and various technical studies and background work.

In September 2023, the State Government released *Victoria's Housing Statement: The decade ahead 2024-2034* which identifies that there will be an additional 426,000 homes expected in regional Victoria by 2051. Greater Bendigo, as Victoria's second largest municipality, will play a key role in this delivery.

More recently the State Government has released draft Housing Targets for each municipality to 2051. The draft Housing Target for Greater Bendigo is 37,500. The draft Housing Targets will be finalised after consultation on Plan Victoria closes at the end of August 2024. While these targets are similar to MGS, City officers will be seeking closer alignment to the City's figures in the final version, and this will be included in a submission to Plan Victoria.

Where possible the City has tried to align the MGS with the information available for Plan Victoria.

Previous Council decision dates:

24 January 2022 – Council endorsed the draft Greater Bendigo Managed Growth Strategy Issues and Opportunities Paper for consultation.

27 May 2024 – Council endorsed the Draft Managed Growth Strategy and Draft Housing and Neighbourhood Character Strategy for consultation.

## **Report**

### Consultation outcomes

The Draft MGS, Draft HNCS and associated background documents were exhibited for six weeks from May 28, 2024 to July 12, 2024. The engagement process provided an opportunity for the community and stakeholders to provide feedback on the draft documents.

A total of 73 surveys were completed during the consultation period and 67 written submissions. A summary of the submissions and officers responses are provided in



Attachment 3. A summary of proposed changes made following consultation is provided in Attachment 4.

Submissions were received from State agencies, landowners, developers, environmental groups, the Youth Council, Loddon Campaspe Multicultural Services and other interested stakeholders and residents.

A summary of the key issues raised in surveys and submissions is provided below.

*Lack of greenfield land supply*

There is acknowledgement in both the Housing Capacity Assessment (prepared by Quantify), and the MGS that there is a lack of zoned greenfield land supply to meet housing growth needs. This was also referenced in the Greater Bendigo Residential Land Assessment prepared by Ethos Urban on behalf of the Urban Development Institute of Australia in 2023.

The City is currently forecasting the need for 38,000 additional dwellings to 2056, based on 1,100 dwellings per year.

Of these, 32,000 dwellings are expected in urban Bendigo (the remaining 6,000 will be provided in townships and in rural areas).

There is existing residentially zoned greenfield capacity for approximately 3,300 dwellings (including Forest Edge, Maiden Gully).

This means to 2056 there is a need to accommodate 28,700 dwellings either within infill areas or in greenfield locations. It is worth highlighting again here that the planning scheme requirement is for municipalities to accommodate 15 years of growth.

Regardless, the City sees the benefit of providing longer term certainty by identifying various areas to accommodate growth over the next 32 years. The City recognises that there is need for a pipeline of some greenfield development.

To address the lack of greenfield supply in the short to medium term the City will facilitate privately led rezonings in Marong, progress the Huntly Structure Plan, prepare a Residential Framework Plan for Maiden Gully and progress a plan for residential development in the identified growth areas in Strathfieldsaye (the most appropriate planning tool is to be determined).

As previously mentioned, there is residentially zoned supply in greenfield locations to accommodate 3,300 dwellings. Hypothetically, and based on the current approximate 50/50 split of infill/ greenfield, a further 11,700 dwellings would be needed in urban Bendigo to meet the planning scheme requirement for 15 years supply.

It is estimated there is sufficient land identified in the existing growth areas of Marong, Strathfieldsaye and Huntly to accommodate this growth, with more limited growth in Maiden Gully.

There will also be regular monitoring of land to determine if there is a need to review Huntly and Marong into the future should circumstances change, particularly if existing intensive animal industry operations cease operation or relocate. This could be considered through a future review of the MGS.

### *70 per cent urban infill target*

The City has had a long held policy of urban consolidation based on being a compact City and encouraging 10-minute neighbourhoods for a variety of reasons.

There is a greater cost to the City for greenfield development with not all infrastructure able to be recouped through development contribution charges. Previous research suggests this cost could be \$15,000 per dwelling above contribution charges (SGS, Better value from greenfield urban infrastructure in Victoria, 2017).

As well as the economic costs, there are the environmental costs with outward expansion reducing available farming land and the loss of native vegetation. There is a further environmental cost if adequate public and active transport options are not available in these new communities and residents are reliant on travelling by car for all trips.

In addition to stronger planning policy, practical solutions and ultimately changes in market dynamics will also be required to increase infill development. However, the direction in the MGS is clearer than ever before that Bendigo cannot continue to expand outwards, and that there must be an increase in densities in established areas over time. This will reduce the impact on the transport system, create more economic opportunities and improve wellbeing.

As well as private development, the City will continue to advocate for the redevelopment of Crown Land or land owned by State Government for housing.

To outline the initiatives the City will undertake to encourage infill development the Managed Growth Strategy Action Plan 2024/25 has been prepared and included in Attachment 7.

The proportion of infill development must be monitored over time to measure the policy's effectiveness.

Wording will be added to the MGS to make it clearer that this is a long term target and it will be a gradual shift.

### *Bushfire risk*

The City received a number of site specific bushfire assessments in submissions to the MGS. These were referred on to an independent bushfire consultant for review.

Overall, submissions received relating to bushfire risk and the Bushfire Management Overlay (BMO) have generally concluded that their individual sites can achieve relevant bushfire requirements at a site scale. Simplistically, the reports generally conclude that by including certain setbacks in any development, this will adequately address the bushfire risk.

However, in accordance with Clause 13.02-1S of the Planning Scheme, a municipal landscape scale risk is required to determine where growth should be directed.

A number of sites submitted for consideration in the MGS are not considered to have a lower bushfire risk profile compared to other areas in the municipality. Therefore, if they are not already zoned to allow for residential development, they should not be considered for residential development as part of the MGS.

The Country Fire Authority (CFA) has reviewed the City's bushfire assessments (as outlined further in this report), and although there are still some differences in opinion regarding lower areas of risk, the City and the CFA agree that many of these sites identified in the submissions are at a higher bushfire risk.

### *Development staging*

The draft MGS was clear in terms of not progressing a plan for Strathfieldsaye until development in the other growth areas was underway and it was clear there was a need for additional greenfield supply.

There were various submissions from developers indicating that all land in greenfield areas should be made available and that the timing of the delivery of this land will be driven by the market, and that there are concerns around the current time taken to bring land to market.

As a result of these submissions and given current housing affordability challenges, City officers have removed the staging comment from the MGS. A plan for Strathfieldsaye will be considered once resourcing, in terms of staff and budget, is available.

The above change would not be at the expense of delivering infill development and it will need to be balanced, so as to not further discourage infill development.

### *Development impacts on the transport system*

A key concern raised by the community in consultation is that more residents will lead to an increase in traffic and impacts on the transport network.

As the municipality grows, there will need to be a corresponding shift in how residents travel. This will be achieved in part by increasing the number of residents living near commercial centres and train stations. Amendment C279gben, which proposes to implement the Bendigo City Centre Plan, seeks to remove minimum parking requirements to encourage reduced car ownership. There may be potential for this in other suitable well-serviced locations.

For a bigger shift to occur, there will need to be improvements in walking and cycling paths, as well as improved reliability and accessibility of public transport.

In October 2023, Council adopted the 2030 Greater Bendigo Zero Emissions Roadmap which recommends transforming walking and cycling and public transport infrastructure, prioritising active travel and public transport and accelerating the transition to electric vehicles. Delivering this road map will be key to reducing traffic and parking challenges as the municipality grows.

### *Affordable housing*

The need for affordable housing was a clear issue identified in surveys and submissions, and the issue appears to have increased over recent years.

A key focus of the MGS is the delivery of affordable housing across the municipality. This will include through considering land supply but in also promoting a diversity of housing, including one and two bedroom homes, particularly in areas close to services and transport. Council has an adopted Affordable Housing Action Plan, and a review of this plan is expected later in 2025.

There were comments raised that neighbourhood character should not be at the expense of affordable housing. Neighbourhood character is an important feature in many instances, but in certain areas, particularly around commercial centres, along transport corridors and around train stations this character will need to change to meet growing housing needs. In these instances, the focus will be on having well designed housing which also considers surrounding residential amenity.

### *Housing diversity*

The need for a diversity of housing was mentioned in various submissions. While there is a current need for traditional detached larger dwellings, there was also a recognition of the need for a variety of dwellings across the municipality.

Providing different forms of housing allows younger residents to access their first home, and provides options for those looking for a smaller home in a good location. This includes in greenfield locations where there is currently a dominance of larger four bedroom dwellings being constructed.

#### *Providing infrastructure in line with population growth*

Key to the success of the different growth areas will be delivering appropriate and timely infrastructure. Developer contributions frameworks should be prepared and implemented as part of rezonings for growth areas.

#### Individual submissions

Given the number of submissions received, it is not possible to provide a detailed summary of all submissions in this report. However, it is useful highlighting the issues in certain submissions.

#### *CFA submission*

The CFA has provided a submission that indicates they are not supportive of the MGS in its current form.

The CFA have indicated that Bendigo is in a medium to high risk bushfire environment and that growth is not being directed consistent with Clause 13.02. A CFA representative was on the Steering Committee for the MGS project, and feedback was not provided in this environment to the extent of the CFA's current position.

The CFA also provided feedback that the City appears to have been focusing on predetermined growth areas for assessment.

While noting the complexities of the bushfire environment in Greater Bendigo, City officers disagree with this assessment. The City has had a bushfire report prepared by expert consultants, and City officers have also prepared a further detailed assessment to build on this early report, taking a more strategic approach. The City then commissioned a further peer review of these reports to ensure that the methodology and approach taken were appropriate. The peer review has confirmed that the City's approach was appropriate.

A municipal approach was undertaken to determine the potential areas for growth, with Clause 13.02-1S *Bushfire planning*, and the need to prioritise human life over all

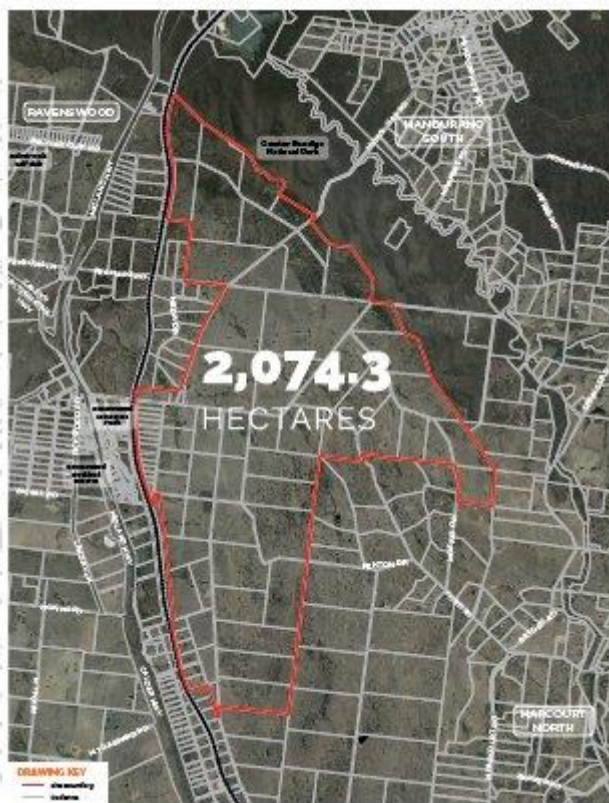
other policy considerations, being the primary consideration. Following this, other MGS principles, such as being close to the existing urban growth boundary and having access to infrastructure were also considered.

Only four of the eleven areas investigated for growth have been considered suitable to accommodate growth. In each case very clear requirements to address bushfire risk have been included. This was to address earlier feedback from the CFA.

City officers will endeavour to work with the CFA on a resolution of these issues, as well as the additional work and justification required.

### *Ravenswood*

Various submissions were received both in support of, and against, the proposal to include a 2,000 hectare parcel of land to the south of Big Hill within the MGS as shown in figure 1.



**Figure 1** – Location and size of a proposed developable area in Ravenswood

It is noted at this stage the proponents are seeking inclusion of the site as a 'key investigation site' and not the inclusion of the land as a growth area in the MGS.

This land has not been included in the MGS, primarily as the identified greenfield supply can be achieved in Marong, Huntly, Strathfieldsaye and Maiden Gully.

Having regard to the MGS, City officers have calculated that there is a greenfield capacity of 15,300 dwellings (using 15 dwellings per net developable hectare). This includes greenfield land already zoned for residential development, and the proposed growth areas (unzoned but identified land) in Marong, Maiden Gully, Strathfieldsaye and Huntly.

Table 1 shows a range of infill versus greenfield development growth scenarios for urban Bendigo. This is based on a forecast of 1,000 dwellings per year, with an expectation that the remaining 100 dwellings per year will be delivered in townships and rural areas.

