

COUNCIL MEETING AGENDA



6:00 pm on Monday, August 28 2023

Livestreaming at www.bendigo.vic.gov.au/councilmeeting

Broadcast live on Phoenix FM 106.7

If you would like to attend, please register your interest through the following link:
<https://boxoffice.gotix.com.au/WebPages/EntaWebGateway/gateway.aspx?E=N&QL=S2144|VTWN|G~/WEBPAGES/EntaWebEvent/EventSBandPrices.aspx>
or call the box office on 5434 6100 no later than 5pm on the day of the meeting.

Photo ID is a requirement of entry to the Public Gallery.

Copies of the City of Greater Bendigo Council's Agendas & Minutes
can be obtained online at www.bendigo.vic.gov.au

COMMUNITY VISION

2021–2031

Greater Bendigo celebrates our diverse community.

We are welcoming, sustainable and prosperous.

Walking hand-in-hand with the Traditional custodians of this land.

Building on our rich heritage for a bright and happy future.

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

COUNCIL PLAN (MIR WIMBUL) – OUTCOMES

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

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

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

STAFF VALUES AND BEHAVIOURS

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

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

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



This Council Meeting is conducted in accordance with the

- Local Government Act 2020
- [Governance Rules](#)

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- 1. ACKNOWLEDGEMENT OF COUNTRY**
- 2. TRADITIONAL LANGUAGE STATEMENT**
- 3. OPENING STATEMENT**
- 4. MOMENT OF SILENT REFLECTION**
- 5. ATTENDANCE AND APOLOGIES**
- 6. LEAVE OF ABSENCE**
- 7. SUSPENSION OF STANDING ORDERS**

RECOMMENDED MOTION

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

- 8. COMMUNITY RECOGNITION**

9. PUBLIC QUESTION TIME

9.1. Public Question Time Guidelines

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

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

[Pre registering questions](#) is mandatory for all remaining Council meetings in 2023. This allows residents to have their questions answered on the night and provides more opportunity to give a detailed response.

We are trialling this change in order to keep Council meetings open, accessible and safe for the community, in light of the significant disruption that other Victorian Councils are experiencing including some having to temporarily close meetings.

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

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

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

9.2. Pre-Registered Questions

10. RESUMPTION OF STANDING ORDERS

RECOMMENDED MOTION

That Standing Orders be resumed.

11. WARD REPORTS

11.1. Eppalock Ward - Cr Evans

11.2. Lockwood Ward - Cr Fyffe

11.3. Whipstick Ward - Cr Sloan

12. DECLARATIONS OF CONFLICT OF INTEREST

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

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

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

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

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

13. CONFIRMATION OF PREVIOUS MINUTES

13.1. Confirmation of Previous Minutes

RECOMMENDED MOTION

That the Minutes of the Council Meeting held on July 24, 2023, as circulated, be taken as read and confirmed.

Previous minute location:

<https://www.bendigo.vic.gov.au/About/Council/Council-meetings/Past-Council-meetings>

14. PETITIONS AND JOINT LETTERS

14.1. Request for closure of Robshaw Street, Ironbark

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|-----------------------|---|
| Responsible Director: | Brian Westley, Director Presentation and Assets |
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Purpose

To provide background information and a recommended response to a petition received by Council, seeking the permanent part closure of Robshaw Street, Ironbark to address reported amenity (dust) impacts associated with through traffic utilising the gravel section of this local road.

Recommended Motion

That Council:

1. Receive and note the officer's advice and recommendation regarding operation of Robshaw Street, Ironbark and the options and costs associated with responding to the petitioner's request to address reported amenity impacts though it's part closure and/or upgrade.
2. Advise the lead petitioner that the requested closure of Robshaw Street is not currently supported and that the sealing of the gravel section of the road is listed within the City's rolling program for consideration during development of the City's annual budget, subject to the project's comparative priority against other similar works.

Executive Summary

A petition (see attachment 1) seeking the part closure of Robshaw Street, Ironbark (the Road) was tabled at the Council meeting held on 26 June 2023. Officers were subsequently requested to investigate and provide a formal report and recommendations in response.

The petitioners request for part closure of the Road is linked to reported amenity (dust) impacts arising from through traffic travelling along the northern unsealed/gravel section of the Road. The requested part closure (see attachment 2) would remove the opportunity for vehicles to exit onto Langston Street via this section of the Road. Combined with previous modifications to traffic flow along the Road (see below), this would require any vehicles leaving the Road to exit via Wattle Street.

Prior to receipt of the petition, in January 2023 Officers implemented one-way traffic control on the southernmost section of the Road, restricting egress onto Valentine Street. This action was undertaken in response to safety concerns with the narrow carriageway width (3.6m).

Recent traffic survey and data review indicates:

- That observed daily traffic volumes along the Road are very low (average combined total of 33 Vehicles Per Day (VPD)).
- Most drivers are maintaining suitable speeds for the Road environment i.e. observed 85th percentile speed was 22 km/hr against a default speed limit of 50km/hr.
- The one-way section of the Road (southern end) is used by approximately 17 VPD.
- the northern unsealed section of the Road demonstrated an average use by 16 VPD.
- There have been no recorded casualty crashes in the past 5 years along the Road.

It is however noted that the recent traffic count was undertaken during the winter period and may not fully represent the extent of traffic utilisation of the Road in connection with seasonal sports at the adjacent Garden Gully Reserve, which is also the time of year where amenity impacts would be most expected.

Options identified to respond the petitioners concerns regarding amenity included full pavement construction (sealing) of the gravel section of the Road, closure and construction of a cul-de-sac or dust suppression treatment. Each of these options was identified to have a corresponding cost for which there is no provision within the City's 2023/24 budget.

Upgrade works along the Road have been scoped and evaluated within the City's capital works Rolling Program (Rating). This evaluation identified that upgrade of the Road maintains a comparatively lower priority than other local roads across the network.

In consideration of the current funding constraints and comparative priority of this road, officers have recommended that the closure of the Road not be supported at this time.

Minor maintenance works in the form of establishment of an earthen table drain along the eastern side of the gravel section of Road, has been identified as a separate intervention to reduce the likelihood of scouring across the gravel section of the Road and will be referred to City's works Unit for delivery as resources permit.

Background

The Road is classified under the City's Road Management Plan (RMP) as a local street and extends approximately 230 metres between Langston Street and Valentine Street,

Ironbark. The Road is comprised of a mixture of both sealed (approx. 155m southern section) and unsealed (approx. 75m northern section) sections of pavement. The Road incorporates 34 formal parking bays in connection with the operation of the adjacent Garden Gully Recreation Reserve and provides primary and/or secondary access to 11 properties/residences.

The southernmost section of the Road between 32 Valentine St and 4 Robshaw St is a narrow single lane (approximately 3.5 metre width) one way street. Prior to 2023 this section of the Road operated with two-way traffic flow, however a review conducted by the City's Engineering Unit in January 2023, resulted in the establishment of one-way operation for this section of the Road, in response to safety concerns.

The midblock section of the Road between 4 Robshaw St and 1C Robshaw St provides for two-way traffic flow via the 7m wide carriageway and includes ancillary on-street 90-degree parking which caters for recreation reserve users.

The remaining northernmost end of Robshaw Street is approximately 75 metres in length and is unsealed. Historically, minor scouring has been observed across the gravel section of the Road in connection with surface flows emanating from the end of the existing kerb and channel near 1C Robshaw Street (i.e. kerb does not connect into any underground system or pit).

Council received a petition on 7 June 2023 signed by 15 residents, requesting the midblock closure of Robshaw Street in the vicinity of 1C Robshaw Street at the transition between the above sealed and unsealed road sections.

The basis for this request was reported amenity concerns with respect to through traffic utilising the unsealed section of Robshaw Street, causing dust issues for some residents during periods of dry weather. The petition states that closure would eliminate billowing dust, allow traffic with a specific reason to be there (sporting events, recreational activities, etc.), make the area safer for family access/use and provide additional parking for sporting events.

Previous Council decision dates: The petition calling for part closure of Robshaw Street, Ironbark was tabled at the Council meeting on 26 June 2023 with a subsequent resolution that the petition be received and a response be prepared within two (2) meetings.

Report

In response to an earlier on-site meeting with the lead petitioner and subsequent to the formal petition being lodged with Council, officers undertook a traffic survey in Robshaw Street in mid-June 2023. A review of available traffic safety data was also undertaken.

The results of this traffic survey and data review indicated:

- That daily traffic volumes along the Road are very low (total of 33 Vehicles Per Day (VPD)).
- Most drivers are maintaining suitable speeds for the Road environment i.e. observed 85th percentile speed was 22 km/hr against a default speed limit of 50km/hr.
- The one-way section of the Road (southern end) is used by approximately 17 VPD.
- the northern unsealed section of the Road demonstrated an average use by 16 VPD.
- There have been no recorded casualty crashes in the past 5 years along the Road.

It is however noted that the recent traffic count was undertaken during the winter period and may not fully represent the extent of traffic utilisation of the Road in connection with seasonal sports at the nearby Garden Gully Reserve, which is also the time of year where amenity impacts would be most expected. A further traffic count during summer sport conditions may be warranted to further evaluate traffic fluctuations.

In response to the petitioner's request and in consideration of the observed traffic data above, officers have identified several options for consideration and discussion, namely:

Option 1 – Formally construct and seal the remaining unsealed section of the Road between 1C Robshaw Street and Langston Street i.e. construct 75m of new sealed road pavement and associated kerb and channel typical of an urban street treatment.

A project consistent with the above scope has been developed and rated within the City's Capital Works Rolling Program (the Program). Proposed new sealed road construction works have been assessed as having an estimated cost of approximately \$80,000 to \$100,000 (comprised of around \$70,000 in pavement and \$30,000 in kerb and drainage improvements). This project maintains a comparatively lower priority than other outstanding new road construction projects listed within the Program.

Option 2 – Truncate (close) the Road at 1C Robshaw Street and construct a formal cul-de-sac (court bowl) on the southern side of the closure point via pavement upgrade and widening, drainage improvement and delineation with timber bollards.

If the Road is closed to through traffic a cul-de-sac will need to be constructed on the southern side of the closure point to provide adequate area for service and large vehicle manoeuvring (e.g. CFA, rubbish collection, delivery vehicles) as well as operation of the recreation reserve parking facilities. The available width of the road reserve (10m) and proximity to rear property entrances at 87 Robshaw Street and 239 Wattle Street, presents additional design challenges/complications and costs in establishing such a turnaround facility i.e. will likely require encroachment into the adjacent recreation reserve and drainage modifications.

The estimated cost to implement a Road truncation and subsequent construction of suitable cul-de-sac is anticipated be in the order of \$60,000 - \$80,000.

Option 3 – Retain current operation of the Road and undertake minor asphalt extension and dust suppression surface treatment for balance of gravel pavement.

The below scope of works offers an alternative to formal pavement construction or truncation of the Road and responds to reported drainage and dust issues as outlined within the petition. The detailed scope of this alternative includes:

- Extending the existing asphalt surfacing and underlying pavement by approximately 10 metres to the north of the current transition to unsealed surface. The current transition to gravel occurs at the centreline of the driveway for the residence at 1C Robshaw Street hence a small extension will address turning movement in this area impacting the gravel pavement.
- Apply a recycled asphalt or Graded Aggregate Total Treatment (GATT) dust suppression wearing course over the balance of the existing gravel surface. No underlying pavement strengthening would be provided however new wearing course would assist in controlling dust.

The estimated cost for the above scope of work is in the order of \$15,000 to \$35,000. No allocation for such minor amenity improvements has been made within the 2023-24 budget.

Option 4 – Maintain the current road operation with no improvements.

This option effectively maintains the status-quo of the current operation of the Road in recognition of the following considerations:

- Very low traffic volumes and associated vehicle speeds along the Road.
- Anticipated limited frequency and duration of any adverse amenity impacts based upon observed traffic usage and speeds.
- Comparatively lower priority of any construction or minor upgrade works in the context of other similar requests across the City's local road network.
- Current allocations and priorities as outlined within the City's 2023/24 budget (i.e. no funding provided for local road amenity improvements or construction of this specific road).

Separate to the above amenity complaint and associated options, inspection of the site also identified a minor drainage improvement required to protect the existing gravel pavement. Minor drainage improvements should be considered in the form a constructing a new table drain/swale along the eastern side of the Road which connects the existing kerb and channel to the nearest pit.

Establishment of this swale under minor drainage maintenance will assist in the protection of the gravel road surface (i.e. prevent surface flows scouring wearing course). This work will be referred to the City's Works Unit for consideration and delivery as resources permit.

RECOMMENDATION

In consideration of the above assessment, current financial limitations and comparative priority of the requested improvement works against other local road sites across the network, officers recommend that Council adopt Option 4 above.

Options 1 and 2 are not considered to be either economically or practically viable to deliver in the context of current budget constraints, comparative priority of works or land acquisition/encroachment and design issues. Similarly, option 3 is not currently able to be accommodated within funding provided within the City's 2023/24 budget. Should Council wish to pursue any of these options, an associated funding allocation will be required.

It is further recommended that formal response be provided to the lead petitioner following determination of Councils preferred action/option.

Priority/Importance

As identified above, formal construction of the unsealed section of Road maintains a comparatively lower priority than other new road construction projects listed within the Program. Accordingly, upgrade of the existing gravel section of the Road to full depth pavement is not considered to be a priority and is therefore not being recommended.

Similarly, in the context of minor amenity improvements several other local roads across the network are rated within the Program as having a higher priority. No funding for local road amenity improvements has been included within the City's 2023/24 budget.

Timelines

Full pavement construction or construction of a new cul-de-sac in connection with truncation of the Road will require detailed survey and design prior to delivery. Accordingly Options 1 and 2 will require 24 months for delivery. Subject to funding, minor improvements outlined within Option 3 could be completed by the end of 2023.

Communications/Engagement

The City's traffic engineers previously met with the residents at 34 Valentine Street and 1B Robshaw Street in relation to traffic management and safety concerns associated with the southernmost section of Road prior to implementation of the one-way operation for this section.

Prior to receiving the petition, representatives from the City's traffic engineering team, Mayor Cr Andrea Metcalf and Cr Julie Sloan also met with a group of residents on 1 June 2023, to discuss their amenity concerns. As a result of this site meeting, residents of 1B Robshaw Street, Ironbark led and submitted the formal petition for Council's consideration.

Financial Sustainability

No funding for either full pavement construction or amenity improvements along the Road is currently available within the City's 2023/24 budget. To provide further context, there are currently 290 new pavement construction projects worth \$180 million listed within the Program that maintain a higher comparative priority than the construction/sealing of the Road.

Risk Assessment

Safety and operational assessment of the Road as well as condition assessment has been undertaken. Safety assessment of the Road led to the introduction of on-way traffic only for the southern connection to Valentine Street. No other defects or hazards were identified along the road in the context of intervention and service standards outlined within the City's RMP.

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

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

Other Reference(s)

City of Greater Bendigo Road Management Plan

Conflict of Interest

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

Attachments

1. Attachment 1 - Copy of Petition seeking part closure of Robshaw St Ironbark [14.1.1 - 2 pages]
2. Attachment 2 - Location of proposed part road closure [14.1.2 - 1 page]

To whom it may concern

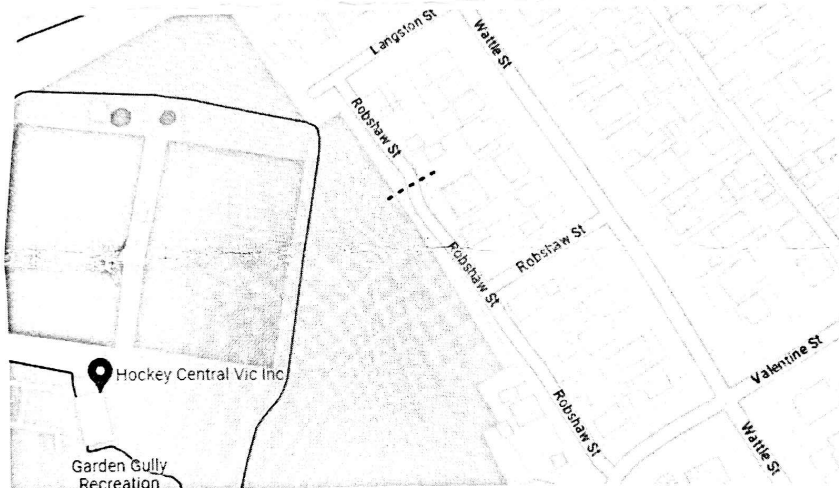
City of Greater Bendigo

Planning Department

Re: Closure of Robshaw Street

This proposal submitted by residents of Robshaw Street asks that the City of Greater Bendigo close off Robshaw Street (as shown with dotted line).

Robshaw is unusual as there is an exit to Langston Street, Wattle Street and Valentine Street. The exit to Valentine Street is a single lane.



The proposal submitted by the residents asks the following to be considered:

1. As the northern end of Robshaw Street (and a short section of Langston Street) is gravel with no immediate plans to surface with bitumen, Robshaw Street be terminated at the end of that part of Robshaw Street currently surfaced.
2. This will leave two exits from Robshaw Street; namely Wattle Street and Valentine Street.

Reasons for Proposal

1. Curtail through traffic:
 - a. Which causes billowing dust.
 - b. Allows traffic with a specific reason to be there, ie sporting events, a dog walking park, cricket training and general community access.
 - c. Make the area safe for family access and use.
 - d. Parking for sporting events.

Name DAVID BOORMAN

Signed

David Boorman

11/5/23

Name ~~David Boorman~~

Signed

[Signature]

Name Jay Lindsay

Signed

Jay Lindsay

Name As

Signed

Name J. Green

Signed

E. J. Green

Name Christine Callaghan

Signed

[Signature]

• JANE + DES LEAHY

• Anna Leahy

• Jane Leahy

Anna

• Jim Cowie

[Signature]

Regular User

• JULIE JACKSON

• KEVIN JACKSON

REGULAR USER.

Julie Jackson

• DEREK WEBB

• JANENE WEBB

BENDIGO

BENDIGO

[Signature]

[Signature]

Attachment 2: Location of requested part road closure – Robshaw Street, Ironbark



14.2. Peatlings Road, Bagshot - Petition requesting a speed limit reduction to 80 Km/hr

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|-----------------------|---|
| Responsible Director: | Brian Westley, Acting Director Commonwealth Games |
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Purpose

To provide Councillors with a summary of officer's assessment and subsequent recommendations regarding a resident petition received seeking a speed limit reduction along Peatlings Road, Bagshot to 80 km/hr and change of an intersection traffic control item.

Recommended Motion

That Council:

1. Respond to the lead petitioner indicating its support for the requested speed limit reduction along Peatlings Road, Bagshot, between Epsom-Barnadown Road and Midland Highway, to 80 km/hr.
2. Instruct officers to proceed with preparation and lodgement of a speed limit application to the Department of Transport and Planning (DTP), seeking reduction in the posted speed limit along Peatlings Road, Bagshot to 80 km/h.

Executive Summary

A petition signed by 47 residents was tabled at Councils meeting held on 26 June 2023, seeking a reduction of the speed limit along Peatlings Road, Bagshot to 80 km/hr. The petition also called for the installation of a stop sign at the intersection of Peatlings Road and Epsom Barnadown Road.

Officers were subsequently requested to investigate the grounds for the requested speed limit reduction and provide a detailed report and recommendations within two (2) meetings.

A traffic count for Peatlings Road was undertaken in mid-July 2023 to provide updated traffic data and enable comparison with previous data obtained in 2015. Comparison of these traffic surveys identified a 129% increase in observed traffic volume along Peatlings Road between 2015 and 2023 (636 and 1456 Vehicles Per Day (VPD) respectively). The 85th percentile speed of these vehicles was also observed to increase from 99.9 km/hr to 102.2 km/hr respectively, against the current posted speed limit of 100 km/hr.

In consideration of factors such as the observed increase in overall traffic volume, reported extent of non-vehicular road users (e.g. recreational pedestrians and horse riding) and recorded vehicle speed profiles, officers believe that the petitioners request to reduce the speed limit along Peatlings Road should be supported.

Subject to Council's decision, the next step to pursue a speed limit reduction will be the preparation and lodgement of a formal application to DTP as the determining road authority in the context of applicable speed zoning.

Background

A petition signed by 47 residents was tabled at Council's meeting held on 26 June 2023, seeking a reduction of the speed limit along Peatlings Road, Bagshot to 80 km/hr. The petition also called for the installation of a stop sign at the intersection of Peatlings Road and Epsom Barnadown Road.

The grounds outlined within the petition for the requested speed zone change were:

- Exponential increase in perceived traffic volume along Peatlings Road including the number of Commercial Vehicles (CV's), B-Doubles and coaches.
- Perceived increase in speed of vehicles using the road.
- Increase in use of Peatlings Road as a preferred alternative route to the Midland Highway
- GPS and mapping algorithms directing traffic to use Peatlings road due to distance and time efficiency.
- Road geometry conducive to higher vehicle speeds (i.e. flat and straight road alignment)
- Use of road by pedestrians (students) due to lack of footpaths.
- Active use of Peatlings road by cyclists, horse riders and others accessing Wellsford State Forest.
- General concerns with safety and operation of road and associated intersections.

In response to receipt of the petition, representatives from the City's Engineering Unit undertook assessment of the requested speed zone change and intersection control modifications. This investigation included a site visit to evaluate intersection sight distances and installation of an updated traffic count for Peatlings Road which was conducted mid-July 2023.

Previous Council decision dates: The petition calling for a speed limit reduction along Peatlings Road from 100 km/hr to 80 km/hr and Installation of a Stop Sign at the Intersection with Epsom-Barnadown Road, was tabled at the Council meeting on 26 June 2023 with a subsequent resolution that the petition be received and a response be prepared within two (2) meetings.

Report

An updated traffic count for Peatlings Road was undertaken in mid-July 2023. This count provided officers with snapshot data (over a two-week period) relating to the current volume of vehicle movements along the road, vehicle composition (type) and statistical

speed profiles. The recent count also allowed comparison with historical data to identify potential road usage and speed profile trends.

The following observations were noted when comparing the most recent traffic count with the previous count performed in 2015:

- The weekly average traffic has increased between 2015 and 2023 with approximately **636** VPD and **1456** VPD respectively. This equates to an increase of 129% over that period.
- The annual growth rate of traffic for the period is approximately 11% per year, which is much higher than similar rural roads around Greater Bendigo which typically increase by 2-3% per year.
- The peak traffic volumes also reflect this significant increase with the peak in 2015 observed to be approximately 50 – 70 Vehicles Per Hour (VPH) compared to 120 – 180 VPH in 2023.
- The number of CV's using Peatlings Road has also increased from approximately 1.5% of the total traffic volume (or 10 CV's per day) in 2015 to approximately 2.7% (40 CV's per day) in 2023.

Vehicle Speeds

The petitioners also reported a perceived increase in the average speed of vehicles using the road. The petition states that residents “are seeing an increase in speed, with some road users treating our straight road like a speedway zone”.

When reviewing an appropriate speed limit, the likelihood of drivers complying with the posted speed limit also needs to be considered. Police enforcement offers the most effective intervention with respect to modifying driver behaviour where exceedance of the posted speed limit is common, however Victoria Policy (VicPol) resources are limited and in high demand across the state.

- The current 85th percentile speed (the speed at or below which 85 percent of the drivers travel) for Peatlings Road in 2015 was 99.9 km/hr and has now increased to 102.2 km/hr.
- In 2023, 22% of drivers were travelling at or above 100 km/hr. This suggests that changing the speed limit to 80 km/hr alone may not be effective. Promoting compliance through advisory signage or active enforcement by VicPol would likely be required after any speed limit reduction.

