

# COUNCIL MEETING MINUTES



**6:00 pm on Monday October 14, 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:**

- November 26, 2024 Mayoral Election - to be confirmed
- December 16, 2024 - to be confirmed

## 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
10. RESUMPTION OF STANDING ORDERS.....	8
11. COUNCILLOR RECOGNITION AND REFLECTIONS (2020 - 2024) .....	9
11.1. Recognition of Retiring Councillors .....	9
11.2. Cr Jennifer Alden Reflections .....	22
11.3. Cr Matthew Evans Reflections .....	24
11.4. Cr David Fagg Reflections .....	24
11.5. Cr Margaret O'Rourke OAM Reflections.....	27
11.6. Cr Greg Penna Reflections .....	31
11.7. Cr Julie Sloan Reflections .....	32
11.8. Cr Rod Fyffe OAM In Memoriam .....	33
12. DECLARATIONS OF CONFLICT OF INTEREST .....	37
13. CONFIRMATION OF PREVIOUS MINUTES .....	37
14. PETITIONS AND JOINT LETTERS .....	38
14.1. Petition Acknowledgement - Harcourt Dog Park, Strathdale Seating, Tables and Shelter.....	38
15. LEAD AND GOVERN FOR ALL .....	50

15.1. Contracts Awarded Under Delegation .....	50
15.2. Audit and Risk Committee Meeting Minutes .....	50
15.3. Annual Report 2023/2024 .....	53
16. HEALTHY, LIVEABLE SPACES AND PLACES.....	56
16.1. 8 Highbury Court, Strathdale - Alterations and Extension to Existing Dwelling .....	56
17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY .....	93
18. ABORIGINAL RECONCILIATION .....	93
19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT.....	93
20. A VIBRANT, CREATIVE COMMUNITY .....	93
21. A SAFE, WELCOMING AND FAIR COMMUNITY .....	93
22. URGENT BUSINESS .....	93
23. NOTICES OF MOTION .....	93
24. MAYOR'S REPORT .....	93
25. CHIEF EXECUTIVE OFFICER'S REPORT.....	94
26. CONFIDENTIAL (SECTION 66) REPORTS .....	96

## **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

### **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 O'Rourke

Seconded: Cr Penna

**Resolution No. 2024-185**

**CARRIED**

## 8. COMMUNITY RECOGNITION

To our community section tonight...

Congratulations to boxer Tommy Fitzgerald, who has recently been crowned champion of the Australian National Boxing Federation's lightweight (61.2kg) division. Wishing Tommy all the best for future bouts.

Our sporting facilities were looking a picture for the recent Bendigo Football and Netball League Grand Finals. A big congratulations to all title winners, including Sandhurst who created history by winning all three footy premierships in the one season for the first time in their 163-year history. I'm sure the Dragons are still celebrating!

There was success on the court as well as the field for the Dragons, with young netballer Claire McGee ending the day with three medals. Claire started the day playing in and then celebrating the 17-and-under Dragons team's premiership win against Golden Square.

While the team was celebrating their win, an unfortunate injury in the B-reserve team meant Claire was needed on court again, helping the side to a premiership and earning the best on court medal for a standout performance at goal shooter. Congratulations Claire.

Bendigo has proven a pathway for AFLW, with another former Bendigo Pioneer in Keely Fullerton making her debut recently for the Gold Coast Suns. Although the Suns didn't get the win over Collingwood, Keely made the highlights reel with a sensational chase and rundown tackle. All the best for the remainder of the season, Keely.

I'm also delighted to note that Bryde O'Rourke made her AFLW debut for Geelong earlier this month. Bryde of course is the daughter of Cr Marg O'Rourke and was a father-daughter pick for the Cats with Dad Ray playing in 1969. Unfortunately, Bryde hurt her collarbone during the match, so best wishes in recovery Bryde.

Congratulations as well to graphic designer Kylie Strachan, who has been nominated for best cover art at the ARIA Awards 2024. Kylie has been nominated for her work on *Kill the Dead*, the debut album of First Nations trio 3%. Best of luck, Kylie!

That ends our Community Section for this month.

## **9. PUBLIC QUESTION TIME**

Public Question Time is suspended during the Election Period in accordance with the [Election Period Policy](#).

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

That Standing Orders be resumed.

Moved: Cr Penna

Seconded: Cr O'Rourke

**Resolution No. 2024-186**

**CARRIED**



## **11. COUNCILLOR RECOGNITION AND REFLECTIONS (2020 - 2024)**

### **11.1. Recognition of Retiring Councillors**

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

#### **Purpose**

The purpose of this report is to acknowledge the service to the community of Councillors not recontesting the local government election in October 2024. This includes Councillors Jennifer Alden, Matthew Evans, David Fagg, Margaret O'Rourke OAM, Greg Penna, Julie Sloan and the late Rod Fyffe OAM.

#### **Background**

The October 14 Council Meeting is the last Council meeting for the 2020-2024 Council. It is a fitting opportunity for Councillors to formally recognise their years of service to the Eppalock, Lockwood and Whipstick Wards and the Greater Bendigo community.

#### **Report**

#### **Council Achievements 2020 - 2024**

##### **2020 (Council elected in October)**

- The City became the first local government in Australia to be accredited as a Welcoming City by the Welcoming Cities Network.
- The City announced plans for new female-friendly and accessible facilities at Strathfieldsaye Sports Centre community hub.

##### **2021**

- The 2021/2022 Budget included a \$2M COVID-19 support package for businesses and the community. It included \$729,000 for business support grants, which supported 104 local businesses.
- Council adopted a new Council Plan, community vision, 10-year Financial Plan, and Municipal Public Health and Wellbeing Plan.
- The new Kangaroo Flat Library opened on Lockwood Road.
- The City was one of 46 Victorian councils to sign onto the Victorian Energy Collaboration, the largest-ever emissions reduction project undertaken by local government in Australia. The City's electricity is now powered with 100 per cent renewables.
- Construction started on the Larni Garingilang precinct at the Bendigo Botanic Gardens.

- The City of Sandhurst's 150th anniversary was marked with a plaque unveiling and a collection of Mayoress portraits was installed in the Bendigo Town Hall Council Chamber.
- The City purchased 155 hectares of land in Marong to support the development of the Bendigo Regional Employment Precinct.
- The Climate Change and Environment Strategy was adopted.
- *Djaara Lights* display unveiled in the City Centre.
- Construction on the Ewing Park precinct redevelopment and Mercy Junortoun Sports Precinct started.
- The updated Domestic Animal Management Plan was adopted.
- The updated Reducing Harm from Gambling Policy was adopted.

## 2022

- Bendigo Art Gallery exhibition *Elvis: Direct from Graceland* attracted more than 200,000 people.
- A Progress Pride Flag was unveiled on the forecourt of the Bendigo Town Hall as a symbol of support for the LGBTIQ+ community.
- The Gender Equality Action Plan and the Cultural Diversity and Inclusion Plan were adopted.
- Construction started on the Bendigo Airport terminal expansion and business park.
- The Bendigo Easter Fair celebrated 150 years.
- Bendigo Writers Festival celebrated its 10<sup>th</sup> anniversary.
- The Greater Bendigo Climate Collaboration was launched to support the City's goal of zero carbon emissions by 2030.
- The Active and Healthy Greater Bendigo Framework was adopted to guide investment in sport and recreation opportunities.
- The City welcomed Ukrainian Ambassador to Australia, Vasyl Myroshnychenko, at a civic reception.
- The City and Bendigo Art Gallery appointed Jackson Clements Burrows and Clare Design to design the Gallery's expansion project.
- Kennington Recreation Reserve's pavilion redevelopment opened.
- The City coordinated the Emergency Relief Centre at the Bendigo Showgrounds in response to the impacts of floods in the region.
- The Larni Garingilang precinct at the Bendigo Botanic Gardens was opened.
- A permanent First Nations gallery, Djaa Djuwima was opened in the Bendigo Visitor Centre.
- The new Lake Weeroona play space opened in time for the Christmas school holidays.

## 2023

- Free soft plastic drop off points were set up at Strathfieldsaye, Goornong and Heathcote transfer stations, and at the Eaglehawk Recycle Shop.

- Council endorsed the Zero Carbon – Net Zero Emissions Plan for Council operations 2023- 2030.
- Bendigo became the first regional city in Australia to stage Richard Wagner's epic opera series, the Ring Cycle.
- The Greater Bendigo Planning Scheme Review 2022 was adopted to enhance the scheme's effectiveness.
- A new Youth Action Plan was approved.
- Work started on the redevelopment of the former Municipal Baths.
- The Positive Ageing Action Plan adopted, which outlined its commitment to older adults in the community.
- A majority of City staff moved into Galkangu – Bendigo GovHub.
- The Community Aquatic Facilities Strategy was adopted to guide investment in public aquatic facilities for the next 10 years.
- Mercy Junortoun Sports Precinct opened.
- Hargreaves Mall Action Plan was adopted to revitalise Hargreaves Mall and City Centre.
- Biodiversity Strategy and Action Plan was adopted.
- Stage two of the Ewing Park redevelopment was completed.
- City farewells CEO Craig Niemann and appoints new CEO Andrew Cooney.
- Planning Scheme Amendment adopted to protect miners' cottages built during the gold rush.
- Purchase of Ryalls Lane, Strathfieldsaye.
- Purchase of BARC.

## **2024**

- Bendigo Athletics Track renamed Lar Birpa.
- City responds to three significant flood events and continued impacts across the municipality.
- Bendigo producers showcased at the G'Day USA Gala event in Los Angeles.
- Indian Consul-General, Dr Sushil Kumar, and the Indian High Commissioner, His Excellency Mr Gopal Baglay, visited Bendigo.
- The 150<sup>th</sup> anniversary of Australia's first women's cricket match, which was played in Bendigo, was celebrated with a commemorative game between Bendigo and Ballarat.
- Council endorses upgrades to the Bendigo Bowls Club and Croquet Club, Bendigo Showgrounds and Bendigo Stadium funded by the Victorian Government.
- E-scooter trial is launched in Bendigo.
- Council adopted the Managed Growth Strategy.
- Works on Strathfieldsaye Town Square commenced - a major \$1.5M project to create a town square and commercial heart where residents can shop, gather, meet, attend events and enjoy.
- The \$3M second stage of the redevelopment of the main building at the Strathfieldsaye Community Hub, Club Court was completed.

- Textile and soft plastics drop off made available at Eaglehawk, Strathfieldsaye, Goornong or Heathcote transfer stations.
- From February 2024 the weekly pick up of the residential organics bin commenced.
- Purchase of Backhaus Oval finalised.

### **Cr Jennifer Alden**

Cr Alden has been a Councillor with the City of Greater Bendigo since 2016 and served as Mayor 2020/21 and Deputy Mayor 2017/18 and 2022/23. Whilst Mayor, Cr Alden was Chair, Loddon Campaspe Councils Group and Deputy Chair for Regional Cities Victoria.

Cr Alden served on the following committees during the 2016 – 2020 Council term.

#### 2016-2017

Bendigo Maubisse Friendship Committee  
Finance Committee  
Greater Bendigo Rural Support Network  
Rural Communities Committee  
Sustainability and Environment Advisory Committee

#### 2017-2018

Bendigo Maubisse Friendship Committee  
Central Victorian Greenhouse Alliance  
Finance Committee  
Greater Bendigo Cultural Diversity and Inclusion Plan Community Reference Group  
Sustainability and Environment Advisory Committee

#### 2018-2019

Audit Committee  
Bendigo Maubisse Friendship Committee  
Central Victorian Greenhouse Alliance  
City of Gastronomy Application Management Team (internal)  
City of Gastronomy Application Reference and Advisory Group  
Farming Advisory Committee  
Finance Committee  
Gender Equity Working Group (Internal) and Gender Equity Coalition (External)  
Sustainability and Environment Advisory Committee

#### 2019-2020

Affordable Housing Action Plan Project Steering Committee  
Audit Committee  
Bendigo Tourism Board Incorporated

Central Victorian Greenhouse Alliance  
City of Gastronomy Advisory Committee  
Finance Committee  
Gender Equity Working Group and Gender Equity Coalition  
Public Spaces Advisory Committee  
Sustainability and Environment Advisory Committee

Cr Alden served as a Council representative on the following committees during the current term:

2020-2021

Audit and Risk Committee  
Bendigo Maubisse Friendship Committee  
Bendigo Safe Community Forum  
Central Victorian Greenhouse Alliance (CVGA) Board  
Creative City of Gastronomy Committee  
Economic Statement and Strategy Steering Committee  
Finance Committee  
Food System Strategy Reference Group  
Gender Equity Coalition  
Greater Bendigo Pandemic Relief and Recovery Committee  
Industrial Land Development Steering Committee  
Public Spaces Advisory Committee  
Sustainability and Environment Advisory Committee (SEAC)

2021-2022

Central Victorian Greenhouse Alliance (CVGA) Board  
Creative City of Gastronomy Advisory Committee  
Finance Committee  
Food System Strategy Reference Group  
Greater Bendigo Climate Collaborative (formally Bendigo Drawdown Project)  
Municipal Public Health and Wellbeing Plan  
Public Spaces Advisory Committee  
Sustainability and Environment Advisory Committee (SEAC)

2022-2023

Central Victorian Greenhouse Alliance (CVGA) Board  
Finance Committee  
Food System Strategy Reference Group  
Greater Bendigo Climate Collaborative  
Healthy Greater Bendigo Partnership Group  
Public Spaces Advisory Committee  
Creative City of Gastronomy Advisory Committee  
Sustainability and Environment Advisory Committee (SEAC)

2023-2024

Bendigo Art Gallery Board

Bendigo Writers Festival

Central Victorian Greenhouse Alliance (CVGA) Board

Creative City of Gastronomy Advisory Committee

Farming and Agribusiness Advisory Committee

Finance Committee

Food System Strategy Reference Group

**Cr Matthew Evans**

Cr Evans has been a Councillor with the City of Greater Bendigo since 2020 and served as Deputy Mayor 2021/22 and 2023/24.

Cr Evans served as a Council representative on the following committees during this term:

2020-2021

Arts and Creative Industries Advisory Committee

Bendigo Easter Festival Reference Group

Bendigo Invention and Innovation Festival (BIIF) Executive Committee

Bendigo Tourism Board Incorporated (deputy)

Cultural Diversity and Inclusion Plan Steering Committee

Finance Committee

Gender Equity Coalition

Public Spaces Advisory Committee

2021-2022

Arts and Creative Industries Advisory Committee

Bendigo Tourism Board Incorporated

Cultural Diversity and Inclusion Plan Steering Committee

Disability Inclusion Reference Committee (DIRC)

Finance Committee

Pandemic Relief and Recovery Committee

2022-2023

Arts and Creative Industries Advisory Committee

Bendigo Tourism Board Incorporated

Cultural Diversity and Inclusion Plan Steering Committee

Disability Inclusion Reference Committee (DIRC)

Finance Committee

2023-2024

Arts and Creative Industries Advisory Committee  
Bendigo Tourism Board Incorporated  
Disability Inclusion Reference Committee (DIRC)  
Finance Committee

**Cr David Fagg**

Cr Fagg has been a Councillor with the City of Greater Bendigo since 2020.

Cr Fagg served as a Council representative on the following committees during this term:

2020-2021

Affordable Housing Acton Plan Project Steering Committee  
Bendigo Manufacturing Group  
Finance Committee  
Municipal Fire Management Committee  
Public Spaces Advisory Committee

2021-2022

Finance Committee  
Heritage Advisory Committee

2022-2023

Finance Committee  
Heritage Advisory Committee

2023-2024

Finance Committee  
Heritage Advisory Committee

**Cr Margaret O'Rourke OAM**

Cr O'Rourke OAM has been a Councillor with the City of Greater Bendigo since 2016 and has served as Mayor four times 2016 – 2020.

Whilst Mayor, Cr O'Rourke OAM served in the following roles.

Chair Regional Cities Victoria (2017, 2018 & 2019)  
Chair Loddon Campaspe Councils Group (2016-2020)  
Local Government Mayoral Advisory Panel (2017 & 2019)  
Commenced the Pandemic Committee of leaders in Greater Bendigo.

Cr O'Rourke OAM served on the following committees during the 2016 – 2020 Council term.