Proportion of urban development in greenfield locations	30%		50%*		100%*		Housing Target dwellings – 50% (of 37,500, based on current split)
Scenarios	15 years 2039	32 years 2056	15 years 2039	32 years 2056	15 years 2039	32 years 2056	Draft Housing Target 2051
Total greenfield dwellings needed	4,500	9,600	7,500	16,000	15,000	32,000	18,750
Greenfield capacity *	15,300						
Total difference in dwelling supply	Oversupply 10,800	Oversupply 5,700	Oversupply 7,800	Undersupply 700	Oversupply 300	Undersupply 16,700	Undersupply 3,450

**Table 1** – Infill versus greenfield development scenarios

\*Should Specialised Breeders Australia relocate over the longer term there could be the potential for an additional 2,000 dwellings in Huntly. This would only be considered if needed and with the necessary investigations into flooding, bushfire and infrastructure.

Based on 30 or 50 per cent of dwellings in urban areas being delivered in greenfield locations there is a sufficient supply pipeline to deliver on this growth. It would only be under a scenario where all growth is directed to greenfield locations over the next 32 years, where more growth areas would need to be directed to accommodate this growth.

There are two important points in relation to Table 1:

- Noting the minimum requirement for accommodating projected population growth over at least a 15 year period (Clause 11.02-1S of the planning scheme), all of that

growth (15,000 dwellings) could be accommodated within the greenfield growth locations identified in the MGS (without any infill development).

- If the City was to continue at its current trend of 50% split between infill and greenfield areas, and considering the 32 year timeframe of the MGS, the total number of dwellings needed would be comparable to the capacity of greenfield areas.

None of the submissions received have suggested that all development should be directed to greenfield locations and this would be inconsistent with State and Local Planning Policy.

Current data doesn't suggest that the growth rate in Greater Bendigo is going to accelerate, however land supply will be monitored to ensure a long term supply pipeline to meet growth needs should anything change.

#### *Youth Council submission*

The submission received from the Youth Council provides a very important, alternative view from representatives of the demographic who are most likely impacted by the decisions made on the future residential growth of the municipality.

The Youth Council was supportive of the emphasis on growth in existing residential areas and the potential to increase density, while still providing liveable communities and investing in services, infrastructure and amenities for these areas.

The Youth Council submission requests a more ambitious goal of new housing development in infill areas of 80:20 or greater, and recommends increasing medium density development to 20 per cent over the next 15 years.

Other points highlighted in the submission include:

- The need for more frequent and reliable public transport.
- The current cost of living crisis in Greater Bendigo and requesting further emphasis in the MGS on how the risk of homelessness can be mitigated.
- The need to more explicitly address the need to reduce the significant costs of the housing market and the need for densification.
- Support for a compact Bendigo and 10-minute neighbourhoods.
- Strong support of increasing the proportion of one and two person homes.
- The need to protect farming land.
- The importance of green spaces.
- Some concern around the inclusion of Huntly given climate change and the potential for natural disasters to occur more frequently.
- Recognise the importance of heritage but not at the expense of liveability and housing affordability.



While the submission seeks more ambitious goals, City officers consider that the goals established at this stage will already be a fundamental shift in Greater Bendigo. However, this is not to say that these goals can't be revisited in future iterations of the MGS.

### Individual sites

Table 2 provides a summary of the 27 sites that were raised in submissions for inclusion in the MGS. The table provides a short rationale for why a site has not been included in the MGS. Further detail is provided in the response to submissions in Attachment 3.

For the sites that weren't identified in the draft MGS, it's important to note that the community hasn't been consulted on the inclusion of these sites as part of the recent consultation.

	<b>Greenfield growth area / property</b>	<b>Status within Draft Managed Growth Strategy</b>	<b>Changed status within the final Managed Growth Strategy</b>	<b>Reasons for not including in MGS (where relevant)</b>
<b>Sites within the existing Urban Growth Boundary or subject to further investigation</b>				
1	604 & 626 Calder Highway and 82, 88 & 104 Durstons Road, Maiden Gully	Part of Proposed Growth Area (subject to further investigation)	No change	N/A
2	95 Durstons Road and 20 Eiles Road, Maiden Gully	Part of Proposed Growth Area (subject to further investigation)	No change	N/A
3	132, 148 & 160 Durstons Road, Maiden Gully	Part of Proposed Growth Area (subject to further investigation)	No change	NA
4	20 Goodrich Lane, Maiden Gully	Part of Proposed Growth Area (subject to further investigation)	No change	N/A
5	107 Golf Links Road and 33 Hillcrest Road, Maiden Gully	Part of Proposed Growth Area (subject to further investigation)	No change	N/A
6	Lot 4, Somerset Park Road, Strathfieldsaye	Part of Proposed Growth Area (subject to further investigation)	Update timeframe to short-medium and	N/A

	<b>Greenfield growth area / property</b>	<b>Status within Draft Managed Growth Strategy</b>	<b>Changed status within the final Managed Growth Strategy</b>	<b>Reasons for not including in MGS (where relevant)</b>
			removal of staging comment	
7	109 Taylors Land and 267 Somerset Park Road, Strathfieldsaye	Part of Proposed Growth Area (subject to further investigation)	Update timeframe to short-medium and removal of staging comment	N/A
8	Tuckers and Shays Road, Bagshot	Part of Proposed Growth Area (subject to further investigation)	Update timeframe to short	N/A
9	70 Willis Road, Huntly	No specific direction provided in MGS, however part of the site is located within the Urban Growth Boundary	No change Would consider a privately led rezoning, subject to appropriate investigations, for land already included in Urban Growth Boundary. Further investigation will be undertaken by the City into the buffer to SBA to inform the Huntly Township Structure Plan.	No change is supported until work is undertaken to confirm buffer to SBA
10	Lot 4, Wakeman Road, 14 Inglis Street and 95 Inglis Road, Huntly	Part of Proposed Growth Area (subject to further investigation)	Update timeframe to short	N/A
11	405 Huntly-Fosterville Road, Bagshot	Part of Proposed Growth Area (subject to further investigation)	Update timeframe to short	N/A
12	Provenance Estate, Huntly	No expansion included	No change Further investigation will be undertaken by the City into the buffer to SBA to inform the Huntly Township Structure Plan	No change is supported until work is undertaken to confirm buffer to SBA

	<b>Greenfield growth area / property</b>	<b>Status within Draft Managed Growth Strategy</b>	<b>Changed status within the final Managed Growth Strategy</b>	<b>Reasons for not including in MGS (where relevant)</b>
13	47 Gerber Court, Bagshot	Part of site included in Proposed Growth Area (subject to further investigation)	No change	Part of site up to Sandy Creek included - remainder of site considered too far from railway station.

	<b>Greenfield growth area / property</b>	<b>Status within Draft Managed Growth Strategy</b>	<b>Changed status within the final Managed Growth Strategy</b>	<b>Reasons for not including in MGS (where relevant)</b>
<b>Sites outside of Urban Growth Boundary or recommended to not be investigated further</b>				
14	255 Golf Links Road (former Eaglehawk Golf Course)	Not included	No change	Distance to commercial centre and services, as well as bushfire risk
15	Simpsons Road, Eaglehawk	Not included	No change	Bushfire risk
16	7 Wicks Road, Maiden Gully	Not included	No change	Bushfire risk and native vegetation retention
17	267 Olympic Parade, Maiden Gully	Not included	No change	Bushfire risk and native vegetation retention
18	Crown Allotment 17B, Redmile Road, Maiden Gully	Not included	No change	Bushfire risk and native vegetation retention
19	79 Kronk Street, Maiden Gully	Not included	No change	Bushfire risk
20	44 Gerber Court, Bagshot	Not included	No change	Distance to railway station and Huntly centre
21	46 Gerber Court, Bagshot	Not included	No change	Distance to railway station and Huntly centre

	<b>Greenfield growth area/ property</b>	<b>Status within Draft Managed Growth Strategy</b>	<b>Changed status within the final Managed Growth Strategy</b>	<b>Reasons for not including in MGS (where relevant)</b>
22	Granter Court, Kangaroo Flat	Not included	No change However, if a future independent planning panel was satisfied that bushfire requirements could be met and the land is suitable for residential growth, support its inclusion within the Urban Growth Boundary.	Bushfire risk
23	Lots 1-4 PS 923133J and 68 Schilling Lane Strathfieldsaye	Not included	No change	Bushfire risk
24	2 Bakers Lane, Strathfieldsaye	Not included	No change	Bushfire risk
25	Ravenswood	Not included	No change	Not needed for greenfield land supply, not close to Urban Growth Boundary and services and infrastructure
<b>Other</b>				
26	16 Manallacks Road, Kangaroo Flat	Not included	No change	Rezoning to an Industrial 3 Zone not supported as part of this process, and bushfire risk

**Table 2** – Assessment of individual sites for inclusion in MGSChanges to draft strategies following consultation

A detailed list of all changes made to the draft strategies is provided in Attachment 4.

Key changes to the MGS include:

- Including a reference to the potential for future development to the north of the Urban Growth Boundary in Huntly in the future. This will be dependent on whether a buffer area assessment identifies that the buffer distance between the SBA and residential development can be decreased or if the SBA relocate from their current site and this site is then no longer used for intensive animal industries. There may be some potential for some minor changes to the Urban Growth Boundary depending on the buffer area assessment. Any more significant changes will be considered in the next review of the MGS.
- Removal of staging comment on page 16 of the MGS.
- Changing of timeframes for Huntly and Strathfieldsaye.

Key changes to the HNCS include:

- Change Incremental 2 Change to Minimal Change given both are proposed to go to Neighbourhood Residential Zone and there were very limited differences proposed in the schedules to the zones.
- Update the change areas around Strathfieldsaye for consistency with the Strathfieldsaye Urban Design Framework.

#### Proposed Planning Scheme Amendment C287gben

Proposed Amendment C287gben implements the MGS and HNCS. In relation to infill areas of urban Bendigo, the amendment proposes to implement the zoning changes detailed in the HNCS. This will include introducing new residential zones and zone schedules, making changes to local policies, and by making changes to the Neighbourhood Character Overlay (NCO) and Significant Landscape Overlay (SLO). This includes removing a number of NCOs and SLOs from properties where they are no longer suitable.

The implementation of new residential zones will make it clearer to developers, planners and the community as to preferred development outcomes in the residential areas of urban Bendigo and the larger townships. Currently in the Greater Bendigo Planning Scheme the residential zones are largely absent of objectives around neighbourhood character. These objectives are currently contained in Clause 15 of the Greater Bendigo Planning Scheme and are based on an outdated Residential Character Study dating from 2002.

Amendment C287gben proposes to introduce a number of new residential zones and zone schedules, comprising of the Neighbourhood Residential Zone (NRZ), General Residential Zone (GRZ) and Residential Growth Zone (RGZ). These align with the housing change types – being minimal change, incremental change and substantial change respectively. The amendment proposes to introduce new objectives,

application requirements and decision guidelines for each neighbourhood character type.

### *Changes to the Municipal Planning Strategy*

Amendment C287gben proposes to introduce the policy position of 70 per cent of urban development to occur in established areas and 30 per cent in greenfield locations. It also proposes to make minor text changes to reflect the recent strategies.

The Amendment also proposes to introduce three new residential framework plans at Clause 02.04. These include a revised Urban framework plan, a revised Rural framework plan and a new Residential framework plan.

### *Changes to the Planning Policy Framework*

Amendment C287gben proposes to make changes to a range of local policies under Clause 15 of the planning scheme to update the 'Policy application', as well as the objectives and strategies for each different neighbourhood character. It removes the precinct specific neighbourhood character policies as these will move into the 'Objectives' within the residential zones.

### *Neighbourhood Residential Zone*

New NRZ schedules are proposed for the following character precincts:

- Gold Era
- Suburban Early
- Suburban 1960s-1990s
- Suburban Post 2000s
- Bush Garden
- Semi-Rural
- Semi-Bush
- Township
- Township Suburban

These will allow for development of up to 9 metres/2 storeys. Currently in most of these areas the default is the General Residential Zone which allows for 11 metres.

### *General Residential Zone*

New GRZ schedules are proposed for the following character precincts:

- Gold Era
- Suburban Early
- Suburban 1960s-1990s

- Suburban Post 2000s

These schedules will allow for development of up to 11 metres which is currently what is allowable in most residential areas.

### *Residential Growth Zone*

One new RGZ schedule is proposed to be introduced through Amendment C287gben. This will apply to sites in close proximity to activity centres or major transport nodes.

### *Neighbourhood Character Overlay*

The NCO is proposed to be removed from various properties and added to a small number of properties. Two new schedules are proposed to be introduced with clearer requirements.

### *Significant Landscape Overlay*

The SLO is proposed to be removed from various properties. A new schedule is proposed to be introduced.

Changes to the NCO and SLO have been informed by the Review of Neighbourhood Character and Significant Landscape Overlays Report (see Attachment 8).

### ***Priority/Importance***

This project is a high priority. The City needs to proactively plan for long term population and ensure an adequate housing supply pipeline. The MGS is also important to ensure that infrastructure needs are met and be clear on where housing growth will be supported. It is also a strategy in State planning policy that all municipalities across Victoria plan to accommodate growth for a 15 year period and be clear as to where this growth should occur.