Road and Intersection Safety

Four recorded crashes have occurred along Peatlings Road since 2016. All these crashes occurred in 2017-2018 and resulted in Council securing Federal Blackspot funding to improve the safety on the northern bend of Peatlings Road (close to the Midland Highway Highway). These safety improvement works were delivered in 2021.

The petition also requested a review and modification of the southern intersection of Peatlings Road / Epsom-Barnadown Road, specifically that the existing 'GIVE-WAY' sign is reviewed and replaced with a 'STOP' sign.

As per the relevant Australian Standard (AS1742.2) a STOP sign should be only used where warranted i.e. sight distances fall below specified design limits. Following inspection and evaluation of intersection approach sight distances, this requested signage change is not supported, for the following reasons:

- This intersection meets the sight distance requirement for the current 100 km/h speed environment for both Peatlings Road and Epsom-Barnadown Road.
- The Epsom-Barnadown Road speed limit for this section will be reduced soon as part of road safety improvements in this area, which will also improve the situation.
- Stop signs installed that are not warranted tend to reduce their effectiveness and are largely ignored by drivers.

As part of an upcoming funded Federal Blackspot project along Epsom-Barnadown Road, road safety improvements will be made to this intersection including improvements to lighting/delineation, construction of a left turn lane, speed limit reduction and shoulder widening/sealing. This project is anticipated to be completed in the next 12 months.

Speed limit recommendation for Peatlings Road

When determining an appropriate speed zone for each local road, officers rely on guidance detailed within the statewide Speed Zone Technical Guidelines (2021). These guidelines require consideration of the following factors when identifying an appropriate speed limit:

- adjacent land use patterns
- driver compliance with the posted speed limit
- recorded 85th percentile traffic speed
- number and density of property access points
- pedestrian activity and recreational use
- recreational horse riding use
- presence and type of adjacent intersections.

With respect to the volume of traffic along Peatlings Road, there has been a significant increase in the past 8 years. Any mechanism to encourage road users back to the Midland Highway should be strongly considered. As indicated by the petitioners, the proposed speed limit reduction may support this objective by reducing the attractiveness of the road as an alternative route (short-cut/bypass).

Consistency of speed limits for users is another consideration. At the northern end of Peatlings Road, there is a short section of 80 km/hr speed limit along the Midland Highway in association with the nearby railway crossing.

At the southern end of Peatlings Road, the speed limit along Epsom-Barnadown Road is planned to be changed to 80 km/hr as part of a funded Blackspot project due to road

safety and crash history. An application for this change has been lodged and is under review by DTP.

When considering the above factors, officers have reached a view that the petitioners request for a speed limit reduction to 80 km/hr should be supported. Subject to Council support, the next step to implement this change will be the preparation and lodgement of a formal speed zone change request to DTP.

Potential enforcement activity during the initial 3 months following installation of the new speed zone signage will encourage traffic to use the Midland Highway and potentially motorist behaviour.

Other potential options to encourage compliance with the modified speed zone can include deployment of the City's VMS and additional temporary advisory signage.

Priority/Importance

Implementation of the speed zone change is not considered to be a high priority, however subject to Council support an application to reduce the speed limit of Peatlings Road can be prepared by Council officers and submitted to DTP in September 2023.

Options considered

As explained above, the main options considered were the determination of the appropriate speed limit (in this case 100 km/hr or 80 km/hr) and signage at the southern end of Peatlings Road (Give-Way or STOP signage) in accordance with road design and operational guidelines/standards.

Timelines

Subject to Council approval, an application to reduce the speed limit of Peatlings Road can be prepared in around 3-4 weeks. This would include preparing a written application and seeking support and input from Emergency Services.

Once submitted to DTP, their approval process can take between 6-12 months for a typical speed limit change.

Communications/Engagement

Apart from receiving the petition, Council officers have not undertaken any further communications or engagement on this issue.

Financial Sustainability

It is anticipated that any speed zone change application and subsequent implementation of a new speed zone (i.e. signage installation) would be undertaken using existing resources maintained within the City's Engineering/Works Unit's and available operational budgets.

Risk Assessment

Consideration has been given to applicable road safety and design issues as outlined in the above report.

Policy Context

Primary Council Plan Reference

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

Outcome 1 - Lead and govern for all

Secondary Council Plan Reference(s)

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

Other Reference(s)

Road Safety Action Plan (2023)

Conflict of Interest

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

Attachments

1. Attachment 1- Petition seeking speed limit reduction along Peatlings Road Bagshot [14.2.1 - 17 pages]

Dear Councillor Andrea Metcalf

We, the undersigned, are writing to request a reduction of the speed limit along Peatlings Road Bagshot.

The volume of traffic on Peatlings Rd has been increasing exponentially. This traffic encompasses all manner of vehicles: cars, trucks (including B-doubles) and V-Line coaches.

As Peatlings Road is a rural residential road, we began to wonder why such an increase in the volume of traffic was occurring. Partly, it has been due to traffic being diverted down Peatlings Road when the level crossing on the Midland Highway is closed, thus people have learned that this is a 'shortcut'. But significantly, it came to our attention that Google Maps is prioritising Peatlings Road over the Midland Highway on the journey from Bendigo to Echuca. (please see enclosed printed Google Map searches).

With the increase in the volume of traffic, so too are we seeing an increase in speed, with some road users treating our straight road like a speedway zone.

This extra volume of traffic, and in particular the speed it is travelling at, is causing valid safety concerns for both the residents of Peatlings Road and the residents of the surrounding area who also use it.

After consultation with our community, we would like to request a change of speed limit from 100kms/hour to 80kms/h, to be implemented as soon as possible to ensure the safety of residents.

To support our request, we would like to outline the following important points:

1. As a residential road, Peatlings Road is home to families who have school age children who must walk along this, at present, very busy 100km zone road, (where there are no footpaths or road shoulders), to the bus stop on the Barnadown Road to the south, and the bus stop in Wakeman Road, to the north.
2. Residents of Peatlings Road and surrounding roads regularly walk, ride (bicycles and horses), and drive horse drawn vehicles along Peatlings Road to access the Wellsford Forest (located 50m from the southern end of Peatlings Road) for their recreational activities, also with no footpaths or road shoulders to seek refuge on. Some of these people have not only been made to feel unsafe by speeding traffic, they have also been abused by motorists for being perceived to be holding traffic up.
3. We believe the Midland Highway should be the preferred Google Maps route as it runs through Huntly, which already has the footpath and pedestrian crossing infrastructure in place to ensure pedestrian safety and support high volume/heavy traffic. The Peatlings Road surface was never constructed to take high volumes of traffic, and particularly not heavy vehicles like B-doubles.
4. The difference in time to travel the Peatlings Road route as compared to the Midland Highway route, based on Google Maps travel time, is in fact, one minute. So, for the sake of saving one minute of travel time for road users, Google Maps are directing traffic onto a route that is nowhere near as safe for either residents or road users.

Also, Google Maps do not even show the Midland Highway as an alternative option when doing the search from Bendigo to Echuca.

5. It would be advantageous for Huntly for all the extra traffic to be passing through there, in that it would encourage road users to see and/or visit the local businesses along the route.
6. Recent roadworks on the northern end of Peatlings Road also encourage traffic from the Midland Highway to turn off onto Peatlings Road, mistakenly believing the road to be more substantial than it actually is. This perception is substantially heightened by the bright street lights illuminating the bend in the road.
7. The dangers of having too much traffic on roads that are not designed to cope with it are sadly plentiful - the recent horrific accident which occurred at Strathmerton being just one tragic example. We are very worried that a similar tragedy could occur on Peatlings Road, and feel that a speed limit reduction will be the best way of preventing one.
8. It has been reported by residents that they have experienced several 'near misses' when turning into their properties or onto Wakeman Road, from vehicles coming up behind them in a hurry.
9. A lower speed limit would also enhance the safety of incoming traffic from Wakeman Road, which is likely to increase in future due to the new Huntly Train station having been built.
10. Finally, the Midland Highway is maintained and funded by the State Government, whereas Peatlings Road is maintained by local council. Channelling traffic (particularly heavy vehicles) back onto the highway built for them to be travelling on will help extend the life of the Peatlings Road surface and push back potential roadwork expenses that would be incurred by local council if the present volume of traffic were to continue.

In conjunction with the speed limit reduction, we propose that a stop sign be installed at the intersection of Peatlings Road and the Barnadown Road. We believe that these two things will not only make the intersection safer for residents when using the roads for school and recreational purposes, it will make the time to travel the Peatlings Road route from Bendigo to Echuca exceed the time to travel the alternative route along the Midland Highway, and therefore Google Maps will then direct the traffic back on to the highway where it should be.

We very much appreciate your assistance in this matter and we look forward to your reply.

Yours sincerely,

Mike Erny, Pam Erny and Andrea Stringer

On behalf of the residents of Peatlings Road and surrounds.

We the undersigned residents and ratepayers of City of Greater Bendigo Council formally request Council to reduce the speed limit on Peatlings Road Bagshot to 80 km/h. It has come to our attention that Peatlings road is coping with an unacceptable volume of traffic recently for two reasons, 1. Google Maps is directing traffic down Peatlings road instead of along the Midland Highway on route from Bendigo to Echuca and 2. the street lights erected at the northern end of Peatlings road are misleading motorists to believe Peatlings Road to be more of a major road rather than a minor rural road, therefore the speed limit needs to be reduced in order to: provide a safer environment for school children walking to the bus stop, and to provide greater safety for all other local residents who use the road on a regular basis.

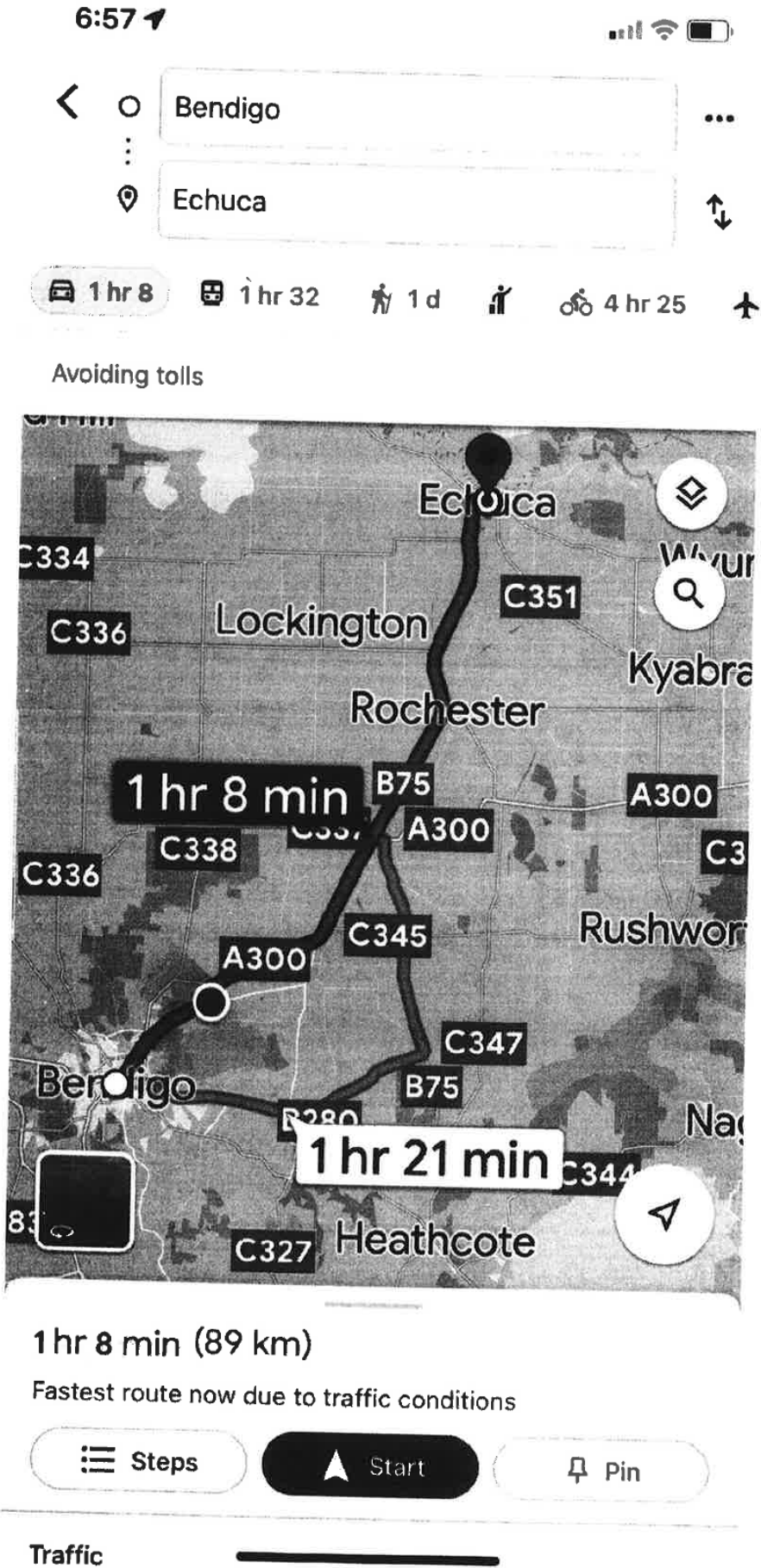
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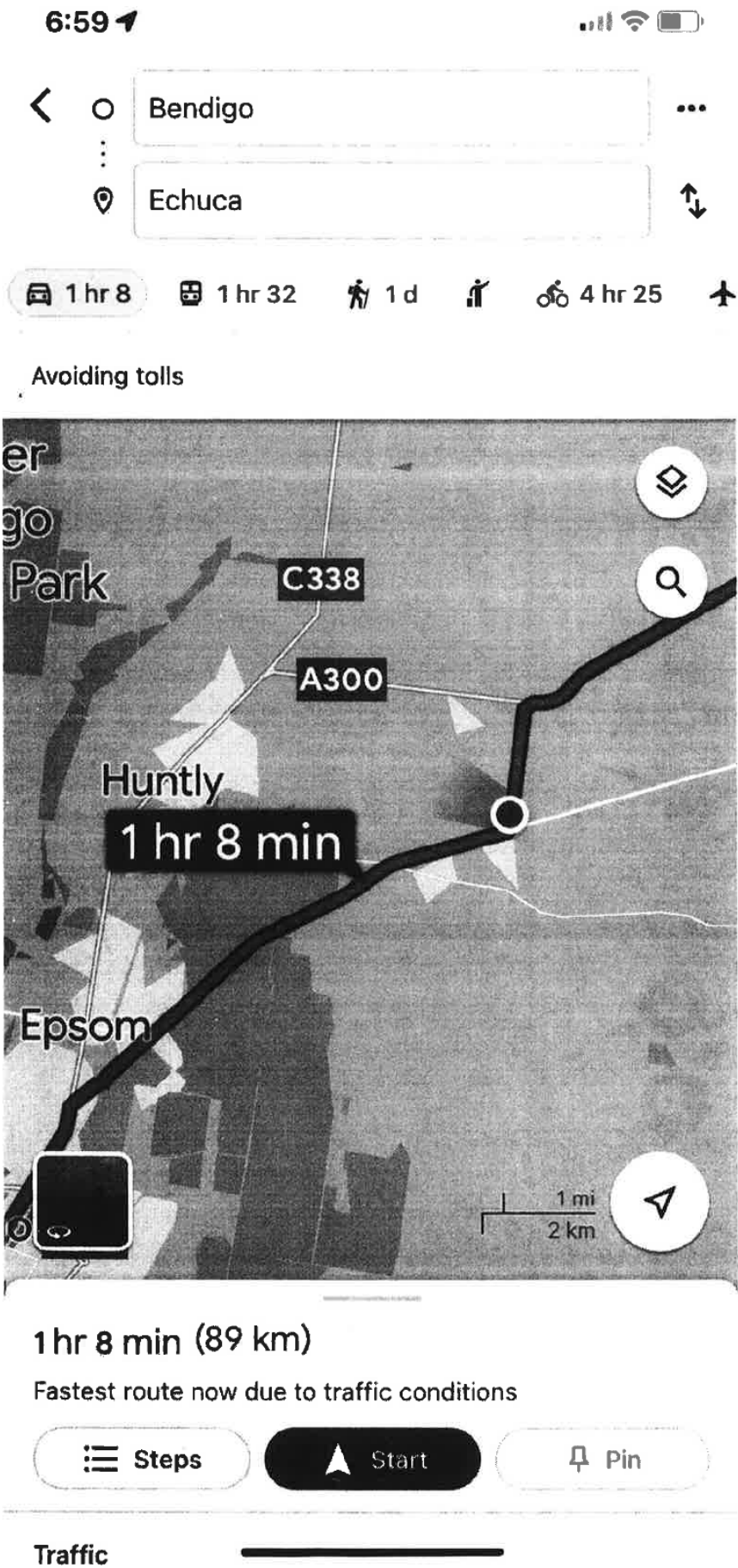
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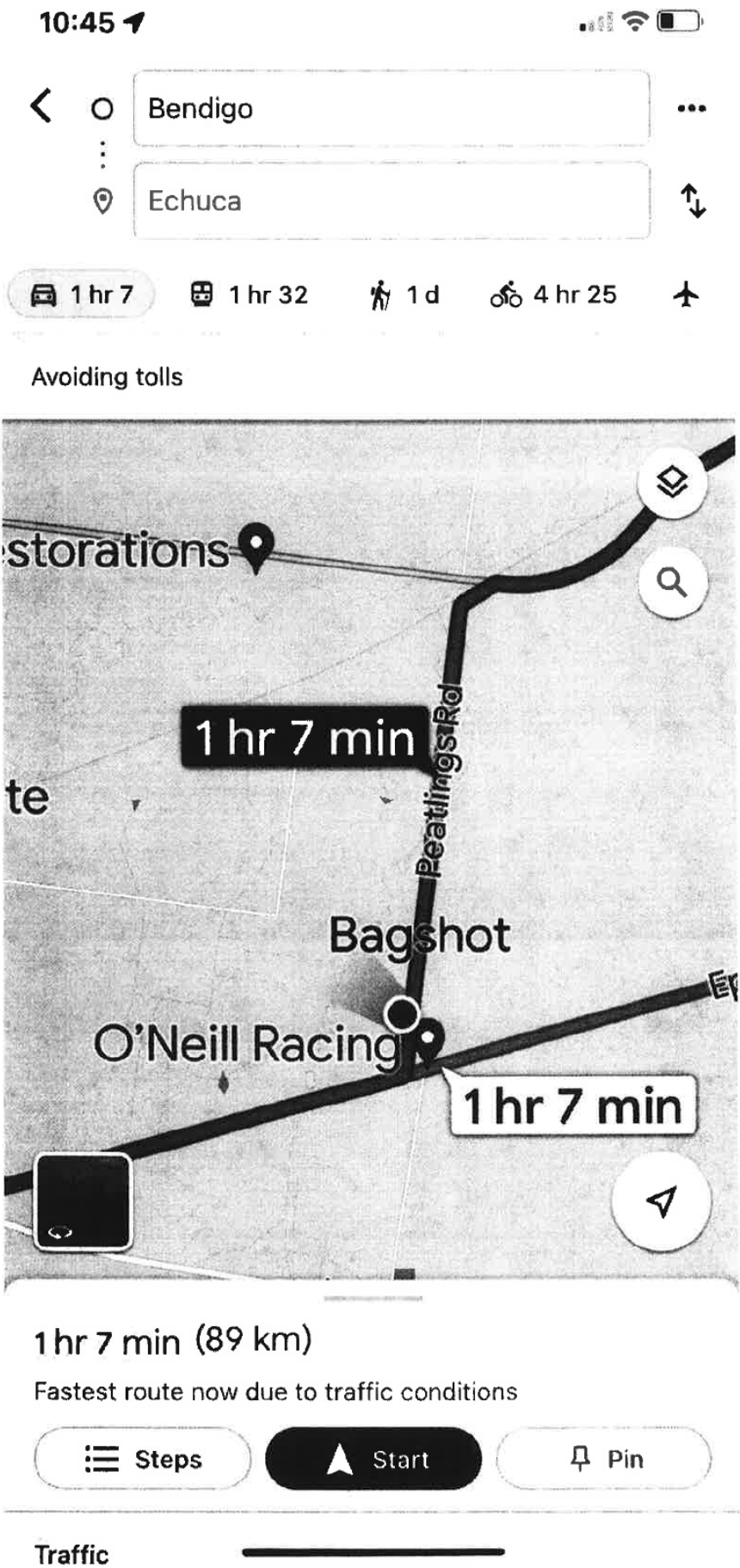
[illegible]

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|----|---|-------------|------------------------|---------------------------------------|-----------|------------------------------------|
| 36 | Support safer speeds on unsealed and rural sealed routes: - provide warning signs at start of popular unsealed routes (e.g. road conditions changeable, choose appropriate speed) - identify and submit rural road speed zone changes where deemed appropriate - advocate for default 80 km/h speed limit on gravel roads and identified rural roads | Engineering | Victoria Police DTP | 1 high-risk location treated | Each year | Low Internal staff |
| 37 | Identify / review high-risk locations (based on crashes, feedback, risk assessment (proactive) across Greater Bendigo, including the City Centre, townships on rural local roads and across the arterial network. This also includes locations that may be hot-spots for crashes involving animals | Engineering | DTP | List of high-risk locations developed | Each year | Internal staff |
| 38 | Develop and implement treatments for highest priority sites across Greater Bendigo | Engineering | DTP TAC | 2 high-risk locations treated | Each year | Med-High |
| 39 | Advocate to the Department of Transport and Planning to action Bendigo Freight Study 2017 recommendations, for example: - Sailors Gully Rd / Bendigo–Pyramid Rd, Eaglehawk North - Howard St/Midland Hwy, Epsom - Hattam / Allingham Streets, Golden Square - Calder Hwy / Calder Alternative Hwy, Marong | Engineering | DTP | Meetings and advocacy with DTP | Ongoing | Internal staff External funding |
| 40 | Advocate and work with DTP to seek opportunities to improve / increase rest stops, heavy vehicle parking and trailer exchange/storage facilities | Engineering | DTP | Meetings with DTP | Year 3 | Internal staff |

| | | | | | | |
|----|---|-------------|--------------------|--|---------|---------------------------------------|
| 33 | Review speed limits across local road network to identify opportunities to improve consistency and safety, particularly on rural roads and near shopping areas and schools DTP to assist with review of locations adjacent/ along arterial transport corridors | Engineering | DTP | Review complete | Ongoing | Low |
| 34 | Look for opportunities to undertake pilot / trials of treatments to test new/innovative treatments and ascertain community support (such as tactical urbanism, pop-up bike lanes, increased space for pedestrians, urban greening, traffic calming, LED tactile paving, photo-luminescent delineation treatments, measures to address fatigue, and technology to reduce the risk crashes involving animals) | Engineering | DTP TAC | Identify candidate location for treatment trial and commence trial | Ongoing | Low-Med Potential external funding |
| 35 | For new infrastructure works (where design changing) during the planning and approval process: - Identify Road Safety requirements - Consider Movement and Place context - Undertake Stage 3 audit for major intersection upgrades, new intersections, new collectors etc - on level 1 / level 2 roads / arterial | Engineering | Statutory Planning | Stage 3 audit undertaken for all relevant infrastructure works | Ongoing | Low |







12/05/2023, 19:36

Driver spoke with police three minutes before crash that killed five people at Strathmerton, court told - ABC News

Driver spoke with police three minutes before crash that killed five people at Strathmerton, court told

ABC Shepparton / By Rosa Ritchie

Posted Fri 21 Apr 2023 at 12:28pm, updated Fri 21 Apr 2023 at 6:40pm



Five people were killed in a crash at this intersection in northern Victoria on Thursday.