2016-2017

Audit Committee  
Bendigo Airport Advisory Committee  
Disability Inclusion Reference Group  
Farming Advisory Committee  
Finance Committee  
Greater Bendigo Cultural Diversity and Inclusion Plan Community Reference Group

2017-2018

Audit Committee  
Bendigo Airport Advisory Committee  
Disability Inclusion Reference Group  
Epsom Ascot Huntly Structural Flood Mitigation Advisory Group  
Farming Advisory Committee  
Finance Committee  
Greater Bendigo Cultural Diversity and Inclusion Plan Community Reference Group  
Integrated Transport and Land Use Strategy (ITLUS) Community Reference Group  
Plan Greater Bendigo Steering Committee  
Sustainability and Environment Advisory Committee

2018-2019

Audit Committee  
Bendigo Manufacturing Group (BMG)  
Bendigo Maubisse Friendship Committee  
City of Gastronomy Application Management Team (internal)  
City of Gastronomy Application Reference and Advisory Group  
Cultural Diversity and Inclusion Plan Community Reference Group (CDIP)  
Disability Inclusion Reference Committee (DIRC)  
Farming Advisory Committee  
Finance Committee  
Integrated Transport and Land Use Strategy (ITLUS) Community Reference Group  
Integrated Transport and Land Use Strategy (ITLUS) Steering Committee  
Sustainability and Environment Advisory Committee

2019-2020

Audit Committee  
Bendigo Manufacturing Group (BMG)  
Bendigo Maubisse Friendship Committee  
Bendigo Safe Community Forum  
City of Gastronomy Advisory Committee  
Community Buildings Policy Project Working Group



Cultural Diversity and Inclusion Plan Steering Committee  
Disability Inclusion Reference Committee  
Economic Statement and Strategy Steering Committee  
Farming Advisory Committee  
Finance Committee  
Gender Equity Working Group and Gender Equity Coalition  
Industrial Land Development Steering Committee  
Sustainability and Environment Advisory Committee  
Wolstencroft Reserve Community Reference Group

Cr O'Rourke OAM served as a Council representative on the following committees during the current term:

2020-2021

Audit and Risk Committee  
Bendigo Manufacturing Group  
Bendigo Maubisse Friendship Committee  
Bendigo Tourism Board Incorporated  
Creative City of Gastronomy Committee  
Cultural Diversity and Inclusion Plan Steering Committee  
Disability Inclusion Reference Committee (DIRC)  
Farming and Agribusiness Advisory Committee  
Finance Committee  
Municipal Association of Victoria (deputy)  
National Chinese Museum of Australia Limited trading as Golden Dragon Museum  
Rural Communities Committee  
Sustainability and Environment Advisory Committee (SEAC)

2021-2022

Audit and Risk Committee  
Bendigo Manufacturing Group  
Finance Committee  
National Chinese Museum of Australia Limited trading as Golden Dragon Museum

2022-2023

Audit and Risk Committee  
Bendigo Manufacturing Group  
Finance Committee  
Municipal Association of Victoria (deputy)  
National Chinese Museum of Australia Limited trading as Golden Dragon Museum

2023-2024

Audit and Risk Committee  
Bendigo Manufacturing Group

Finance Committee  
Municipal Association of Victoria  
National Chinese Museum of Australia Limited trading as Golden Dragon Museum  
Public Spaces Advisory Committee

### **Cr Greg Penna**

Cr Penna has been a Councillor with the City of Greater Bendigo since 2020.

Cr Penna served as a Council representative on the following committees during this term:

#### 2020-2021

Bendigo Airport Stakeholders Committee  
Bendigo Manufacturing Group  
Calder Highway Improvement Committee  
Finance Committee  
Positive Ageing Advisory Committee

#### 2021-2022

Calder Highway Improvement Committee  
Finance Committee  
Fosterville Gold Mine Environmental Review Committee  
Positive Ageing Advisory Committee

#### 2022-2023

Calder Highway Improvement Committee  
Finance Committee  
Fosterville Gold Mine Environmental Review Committee  
Positive Ageing Advisory Committee

#### 2023-2024

Bendigo Agricultural Show Society CoM  
Calder Highway Improvement Committee  
Finance Committee  
Fosterville Gold Mine Environmental Review Committee  
Positive Ageing Advisory Committee

### **Cr Julie Sloan**

Cr Sloan has been a Councillor with the City of Greater Bendigo since 2020.

Cr Sloan served as a Council representative on the following committees during this term:

2020-2021

Arts and Creative Industries Advisory Committee  
Audit and Risk Committee (observer only)  
Bendigo Livestock Exchange Stakeholders Group  
Bendigo Manufacturing Group  
Creative City of Gastronomy Committee (observer only)  
Cultural Diversity and Inclusion Plan Steering Committee  
Finance Committee  
Gender Equity Coalition  
Greater Bendigo Pandemic Relief and Recovery Committee (deputy)  
Loddon Mallee Waste and Resource Recovery Group Forum (deputy)  
Sustainability and Environment Advisory Committee (SEAC)

2021-2022

Audit and Risk Committee  
Bendigo Livestock Exchange Stakeholders Group  
Finance Committee  
Fosterville Gold Mine Environmental Review Committee  
Greater Bendigo Coalition for Gender Equity  
Sustainability and Environment Advisory Committee (SEAC)

2022-2023

Audit and Risk Committee  
Bendigo Livestock Exchange Stakeholders Group (resigned in April 2023)  
Finance Committee  
Fosterville Gold Mine Environmental Review Committee  
Greater Bendigo Coalition for Gender Equity  
Sustainability and Environment Advisory Committee (SEAC)

2023-2024

Audit and Risk Committee  
Cultural Diversity and Inclusion Plan Steering Committee  
Finance Committee  
Greater Bendigo Coalition for Gender Equity  
Greater Bendigo Environment Partnership

**Cr Rod Fyffe OAM**

Cr Fyffe served as Mayor four times 2003/04, 2004/05, 2010/11, 2015/16 and Deputy Mayor twice in 2016/17 and 2018/19.

Cr Fyffe has been quoted as saying some of his proudest decisions as a Councillor include voting to fly the Aboriginal Flag on the Bendigo Town Hall and returning Council meetings to the historic Bendigo Town Hall. He loved spending time in the Chamber making decisions and fulfilling the Councillor role to the best of his ability.

Some of the important projects that held a special place in his heart include construction of the new Bendigo Hospital, development of the Bendigo Art Gallery and the visioning of the View Street arts precinct. Cr Fyffe contributed to 38 budgets.

Cr Fyffe was appointed as Council representative to many committees over his 38 years on Council. Cr Fyffe served as Council representative on the following committees during this term:

2020-2021

Arts and Creatives Industries Advisory Committee  
Bendigo Agricultural Show Society  
Bendigo Art Gallery Board  
Bendigo Easter Festival Reference Group  
Bendigo Livestock Exchange Stakeholders Group (deputy)  
Bendigo Regional Archive Centre (BRAC) Committee of Management  
Calder Highway Improvement Committee (deputy)  
Farming and Agribusiness Advisory Committee  
Finance Committee  
Freight Rail Alliance  
Goldfields Library Corporation Board  
Heritage Advisory Committee  
Municipal Association of Victoria  
Positive Ageing Advisory Committee  
Rural Communities Committee

2021-2022

Arts and Creatives Industries Advisory Committee  
Bendigo Agricultural Show Society  
Bendigo Art Gallery Board  
Bendigo Easter Festival Reference Group  
Finance Committee  
Goldfields Library Corporation Board  
Municipal Association of Victoria

2022-2023

Arts and Creatives Industries Advisory Committee  
Bendigo Agricultural Show Society  
Bendigo Art Gallery Board  
Bendigo Easter Festival Reference Group

Bendigo Writers Festival  
Finance Committee  
Goldfields Library Corporation Board  
Municipal Association of Victoria

2023-2024

Finance Committee  
Goldfields Library Corporation Board  
Municipal Association of Victoria (deputy)

**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**

Nil

## **11.2. Cr Jennifer Alden Reflections**

Reflection on two Council terms. In 2016 I came to Council having spent my whole professional life working in different aspects of health in the community. I campaigned on 5 Ideas for a Healthier Bendigo: Support for healthy eating, Secure energy efficient and affordable housing, Smart planning and improved public open spaces, Enhancing Council services for young and old and A welcoming, fair, inclusive and diverse Bendigo.

An emphasis on climate action, equity, governance and integrity has also always been important to me. I learned a tough lesson when in 2017 I made a comment that made the front page of the Addie regarding the plan to use scantily clad 'ring girls' at a boxing event at the Stadium. My comment that it was perpetuating gender stereotypes that had poor outcomes for women and children, set off a huge furore - consequently we saw a very talented councillor resign and it took a long time for Council to recover.

Things have been relatively peaceful in my second term, with continued policy and infrastructure investments and fiscal responsibility a feature.

Over the past eight years as Lockwood ward Councillor I have had the honour of being Mayor once and being Deputy Mayor twice. Being Mayor during four COVID lockdowns was a challenge and was a non traditional Mayoral experience. The Imagine Greater Bendigo process for the Council Plan, Mir Wimbul, that I led as Mayor in 2021 encouraged all residents to have a better say about how their community looks and feels. I was also pleased to have suggested commencing our Council meetings with an acknowledgement of the Dja Dja Warrung in language.

Representing the City at state and federal level forums, while putting forward several policy proposals, has been a highlight. As Mayor and Deputy Chair of Regional Cities Victoria there was continuing advocacy on returning the waste levy paid to state government, to councils to help fund waste and resource recovery services.

One of my first areas of advocacy was for staffing to develop a Food Systems Strategy for the City to support healthier eating, especially via more community food growing opportunities. Education and support for food growing needs to be a regular role of Council and needs increased investment to address the sky rocketing rate of food insecurity with cost of living pressures.

In 2018 a highlight was winning the MAV McArthur Travelling Fellowship to travel to Italy to investigate Creative Cities of Gastronomy, and contribute findings to the ultimately successful application for Bendigo's designation as Australia's first UNESCO Creative City of Gastronomy. This brings enormous benefits for the city from tourism and many other investments and partnering opportunities that relate to Indigenous foods, cultural and heritage aspects of food, health and wellbeing through healthy eating and food security and sustainable food production in a changing climate.

I am most proud of my advocacy via a Notice of Motion for Council's acknowledgement of the impacts of climate and biodiversity breakdown, and its risks to GB, that led to our Climate strategy, the Climate Summit and the Biodiversity Strategy. An aspect of climate action I advocated for early in the first term was Council's divestment of investment of cash reserves in fossil fuel funding banks.

The managed growth strategy was the most significant opportunity to maintain the Urban Growth Boundary, with quality infill development to match population demographics, while providing green open spaces and more trees, with associated health and climate and biodiversity benefits.

Planning for community open space use included signing off on the Golden Square Recreation Reserve Masterplan. I am also proud of my active support for the retention of the Golden Square community swimming pool. The strategy's implementation relied on the purchase of Bacchus oval, which has recently been achieved and is a legacy of this council.

I championed work on local food economy benefits, once more via a Notice of Motion, for the identification and mapping of climate and other impacts on land for food production in the municipality, to assist investment in the most productive land, while understanding better where development can occur.

Unfortunately Council has now exited home care services, I believe a strong need exists for more services for older residents in particular.

Some of us have continued to battle to oppose further expansion of gambling opportunities in our community, in line with Council's Reducing Harm from Gambling policy. The public health evidence is unarguable that this community's loss of \$60 million on pokies each year during a cost of living crisis contributes to many poor health outcomes.

I have always had the community's best interests at heart - both now, and into the future. I have always considered being a Councillor an opportunity to give back to the community. It is an absolute privilege to represent our whole Greater Bendigo community on Council. I know that the decisions I made around this table, although at times not supported by my colleagues, have been made in the knowledge that I have always represented the community's interests first, with decisions consistent with my values, and understanding the big picture consequences of our decisions.

I would like to thank all those who have supported me over the past eight years, particularly the staff plus supportive colleagues and friends and especially my family - I started Council with no grandchildren and I leave with 5. I wish the new council all the best in their efforts to build on our legacy and look forward to being involved in many community activities, as previously, plus many new opportunities.

### 11.3. Cr Matthew Evans Reflections

Cr Evans offered reflections on Council's delivery of long-term projects, continued support for important services and advocacy for residents. Cr Evans thanked City staff and Executive, fellow Councillors, employers and colleagues, wife and family, and all community members.

### 11.4. Cr David Fagg Reflections

We speak tonight as people who have wielded authority, yet, now, during the election period, as people without authority or power. We only need to look at our shrunken agenda to see that.

**I like the irony of that.**

Yet, giving our reflections in this election period time, this is a welcome reminder that power itself is fleeting. That we should not put too much store by it.

So, what are my reflections on being a councillor? I feel that I need another eight years of experience, at least, to give any reflections worth putting in to the public record.

With that caveat, here they are:

**\*\*\*There is no "community"\*\*\***

- Perhaps it is the populist mood of our world right now. Many leaders claim to speak for the "people", for "the community".
- And, now that we are in campaign mode, I see candidates constantly saying that they will do what the people say, or ask the community for ways forward on any issue.
- And I would hope that any political leader would strive to listen to the people in their constituency, and ensure their concerns are heard.
- But pretty quickly I realised as a councillor that there is no, one, "community". I think it only took our first meeting for me to realise that, quite clearly. The phone calls of congratulation and gratitude were lovely, and then came the emails of stricken disbelief that anyone of even marginal intelligence could have chosen to vote in the way that I did.
- This fact that our community is plural and mixed and interesting and opposed is a wonderful thing.



- Yet it presents a difficulty, as we are constantly urged to “listen to the community”. On any given topic, there are at least 5 different communities to listen to. And, this sometimes makes it hard for communities to move forward.

- Despite all that, one of the joys of my time as councillor has been listening and talking with those who want to change their communities for the better. I hope that, at times, we have been able to support these efforts.

**\*\*The local is easy to lose\*\***

And this brings me to my second reflection, that while we are councillors in a local government, the local part is easy to lose.

I stood for council because I believe in the local, and I leave that way.

Yet, it's been hard to keep the local at the forefront. I know that several of my colleagues will remind me that we are councillors of a municipality, and not a multiplicity of towns and suburbs. But, most people live in a neighbourhood, in a suburb or town with a recognisable identity. They want to make that place better.

As a councillor, there are so many things that come across our table that blur the local nature of things, like 10 year financial plans, or huge residential developments, or proposals that appear to serve a vision of our city that does not include neighbourhoods, or policies handed down from on high, “sorry, checks notes”.... from the state government.

The local must be brought back to the centre, time and time again. The things I enjoyed most as a councillor were the parts that brought me back to the local:

- neighbourhood precinct statements
- heritage statements of significance
- a group fighting for its small park to be saved
- the public space plan with all its grand visions for the little and the local
- a sporting club that finally gets the revamp that will make its community proud to play there.

These are the heart of what being a councillor is about.

I guess these kinds of little bits of progress lead on to what my legacy is, our legacy is.

**\*\*\*Legacy is a loaded term\*\*\***

- When I've told people that I was not standing for election again, they often asked me to name my legacy. “What did you \*\*\*achieve\*\*\*? What things are you proud of? Did you feel like you \*\*\*did something\*\*\*?”

- We often see the idea of “legacy”, of “leaving something behind”, through our culture’s individualistic lens
- What did I do? What will people say is “my” legacy?
- Yet I think legacy is much more collective than this.
- Most of what we achieved in this term was only possible because of the work of others. Sometimes I initiated things within council, but even those things were often ideas put to me by others.
- And we have not even got to the things that will be named as our legacy, that I voted against!
- But that’s the nature of civic life, and its beauty. We’re not bulldozers. At our best, we are team players, even when the team does not agree.

**This more collective understanding of legacy naturally leads to gratitude for the work of others. There are many of course:**

- the tireless staff, especially the councillor support team
- those many people who made the effort to email, phone or come to a listening post, and discuss the real issues with respect.
- I think also of those who convinced me to run in the first place, and all those who supported me to do so.
- My friends who had the chats about what was hard
- Last, Kylie and my boys who endured my various meetings, and provided a space where, for a time, local government simply did not matter.

### **11.5. Cr Margaret O'Rourke OAM Reflections**

Thank you for the opportunity to reflect on the last 8 years of the Council that I have had the honour given to me by the Eppalock Ward residents to represent our Community.

I reflect back on this time fondly, as many before us, we have been custodians for a period of time, and all I have hoped is that I have made a positive difference during this time.

I stood in 2016 to develop a strong and prosperous future for Greater Bendigo encouraging industry, job development and to bring good governance and revitalize the city centre. Using the skills I had gained through business and governance. It was a time of unrest for our City – and this was a key factor in me putting my hand up – I wanted to help, instead of adding to the difficulties. We had multiple conduct panels against councillors and our city was gaining a reputation that wasn't a place to do business.