The implementation of the MGS and HNCS will provide greater certainty to landowners and community members around the type of change expected across the different areas of Greater Bendigo. The delivery of the MGS will be important to help ensure an adequate and diverse housing supply pipeline to meet the needs of a growing population.

### ***Options Considered***

Options available to Council include the following:

1. Adopt the MGS and HNCS, as amended, following consideration of community, stakeholder and government agency feedback, and commence Amendment C287gben to implement the Strategies. This is the preferred option.
2. Make further amendments to the MGS and HNCS or recommend changes to the draft Amendment documents. Depending on the scope of changes this may require re-exhibition of the strategies.
3. Not proceed with adopting the MGS and HNCS or commencing Amendment C287gben.

Council also has the option of supporting the recommendations in part.

### ***Timelines***

The preparation of the MGS commenced three years ago.

Consultation on the Draft MGS Issues and Opportunities Paper took place from January 31 to February 25, 2022.

Consultation on the Draft MGS, Draft HNCS and associated background documents took place between May 28 and July 12, 2024.

The Amendment process is estimated to take between 18 and 24 months. Should Council seek to progress the Amendment process a further update will be presented to Council following the exhibition outlining next steps.

### **Communications/Engagement**

The following groups were established to guide the development and finalisation of the MGS and HNCS:

- A Project Control Group comprising representatives from a variety of internal units and State Government agencies. This group meet on a monthly basis where there was information to be presented.
- A Steering Committee has met at key project stages to provide high level direction and decisions. This group comprises a large variety of State Government agencies and has ensured that the project considers all relevant State Government policies, plans and projects.

Extensive community and stakeholder engagement on took place from May 28 until July 12, 2024 on the Draft Strategies. This included:

- A comprehensive Let's Talk page including a mapping tool allowing all residents to easily search for the proposed changes to their property (if considered in the HNCS).



- A bulletin sent to all addresses in Marong, Strathfieldsaye, Maiden Gully and Huntly.
- 15 information sessions were held where residents could speak to a Strategic Planning officer. These occurred across the municipality at different times including some after hours and Saturday morning sessions.
- Phone calls and emails to landowners and developers who provided an Expression of Interest with an equal opportunity to present their EOI at a designated session in front of Councillors and Council officers.
- A summary brochure and Frequently Asked Questions available via the Let's Talk platform.
- A survey available via the Let's Talk platform.
- Presentations at various Council advisory committees.
- Presentation to the Youth Council.
- Emails to those who registered an interest the project.
- Letters to relevant State Government agencies.
- Letters to other councils in the Loddon Campaspe region.

The project also received media coverage via the Bendigo Advertiser, ABC central Victoria and WIN news.

### **Financial Sustainability**

This project has been funded within the Strategic Planning operational budget. There will be additional costs to progress Amendment C287. Resourcing and costs for this Amendment will also be covered within the Strategic Planning operational budget.

Ultimately the implementation of the MGS and HNCS will help to make the planning process simpler by reducing unnecessary planning controls as well as making the expectations around the level of housing change in different areas clearer.

### **Risk Assessment**

The City has a statutory obligation to ensure there is adequate land supply to meet growing population needs. Should the City not do this, there would be greater housing affordability challenges for current and future residents.

The MGS seeks to create a clear pipeline and a stronger policy framework to identify preferred development outcomes to try to address some of the growing housing challenges in Greater Bendigo. This includes a lack of housing diversity, particularly smaller dwellings, poorly designed housing in some instances, and more affordable housing options for residents.

The municipality cannot continue to expand outwards given environmental risks and constraints. Therefore, over time changes will need to be made to increase the amount of housing provided in the established suburbs of Greater Bendigo. This will be a change from the low scale development found in many of these areas.

There is also a risk given that the CFA is not supportive of the current proposal. This will be managed by ongoing engagement and expert consultant advice. In accordance with Clause 13.02-1S of the Greater Bendigo Planning Scheme, the City must give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

The MGS and HNCS have considered and prioritised this important policy, and the City's two bushfire assessments and an independent peer review have confirmed that the direction within the MGS and HNCS is appropriate.

## **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 6 - More people live in 10-minute neighbourhoods  
Goal 7 - Sustainable population growth is planned for

### ***Other Reference(s)***

- Connecting Greater Bendigo: Integrated Transport and Land Use Strategy
- Plan Melbourne 2017-2050
- Victoria's Housing Statement 2024-2034
- Loddon Mallee Regional Growth Plan
- Biodiversity Strategy and Action Plan 2023-2033
- Climate Change and Environment Strategy 2021-2026
- Walk, Cycle Greater Bendigo 2019
- Commercial Land and Activity Centre Strategy 2015
- Greater Bendigo Industrial Land Development Strategy 2020

- Greater Bendigo Public Space Plan 2019.

### **Conflict of Interest**

It is recognised that the City's Strategic Planning officers may inherently have a perceived or general conflict of interest if they or their families reside within the City of Greater Bendigo. In consultation with the City's Legal Services team, we are satisfied that such conflicts are effectively managed through internal peer review and a robust hierarchical approval pathway. This ensures that the ultimate direction and outcomes of any strategy, plan or structure plan produced by the Strategic Planning Unit is vetted and approved at multiple stages by multiple people, through to approval by the City's Executive Management Team, before being presented to Council for consideration.

### **Attachments**

1. Managed Growth Strategy I D 0426 6092024 [**16.5.1** - 120 pages]
2. Attachment 2 - GBHNCS 2 August 2024 [**16.5.2** - 158 pages]
3. Attachment 3 - Officer response to submissions for Council report- Final 21082024 [**16.5.3** - 53 pages]
4. Attachment 4 Table of changes following consultation - Final - 19082024 [**16.5.4** - 14 pages]
5. Attachment 5 - NC Design Guidelines Booklet 2024 [**16.5.5** - 52 pages]
6. Attachment 6 - MGS Council report - 16 September [**16.5.6** - 107 pages]
7. Attachment 7 - Managed Growth Strategy Action Plan 19082024 [**16.5.7** - 2 pages]
8. Attachment 8 - NCO and SLO Review Report v 7 02082024 [**16.5.8** - 81 pages]

## 17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY

Nil

## 18. ABORIGINAL RECONCILIATION

Nil

## 19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT

### 19.1. Big Hill and Mandurang Valley Landscape Review

Author:	Richie Dean, Strategic Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

#### Purpose

This report outlines the findings of the community engagement undertaken on the *Big Hill and Mandurang Valley Landscape Review 2024* (Attachment 1).

This report also recommends that Council adopts the Review and requests authorisation from the Minister for Planning to prepare and exhibit planning scheme amendment C288gben which proposes to implement the Review, including the introduction of a Landscape Management Framework and a Significant Landscape Overlay in the Big Hill area (see Attachment 2 for Planning Scheme Amendment documentation).

#### Recommended Motion

That Council:

1. Adopt the *Big Hill and Mandurang Valley Landscape Review 2024* provided at Attachment 1.
2. Authorise the Director Strategy and Growth to make minor changes to the *Big Hill and Mandurang Valley Landscape Review 2024* to adequately reference the *Joint Management Plan for the Dja Dja Wurrung Parks* and the inclusion of other relevant references.
3. Request authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C288gben to implement the Big Hill and Mandurang Valley Landscape Review (2024), in accordance with section 8A of the *Planning and Environment Act 1987* (Attachment 2).
4. Place Amendment C288gben on exhibition in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.

5. Authorise the Director Strategy and Growth to make minor changes to Amendment C288gben 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.

## **MOTION**

That the recommended motion be adopted.

Moved: Cr Alden

Seconded: Cr Williams

## **Resolution No. 2024-176**

**CARRIED**

## **Executive Summary**

The Big Hill and Mandurang Valley Landscape Review 2024 (the Review) builds upon existing work and is directly informed by key gaps and recommendations outlined by the Panel for Amendment C217. The project seeks to identify and protect significant landscapes in the Big Hill and Mandurang Valley areas.

The Review was placed on public consultation for a period of three weeks from July 23 until August 13, 2024. During the consultation process nine submissions were received. The submissions were in support of the implementation of the Review and the Significant Landscape Overlay (SLO), but most were critical of the limited application of the overlay area compared to what was previously proposed under C217 and that it excluded the Mandurang Valley.

A new proposed amendment C288gben has been prepared to implement the Review and the revised SLOs across the area of the Big Hill ridge line, upper slopes and the granitic uplands.

Should this amendment be authorised it will be formally exhibited with all landowners, residents and interested community members having the opportunity to provide a submission.

## **Background**

The Big Hill and Mandurang Valley Landscape Review addresses an action in the 2021-2025 Council Plan, Mir Wimbul to '*Scope a Gateway Study for Big Hill and Mandurang Valley landscape preservation*'. The Greater Bendigo Rural Areas Strategy 2009 had earlier outlined the need to undertake a significant landscape study for the Big Hill escarpment and parts of Mandurang Valley.

The Big Hill and Mandurang Valley Landscape Review 2024 has been undertaken in response to the outcome of the previous unsuccessful Planning Scheme Amendment C217 to identify and protect significant landscapes in the two areas. The 2024 Review is directly informed by the recommendations of the C217 planning panel and addresses the recommended gaps to provide a revised landscape study and SLO recommendations.

Previous Council decision dates:

- 6 July 2011 – Council endorsed a project brief describing the purpose and scope of a landscape assessment covering the areas of Big Hill and the Mandurang Valley.
- 11 February 2015 – Council resolved to request authorisation to prepare and exhibit a Planning Scheme Amendment to implement the recommendations of the Landscape Assessment Report for Big Hill and Mandurang Valley into the Greater Bendigo Planning Scheme.
- 14 October 2015 – Council considered submissions to Amendment C217 and resolved to refer all submissions to an Independent Panel.
- 22 July 2024 – Council endorsed the draft Big Hill and Mandurang Valley Landscape Review 2024 for public consultation.

## **Report**

### Public consultation

The draft Review was placed on public consultation for a period of three weeks from July 23 to August 13, 2024. The City published an update on the Let's Talk project page providing a link to Hansen's draft report, a nine page summary of the draft report and an interactive map indicating the proposed boundaries of the revised SLO. The interactive map provided the ability for users to check if their property was within the revised SLO area.

Letters were sent to all the occupiers and owners of properties within the proposed SLO area in Big Hill (66 in total), to inform them of the Review and invite feedback during the consultation period. In addition, a group letter was emailed to previous submitters to C217 and people who had previously expressed interest in the project.

### Summary of submissions

During the consultation period, nine submissions were received. Comments from the submissions are summarised as follows:

- Agreement with the application of the SLO over the Big Hill ridgeline and granitic uplands as proposed but many were also critical of the large reduction in the SLO

from what was proposed as part of the previous landscape study and amendment C217.

- Three of the submissions expressed disappointment that a SLO is not proposed across the Mandurang Vally area, with this landscape area considered equally as important and was interdependent with the Big Hill range.
- Three of the submissions were also critical of the limited extent of the proposed SLO on the southern side of the Big Hill ridgeline and that it should not only protect the upper slopes.
- Many of the submissions expressed concerns about the possibility of future large-scale development and subdivision proposals in the area due to the lack of an SLO in some areas including the western area of the Ravenswood Run land holding.
- Three submissions requested that the City detail what alternative planning protections are proposed for those areas excluded from the SLO such as Mandurang Valley.
- Two submissions were received from Spiire on behalf of the Ravenswood Run land owner. One submission is directly in relation to a 41ha landholding adjacent to the Calder Highway to the north of Buckeye Lane currently used for grazing. The landowner opposes the introduction of the SLO on their 41ha landholding (and mostly the high sensitivity area of the proposed SLO) as they claim the controls will impose a significant burden on the management and viability of the agricultural production of the land. In particular they raise issues with the following requirements:
  - The proposed SLO will eliminate the vegetation removal exemptions under Clause 52.17 (Native vegetation) that enables them to maintain pastures, cultivate the land and to minimise bushfire threat.
  - The requirement to obtain a planning permit to clear regrowth (less than 10 years old) towards regenerative farming practices under the SLO.
  - The requirement to obtain a permit for the construction of all fencing under the SLO.
  - The requirement to obtain a permit for the development of all new infrastructure or buildings under the SLO.
- The second submission on behalf of the Ravenswood Run landowner has been made in relation to the impacts of the proposed SLO on the broader Ravenswood Run landholding. The primary concern raised is the perceived impacts of applying the SLO to a substantial area of Farming Zone land currently used for agricultural production. It is critical of the Landscape Review not considering how additional restrictions will impact on landholders being able to manage agricultural production, and the broader impacts on the wider community in relation to food and fibre production. In particular they raise the following issues:
  - There are already sufficient controls in place under the Farming Zone that restrict dwelling density and minimum lot size, and guide native vegetation removal (under Clause 52.17 - Native vegetation).