Court documents show the man charged over a crash that claimed the lives of five people in country Victoria on Thursday was speaking with police just three minutes before the crash.

Documents tendered to Shepparton Magistrates Court on Friday reveal Christopher Dillon Joannidis, 29, was allegedly pulled over for speeding in his white Mercedes Benz on Labuan road at Strathmerton in northern Victoria, and allegedly returned a positive reading for cannabis on a preliminary test.

A follow-up test was negative and he was released at 2:18pm.

Police have told the court that three minutes later, his car slammed into a Nissan Navara ute with five people onboard.

They were all killed instantly when their ute hit a B-double tanker.

A dog in the Navara also died.

Speaking Friday afternoon, Assistant Commissioner Glenn Weir said officers had issued Mr Joannidis with an infringement notice for allegedly travelling at 118 kilometres per hour in a 100kph zone at about 1:40pm.

"That driver left the scene and a short time later was involved in a collision with a Nissan Navara that was travelling on the Murray Valley Highway," Assistant Commissioner Weir alleged.

Key points:

- Five people died at the scene of a three-vehicle collision Thursday where a side road intersects with the highway
- All the victims were from the same vehicle believed to be carrying overseas workers and their manager
- Moira Shire Council is concerned digital maps are sending drivers down unsuitable roads as short cuts

<https://www.abc.net.au/news/2023-04-21/strathmerton-crash-murray-valley-highway-road-safety/102250592>

1/6

12/05/2023, 19:36

Driver spoke with police three minutes before crash that killed five people at Strathmerton, court told - ABC News

"The Nissan spun and was then involved in a collision with a fully-loaded B-Double milk tanker."



Assistant Commissioner of road policing Glenn Weir says the accident is the worst of its kind in more than a decade. (Supplied: Victoria Police)

Mr Joannidis and his girlfriend, a 20-year-old woman from Melbourne's south-east, were reportedly on their way to a wedding.

He was granted bail and will return to court on September 19.

Magistrate Simon Zebrowski set a range of bail conditions including surrendering all travel documents and refraining from driving.

"The worst thing you can do is drive a motor vehicle ... it would be extraordinarily unwise," Magistrate Zebrowski said.

12/05/2023, 19:36

Driver spoke with police three minutes before crash that killed five people at Strathmerton, court told - ABC News



Christopher Dillon Joannidis' brother and sister-in-law leave Shepparton Magistrates Court. (ABC Shepparton: Rosa Ritchie)

'Confronting' scene for responders

The driver of the Nissan was a woman in her 60s, believed to be local.

The passengers, a man and three women aged between 23 and 30 years old, are believed to be visiting from Asian countries, working on a local farm.

Police believe the female driver was their employer.

The Assistant Commissioner thanked all first responders who worked through the night at the "terribly confronting and tragic scene".

12/05/2023, 19:36

Driver spoke with police three minutes before crash that killed five people at Strathmerton, court told - ABC News



The truck in the collision at Murray Valley Hwy and Labuan Rd struck the Nissan, killing five people.
(ABC News)

"Such was the nature of the damage we've had to call disaster victim identification experts, and our search and rescue team, to try and investigate how many people were involved," he said.

"That's why I can only tell you, 24 hours later, how many people were involved."

Assistant Commissioner Weir said it was Victoria's deadliest road crash in more than a decade.

"I've seen the vision from the truck. It is horrific."

He said the driver of the ute was "probably doing something she'd done so many times — driving people to work or back to where they live".

"And it's all over, and that's the frustration of it, that such a small lack of attention can have such devastating effects."

Council aware of intersection's dangers

Moiria Shire Council in northern Victorian says it is aware of long-held safety concerns about a stretch of road where the five people died in yesterday's crash.

Acting CEO Joshua Lewis said the community was devastated and his thoughts went out to everyone affected by the tragedy.

"The community reels from these sorts of incidents for a very, very long period of time.
It's actually very difficult for us to quantify that. We know it's huge."

12/05/2023, 19:36

Driver spoke with police three minutes before crash that killed five people at Strathmerton, court told - ABC News

Mr Lewis said council had previously raised concerns about the intersection.

"We've certainly been actively working with the Department of Transport and Planning in advocating for this particular intersection," he said.

History of tragedy

There were two fatal crashes on the same section of highway in 2022, and a third a short distance to the south.

A man died and two police officers were seriously injured at the same spot on the highway in February last year.

Four farm workers died in an accident where Labuan Rd becomes Pine Lodge North Rd in January.

And a woman died in a two-car collision on Labuan Rd on December 31 last year, less than 2 kilometres from the Murray Valley Highway.

Mr Lewis said he understood the transport department had made improvements at the site, including signage, line marking, and delineation.

"But it's clear that they've proved ineffective in preventing this most recent crash," he said.

"And therefore we need to go back, in conjunction with the Department of Transport and Planning, who will be taking the lead, in exploring all possible options."

The transport department has been approached for comment.

Do maps steer drivers to dangerous road?

The shire's acting CEO said navigation aids, such as satellite navigation maps on smart phones, were known to send drivers to Labuan Road as a short cut.

The same concern was echoed in discussions in a Cobram community group on social media in the wake of the crash.



Moir Shire Council says it is advocating for road safety improvements at the site of the accident. (ABC Shepparton: Rosa Ritchie)

12/05/2023, 19:36

Driver spoke with police three minutes before crash that killed five people at Strathmerton, court told - ABC News



Mr Lewis says navigation aids send drivers down roads that aren't designed for heavy traffic. *(Using a digital map in road travel, Thirdman)*

"It is a lower standard road, and there are far safer avenues for people to travel from the south to the north." Mr Lewis said.

Find more local news

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Petition to reduce speed limit a success



Motorists will soon be slowing down on the Bendigo-Sutton Grange Road as limits lower from 100km per hour to 80km per hour, following successful lobbying by residents.

Tuesday 21 July 2020

The speed limit on the Bendigo-Sutton Grange Road within the Sutton Grange township will soon reduce from 100km per hour to 80km per hour, following successful lobbying by local residents.

Mount Alexander Shire Council submitted a request to Regional Roads Victoria to reduce the speed limit, following consideration of a petition to Council which contained 128 signatures. Regional Roads Victoria subsequently supported and approved the request.

Council acknowledged safety concerns raised by residents, and supported the view that a speed limit reduction would improve road user and resident safety, without significantly impacting traffic flow or driver journey times.

The new speed restrictions and signs will be installed in the next few weeks.

Councillor Tony Cordy, who represents the Calder Ward, said he was pleased with the outcome.

"This is a really positive change for the community, given it's something they've been concerned about for some time," said Cr Cordy.

"The new reduced speed limit will help residents in the township feel safer, and will also increase the safety of pedestrians and drivers," he said.

Council's Director Infrastructure and Development Jess Howard agreed the speed limit reduction was a win for the community.

"Residents raised their concerns with Council regarding the road, and we are pleased to have worked in partnership with them and Regional Roads Victoria to achieve the outcome they were hoping for," said Ms Howard.

"This initiative really highlights Council's commitment to improving access to a range of safe travel choices for the community."

Council and Regional Roads Victoria share responsibility for the management of roads within Mount Alexander Shire, with the Bendigo-Sutton Grange Road being managed by Council.

For more information on the management of roads within the shire, visit www.mountalexander.vic.gov.au/Roads.

Image L-R: Petitioners pushing for the change, Max Davis, Councillor Tony Cordy, Chris Moule, Marge Townrow, Viv Pells.

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Printed: 12/05/2023
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Source: www.mountalexander.vic.gov.au

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.

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 [**15.1.1** - 1 page]

| Capital Contracts | | | | | | | |
|------------------------------|--|-----------------------|-------------------|-------------|-------------------|---|--------------|
| Contract No | Project | Successful Contractor | Delegated Officer | Date Signed | Price (ex GST) | Practical Completion | Budget |
| | | | | | | | |
| Service Contracts | | | | | | | |
| Contract No | Project | Successful Contractor | Delegated Officer | Date Signed | Price (ex GST) | Contract Term & Options | Budget |
| CT000671 | Provision of Greater Bendigo Magazine Annual Print Services | Allied Print AUS | Craig Niemann | 05-Jun-23 | Schedule of Rates | 2 Years with options of an additional period of 1 x 2 years | \$155,000.00 |
| CT000664 | Provision of Security Services for Council Owned& Managed Building Sites | North State Security | Brian Westley | 20-Jun-23 | Schedule of Rates | 3 Years with options of an additional period of 2 x 1 years | \$390,000.00 |
| Contracts Awarded at Council | | | | | | | |
| Contract No | Project | Successful Contractor | Delegated Officer | Date Signed | Price (ex GST) | Practical Completion / Contract Term & Options | Budget |
| | | | | | | | |

16. HEALTHY, LIVEABLE SPACES AND PLACES

16.1. C242gben Eaglehawk Landfill Buffer Project

| | |
|-----------------------|--|
| Author: | Rebecca Fisher, Strategic Planner |
| Responsible Director: | Andrew Cooney, Acting Director Strategy and Growth |

Purpose

This report seeks consideration of the submissions received to Planning Scheme Amendment C242gben and recommends that an Independent Planning Panel be requested to consider the submissions received.

As exhibited, Amendment C242gben proposes to apply the Buffer Area Overlay (BAO) and rezone land from a General Residential Zone (GRZ) to a Neighbourhood Residential Zone (NRZ) recognising the constraints and the potential off-site impacts to land located close to a landfill.

Recommended Motion

That Council:

1. Having formally considered all written submissions received to Amendment C242gben, notes the issues raised by the submissions and the officer's response to those issues, as outlined in this report.
2. Requests the Minister for Planning appoint an Independent Planning Panel to consider submissions received for Amendment C242gben, in accordance with Part 8 of the *Planning and Environment Act 1987*.
3. Refers all submissions identified in this report to the planning panel appointed by the Minister for Planning.
4. Endorses the officer's response to the issues raised by submissions and the recommended changes to Amendment C242gben, as outlined in Attachment 1, as the basis for Council's submission to the planning panel.
5. Advises those persons who made written submissions to Amendment C242gben of Council's decision.

Executive Summary

In response to the Environment Protection Authority's (EPA) recommendations, the City commissioned background technical reports and a Section 53V Audit to be undertaken to consider potential impacts from the Eaglehawk Landfill and transfer station on nearby

properties. The resulting *Section 53V Audit of Risk of Harm - Landfill Buffer Eaglehawk Landfill 191-193 Upper California Gully Road, Eaglehawk, Victoria* (ERM, 2019) made recommendations to the City on how to best manage the interface between the landfill and transfer station and nearby properties.

The City prepared Amendment C242gben to introduce planning controls to manage the risk of potential off-site landfill gas and odour impacts, and the Amendment was exhibited for a period of six (6) weeks. Four submissions were received, two that acknowledged the Amendment but did not request changes, one submission which can be resolved if changed in the manner requested and one submission remains unresolved.

The proposed changes to the explanatory report and the BAO Schedule 1 following exhibition for Amendment C242gben are provided in Attachment 1 to this report. The documents as previously presented to Council and exhibited will also be forwarded on to the Independent Planning Panel to consider.

City officers recommend that Council considers the submissions received, endorses the officer response to the submissions and requests the Minister for Planning to appoint an Independent Planning Panel to consider all submissions.

Background

Eaglehawk Landfill is over 40 years old and is one of the few landfills in Victoria located in an urban area with established residential, commercial, and industrial land uses within close proximity. Even when landfills and transfer stations are operating in accordance with all relevant obligations, off-site impacts can occur. The landfill is actively managed under strict licence conditions, including the management of waste to reduce odour, regular gas monitoring, and extraction and dust suppressant measures.

The Environment Protection Authority (EPA) guideline, *Best Practice Environmental Management - Siting, design, protection, operation and rehabilitation of landfills 2015* provides recommendations on how to manage landfills now and in the future. The EPA recommends that any new development proposal within 500 metres of a landfill should be supported by an environmental audit undertaken in line with the *Environment Protection Act 1970*.

Rather than require individual landowners to undertake site specific audits, the City decided to undertake technical assessments to consider any potential gas migration, odour, noise and dust impacts of the landfill and transfer station on the immediate surrounding area. The findings of the technical reports were considered by an EPA accredited auditor, who prepared *Section 53V Audit of Risk of Harm - Landfill Buffer Eaglehawk Landfill 191-193 Upper California Gully Road, Eaglehawk, Victoria* (ERM, 2019) which makes recommendations to the City on how to best manage the interface between the landfill and transfer station and nearby properties.

The audit found that:

- The risk of landfill gas migration is low and can be managed through building techniques and regular monitoring of gas at the landfill.
- There is a risk of odour in some areas close to the transfer station.

- Dust and noise are not causing significant risks to properties within the buffer area.

The audit made recommendations in relation to on-site operations and the monitoring of landfill and transfer station operations and impacts.

The audit provided recommendations for new developments to minimise any potential impacts of the landfill. These recommendations include introducing planning controls within 500 metres (from the boundary) of the landfill site to manage any potential risk of landfill gas migration, and within 250 metres of the transfer station and green waste mulching activities (the source of the odour) to manage amenity impacts. In response, City officers prepared C242gben which proposed to apply a Design and Development Overlay (DDO) to manage the risk of potential off-site landfill gas and odour impacts and make changes to local policy to require a Section 53V Audit to accompany any future rezoning proposals within the buffer area.

On 15 July 2020 Council resolved to:

- Request the Minister for Planning to Authorise Council to prepare Amendment C242 to the Greater Bendigo Planning Scheme.
- When Authorised by the Minister, publicly exhibit Amendment C242 to the Greater Bendigo Planning Scheme as required under the Planning and Environment Act but extending the period from the minimum of one month to six weeks.
- Support the inclusion of conditions on planning permits to implement the recommendations of the 53V Audit while the planning scheme amendment process is undertaken.

Report

Amendment C242gben was submitted to the Department of Transport and Planning (DTP - Planning), previously DELWP) for authorisation on 29 July 2020. Authorisation to prepare the Amendment was received on 7 June 2021. Authorisation conditions included that the Buffer Area Overlay (BAO) be applied in place of the proposed DDO and that all residential land in the buffer area be rezoned from General Residential Zone (GRZ) to Neighbourhood Residential Zone (NRZ).

Amendment V10 introduced the BAO into the Victorian Planning Provisions, enabling application of the BAO to planning schemes through future amendments. Amendment C242gben is one of the first in the State being prepared to manage the off-site impacts of a landfill and transfer station. In addition to the BAO being a new planning tool, there have been significant changes to relevant legislation and policy since the completion of the Section 53V Audit and the submission of this amendment for authorisation, including:

- The *Environment Protection Act 1970* was replaced by *Environment Protection Act 2017* on 1 July 2021.
- Amendment C256gben updated the Greater Bendigo Planning Scheme to be consistent with the new structure of planning schemes introduced by Amendment VC148.
- The *British Standard Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings* (BS:8485:2015) has been updated to current version BS:8485:2015+A1:2019.

The planning controls proposed and exhibited as part of this amendment were updated, in consultation with DTP (Planning) and the EPA, to respond to the authorisation conditions and the updated legislation and policy, resulting in Amendment C242gben proposing the following changes to the Greater Bendigo Planning Scheme:

- Update the Municipal Planning Strategy and Planning Policy Framework to identify the Eaglehawk Landfill and transfer station as a waste and resource recovery hub of State significance with land use compatibility issues to be managed.
- Rezone land from GRZ to NRZ, Schedule 1 (NRZ1) to identify the land as being constrained due to its proximity to the Eaglehawk Landfill and Transfer Station.
- Insert the Buffer Area Overlay (BAO), with Schedule 1 (BAO1) to manage the risk of potential off-site landfill gas migration and Schedule 2 (BAO2) to manage the risk of elevated off-site odour impacts.

In preparing the Amendment documents, City officers worked with a specialist planning consultant, the EPA and DTP (Planning). The proposed controls have been carefully considered, to ensure they are reasonable and proportionate, and City officers have worked extensively with an environmental scientist with demonstrated experience in contaminated land assessment, remediation and environmental management to consider the practical implications. Further information regarding the Amendment can be found in the Explanatory Report (Attachment 1).

A supporting document, *Landfill gas protection measures user guide* (prepared by consultancy BGL Nominees Pty Limited in 2023) has been prepared to assist applicants and staff in understanding when landfill gas protection measures will be required as part of a development, and the types of professionals they will need to engage to assist them in the design, installation and verification of the measures.

Amendment C242gben was publicly exhibited from 1 June to 14 July 2023, with letters sent to the owners and occupiers of 319 properties within or adjoining, the 500 metre buffer area. Letters outlining the changes proposed for individual properties (if any) and tailored FAQs which outlined the reason for Amendment C242gben and the impacts was also provided. Notice was also given to relevant Ministers and referral agencies, as required.

Submissions

City officers received approximately a dozen enquiries from residents, landowners and State agencies and received four (4) submissions to the Amendment. Of the submissions received, two submissions acknowledged the Amendment but did not request changes, one submission can be resolved if changed in the manner requested and one submission is unresolved, as follows:

| Submission # | Summary of Submission | Outcome |
|--|--|--------------------|
| 1. Coliban Water | Acknowledge amendment No change requested | No change required |
| 2. Adjoining landowner in BAO1 Control Area 1 & BAO2 | Acknowledge amendment Raised issues related to operation of | No change required |

| Submission # | Summary of Submission | Outcome |
|--|---|--|
| | the landfill No change requested to Amendment | |
| 3. Adjoining landowner in BAO1 Control Area 1 & BAO2 | Raised issues related to operation of the landfill Opposes the inclusion of 10 Bragg Street, Eaglehawk in the Amendment due to property devaluation | Unresolved |
| 4. EPA | Acknowledges all previous feedback has been appropriately addressed Requests additional permit condition requirements in BAO1 to address recommendations of any future Environmental Audit Statement | Can be resolved Recommend change as requested |

Submission 1 is from Coliban Water and acknowledged the Amendment and confirmed they had no comment to make.

Both Submission 2 and 3 were provided from within the residential area located to the immediate north of the landfill and transfer station site, where the Amendment proposes to rezone land to NRZ1 and apply the BAO1 and BAO2. Both submissions predominantly focussed on the noise, odour and dust impacts of the landfill operations on their properties.

Submission 2 was provided as comment and confirmed they do not oppose the Amendment.

Submission 3 opposes the inclusion of 10 Bragg Street, Eaglehawk in the Amendment, specifically the proposed rezoning to NRZ1 and the application of BAO1 and BAO2, on the basis that the Amendment would devalue the property. The submission was provided *“in the absence of additional works being done to mitigate the noise levels coming from the landfill”*.

City officers consider it would be difficult to determine what effect, if any, the introduction of the BAO might have on the value of a property. The landfill has been licenced to operate on the site since 1975 and the Audit has been publicly available since 2019. The introduction of the BAO would provide clarity for future landowners and developers as to how the property could be developed and the sort of protection measures that would be required. It also saves applicants from having to engage an EPA accredited Auditor to undertake a site-specific assessment as part of a development application.

Planning Panels has considered the effect of introducing overlays on property values when reviewing past planning scheme amendments and has found that there is no justification for setting aside proposed overlays based on concerns about loss of property value.

As Submission 3 opposes the Amendment in response to issues with the landfill operations, and the justification given relates to speculation on how property value might be impacted, City officers do not recommend changing the Amendment in the manner

requested. Submission 3 remains unresolved and is recommended to be referred to an Independent Planning Panel for consideration.

Submission 4, from the EPA, acknowledged that all previous feedback has been appropriately addressed. The submission requests additional permit condition requirements in BAO1 to address recommendations of any future Environmental Audit Statement. City officers are supportive of the requested change and have drafted updates to Schedule 1 to the Buffer Area Overlay (see Attachment 1). If the recommended changes are supported, Submission 4 is considered to be resolved.

Priority/Importance

Timely progression of amendments is required as per Ministerial Direction No. 15 (the planning scheme amendment process).

Amendment C242gben is the result of significant work undertaken by the City to consider the potential off-site impacts of the landfill and transfer station, undertaken in accordance with EPA requirements. The completion of this project is required to give landowners certainty in regards to the future development capacity of their properties.

Options Considered

Section 29(1) & (2) of the *Planning and Environment Act*, 1987 state that a planning authority may adopt an Amendment or part of an Amendment with or without changes.

Section 23(1) of the *Planning and Environment Act*, 1987 require that in consideration of submissions received in relation to an Amendment, the Council must either:

- Refer the submissions to an Independent Planning Panel appointed by the Minister; or
- Change the Amendment in the manner requested by the submitters and adopt the Amendment with changes; or
- Abandon the Amendment, or part of the Amendment.

As there are unresolved submissions, the recommended approach is to refer submissions to an Independent Planning Panel.

Timelines

If supported, the request to the Minister for Planning to appoint a Panel will be made by the end of August 2023.

A Directions hearing has been pre-set for the week starting **25 September 2023**.

A Panel hearing has been pre-set for the week starting **6 November 2023**.

A report would then be provided back to Council to report on the recommendations from the Panel hearing.

Communications/Engagement

City officers have endeavoured to keep impacted landowners informed throughout the development of this Amendment.

In April 2019, letters were sent to all owners and occupiers in the 500 metre buffer outlining the project. Letters were then sent notifying of completion and recommendations of the Audit, with the full audit report, including appendices, made available on the City website.

A drop-in session was held in February 2020 with City staff, Councillors, the planning consultant and Auditor in attendance, to enable impacted community members to ask questions about the Audit recommendations.

The Amendment was exhibited for six (6) weeks, from 1 June to 14 July 2023, in the following ways:

- Notice was sent to the owners and occupiers of 319 properties within, or adjoining, the 500 metre buffer area (423 letters).
- Notice was given to prescribed Ministers.
- Notice was given to all relevant authorities.
- Notice of the Amendment was placed in the Bendigo Advertiser on Wednesday May 31 and Saturday June 3, 2023.
- A media release was sent out by the City on May 31, 2023.
- Access to the Amendment documents were made available on the City's website and the Department of Transport and Planning's website.

City staff spoke and corresponded with approximately a dozen landowners and occupiers regarding the specific changes proposed to their properties during the exhibition period. In most cases, a short phone call clarified the change proposed and any implications on future use and development.

Financial Sustainability

Amendment C242gben is covered by the Strategic Planning Unit operational budget, including any costs associated with the Panel Hearing.

Risk Assessment

The introduction of the BAO seeks to make it clearer to landowners and residents of their requirements in being located close to the landfill.

The supporting document, *Landfill gas protection measures user guide* (prepared by consultancy BGL Nominees Pty Limited in 2023) has been prepared to assist applicants and staff in understanding when landfill gas protection measures will be required as part of a development.

Policy Context

Primary Council Plan Reference

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

Outcome 2 - Healthy, liveable spaces and places

Outcome 7 - A safe, welcoming and fair community

Secondary Council Plan Reference(s)

Goal 7 - Sustainable population growth is planned for

Goal 5 - A community that feels safe

Goal 7 - Emergencies are prevented or mitigated

Conflict of Interest

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

Attachments

1. Greater Bendigo C242gben Explanatory Report Panel Request Schedule 1 [**16.1.1** - 36 pages]

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C242gben

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Greater Bendigo City Council which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to land in California Gully, Eaglehawk and Maiden Gully that is within 500 metres of the site boundary of the Eaglehawk Landfill and Transfer Station, located at 191-193 Upper California Gully Road, Eaglehawk, as shown and described below.