I was honored to be elected the 21<sup>st</sup> Mayor of our City within 1 week of the new Council - (7 new councillors, 2 returning) our community had spoken they wanted change.

It was a time to heal and reset – as a new council we agreed that we would work hard not to have any conduct panels in our time on council as this was an added cost that our municipality did not deserve from its elected officials.

I am pleased to say over the last 8 years there has been no such poor behaviour and although we don't always agree (which is healthy tension) we have put our community FIRST.

To be a first time Councillor and first time Mayor is not common – a learning curve however, the staff of the City of Greater Bendigo are up there with the BEST! I had before coming on council liaised with many Councils across Australia through my professional career and also during the time of being a community representative on the Independent Review; it reinforced they were a very capable and have to manage the balance of 'running a corporate business' and being accountable to the community.

For new Councillors about to be elected the City staff are extremely capable and when you treat people as you wish to be treated you will have a professional relationship looking for the best outcomes. Not always will you agree, but it's about how you respect, understand and look for a way forward that is most important.

I could talk all evening about the experiences, the incredible knowledge gained and the individual accolades but this is not what being a councillor is about in my view.

The last 8 years I have had to work through the good, bad and not so pleasant challenges that come our way but 98% of the time it has been overwhelmingly

positive. I have learnt more about my community than I can believe. Being born and bred here I thought I knew it well – however, right from Mary in her 90s living still independently worried about a street tree causing concerns to her fence and pavement to dealing with Premiers, Prime Ministers or overseas delegations, or even bringing home our new dragon in Dai Gum Loong – our role on Council, you just take one day at a time.

I have loved meeting community and reflect that this is an absolute highlight – and sometimes those meetings were not easy ones – I have never been one to shy away from the difficult decisions and I proudly stand here to say my decisions have always been with the whole municipality and the heart of the decision.

It has been about the future, it is about the place we love that continues to organically grow and will be 200,000 by 2050.

As I mentioned, when elected I also stood on a platform of CBD revitalization and this work is ongoing. It was wonderful to see the Law Courts, Galkangu, on the back of the new hospital and TAFE redevelopment, being built.

There has been lots happening on reflection, with a refresh of our planning laws over several years, Greening Greater Bendigo, Reimagining Bendigo Creek, successfully being designated a City of Gastronomy (a 50 year commitment of which we are 4 years into), QANTAS and the extension of the runway and further stage of the Airport and multiple years of Councils, the UNESCO Goldfields bid with our surrounding Councils which is ongoing, Harry Trott, Ewing Park Mercy College Precinct, Heathcote toilets, dog park, precinct, Redesdale Community Hall upgrade, our strategy for the City Centre, and various Strathfieldsaye activities,, and Bendigo Regional Employment Precinct strategy and land purchase at Marong, again future proofing our business community for the next 30 + years...

Most recently, how we grow our City sustainably and to see the Managed Growth Strategy be agreed to, was pleasing. So many strategies and work over this time – this needs to continue! And Yes they also require regular reviews.

Back in 2013, I was one of 3 community members on the Independent Review, there were many goals, one was to advocate for a location where staff could work that would bring the majority together, and not scattered across 7 different sites. I am proud to have carried that work through from the review to what we have today Galkangu.

It is now a hub for so many transactions and a one stop shop, I am pleased that people have a workplace that they are proud to come to, and it draws new people to work there – It was disappointing the state of the accommodation of the various sites – and we have commonly come to see across the sector that Local Governments do not spend money on themselves or their accommodation!

Service Reviews are a part of how the Council operates ongoing; which is timely and not a significant cost to ratepayers as was previous approach. Along with our Audit

and Risk process – CoGB have robust checks and balances in place; in line with the 2020 LG Act changes.

The cumulative effect of rate capping is hurting Local Governments not just in Victoria but other states who have been at this longer than us. It is popular, we all personally wouldn't argue with this, but the cumulative impact over time is what hurts how it operates into the future.

Our 10 year financial forecast will need to be closely watched as head winds are coming. We have reduced our borrowings, something that I know my colleagues who have been on this journey for 8 years has been a strategy that we have focused on. So future Councils will receive the benefit of being prudent during these past 8 years.

I am most proud of our work in reconciliation, I bought a Notice of Motion to Council to enable dual naming of sites in City of Greater in the International Year of Indigenous Languages 2019, subsequently we have seen significant sites now with language.

We welcomed Djaara to be part of our Mayoral Installation in 2020 with a smoking ceremony, I had the privilege to wear a Djaara family possum cloak; which the City has now one for future ceremonies for the Mayor.

60,000+ years of culture being respected has been an important step forward for our City over recent years and today on the anniversary of the VOICE referendum, I hope the voices of our community continue to be heard to right the wrongs of the past generations to our Traditional Owners.

As has been spoken about often, I encountered the beginning of COVID in my last year as Mayor bringing all the Bendigo leaders together to work through how we would best serve our community through a pandemic we knew nothing about.

Reading through the various reports that I delivered both as Mayor and also Councillor there were various themes that shone through – visitors and other Councils always complimented CoGB on how impressed they were with the leadership of the City.

Outside of Bendigo, we are the toast of Regional Victoria, I truly mean this; in my 'day job' I work in these other regional cities and have done for several years; many wouldn't know that I am a councillor. When I say I am from Bendigo I have lost count of how often I have been complimented by community, Councillors, Mayors of other Shires business and government officials.

We underestimate what we have here, and that Greater Bendigo having a leadership role in the past years with our Regional Cities – it means that we get to influence and shape not just our own municipality but also Regional Victoria. We shouldn't take this for granted.

Over the journey of being a Councillor we have had to make difficult decisions but also been able to enjoy the fruits of hard work with staff and the Community. That is leadership – both the highs and the lows- and each day it is a privilege to have been a member of the Council of City of Greater Bendigo.

I take this opportunity to remember my wonderful former colleague the late Cr Rod Fyffe OAM, my first Deputy Mayor I had the pleasure to serve with. We had so much enjoyment that first year at a time that wasn't so easy for our community – a lot of healing needed to happen.

We had many coffees with community, laughs and really rolled our sleeves up. I am forever grateful for his knowledge and experience as I am to Craig Niemann former CEO, for his outstanding leadership during his time at the City. As I mentioned earlier – staff only want to see Councillors succeed and be the best you can be.

Being a Mayor and first time Councillor was special but not remarkable – it can be done, and with the great support of staff and especially the Councillor Support team – they make us look good! Incoming Councillors, you have very good support with our CEO Andrew Cooney and the Exec Team.

For me, the ongoing success of Council will be defined by how well Council continue to work together and live by the values set out in the community plan. The focus needs to continue to on delivering for our entire community.

I would like to take the opportunity too say thank you to past Councillors I worked with, Cr Alden who was a Deputy Mayor with me previously and our current councillors, acknowledging Ward Crs Matt Evans and Greg Penna.

To my family, Ray, Ireland and Bryde thank you for your unwavering support; when often Council took the priority. My girls were 14 and 11 when I commenced, so they have grown up with me giving back to community – I hope this holds them in good stead for the their future endeavours.

It is interesting to note that it is 30 years this year since amalgamation and the first Mayor of Greater Bendigo, Megan Westbrook would have been appointed. Haven't we come along way in that time?

To Cr Metcalf and the incoming Council, I wish you all the very best, as the baton is handed on, it has been an absolute privilege and as I have said recently; timing for me to continue was not right; but never say NEVER!

## **11.6. Cr Greg Penna Reflections**

As my term as councilor comes to an end, I wanted to take a moment to express my heartfelt thanks for all recognition, support, fruitful collaboration and dedicated help by all concerned, over the past 4 years.

I did not enter into Local Government as a councilor, to chase recognition or Kudo points, by doing what I was elected to do, but, to help make Bendigo a great city to live within, now and into the future, and support the Residents, who elected us, to do just that.

Yes! I think I have made a difference, achieved some of my goals, unfortunately, not all, I contributed to important decisions, did my best to address resident concerns, supported fellow councilors, as needed, and hope all past and forward legacy plans in the system, solidly cement, guide and support Bendigo's future.

To the Council staff, your dedication, expertise, input and hard work have made our shared efforts, and results, achievable, possible and hopefully to a high standard.

I deeply appreciate everything you have all done to help myself, fellow councilors, and our community, achieve important milestones and decisions, expected from us all.

To my fellow Councillors, thank you for your camaraderie and support.

Working alongside you has been a privilege, and a great experience, and I am proud and grateful of what we have all achieved together.

The legacy we all leave behind, and achieved, is also one I am proud of, knowing that many of the positive outcomes and projects, we have done together, and set in motion, have, and will in the future continue to benefit the community, in the years to come. It has been rewarding to see our collective efforts and visions take shape, and grateful to have played a constructive part in it.

It has been a great journey by myself, and I am sure with fellow Councillors, rewarding, sometimes frustrating others, but in reflection, a great life experience.

Thank you all again, as a note, when you see a Harley Davidson Motorcycle on the road, with the rider smiling ear to ear, it may be me.

### **11.7. Cr Julie Sloan Reflections**

At this our final Council Meeting of CoGB here on on Dja Dja Wurrung Country, I would like to acknowledge the privilege it has been to represent Whipstick Ward community and to serve the Greater Bendigo municipality as a Councillor over the past four years.

Thank you to residents of Whipstick Ward for enabling me to be your representative and for the honour of serving our community; I acknowledge and thank you for your committed advocacy & commitment to local issues especially for smaller towns and rural areas across the ward.

I offer sincere thanks and gratitude to past and present Councillors and CoGB officers and staff for your valued support and ongoing commitment to achieving best outcomes for everyone across the whole of Greater Bendigo. I am confident Council's work of the past four years, guided by Greater Bendigo Council Plan Mir wimbul 2021-25 and community vision 2021-2031, will continue to lead and govern for all. This will be driven by a legacy of welcome, kindness, inclusion, respect, diversity, equity and sustainability underpinned by aboriginal reconciliation; a climate-resilient natural environment; healthy, liveable spaces; a safe, fair community; and a strong economy.

Key achievements that stand out for me in our constantly- changing world are sound, stable, sustainable outcomes driven by consideration of past events with an eye on the future. They include:

- Acknowledgement of Country and traditional language statement at each Council meeting.
- Provision of public Question Time by Council to ensure greater public transparency and accountability (although not required under LGA 2020).
- Councillor commitment to act in a way demonstrating respect, support, understanding and kindness towards each other built into our Code of Conduct.
- Consolidating GB as a welcoming, inclusive, friendly City celebrating our diverse community and walks hand-in-hand with Traditional custodians of this land.
- Painting of the PRIDE Flag on the Town Hall forecourt.
- Inclusion of animal sentience in the Domestic Animal Management Plan & support for 'Fear-Free' animal care at Bendigo Animal Relief Centre to prevent fear, anxiety, stress and improve wellbeing.



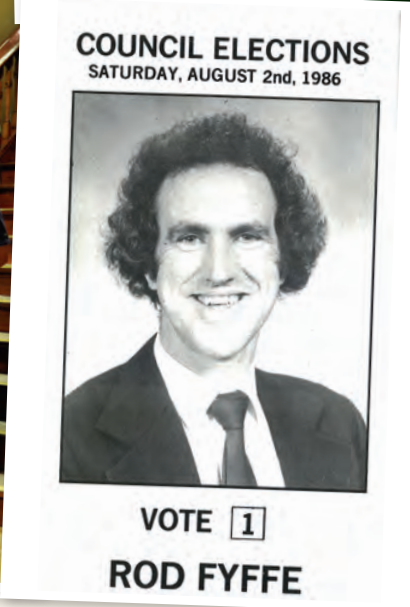
- Council endorsement of Notices of Motion to remove second generation anticoagulant rodenticides from City-use; to seek alternates to fireworks and animals used in City-led events;
- Growing our festivals, events, arts and cultural connectivity with creatives & musicians of all ages.
- Investing in our green open spaces, parks & gardens & sporting ground and play-space improvements.
- Inclusive, equitable and sustainable policy direction including Gender Equity Action Plan 2021/25, and LGBTIQA+ Inclusion Action Plan 2023/25. GB's Biodiversity Strategy & Action Plan 2023/33 is taking a long-term view to a renewed natural environment redressing biodiversity & species loss & building strong foundations for future biodiversity protection and enhancement; and the Climate Change and Environment Strategy 2021/26 sets an ambitious target of zero greenhouse gas emissions for operations by 2030. Council adopted the 2030 Greater Bendigo Zero Emissions Roadmap incl: energy, transport, circular economy & nature, recommending to electrify everything, install solar power and transform walking and cycling infrastructure, prioritise active travel and public transport, and accelerate transition to electric vehicles.
- A range of other significant key outcomes and achievements are within the CoGB Annual Report.

This Council's legacy will, in my opinion, be one of strengthening and consolidating inclusive, equitable and sustainable processes and outcomes based on a considered approach of being available; deep listening; respecting others opinions; celebrating difference; and building shared consensus. I also wish to offer my very best wishes to the new Council of CoGB.

#### **11.8. Cr Rod Fyffe OAM In Memoriam**











## 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 September 16, 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 Williams

### Resolution No. 2024-187

**CARRIED**

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

### **14.1. Petition Acknowledgement - Harcourt Dog Park, Strathdale Seating, Tables and Shelter**

#### **Purpose**

Petitions and joint letters with ten (10) or more signatures are included in the agenda or tabled at the meeting, unless there is a separate legal process (ie Statutory Planning).

#### **Summary**

The following petition has been received from residents and ratepayers as outlined below:

Council to provide two long tables and bench seating under an awning (one at each end) of the Harcourt Off-Leash Dog Park in Crook Street, Strathdale.

Signatures – 61

#### **Recommended Motion**

That Council receive the petition and a response be prepared within three (3) meetings.

#### **MOTION**

That the recommended motion be adopted.

Moved: Cr Penna

Seconded: Cr O'Rourke

#### **Resolution No. 2024-188**

**CARRIED**

#### **Conflict of Interest**

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

#### **Attachments**

1. ECM 5186701 v 1 Petition - Harcourt Dog Park 20241011 Redacted [**14.1.1** - 11 pages]



RECEIVED

11 OCT 2024

City of Greater Bendigo

## Petition for the Council Greater Bendigo City October 2024

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request **Council to provide two long tables and bench seating under an awning—one at each end—of the Harcourt Off-Leash Dog Park in Crook Street, Strathdale.**

Attached is an image of a Council Approved long table and seating at Lake Weeroona which would be perfect for Harcourt Off-Leash Dog Park, together with a few more background details re the request.

### INITIATOR OF THE PETITION

Dr. Kashonia Carnegie ~ [REDACTED] [REDACTED] st [REDACTED]  
[REDACTED], Kennington. 3550.

SIGNATURE	NAME	ADDRESS
[Signature]	MADE BAILEY	[REDACTED] Strathdale
[Signature]	Alan Long	[REDACTED] Long Gully
[Signature]	Jessico Wiecek	[REDACTED] of Lionbank
[Signature]	Heather Smith	[REDACTED] Strathdale
[Signature]	NAOMI SHELLIE	[REDACTED] NORTH BGO
[Signature]	JOHN BROWN	[REDACTED] Bendigo
[Signature]	VINCE MANNER	[REDACTED] Bendigo
[Signature]	R. L. SANDERSON	[REDACTED] STRATHFIELD ST
[Signature]	Cathy Long	[REDACTED] Long Gully
[Signature]	Felicity Cooper	[REDACTED] Strathdale
[Signature]	Dianne Smart	[REDACTED] Bendigo
[Signature]	Wendy Johnson	[REDACTED] Kingswood Park
[Signature]	Pier Vido	[REDACTED] East Bendigo
[Signature]	Linda Drake	[REDACTED] W/Hills

Page 1 of 5 Signatures



(2)

## Petition for the Council Greater Bendigo City October 2024

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request **Council to provide two long tables and bench seating under an awning—one at each end—of the Harcourt Off-Leash Dog Park in Crook Street, Strathdale.**

Attached is an image of a Council Approved long table and seating at Lake Weeroona which would be perfect for Harcourt Off-Leash Dog Park, together with a few more background details re the request.

██████████ R ██████████ E ██████████ N

██████████ t. ██████████ a ██████████ e ██████████ f ██████████ x ██████████ b ██████████ d ██████████ h ██████████ t. ██████████ n ██████████ f ██████████ ██████████ ██████████ ██████████ ██████████ n. ██████████ d.