- The permit exemptions proposed under the SLO do not go far enough and undermine the ability of landowners to viably farm the land. The same issues raised in the other submission by Spiire are also reiterated.
- The submission disagrees with Section 6.2.2 of the Landscape Review that includes policy gaps capturing land areas outside of the SLO boundary that lacks evidence or justification.
- Concerns were expressed towards the lack of protection for vegetation in the broader area in the absence of a proposed SLO and particularly in areas that have undergone revegetation through community initiatives.
- There was also criticism that the Landscape Review attributes landscape significance and protections on the basis of the visibility of landscapes.
- The submission stated that the community consultation period was insufficient with it being limited to three weeks, given the length and complexity of the study.

As well as community engagement, direct consultation was also undertaken during the study with key stakeholder organisations including the Department of Transport and Planning, Parks Victoria and Dja Dja Wurrung. The Department of Transport and Planning has not raised any key concerns in relation to the study or proposed amendment.

Parks Victoria raised no major concerns although they did suggest permit exemptions be included for more general maintenance and small-scale development within Parks Victoria managed areas.

Djaara have raised concerns in relation to the application of additional planning controls over the Greater Bendigo National Park which is within the Areas of Joint Management with Aboriginal Title and is covered by a Joint Management Plan. The Joint Management Plan outlines how the Greater Bendigo National Park is managed and cared for and ultimately heal Djandak (Dja Dja Wurrung Country). The Greater Bendigo National Park is included in this amendment in response to deficiencies in the methodology of the previous study identified in the Panel report to Amendment C217. However, the City acknowledges the concerns of Djaara and will seek direction from the Department of Transport and Planning about the potential exclusion of this land or ways to mitigate any potential impacts on Djandak in managing this land.

Further discussions between the City and Djaara will also need to occur to ensure appropriate reference to the *Joint Management Plan for the Dja Dja Wurrung Parks* and other changes to the Landscape Review and the Landscape Review updated accordingly.



### City officer response

While the community's sentiment for the extension of the draft SLO area to both Mandurang Valley and the lower lying lands of the Big Hill foreground is clearly understood, City officers do not recommend changes be made to extend the draft SLO boundary area. The reason for this is largely due to the recommendations in the previous Amendment C217 panel report that advised the previously proposed SLO area be substantially reduced in size to only include areas highly visible from publicly accessible corridors and viewpoints. The previously proposed SLO area that applied to a much broader area extending down to the Calder Alternative Highway lacked justification and supporting visual analysis work in the 2013 Bendigo Landscape Assessment according to the panel.

The revised 2024 draft SLO boundary has been carefully developed through a comprehensive study and technical analysis to only include areas of landscape significance that were determined to be visually prominent, exposed from key viewing corridors and found to be of a high or regional significance level. The landscape assessment process found that an SLO was not warranted within the Mandurang Valley area given the scenic qualities and significance level were limited to a local level only. The report makes it clear that alternative controls such as Environmental Significance Overlays or Vegetation Protection Overlays could be investigated to protect the more environmental values of the Mandurang areas. City officers are unable to give specifics to the community on the details and timing of this future work at this stage.

From many of the submissions received there is a common residual view that the SLO can be used as a tool to "lock out" large scale development. The SLO should only be applied with the intention of conserving and enhancing the character of identified significant landscapes. Any land proposed for an SLO needs to be supported with sufficient justification and comprehensive visual analysis. With the approach to the current landscape study, it was critical to follow the recommendations of the previous panel to ensure the study is robust and is likely to be supported through the planning scheme amendment process.

Submissions from the Ravenswood Run landholder were primarily concerned with additional planning permit requirements under the proposed SLO and the potential burden on the agricultural use and development on the land. There appears to be a misinterpretation of some of the exemptions that will remain under the proposed SLO in relation to vegetation removal. The parent provision of the SLO contains exemptions under Clause 42.03-3 for both the removal of regrowth vegetation and vegetation removal for protection against bushfire risk. Furthermore, those exemptions provided under Clause 52.17 (Native vegetation) will still apply if the SLO is implemented, the SLO does not eliminate those exemptions as the submission incorrectly claims. Regarding the other issues raised, the proposed permit requirements under the high

sensitivity areas of the SLO will introduce new permit requirements for all new agricultural buildings, dwellings and fencing. This is justified in the Review on the basis that those areas are highly sensitive and visually exposed areas of the landscape that are more likely to be impacted by new buildings which would compromise valued landscapes. It is considered that the future agricultural use of the land will still be viable under the proposed SLO despite an increase in permit requirements, particularly in high sensitivity areas.

While it is noted the consultation process at this stage was only three weeks, it is not the only opportunity for the community to provide feedback. Should the proposed Amendment C288gben be authorised, a formal exhibition process will occur which will provide a longer period for the community to consider what is proposed and the extent of the SLO. The community also had an opportunity to provide input during the consultation on the community landscape values from November 6 until December 8, 2023.

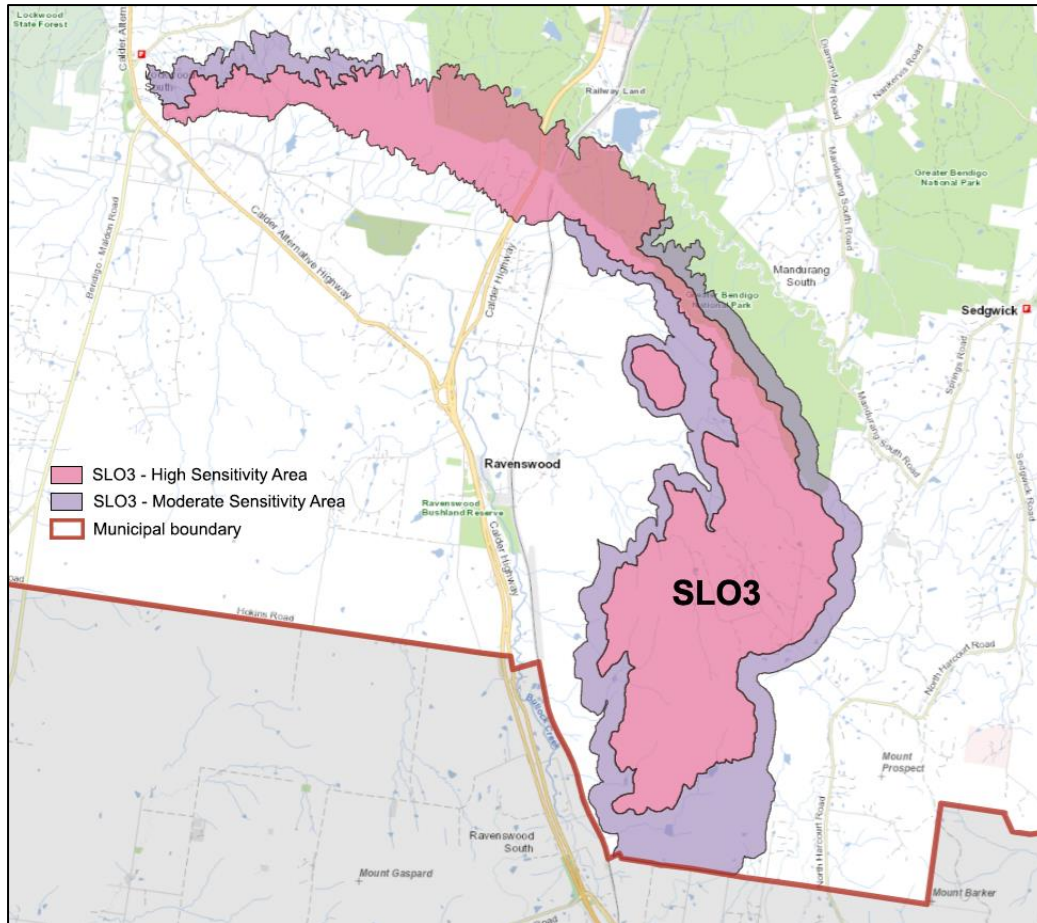
#### Land affected by the Amendment

The land affected by the amendment is an area of approximately 38km<sup>2</sup> near to the southern boundary of the municipality. The land covers both public and private land and falls within the following localities:

- Big Hill
- Harcourt North
- Mandurang South
- Lockwood
- Lockwood South
- Ravenswood
- Sedgwick

The land area stretches along the metamorphic crescent of the Big Hill Ridge Line and upper escarpment extending eastward from Lockward across Big Hill and the southern edge of Mandurang South. It extends south into the Granitic Uplands through Sedgwick, Harcourt North and to the north-eastern edge of Ravenswood.

The land is subject to several zones including the Farming Zone, Rural Conservation Zone, Transport Zone, Public Conservation and Resource Zone, Rural Living Zone and the Low Density Residential Zone.



**Figure 1:** Map indicating land affected by the Amendment and where the SLO is proposed

### What the Amendment does

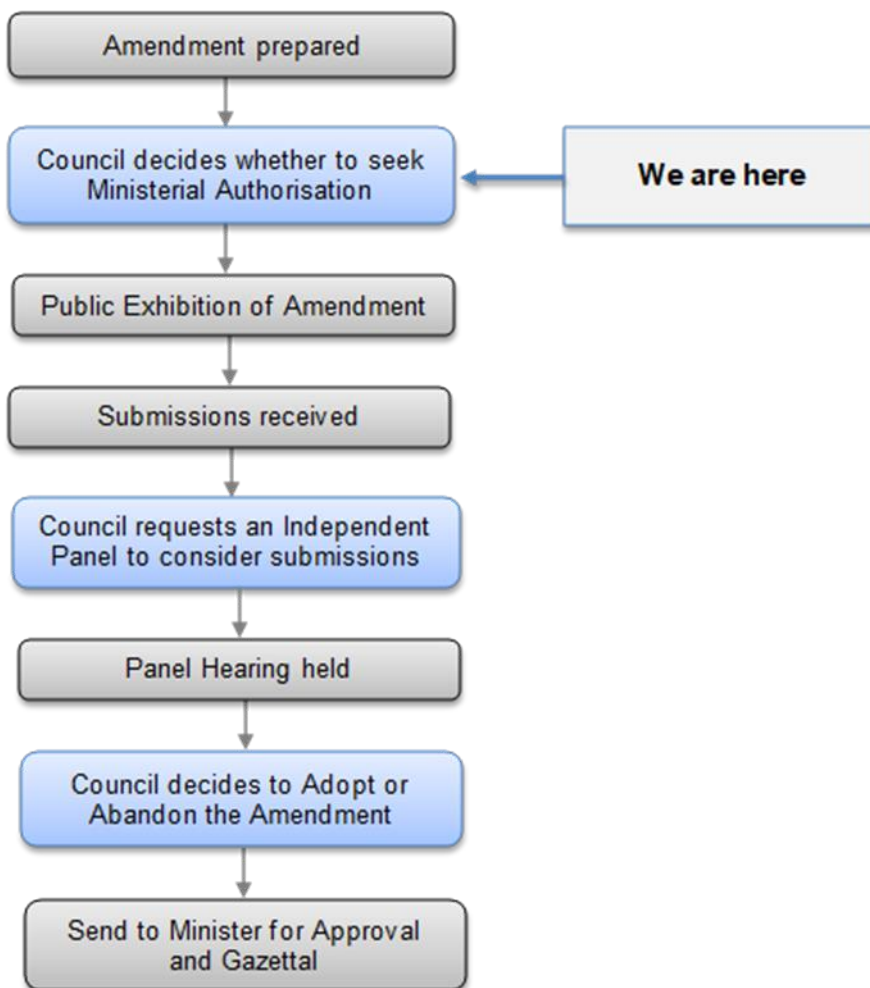
Planning Scheme Amendment C288gben proposes to implement the findings of the Big Hill and Mandurang Valley Landscape Review 2024.

The amendment proposes the following changes to the Greater Bendigo Planning Scheme:

- Amends Clause 02.03-2 (Environment and landscape values) of the Municipal Planning Strategy to update the list of recognised landscape features to include the Big Hill Ridge Line and Granitic Uplands.
- Introduces a new Clause 12.05-2L (Big Hill Ridge Line and Granitic Uplands) to the Planning Policy Framework to include a local policy specifically for the protection of the Big Hill Ridge Line and Granitic Uplands significant landscape.
- Introduces a new Schedule 3 to the SLO under Clause 42.03 under Overlays to apply the Significant Landscape Overlay controls.
- Amends the schedule to Clause 72.08 (Background documents) of the Operational Provisions to include the *Big Hill and Mandurang Valley Landscape Review 2024* as a background document.

The proposed Significant Landscape Overlay gives statutory effect to the recommendations of the Landscape Management Framework of the Review and will assist Council in its decision making in relation to the protection and management of the significant landscape area.

The Landscape Management Framework and Implementation in the Review outlines the Planning Scheme recommendations for implementation. City officers have made minor changes to draft planning scheme documents to reflect Parks Victoria's suggested permit exemptions in the draft SLO schedule (under Works undertaken by a public authority) and to refine the content contained in the draft local policy in Clause 12.05-3L Big Hill Ridge Line and Granitic Uplands. The draft local policy has been translated directly from the Design Guidelines under Section 6.4



#### Potential implications resulting from the Amendment

The amendment will have some resource implications. The amendment will result in an increase in planning applications due to increased planning controls. The increase in the number of applications is not likely to be significant given the relatively low number of properties in the area.