The amendment impacts 276 properties. The properties are located within 500 metres of the site boundary of the Eaglehawk Landfill and Transfer Station, which is shown in Figure 1 below. There are 55 properties within Control Area 1, 140 properties within Control Area 2 and 36 properties in Control Area 3. 41 properties are outside the control areas but within the 500 metre buffer area.

The properties within Control Areas 1 and 2 are currently zoned General Residential Zone (GRZ) and the properties within Control Area 3 are in the Industrial 1 Zone or Industrial 3 Zone.

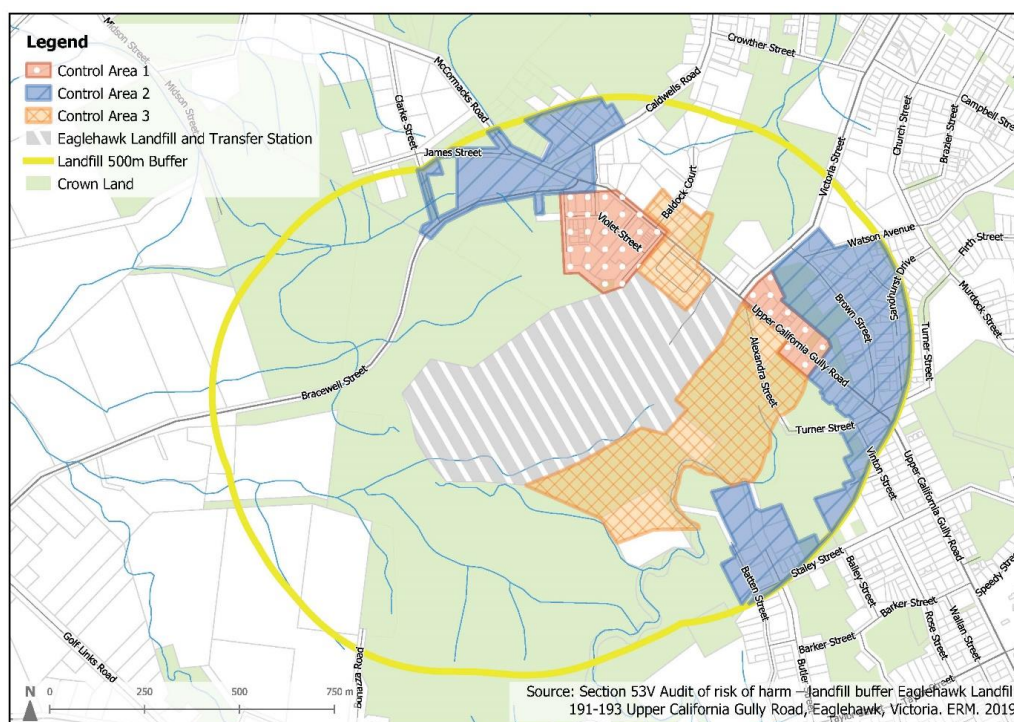


Figure 1. Control Areas within the Eaglehawk Landfill and Transfer Station 500m buffer area

There are 45 properties in the Eaglehawk Landfill and Transfer Station Amenity Protection Area, shown as BAO2 in Figure 2 below. Of these properties, 15 are zoned for residential use, one of which remains undeveloped.

OFFICIAL

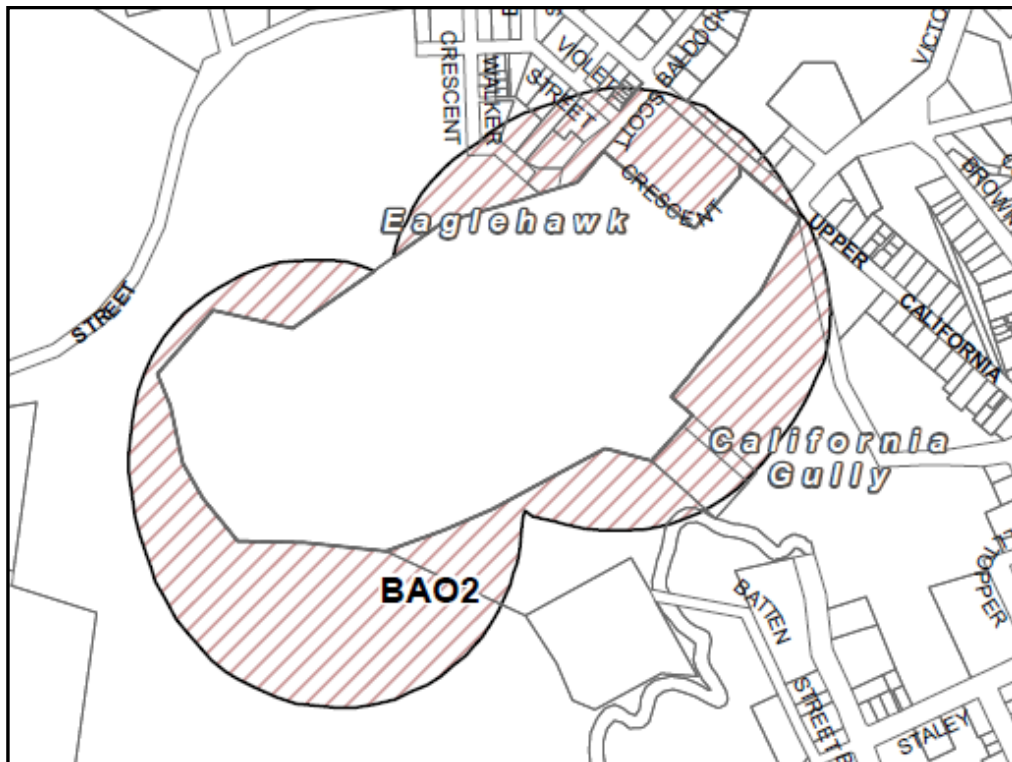


Figure 2. Buffer Area Overlay Schedule 2 application

Mapping reference tables are attached at Attachments 1-3 to this Explanatory Report.

What the amendment does

The amendment proposes to implement the findings and recommendations of the *Buffer Risk Assessment for Eaglehawk Landfill* (AECOM, 2019) and *Section 53V Audit of Risk of Harm - Landfill Buffer Eaglehawk Landfill 191-193 Upper California Gully Road, Eaglehawk, Victoria* (ERM, 2019).

The amendment proposes to update the Municipal Planning Strategy and Planning Policy Framework to identify the Eaglehawk Landfill and Transfer Station as a waste and resource recovery hub of state significance with land use compatibility issues to be managed.

The amendment proposes to rezone land from GRZ to Neighbourhood Residential Zone, Schedule 1 (NRZ1) to identify the land as being constrained due to its proximity to the Eaglehawk Landfill and Transfer Station.

The amendment proposes to insert the Buffer Area Overlay (BAO), along with Schedule 1 (BAO1) to manage the risk of potential off-site landfill gas migration and Schedule 2 (BAO2) to manage the risk of elevated off-site odour impacts.

Specifically, the amendment proposes to:

Maps

- Rezone approximately 8,000 square metres of land south of James Street and west of Clarke Street, Eaglehawk from GRZ to NRZ1 as shown on Planning Scheme Map No. 18.
- Rezone approximately 4.1 hectares of land at 2 and 11 Bracewell Street and 2-8 and 12 James Street, Eaglehawk and the adjoining road reserves in James Street, Clarke Street and Bracewell Street from GRZ to NRZ1 as shown on Planning Scheme Map No. 18.
- Rezone approximately 4.7 hectares of land east of Walker Crescent, south of Bracewell Street and Upper California Gully Road, and north of Scott Crescent and the Eaglehawk Landfill and Transfer Station, and the road reserves in Walker Crescent and all internal roads in the described area of Eaglehawk, from GRZ to NRZ1 as shown on Planning Scheme Map No. 18.

- Rezone approximately 3.4 hectares of land north of McCormacks Road and Bracewell Street and Caldwells Road Eaglehawk, and the internal road reserves in the described area and part of Caldwells Road from GRZ to NRZ1 as shown on Planning Scheme Map No. 18.
- Rezone approximately 4.8 hectares of land south and east of Batten Street, west of the California Gully Primary School and north Hosken Street and Staley Street, and 18 Batten Street and 1 Hosken Street, California Gully, and the road reserves in the described area from GRZ to NRZ1 as shown on Planning Scheme Map No. 18.
- Rezone approximately 3.4 hectares of land south and west of Upper California Gully Road, north and east of the California Gully Primary School, California Gully, and the road reserves in the described area from GRZ to NRZ1 as shown on Planning Scheme Map No. 18.
- Rezone approximately 14 hectares of land north and east of Upper California Gully Road, and south of Victoria Street and Watson Street and north of Truscott Reserve, California Gully, and the road reserves in the described area from GRZ to NRZ1 as shown on Planning Scheme Map No. 18.
- Apply the BAO1 to land in California Gully, Eaglehawk and Maiden Gully within 500 metres of the Eaglehawk Landfill and Transfer Station as shown on Planning Scheme Map No. 18BAO.
- Apply the BAO2 to land within 250 metres of the transfer of food and organics and the storage and mulching of green waste at the Eaglehawk Transfer Station as shown on Planning Scheme Map No. 18BAO.

Municipal Planning Strategy and Planning Policy Framework

- Amend Clause 02.03-3 (Environmental risks and amenity) to clarify the strategic direction relating to the buffers around the Eaglehawk Landfill and Transfer Station.
- Insert a new Clause 13.07-1L-02 (Eaglehawk Landfill and Transfer Station) to provide guidance when considering a rezoning or a planning permit application within the buffers to the Eaglehawk Landfill and Transfer Station.

Zones and Overlays

- Insert Clause 32.09 (Neighbourhood Residential Zone - NRZ) into the Greater Bendigo Planning Scheme.
- Insert a new Schedule 1 to Clause 32.09 (NRZ1) to insert new objectives, variations to the side and rear setbacks and front fence heights and decision guidelines to recognise the existing neighbourhood character values and environmental constraints of land within close proximity of the Eaglehawk Landfill and Transfer Station.
- Insert Clause 44.08 (BAO) into the Greater Bendigo Planning Scheme.
- Insert a new Schedule 1 to Clause 44.08 (BAO1) to insert new objectives, subdivision and buildings and works requirements including gas protection measures, application requirements, notice and review exemptions and decision guidelines for land within 500 metres of the site boundary of the Eaglehawk Landfill.
- Insert a new Schedule 2 to Clause 44.08 (BAO2) to insert new objectives, use and subdivision requirements including limiting uses that may be sensitive to unintended off-site odour impacts, application requirements, notice and review exemptions and decision guidelines for land within 250 metres of the transfer of food and organics and the storage and mulching of green waste at the Eaglehawk Transfer Station.

Operational Provisions

- Amend the Schedule to Clause 72.03 (Map comprising part of this planning scheme) to include a new Planning Scheme Map No. 18BAO.
- Amend the Schedule to Clause 72.04 (Incorporated documents) to insert the *Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings* (British Standard 8485:2015+A1:2019) as an incorporated document.
- Amend the Schedule to Clause 72.08 (Background documents) to insert the *Buffer Risk Assessment for Eaglehawk Landfill* (AECOM, 2019) and *Section 53V Audit of Risk of Harm - Landfill Buffer Eaglehawk Landfill 191-193 Upper California Gully Road, Eaglehawk, Victoria* (ERM, 2019) as background documents.

- Amend the Schedule to Clause 74.01 (Applications of zones, overlays and provisions) to describe the application of the NRZ and BAO.
- Amend the Schedule to Clause 74.02 (Further strategic work) to remove completed strategic work from the list relating to buffer controls for the Eaglehawk Landfill and public open space contributions completed in Amendment C266gben.

Strategic assessment of the amendment

Why is the amendment required?

The Eaglehawk Landfill and Transfer Station at 191-193 Upper California Gully Road, Eaglehawk, is a waste and resource recovery hub of state significance under the state-wide *Waste and Resource Recovery Infrastructure Plan* (2018) and the *Loddon Mallee Waste and Resource Recovery Implementation Plan* (2017).

The site has operated as a licensed landfill since 1975. Prior to this, the site and area had been used for the disposal of mine wastes and waste disposal since the 1860s. The site also contains a transfer station that receives food, green and household waste.

The landfill and transfer station are operated by the City of Greater Bendigo (the City) under a licence from Environment Protection Authority Victoria (EPA). It is licensed to accept general (putrescible and solid inert waste, asbestos of domestic origin, shredded tyres) and prescribed waste (asbestos and Category C contaminated soil).

Operating landfills can have a range of environmental effects on surrounding land uses and activities. The *Best Practice Environmental Management: Siting, Design, Operation and Rehabilitation of Landfills* (Landfill BPEM) provides advice on buffers for operating and closed landfills to achieve adequate separation between landfills and sensitive receptors. A buffer is the area recommended between the activity boundary and the nearest development to protect the amenity, health and safety of people. For landfills that receive putrescible waste a 500 metre buffer distance is recommended from buildings and structures to minimise the risk of harm. The Landfill BPEM allows changes to buffers subject to detailed assessment. Whilst the landfill is scheduled to stop accepting new waste by the end of 2023, closed landfills can continue to potentially discharge landfill gas for more than 30 years after they last accept waste. Landfill gas is a potential issue at Eaglehawk Landfill, particularly as the cells filled between 1975 and 2000 were unlined. Various EPA guidelines recommend that councils take a cautious approach to managing land use and development within buffers, particularly in relation to landfill gas risks, which have the potential to affect human safety.

Transfer stations can also cause amenity impacts, and those that receive putrescible waste have a recommended buffer distance of 250 metre under the *Recommended separation distances for industrial residual air emissions* (EPA 1518, 2013). Draft separation distance guidelines released for public comment by EPA in December 2022 propose to increase this distance to 500 metres, which would bring the default distance in line with Clause 53.10 of the planning scheme, that was updated by Amendment VC175 in May 2020, which provides a threshold distance of 500 metres for transfer stations accepting organic wastes. The transfer station will continue to operate on the site after the closure and rehabilitation of the landfill cells.

The Eaglehawk Landfill and Transfer Station has an unusual land use context, a legacy of the mining history and settlement pattern of the area. Residential and industrial zoned land is located immediately adjacent to the landfill, including many dwellings. Whilst most of the land has already been developed, there is some vacant land and land that has further development potential. The council receives planning permit applications for a range of land use and development but there are many forms of land use and development that currently do not require planning permits within the buffer area. Over time, council and the EPA have experienced significant difficulties in assessing applications without a clear understanding of the environmental risks presented by the landfill and transfer station. This has led to significant uncertainty for property owners and permit applicants.

In 2017, the Loddon Mallee Waste and Resource Recovery Group undertook a land use planning project for 55 sites across the region. This work found that the Eaglehawk Landfill was a high priority for further investigation and intervention from a planning perspective.

In order to resolve the uncertainties for all users of the planning system, the council undertook technical assessments of landfill gas, odour, noise and dust to determine whether the default EPA recommended

buffers were appropriate for the future and to investigate suitable planning responses. These assessments were completed, then assessed and validated through a Section 53V Audit under the *Environment Protection Act 1970*.

This amendment proposes to implement the findings and recommendations of the *Section 53V Audit of Risk of Harm - Landfill Buffer Eaglehawk Landfill 191 – 193 Upper California Gully Road, Eaglehawk, Victoria*, prepared by Environmental Auditor, Paul Fridell, ERM, dated 16 December 2019 (the 2019 Audit).

The 2019 Audit recommends, in summary, that:

- *The City of Greater Bendigo is to relocate on-site (where practicable) the green waste mulching area and the food/green transfer facility to maintain a 250 metre separation to existing sensitive receptors and areas zoned for residential development. Where this is not practicable, council is to investigate the installation of odour mitigation measures (page 80).*
- *Planning controls are recommended for land within the 250 metre default amenity buffer for transfer station to limit intensification of sensitive uses within the buffer (page 80).*
- *For land within 500 metres of waste placement on the site (effectively the boundary of the site), it is recommended that a Design and Development Overlay (DDO) be developed to ensure the following controls are implemented for new developments:*
 - *For new developments within Control Area 1 (residential) and Control Area 3 (industrial) (typically within approximately 250 metre of landfill) the developer will require LFG mitigation measures (membrane barriers and/or slab venting) to be incorporated into the design of the new structures as per British Standard 8485:2015.*
 - *Risk in Control Area 2 (existing and new residential developments) (typically 250-500 metre from landfill) will be addressed by increased monitoring by the landfill operator (Council).*
 - *The council planning department is obligated to obtain advice from the landfill operator (council) on current LFG risk when considering new developments in this area (page 80).*
- *Specifically, for control area 2, it is recommended that underground services and a number of new LFG monitoring bores be installed and monitored by the City of Greater Bendigo, as per Figure F9 of the AECOM report, to provide an early warning of the migration of LFG off-site.*

Since the completion of the Section 53V Audit, and the submission of this amendment for authorisation, there has been significant changes to relevant legislation and policy. The planning controls proposed in this amendment have been drafted taking into account the following:

- The *Environment Protection Act 1970* was replaced by *Environment Protection Act 2017* on 1 July 2021.
- Amendment C256gben updated the Greater Bendigo Planning Scheme to be consistent with the new structure of planning schemes introduced by Amendment VC148.
- Amendment V10 inserted the Buffer Area Overlay (BAO) into the Victoria Planning Provisions (VPP) at Clause 44.08.
- The British Standard Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings (BS:8485:2015) has been updated to current version BS:8485:2015+A1:2019.

When authorisation to prepare this amendment was granted on 7 June 2021, it contained several conditions, including that the land zoned GRZ be rezoned to NRZ1, and that the BAO be applied to land within 500 metres of the site boundary of the Eaglehawk Landfill and Transfer Station rather than the DDO.

How does the amendment implement the objectives of planning in Victoria?

The proposed amendment will implement the objectives of planning in Victoria as follows:

- (a) *to provide for the fair, orderly, economic and sustainable use, and development of land;*

The proposed amendment achieves this by clarifying the way in which land within the buffers of Eaglehawk Landfill and Transfer Station can be used and developed.

- (b) *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*

The proposed amendment achieves this by establishing a planning framework that minimises risk to life and property from landfill gas migration and manages amenity impacts associated with the transfer station.

(e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

The proposed amendment achieves this by ensuring that land use and development within the buffers of the Eaglehawk Landfill and Transfer Station do not adversely affect its ongoing operation.

(f) to facilitate development in accordance with the objectives;

The proposed amendment achieves this by establishing clear planning provisions that guide the way in which land within the buffer of Eaglehawk Landfill and Transfer Station can be used and developed.

How does the amendment address any environmental, social and economic effects?

The proposed amendment addresses potential environmental, social and economic effects as described below:

Environmental effects

Landfills and transfer stations have the potential for a range of environmental effects both at the operating site and on the surrounding area. The 2019 Audit assessed the findings of technical studies undertaken to consider the impacts of odour, noise, dust and landfill gas on surrounding properties. Clause 53.10 of the planning scheme anticipates a 500 metre buffer between sensitive land and transfer stations with organic material, to protect sensitive uses from a broad range of adverse amenity impacts, including noise, dust and odour. EPA guidelines anticipate a 250 metres buffer between transfer stations and sensitive uses, with consideration of odour and dust only. The 2019 Audit was prepared prior to the inclusion of the 500 metre threshold distance in Clause 53.10, however, a 250 metre buffer is considered to be acceptable on the basis that emissions are predicted to comply with noise and dust limits and odour will be managed through the inclusion of the BAO2, as explained in detail below.

Odour

The odour assessment undertaken for the project by Consulting Environmental Engineers sampled odour emissions of the existing operations. This work identified that the main sources of odour are the landfill tipping face (40 per cent), green/food waste transfer facility (organics shed) (20 per cent) and green waste mulch area (15 per cent). Odour modelling undertaken as part of the assessment found that sensitive receptors to the north and east of the site, as well as land zoned Farming Zone land to the west within the 500 metre landfill buffer, are likely to experience elevated odour levels from these current sources. The odour modelling indicated that areas to the south and southwest were unlikely to be affected.

The 2019 Audit found that odour from the activities on the site is expected from the continued operation of the food and organics transfer station and green waste storage and mulching area after the closure of the landfill. The sources and the location of these facilities post-closure were not considered in the odour modelling. However, the 2019 Audit found it likely that odour from these activities will continue to have the potential to have odour impacts. The amendment proposes to address potential ongoing odour issues by implementing a 250 metre amenity buffer (BAO2) around the shed where the transfer of food and organics and the area where green waste is stored and mulched.

Given the location of the open landfill cell and its impending closure, council and the EPA agreed that a separate schedule to address odour impacts associated with the landfill was not necessary, as it would predominantly cover the same area as the proposed BAO2 and would likely be obsolete by the time the proposed amendment is gazetted.

Noise

The noise assessment was undertaken for the project by SLR Consulting. Noise emissions have been predicted to comply with the respective daytime and evening noise limits for the site based on existing conditions. Proposed activities in the future were not assessed, however they were not predicted to intensify and therefore are unlikely to significantly alter the current noise impact findings. The transfer station amenity buffer will assist in addressing any potential noise impacts on sensitive receptors.

Dust

The dust assessment undertaken for the project by SLR Consulting found that the risk from dust and particulate matter impacts at the nearest sensitive receptors is negligible under existing and proposed

activities. The transfer station amenity buffer will assist in addressing any potential dust impacts on sensitive receptors.

Landfill gas

Landfill gas is primarily generated by the decomposition of waste in a landfill. Landfill gas continues to generate within a landfill for up to 30 years after the landfill stops accepting waste. Landfill gas can be flammable, explosive, toxic, corrosive, odorous and present an asphyxiation (suffocation) hazard. If there is a build-up of landfill gas pressure in a landfill, the gas can move outward and upward. The pathway will be affected by the design of the landfill, treatment systems and landfill caps to reduce the risk of landfill gas migration and the geology of the subsurface between the landfill and the receptor. Service trenches in proximity to landfills can also be preferential pathways for landfill gas. Gas can enter buildings through gaps around pipes and service entries, gaps and cavities in walls, cracks in floors, cracks and gaps in basements and accumulate in these areas.

In order to provide a basis for consideration of development proposals and to provide recommendations in relation to minimum safe buffer distances, a landfill gas risk assessment, titled *Buffer Zone Landfill Gas Risk Assessment Eaglehawk Landfill*, was prepared by AECOM Australia Pty Ltd in September 2019 (AECOM, 2019). The report provided an assessment of potential landfill gas migration associated with the current and historical landfill currently and into the future in the facility aftercare period, considering normal and upset conditions. This work involved an analysis of landfill gas monitoring bores, the development of a conceptual site model and an assessment of risk of landfill gas migration to land and potential receptors based on industry accepted standards.

The 2019 Audit evaluated the risk of landfill gas migration from each landfill cell (source) to receptor groups such as residential and industrial areas, via designated pathways, such as geology, utility trenches and old mine shafts. The gas risk assessment found that the risks associated with gas from the Eaglehawk Landfill are generally low within 250 metres of the landfill and very low within 250–500 metres, as defined by British Standard BS:8485:2015+A1:2019. The assessed risk scores determine the management practices and control, or 'protection' measures required to manage any gas.