<u>SIGNATURE</u>	<u>NAME</u>	<u>ADDRESS</u>
	Amy Anderson	██████████ 2 ██████████ y ██████████ Strathdale Vic 3550
	Emily King	██████████ 5 ██████████ m ██████████ e ██████████ East Bendigo
	NAIMANI DUNN	██████████ 2 ██████████ x ██████████ d ██████████ 3550
	NGAIRE ANDERSON	SPRING GULLY, QUARRY HILL
	Carly	Strathdale
	TONY	" "
	Erin Tinker	██████████ 6 ██████████ y ██████████ Strathfeldsage
	ANN MANSFIELD	██████████ 21 ██████████ r ██████████ s, Strathdale
	A. MANSFIELD	██████████ 1 ██████████ m ██████████ Strathdale
	David Hill	██████████ 4 ██████████ h ██████████ Quarry Hill
	Lois Kelly	██████████ 1 ██████████ l ██████████ e ██████████ Epsom
	JOHN GIBSON	██████████ ██████████ ██████████ Bendigo
	Joe Ryan	██████████ ██████████ ██████████ BH
	Mick McLennan	██████████ ██████████ ██████████ East Bendigo

(14)

Page 2 of 5 pages of Signatures.



③

# Petition for the Council Greater Bendigo City

## October 2024

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request **Council to provide two long tables and bench seating under an awning—one at each end—of the Harcourt Off-Leash Dog Park in Crook Street, Strathdale.**

**Attached is an image of a Council Approved long table and seating at Lake Weeroona which would be perfect for Harcourt Off-Leash Dog Park, together with a few more background details re the request.**

\_\_\_\_\_

[illegible]

\_\_\_\_\_

SIGNATURE	NAME	ADDRESS
<i>chul</i>	M. Blota	[REDACTED] Bendigo, 3550
<i>N. Ateo</i>	NICK ATEO.	[REDACTED] A [REDACTED] E STRATHFIELD
<i>Ebony Bayliss</i>	Ebony Bayliss	[REDACTED] [REDACTED] Spring Gully
<i>Nick Slick</i>	Nick Slick	[REDACTED] [REDACTED] Spaully
<i>Ken Bosch</i>	Ken Bosch	[REDACTED] [REDACTED] e Strathdale
<i>Ry</i>	Richard HERZ	11 [REDACTED] [REDACTED] St. Bendigo 3550
<i>Frank Gladys</i>	Frank Gladys	[REDACTED] [REDACTED] Strathdale
<i>Stephane Hidge</i>	[REDACTED]	[REDACTED] [REDACTED] [REDACTED]
<i>John Tatti</i>	John Tatti	[REDACTED] [REDACTED] Ascot
<i>Rob. Hutchins</i>	Rob. Hutchins	[REDACTED] [REDACTED] Strath
<i>R. Tatti</i>	RAEENE TATTI	[REDACTED] [REDACTED] Ascot
<i>Hayley Bolton</i>	HAYLEY BOLTON	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
<i>M. Irwin</i>	MEG IRWIN	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
<i>Liesl Kennedy</i>	Liesl Kennedy	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

14

Page 3 of 5 pages of Signatures

(4)

## Petition for the Council Greater Bendigo City October 2024

We the undersigned residents and ratepayers of Greater Bendigo City Council formally request **Council to provide two long tables and bench seating under an awning—one at each end—of the Harcourt Off-Leash Dog Park in Crook Street, Strathdale.**

Attached is an image of a Council Approved long table and seating at Lake Weeroona which would be perfect for Harcourt Off-Leash Dog Park, together with a few more background details re the request.



<u>SIGNATURE</u>	<u>NAME</u>	<u>ADDRESS</u>
	Elliott Diamond	[Redacted] Flora Hill
	Aimee Phegan	[Redacted]
	MN PERKINSON	[Redacted] N. Bendigo
	Jenny Ferguson	Flora Hill
	Kaye Williamson	Strathfieldsaye
	Layla Bradley	Strathfieldsaye
	Alex Campbell	Strathfieldsaye
	Hayley M. H.	Strathdale, [Redacted]
	Alex Mirelle	Eaglehawk
	Erin Murphy	Sackass Flat
	CORRINE CUMMINS	[Redacted] Strathdale
	DAVID COX	[Redacted] Strathdale
	TIM KOHLMAN	[Redacted] Strathfieldsaye
	Stacey Gazzola	[Redacted] California Gully

Page 4 of 5 pages of Signatures



(5)

## Petition for the Council Greater Bendigo City October 2024

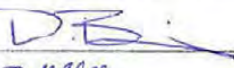

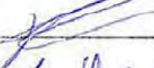
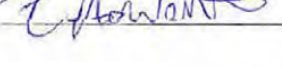
We the undersigned residents and ratepayers of Greater Bendigo City Council formally request **Council to provide two long tables and bench seating under an awning—one at each end—of the Harcourt Off-Leash Dog Park in Crook Street, Strathdale.**

Attached is an image of a Council Approved long table and seating at Lake Weeroona which would be perfect for Harcourt Off-Leash Dog Park, together with a few more background details re the request.

████████████████████

██

████████████████████

<u>SIGNATURE</u>	<u>NAME</u>	<u>ADDRESS</u>
	Deanne Botten	████████████████████
	Tracey Rae	████████████████████ Loney Gully California Gully
	Paige Owen	Google Maps
	Colin Hamilton	████████████████████ KERRINGTON
		(4)
Total of 61 Signatures on the		
5 Pages		

Page 5 of 5 Pages of Signatures

## **Attachment to the Petition to the City of Greater Bendigo Council ~ October 11<sup>th</sup>, 2024 ...**

**initiated by Dr Kashonia Carnegie, for two long tables and bench seating under awnings—one at each end at the Harcourt Off-Leash Dog Park in Crook Street, Strathdale.**

**Also a Table and Bench seating under an awning would be appreciated by the small dog owners in the small dog area. This covered seating for the small dog owners was not included on the formal petition. But as this attachment is part of the formal petition, the small dog owner's request should now also be considered to be part of the petition.**

1. I'm Dr. Kashonia Carnegie, and I moved to Bendigo with my dog and cat just over 5 years ago. Whilst Angel Rescue Cat is still with me, sadly Charlie Springer Spaniel died of age related issues last Christmas.
2. On my arrival, Charlie and I began visiting the Harcourt Off-Leash Puppy Park almost daily and I was amazed at the wonderful park the Council was providing.
3. Not only was the park such a wonderful place for dogs to socialise, but it was also an amazingly wonderful place for humans to socialise. Over the years, bit-by-bit we brought a couple of tables, and a number of garden chairs for us all to sit on.
4. It's true that there are 3 official park seats already spaced out along the length of the park. But these seats hold a maximum of 3 people. And often we have 10 or more people socialising, sitting on the chairs that the Council removed.
5. Yes, on September 16<sup>th</sup>, 2024, the Council removed all of our chairs and tables. Very disturbingly and totally unprofessionally, this removal was done without any consultation, notice, or explanation to park users. That was certainly NOT the way to treat any citizen, especially residents and ratepayers. We all deserved better.
6. Many people contacted the Council either by phone or via the complaints page on the Council's website to complain about the removal of this seating. I was one of those people. Not only did I submit a written complaint via the website, but I also made several phone calls to the Council in an attempt to get some understanding of what had happened and why.
7. The two women that I spoke to in Customer Service section were absolutely amazing, truly wonderful. They were very empathic, compassionate, and understanding. I said that I wanted to actually speak with someone about what had happened to discuss how the situation might be resolved.

8. As a result, I requested calls from Council staff and Councillors. I left numerous messages. **But no one responded to my requested phone call.**
9. However, the <sup>City</sup> [REDACTED] [REDACTED] [REDACTED] sent me an email, in response to my written website complaint. It was a pretty standard almost rote type of reply. And so I'd now like to address some [REDACTED] email comments.

**City's  
[REDACTED] arguments for the removal of our chairs.**

10. [REDACTED] "The furniture is considered non-compliant against Australian standards AS1428.2 and has not been installed appropriately. This type of furniture is considered inappropriate for the site and potentially poses liability issues."
- a. Dr Carnegie: I totally agree that the furniture was non-compliant and was not officially installed.
  - b. The furniture had been there for many years with no problems, complaints, or litigation. If a chair was broken in any way, we, the "chair sitters" always immediately removed the disabled chair from the park.
  - c. Even so, we can all understand why Council might be concerned about potential "liability issues".
11. [REDACTED] "Table settings are not a service the City provide in Dog Parks"
- a. Dr Carnegie: That is simply not true. Although I have not seen them myself, but many of the Puppy Park users told me that Council have provided a Table Setting at the Allingham Dog Park at Kangaroo Flat. And of course, there are 3 aforementioned official seats at Harcourt Park.
12. [REDACTED] [The reason the Council don't provide table settings is because] "this results in owners not interacting with their Dog while in the Park, meaning owners are less likely to actively monitor their Dog."
- a. Dr Carnegie: Due to my phone calls to the Council on this matter I believe that what [REDACTED] was inferring was that if owners are seated they are less likely to pick up their dog's droppings. And all this was allegedly triggered by someone complaining about many dog droppings being left on the ground. So let me now address those matters.
  - b. First, clearly the Council have no control of whether or not someone is delinquent in picking up after their dog goes to the toilet.



- c. **Speculation** – it seems to me that the only way the Council thought they could appease the dog-dropping-complainant was to take the action of removing our chairs.
  - d. However, the people who sit/sat on those chairs are always very vigilant when it comes to “actively monitoring their Dog.” Indeed, all the people who used those chairs, not only monitored their own dog, but are also very concerned about the number of droppings from other dogs being left lying on the ground. So much so that they all also monitor everyone else’s dog too and we always inform each other if a dog has been to the toilet and their droppings need to be removed.
  - e. So, far from the people sitting on the chairs not monitoring their dog, you have a large group of people all of whom are monitoring all of the dogs.
  - f. After discussing this situation with many of the dog owners at the park, the general consensus is that it’s the people who are actually walking with their dog who are most delinquent in picking up after their dog for the following reasons.
    - i. They are walking around the park talking on their phone and taking no notice of their dog/s at all.
    - ii. They are walking with other people and the two of them are so engrossed in their conversation that they are not monitoring their dog/s.
    - iii. They are just walking briskly AHEAD of their dog and not monitoring what their dog is doing behind them.
    - iv. There is a very small cohort who refuse to lower themselves to pick up dog droppings--period. These are people who should be banned from visiting the park. But of course that is not possible.
  - g. So [REDACTED] argument that the people sitting on the chairs in the park are not monitoring their dog **is a total fallacy**. The “chair sitters” are the ones who monitor the dogs far more closely than many of the walkers.
13. [REDACTED] “The furniture left on grass surfaces also means the City staff need to continuously move this around to enable them to complete their grass maintenance works.”
- a. Dr Carnegie: For almost 5 years the City staff have managed to perform maintenance works with the furniture there. They’ve done this normally by mowing around the furniture, not moving the furniture. Whilst this argument might have some merit, I don’t consider it to be a valid argument at all.

## Important Understanding of How the Park is Used

14. Yes, this is a park primarily for the socialisation of dogs. But it's essential that the Council is aware of the great health, wellbeing, and socialisation benefits that the park provides the humans as well, many of whom are of "more mature years".
15. I am a prime example. As I said, I began visiting the park over 5 years ago when I first moved to Bendigo. At that time Charlie (Springer Spaniel) and I visited the park almost every day.
16. But since he died, I have continued to visit the park 3 or 4 times a week because:
  - a. I love to play with the dogs at the park. I'm now 75 years of age and I am not in a position to get another dog, who would probably out live me. But over the years, I've come to know and love most of the dogs who visit the park regularly. And it's bad enough missing my Charlie. But I don't have to miss the other dogs that, over the years, I've also come to love dearly. And I'm not the only person in that situation.
  - b. And now Charlie has gone, I don't only come to the park to play with the other dogs there. Equally as important, I come to the park to talk with the humans **who used to sit on those chairs**. After 5 years, they are now my dearest friends here in Bendigo. So why would I stop coming to the park just because Charlie has gone? I get the best of both worlds—playing with the dogs I love and socialising with the humans I also love.
  - c. It's essential that the Council realise the extent of the bond between all of those people **who used to sit on those chairs**. A small group of us have a weekly dinner together at a local sports club. And a much larger group of the "chair sitters" have a big dinner at a local hotel or restaurant on the first Friday of every month.
  - d. So the park is an essential amenity for the dogs, as well as their owners or carers.
17. The other thing to be aware of is that the "chair sitters" don't spend the entire afternoon just sitting on the chairs talking. Many of the "chair sitters" spend several hours, each visit, in the park with their dogs. Clearly they cannot walk around the park continually for that length of time, especially the older "chair sitters". So what generally happens is that we'll all do a couple of laps of the park with our dogs, and then sit down for a rest, before going for another walk.
18. Now that the chairs have gone many of us have to sit on the ground. And at 75, I for one find that very difficult and not at all appropriate. Actually the sitting down on the ground is not so hard—I just plonk myself down. But what is then almost impossible, is being able to stand up again to go for the next walk.

## Final Comments

19. Over the years, I've lived with my dogs in many parts of Australia, and without a doubt, the **Harcourt Off-Leash Dog Park in Crook Street, at Strathdale**, is the most impressive park I've ever seen for which the Council must be **congratulated**.
20. I'm sure that the Council are always concerned about the wellbeing of its residents and rate payers—especially those of “more mature years”. And as indicated above, the Harcourt off-leash park has become central and imperative to the social, emotional, and physical wellbeing of a very large group of dog owners/ park users, many of whom brought seats over the years to leave for use, for all, at the park. As such, if the tables and chairs that we've brought to the park cannot be used, then it's **essential that they are replaced with Council approved table settings, as per the attached petition and photographic example, AS SOON AS POSSIBLE**.
21. Providing table settings as requested in the petition and photographic example, together with an appropriate write-up which includes mention of the recent earthworks, would be excellent publicity for the City of Greater Bendigo Council.
  - a. The Council could then enter the park in some State and even National Awards demonstrating their great concern for their citizens' wellbeing by providing excellent facilities at their off-lease dog park.
  - b. At the very least, it would all make a wonderful human interest Local, State, and National multi-media story of how the City of Greater Bendigo Council is taking care of residents and their dogs.

It's for all of the above reasons, and so much more, that I had hoped to be able to speak with a responsible person at the Council before submitting this petition. But as I said, no one responded to my phone call request, which was very disappointing.

When I told people at the park that I'd left messages for Council members and staff to phone me so we could discuss the matter, every one of them laughed at me and said, no one from the Council ever replies. Surely you'd agree that that's a terrible reputation to have.

Similarly, several people told me that a few years ago someone else had asked the Council for approved table settings under an awning and the request was basically ignored.

The attached petition contains 61 signatures, and I could have obtained a great many more if I'd spent a little more time collecting them all. So on this occasion, I do hope that the Council will not just file this request in the top hard basket as well.

Thank You

Dr Kashonia Carnegie

Moral Philosopher , Business & Environmental Ethicist, and Author of the Multi-Awards Winning Conscious Change Series of Books



## **Lake Weeroona**

### **Long Table and Bench Seating under an Awning**



## 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. 2024-189

**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 October 2024 [**15.1.1** - 1 page]

## 15.2. Audit and Risk Committee Meeting Minutes

Author:	Rachael Watts, Review Officer
Responsible Director:	Jessica Howard, Director Corporate Performance

### Purpose

The Audit and Risk Committee (Committee) Charter requires the minutes of Committee meetings be provided to Council for information at the first available opportunity following each Committee meeting.

### Recommended Motion

That Council:

1. Note the unconfirmed minutes of the Audit and Risk Committee meeting held on September 4, 2024; and
2. Note the minutes will be tabled for confirmation at the next Audit and Risk Committee meeting, scheduled to be held in early December, 2024.

### MOTION

That the recommended motion be adopted.

Moved: Cr O'Rourke

Seconded: Cr Sloan

### Resolution No. 2024-190

**CARRIED**

### Executive Summary

The Committee Charter requires the minutes of Committee meetings be reviewed by the Director Corporate Performance and the Committee Chair and then provided to Council for information at the next opportunity following each Committee meeting. Minutes from the Committee meeting held on September 4, 2024 are attached to this report for information.

### Background

Council is committed to good governance, public transparency and accountability to the City of Greater Bendigo's community. The Committee has been established to strengthen Council's governance, risk management, financial management and to drive continuous improvement.

## **Report**

The Committee Chair has reviewed the unconfirmed minutes of the September 4, 2024 Committee meeting and has approved their release. The unconfirmed minutes of the meeting are attached to this report.