### ***Priority/Importance***

The project is an important priority given the level of previous community and stakeholder interest in progressing an SLO in this area and the time that has elapsed since the previous, unsuccessful Planning Scheme Amendment.

This task responds to the Council Plan action 5.3.3 from 2021/2022: Scope a Gateway Study for Big Hill and Mandurang landscape preservation.

### ***Options Considered***

Council has three options:

- To adopt the draft *Big Hill and Mandurang Valley Landscape Review 2024* and to agree to request authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C288gben to implement the Big Hill and Mandurang Valley Landscape Review (2024).
- To abandon the *Big Hill and Mandurang Valley Landscape Review 2024* and not to proceed with Amendment C288gben.
- It could also decide to adopt the *Big Hill and Mandurang Valley Landscape Review 2024* but not progress the amendment to implement. This is not recommended as the adopted Review would not be able to be used in any planning permit application assessments.

### ***Timelines***

If the recommendations are supported, a request will be made to the Minister for Planning to authorise and exhibit planning scheme amendment C288gben.

Progressing the planning scheme amendment is expected to take approximately 18 months should authorisation be received.

### ***Communications/Engagement***

Engagement was undertaken over a period of three weeks on the City's Let's Talk page to provide the public with the opportunity to give their feedback on the draft Review and recommendations. Letters were also sent to landowners potentially affected in the draft overlay area and a group letter emailed to previous submitters to C217 and people who had previously expressed interest in the project. Details of the engagement and feedback are included within this report.

As previously discussed, there will be a further opportunity for the community to provide submissions through the exhibition for Amendment C288gben.

## **Financial Sustainability**

The cost of preparing and exhibiting the amendment will be covered within the Strategic Planning Operational Budget. Additional costs may be incurred if a panel hearing is required following public exhibition.

As discussed in this report, if approved, the amendment would have some resource implications due to increased planning permit applications, as a result of new planning controls.

## **Risk Assessment**

Given the strong level of community interest in the project, the main risk is reputational to Council.

## **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 3 - Thriving landscapes and ecosystems

## **Conflict of Interest**

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

## **Attachments**

1. Big Hill & Mandurang Valley Landscape Review September 2024 [**19.1.1** - 130 pages]
2. Attachment 2 C 288 Amendment documents [**19.1.2** - 33 pages]

## **20. A VIBRANT, CREATIVE COMMUNITY**

### **20.1. UNESCO Creative Cities 2024 Annual Conference Report**

Author:	Michelle Symes, Gastronomy Project Officer
Responsible Director:	Rachel Lee, Director Strategy and Growth

#### **Purpose**

To report on attendance at the XVI UNESCO (United Nations Educational Scientific and Cultural Organisation) Creative Cities Conference hosted in Braga July 2024.

#### **Recommended Motion**

That Council notes this report on the XVI UNESCO Creative Cities Conference held in July 2024.

#### **MOTION**

That the recommended motion be adopted.

Moved: Cr Metcalf

Seconded: Cr Fagg

#### **Resolution No. 2024-177**

**CARRIED**

#### **Executive Summary**

Attendance at the XVI UNESCO Creative Cities Network Annual Conference was endorsed by Council on February 26, 2024. Cr Metcalf and the City's Gastronomy Project Officer attended the conference from 1-5 July 2024.

The theme 'Bring youth to the table', provided an opportunity to connect and learn from youth. A celebration of the 20<sup>th</sup> anniversary of the UNESCO Creative Cities Network, the intention was to highlight the importance of youth engagement in urban development. The Braga Manifesto was signed by all Mayors to propose 'culture' be a stand-alone sustainability goal post 2030. Cr Metcalf represented Bendigo in a thematic panel, discussing youth and the importance of culture.

Mayors from Bendigo, Ballarat and Geelong met with UNESCO dignitaries to discuss the prospect of hosting the 2027 UNESCO Annual Conference across all four Victorian Creative Cities, which was met with great interest. A feasibility study will take place to assess the prospect in more detail.

Previous Council decision dates:

February 26, 2024 - Council endorsed two representatives to attend the XVI UNESCO Creative Cities Network Annual Conference hosted in Braga, Portugal from 1 to 5 July 2024.

## **Background**

There are 350 creative cities globally in the network, across seven designation categories, these include Gastronomy, Craft and Folk Art, Film, Literature, Design, Media Arts and Music.

In October 2019 Bendigo was designated Australia's first UNESCO Creative City and Region of Gastronomy. Our gastronomy story is about growing, sourcing, cooking and sharing food and how our culture and heritage is represented.

For UNESCO, being a creative city is about solving the world's problems creatively, whilst addressing the United Nations Seventeen Sustainable Development Goals.

For Bendigo, our commitment lies within four key pillars

1. Celebrate and elevate First Nations' culture, creativity and knowledge.
2. Recognise our creativity, cultural diversity and innovation.
3. Improve health and wellbeing particularly through healthy eating.
4. Prioritise environmental sustainability, sustainable agriculture and food productions as we tackle climate change.

Our first four years have seen great success, projects including G'Day USA, seeds for Citizenship, Bendigo Writers Festival and MasterChef, among a few key achievements.

The UCCN (UNESCO Creative Cities Network) Annual Conference is the major strategic gathering, providing a platform for Mayors and representatives from around the world to come together, share experiences and brainstorm future collaborations. It also provides a platform to highlight our successes on a world stage.

## **Report**

From 1 - 5 July 2024, Cr Metcalf and the City's Gastronomy Project Officer attended the XVI UNESCO Creative Cities conference in Braga, Portugal. Mayors representing 300 UNESCO Creative Cities from 100 countries were in attendance.

The theme for the meeting was 'Bring youth to the table'. A celebration of the 20<sup>th</sup> anniversary of the UNESCO Creative Cities Network, the intention was to highlight the



importance of youth engagement in urban development. In addition to a focus on youth, the Braga Manifesto was also introduced, all Mayors signed the document proposing 'Culture' be a stand-alone sustainable development goal, post 2030. The original 17 sustainable development goals were adopted by all United Nations member States in 2015. These goals are in place until 2030 and up for review next year.

The Braga Manifesto will be presented next year in Barcelona at The Mondiacult 2025. Mondiacult is an event that brings together 195 UNESCO member states to define the global agenda for culture. The Braga Manifesto has six priority areas.

1. Strengthening individual and collective cultural rights.
2. Addressing the digital transformation in the cultural and creative sector, notably artificial intelligence (AI).
3. Harnessing culture for climate change.
4. Tapping into the economic dimensions of culture.
5. Protecting cultural heritage in times of crisis.
6. Enhancing the synergies between culture and education.

Cr Metcalf represented Bendigo on a thematic panel with six fellow dignitaries answering questions titled:

1. *A 'Glocal' towards a Culture Goal.*
2. *The UNESCO Creative Cities Braga Manifesto: A Charter Towards 20230.*

Cr Metcalf spoke of Bendigo's success and effectiveness at a local level, including the success of the City's Youth Council, First Nations' Culture, seeds for Citizenship program and our multi-cultural community.

There are currently 53 Creative Cities of Gastronomy globally. In addition to the programmed sessions, the Gastronomy Project Officer attended two gastronomy subnetwork meetings. Global gastronomy projects were presented at the meetings on the Hatay Medicinal Cookbook; the Buraydah World Food Atlas; newly designated, the city of Fribourg, Switzerland introduced the group to their city; and Macao provided an overview of the 'International Cities of Gastronomy Fest', that took place in June 2024 and involved chefs and representatives from 29 UNESCO Creative Cities of Gastronomy, and attracted 107,000 participants. 2025 UNESCO annual Conference host Queretaro, Mexico spoke to the delegation and encouraged cities to collaborate in readiness for the 2025 event.

The Mayor and Gastronomy Project Officer personally connected with more than 40 different creative cities. The Victorian Creative Cities Network (VCCN) comprising of Bendigo (Gastronomy), Ballarat (Craft and Folk Art), Melbourne (Literature) and Geelong (Design) were the only representatives from Australia.

A meeting took place with the VCCN, Secretary of UNESCO Creative Cities and Assistant Director General for Culture to discuss the merit of Victoria hosting the 2027 UNESCO Annual Conference.

The annual meeting has never been held in the Asia Pacific Region and will require a feasibility study to determine hosting requirements.

There may also be an opportunity to host a future gastronomy sub-network meeting. This will be assessed in the above feasibility study.

Bendigo has successfully completed the first term of the agreement (four years) of the City's designation. Plans are in place to determine priorities and develop the next four-year framework and action plan, with community and stakeholder engagement to take place early 2025.

Economic Development, along with Tourism and Major Events and Creative Communities units are currently exploring opportunities to host a large-scale gastronomy and arts event mid -2025.

### **Financial Sustainability**

Travel expenses of \$20,000 was approved at the 26 February 2024 Council meeting. Fully acquitted final expenses totalled \$12,000.05.

### **Risk Assessment**

Attendance at the Annual Conference is a compulsory element of the UNESCO Creative Cities agreement and was part of the City's commitment in its 2019 application. If Cities fail to attend or submit reports, there is a risk that the designation may be revoked.

### ***Primary Council Plan Reference***

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025  
Outcome 6 - A vibrant, creative community

### ***Secondary Council Plan Reference(s)***

Goal 4 - Build international recognition for our designation as a UNESCO Creative City of Gastronomy

### ***Other Reference(s)***

Economic Development Strategy 2020-2030, Goal 5, strengthen our brand

### **Conflict of Interest**

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

### **Attachments**

Nil

## 20.2. Heritage Strategy

Author:	Leah Morris, Strategic Planner - Design
Responsible Director:	Rachel Lee, Director Strategy and Growth

### Purpose

This report seeks adoption of the *Heritage Strategy and Action Plan 2024-2028*.

### Recommended Motion

That Council:

1. Note the final *Heritage Strategy and Action Plan 2024-2028* and community consultation.
2. Adopt the *Heritage Strategy and Action Plan 2024-2028*.

### MOTION

That the recommended motion be adopted.

Moved: Cr Fagg

Seconded: Cr Evans

### Resolution No. 2024-178

**CARRIED**

### Executive Summary

The *Heritage Strategy and Action Plan 2024-2028* provides an overarching framework and set of priorities to enhance the management of Greater Bendigo's rich natural, built and cultural heritage. The Strategy will guide the City's role in the identification, protection and promotion of our history, while working towards a progressive heritage landscape. The Strategy responds to current opportunities to improve the way heritage is administered, communicated and promoted.

The Strategy has now been finalised following public consultation on the draft Strategy.

### Background

The development of a Heritage Strategy is an action of the City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025, as a way to recognise and celebrate our significant heritage.

The City of Greater Bendigo plays an important role in the protection, management, and communication of our heritage. The work across different departments is vast and often separated, due to the various types of heritage the City is responsible for managing. Given the extent of work, there is an opportunity to combine all aspects of heritage into one plan, and in doing so, demonstrate the City's commitment and resources dedicated to heritage. The Strategy will also allow the City to highlight and celebrate current heritage achievements and share information and resources with the community.

While the Strategy builds on existing heritage legislation and policy, it will address more than just built and physical heritage. Therefore, it will not be included as a statutory document in the Planning Scheme.

### Development of the Strategy

The Heritage Strategy brings together findings from background analysis, workshops with internal and external working groups, and community feedback on the draft Strategy.

The background analysis involved a review of the City's heritage-related tasks and responsibilities. Interviews were undertaken with staff who manage the City's built heritage assets, objects, collections and civic gardens, as well as those responsible for tourism and events. The interviews provided an understanding of the scope of heritage assets, the day-to-day activities and the challenges faced by each department. The interviews also identified a range of processes and resources with some areas needing improvement.

A review of the City's current heritage management was undertaken using Heritage Victoria's *Municipal Heritage Strategies: A guide for Councils*. The review found that the City is doing well in a range of heritage programs and external community support, including a wide range of heritage-related activities and good internal processes.

The internal and external working groups met on several occasions throughout the development of the Strategy. The internal Project Working Group identified that many actions in the Strategy should include a commitment to continuing or expanding current services or support. They also highlighted potential improvements to some inconsistent, incomplete or outdated heritage databases.

The external Community Reference Group (which operates as a sub-committee of the Heritage Advisory Committee), identified a greater need to enhance support the promotion of heritage-related events and good heritage outcomes. This included encouragement for alternative uses for heritage buildings and successful restoration of built heritage sites. The group also noted improvements to internal databases and

more support for First Nations cultural heritage awareness, with a focus on intangible heritage.

A representative from DJAARA participated in the Community Reference Group meetings. They provided substantial guidance and information about cultural heritage, reviewed the draft Strategy and its actions, and noted DJAARA's support for the continued growth of their relationship with the City.

Feedback on the draft Strategy is further discussed in the community engagement section of this report.