The risk levels were divided into three control areas. These areas are shown in Figure 1 above and are included in the map in BAO1.

The control areas are:

- Control Area 1, which comprises of land zoned GRZ (proposed to be NRZ1) within 250 metres of the landfill to the north. This area includes dwellings and some vacant lots. New buildings and works in these areas will need to achieve a gas protection score of 3.5 under the British Standard BS:8485:2015+A1:2019.
- Control Area 2, which comprises of land zoned Industrial 1 Zone (IN1Z) and Industrial 3 Zone (IN3Z) to the north and south of the landfill. New buildings and works in these areas will need to achieve a gas protection score of 2.5 (commercial buildings) and 1.5 (industrial buildings) under the British Standard BS:8485:2015+A1:2019.
- Control Area 3, which comprises of land zoned GRZ (proposed to be NRZ1) between 250 metres and 500 metres to the north, east and south of the landfill. As part of the as part of the planning permit pre-application process, the council will check the results of recent monitoring of landfill gas in proximity of the proposal site and confirm if the landfill gas risk continues to be very low based on the characteristic gas situation. If the risk has increased, new buildings and works in these areas will need to achieve a gas protection score of 3.5 under the British Standard BS:8485:2015+A1:2019. If the landfill gas risk has not increased, no protection measures will be required.

The proposed amendment will ensure that future development in areas that are subject to risk of potential harm from landfill gas will contain protection measures that will reduce the risk of impacts to human safety and property.

Social and economic effects

Landfill gas can have significant social and economic impacts on human safety and property. In extreme cases, evacuation of buildings may be required to minimise safety risks. These impacts, and the uncertainties surrounding the risks, can have negative effects on people's lifestyle, relationships, property values and mental health.

Landfill gas risk has emerged as a significant environmental issue since a major landfill gas incident in the Brookland Greens residential estate in the City of Casey in 2008. The need for councils and the

EPA to address these issues was raised in the Victoria Auditor General's Report into *Managing Landfills (2014)* and the *Independent Inquiry into the Environment Protection Authority (2016)*.

This amendment seeks to protect life and property by proposing development controls in areas that are potentially affected by landfill gas. The proposed amendment also seeks to restrict encroachment and intensification of land uses that are sensitive to the potential unintended off-site impacts of the Eaglehawk Transfer Station. Odour impacts can cause headaches and nausea impacting human health and wellbeing, local amenity and aesthetic enjoyment.

There will be a cost to applicants in designing and constructing their developments in accordance with relevant standards to protect against landfill gas risks. Given the potential severity of consequences if landfill gas risk is not managed appropriately, the cost is considered proportionate. There are no design or construction costs associated with managing amenity impacts, though density limits will prevent intensive development from occurring on a limited number of sites.

A peer review of the 2019 Audit was undertaken to confirm that the recommendations were reasonable and proportionate. A guide has been prepared to assist landowners and developers in understanding how the proposed requirements of the BAO1 can be fulfilled. This guide is provided as a supporting document to the exhibited amendment.

Does the amendment address relevant bushfire risk?

The land subject to this proposed amendment is located in a designated bushfire prone area, with parts covered by the Bushfire Management Overlay (BMO). As such, the proposed amendment is required to meet the objective and give effect to the strategies to address bushfire risk in the Planning Policy Framework, specifically Clause 13.02-1S (Bushfire Planning).

The objective to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life is based on the same principles that underpin this amendment. This proposed amendment will not result in the introduction or intensification of development, but instead reduces the development capacity of the land through the rezoning of land from GRZ to NRZ1, and the introduction of the BAO2. The proposed amendment will not result in increased bushfire risk for existing and future residents, property or community infrastructure as a result of the proposed changes to allowable future use or development.

The views of the Country Fire Authority (CFA) were sought before the amendment was submitted for authorisation, though no response was received. The views of the CFA will be again be sought during the exhibition process.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The proposed amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the *Planning and Environment Act 1987* with new and updated policy being consistent with the required templates.

The amendment is consistent with *Ministerial Direction No.1 (Potentially Contaminated Land)* by requiring that the potential contamination of land by migrating sub-surface landfill gas is considered early in the planning process for any future development of land within 500 metres of the Eaglehawk Landfill site boundary.

The proposed amendment has been prepared in accordance with the strategic considerations set out in *Minister's Direction No. 11 Strategic Assessment of Amendments*, as required by section 12(2)(a) of the Act. Consideration has been given to all relevant environmental, social, and economic effects, as required by the direction.

The proposed amendment has been prepared in accordance with *Minister's Direction No.15 The Planning Scheme Amendment Process*, particularly the requirement for an exemption from the need to comply to be granted by the Minister for Planning where timeframes cannot be met. Given the complexity of this amendment and the extent of the conditions of authorisation, exemptions have been sought and approved as required throughout this process.

Council has received written feedback from the EPA Victoria in relation to *Ministerial Direction No.19 (Parts A&B)*. The EPA supports the objectives of the amendment and has provided detailed comments on various aspects of the proposed new planning provisions that have been incorporated into the amendment.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

Clause 01 states that one of the purposes of the planning scheme is “*To provide a clear and consistent framework within which decisions about the use and development of land can be made.*” This amendment implements recommendations from the 2019 Audit providing clear guidance on how risk presented by historic incompatible land uses can be appropriately managed going forward.

The proposed amendment implements and supports the following elements of the Planning Policy Framework:

- Clause 11 (Settlement) by attempting to manage environmental and amenity problems that have resulted from the historical siting of incompatible uses in close proximity to one another in the vicinity of the Eaglehawk Landfill and Transfer Station.
- Clause 11.01-1R (Settlement – Loddon Mallee South), by supporting Bendigo as the regional city and major population and economic hub in the region.
- Clause 13 (Environmental Risks and Amenity) by strengthening the resilience and safety of communities by adopting a best practice environmental management and risk management approach to the human-made hazard of landfill gas.
- Clause 13.05-1S (Noise abatement) and Clause 13.06-1S (Air quality management) by limiting the density of new dwellings and lots within the Eaglehawk Transfer Station amenity buffer area.
- Clause 13.07-1S (Land use compatibility) by safeguarding community amenity using building design measures to mitigate against the effects of landfill gas and limiting the encroachment of development for sensitive uses. The amendment proposes to insert a new local policy at Clause 13.07-1L-02 to manage the potential risk to human health and property posed by the off-site amenity and landfill gas impacts of the Eaglehawk Landfill and Transfer Station.
- Clause 17.03-2S (Industrial development siting) by providing adequate separation and buffer areas between sensitive uses and the Eaglehawk Landfill and Transfer Station to ensure that residents are not affected by adverse environmental effects or exposure to hazards.
- Clause 19 (Infrastructure) by minimising the impact of land use and development on the operation of a major waste and resource recovery hub of state significance.
- Clause 19.03-5S (Waste and resource recovery) by protecting the Eaglehawk Landfill and Transfer Station, from the encroachment of incompatible land uses through the formal identification of buffers for the purposes of landfill gas and amenity protection.

How does the amendment support or implement the Municipal Planning Strategy?

The proposed amendment implements and supports the following elements of the Municipal Planning Strategy (MPS):

- Clause 02.03-3 (Environmental risks and amenity) by introducing buffers to manage the interface between the waste and resource recovery hub and urban development to support land use compatibility and to protect critical infrastructure from incompatible adjoining uses.
- Clause 02.03-5 (Built environment and heritage) by introducing the NRZ1 to protect both neighbourhood character and human health.
- Clause 02.03-7 (Economic development) by implementing controls to manage the risk posed by historic adjoining incompatible land uses.
- Clause 02.03-9 (Infrastructure) by considering the ongoing management of waste and resource recovery assets to support the continued development of the municipality.

Does the amendment make proper use of the Victoria Planning Provisions?

The proposed amendment makes proper use of the Victoria Planning Provisions by:

- Inserting new local policy at Clause 13.07-1L-02 (Eaglehawk Landfill and Transfer Station) to provide guidance when considering the impacts of the Eaglehawk Landfill and Transfer Station on future development with the 500 metre buffer area.

- Rezoning land from GRZ to NRZ1 to identify land constrained by the nearby Eaglehawk Landfill and Transfer Station and the existing character values of the area in accordance with Planning Practice Note 43 (Understanding neighbourhood character), Planning Practice Note 90 (Planning for housing) and Planning Practice Note 91 (Using the residential zones).
- Applying the BAO 1 to land where new development must consider and implement as required suitable protection measures to address landfill gas risk in accordance with Planning Practice Note 30 (Potentially contaminated land) and Planning Practice Note 92 (Managing buffers for land use compatibility).
- Applying the BAO2 to land where the density of new dwellings needs to be limited to protect the ongoing operations of the Eaglehawk Landfill and Transfer Station and to protect the amenity of new residents in accordance with Planning Practice Note 92 (Managing buffers for land use compatibility).
- Amending the Schedule to Clause 72.04 (Incorporated documents) and the Schedule to Clause 72.08 (Background documents) to introduce relevant documents into the scheme, giving appropriate consideration to the role the document will be required to play in decision making and the way in which the documents will be used or relied upon.
- Making minor updates to Clause 02-03-3 (Environmental risks and amenity), the Schedule to Clause 72.03 (Maps comprising part of this planning scheme), the Schedule to Clause 74.01 (Application of zones, overlay and provisions) and the Schedule to Clause 74.02 (Further strategic work) to ensure that the Greater Bendigo Planning Scheme correctly reflects the work undertaken as part of this amendment.

The following Planning Practice Notes have also been considered in the creation of this proposed amendment and will continue to be considered throughout the amendment process, as appropriate:

- PPN46: Strategic assessment guidelines.
- PPN59: The role of mandatory provisions in planning schemes
- PPN64: Local planning for bushfire protection
- PPN74: Making planning documents available to the public.
- PPN77: Pre-setting panel hearing dates.
- PPN94: Land use and transport integration.

How does the amendment address the views of any relevant agency?

Extensive consultation occurred with relevant agencies throughout the preparation of the technical reports and the audit with the EPA, the Department of Transport and Planning (DTP - formerly Department of Environment, Land, Water and Planning) and the Loddon Mallee Waste and Resource Recovery Group. The proposed amendment documents and proposed policy address feedback provided during this early consultation, both before and after the policy was updated to address the conditions of authorisation.

Changes made to the proposed amendment include the introduction of the NRZ1 to replace the GRZ, the introduction of the BAO with separate schedules in order to refine the controls specific to each risk, expansion of the statements of risk and inclusion of the 2019 Audit into the BAO schedules, the updating of references to the new *Environment Protection Act 2017*, environmental audit statements and the updated British Standard, and the requirement for protection measures to be verified by a suitably qualified professional.

The EPA confirmed that the inclusion of, and the reference to British Standard (BS8485:2015+A1:2019) is appropriate, in the absence of a local alternative. This standard is referenced in *Publication 1642: Assessing planning proposals within the buffer of a landfill* (EPA, 2017) as a recommended source of information on the installation, testing and verification of landfill gas mitigation measures.

The EPA initially requested the inclusion of a third schedule to the BAO to manage amenity impacts from the landfill. Given these impacts will cease when the landfill stops accepting new waste later this year, the council, with agreement from EPA, have determined the inclusion of a BAO3 is unnecessary.

In accordance with the conditions of authorisation, the drafting of the schedules to the BAO has been undertaken in consultation with the EPA and DTP.

All relevant authorities were notified during the exhibition period and Coliban Water made a submission acknowledging the Amendment and confirming they had no comment. In their submission, the EPA acknowledged that all previous feedback had been appropriately addressed in preparation of the Amendment and requested additional permit condition requirements in BAO1 to address recommendations of any future Environmental Audit Statement.

Consultation will occur with all relevant agencies during the amendment exhibition process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The proposed amendment addresses the relevant requirements of the Transport Integration Act 2010. The development will not have a significant impact on the transport system as defined by Section 3 of the Transport Integration Act 2010. There are no applicable statements of policy principles prepared under section 22 of the Transport Integration Act 2010.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The proposed amendment will have some financial implications for the responsible authority, due to the technical nature of the requirements to satisfy the new planning provisions, particularly BAO1, and the need to ensure that staff are appropriately trained and supported in assessing applications.

The proposed provisions will trigger the need for planning permits for many forms of development in the buffer areas, which will increase the resource and administrative costs for the responsibility authority. These costs, however, will be offset by the clearer and more efficient process for managing whether development within the buffer area is appropriate.

Where you may inspect this amendment

The amendment can be inspected free of charge at the City of Greater Bendigo website at <https://www.bendigo.vic.gov.au/Services/Building-and-Planning/Planning-scheme-amendments>

Or by contacting 1300 002 642 or email strategic.planning@bendigo.vic.gov.au to arrange a time to view the amendment documentation at the City of Greater Bendigo at ~~45 Hopetoun Street~~ [189-229 Lyttleton Terrace](tel:189229189229), Bendigo.

The amendment can also be inspected free of charge at the Department of Transport and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

~~Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by Friday 14 July 2023.~~

~~A submission must be sent to: City of Greater Bendigo Strategic Planning Department, PO Box 733, Bendigo, VIC 3552, or via email to strategic.planning@bendigo.vic.gov.au.~~

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15, the following panel hearing dates have been set for this amendment:

- Directions hearing: week starting Monday 25 September 2023.
- Panel hearing: week starting Monday 6 November 2023.

ATTACHMENT 1 – Rezone from General Residential Zone (GRZ) to Neighbourhood Residential Zone Schedule 1 (NRZ1)

| Location | Land /Area Affected | Mapping Reference |
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| CALIFORNIA GULLY | 18 Batten Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 1-3 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 5 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 6 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 7 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 8 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 9-11 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 10 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 13 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 13A Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 15 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 19 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 21 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 33 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 34 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 35 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 36 Brown Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 4 Johnson Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 18A Staley Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 41 Turner Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 1/190A Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 192 Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 196 Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 1/143 Victoria Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 41 Watson Avenue | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 43A Watson Avenue | Greater Bendigo C242gben 003znMap18 Exhibition |
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| CALIFORNIA GULLY | 47-49 Watson Avenue | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 1-2/51 Watson Avenue | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 3-4/51 Watson Avenue | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 55-57 Watson Avenue | Greater Bendigo C242gben 003znMap18 Exhibition |
| CALIFORNIA GULLY | 59 Watson Avenue | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | CA 428C Bracewell Street | Greater Bendigo C242gben 003znMap18 Exhibition |

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| EAGLEHAWK | 1 Bracewell Street | Greater Bendigo C242gben 003znMap18 Exhibition |
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| EAGLEHAWK | 58 Caldwells Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 60 Caldwells Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 62 Caldwells Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 64 Caldwells Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 2-8 James Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 12 James Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 16 James Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 18 James Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 1 McCormacks Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 1A McCormacks Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 5 McCormacks Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 1 Robbins Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 3 Robbins Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 4 Robbins Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 6 Robbins Street | Greater Bendigo C242gben 003znMap18 Exhibition |

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| EAGLEHAWK | 8 Robbins Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 201 Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 203 Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 205 Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 207-209 Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 211-213 Upper California Gully Road | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 135 Victoria Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | CA 402C Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 1 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 3 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 5 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 1/5A Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 2/5A Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 3/5A Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 7 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 9 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 11 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 13 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 15 Violet Street | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 10 Walker Crescent | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 12 Walker Crescent | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 14 Walker Crescent | Greater Bendigo C242gben 003znMap18 Exhibition |
| EAGLEHAWK | 16 Walker Crescent | Greater Bendigo C242gben 003znMap18 Exhibition |

ATTACHMENT 2 – Apply Buffer Area Overlay Schedule 1 (BAO1)

| Location | Land /Area Affected | Mapping Reference |
|------------------|----------------------------|---|
| CALIFORNIA GULLY | 18 Batten Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 20 Batten Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 37 Batten Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1-3 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 5 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 6 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 7 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 8 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 9-11 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 10 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 13 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 13A Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 13B Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 13C Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 15 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 16 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 17A Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 17B Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 19 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 21 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 23 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 25 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 27 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 28 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 28A Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 29 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 30 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 31 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| CALIFORNIA GULLY | 32 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1/32A Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2/32A Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 3/32A Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 33 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 34 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 35 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 36 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1/38 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2/38 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 3/38 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 4/38 Brown Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | CA 479 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 26 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 27 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 28 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 29 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 30 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 31 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 32 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 36 Butler Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1 Hosken Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 4 Johnson Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 6 Johnson Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 7 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 9 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 10 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 11 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 12 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 13 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| CALIFORNIA GULLY | 14 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 15 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 16 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 17 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 18 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 19 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 20 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 22 Sandhurst Drive | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 4-14 Staley Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 18 Staley Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 18A Staley Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 20 Staley Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 22 Staley Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 24 Staley Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 3 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 4 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 5 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 6 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 7 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 8 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 9 Terage Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 8 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 8A Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 10 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 12 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 14 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 16-18 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 20 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 22 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| CALIFORNIA GULLY | 1/24 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2/24 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 41 Turner Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 159 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 161 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 162 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 163 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 165 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 167A Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1/167B Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2/167B Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 169 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 171 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 172 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 173 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 174 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 175 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 176 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 177 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 178 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 179 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 180 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 181 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 182 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 183 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 184 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 185 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 186 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 187 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 188 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| CALIFORNIA GULLY | 1/188A Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2/188A Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 190 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1/190A Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2/190A Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 192 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 194 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 196 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1/143 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2/143 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 3/143 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 4/143 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 145 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 2 Vinton Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 4 Vinton Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 5 Vinton Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 6 Vinton Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 7 Vinton Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 10 Vinton Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 41 Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 43A Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 43B Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 45A Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 45B Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 47-49 Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 1-2/51 Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 3-4/51 Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 55-57 Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| CALIFORNIA GULLY | 59 Watson Avenue | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| EAGLEHAWK | 1A Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 3 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 4 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 5 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 6 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 7 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 8-9 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 10 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 11 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2/11 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 12 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1/13 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2/13 Baldock Court | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | CA 428C Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 3 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 5 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 11 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2A Bragg Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2B Bragg Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2C Bragg Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2D Bragg Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2E Bragg Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2F Bragg Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 10 Bragg Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 39 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 41 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 43 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| EAGLEHAWK | 43A Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 45 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 47 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 49 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 54 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 56 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 58 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 60 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 62 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 64 Caldwells Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 13-17 Crowther Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 3 Evely Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2-8 James Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 12 James Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 16 James Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 18 James Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | CA 179 McCormacks Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1 McCormacks Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1A McCormacks Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 5 McCormacks Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 10-14 McCormacks Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1 Robbins Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 3 Robbins Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 4 Robbins Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 6 Robbins Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 8 Robbins Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1A Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 3 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| EAGLEHAWK | 4 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 5 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 6 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 7 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 8 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 9 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 10 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 11 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 12 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 13 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
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| EAGLEHAWK | 19 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 20 Scott Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 195 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 195A Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 198 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 200 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 201 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 203 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 205 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 207-209 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 211-213 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 214 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 216 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 220 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 222-224 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| EAGLEHAWK | 226 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 228 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 230 Upper California Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 129 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 131 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 133 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 135 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 140 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 146 Victoria Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | CA 402C Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 3 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 5 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 1/5A Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 2/5A Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 3/5A Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 7 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 9 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 11 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 13 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 15 Violet Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 10 Walker Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 12 Walker Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 14 Walker Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| EAGLEHAWK | 16 Walker Crescent | Greater Bendigo C242gben 001baoMap18 Exhibition |
| MAIDEN GULLY | 29 Bonazza Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| MAIDEN GULLY | 69 Bonazza Road | Greater Bendigo C242gben 001baoMap18 Exhibition |
| MAIDEN GULLY | CA 592E Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| MAIDEN GULLY | 64 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| MAIDEN GULLY | 73 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |

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| MAIDEN GULLY | 75 Bracewell Street | Greater Bendigo C242gben 001baoMap18 Exhibition |
| MAIDEN GULLY | CA 592C Maiden Gully Road | Greater Bendigo C242gben 001baoMap18 Exhibition |

ATTACHMENT 3 – Apply Buffer Area Overlay Schedule 2 (BAO2)

| Location | Land/Area Affected | Mapping Reference |
|------------------|---------------------------------|--|
| CALIFORNIA GULLY | 37 Batten Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| CALIFORNIA GULLY | CA 479 Butler Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| CALIFORNIA GULLY | 41 Turner Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| CALIFORNIA GULLY | 187 Upper California Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 2A Bragg Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 2B Bragg Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 2C Bragg Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 2D Bragg Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 2E Bragg Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 2F Bragg Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 10 Bragg Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 13-17 Crowther Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 1 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 1A Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 2 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 3 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 4 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 5 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 6 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 7 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 8 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 9 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 10 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 11 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 12 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 13 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 14 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 15 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |

OFFICIAL

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| EAGLEHAWK | 16 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 17 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 18 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 19 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 20 Scott Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 195 Upper California Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 195A Upper California Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 198 Upper California Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 200 Upper California Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 201 Upper California Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 203 Upper California Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | CA 402C Violet Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 13 Violet Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 15 Violet Street | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 14 Walker Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| EAGLEHAWK | 16 Walker Crescent | Greater Bendigo C242gben 002baoMap18 Exhibition |
| MAIDEN GULLY | CA 592C Maiden Gully Road | Greater Bendigo C242gben 002baoMap18 Exhibition |

GREATER BENDIGO PLANNING SCHEME

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Proposed C242gben

SCHEDULE 1 TO CLAUSE 44.08 BUFFER AREA OVERLAY

Shown on the planning scheme map as **BAO1**

EAGLEHAWK LANDFILL GAS PROTECTION AREA**1.0****Statement of risk**

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Proposed C242gben

The Eaglehawk Landfill and Transfer Station is a waste and resource recovery facility that accepts putrescible, organic and solid inert waste. The facility is classified as a hub of State significance in the *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2018) and the *Loddon Mallee Waste and Resource Recovery Implementation Plan* (Loddon Mallee Waste and Resource Recovery Group, 2016).

The facility operator has prepared a *Buffer Risk Assessment for Eaglehawk Landfill* (AECOM, 2019) and a *Section 53V Audit of Risk of Harm - Landfill Buffer Eaglehawk Landfill 191-193 Upper California Gully Road, Eaglehawk, Victoria* (ERM, 2019). These assessments found the potential for off-site landfill gas migration within 500 metres of the landfill, which can potentially discharge for more than 30 years after the last acceptance of waste. Even when landfills are operating in accordance with all relevant statutory obligations, landfill gas can pose human health and safety risks, such as asphyxiation and explosion. The identified landfill gas risks from the Eaglehawk Landfill and Transfer Station informs use and development of the site and surrounding areas. The risks have been determined based on an analysis of the likelihood of the risk occurring and severity of the consequences for different receptor groups, based on the zone of the land and the characteristic gas situation.

The levels of landfill gas risk in control area 1 and control area 3, as shown on Map 1 of Schedule 1 to Clause 44.08, are generally low but still require protection measures for most forms of development due to the potential severity of the consequences. The levels of landfill gas risk in control area 2 and all other areas outside of the control areas but within the 500 metre buffer area, are likely to be very low but the level of risk needs to be checked before development starts and protection measures applied where necessary.

2.0**Objectives**

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Proposed C242gben

To ensure development within the landfill buffer is not at risk of landfill gas migration associated with the Eaglehawk Landfill.

To ensure that buildings and works are designed, constructed and maintained to mitigate potential adverse impacts caused by landfill gas migration, commensurate with the level of risk.

3.0**Use of land**

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Proposed C242gben

None specified.

4.0**Subdivision**

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Proposed C242gben

A permit is required to subdivide land.

Requirements

A permit to subdivide land must meet the following requirements, unless:

- The subdivision does not involve ground disturbance; or
- The land is outside control area 1 and control area 3, as shown on Map 1 of Schedule 1 to Clause 44.08, and the landfill gas risk is very low based on the characteristic gas situation; or
- An environmental audit statement under the *Environment Protection Act 2017* has recommended otherwise.