### ***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. Audit and Risk Committee Minutes 4 September 2024 [**15.2.1** - 17 pages]

### 15.3. Annual Report 2023/2024

Author:	Emma Young, Coordinator Business Improvement
Responsible Director:	Jessica Howard, Director Corporate Performance

#### Purpose

The purpose of this report is for Councillors to receive the City of Greater Bendigo Annual Report 2023/2024.

#### Recommended Motion

That Councillors receive the City of Greater Bendigo Annual Report 2023/2024.

#### MOTION

That the recommended motion be adopted.

Moved: Cr Metcalf

Seconded: Cr Alden

#### Resolution No. 2024-191

**CARRIED**

#### Executive Summary

The Annual Report is a comprehensive summary of the City of Greater Bendigo's operations, accomplishments, and interactions with our community, government, and vital partners. Preparation of the Annual Report is a requirement under the *Local Government Act 2020* (the Act).

#### Background

All Victorian Councils are required to report under the Victorian Government mandatory system of performance reporting. Section 98 of the Act prescribes the information to be included in the Annual Report:

- A report of operations of the Council
- An audited performance statement
- Audited financial statements
- A copy of the auditor's report on the performance statement
- A copy of the auditor's report on the financial statements under Part 3 of the *Audit Act 1994*
- Any other matters prescribed by regulations

## Report

The City has completed its Annual Report for the year ended June 30, 2024, which follows this report. The Annual Report provides an account of the City's activities throughout the year, highlighting its achievements. It reports to the Victorian Government, residents of Greater Bendigo, and the broader community about the actions taken in line with the strategic objectives outlined in the Council Plan for the 2023/2024 financial year, as well as mandated information.

To meet legislative requirements, the Annual Report must be presented to a council meeting open to the public within 4 months of the end of the financial year (October 31).

The system of performance reporting prescribes performance information to be included in the Annual Report, including:

### The Report of Operations must contain the following:

- A statement of progress on implementation of the Council Plan, which includes the results of the strategic indicators
- A statement of progress in relation to the major initiatives and initiatives identified in the budget
- The prescribed indicators of service performance for the services provided by Council and funded in the budget during the financial year, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures.

### The Audited Performance Statement includes the following:

- A description of the Municipal district
- Results against LGPRF prescribed service performance outcome indicators and measures
- Results against LGPRF prescribed financial performance indicators and measures
- Results against LGPRF prescribed sustainable capacity indicators and measures
- An explanation of any material variations between results.
- Audited Financial Statements:
- This statement is determined by Local Government Victoria format requirements
- The statements have been audited by the Victorian Auditor General's Office (VAGO).

### Audited Financial Statements:

- This statement is determined by Local Government Victoria format requirements
- The statements have been audited by the Victorian Auditor General's Office (VAGO).

### ***Timelines***

The Annual Report is to be presented to an open council meeting by October 31, 2024.

### **Communications/Engagement**

#### External Engagement

- Following consideration by Council, residents will be informed of the Annual Report's preparation and availability for inspection. Copies of the Annual Report will be available via the City's website.

#### Internal Engagement

- Regular data collection, as part of the Council Plan reporting and the LGPRF reporting requirements have provided the core content.
- The Audit and Risk Committee, at the September 2024 meeting reviewed the Draft Financial Statements and the Draft Performance Statement for the 2023/2024 financial year prior to audit clearance by the Victorian Auditor General's Office (VAGO). Both the Performance Statement and the Financial Statements have been certified by the Principal Accounting Officer, Chief Executive Officer and two Councillors. The draft statements were presented to Council for endorsement at its council meeting on September 16, 2024.

### **Policy Context**

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

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

Outcome 1 - Lead and govern for all

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

Goal 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. Annual Report 2023-2024 [15.3.1 - 188 pages]

## 16. HEALTHY, LIVEABLE SPACES AND PLACES

### 16.1. 8 Highbury Court, Strathdale - Alterations and Extension to Existing Dwelling

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

#### Summary/Purpose

Application No:	DR/100/2024
Applicant:	Jin Ying Pty Ltd
Land:	8 Highbury Court, STRATHDALE 3550
Zoning:	General Residential Zone
Overlays:	Heritage Overlay – Schedule 915
No. of objections:	5
Consultation meeting:	<p>A consultation meeting was held on 18 July 2024, which was attended by four of the objectors, along with the permit applicant, architect and property owners.</p> <p>A <i>Draft</i> Landscape Concept Plan was distributed following this consultation meeting, including an invitation for all objectors to participate in a follow up meeting to discuss this plan, however none of the objectors elected to participate in this further consultation.</p> <p>As a result, no objections were withdrawn at the conclusion of the consultation process.</p>
Key considerations:	<ul style="list-style-type: none"> <li>Is the proposal consistent with planning policy surrounding heritage restoration and preservation; and</li> <li>Does the proposal accord with the purpose and decision guidelines of the Heritage Overlay and represent an appropriate response to the site.</li> </ul>
Conclusion:	<p>The proposal is in accordance with relevant planning policy and the objectives of the Heritage Overlay.</p> <p>The proposed additions and alterations to the existing dwelling on the site are acceptable and give due regard and consideration to the heritage significance of this building.</p> <p>The proposed extension has been sensitively designed and located so as to ensure that will not unreasonably dominate the site, nor adversely affect the significance of the heritage place.</p>



	The proposal will ensure the restoration and ongoing preservation of Nanga Gnulle and will enhance the site for future generations to enjoy.
--	--

### **Recommended Motion**

That Council issue a Notice of Decision to Grant a Permit for Alterations and extension to an existing dwelling at 8 Highbury Court, Strathdale 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. 2024-192**

**CARRIED**

### **Background Information**

8 Highbury Court Strathdale was created following approval of planning permit AM/867/2016/A, which allowed for the subdivision of land at 40 Harley Street Strathdale into 12 lots, the removal of vegetation, removal and creation of easements, demolition of amenities block and works within the Heritage Overlay. The subdivision was completed, and titles issued for the new allotments on 16 February 2024. 8 Highbury Court is known as Lot 9 on Plan of Subdivision 807999Q.

Prior to subdivision, 40 Harley Street had previously been used and developed as a wedding and function centre and contained several buildings on the site including a mud brick dwelling, other residential buildings, a hall, and sheds, collectively known as Nanga Gnulle.

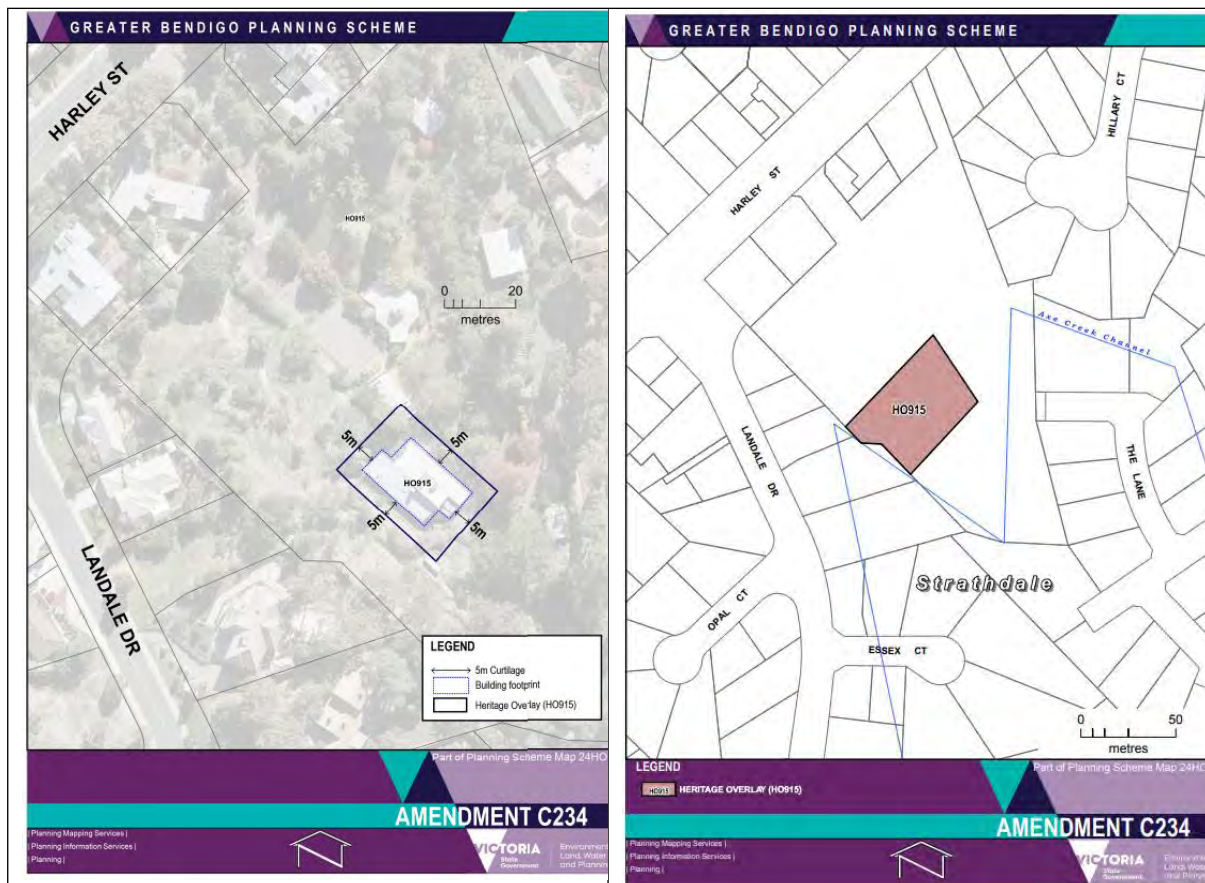
During the assessment of the aforementioned subdivision application, the potential heritage value of Nanga Gnulle was identified, and a process to assess its heritage value and apply the Heritage Overlay to part of the overall site commenced through the preparation of an Amendment to the Greater Bendigo Planning Scheme.

This Amendment, known as Amendment C234gben, was exhibited between 2 November and 4 December 2017, a Panel Hearing held to consider submissions on 21 May 2018 (with report containing recommendations received 12 June 2018), was adopted by Council on 15 August 2018, and was approved with changes and gazetted in the Government Gazette on 11 October 2018. All documentation relating to the Amendment can be found in the following link:

<https://planningschemes.app.planning.vic.gov.au/Greater%20Bendigo/amendments/C234>.

The Panel Report included the following (summarised) conclusions:

- The original curtilage of 5 metres proposed in the exhibited amendment did not adequately respect the original setting, environment, heritage significance and value of the mud brick house (the exhibited version and the gazetted version are shown below at Figure 1).
- Internal alteration controls should not be applied given there has been no detailed assessment of the interior.
- No other buildings on the site are of heritage significance.
- The gardens have been assessed against HERCON heritage criteria and are not considered to be of heritage significance to warrant inclusion in the Heritage Overlay.



**Fig 1.** Original curtilage proposed (left) and approved curtilage (right), which indicates how the Heritage Overlay has been applied to the site.

The recommendations of the Panel were to:

1. Amend the citation for the mud brick house 'Nanga Gnulle' at 40 Harley Street in accordance with the changes shown in Appendix C to the Panel Report.

2. Amend planning scheme map 24HO to show the recommended location of the Heritage Overlay polygon for HO915.

These recommended changes from the Panel Report would result in both the Planning Scheme maps and the citation for the cite correlating to apply the Heritage Overlay to essentially the whole of the site now known as 8 Highbury Court Strathdale.

The Planning Scheme maps were updated in accordance with these recommendations prior to adoption of the Amendment, and the Heritage Overlay (HO915) now applies to the site as indicated below in Figure 2 below.

While the citation for Nanga Gnulle was also updated in line with the recommendations of the Panel (referring to the greater curtilage around the dwelling which accords with HO915), unfortunately a subsequent amendment to the Greater Bendigo Planning Scheme has resulted in the incorrect reference document/citation being inserted as an Incorporated Document to the Planning Scheme. The citation currently contained as an Incorporated Document incorrectly refers to the 5 metre curtilage as was originally proposed.

The City's Strategic Planning Department is aware of the above inconsistency and will seek to correct this and insert the correct citation for HO915 into the Planning Scheme as part of a future Planning Scheme Amendment.

The map extents of the Heritage Overlay were not altered as part of this later amendment and *remain correct*.





**Figure 2.** Aerial photo of 8 Highbury Court Strathdale, with shaded area indicating the extent of the Heritage Overlay which applies to the land.

While the current citation for the site references the incorrect 5 metre curtilage, this does not impact the City's assessment of the application given that the Heritage Overlay applies to (essentially) the whole of the site as was intended. The application and its impact on the whole of 8 Highbury Court will be assessed on its merits and is discussed as part of the report below.

## **Report**

### Subject Site and Surrounds

The subject land is irregular in shape, with a total area of 2671 square metres. The site contains an existing mud brick house known as 'Nanga Gnulle' centrally on the allotment, which is surrounded by established landscaping, which are remnants of the larger original garden on the site. The dwelling has been the subject of vandalism in recent times, requiring the dwelling to be boarded up to restrict access into the building.

The land falls significantly from the rear to the front of the site adjoining Highbury Court, with native vegetation along the higher portion of the land. Remnants of a disused concrete water race are also located along this rear boundary.

The dwelling is the only current building within Highbury Court, however established dwellings surround the site to the immediate south, and further north, east and west. Highbury Court connects to Harley Street, north west of the site, with Harley Street running between Condon Street and McIvor Highway, both being major transport routes into central Bendigo. The site is located approximately 750 metres east of Kennington Village/Strath Village shopping centres, 450 metres south east of Kennington Reservoir, and 3.5 kilometres south east of the Bendigo CBD.



**Figure 3.** Aerial photo of subject land and surrounds.



**Figure 4.** View of Nanga Gnulle and associated landscaping from Highbury Court





**Figure 5.** View of Nanga Gnulle and associated landscaping from Highbury Court



**Figure 6.** View of Nanga Gnulle and associated landscaping from Highbury Court

## Proposal

The application proposes an extension to the existing mud brick dwelling (Nanga Gnulle), along with minor alterations to its exterior.

The works to the existing dwelling include:

- Partial demolition to the rear to allow for construction of the extension and a minor addition of an ensuite. This demolition includes windows and doors, and small sections of the wall indicated below at Figure 7.
- Replacement of two non-original verandah columns.



**Figure 7.** Areas where partial demolition is proposed





**Figure 8.** Verandah columns to be replaced

Designed to allow for multi-generational living, the dwelling extension will include:

- An entry and dining room which will form part of the link between the existing dwelling and new extension. A courtyard and pool will flank either side of this link.
- Three bedrooms each with ensuite, an open kitchen and living area, family room and laundry.
- A new double garage.
- A rooftop garden extending across the rooftop of most of the extension.

Owing to the fall of the land, the extension will be cut into the site, in order to reduce its overall bulk.