## Report

The *Heritage Strategy and Action Plan 2024-2028* identifies a range of heritage actions and activities for the City to undertake over the next four year period. The Strategy can be found at Attachment 1 to this report.

The vision for this Strategy is focused towards establishing solid foundations. Actions associated with this include reviewing our heritage information and making sure heritage registers are up to date. Other actions will increase heritage which has not yet been studied is identified and listed on an upcoming program. An important part of this foundational work will also involve knowledge sharing through the promotion of heritage guidelines, information on the City's website and the release of the financial assistance scheme (for selected private heritage works).

This Strategy will also be an educational document which provides insight into different types of heritage, the heritage protection system and what the City currently does to manage our heritage. Storytelling through publications like the quarterly GB Magazine will also play an important role in promoting heritage stories on a local scale.

The Strategy is structured as follows:

1. Introduction
2. How this Strategy was prepared
3. Greater Bendigo Heritage
4. Our Vision
5. The Action Plan
6. Monitoring and Review
7. Action Summary

Heritage Victoria's *Municipal Heritage Strategies: A guide for Councils* states that actions should be responsive to the current heritage needs and address four main themes:

1. **Knowing** - identification, assessment and documentation of heritage places.

2. **Protecting** - statutory protection, policy development and appropriate management.
3. **Supporting** - assistance, advice and incentives to help conserve heritage places.
4. **Promoting** - measures to raise awareness and appreciation of heritage

The Strategy uses these themes as the basis for identifying the following four goals:

- **Goal 1:** Develop consistent heritage knowledge
- **Goal 2:** Lead heritage protection
- **Goal 3:** Provide resources to assist heritage management
- **Goal 4:** Increase heritage promotion and education

The goals are supported by 35 actions. These actions are identified by:

- 26 new actions with fresh initiatives to achieve the above goals
- 9 ongoing actions demonstrating commitment to exiting processes or services for the community.

Among the 35 actions are a range of internal and external priorities:

- 19 actions are focused externally, directly benefiting the community.
- 16 actions are internally focused, aimed at enhancing overall heritage management.

The Strategy also includes an action for the Heritage Advisory Committee to lead a heritage promotion activity during their four-year term. Further discussions around the scale, resources and support from City staff have begun at recent committee meetings to progress this action.

It is important to note that in developing the associated actions, consideration has been given to the four-year lifespan of the Strategy. The progress and timing of existing heritage related projects, budgets and available resourcing has significantly influenced this Strategy.

Although the Strategy will be an overarching list of priorities for different City departments, heritage management and protection is a shared responsibility. Therefore, everyone has a role to play to ensure that current and future generations have the opportunity to experience it.

### ***Options Considered***

#### Option 1

Adopt the *Heritage Strategy and Action Plan 2024-2028*

#### Option 2

Take no further action.

### ***Timelines***

- Project commenced in early 2020.
- Project recommenced in April 2022.
- Community consultation on the draft *Heritage Strategy and Action Plan* was undertaken between 26 September and 30 October 2023.
- Final *Heritage Strategy and Action Plan 2024-2028* updated in response to community feedback.

### **Communications/Engagement**

Consultation occurred throughout the project with external community groups including the Heritage Advisory Committee and sub-committee (Community Reference Group).

An internal Project Working Group, made up of staff from across the organisation who are involved in heritage-related aspects has also met at key points throughout the project. Members include the following roles:

- Heritage Collections Officer
- Coordinator Heritage Gardens and Amenity Landscapes
- Built Heritage Advisor (Property Services)
- Manager Tourism and Major Events
- Marketing Manager (Tourism)
- Heritage Advisor (Strategic Planning)
- Coordinator Precinct Planning and Heritage
- Strategic Planner (project manager)

The working groups' comments have informed the project. This involved reviewing the action plan and assisting in selecting priority actions.

### **Internal Engagement and Coordination**

Internal Engagement	Date
Establishment of internal Project Working Group	June 2022
Project Meeting 1 - Introduction and scope	17 November 2022
Project Meeting 2 - Research	2 February 2023
Workshop - Discussion of potential priorities	20 April 2023
Project Meeting 3 - Post workshop discussion	8 June 2023
Project Meeting 4 - Draft Strategy discussion	17 August 2023



Project Meeting 5 - Post Exhibition (one on one meetings)	Nov / Dec 2023
---	----------------

### External Community Engagement

Stage 1	Project Commencement	Date
	Heritage Advisory Committee Presentation	May 2022
	Establishment of Sub-committee Reference Group	May 2022
	Reference Group Meeting 1 - Introduction and scope	6 September 2022
	Reference Group Meeting 2 - Research	8 November 2022
	Reference Group Meeting 3 - Research	8 February 2023
	Heritage Advisory Committee Presentation	14 June 2023
Stage 2	Meetings / Workshops	Date
	Working Group Workshop 1 (online through Miro)	7 June 2023
	Working Group Workshop 2 (online through Miro)	13 June 2023
	Heritage Advisory Committee (Action Discussion)	17 August 2023
	Heritage Advisory Committee review	September 2023
Stage 3	Draft Community Engagement	Date
	Let's Talk online (26 September – 30 October 2023)	26 September 2023
	Heritage Advisory Committee meeting update	19 October 2023
	Meeting with National Trust (Bendigo Branch)	24 October 2023
Stage 4	Completion of Strategy	Date
	Let's Talk online update on community feedback	5 February 2024
	Heritage Advisory Committee presentation / update	22 February 2024

### Community Engagement Summary

The draft Heritage Strategy and Action Plan was released for public consultation on 26 September 2023 for a period of five weeks. The City's Let's Talk page invited community members to review the draft Strategy and rank their top five actions that the City should prioritise over the next four years. A list of 32 heritage groups, societies and contacts were also sent email notification inviting them to provide feedback. From this direct notification, City staff met with the National Trust Bendigo Branch to discuss the Strategy.

The following is a summary of the community's involvement during the engagement period:



The top ranked priority actions were:

1. *Continue to promote heritage and heritage venues through tourism events and heritage attractions.*
2. *Establish routine heritage asset management and conservation of Greater Bendigo owned and managed heritage properties.*
3. *Review existing conservation management plans for Greater Bendigo owned and managed places and identify and prioritise which plans need review and which places require a plan to be prepared.*
4. *Increase public education and awareness of built heritage with release and advertisement of the trial financial assistance grant program.*
5. *Continue engagement with Traditional Owners and seek opportunity for staff training.*

The most common themes from the comments, submissions and meeting were:



The above summary has been provided on Let's Talk.

### *Built Form Heritage*

In response to this feedback, the following has been added to the Strategy:

- Reference to other important heritage buildings and places.

### *Natural and Landscape Heritage*

In response to this feedback, the following has been added to the Strategy:

- Information about the current strategic planning project for Mandurang Valley / Big Hill area (investigating the application of the Significant Landscape Overlay) and existing landscapes protected by the Heritage Overlay.
- Information about current work that the City is doing to investigate the potential for a significant tree register.

### *Suggested inclusions for the Strategy*

In response to this feedback, the following has been added to the Strategy:

- Reference to the City of Greater Bendigo community vision and our ambitions for heritage that build on this vision, along with goals that connects to the heritage themes.
- Information about the process followed in preparing the Strategy.
- Information about the Victorian Goldfields World Heritage Bid.
- More clarity around the action and the assistance provided to historical societies.
- Additional information about the need for cataloguing and assessment of objects before displaying.
- Reference to other relevant projects such as the City Centre Plan.
- Timing column added to the action plan so that each action has an anticipated time for completion (or identified as ongoing).

### *General support to continue the protection of heritage*

No changes were required to be made to the Strategy in response to this feedback.

### *Queries about content and actions chosen*

Some comments were made about the priority actions, with comments suggesting the actions are too 'low level' and 'inward facing'. Given this is a four-year Strategy, more emphasis has been placed on the longer-term vision and the foundational work the actions aim to achieve. Furthermore, as this is the first heritage strategy the City has undertaken, it's important that actions can be met within allocated resources and within realistic timeframes. The progress and timing of existing heritage related projects, budgets and available resourcing has influenced suitable actions.

Other feedback

Other feedback received was out of scope and therefore was not considered in finalising the Strategy. This included requests for action/s that did not meet statutory requirements, were covered by other strategies or plans that have been completed or underway (e.g. the City Centre Plan 2020, the Urban Design Framework and the Commercial Heritage Design Guidelines) or were not possible to be included at this stage due to resource and budget limitations.

Changes to actions

The final changes include some separated actions, 12 new actions and 1 deleted action:

Change	Description
Revised Action	<i>Actions 1.6, 2.2, 2.3 and 3.3 have each been split into two separate actions for clarity and management purposes, with some re-wording.</i>
New Action	<i>1.9 Require an Aboriginal Cultural Values Assessment to be undertaken early in the planning process for major rezoning and large projects, with a description about how the findings of each assessment has informed design.</i>
New Action	<i>1.11 Enable the City's planners to undertake regular heritage training.</i>
New Action	<i>1.12 Prepare a budget submission for recurrent funding to continue the preparation of heritage studies and assessments and the documentation of oral histories.</i>
New Action	<i>2.6 Advocate for the reuse and restoration of privately-owned, high profile heritage sites, including key historic features such as signs.</i>
New Action	<i>2.7 Investigate options for preventing privately owned heritage buildings falling into disrepair.</i>
New Action	<i>2.8 Enable regular activation of the Bendigo Gasworks site while the future planning for the site is being determined.</i>
New Action	<i>3.2 Provide information on the City's website about restoration and maintenance to assist property owners in caring for heritage.</i>
New Action	<i>3.6 Develop Heritage Design Guidelines for commercial areas.</i>
New Action	<i>3.7 Provide opportunities, and where available financial assistance, for specialised tradespeople and community-based history and heritage organisations to share information on events, oral histories, studies and places.</i>
New Action	<i>3.8 Provide educational opportunities to share heritage planning knowledge with students.</i>
Deleted Action	<i>4.3 Develop consistent interpretation signage of Greater Bendigo owned or managed heritage buildings (Signage Policy already exists which includes design styles for heritage places and interpretation is now included at 4.8).</i>
New Action	<i>4.6 Support the Victorian Goldfields World Heritage Bid in partnership with 14 other local Councils, State and Federal Governments and plan for tourism related opportunities.</i>

Change	Description
New Action	<i>4.7 Develop a living art space at the Bendigo Visitor Centre to showcase historical trades and artisan handmade products.</i>
New Action	<i>4.8 Encourage heritage interpretation on City owned sites, including tangible and intangible information.</i>
New Action	<i>4.9 Promote Bendigo events during the annual National Trust Heritage Festival.</i>

### **Strategic Report on Greater Bendigo's Historical Artefacts 2017**

Some of the actions in the Heritage Strategy build on information detailed in the *Strategic Report on Greater Bendigo's Historical Artefacts (Cardamone, 2017)*. This report was commissioned by the City to examine the current situation for community collections and collecting groups in the Greater Bendigo municipality and examine the major challenges they face.

Council considered this report at the Council meeting on 19 September 2018 and resolved to:

- Develop a City of Greater Bendigo collection policy to be applied on completion of the historic and heritage objects and artefacts audit.
- Establish a governance framework that requires all groups seeking support for storage to have a collection policy and ensure it has been applied appropriately.
- Undertake a feasibility study for the development and management of an object storage and preservation facility.
- Acknowledge the role the Post Office Gallery provides, with the support of the Bendigo Heritage Representative Group, in the display of collections items from local heritage groups.\*
- Actively monitor the progress of recommendations 1–3 of the Strategic Artefacts Report (SAR) to enable an informed discussion with the community on the feasibility of a new museum for Bendigo.
- Write to all participant groups of the SAR, thanking them for their involvement and updating them on the outcomes of this Report.

\* Since September 2018 the Post Office Gallery has changed focus and is now dedicated to First Nations exhibitions.

With regards to the fifth action above, recommendations 1 to 3 of the report are to:

1. Establish and staff an object storage and preservation facility.
2. Support viability of the groups.
3. Engage in contingency planning.

The following has been achieved to date:

1. A Heritage Collections Officer role was created at the end of 2019. The officer is tasked with creating and managing the new civic collection in line with museum best practice standards.
2. A Civic Collection Policy was approved on 13 December 2022 to guide the development of the collection and assist with decision making.
3. Ongoing support is provided to collecting groups by the Heritage Collections Officer to manage their collection and to create a collecting policy. Sessions are also hosted by external guest speakers where collecting groups are invited to attend and learn new skills.

## **Financial Sustainability**

The project is being managed within the Strategic Planning operating budget.

The actions will primarily be undertaken by City staff within existing budgets. The progress and timing of existing heritage related projects, budgets and available resourcing has informed the prioritised actions.

## **Risk Assessment**

The Heritage Strategy brings all aspects of heritage together into one plan and identifies the current and future work that is proposed over the next four years to enhance heritage. External stakeholders might have expectations about additional work that could be undertaken, or about the funding and timing of work identified in the Strategy. The Heritage Strategy has been prepared having regard to available / likely budget and resourcing to enable its success.