GREATER BENDIGO PLANNING SCHEME

All buildings and works associated with the subdivision, including underground works to connect services, must include gas protection measures designed by a suitably qualified professional. Measures may include in-ground vertical venting, or trenches or wells at the site boundary or building envelope boundary to create a preferential pathway for gas to escape before reaching an existing or potential future building.

Permit conditions

A permit to subdivide land that includes gas protection measures must include the following conditions:

"The landfill gas protection measures determined by a suitably qualified professional and forming part of this permit or shown on the endorsed plans, including those relating to design, verification, installation, ongoing management and maintenance, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed."

"Prior to the issue of a Statement of Compliance for the subdivision, written confirmation from a suitably qualified professional with demonstrated experience in gas protection measure installation, must be provided stating that any required gas protection measures have been verified to ensure they are fit for purpose and installed correctly in accordance with the manufacturer's instructions."

A permit to subdivide land, where an environmental audit statement under the *Environment Protection Act 2017* has been provided, must include the following conditions:

"Any measures required by the recommendations of an environmental audit statement that require significant ongoing maintenance or monitoring, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed."

"Prior to the issue of a Statement of Compliance for the subdivision, all the relevant recommendations of the environmental audit statement must be complied with to the satisfaction of the responsible authority. Written confirmation of compliance must be provided by a suitably qualified environmental consultant or other suitable person acceptable to the responsible authority. Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works."

5.0

Proposed C242gben

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- Demolition.
- Fences.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment.
- A deck, including a deck to a dwelling.
- A disabled access ramp.
- A dependent person's unit.

This does not apply to:

- The construction of a building or structure which is not enclosed and does not require ground disturbance; or
- An alteration to, or demolition of, a building or structure that does not require ground disturbance.

A permit to construct a building or construct or carry out works must not allow the construction of any enclosed basements or similar below ground spaces.

GREATER BENDIGO PLANNING SCHEME

Requirements for enclosed buildings

A permit to construct an enclosed building or to construct or carry out works associated with an enclosed building, must meet the following requirements, unless:

- The land is outside control area 1 and control area 3, as shown on Map 1 of Schedule 1 to Clause 44.08, and the landfill gas risk is very low based on the characteristic gas situation; or
- An environmental audit statement under the *Environment Protection Act 2017* has recommended otherwise.

Gas protection measures must be designed by a suitably qualified professional in accordance with the *Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings* (British Standard 8485:2015+A1:2019) and should achieve the gas protection score as specified in Table 1 for the relevant zone of the land.

If the relevant zone is not listed in Table 1, the gas protection score is to be determined by a suitably qualified professional, to the satisfaction of the responsible authority.

Table 1 Gas protection measures

| Type of zone | Gas protection score |
|----------------------------------|----------------------|
| Residential | 3.5 |
| Industrial (commercial building) | 2.5 |
| Industrial (industrial building) | 1.5 |

All buildings and works should use a combination of two or more of the following three types of gas protection measures to achieve the relevant gas protection score:

- A structural barrier within the floor slab.
- Ventilation measures.
- A gas resistant membrane.

Requirements for ground disturbance

All buildings and works associated with the ground disturbance, including underground works to connect services, must include gas protection measures designed by a suitably qualified professional. Measures may include in-ground vertical venting, or trenches or wells at the site boundary or building envelope boundary to create a preferential pathway for gas to escape before reaching an existing or potential future building.

Permit conditions

A permit to construct a building or construct or carry out works that include gas protection measures must include the following conditions:

“The landfill gas protection measures forming part of this permit or shown on the endorsed plans, including those relating to design, verification, installation, ongoing management and maintenance, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

“Before a building is occupied or works are completed, written confirmation from a suitably qualified professional with demonstrated experience in gas protection measure installation, must be provided stating that any required gas protection measures have been verified to ensure they are fit for purpose and installed correctly in accordance with the manufacturer's instructions.”

A permit to construct a building or to construct or carry out works, where an environmental audit statement under the *Environment Protection Act 2017* has been provided, must include the following conditions:

GREATER BENDIGO PLANNING SCHEME

“Any measures required by the recommendations of an environmental audit statement that require significant ongoing maintenance or monitoring, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

“Before a building is occupied or works are completed, all the relevant recommendations of the environmental audit statement must be complied with to the satisfaction of the responsible authority. Written confirmation of compliance must be provided by a suitably qualified environmental consultant or other suitable person acceptable to the responsible authority. Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works.”

6.0

Proposed C242gben

Application requirements

The following application requirements apply to an application for a permit under Clause 44.08, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Any relevant environmental audit statement which has been prepared under the *Environment Protection Act 2017*.
- The gas protection score, determined by a suitably qualified professional, for buildings and works being undertaken on land where the relevant zone is not listed in Table 1.
- Where gas protection measures are required, an application must be accompanied by the design of any proposed measures to limit the movement of landfill gas relevant to the proposed building, structure or subdivision, prepared by a suitably qualified professional and designed in accordance with the *Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings* (British Standard 8485:2015+A1:2019).
- Where gas protection measures are not required, the application must be accompanied by a statement confirming the reason for which they are not required, from the following:
 - The application is for subdivision which does not involve ground disturbance.
 - The land is outside control area 1 and control area 3 shown on Map 1 of Schedule 1 to Clause 44.08 and the landfill gas risk is very low based on the characteristic gas situation.
 - An environmental audit statement under the *Environment Protection Act 2017* has recommended otherwise.

7.0

Proposed C242gben

Exemption from notice and review

An application for construction of a building or to construct or carry out works 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.

8.0

Proposed C242gben

Decision guidelines

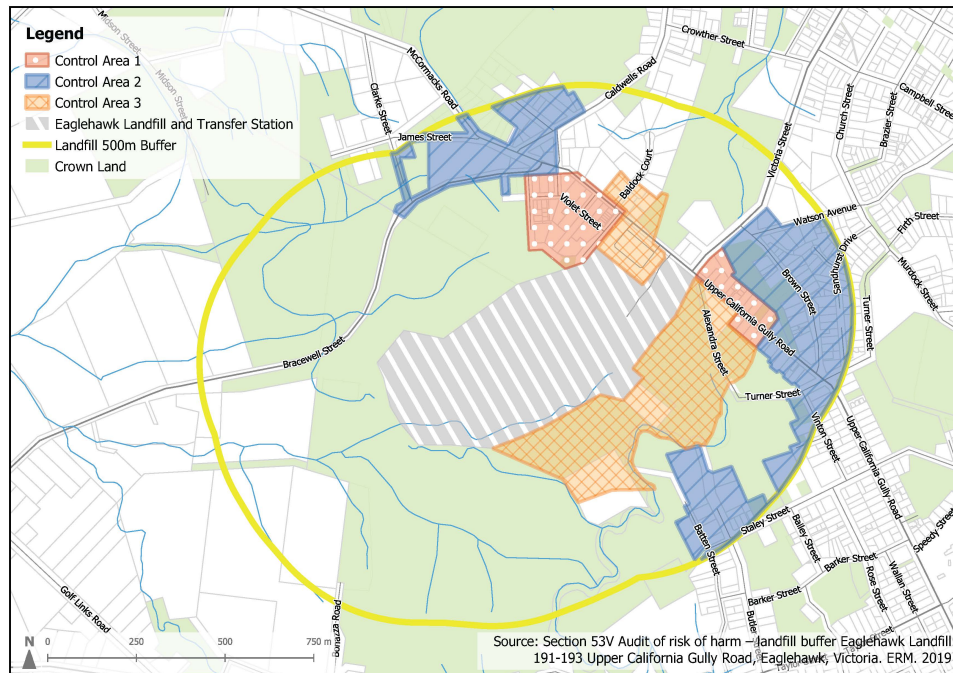
The following decision guidelines apply to an application for a permit under Clause 44.08, in addition to those specified in Clause 44.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether gas protection measures are required based on the characteristic gas situation.
- Whether the proposed protection measures will protect human health and minimise safety risks.
- Whether the proposed protection measures will achieve the relevant gas protection score.

GREATER BENDIGO PLANNING SCHEME

- Whether the proposal adequately meets the requirements for the *Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings* (British Standard 8485:2015+A1:2019).
- Whether development that does not include gas protection measures is at risk of potential landfill gas migration.

Map 1 of Schedule 1 to Clause 44.08



16.2. Community Aquatic Facilities Strategy

| | |
|-----------------------|---|
| Author: | Amy Johnston, Manager - Active & Healthy Communities |
| Responsible Director: | Stacy Williams, Director Healthy Communities and Environments |

Purpose

To present the Community Aquatic Facilities Strategy for Council adoption.

Recommended Motion

That the Council:

1. Adopt the Community Aquatic Facilities Strategy;
2. Thank the Community Panel for their involvement and contributions the aquatic service review.

Executive Summary

At the Council Meeting on 15 July 2020, Council resolved to place the Draft Community Aquatic Facilities Strategy (CAFS) on public exhibition for four weeks commencing on 17 July 2020. During this period the City had undertaken a range of activities to obtain feedback and promoted the draft strategy across multiple platforms. The draft strategy was posted on the City's website under the Your Say section. The public exhibition period was extended due to COVID-19 lockdown restrictions instead closing on 22 September 2020. City officers adapted the engagement process to include an online survey.

Since the 2020 engagement, officers have provided multiple updates to Councillors regarding options to progress the draft Community Aquatic Facilities Strategy which included providing strategy background to the newly elected Council in October 2020, providing various different strategy breakdowns including a four year infrastructure and service plan along with a strategy document and further outlines service opportunities and challenges in line with industry research post the global pandemic.

In recognition that the majority of the feedback received throughout the community engagement period was related to the Bendigo East and Brennan Park Swimming Pools recommendation, Councillors agreed in April 2022 to a short-term action prior to the strategy being adopted being a '*Service review of urban 50m suburb facilities (Brennan Park & Bendigo East Pools)*' through a community panel with a deliberative engagement approach which occurred in February 2023. The panel provided feedback on the recommendations and five community principles for decision making that Council should consider as part of the draft Community Aquatic Facilities Strategy.

Progressing the draft Community Aquatic Facilities Strategy has significant importance in the strategic direction of aquatic services for Greater Bendigo that meet the draft Community Aquatic Facilities Strategy principles of:

- Equity
- Accessibility
- Promoting Wellbeing
- Partnering
- Sustainability;

Along with recognising and considering the community panel's principles of:

- Creative & innovative process and solutions
- Sustainability & respect
- Community participation, collaboration and empowerment
- Accessible, equitable & inclusive
- Community health & wellbeing.

Background

In Australia, using public aquatic facilities for sport, recreation, rehabilitation and recovery, social connection, play and education is part of our way of life and Australians have a strong connection to swimming due to our climate and natural environment. It is widely acknowledged as part of our cultural identity.

Greater Bendigo's 121,000+ residents enjoy access to a diverse range of natural and built recreational opportunities. Along with a variety of sporting and recreational facilities, beautiful parks, gardens, open spaces and reserves, community access to aquatic facilities is an important factor in Greater Bendigo's health and wellbeing.

A lack of natural water bodies (ocean or rivers) and hot dry summers increases the demand for access to aquatic facilities for recreational purposes within Greater Bendigo.

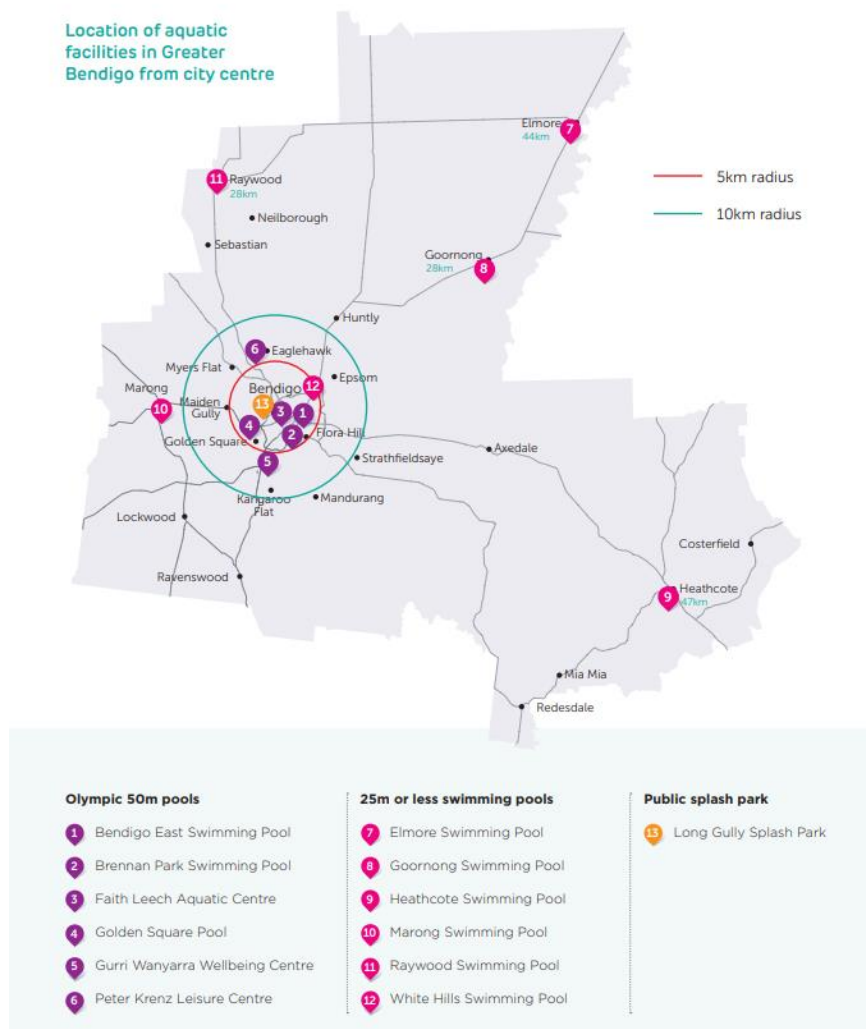
Contemporary aquatic facilities offer a wide range of activities and generally include both wet and dry program areas. Common elements include swimming pools suited to a variety of ages and abilities, spas, saunas, and water play areas as well as multi-purpose spaces for other activities such as exercise classes, group programs, childcare and gymnasiums.

Some facilities are used for sporting competitions such as swimming, diving or water polo, while others are used for non-competitive, community recreation. Used by a wide variety of people, community aquatic facilities are particularly important for children learning to swim, people recovering and rehabilitating following injury or illness and older adults who wish to participate in gentle water exercises to maintain health. Contemporary aquatic facilities are suitable for people with access or mobility issues, as water can offer opportunities for exercise and enjoyment for everyone.

The majority of aquatic facilities in Greater Bendigo were built in the post-war decades, a time when there were fewer competing recreation activities, limited air conditioning, less sun awareness and significantly fewer backyard pools. The use and culture of pools has changed immeasurably since this time.

Most existing facilities across the municipality include a traditional swimming pool experience with a main pool of water (50m, 33m or 25m), intermediate pool and a toddler pool. As many of these facilities are outdoor and unheated, they are generally only open seasonally from mid-November or December to mid-March. With limited investment in this older infrastructure over time, significant investment will be needed to continue to operate these facilities into the future. In many cases, significant investment could be required within the next five years.

There are 13 aquatic facilities (12 pools and a splash park) in the following locations in the municipality:



This number and close clustering of pools results from investments by Council's pre-amalgamation, the significant construction of community swimming pools post-war

associated with the 1956 Olympic Games and in response to drownings in unsupervised waterways (lakes and rivers).

Management arrangements for aquatic services vary from Crown Land Committees responsible to Department of Energy, Environment and Climate Action (DEECA) (recent State Government name change from DEWLP) to direct contract management (Council engaging a third party to operate the facilities) and also Incorporated Associations with a management agreement. These arrangements each create different financial and risk challenges to the City and are often inequitable resulting in different quality facilities being provided within different townships and urban areas.

Council's previous Aquatic Strategy was adopted in 2010. The strategy was primarily an asset management plan for the maintenance, renewal and improvements to existing urban aquatic facilities, along with recommendations for upgrades and new facilities. The recommendations from the 2010 Strategy have been implemented or are now superseded resulting in Council's request to update the strategy specific to all aquatic facilities in Greater Bendigo.

The draft Community Aquatic Facilities Strategy presented for community engagement in 2020 has recently been updated to reflect current strategic frameworks including the Council Plan: Mir Wimbul and Healthy Greater Bendigo, change to Government strategic documents and regulations such as the Department of Health's Water Quality Guidelines for public facilities, AusPlay data and Active Victoria Strategy.

The fundamentals of the Strategy remain unchanged including the principles which should be considered in conjunction with the community principles from the community aquatic panel.

The disruption of the global pandemic which resulted in prolonged facility closures, restrictions on attendance to facilities due to density limits and reduced operating hours to support service demand has resulted in changed baseline data since the first facility closure occurred in March 2020. The changes in baseline data since this time has resulted in impacts to seasons 2019/20, 2020/21 and 2021/22. The Strategy has been updated with the season 2022/23 data.

Whilst the current utilisation data of facilities is important; the different management models, season openings and hours along with different operational funding models means that facilities cannot be compared to in a like for like manner, with the draft Community Aquatic Facility Strategy focussing on strategic decisions about the best way to deliver the aquatic services across the municipality meeting known industry facility utilisation data together with Greater Bendigo community needs for a sustainable aquatic future.

Previous Council decision dates:

Council adopted the previous Aquatic Facilities Strategy at the Council Meeting of December 2010. Council reports related to the implementation of the Strategy were considered at the following meeting;

- November 2012;
- December 2012;
- February 2013;
- March 2013;
- June 2015;
- February 2018;
- March 2020;
- June 2020.

The draft Community Aquatic Facilities Strategy was endorsed at the July 2020 Council meeting to be released for community feedback.

Additional Councillor Briefings since the community feedback have included;

- December 2020;
- August 2021;
- October 2021;
- November 2021;
- April 2022;
- April 2023;
- August 2023.

A budget bid to support an independent consultant for a community panel with a deliberative engagement approach to assist with a *Service review of urban 50m suburb facilities (Brennan Park & Bendigo East Pools)* was included in Council's 2022/23 budget.

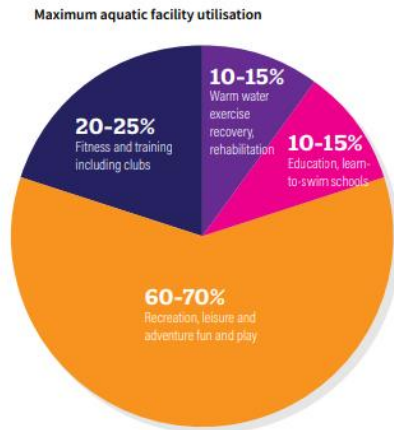
Report

The importance of community aquatic facilities to Greater Bendigo's health and wellbeing is indisputable, however the current provision is not sustainable – financially, environmentally and does not meet community needs and expectations.

The investment in Gurri Wanyarra Wellbeing Centre (GWWC) and the strong growth in patronage shows there is a strong appetite for newer facilities which incorporate indoor aquatic facilities with a range of other services including a gymnasium, community programs and allied health services. In addition, Council endorsed at its August 2022 Council Meeting Stage One concept plans for Peter Krenz Leisure Centre. Stage One focusses on the dry facilities at the centre and includes 24/7 gym, community activity rooms, indoor/outdoor café and integration of public toilets and a new library. Council has agreed to progress the Stage 1 Concept Plan to detailed design as funding becomes

available to do so. The Stage 1 Concept Plan was supported by a Community Reference Group.

Users of aquatic facilities are defined in four typical market segments outlined below. Market research suggests that to be successful, community aquatic facilities must design and plan for the needs of each market segment.



The assessment of the existing aquatic facilities indicates that the City needs to modernise the service to respond to community needs. Therefore, the draft strategy recommends diversifying the service offering and limiting duplication.

Trends which will continue to influence the City's community aquatic facilities offering include:

- Growth in domestic pools offering in home swimming options
- Access to private all year round learn to swim facilities
- The expectation of recreation use and its flexibility such as 24/7 access
- Introduction of free and zero depth splash parks in various park and playground settings
- The need to diversify the service offering at aquatic facilities to attract users and spread operating costs with options such as community facilities, programming and cafes.
- The requirements to meet a range of regulations for public pool operation including:
 - Royal Life Saving Society Australia – Guidelines for Safe Pool Operations
 - Department of Health – Water Quality Guidelines for Public Aquatic Facilities
- Increasing referral by health professionals to utilise warm water pools for therapy to address rehabilitation, pain management and injury prevention – especially in an ageing and recovering populations.
- Financial and environmental sustainability.
- The adoption of Universal Design Principles to make facilities accessible for all ages and abilities.
- The potential for aquatic facilities to be used more for community and tourism events.

- Volunteerism trends generally declining which could impact on the contributions of communities that operate the Committee of Management pool model.
- Swimming and water education being included in the education curriculum.
- Specialist skills and knowledge being critical to the ongoing operations of plant and equipment especially in aging infrastructure being costly.
- Lap swimming and competitive swimming through swim clubs and school carnivals remaining a consistent and constant user.
- Rate capping on local governments resulting in reduced revenue to fund services, maintenance and capital upgrades.
- Expectation that fees and charges for entry into aquatic facilities remains accessible to all therefore subsidised and not a fully cost recovery service.

The recommendations in the strategy are made in the context of the principles of equity, accessibility, promoting wellbeing, partnering and wellbeing which includes site specific recommendations based on facility hierarchy.

Priority/Importance

The City has a high number of older aquatic facilities when compared to other local government areas with majority in urban Bendigo. These facilities have served the community well for many decades but are in need of modernisation to provide for the current and future residents of Greater Bendigo. Without change the current assets and service levels cannot continue to service the community. It is highly probable that the service will be under utilised, asset failure is likely and ultimately due to rate capping the subsidy to sustain these assets will be unachievable.

It is important that the decision regarding community aquatic facilities returns to Council following community consultation and the community panel.

It is also important that a strategy is adopted to provide direction to Council officers to be able to implement planning, maintenance, development, and operations of the facilities as currently short, medium and long term planning in relation to aquatic facilities is required.

Options considered

- a) Adopt the Community Aquatic Facilities Strategy at the August 2023 Council Meeting (recommended);
- b) Defer the adoption of the draft Community Aquatic Facilities Strategy for another 12 months for further post pandemic data to be confirmed specific to utilisation (not recommended as attendance data is only one input to the strategy development);
- c) Release the draft Community Aquatic Facilities Strategy for further community consultation before coming back to Council (not recommended, as significant community consultation has already been undertaken over a number of years);

- d) Abandon the draft strategy and maintain all facilities with no strategic direction (not recommended).

Timelines

The time lapse between community engagement and Council's decision on the draft Community Aquatic Facilities Strategy is acknowledged. The interruptions of a global pandemic at the time of engagement, the closure of aquatic facilities throughout the pandemic under State Government orders, Council caretaker and election period, various Councillor briefing updates and the postponement of the community panel in November 2022 due to floods have all been contributing factors to the draft strategy returning for Council's consideration.

Communications/Engagement

Undertaking community consultation during COVID-19 restrictions and concluding during caretaker / induction period of Council led to a protracted process of engagement. In line with COVID-19 and caretaker period restrictions, the City undertook a range of activities to obtain feedback including:

- Individual meetings via Zoom / Microsoft Teams;
- Public online survey;
- Social media posts/feedback;
- Facility intercepts (where open);
- Promotion on Bendigo Library television;
- Promotion to members via Gurri Wanyarra Wellbeing Centre Facebook page;
- Promotion to primary/secondary schools
- Promotion within member newsletters;
- Direct contact with partner agencies and community groups;
- Promotion to township community groups;
- Paid media promotion; and
- Media releases.