Figure 9. Existing site plan and photos

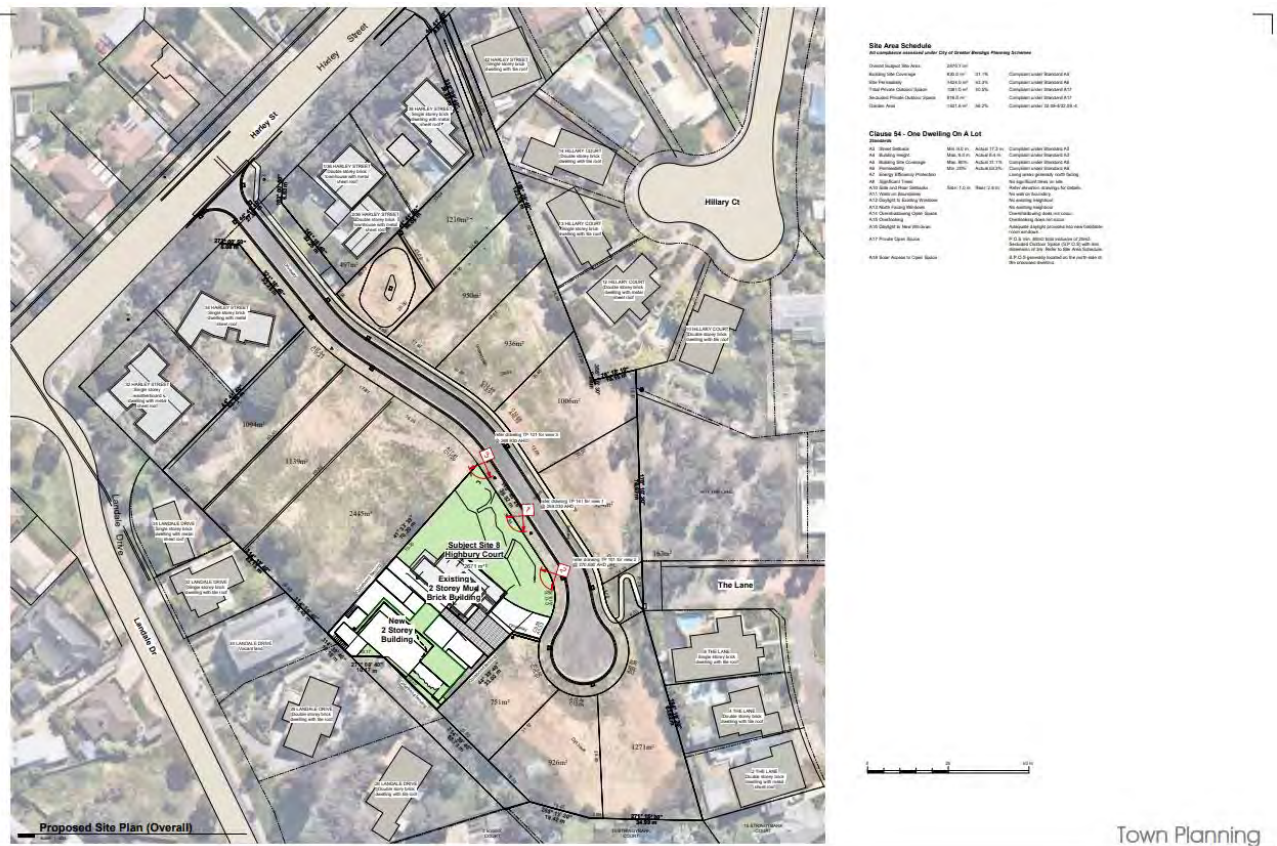


Figure 10. Proposed site plan.



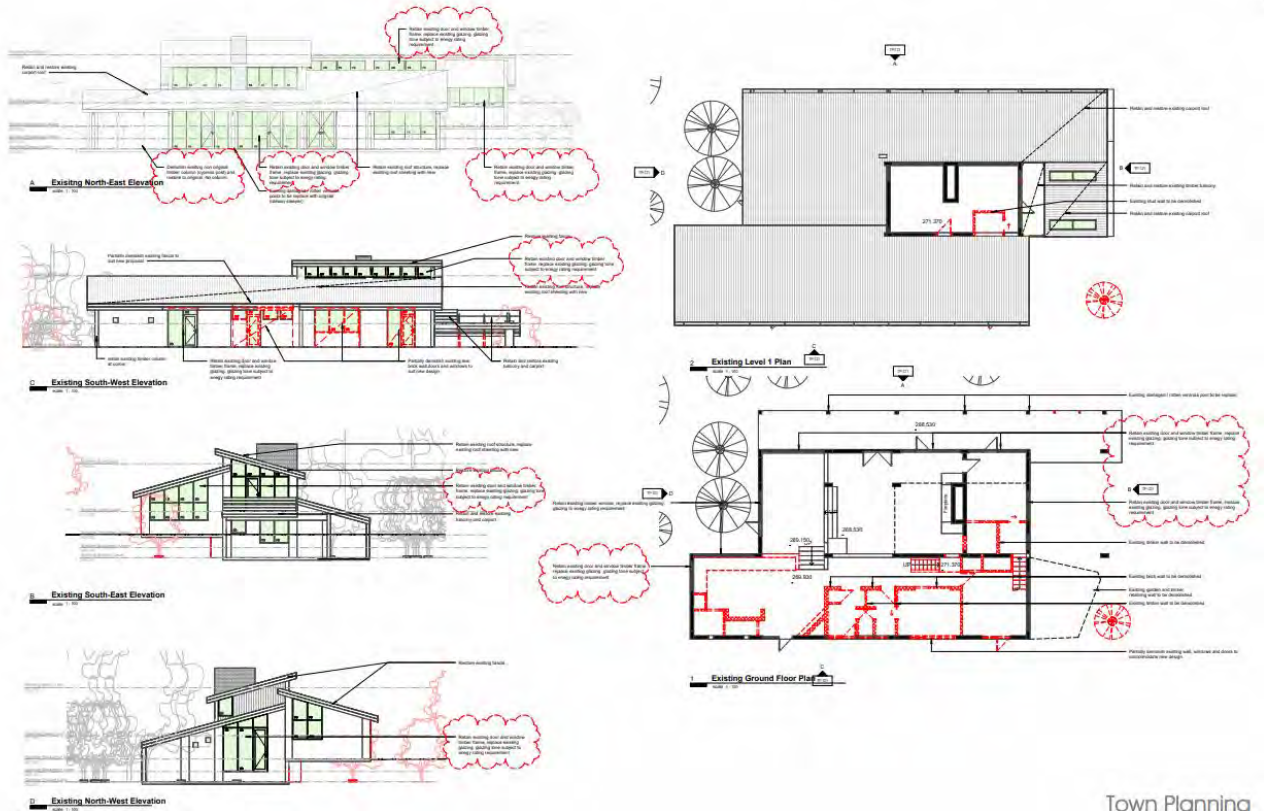


Figure 11. Existing elevations and extent of demolition proposed

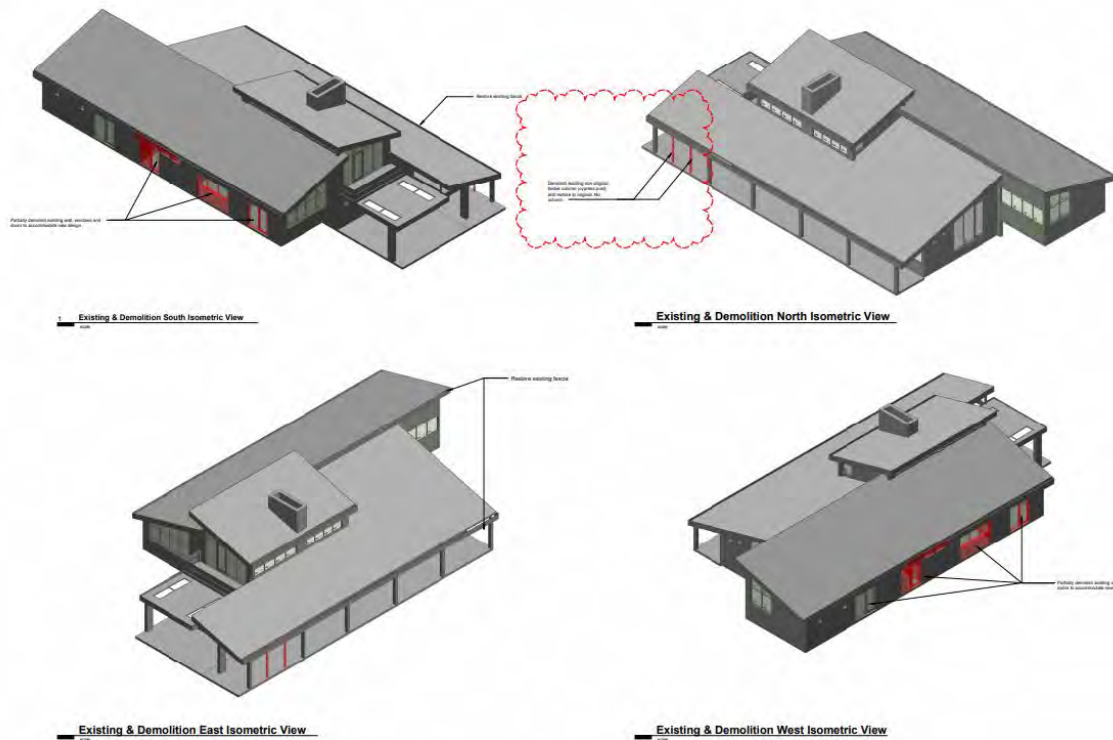


Figure 12. Existing 3D renders showing extent of external demolition/alterations proposed.



Figure 13. Proposed floor plan – ground floor.

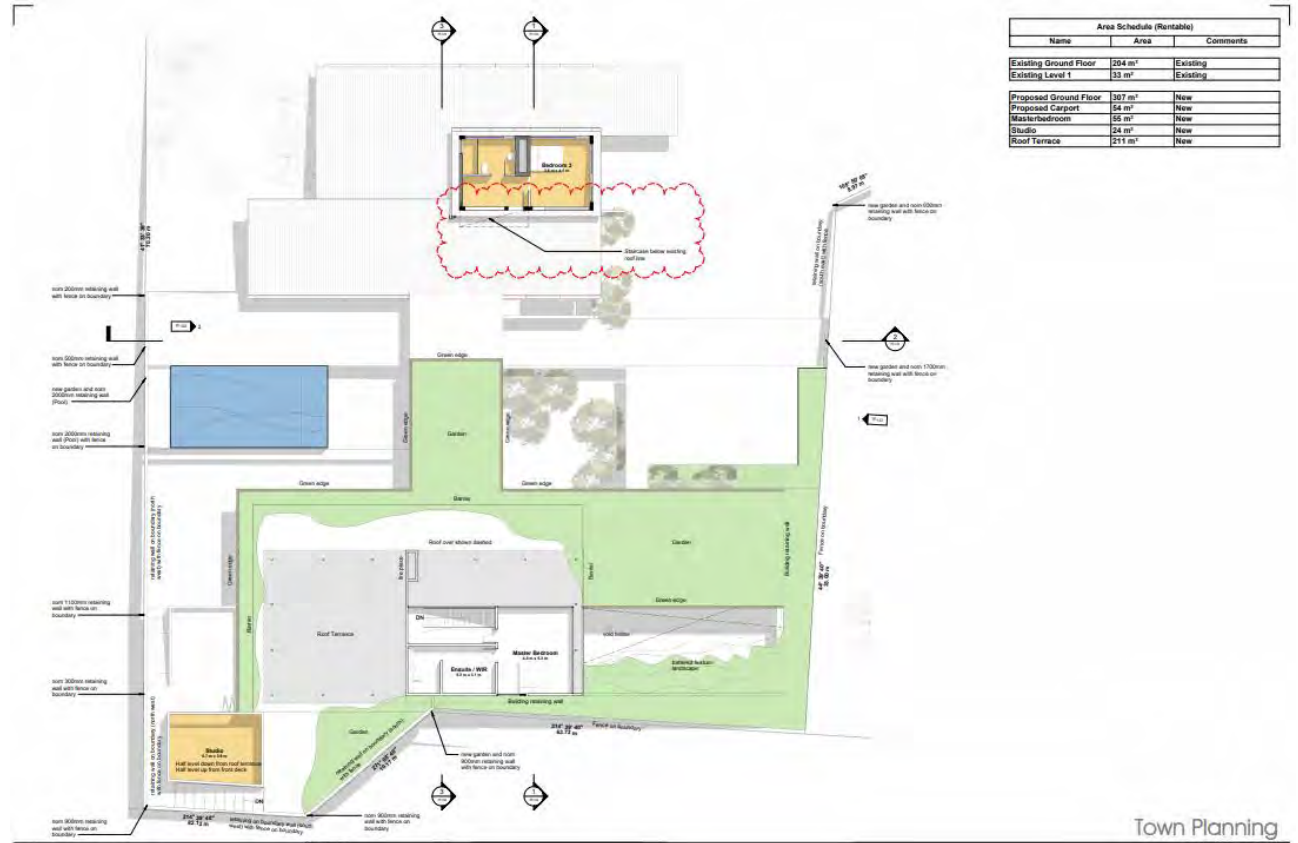
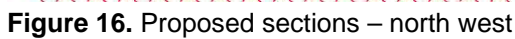
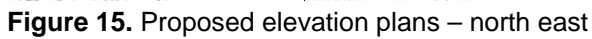


Figure 14. Proposed floor plan – upper floor.







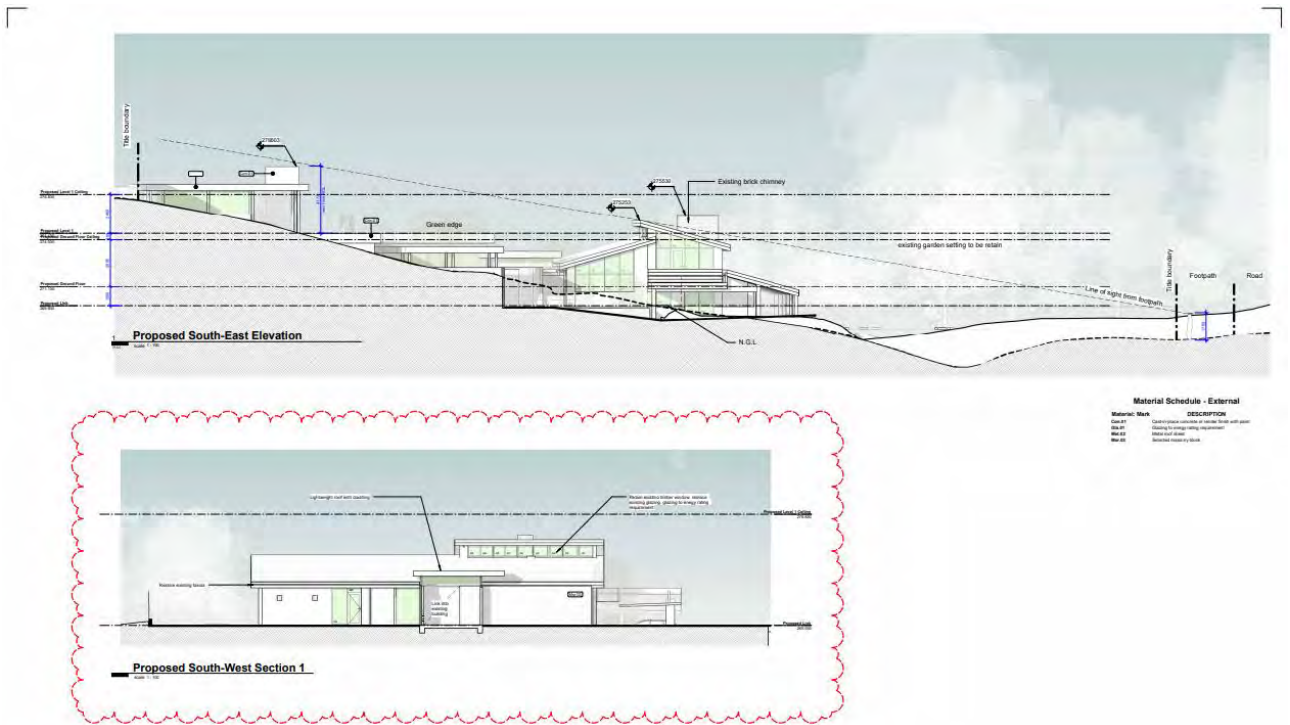


Figure 17. Proposed sections – south west.



Figure 18. Indicative landscaping.

## Planning Controls - Greater Bendigo Planning Scheme

### Why is a permit required?

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 43.01-1 Heritage Overlay	<p>A permit is required to:</p> <ul style="list-style-type: none"> <li>• Demolish or remove a building</li> <li>• Construct a building and carry out works</li> </ul>	<p>Yes.</p> <p>Clause 43.01-4 states that an application under this Overlay for any of the following classes of development 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:</p> <ul style="list-style-type: none"> <li>• External alteration of a building</li> <li>• Carry out works, repairs and routine maintenance</li> <li>• Construction of a fence</li> <li>• Construction of a carport, garage, pergola, verandah, deck or similar structure</li> </ul>

**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.

This means that 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 – which in this case relate to the permission required for demolition and the building and works for the dwelling extension.

#### Municipal Planning Strategy

- 02.03-1 – Settlement
- 02.03-5 – Built environment and heritage
- 02.03-6 – Housing

#### Planning Policy Framework

- 11 – Settlement
- 11.01-1S – Settlement
- 11.01-1R – Settlement – Loddon Mallee South
- 11.01-1L-01 – Settlement – Greater Bendigo
- 15.01—1S – Urban design
- 15.01-2S – Building design
- 15.03-1S – Heritage conservation
- 15.03-1L – Post contact heritage conservation – Greater Bendigo

#### Other Provisions

- 43.01 – Heritage Overlay
- 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
Heritage Advisor	Some minor alterations to the plans were required in response to the initial referral. Following subsequent amendments to the plans and re-referral, the proposal is supported, subject to requiring additional detail regarding proposed colours. Should a permit issue, this can be included as a condition.