## **Policy Context**

### ***Primary Council Plan Reference***

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025  
Outcome 6 - A vibrant, creative community

### ***Secondary Council Plan Reference(s)***

Goal 5 - Recognise and celebrate our significant national and international heritage

### ***Other Reference(s)***

*Greater Bendigo Thematic Environmental History 2013*  
*City of Greater Bendigo Heritage Gap Analysis 2019*

### **Conflict of Interest**

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

### **Attachments**

1. Heritage Strategy and Action Plan 2024-2028 [**20.2.1** - 40 pages]

### 20.3. Community Feedback from Animal Petting Zoos and Fireworks (Notices of Motion)

Author:	Aleisha Verwoert North, Manager Communications
Responsible Directors:	Rachel Lee, Director Strategy and Growth  Stacy Williams, Director Healthy Communities and Environments

#### Purpose

This report responds to two Council Notices of Motion endorsed at the May 2024 Council meeting, which requested that staff consult the community and investigate alternative forms of entertainment to the use of fireworks and animals at events run by the City of Greater Bendigo only.

#### Recommended Motion

That Council:

1. Support the continued use of fireworks and animal-based entertainment at City of Greater Bendigo events, as appropriate
2. Consider the use of alternate options for fireworks in the future, as budgets allow and technology evolves
3. Strengthen the City's processes when contracting licensed operators to provide animal-based entertainment
4. Request the City review fireworks and animal-based entertainment in 3 years, or earlier as appropriate.

#### MOTION

That the recommended motion be adopted.

Moved: Cr Sloan

Seconded: Cr Evans

**Resolution No. 2024-179**

**CARRIED**

#### Executive Summary

At the May 2024 Council meeting, Council supported two Notices of Motion that requested staff consult with the community and investigate alternative forms of entertainment to the use of fireworks and animals at events run by the City of Greater



Bendigo only, prior to a report being presented at the September 2024 Council meeting.

A Notice of Motion is best described as a Councillor-led request for action on a certain issue.

The Notices of Motion were prompted by concerns that such forms of entertainment are not inclusive of all people and cause distress to animals and wildlife, and, in the case of fireworks, are not always environmentally suitable or environmentally friendly.

Between July 8 and July 29, 2024, the City consulted with residents regarding their views on the use of fireworks and animal-based entertainment.

Since the May meeting, City staff have also investigated alternate types of entertainment that are more inclusive for people and safer for animals and wildlife. It is important to note that in this instance fireworks do NOT relate to the use of firecrackers that form part of many local Chinese celebrations. They are NOT within the scope of this decision.

## **Background**

Previous Council decision dates:

- May 27, 2024 – Council Notices of Motion to seek community feedback and provide options for alternate forms of entertainment when it comes to the use of fireworks and animals at City of Greater Bendigo events only, which are more inclusive for people, safer for animals and wildlife, and, in the instance of fireworks, less susceptible to being impacted by environmental events such as fire risk and wind.

## **Report**

Between Monday July 8 and Monday July 29, the City consulted with the community regarding its views on the use of fireworks and animals as a form of entertainment at City events only.

These events include the New Year's Eve and Bendigo Easter Festival Easter Saturday fireworks displays, and use of petting zoos, wildlife displays and pony rides at events including the Bendigo Easter Festival, Fun Loong Fun Day and Play in the Garden Day.

Two separate surveys were prepared for the community to respond to. Both surveys asked for the respondent's age and suburb, to demonstrate the surveys had collected data from across the municipality and age groups.

Animals questions:

1. Have you attended any of the below animal activities in the last 3 years?
  - a. Easter Festival – petting zoo
  - b. Fun Loong – petting zoo/reptile displays
  - c. Play in the Garden Day – petting zoo/pony rides
  - d. None of the above
2. What is your view on whether the City should continue with animal activities in the future?
  - a. Yes, they should continue
  - b. No, they shouldn't continue
3. Provide the reason you answered yes/no

Fireworks questions:

1. Have you attended the New Year's Eve fireworks display in the last 3 years?
  - a. Yes
  - b. No
2. Have you attended the Easter Festival fireworks display in the last 3 years?
  - a. Yes
  - b. No
3. What is your view on whether the City should continue a New Year's Eve fireworks display in the future?
  - a. Yes, they should continue
  - b. No, they should not continue
5. Provide the reason you answered yes/no
6. What is your view on whether the City should continue an Easter Festival fireworks display in the future?
  - a. Yes, they should continue
  - b. No, they should not continue
7. Provide the reason you answered yes/no

Via the Let's Talk Greater Bendigo online community engagement platform, the City received a total of 3,958 responses, of which 3,874 were valid (responses were considered invalid if the respondent had never attended any City-run event relating to

the consultation and their given suburb or town was outside of the City of Greater Bendigo).

The number of invalid responses for the animal survey was 61 and for the fireworks survey was 23.

For the purposes of this report, only the number of valid responses are referenced below. However, given the high volume of feedback received, removing the invalid responses had little impact on the data.

#### Animals:

- 2,448 responses received
- 2,182 responses were in favour of maintaining animal-based entertainment (92.3%)
- 183 responses were not in favour of maintaining animal-based entertainment (7.7%)

#### Fireworks (New Year's Eve)

- 1,426 responses received
- 1,053 responses were in favour of maintaining a New Year's Eve fireworks display (76.2%)
- 328 responses were not in favour of maintaining a New Year's Eve fireworks display (23.8%)

#### Fireworks (Bendigo Easter Festival, Easter Saturday)

- 1,426 responses received
- 1,026 responses were in favour of maintaining the Easter Saturday fireworks display (75.4%)
- 334 responses were not in favour of maintaining a New Year's Eve fireworks display (24.6%)

This was the highest amount of feedback ever received for a project on the Let's Talk Greater Bendigo platform since it was launched in February 2021.

Responses to both surveys engaged a broad spectrum of the community, with the surveys attracting responses from the under 18 age group through to people aged over 70. The most feedback received for both surveys was from the 31-40, 41-50 and 51-60 age brackets. Across all age groups there was universal support for both animal-based entertainment and fireworks displays.

Due to the scale of responses, a rigorous data assessment process was put in place. Whereby all data received was themed and coded, which meant putting like responses together, and this process was overseen by two staff members to ensure fairness and interpretation of data was consistent.

Across both the animal and fireworks surveys, the most used word in the written submissions was 'joy'.

For the animal and fireworks surveys respectively, 48% of respondents and 60% of respondents used the word 'joy' to describe engaging with these events.

For the animal survey other commonly used words from those in favour of animal-based entertainment were 'access' (49%), 'education' (33%), 'ethical provision' (25%), 'connection' (18%), 'free and family-friendly' (11%), and 'tourism' (2%).

For those who were not in favour of animal-based entertainment continuing, key words used included 'animal welfare' (89%) and 'alternatives' (7%).

For the fireworks survey, other commonly used words from those in favour of fireworks displays were 'connection' (31%), 'free and family-friendly' (25%), 'tradition' (23%), 'tourism' (13%), 'responsible pet ownership' (5%), and 'safe access' (5%).

For those who were not in favour of fireworks displays, key words used included 'animal welfare' (63%), 'environment' (33%), 'alternatives' (29%), 'cost' (25%), 'redistribution' (19%), and 'human distress' (12%).

Across both surveys, there was general disappointment expressed that Council would consider alternative forms of entertainment. With many in our community under financial pressure, for Council to consider taking away such accessible forms of entertainment was an emotional trigger for some of those surveyed.

As part of the feedback, there was also reference to the City diverting funds spent on these events/activities to support issues such as homelessness and helping the community address the current cost-of-living crunch. Direct support on such issues is not the responsibility of Local Government, however related to this is Local Government's ability to deliver free and low-cost forms of entertainment that are accessible by a broad section of the community.

Regarding the Notice of Motion for the use of fireworks, some of the decision making that informed commencing community consultation focused on fireworks excluding people who are neurodivergent or on the autism spectrum, yet there was feedback on the contrary from people who consider themselves neurodivergent or autistic, who appreciate the opportunity to attend fireworks displays.

However, it should be noted that displays such as fireworks are experienced differently by individuals for a range of reasons, and this kind of feedback within the data collected is a very small sample of the broader community.

As part of the Notices of Motion, City staff investigated alternative entertainment options.

Regarding an alternative to fireworks, three quotes were sourced from three separate providers. A drone show between 8 – 12 minutes long (the same length of time as the current fireworks displays) ranged in cost from \$67,500 to \$240,000 per show (on New Year's Eve, two out of three quotes indicated costs would double to cover the 9pm and midnight timeslots).

The City currently has a contract in place for the supply of fireworks. While this is subject to commercial in confidence, there is a significant cost difference between a fireworks display and drone display.

However, it should be noted that the City's current contractor uses the Ekostar fireworks products, which are considered low emission, eco-friendly pyrotechnics with minimal, if any, plastics and makes use of recycled paper and cardboard across its range, and is committed to trialling and implementing alternative components like cornstarch, wheat and rice straw, and other plant-based products instead of the usual chemicals. After each display, there is also a thorough site clean-up conducted.

In January 2023, the CSIRO published a paper by Philip W. Bateman, Lauren N. Gilson and Penelope Bradshaw, on the effects of fireworks, it included the following statement:

"The future of 'firework' displays may lie in the use of drones or unmanned aerial vehicles. Drones and visible-wavelength lasers for light shows have the benefit of being reusable, have no emissions, and are quiet (Daukantas 2010; Zerlenga et al. 2021). Drones come with their own issues for wildlife, however, usually flying at low altitudes where they are most likely to come into contact with wildlife; a review indicated that many taxa react negatively to the presence of a drone (Rebolo-lfrán et al. 2019). Even so, drone light shows are less likely to disturb animals, wild or domestic, with noise, nor do they deposit large amounts of pollutants."

The paper also acknowledged the noise and light disturbances caused by fireworks for animals and humans, and the health and environmental impacts.

Advice from the City's Animal Services team confirmed the number of stray animals as a result of fireworks have decreased over recent years, from nine in 2020, one in 2021, two in 2022, two in 2023 and nil in 2024.

The pros and cons of using fireworks versus drones is briefly outlined below:

### Fireworks

Fireworks		Drones	
Pros	Cons	Pros	Cons
Cost effective	Noise of the fireworks can frighten or distress children	Drones are less of a fire risk	Very expensive compared to fireworks
More of a 'wow' factor	There is increased risk of fires with fireworks	Drones don't release as many chemicals as fireworks do	Drone batteries can be affected by ambient weather conditions, e.g. wind and cold temperatures
Fireworks can be displayed in cool or drizzly weather	Noise can frighten or disrupt animals	Drones can be used for hundreds of displays before needing to be replaced	Drone batteries only last between 15 - 30 minutes
With strong safety standards in Australia, fireworks are very safe when handled by professionals	potential for environmental pollution EG discarded shells; air pollution; soil water air land pollution;	More control with drone light shows to create imagery relevant to a particular song, event or brand.	Drones have fallen into water and are hard to retrieve
Audio equipment not required, saving on cost	Can be affected by ambient weather conditions i.e. wind, rain etc. on the day	Minimal debris & litter after the drone display	Drones can disturb birds by the unfamiliar buzzing, leading to disrupted nesting & feeding patterns. Birds and flying animals can fly into drones

A separate alternative to fireworks and drones as a form of entertainment on New Year's Eve was also investigated and included staging an event similar to the Christmas tree light up, which is held every December to celebrate lighting the Christmas tree at the Rosalind Park piazza. This would include live entertainment, roving characters, interactive circus games and would require technical support

including sound and lighting, security and traffic management, and involve staging two very similar events a few weeks apart. The total cost for staging a six-hour event was on par with staging one drone show.

Regarding the use of animal-based entertainment, event evaluation shows that animals and face painting are the two most popular activities at the City's early years' events. The use of animals is also often in conjunction with a range of other activities, including The Zone (climbing walls, jumping castles), airbrush tattoos and henna painting, Discovery Centre activities, roving characters, stage entertainment (live music performances), organisations are also invited to provide events (e.g. Goldfields Library pop up, Bendigo Community Health Service healthy food education), seed planting, chill out zones, cultural art and craft activities.

Animal farms/petting zoos are featured to provide an opportunity for children who may have never seen a farm animal in real life to learn how to interact with them in a respectful and supervised way.

In line with the procurement policy, officers engage local mobile animal businesses that are staffed by expert animal handlers who have many years of experience working with animals and children.

There are several measures already in place to ensure animal safety and wellbeing and address risk, including:

- Event risk management plans that address issues of support, care and animal welfare
- Locating animals in shade with adequate water supply
- Providing soft surfaces (straw/hay) to minimize impacts on animals from hard surfaces
- Fencing that ensures animals are housed separately and not all together
- Only allowing contact with animals through fencing and not walking through pens, allowing animals space to rest away from petting
- Adequate supervision and staffing with animals at all times

The City has no record of any customer complaints regarding animals as part of events. We have also not received any concerns about the conduct of any of the animal business used as part of City-led or partner events. Animal welfare is always a foremost priority for the businesses.