The draft strategy in both summary and full was posted on the City's website under the Your Say section.

Engagement and promotion resulted in 130 responses to the online survey and individual submissions from most of the swimming pool managers (volunteer and contracted).

Responses to the survey questions were constructive, however it must be noted that there was a level of concern amongst the responses that the City is attempting to negatively change the service rather than make strategic decisions about the best way to deliver the service. It is discernible that this is likely connected to the protracted discussion and decisions relating to Golden Square Swimming Pool closure to the time of the survey.

Survey responses were more significantly related to local facility responses rather than municipal wide considerations highlighting the continued challenge of engaging about municipal service levels rather than individual township aspirations.

The following outlines the facility survey respondents were commenting about:

- Bendigo East 27.44%
- Heathcote 11.65%
- Brennan Park 10.53%
- Faith Leech 8.27%
- All pools 7.52%
- Elmore 6.39%
- Golden Square 6.39%
- White Hills 5.26%
- Peter Krenz 4.89%
- Goornong 4.89%
- Gurri Wanyarra 2.63%

While responses to each question were extensive, there are specific emerging themes/concerns within the open responses received about site specific recommendations. These included:

1. Concern with the proposed upgrade of Brennan Park Swimming Pool and associated closure of Bendigo East Swimming Pool;
2. The proposal to review operating hours/seasons at Faith Leech Aquatic Centre;
3. The proposal to construct a destination Splash Park at Bendigo Botanic Gardens and associated removal of White Hills Swimming Pool;
4. Seeking improvement of the Heathcote Swimming Pool;
5. Seeking improvement to the service at their local swimming pool.

The survey also sought feedback on the principles of the strategy and strategic objectives. While most (91.41%) agreed that the principles were important there was feedback including:

- Seeking feedback on principles and strategic actions is too complex and jargonistic to expect the community to understand;
- Equity needs to be strengthened and more clearly defined;
- Sustainability is too strongly focused toward environment and financial definitions, it does not recognise community sustainability, avoiding end-of-asset-life or growing communities;
- Community needs and partnering sought to be increased in importance and prominence;
- More clear definition of the priorities within the actions rather than short, medium long term;
- Enhanced recognition of small town access and support;
- Increased access to warm water and a range of health/fitness services.

While there is no unexpected feedback which would inform substantial change there is community sentiment in support aquatic facilities and services. Survey respondents generally sought retention or increases in service levels which cannot be achieved within current financial resources. Retention or increases in service levels will impact on other services/assets currently funded within the available resources or Council will need to consider seeking additional funding from ratepayers within a rate capping environment. Additional advocacy to different levels of Government for specific aquatic funding including construction and ongoing operating costs could also be an option.

Bendigo East Pool Committee of Management remains a key contributor to the draft Community Aquatic Facilities Strategy with the recommendation being to relocate the committee's current service to a new site. The Committee has been proactive in the discussions regarding their need to be sustainable into the future, providing a high quality service to the community, working in partnership with the City, having a service provision of an all year around heated pool facility and having improved facilities for all. The Committee has requested increases in operational funding and will need to be supported financially regardless of their operating location and have provided in principle support for Brennan Park relocation subject to various upgrades and ongoing financial support.

In response to this feedback and the most significant feedback being related to the Bendigo East and Brennan Park Pools recommendation, Council agreed to a short term action prior to the strategy being adopted being a *'Service review of urban 50m suburb facilities (Brennan Park & Bendigo East Pools) (attached) incorporating a deliberative engagement approach, that aims to achieve the following outcomes:*

- *A reduction in the current and future costs to rate payers whilst maximising accessibility*
- *A decrease in carbon emissions and water usage and improved environmental sustainability*
- *More effectively and appropriately meeting the needs of the whole community*
- *Attracting a greater and more diverse level of use*
- *Facilities that are more connected and integrated with other services and facilities*
- *Offering a diversity of aquatic facilities to match the needs of the current and future user market*

** does not include Golden Square Pool due to previous Council decision.*

A community panel facilitated by Capire Consulting Group completed a 3-part session (2x online workshops and 1x in person workshop) resulting in community principles for Council's consideration in decision making and reviewed the Bendigo East and Brennan Park specific recommendation. Further details regarding the Community Panel can be found in the Capire Consulting Group panel report attachment.

The panel's commitment to the process should be acknowledged and commended. The community principles for decision making should be considered alongside the draft Community Aquatic Facilities Strategy principles by Council.

The panel sought clarification on the draft recommendations including operational transition and land management. In addition, the panel also provided options to be explored both at Bendigo East and Brennan Park and the option of additional facility provision.

The panel's feedback did have some similar community sentiment to the wider community engagement. Minor changes have been made to the draft Strategy regarding the implementation and transition, management options and land management responsibilities. The panels workshop provided officers with details on the questions related to strategy actions and additional information that can be added regarding the planning and transition implementation options that includes logistics should the action be supported in the draft strategy unchanged.

In addition the panel recommended the following five principles for decision making:

1. Creative & innovative process and solutions
2. Sustainability & respect
3. Community participation, collaboration and empowerment
4. Accessibility, equitable & inclusive
5. Community health & wellbeing

These principles align strongly with the principles included in the draft strategy:

1. Equity
2. Accessibility
3. Promoting Wellbeing
4. Partnering
5. Sustainability

Financial Sustainability

As part of integrated strategic planning required of Local Governments the following key documents guide aquatic asset management and investment:

- City of Greater Bendigo Asset Plan 2022 – 2032
- City of Greater Bendigo Financial Plan 2021 – 2031

Making decisions on assets investment and decommissioning is often difficult. The Asset Plan outlines as part of difficult decisions: decommissioning and disposal of assets:

'Council sometimes has to decide whether to stop investing in an asset and to retire, sell or dispose of it. Communities rarely ask for assets to be decommissioned, often for fear of losing a service or facility, regardless of the viability of that asset or service. Endlessly accumulating low-performing

assets places an unrealistic burden on Council's resources through increasing maintenance and operating costs. Inability to rationalise also means Council is less able to invest in other new or upgraded assets. Decommissioning and/or disposal can release funding to acquire or upgrade another asset of value to the community. Consolidating assets could be one strategy to explore with involved stakeholders to avoid the sense of communities losing their assets.'

Aquatic facilities due to their age can be challenging to understand their conditions which can result in unexpected failures. The expectation to upgrade facilities to meet community expectations, manage facilities within compliance regulations supported by operational funding and continue to reduce emissions from asset classes will continue to be a balance across all community facilities and will require utilisation to be maximised.

The 2022/23, direct cost to Council for operating public swimming pools in Greater Bendigo was \$3.52M. The cost to Council outlined cost excludes any renewal or capital expenditure. It should be acknowledged that operator do incur costs which include any additional financial operating deficits above City subsidies or payments. Additional operator costs include any actual losses for CoM operated pools or losses due to financial underperformance of management contracts.

With the age of most assets and a history of insufficient maintenance/renewal, this vast infrastructure network needs significant investment in the short term to keep operating in its current form. In addition to the infrastructure reaching the end of its life, most of the facilities do not meet contemporary community needs, are inefficient and expensive to operate, do not offer an inclusive range of wellbeing opportunities and are not accessible to all residents.

Growing maintenance costs combined with rising operational expenses (cost of energy, insurances, staffing and supervision due to increased compliance) and limited ability to raise service income from users, means that continuing to operate the extensive network of aquatic facilities (in the current form) will present an untenable financial situation for the City over the coming decade.

While there are some opportunities to offset escalating costs through investment in technology (including renewable energy) and attempting to increase the income from users by increasing utilisation, this is not viable at all facilities due to the significant upfront cost of maintaining ageing infrastructure.

The City will update the aquatic asset management plan and asset lifecycle assessments. As an example, the cost of a new outdoor 50m pool is between \$15-20million. Construction, operating and maintenance costs are varying in a dynamic environment but all elements are moving in an upward trend.

The strategic direction specific for aquatic facilities within the draft strategy supports the ability to seek external grant funding opportunities especially from the State Government, and adoption of a strategic direction will allow officers to plan for expenditure on these facilities.

Risk Assessment

Aquatic services are a major service provided by Council to the community. Since 2010 there have been a range of developments and changes which have improved the service levels significantly, however there remain underlying concerns with asset condition, unplanned breakdowns, cost escalations, environmental impacts and high density service distribution. This strategy proposes to address these concerns by providing a structured approach to service change.

The time between community consultation has seen changes in the environment such as regional relocations following COVID-19, increased compliance measures and changes in strategic supporting documentation however the fundamental direction of the draft Community Aquatic Facility Strategy has remained unchanged. No adopted strategic direction for aquatic facilities has resulted in a status quo approach where minimal investment is occurring, no grant funding is being sought and general maintenance is ensuring opening is achievable at each site.

The establishment of a community aquatic panel with a deliberative engagement approach was well received from participants and facilitated independently through Capire Consulting Group however the officer recommendation for the Bendigo East and Brennan Park recommendation remains unchanged with additional information added in relation to the implementation of this option should it be supported to allow community knowledge regarding the transition approach.

Policy Context

Primary Council Plan Reference

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

Outcome 1 - Lead and govern for all

Outcome 2 - Healthy, liveable spaces and places

Outcome 5 - A climate resilient and healthy landscape

Outcome 7 - A safe, welcoming and fair community

Secondary Council Plan Reference(s)

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

Goal 3 - Active community engagement and excellence in customer service

Goal 1 - Strengthened community health and wellbeing

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

Goal 1 - Zero carbon

Goal 4 - Water Sensitive Bendigo

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

Goal 6 - A community that promotes equity and addresses poverty and disadvantage

Other Reference(s)

[Asset Plan 2022 - 2032](#)

[Financial Plan 2021 - 2031](#)

[Climate Change and Environment Strategy 2021 - 2026](#)

[Active Living Census 2019](#)

[Social Justice Framework 2022 - 2023](#)

[Active Victoria 2022 - 2026](#)

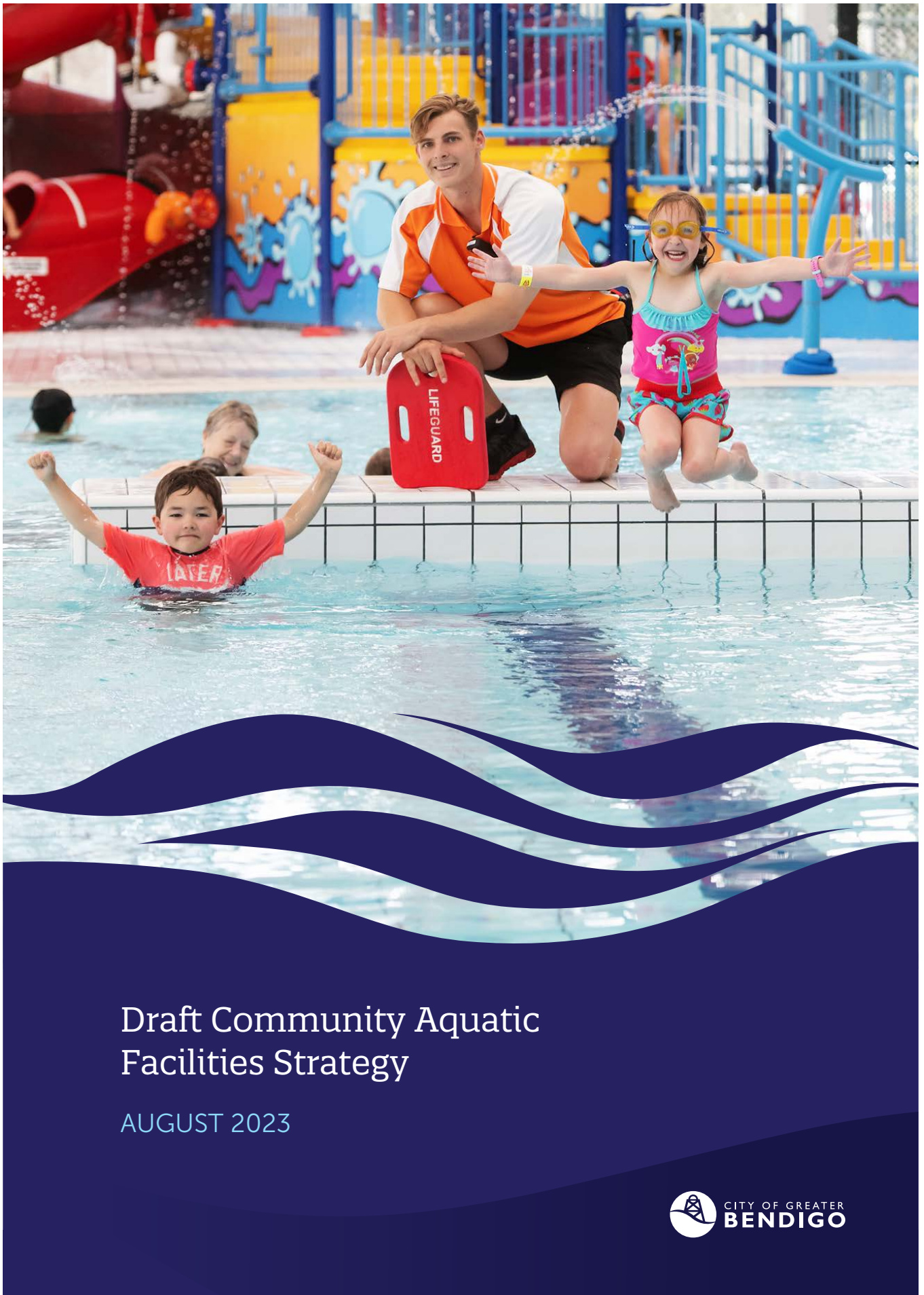
[Victorian Public Health and Wellbeing Plan 2019 - 2023](#)

Conflict of Interest

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

Attachments

1. Draft Aquatic Strategy August 2023 [**16.2.1** - 43 pages]
2. Capire Consulting Group Aquatic Strategy Community Panel Report [**16.2.2** - 10 pages]



Draft Community Aquatic Facilities Strategy

AUGUST 2023

ACKNOWLEDGEMENT OF COUNTRY

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 and Taungurung Peoples, the Traditional Owners of the land.

We pay our respects to leaders and Elders past, present and future for they hold the memories, the traditions, the culture and the hopes of all Dja Dja Wurrung and Taungurung Peoples.

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

EXECUTIVE SUMMARY

Greater Bendigo's residents enjoy access to diverse recreational opportunities. Along with a variety of sporting and recreational facilities, beautiful parks, gardens, open spaces and reserves, access to aquatic facilities is an important factor in Greater Bendigo's liveability.

BACKGROUND

While the importance of community aquatic facilities to Greater Bendigo's liveability and wellbeing is indisputable, the current provision, which offers the highest number of public aquatic facilities of all 79 local government areas in Victoria, is not sustainable (financially or environmentally), contemporary or fit for purpose. Current facilities do not adequately deliver on the community's goal to maximise liveability and wellbeing in the community.

Growing maintenance costs combined with rising operational expenses (cost of energy, insurances, staffing and supervision due to increased compliance) and limited ability to increase the income from users, means that continuing to operate the extensive network of aquatic facilities in its current form will present an untenable financial situation for Council over the coming decade.

The Community Aquatic Facilities Strategy will assist Council to address significant and complicated challenges in providing community aquatic facilities including:

- Inequities in existing service levels
- Changing community needs and legislated standards
- Responding to community needs within financial constraints
- Changing patterns of community volunteering
- Some existing facilities no longer being fit for purpose
- Lack of clarity about Council's role in facilities

STRATEGIC CONTEXT

Aquatic facilities, like all community facilities provided by Council, are not an end in themselves. They are designed, developed, maintained and managed to deliver outcomes in the context of the community vision and health and wellbeing goals of the community.

The existing planning and policy context that guides this Community Aquatic Facilities Strategy is extensive. The direction provided by existing strategies, plans and policies is well aligned, easily integrated and provides a robust foundation for future decisions about aquatic facility provision in the municipality.



GREATER BENDIGO COMMUNITY AQUATIC STRATEGY STRATEGIC FRAMEWORK

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

COMMUNITY AQUATIC FACILITIES STRATEGY

| COUNCIL PLAN: MIR WIMBUL | HEALTHY GREATER BENDIGO | PUBLIC SPACES PLAN | SOCIAL JUSTICE FRAMEWORK | CLIMATE CHANGE & ENVIRONMENT |
|--|---|--|--|---|
| <ul style="list-style-type: none"> Lead and govern for all Healthy livable spaces and places Strong, inclusive and sustainable economy Aboriginal reconciliation A climate resilient built and natural environment A vibrant, creative community A safe, welcoming and fair community | <ul style="list-style-type: none"> Healthy and well Safe and secure Able to participate Connected to culture and community Livable | <ul style="list-style-type: none"> ACTIVATED More reasons to experience and use STRONGER CONNECTION TO WATER in public places CONSOLIDATION for equitable access and better more diverse facilities | <ul style="list-style-type: none"> Human Rights Access and Inclusion Equity Participation in decision making | <ul style="list-style-type: none"> Biodiversity and regeneration Zero Carbon Circular Economy Sustainable and active transport Sustainable food systems Water sensitive Bendigo |

PRINCIPLES

- Equity
- Accessibility
- Promotes Wellbeing
- Partnering
- Sustainability

HIERARCHY



Community Buildings Policy

CURRENT PROVISION AND USE

FACILITY PROVISION

Most aquatic facilities in Greater Bendigo were built in the post-war decades, a time when there were fewer competing recreation activities, limited air-conditioning, less sun awareness and significantly fewer backyard pools. The use and culture of swimming pools has changed immeasurably since this time.

With 13 aquatic facilities (12 pools and a splash park), most community aquatic facilities provide a traditional municipal swimming pool experience.

The opening of Gurri Wanyarra Wellbeing Centre has seen exceptionally strong patronage, showing there is a desire for contemporary facilities which incorporate indoor aquatic facilities with a range of other services including a gymnasium, community programs and allied health services.

In addition to a lack of diversity in the existing infrastructure, there are six aquatic facilities clustered within 5km of Bendigo's city centre and eight within 10km. There are also five swimming pools that are in rural towns and the City has a free splash park located in Long Gully.

Current provision of aquatic facilities in the Bendigo region sees over-served catchments, duplication of services and older facilities which are no longer sustainable or able to fully meet the needs of the community.

HOW DOES ACCESS TO AQUATIC RECREATION IN BENDIGO COMPARE TO OTHER PLACES?

Community facilities:

Of the nine regional cities assessed, only Bendigo, Mildura and Wangaratta have a provision ratio of under 10,000 residents per community aquatic facility.

With 10 outdoor pools, the City of Greater Bendigo has the most of any of these municipalities.

The closest is the Rural City of Mildura, however the context is significantly different with Mildura having one outdoor pool per 3154km² and Bendigo having much more dense provision with one pool per 300km².

Domestic pools:

The number of residences with private pools for their own swimming requires registration with the City (between one in eight and one in 15 homes). Also, a large proportion of people who swim (approximately 50 per cent) do so in a private setting.

Community aquatic facility provision should consider equity and disadvantage, with access to community facilities prioritised for those groups who are least likely to have access to private pools.

WHO SWIMS?



| | |
|---|--|
| 1 | Half of the residents who participate in swimming do so at home* |
| 2 | Females swim more than males |
| 3 | A higher proportion of three to seven year olds participate more than any other age group |
| 4 | 90% of people use a car to get to their swimming activity |
| 5 | Those who swim do it regularly with almost half swimming at least weekly |
| 6 | Quality and accessibility ratings are high and have improved since 2014 |
| 7 | Swimming is most popular in Kangaroo Flat – Big Hill, which also has the highest facility accessibility rating and residents travel the shortest distance to get to the facility |

*A significant difference in swimming participation between 2014 (17.5 per cent) and 2019 (8.5 per cent) is explained in the Active Living Census Top Line report. The definition of 'participation' changed in the 2019 survey stating that responses should not include any physical activity in the home (i.e. swimming in domestic/private pools).

Residents of all ages and genders participate in swimming for exercise, although swimming was more popular for females than males. Males and females aged three to 11 reported the highest rates of swimming.

| | Male | Ages | Female |
|--|-------|---------|--------|
| | 14.3% | 3 - 11 | 16.9% |
| | 6.5% | 12 - 17 | 8.3% |
| | 5.3% | 18 - 34 | 8.1% |
| | 6.7% | 35 - 49 | 8.4% |
| | 6.5% | 50 - 69 | 9.1% |
| | 6.2% | 70+ | 7.6% |



CHALLENGES AND OPPORTUNITIES

THE CHALLENGES

There is inequity between the financial contributions needed to provide services at different facilities. Sites requiring a higher subsidy do not generally offer better outcomes in terms of quality, accessibility or diversity of services/programs.

In recent years there have been a number of changes to the compliance requirements for swimming pools. This includes increased requirements to comply with the Guidelines for Safe Pool Operations, such as additional lifeguard staff and Department of Health's Water Quality Guidelines for public facilities including registration and testing requirements. These requirements continue to significantly increase the cost of pool operations and therefore the subsidy paid by the City. Increasing entry fees to meet this increased cost would impact most greatly on community members who can least afford the cost of entry.

Greater Bendigo is located in central Victoria and experiences weather extremes throughout the year. Providing a service that is responsive to weather variations experienced, especially during fringe seasons, is difficult and requires flexibility to extend during heat waves or reduce during colder conditions. The City will review and provide consistency in relation to the operating hours of its seasonal outdoor pools and the circumstances in which these will vary as a result of hot, cold or extreme weather conditions.

Aquatic facilities are popular recreational sites but of all the City's public facilities, aquatic centres are one of the most energy intensive. Indoor aquatic centres are complex facilities accommodating diverse uses and differing heating/cooling needs. Heating and cooling consumes significant energy resulting in high greenhouse gas emissions. Gurri Wanyarra Wellbeing Centre is the City's highest emissions facility since opening. To address this, the City has undertaken an energy audit and actions are underway to continue to decrease carbon emissions and remove gas infrastructure working towards a Zero Emissions Plan.



THE OPPORTUNITIES

Sport and active recreation settings, including community aquatic facilities in all forms, have potential to increase physical activity, promote healthier lifestyles, improve access, and engage people of all backgrounds, ages and stages in active, social fun.

Recently the Victorian Government introduced the Gender Equality Act. This Act requires Council to consider the gender impact of its services and policies. Working with pool operators to ensure there are fewer gender barriers and increase accessibility to facilities provides an opportunity to grow participation and sustainability of these facilities.

Through the careful planning for and provision of community aquatic facilities and services, aquatic facilities and programs become invaluable settings to help Greater Bendigo become a healthy, more liveable place.

Existing community aquatic facilities in Greater Bendigo do not adequately cater for current and, importantly, potential users. It is only when closer alignment between the community's needs and fit-for-purpose provision is achieved that Council will see significant gains in health and wellbeing outcomes, higher rates of facility utilisation and reduced subsidies needed to offset the cost of aquatic recreation.

The City supports operational costs at a number of small township swimming pools, which are highly subsidised but relatively low cost to operate due to the volunteer community-led management structure. These services would not be viable without this level of volunteerism and while communities are willing to operate these sites, the City should continue to support them financially and with other advice.