#### Public Notification

The application was advertised by way of notice on the site and letters to adjoining and nearby owners and occupiers. As a result of advertising, 5 objections were received. It is noted that none of the objectors reside proximate to the site.

The grounds of objection can be summarised as:

- Application does not address all of the requirements of the Heritage Overlay.
- Vegetation on the site should be protected. Vegetation removal is proposed which is contrary to the Heritage Overlay. No landscape plan provided. Concerns with the extent of vegetation to be removed.
- A Heritage Impact Statement has not been provided
- The extension does not reflect the heritage place in terms of setbacks from existing dwelling, materials and appearance.
- Concerns with extent of curtilage referred to.



The above grounds of objection will be discussed within the planning assessment below.

## **Planning Assessment**

### Consistency with planning policy

Heritage conservation is referred to within the Greater Bendigo Planning Scheme at Clauses 02.03-5 (*Built Environment and Heritage*), 15.03-1S (*Heritage conservation*) and 15.03-1L (*Post contact heritage conservation – Greater Bendigo*).

Clause 02.03-5 of the Municipal Planning Strategy notes that strategic directions for heritage include protecting the city's valuable heritage sites and balancing this protection of heritage places with support for sensitive and innovative development to accommodate projected population growth. Further, high quality and sympathetic design should be supported when undertaking any new development within a heritage place, along with encouraging the restoration and sympathetic development of heritage places.

The proposal accords with many of these strategic objectives given that the development will result in the protection and restoration of the historic Nanga Gnulle mud brick dwelling which is currently at risk of its heritage values being undermined through non occupation of the site and vandalism, and the construction of a sympathetic extension which will both enhance the site and complement the existing dwelling, while also providing for housing diversity and growth.

State planning policy at Clause 15.03-1S includes strategies to encourage appropriate development that respects places with identified heritage values, retain those elements which contribute to the importance of the heritage place and ensure that an appropriate setting and context for heritage places is maintained and enhanced, and to encourage conservation and restoration of contributory elements of a heritage place.

Again, the proposal accords with these strategies and objectives through an appropriately designed extension to the existing heritage dwelling on the site, which respects the context of the existing building including the preservation of existing landscaping where possible and will result in the restoration of the dwelling and continued maintenance of the site.

Local policy at Clause 15.03-1L sets out a number of strategies applying to all applications within the Heritage Overlay. Those relevant to this application are included in the following table, along with a brief response provided against each of these broader strategy groupings.

Strategy	Response
<p><u>General</u></p> <p>Ensure integration of new development by encouraging design that respects the heritage place through its setting, location, bulk, form, materials and appearance.</p> <p>General policy guidelines are to consider the <i>Heritage Design Guidelines</i> (City of Greater Bendigo, September 2020) and any statements of significance.</p>	<p>The proposed extension has been designed to be visually recessive and appear as a secondary element on the site. This is achieved through an appropriate setback from the existing mud brick dwelling, the provision of a simple linking element between both, and through the proposed excavation to set the dwelling into the existing slope of the site to reduce visual bulk.</p> <p>An assessment of the relevant Heritage Design Guidelines is included later within this report.</p>
<p><u>Addition and alterations</u></p> <p>Retain and protect the main architectural style, structure and significance of the heritage place.</p> <p>Locate additions and alternations to be concealed from the public realm, or if this cannot be achieved to not dominate the heritage place.</p> <p>Avoid additions and alterations that detract from the significance or views of adjoining heritage places and precincts.</p>	<p>The proposed alterations to the mud brick dwelling are minimal and limited to the replacement of some posts (which are later additions with no heritage significance) and some partial demolition at the rear of the dwelling to create the link to the extension.</p> <p>An appropriate and simple link is provided between the existing dwelling and the proposed extension which provides for adequate separation between both elements and a clear delineation between the old and new built form on the site.</p>
<p><u>Car parking</u></p> <p>Support car parking, car accommodation and associated accessways that do not dominate or affect the significance of a heritage place.</p> <p>Car parking policy guidelines are to consider locating car parking to the rear or to the side of the building, at least 1 metre behind the primary façade.</p>	<p>A new (open) double garage is proposed as part of the extension, which has been sited behind the line of the existing dwelling. The open nature of the garage will ensure that it does not become a visual focus for the site.</p>
<p><u>Demolition strategies</u></p>	

<p>Support the retention of significant or contributory heritage buildings or places.</p> <p>Retain original elements that contribute to the significance of a heritage place including but not limited to windows, doors, chimneys, verandahs, shopfronts, fences, outbuildings and trees.</p> <p>Allow the demolition of non-contributory buildings in heritage precincts provided the replacement building does not adversely affect the heritage significance of the precinct.</p> <p>Discourage demolition that results in the retention of only the front building façade.</p> <p>Ensure any replacement building, where demolition is supported, is of high quality design and does not adversely affect the significance of the heritage place.</p> <p>Allow for the partial demolition of significant and contributory buildings where either:</p> <ul style="list-style-type: none"> <li>○ The fabric to be demolished is of no significance.</li> <li>○ The demolition reveals the original fabric of the building.</li> <li>○ The demolition will assist in the long term conservation of the heritage place.</li> </ul> <p>Retain the three-dimensional form for the partial removal of a building and ensure that not just the façade is retained.</p> <p>Ensure archival recording of sites by a heritage professional where demolition is supported, as appropriate.</p>	<p>There is only minor demolition proposed, which is limited to some windows and doors at the rear of the dwelling to allow for the creation of the link between the existing dwelling and the extension as well as a small ensuite area to the rear of the existing dwelling, and replacement of non-original verandah posts. This extent of demolition is considered acceptable and will not detract from the significance of the heritage place.</p> <p>The demolition will facilitate the long term conservation of the heritage place.</p> <p>The existing form of the mud brick dwelling will remain clear following these works</p>
--	--

Along with these heritage policies, the proposal is also consistent with broader policy objectives surrounding settlement and housing, infill development and neighbourhood character.

Clause 02.03-7 (*Housing*) seeks to facilitate a wide diversity of housing typologies to suit all household types, needs and incomes, and make best use of land and environmental resources. The multigenerational living arrangements proposed as part of this development and facilitated by the design of the extension will contribute to providing greater housing choice, on existing residential land. The themes of Clause 02.03-7 are further built on at Clause 16.01-1S (*Housing supply*), which seeks to facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types. Again, the proposed living arrangements will result in increased housing choice and diversity in the housing provided within the municipality.

Clause 15.01-5L-13 (*Strathdale/Kennington neighbourhood character*) sets out policy objectives and strategies for various precincts within both suburbs, with the subject land falling within Precinct 6. The strategies for Precinct 6 are to maintain and strengthen existing neighbourhood character which is drawn from newly developed large dwellings with small setbacks, garden setting of dwellings that are a mix of exotic and native, an open streetscape due to an absence of front fences, and to encourage individually designed buildings that respond to the garden setting. It could be said that the proposal achieves these intended outcomes with a site responsive bespoke design which has given consideration to the existing garden setting on the site and intentions to enhance such. No front fencing is proposed.

Overall, it is considered that the proposal has a strong level of policy support.

Does the proposal accord with the purpose and decision guidelines of the Heritage Overlay and is the proposed development an acceptable response to the site?

The purpose of the Heritage Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The proposal has been assessed against the decision guidelines of the Heritage Overlay as follows:

Decision guideline	Response
The Municipal Planning Strategy and the Planning Policy Framework.	The proposal has been assessed against relevant planning policy earlier within this report. The proposal is considered consistent with relevant policy objectives regarding heritage preservation and infill development on sites with heritage significance, as well as housing and neighbourhood character outcomes.
The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.	<p>Heritage Overlay – Schedule 915 applies to the site, which refers to ‘Nanga Gnulle’ mud brick and reclaimed materials house.</p> <p>The proposal does not adversely affect the significance of the site, for reasons which are explored further in the assessment below.</p>
Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.	<p>The Statement of Significance :40 Harley Street, Strathdale, September 2020 notes the following:</p> <p><b>What is significant?</b>  <i>Nanga Gnulle at 40 Harley Street, Strathdale, a split-level timber and mudbrick house incorporating skillion roofs clad in corrugated steel, clerestory windows and reclaimed brick chimneys is significant. The significant fabric is defined as the exterior of the entire house (including verandah, carport and brick paving), with a nominal curtilage (minimum five metres to all sides) to preserve its immediate setting. The mudbrick outbuildings, of relatively recent date and far more conventional in their expression, are not considered to be significant. <u>Although of some interest, the brick shed and landscaping (with which Alistair Knox was not involved) are similarly not considered to be crucial to an understanding of the cultural</u></i></p>



	<p><u>significance of the house</u> (emphasis added).</p> <p><b>How is it significant?</b>  <i>Nanga Gnulle is of significance for research potential, aesthetic and associative significance to the City of Greater Bendigo.</i></p> <p><b>Why is it significant?</b>  <i>Nanga Gnulle is significant for the carefully considered integration of recycled building materials that were salvaged from numerous important (or merely representative) nineteenth century structures in and around Bendigo that were demolished in the early 1970s. These materials, which would otherwise have been lost, collectively form part of the story of the Bendigo region, and their rare retention within this building has the potential to yield information to contribute to an understanding of the region's rich history. (Criterion C).</i></p> <p><i>This house is significant as a notable example of the highly distinctive aesthetic style associated with the self-building subculture that became hugely popular in Victoria during the 1970s (continuing into the 1980s and beyond). Characterised by the extensive use of building materials that were either made from scratch (for example mudbricks) or salvaged from demolition sites (for example, reclaimed bricks, stone, weathered timber and architectural antiques), and by a preference for open planning, split levels and often unusual plan or roof forms, these houses are noted for their ruggedness and organic style. Although such houses became widely popular in Bendigo from the early 1980s, Nanga Gnulle stands out as a significantly earlier manifestation that must be seen as an important predecessor of a local trend that still continues to this day (Criterion E).</i></p>
--	---

	<p><i>The house is significant as an excellent and notably intact example of the work of Alistair Knox, an important and influential figure in the development of post-war residential architecture in Victoria (and beyond), specifically for his role in promoting mudbrick construction, self-building and the integration of architectural salvage, all of which became widely popular in the 1970s. One of only three houses that Knox designed in what is now the City of Greater Bendigo, Nanga Gnulle is one of only two that were built, and stands out as the earliest, largest and best example of this work in the municipality (Criterion H).</i></p> <p>This Statement of Significance has been considered both through the design of the dwelling extension and through the assessment of the proposal. See previous discussion regarding the curtilage referred to within this Statement of Significance.</p> <p>It is noted (see underlined section) that the landscaping of the site is not considered to be crucial to the understanding of the house. The lack of heritage protection for the garden surrounding the dwelling is discussed later within this report.</p>
<p>Any applicable heritage design guideline specified in the schedule to this overlay.</p>	<p>The Heritage Design Guidelines (City of Greater Bendigo, September 2020) are an Incorporated Document within the Greater Bendigo Planning Scheme.</p> <p>Of relevance to this application are the guidelines regarding additions and alterations, car parking and demolition. These will be considered in turn below.</p> <p><u>Additions and alterations</u></p> <p>The objectives for additions and alterations are:</p> <ul style="list-style-type: none"> <li>• To encourage additions and alterations that retain and protect the</li> </ul>

	<p>main architectural style, structure and significance of the heritage place.</p> <ul style="list-style-type: none"> <li>• To ensure integration of new development by encouraging design that respects the heritage place through its setting, location, bulk, form, height, materials and appearance.</li> <li>• To encourage alterations and additions to heritage places that are concealed from the public realm, or if this cannot be achieved, do not dominate the heritage place.</li> <li>• To ensure that additions and alterations to a heritage place do not detract from the significance or views of adjoining heritage places and/or precincts.</li> <li>• To encourage additions and alterations that avoid demolition of a heritage place and/or contributory elements; retaining facades only is discouraged.</li> </ul> <p>Design advice includes the following:</p> <ul style="list-style-type: none"> <li>• Additions should be set back in a way that allows the retention and view of the existing contributory elements, particularly chimneys and roof form.</li> <li>• While both contemporary and conservative design approaches are appropriate, additions should be distinguishable from the existing heritage place; designs that copy the decorative detail of the heritage place on new additions should be avoided.</li> <li>• The design of additions should be comprised of simple shapes of a similar scale and proportion to the existing building or be designed in a way that ensures that they do not dominate the heritage place or nearby heritage places.</li> <li>• Where possible, additions should be located at the rear, behind the main roof ridgeline, have a separate roof form to that of the heritage dwelling and not be visible from the street.</li> </ul>
--	---

	<ul style="list-style-type: none"> <li>• The original roof form should be retained, including chimneys.</li> </ul> <p>For large and/or double storey additions the following design advice is provided:</p> <ul style="list-style-type: none"> <li>• Larger additions can be joined to the heritage place with a recessed, unobtrusive link.</li> <li>• When joined by a link, additions should be setback a minimum of 1 metre from rear of the original dwelling.</li> <li>• Additions should be setback as far as possible from the front building façade (or primary façade) to ensure that the new additions are concealed or partially concealed from public view.</li> <li>• Where additions are taller than the heritage dwelling, the addition should not dominate when viewed from points 1.7m above natural ground level on the opposite footpath, from directly in front and from a position aligned with the side boundary two allotments away, on both sides.</li> </ul> <p>The proposal has responded to this design advice by:</p> <ul style="list-style-type: none"> <li>• Incorporating a setback from the existing dwelling of approximately 4.64 metres, which allows the form of the mud brick dwelling to remain clear.</li> <li>• Utilising a modern design which ensures it is clearly distinguishable from the existing heritage place.</li> <li>• Setting the building into the landscape so that it does not dominate the heritage dwelling.</li> <li>• Locating the extension to the rear of the dwelling to minimise visibility from the street.</li> <li>• Using an unobtrusive recessed link to join the heritage place to the addition.</li> <li>• Ensuring through building form, siting and height that the addition does not dominate the site or streetscape when viewed from a height of 1.7m above natural ground level. Indicated</li> </ul>
--	---

	<p><u>Car parking</u></p> <p>The objectives for car parking are:</p> <ul style="list-style-type: none"><li>• To ensure that car accommodation, including open parks, carports and garages, and car access points do not dominate or affect the significance of the heritage place.</li><li>• To encourage car parking to be located at the rear or to the side of the building, at least 1 metre behind the primary façade.</li><li>• To ensure that the location, bulk, form, materials and appearance of the structure does not dominate the contributory elements of a heritage place.</li></ul> <p>Design advice includes the following:</p> <ul style="list-style-type: none"><li>• Where possible, new car parking structures should be set back a minimum of 1 metre from the front building line (primary façade with main entry).</li><li>• Where it is not possible to site a new structure behind the front building line or is likely to become a dominant feature in the streetscape, an open parking space to the side of the property is preferred.</li><li>• Where possible carports and/or garages should be freestanding and should not block views from the public realm of any contributory elements.</li><li>• Existing access points should be used where possible and more than one access point per allotment is discouraged.</li><li>• New structures should be proportionately smaller in scale than the dwelling.</li><li>• New structures should have a simple skillion, hipped, gable or flat roof.</li><li>• New structures should be of simple design so as not to dominate the street façade and not use elaborate ornamentation.</li></ul>
--	---



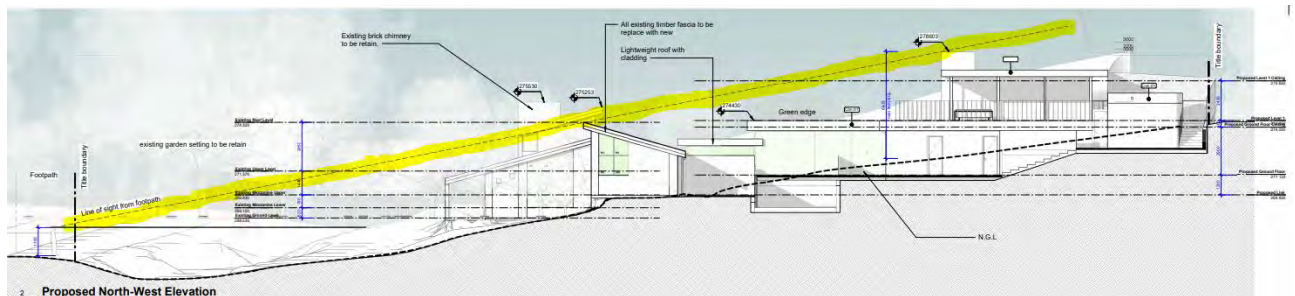
	<ul style="list-style-type: none"><li>• Where there is an existing garage that is original to the house and is contributory to the house's significance, it should be retained.</li></ul> <p>The proposal has responded to this design advice by:</p> <ul style="list-style-type: none"><li>• Setting the new garage well behind the line of the existing dwelling where it will not obscure views of the existing building.</li><li>• Incorporating an open design to the new garage to ensure that it does not visually dominate the site.</li><li>• Utilising the existing access point to the land and retaining the existing carport associated with the mud brick dwelling.</li></ul> <p><u>Demolition</u></p> <p>The objectives for demolition are:</p> <ul style="list-style-type: none"><li>• To encourage the retention of a significant or contributory heritage buildings or places unless it is structurally unsound and beyond repair.</li><li>• To encourage the retention of original elements that contribute to the significance of a heritage place including but not limited to windows, doors, chimneys, verandahs, shopfronts, fences, outbuildings and trees.</li><li>• Allow the demolition of non-contributory buildings in heritage precincts provided the replacement building positively contributes to the heritage significance of the precinct.</li><li>• Where demolition is supported, ensure any replacement building displays design excellence and positively contributes to the heritage significance of the place.</li><li>• Allow for partial demolition where the fabric is of no significance or reveals original fabric or will assist in long term conservation of the building.</li></ul>
--	---