Animal welfare matters are currently regulated by the RSPCA Vic and its Inspectorate under the Prevention of Cruelty to Animals Act 1986. The RSPCA receives significant government funding to undertake this work and operate under a MoU with DEECA.

### ***Priority/Importance***

Council tasked staff to report back to the September 2024 Council meeting.

### **Communications/Engagement**

- May 27 – Council Notices of Motion supported
- June – July – City staff investigate alternative entertainment options
- July 8 – July 29 – Community engagement undertaken via Let's Talk Greater Bendigo online community engagement platform, including direct email to subscribers to the platform
- July 8 – July 29 – Various social media posts on the City's Facebook and Instagram accounts, and CONNECT Greater Bendigo Facebook account
- July 12, 19 – Advertisement in Bendigo Times
- July 12, 19 – Advertisement in Mclvor Times
- July 13, 20, 27 – Advertisement in Bendigo Advertiser
- July 13 – Staff attended the Bendigo Farmers Market, spoke with more than 140 people
- July 15, 22, 29 – Promotion included in City's weekly e-newsletter
- July 16 – Visited Long Gully Neighbourhood House
- July 21 – Staff attended the Australian Sheep and Wool Show, spoke with more than 130 people
- July 22 – Visited Bendigo Senior Secondary College
- July 22 – Visited headspace Bendigo to understand mental health aspects of fireworks and animals
- 250 flyers distributed with QR code to the surveys, including to Heathcote, Marong, Long Gully, Eaglehawk, Maiden Gully and Axedale neighbourhood houses
- Flyer emailed to the Department of Education to send to relevant contacts and schools

### **Financial Sustainability**

As outlined in the report, there would be a significant cost associated with providing alternative, large-scale mass forms of entertainment to the community, particularly in relation to replacing the use of fireworks.

However, as technology continues to improve and costs adjust, entertainment options such as drones may become more affordable.

### **Risk Assessment**

An engagement opportunity such as this where residents are being asked for their opinion must be genuine in seeking and listening to community feedback.



To demonstrate Council has acted in good faith and to ensure residents continue to trust the City's community engagement processes are genuine when seeking feedback, it is essential Council give serious consideration to the responses provided.

## **Policy Context**

### ***Primary Council Plan Reference***

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025  
Outcome 6 - A vibrant, creative community

### ***Secondary Council Plan Reference(s)***

Goal 2 - More activated spaces

## **Conflict of Interest**

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

## **Attachments**

Nil

## **20.4. Post-war Thematic Environmental History - Community Consultation Undertaken and Draft Report for Endorsement**

Author:	Richie Dean, Strategic Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

### **Purpose**

This report provides an overview of the Post-war Thematic Environmental History, 1945-1980 (the Study) and the consultation undertaken to date. It recommends that Council note the study which will be used to inform future Stage 2 studies.

### **Recommended Motion**

That Council endorse the Post-war Thematic Environmental History, 1945-1980 (Attachment 1).

### **MOTION**

That the recommended motion be adopted.

Moved: Cr Fagg

Seconded: Cr Alden

### **Resolution No. 2024-180**

**CARRIED**

### **Executive Summary**

A thematic history provides an historical overview of an identified area or themes, and considers buildings, industry, transport, communities and social activities. The thematic history assessment helps to identify and provide the justification for places to be considered for more detailed heritage assessment, and potentially heritage protection. A thematic history is not a heritage study and does not include detailed analysis of individual places and properties required to inform any proposed application of a heritage overlay.

While the City has an adopted Greater Bendigo Thematic Environmental History 2013, this does not cover the Post-war period. The evolution of heritage over time means that this period has been identified as a gap in recent years. Given the potential heritage significance of some properties and places from the Post-war period and the limited current justification for the heritage protection of properties, it was important to complete this study.

To progress this gap, the City appointed consultants (Extent) in February 2024 to prepare the Study.

After undertaking background research, including accessing records from the Bendigo Library and Public Records Office, the consultants undertook community and stakeholder engagement, which included a workshop. In addition, residents had the opportunity to nominate a property via an online engagement tool with 31 suggestions of places with potential heritage significance from the period nominated. A copy of the draft Study was then circulated to participants of the workshop and to the Heritage Advisory Committee.

The completion of this Study provides important justification for the historical themes of the Post-war era and helps to identify potential places and properties which require more detailed investigation and research as part of future Stage 2 heritage studies for different precincts or areas. These studies would be the subject of further consultation.

## **Background**

In 2011 the City appointed consultants to progress a Thematic Environmental History. This study outlined the key themes to development of the municipality including places, sites, landscapes and events.

This did not consider the Post-war period. The evolution of heritage over time has meant that new places or buildings may now be recognised for their heritage significance, and the Post-war period has been identified as a gap.

The City appointed consultants to progress the Study in February 2024.

Previous Council decision dates: Thematic Environmental History adopted July 31, 2013.

## **Report**

The Study is focused on the development of (what is now) the City of Greater Bendigo from 1945 - 1980. It identifies that this period was characterised by significant social, transport and economic change. This includes commercial and suburban expansion, a dramatic increase in car use and the rise in a range of social movements.

The Study is structured under the following themes:

1. Transforming and Managing Greater Bendigo's Land and Natural Resources
2. Shaping Greater Bendigo's Environment
3. Building Greater Bendigo's Industries and Workforce
4. Peopling Greater Bendigo's Places and Landscapes
5. Connecting Greater Bendigo by Transport and Communications

6. Building Greater Bendigo's Community Life
7. Governing for the Greater Bendigo Area
8. Shaping Greater Bendigo's Cultural and Creative Life

The Study identifies various places which demonstrate the relevant theme and show how Greater Bendigo evolved over this period. These range from industrial buildings, houses through to bus depots.

The Study will help to form the basis for more detailed analysis in future Stage 2 studies for precincts and areas. Stage 2 studies would identify places and properties to be considered for future application of heritage overlays based on recognised heritage criteria.

### ***Priority/Importance***

While not a high priority this work helps to identify the important places for consideration for a future heritage study. Without this work more places may be lost which may be significant in the development of Greater Bendigo during the Post-war period.

### ***Options Considered***

There are no options considered as part of this report.

### ***Timelines***

This report is now complete.

Stage 2 studies will commence based on staff resourcing and budget.

### ***Communications/Engagement***

Consultants for the project facilitated a two hour in-person community and stakeholder workshop in February 2024. The session had five attendees with two members of the Heritage Advisory Committee present. It was a productive workshop with extensive input and insight provided on Greater Bendigo's Post-war history. Workshop attendees were kept informed during the project and invited to provide feedback on the consultant's draft study.

The online engagement tool on the City's Let's Talk Platform received 31 submissions for suggestions of places with post-war significance.

### ***Financial Sustainability***

The funding to complete the Study was covered within the Strategic Planning operational budget.

Resourcing and budget will need to be allocated to complete future Stage 2 studies, and to progress a planning scheme amendment process to implement the recommendations of the studies.

### **Risk Assessment**

This Study helps to reduce risks by making it clear on the themes and places that need to be investigated further for heritage significance.

This will help in ensuring that buildings and places important to the historical development of Greater Bendigo are protected.

### **Policy Context**

#### ***Primary Council Plan Reference***

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025  
Outcome 6 - A vibrant, creative community

#### ***Secondary Council Plan Reference(s)***

Goal 5 - Recognise and celebrate our significant national and international heritage

### **Conflict of Interest**

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

### **Attachments**

1. Greater Bendigo - Post-war Thematic Environmental History FINAL [20.4.1 - 101 pages]

**21. A SAFE, WELCOMING AND FAIR COMMUNITY**

Nil

**22. URGENT BUSINESS**

Nil

**23. NOTICES OF MOTION**

Nil

## 24. MAYOR'S REPORT

The Mayor, Cr Andrea Metcalf, tabled a report on attendance at the following meetings and events:

- Flood funding announcement by Lisa Chesters MP, Federal Member for Bendigo.
- Media opportunity with Premier The Hon. Jacinta Allan MP, Maree Edwards MP Member for Bendigo West and Lisa Chesters MP Federal Member for Bendigo to promote new pedestrian crossings on Pall Mall.
- Official Opening of Bendigo Community Health Services "Wanyanimbik Wayawan Wellness Centre".
- Central Vic Community Forum: Saving Nature, Saving Ourselves.
- Spoke at the Sree Krishna Janmashtami 2024 held by the Kerala Hindu Society of Bendigo Inc.
- Luncheon at Bendigo and Adelaide Bank for Marnie Baker to introduce Richard Fennell incoming CEO and Managing Director.
- Official naming event for Lar Birpa.
- Recycling Victoria Local Government Advisory Committee (LGAC) Meeting #4.
- Celebrate the success of the Money Mindset Project held at Bendigo Library.
- Co-chaired the Joint Council and Youth Council Meeting.
- Regional Cities Victoria Executive Management Group online meeting.
- Spoke at the Sod Turning event for Marong Kindergarten.
- City of Greater Bendigo Audit and Risk Committee.
- Spoke at the official book launch *Creative Heathcote* showcasing Heathcote artists and creatives.
- Meeting with Qantas representative.
- Officially launched the Fibre - Exhibition Opening held at Djaa Djuwima.
- Spoke at the Official Opening Stage 1 Food Relief Warehouse Community Food Hub.
- Online meeting with The Hon. Maree Edwards and City of Greater Bendigo.
- Startup Central Victoria Showcase celebrating the achievements of participants in the Startup Central Victoria 2024 Pre-Accelerator Program.

- Participate in filming for the Intercultural Ambassadors Graduation.
- Reopening of the Bendigo Pottery Antique and Collectables Centre.
- Hosted Recognition Reception for our local Paris Olympians held at the Bendigo Town Hall.
- Greater Bendigo Climate Collaboration Governance Group Meeting.
- Whipstick Ward Engagement - White Hills Listening Post at Vibe Street Eats.
- Kennington Friends of Red Cross Celebrating 110 years of community presence.
- Meeting with Bagshot Community – *meeting 1*.
- Officially welcomed the Vietnamese Delegation visiting City of Greater Bendigo.
- Greater Bendigo Safe Community Forum.
- Presented with the *The Robots are Coming* Time Capsule presented by local artists to be reopened June 2036.
- MAV Gala Dinner & Councillor Service Awards – accepted the Mayoral Emeritus Award for serving three terms as Mayor.
- Spoke at the 2024 Passions & Pathways Bendigo Expo.
- Spoke at the Launch Ceremony of the Chinese Film Festival.
- Spoke at the Bendigo Malayalee Association Onam Celebration.
- Bendigo Youth Choir's 40th Anniversary Concert.
- Spoke at the Intercultural Ambassadors Graduation.
- Laid a wreath at the service then spoke at the Bendigo District RSL Annual Dinner.
- Meeting with Bagshot Community – *meeting 2*.
- Spoke at the Australian Youth Volleyball Championships Opening Ceremony.
- Michelsen & Thompson Medal - Bendigo Football Netball League.
- Spoken with residents, businesses and community groups regarding a wide range of issues.
- Participated in numerous radio, newspaper, television media interviews and photo opportunities.



## **25. CHIEF EXECUTIVE OFFICER'S REPORT**

### **Managed Growth Strategy**

Approving the Managed Growth Strategy is a significant milestone in the life of this project and the growth of our City. I know it has also been a priority of the legacy of your term also

### **Mayor Metcalf Mayor Emeritus Award**

I had the pleasure of attending the MAV Dinner last week where our Mayor, Cr Andrea Metcalf received Mayor Emeritus Award.

Mayor Emeritus is awarded to any serving Victorian Councillor that has completed three full terms as Mayor.

On behalf of the staff of the City I would like to again congratulate you on receiving this award and thank you for your efforts as Mayor of our municipality over the past 3 years

### **Bendigo Bank MD**

I attended the function to thank Marnie Baker, departing MD of the Bendigo Bank and welcome Richard Fennell as the Bank's new MD. Marnie has made a significant contribution to bank, community and regional life across our City and region for 35 years. There are multiple communities proud of what Marnie has achieved, including Cohuna where Marnie is from.

It was to great meet with Richard also and hear about his career and commitment to ensuring Bendigo Bank continued a strong presence in our City.

### **Finals preparations**

Finally, I would like to acknowledge the efforts of everyone involved in the sporting finals across our region. This is the culmination of a large seasons work and dedication from coaches, players, staff and volunteers. A special thanks also to our staff who work to help get the grounds and facilities ready. Good luck to all the teams involved in the BFNL this weekend.

### **Commencement of Election Period**

Council will commence the Election Period at 12pm, 17 September 2024.

## **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 reports relating to:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (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;

### **MOTION**

That the recommended motion be adopted.

Moved: Cr O'Rourke

Seconded: Cr Sloan

**Resolution No. 2024-181**

**CARRIED**

## **27. CLOSE OF MEETING**

There being no further business, this Council Meeting closed at 9:55 pm.