	<ul style="list-style-type: none"> <li>• To encourage the retention of the three dimensional form; retention of the façade only is not supported.</li> <li>• Require archival recording of sites by a heritage professional where demolition is supported, as appropriate.</li> </ul> <p>Partial demolition will only be supported when:</p> <ul style="list-style-type: none"> <li>• That part is not visible from the street frontage (other than a laneway), abutting park or public open space, and the main building form including roof form, and a substantial portion of the side walls are maintained. Inadequate retention of fabric can result in façadism which should be avoided.</li> <li>• The removal of the part would not adversely affect the significance of the place or the contribution of the building to the heritage precinct. In most cases, the removal of elements of a heritage place that do not contribute to its heritage significance, such as recent alterations or additions, are permitted.</li> <li>• It reveals original fabric.</li> <li>• It assists in the conservation of the heritage place.</li> <li>• The Contributory Elements are beyond repair. In most cases, contributory elements that have been damaged (for example through neglect, fire, storm) may be repaired with appropriate professional advice.</li> </ul> <p>The proposal has responded to these guidelines by:</p> <ul style="list-style-type: none"> <li>• Only proposing minor demolition to the rear of the dwelling where it is not visible from the street.</li> <li>• Only proposing demolition of elements which will not adversely affect the significance of the heritage place.</li> </ul>
--	--

	The works will assist the conservation of the existing dwelling.
Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.	<p>Each of these elements is considered below:</p> <p><u>Location</u></p> <p>The dwelling extension has been set back 4.64 metres behind the line of the existing dwelling, to ensure that there is a clear delineation between the old and the new on the site. A link will provide a connection between these buildings. Additionally, the siting of the dwelling has considered the topography of the site and the potential impacts this may have on siting a new dwelling behind the original and has incorporated a design which sees the extension set into the slope. This reduces the visual dominance of the extension.</p> <p><u>Bulk</u></p> <p>While on its own the scale of the development would be considered extensive, by setting the building into the slope of the site, this achieves a significant reduction in the overall bulk of the dwelling extension.</p> <p><u>Building form and appearance</u></p> <p>Relatively simple forms have been chosen for the extension, which in conjunction with the proposed rooftop landscaping and the siting of the extension, will soften its visual impact.</p> <p>The design of the dwelling extension has appropriately considered the sensitivities of the site and the significance of the heritage dwelling on the site and has sought to ensure that each of the elements can be read appropriately as the new and the old, while being respectful to the design and built form of the existing dwelling. It is considered the extension will complement the existing</p>

	dwelling and will assist in ensuring that the heritage significance of the site is maintained for current and future generations.
Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.	<p>The existing mud brick dwelling is currently the only development within Highbury Court, and the site is surrounded by vacant allotments. As such, there is not a need to ensure that the development on the site is in keeping with the character and appearance of adjacent buildings given that there are none. The development will however be consistent with the broader neighbourhood character of the area where there are expansive dwellings set within landscaping.</p> <p>The impact of the proposal on the heritage dwelling on the site has been considered above.</p>
Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.	<p>The extent of demolition proposed on the site is minimal, limited to existing openings at the rear of the dwelling and small parts of the wall adjoining these. Given the location of the proposed demolition, and that the remainder of the dwelling will remain intact, this demolition will not adversely affect the significance of the heritage place but will rather ensure its ongoing conservation and protection through occupation of the site.</p> <p>Likewise, the replacement of two (later) verandah posts is not likely to detract from the appearance of the site, or its heritage significance, but will rather enhance its appearance and ensure its significance is maintained.</p>
Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.	The impact of all works on the site has been considered above, and will not affect the significance, character or appearance of the heritage place. It is reiterated that the proposed works to the site are likely to enhance the appearance of the site and ensure that the dwelling is conserved and protected into the future.

Whether the proposed subdivision will adversely affect the significance of the heritage place.	N/A – no subdivision proposed as part of this application
Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.	N/A – no subdivision proposed as part of this application.
Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.	N/A – no signage proposed as part of this application.
Whether the lopping or development will adversely affect the health, appearance or significance of the tree.	N/A – the Schedule to the Overlay does not specify that there are Tree Controls applying to the land, and therefore any removal of vegetation does not required approval.
Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.	N/A – no solar energy systems are proposed on the heritage dwelling.



**Figure 19.** Line of sight from footpath.

It is considered that the proposal accords with the objectives and purposes of the Heritage Overlay and will result in an acceptable outcome which will ensure the ongoing preservation and conservation of Nanga Gnulle.

#### Remaining objector concerns

- *Landscaping and extent of vegetation removal proposed*

The protection of the gardens surrounding Nanga Gnulle is one of the key concerns raised within objections.



The issues regarding protection of the existing garden setting surrounding the dwelling were considered at length during Amendment C234gben which applied the Heritage Overlay to the site. There is an ability within the Heritage Overlay to protect trees on the site, however there is no mechanism to protect gardens, and gardening is not a use which requires planning permission in any case. The Panel considered whether the gardens should be protected in some way, ultimately concluding that the gardens are not of local heritage significance, and there is not sufficient justification for inclusion of the gardens within the Heritage Overlay, nor any other protection within the Planning Scheme.

Despite this, following on from the consultation meeting and in recognition that this was still a matter that concerned objectors, the applicant prepared a Draft Landscape Concept Plan for the site for discussion, with a view to resolving some of these concerns.

This Draft Concept Plan provided an assessment of all existing vegetation surrounding the existing dwelling, identified vegetation for retention, and included recommendations for future landscaping on the site surrounding the mud brick dwelling.

This landscape plan was prepared on a without prejudice basis and as an act of good faith in response to the concerns of the objectors and does not form part of the application documentation.

Objectors were given the opportunity to further engage and meet with the applicant to discuss this landscape concept given that the garden treatment of the site remained a significant element of contention, however all declined to participate in this further consultation process.

Despite the lack of specific heritage protection or landscaping controls on the site, it is not unusual to require by condition a landscape plan for residential development of this type. A condition to this effect is recommended to be included if a permit is issued.

- *Curtilage*

This matter was discussed earlier within the Background Section of this report. There is currently some discrepancy between the citation/statement of significance which is incorporated into the Planning Scheme for this site and the one approved as part of the Amendment to the Planning Scheme facilitating introduction of the Heritage Overlay to the site. Given that the mapping correctly identifies where the Heritage Overlay applies, this issue is of no material consequence in terms of the assessment of the application. The assessment of the application, outlined above, considers the

impact of the proposed works on the whole of the site, regardless of the curtilage referred to in any documentation.

- *The need for a Heritage Impact Statement and Heritage Protection Plan*

The Heritage Overlay nor the Schedule to the Heritage Overlay does not specify a Heritage Impact Statement as being an application requirement, therefore there is no mandatory requirement that the applicant prepare one to support their application. Typically, a Heritage Impact Statement is prepared in association with an application for works under the Victorian Heritage Register, which are not assessed by the City. In some circumstances it may be appropriate to request the preparation of a Heritage Impact Statement for an application under the Heritage Overlay, however the extent of works proposed as part of this application do not necessitate or warrant such a request in this instance.

A Heritage Protection Plan is a document designed to ensure protection of heritage assets and heritage places before, during and at the completion of construction works to ensure that the works do not compromise the heritage place. Again, they are often required for permits under the Victorian Heritage Register and are not a mandatory application requirement under the Planning Scheme.

Consideration has been given as to whether it would be appropriate to include conditions requiring protection details for the mud brick dwelling during the construction phase of the extension, should a permit issue. Given the extent of earthworks required to the site to facilitate the extension, it is considered that in this instance, such a condition would not be unreasonable. On this basis a condition requiring the submission of a site specific Construction Management Plan has been included in the draft conditions.

## **Conclusion**

It is considered that the proposed additions and alterations to the existing dwelling on the site (Nanga Gnulle) are acceptable and give due regard and consideration to the heritage significance of this building, while also providing an opportunity for the efficient use of land which will facilitate housing diversity and in this instance aid multigenerational living.

The siting of the extension away from the existing dwelling, along with the use of the terrain will ensure that the new works will read as a secondary element to the site and will not unreasonably dominate the site or detract from the heritage significance of the existing mud brick dwelling.

## **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. Plans required**

Before the development start(s), the following plans/documents must be prepared to the satisfaction of the responsible authority and must be submitted to and approved by the responsible authority. When approved, the plans/documents will be endorsed and will then form part of the permit.

- (a) Schedule of Materials in accordance with Condition 3
- (b) Construction Management Plan in accordance with Condition 5
- (c) Landscape Plan in accordance with Condition 6

**2. No layout alteration**

The 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. Schedule of materials**

Prior to the commencement of development, a schedule of the proposed materials and colours to be used for the building shall be submitted to and approved in writing by the responsible authority.

**4. Demolition activities**

All activities associated with the demolition 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.

**5. Construction management plan**

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

- (a) A site specific plan showing proposed erosion and sedimentation control works, and measures to protect the existing dwelling on the land during earthworks associated with construction of the dwelling extension.
- (b) Techniques and intervention levels to prevent a dust nuisance.

- (c) Techniques to prevent mud and dirt being transported from the site to adjacent streets.
- (d) The protection measures taken to preserve any vegetation identified for retention.

During construction of works associated with the subdivision, the applicant must employ and provide the protection methods contained in the Construction Management Plan to the satisfaction of the responsible authority.

**6. 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

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

**7. 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.

**8. 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.

**9. Heritage Conservation Works - Nanga Gnulle**

Prior to any works commencing:

- (a) An archival record of the buildings must be prepared and submitted to the responsible authority.
- (b) A detailed Conservation and Reconstruction Methodology must be prepared by a suitably qualified and experienced heritage consultant and submitted to the responsible authority. The methodology should include the following:
  - i. Heritage protection plan
  - ii. Dismantling process (recording condition, sequence of works etc)

- iii. Conservation process (removal of coatings and recoating, reconstruction of elements)
    - iv. Reconstruction and repair process (sequence of works, introduction of new materials and elements).
  - (c) A qualified and experienced heritage consultant must be appointed to advise on the conservation and reconstruction works.
10. **Heritage Conservation Works - Nanga Gnulle (Submission of validation report)**  
Prior to occupation of the development, a validation report authored by a qualified and experienced heritage consultant must be submitted and approved confirming that the works in the endorsed Conservation and Reconstruction methodology have been carried out in accordance with that plan.
11. **General Drainage – Buildings & Houses**  
The development must be drained to the satisfaction of the City of Greater Bendigo as the responsible drainage authority.
12. **Expiry of permit**  
This permit will expire if the development permitted by this permit is not completed within 2 years from the date hereof. The time within which the development must be completed may be extended, on written request to the responsible authority, before or within 6 months after the expiry of this permit where the development has not yet started or 12 months where the development has commenced.

## **Attachments**

Nil



**17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY**

Nil

**18. ABORIGINAL RECONCILIATION**

Nil

**19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT**

Nil

**20. A VIBRANT, CREATIVE COMMUNITY**

Nil

**21. A SAFE, WELCOMING AND FAIR COMMUNITY**

Nil

**22. URGENT BUSINESS**

Nil

**23. NOTICES OF MOTION**

Notices of Motion are suspended during the Election Period in accordance with the [Election Period Policy](#).

**24. MAYOR'S REPORT**

The Mayor's Report is suspended during the Election Period in accordance with the [Election Period Policy](#).

## **25. CHIEF EXECUTIVE OFFICER'S REPORT**

As we close another term of the Greater Bendigo City Council, I would like to take this opportunity to acknowledge and thank you Councillors for your commitment, service and dedication to our community. You have created a legacy you can be proud of and the impact of your work will be seen in Greater Bendigo for years to come. Included below is an extract of some of Council's key decisions and initiatives for the term. These will form part of the positive legacy that has been left for our community from this current term of Council.

### **1. Leadership and Governance**

- Steered Council through COVID recovery and stimulus
- Supported the community through the response and recovery of the 2022 and 2024 flood events
- Supported the move for customers, staff and visitors to Galkangu
- Oversaw the successful and respectful exit from Aged Care and Regional Assessment services
- Continued to advance our efforts in Circular Economy and reduce the amount of waste going to landfill each year
- Maintained strong financial sustainability and left investment and borrowing capacity for the next Council.

### **2. Advocacy and funding**

- Secured funding for Bendigo Showgrounds redevelopment project
- Secured funding for Bendigo Bowls and Croquet clubs redevelopment project
- Secured funding for Bendigo Lowline project
- Secured funding for the Heathcote Civic Project
- Secured funding for Bendigo Stadium redevelopment project
- Secured funding and approvals to advance Bendigo Art Gallery redevelopment

### **3. Planning for the future**

- Development and approval of the Managed Growth Strategy
- Development and approval of the Heritage Strategy - the first Heritage Strategy ever for the City
- Approved the Climate Change and Environment Strategy and reinforce our plans of net zero emissions by 2030
- Secured Backhaus oval, a key strategic recreation land parcel for the community
- Secured land at Ryalls Lane, including the former Strathfieldsaye Shire office - a key strategic land parcel for the community

#### **4. Our diverse and welcoming community**

- Continued to advance our reconciliation efforts and supported the self determination of our Traditional Owners the Dja Dja Wurrung & Taungurung
- Approved the *Yilingga Marna* agreement with Dja Dja Wurrung
- Stood as one with the Interfaith Council in united efforts to reinforce Bendigo's reputation as a welcoming City

#### **5. Developing our economy**

- Approved the Hargreaves Mall Action plan to improve the amenity, vibrancy and confidence in the Mall for the Community and Traders
- Paris: Impressions of Life exhibition further enhanced Bendigo Art Gallery global reputation and attracted thousands of tourists to our City and region
- Worked collaboratively with City of Ballarat to lead and support the submission of the Goldfields World Heritage bid

Congratulations on the way you have all worked together with the ultimate and shared objective of supporting Greater Bendigo and delivering our community vision. Thank you for the way you have worked with our staff to make this a successful and rewarding term.

To each councillor, thank you for your service and commitment. Your term has been marked by progress, vision, and a lasting positive impact. We look forward to building on this strong foundation and continuing to make Greater Bendigo a place we are all proud to call home. Thank you to your partners and families. These are roles with large time commitment, a large portion of this is after hours and we acknowledge the additional burden that has to be shared to enable this.

Cr Alden, thank you for your time as Mayor. This was a challenging and important period for the Council and the Community as we emerged from COVID.

Cr Metcalf, thank you for your three years as Mayor and congratulations for an being elected unopposed. We look forward to working with you in your next term as the Epsom Ward candidate.

To the departing Councillors, thank you for the contribution you have made to this Council, our organisation and our community. Each of you have gone about this in your individual way; each of you can be proud of what you have collectively achieved.

A special recognition to Cr O'Rourke who leaves us after 8 years as a City of Greater Bendigo Councillor, including 4 years as Mayor for the former Council.

Thank you for your tireless efforts and exceptional leadership. On a personal note, thank you for entrusting me as the CEO of the City.

## **26. CONFIDENTIAL (SECTION 66) REPORTS**

### **RECOMMENDED MOTION**

That Council close the meeting to members of the public pursuant to Section 66(2) of the Local Government Act 2020, to consider (a) report(s) relating to:

- (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 Williams

**Resolution No. 2024-193**

**CARRIED**

## **27. CLOSE OF MEETING**

There being no further business, this Council Meeting closed at 7:31 pm.