To align with City policies, maximise the sustainability and utilisation of existing facilities, and strengthen the health and wellbeing outcomes achieved, the strategy proposes:

- Investing in new or refurbished facilities that meet the needs of under-served market segments (especially health and therapy)
- Limiting further investment in facilities that cater mostly for the fitness and training market
- Transform and diversify the most sustainable and well-located facilities to better match the needs of the community and attract new aquatic participation
- Ceasing or transforming aquatic services that duplicate other facilities and provide more sustainable, cost effective, better located and/or higher quality centres

Bendigo East Swimming Club has agreed to relocate to Brennan Park Swimming Pool following upgrades proposed in this plan. These upgrades will support year-round operation of this facility, which is strategically located adjacent to the Strathdale commercial precinct, LaTrobe University and Bendigo South East Secondary College. As such, this modernised facility will service the City's eastern growth areas.

THE STRATEGY

This strategy has been developed using the City's existing strategic framework.

Based on principles, the following decision-making framework is proposed:

PRINCIPLE 1: EQUITY

1. Decisions will seek to ensure that high quality facilities and user experiences are delivered equitably to maximise liveability and wellbeing outcomes for the benefit of all residents.

PRINCIPLE 2: ACCESSIBILITY

1. Council's aquatic facilities will be developed, managed and promoted in ways that maximise access to appropriate, safe and high quality service provision for everyone.
2. Decisions will ensure that community aquatic facilities are accessible across the municipality.
3. Aquatic facilities will be retained at a scale appropriate for surrounding land uses.

PRINCIPLE 3: PROMOTE WELLBEING

1. The purpose of community aquatic facilities is to support and encourage residents to live healthier lifestyles through improved facility design, accessibility and fee structures.
2. Council will actively develop its community aquatic facilities as integrated, adaptive and multi-function community buildings that provide for a range of community activities and purposes.

PRINCIPLE 4: PARTNERING

1. Council welcomes and actively pursues opportunities to work in partnership to design and deliver aquatic facilities, services and programs that maximise liveability, health and wellbeing outcomes for the community.

PRINCIPLE 5: SUSTAINABILITY

1. Council's aquatic facilities will be designed and managed to be environmentally sustainable and will include energy saving, waste minimisation, and water saving and re-use elements.
2. Council will seek to implement a sustainable approach to community aquatic provision, focusing on provision of fewer facilities that:
 - a) More effectively and appropriately meet the needs of the whole community
 - b) Attract a greater and more diverse level of use
 - c) Are more connected and integrated with other services and facilities
 - d) Are accessible
 - e) Offer a diversity of aquatic facilities to match the needs of the potential user market (ie the market segments/ demand for Recreation, leisure and adventure 60%, Fitness and training 20%, Warm water exercise, recovery and rehabilitation 10%, and Education, learn-to-swim schools 10%)

Specific recommendations of this strategy can be found in sections 8 and 9 of the strategy.



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1. INTRODUCTION

Greater Bendigo's 121,000+ residents enjoy access to a diverse range of natural and built recreational opportunities. Along with a variety of sporting and recreational facilities, beautiful parks, gardens, open spaces and reserves, access to aquatic facilities is an important factor in Greater Bendigo's health and wellbeing.

A lack of natural water bodies (ocean or rivers) and hot-dry summers increases the demand for access to aquatic facilities for recreational purposes.

This draft Community Aquatic Facilities Strategy aims to guide sustainable, equitable and contemporary provision of community aquatic facilities to maximise wellbeing and liveability outcomes as Greater Bendigo's population demands a more inclusive and accessible range of aquatic facilities.

a. Why are aquatic facilities so important?

In Australia, using public aquatic facilities for sport, recreation, rehabilitation and recovery, social connection, play and education is part of our way of life. Australians have a strong connection to swimming due to our climate and natural environment. It is widely acknowledged as part of our cultural identity.

According to Sport and Recreation Victoria, Complementary aquatic leisure facilities often incorporate facilities for a range of activities including wet and dry areas. Common elements include: swimming pools for a variety of ages and abilities, spas, saunas and water play areas as well as multipurpose rooms for other activities such as exercise classes, child care and gymnasiums. Public aquatic facilities are recognised in State Government policy as important for maintaining and promoting active lifestyles and providing direct health, wellbeing and education benefits.

Many higher order facilities across Victoria are co-located with other community facilities and services such as schools, libraries, health services etc.

Some facilities are used for sporting competitions such as swimming, diving or water polo, while others are used for non-competitive, community recreation.

Used by a wide variety of people, community aquatic facilities are particularly important for children learning to swim, people recovering and rehabilitating following injury or illness, and older adults who wish to participate in gentle water exercises to maintain health. Contemporary aquatic facilities are suitable for people with access or mobility issues, as water can offer opportunities for exercise and enjoyment for everyone.

b. The challenge for Councils everywhere

Providing new and upgraded infrastructure to meet contemporary needs and standards, while maintaining existing, often ageing aquatic assets, must be carefully balanced.

In recognition of this challenge faced by Councils across the state, the Victorian Auditor-General's Office published a report in 2016. Greater Bendigo was one of six Councils profiled. The VAGO report¹ identifies key challenges facing the aquatic and recreation industry, assessing

whether Councils effectively identify community needs for recreational facilities/services, whether planning for aquatic recreation centres is robust and sound, and whether councils are maximising value from investment in the facilities they do have.

Specifically, VAGO identified the key issues as:

- The cost of building new centres is high – exceeding \$50M in some instances
- There are many ageing aquatic and recreation centres across Victoria
- Councils are generally dependent on grants for the development and refurbishment of aquatic and recreation centres
- Aquatic and recreation centres are complex, evolving businesses with generating low returns, hence private sector investment is low
- Aquatic and recreation centres remain a high priority for their communities, and may generate high profile community and political issues
- Councils effectively engage with their communities, which informs planning for future facility developments
- A lack of effective evaluation for aquatic and recreation centres often limits Councils' ability to demonstrate achievement of councils' broader social, health and wellbeing objectives

The findings recommended Councils improve monitoring, reporting and evaluation to determine how well community aquatic facilities meet broader objectives, given the significant investment needed.

This strategy will offer the City a sound process and a robust strategic framework for decision making in terms of future investment, service delivery and monitoring whether provision delivers on liveability, health and wellbeing goals.

c. The challenge for Greater Bendigo

Across Victoria the current provision of community aquatic facilities (mostly swimming pools) is a legacy of significant construction of community swimming pools post-war (associated with the 1956 Olympic Games) and municipal service provision prior to Council amalgamations in the mid-1990s. This is a significant challenge for Greater Bendigo due to the number of existing and well-loved swimming pools that have been servicing their community for decades.

While the importance of community aquatic facilities to Greater Bendigo's liveability and wellbeing is indisputable, the current provision, which offers the highest number of public aquatic facilities of all 79 local government areas in Victoria, is not sustainable (financially or environmentally), contemporary or fit-for-purpose, and does not adequately deliver on the community's goal to maximise liveability and wellbeing in the community.

¹ Local Government Service Delivery: Recreational Facilities, Victorian Auditor General's Office 2016

Almost all Greater Bendigo's existing aquatic facilities are examples of last century design and services, with a main pool of water (50m, 33m or 25m), an intermediate pool and a toddler pool. Many of these facilities are outdoor and un-heated and are generally only open seasonally from mid-November or December to mid-March.

With the age of most assets and a history of insufficient maintenance/renewal, this vast infrastructure network needs significant investment in the short term to keep operating in its current form. In addition to the infrastructure reaching the end of its life, most of the facilities do not meet contemporary community needs, are inefficient and expensive to operate, do not offer an inclusive range of wellbeing opportunities and are not accessible to all residents.

Growing maintenance costs combined with rising operational expenses (cost of energy, insurances, staffing and supervision due to increased compliance) and limited ability to raise service income from users, means that continuing to operate the extensive network of aquatic facilities (in the current form) will present an untenable financial situation for the City over the coming decade.

While there are some opportunities to offset escalating costs through investment in technology (including renewable energy) and attempting to increase the income from users by increasing utilisation, this is not viable at all facilities due to the significant upfront cost of maintaining ageing infrastructure.

d. Greater Bendigo Aquatic Strategy 2010-2020

Council's previous strategy was adopted in 2010. The strategy was an asset management plan to guide the maintenance, renewal and improvements of existing aquatic facilities, along with recommendations for limited upgrades and new facilities. Most of the recommendations have been implemented or are now superseded.

Due to the changed context of aquatic facilities in Greater Bendigo, including the opening of Gurri Wanyarra Wellbeing Centre in October 2018, a growing and increasingly diverse regional population, and an increase in the number of domestic/private pools, a new strategy is needed to guide investment in provision of public aquatic facilities to sustainably meet resident's health and wellbeing needs and improve the liveability of the Greater Bendigo community.

e. The strategy for the next 10 years:

The Greater Bendigo Community Aquatic Facilities Strategy will provide a sound process and a robust strategic framework for decision making and investment to ensure future provision:

- Aligns with and progresses goals and objectives in Council's strategic planning/policy framework
- Responds to local and national aquatic recreation/swimming participation trends
- Offers contemporary and appropriate recreational activities that meet the needs of target groups and are accessible to/inclusive of all residents
- Improves the health and wellbeing of residents and enhances the liveability of the region
- Is equitable, environmentally responsible and financially sustainable



This report outlines key information and analysis that was relied on to develop the proposed strategic direction.

Detailed in the following sections is a strategy focused on community needs that relies on evidence and policy, including:

- Direction from the City's strategic and policy framework
- Contemporary aquatic programming
- Current facility provision
- Participation data
- The challenges and opportunities for future community aquatic facility provision

This strategy will assist the City to address the significant and complicated challenges of community aquatic facility provision, including:

- Inequities in existing service levels
- Changing community needs and legislated standards
- Responding to community needs within financial constraints
- Changing patterns of community volunteering
- Some existing facilities no longer being fit for purpose
- Lack of clarity about Council's role in facilities

This strategy provides the City with a sound basis for decision making to deliver a network of efficient, appropriate and fit-for-purpose aquatic facilities that maximise liveability, health and wellbeing outcomes for the whole community in line with Council's vision and goals.



2. DEVELOPING THE STRATEGY

The previous Aquatic Strategy was adopted by Council in 2010. This strategy established a set of actions to be implemented over a seven-year period.

There have been significant changes to the aquatic industry, technology and the community over the last decade which will continue.

This new strategy will provide high level guidance and principles for future provision, directions to capitalise on current recreation trends, a summary of the condition of existing facilities, and recommendations regarding opportunities to better align with community needs and expectations over the next ten years.

a. Process



Note: Throughout this Strategy the impacts of the global pandemic COVID19 will be referenced and acknowledged. The pandemic limited and/or altered operating hours, venue density limits and changed participation patterns over the seasons of 2019/2020, 2020/2021 and 2021/2022.



3. TRENDS IN PARTICIPATION AND SWIMMING

a. National and Victorian participation (AusPlay 2022²)

- Nationally, participation in swimming (sporting and non-sporting) is around 16%. Notably, rates in total participation remain unchanged since 2001
- The percentage of inactive Australians aged 15+ for whom physical activity is no longer a priority increased to 11% in 2021/2022 - its highest ever result in AusPlay
- Most popular sport related activities for 2021/2022 includes swimming as 3rd for males 15+ and first for females 15+
- AusPlay data shows there has been significant changes in sport and physical activity participation, motivations and barriers from 2020/2021 to 2021/2022
- The top motivation in 2021/2022 by % change is psychological/mental health/therapy at 3% increase to 31% and fun/enjoyment at 2% increase to 48% and social reasons at 3% increase to 38%

²https://www.clearinghouseforsport.gov.au/_data/assets/pdf_file/0010/1077544/AusPlay-National-Sport-and-Physical-Activity-Participation-Report-November-2022-V2.pdf

b. Active Living Census - 2019³

- Swimming remains the second most popular recreational activity in Greater Bendigo across all age groups with an 8.5% participation rate - excluding swimming at home* Walking is the most popular activity
- Females (of all ages) participate in swimming more than males
- Participation is highest in children aged three to seven years-old, with 14% of boys and of 17% girls swimming. This participation rate is double any other age group
- 53% of respondents visited a swimming pool or splash park in the previous 12 months
- 44% of those who swim participate regularly (weekly or more)
- Greater Bendigo's swimming facilities were given ratings of 87% and 88% respectively for their Quality and Accessibility
- People born in Australia visit swimming/splash park facilities more than those born overseas (53.4% vs 46.6%)
- There were no other statistically significant differences in use of facilities in groups with other demographic characteristics (including Aboriginal, non-English speaking, LGBTQIA+, holds a Bachelor's degree, low income)

* The significant difference in swimming participation rates between 2014 (17.5 per cent) and 2019 (8.5 per cent) is explained in the Active Living Census Top Line report. The definition of "participation" changed in the 2019 survey stating that responses should not include any physical activity in the home (i.e. swimming in pools at home). In 2014 this was not stated.

³Healthy Heart of Victoria's Active Living Census 2019 was conducted to help with planning for health and recreation services and allow a better understanding of people's activity levels and preferences - <https://www.bendigo.vic.gov.au/Services/Community-and-Care/Active-Living-Census>

Active Living CENSUS

| | |
|---|--|
| 1 | Half of the residents who participate in swimming do so at home* |
| 2 | Females swim more than males |
| 3 | A higher proportion of three to seven year-olds participate than any other age group |
| 4 | 90% of people use a car to get to their swimming activity |
| 5 | Those who swim do it regularly with almost half swimming at least weekly |
| 6 | Quality and accessibility ratings are high and have improved since 2014 |
| 7 | Swimming is most popular in Kangaroo Flat – Big Hill, which also has the highest facility accessibility rating and residents travel the shortest distance to get to the facility |

WHO?

Residents of all ages and genders participate in swimming for exercise, although, swimming was more popular for females than males. Males and females aged three to 11 reported the highest rates of swimming.

| | Male | Ages | Female |
|--|-------|---------|--------|
| | 14.3% | 3 - 11 | 16.9% |
| | 6.5% | 12 - 17 | 8.3% |
| | 5.3% | 18 - 34 | 8.1% |
| | 6.7% | 35 - 49 | 8.4% |
| | 6.5% | 50 - 69 | 9.1% |
| | 6.2% | 70+ | 7.6% |



4. STRATEGIC PLANNING AND POLICY CONTEXT

Aquatic facilities, like all community buildings provided by the City, are not an end in themselves. They are designed, developed, maintained and managed to deliver outcomes for the community in the context of the community vision and health and wellbeing goals for Greater Bendigo.

The existing planning and policy context which guides this strategy is extensive. The direction provided by existing strategies, plans and policies is well aligned, easily integrated and provides a robust foundation for future decisions about aquatic facility provision in the municipality. Parts a) and b) of this section explain this relationship.

In addition, the Victorian State Government has two particularly relevant strategies that need to be acknowledged. Strong alignment between this strategy and the Victorian Public Health & Wellbeing Plan 2019-2023 and Active Victoria 2022-2026 is important to recognise to ensure future partnerships with the State Government can be maximised. These are summarised in Part c) of this section.

a. Greater Bendigo's Vision: Creating the world's most liveable community

The well-aligned and integrated goals and objectives adopted by the City of Greater Bendigo can be directly applied to this strategy.

Greater Bendigo has robust plans and policies that provide clear direction, and these can be combined to create a strategic framework which forms the basis for the overall objectives of this strategy and guide decision-making about the future of community aquatic facilities.

Basing this strategy on the existing framework overleaf, the City's vision, goals, and objectives provide clear direction for identifying priorities, assessment of opportunities and appropriate strategies.

In addition, key council policies (see section b.) have established principles and hierarchies that provide a basis for determining appropriate service levels, catchments, priorities for assessing community need and overall provision. These have been applied as a structure to guide the strategy and categorise the site-specific recommendations.

GREATER BENDIGO COMMUNITY AQUATIC STRATEGY STRATEGIC FRAMEWORK

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

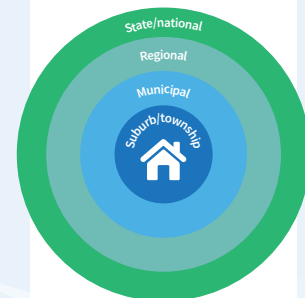
COMMUNITY AQUATIC FACILITIES STRATEGY

| COUNCIL PLAN: MIR WIMBUL | HEALTHY GREATER BENDIGO | PUBLIC SPACES PLAN | SOCIAL JUSTICE FRAMEWORK | CLIMATE CHANGE & ENVIRONMENT |
|--|---|--|--|---|
| <ul style="list-style-type: none"> Lead and govern for all Healthy livable spaces and places Strong, inclusive and sustainable economy Aboriginal reconciliation A climate resilient built and natural environment A vibrant, creative community A safe, welcoming and fair community | <ul style="list-style-type: none"> Healthy and well Safe and secure Able to participate Connected to culture and community Livable | <ul style="list-style-type: none"> ACTIVATED More reasons to experience and use STRONGER CONNECTION TO WATER in public places CONSOLIDATION for equitable access and better more diverse facilities | <ul style="list-style-type: none"> Human Rights Access and Inclusion Equity Participation in decision making | <ul style="list-style-type: none"> Biodiversity and regeneration Zero Carbon Circular Economy Sustainable and active transport Sustainable food systems Water sensitive Bendigo |

PRINCIPLES

- Equity
- Accessibility
- Promotes Wellbeing
- Partnering
- Sustainability

HIERARCHY



Community Buildings Policy

b. Greater Bendigo policies

As part of the Local Government Act 2020, integrated strategic planning plays a key role:

Key Council documents include:

- [Council Plan 2021-2025: Mir wimbul](#)
- [Healthy Greater Bendigo 2021-2025](#)
- [Financial Plan 2021-2031](#)
- [Asset Plan 2022-2023](#)

Community aquatic facilities, like all recreation settings, are ideal places to promote healthy living and create healthy environments where individual and community wellbeing is at the forefront of all decisions. This important role for community aquatic facilities to be supportive settings for health underpins this strategy.

c. Victorian Government plans and strategies:

Victorian State Health and Wellbeing Plan 2019-2023

This plan defines current priorities for community health and wellbeing, guides partnership with Victorian communities, focuses effort towards meeting the needs of all people at all stages of life and promotes the use of place-based approaches.

The following extract illustrates the 10 key priorities, with the green stars identifying where future provision of community (aquatic) facilities can contribute to the state's goals.



Active Victoria Strategy 2022-2026

Active Victoria is the State Government's plan to acknowledge sport and active recreation supports the health and wellbeing of all Victorians, builds the social fabric of our community and delivers thousands of local jobs.

Active Victoria's strongly aligns with the City of Greater Bendigo's own strategic framework and goals.

Ensuring this strategy responds to and aligns with Active Victoria's objectives will maximise future partnership and funding opportunities.

Greater Bendigo's Community Aquatic Facilities Strategy places the strategic direction of Active Victoria at the centre of the City's recommendations in relation to local provision.

d. Industry reports**Royal Life Saving Australia: The State of Aquatic Facility Infrastructure in Australia**

In Australia, in 2022, there are **1,306 public pools** built and owned by government and 807 publicly accessible pools provided by the private sector.

79%

of aquatic facilities located in areas with the lowest SEIFA decile are publicly owned.

74%

of aquatic facilities located in areas with the highest SEIFA decile are privately owned.

77%

of aquatic facilities in regional areas are publicly owned.

The average public pool in Australia was **built in 1968**.

500 (40%) of public pools will reach the **end of their lifespan this decade**.



\$910 million annually would be the likely social, health and economic cost should 10% of aquatic facilities fail to be renewed by the end of this decade.

\$8 Billion

is needed to replace Australia's **500 aging public pools**, whose functional lifespan will end by 2030.



A further **\$3 billion** will be needed to replace facilities ending their lifespan by 2035.

\$10 Million

The basic cost to replace an outdoor swimming pool.

64%

of all renewal or new aquatic facility construction is currently financed by local government.

Many Councils struggle to afford to maintain or replace swimming pools, and increasingly councils are considering closing their pools.



Regional and remote communities are most at risk of missing out on updated or new aquatic facilities.



Rising energy costs and labour shortages pose a serious threat to the ongoing availability and sustainability of aquatic facilities across Australia.



Closing community pools is inherently very unpopular and consistently aggravates community sentiment and mobilises communities towards involvement in the political process.

5. COMMUNITY AQUATIC FACILITIES IN GREATER BENDIGO

a. Local context

Most aquatic facilities in Greater Bendigo were built in the post-war decades, a time when there were fewer competing recreation activities, limited air conditioning, less sun awareness and significantly fewer backyard pools. The use and culture of swimming pools has changed immeasurably since this time.

Almost all existing facilities across the municipality include a traditional swimming pool with a main pool of water (50m, 33m or 25m), intermediate pool and a toddler pool. As many of these facilities are outdoor and unheated, they are generally only open seasonally from mid-November or December to mid-March.

With limited maintenance of this older infrastructure over time, significant investment will be needed to continue to operate these facilities into the future. In many cases, significant investment could be necessary within the next five years.

The recent investment in Gurri Wanyarra Wellbeing Centre (GWWC) and the strong patronage shows there is an appetite for contemporary facilities, which incorporate indoor aquatic facilities with a range of other services including a gymnasium, community programs and allied health services. Notably, the strong performance of GWWC as a contemporary offering that better meets community needs has been at the expense of attendances at the older facilities, in this instance the Peter Krenz Leisure Centre.

Greater Bendigo's network of community aquatic facilities

Most of the facilities across the municipality provide a traditional municipal swimming pool experience. There are 13 aquatic facilities (12 pools and a splash park) with the following features:

- 2 indoor aquatic centres operating all year
- 1 outdoor heated pool operating all year
- 1 outdoor heated pool operating nine months
- 8 facilities operating between late November/early December and mid-March
- 6 x 50m pools
- 2 x warm water exercise pools
- 1 splash park and 1 aquatic playground
- 2 solar heated pools
- 2 facilities with aligned services such as gym, program rooms, etc.
- 1 dive tower and water slide
- 1 facility with diving boards
- 1 allied health service
- 5 swimming clubrooms providing for 3 swimming clubs



Aquatic Facility Summary

| Aquatic Facility Site | Overview of aquatic features | Disability/ accessibility | Management model | Overall current condition | Total visits | Days open (assuming no cold weather) | Daily visits | Cost to City per visit per day above casual/season pass entrance fees | Cost to operator per visit per day above casual/season pass entrance fees | Total cost per visit per day above casual/season pass entrance fees |
|----------------------------|---|---|---|---------------------------|------------------------------|--------------------------------------|--------------|---|---|---|
| Long Gully Splash Park | <ul style="list-style-type: none"> Zero depth water splash park | <ul style="list-style-type: none"> Unisex accessible toilets x 2 | Managed under commercial contract | Good | * attendance is not recorded | | | * attendance is not recorded | | |
| Bendigo East | <ul style="list-style-type: none"> 50 m gas heated pool Intermediate pool Toddlers pool | <ul style="list-style-type: none"> Unisex accessible toilet | Council facility. Managed by a volunteer incorporated association | Fair | 73,149 | 364 | 201 | \$4.44 | \$1.20 | \$5.64 |
| Brennan Park | <ul style="list-style-type: none"> 50m solar heated pool Intermediate pool Toddlers' pool Diving pool | <ul style="list-style-type: none"> Accessible ramp | Managed under commercial contract | Fair | 5,203 | 127 | 41 | \$37.36 | \$0.24 | \$37.59 |
| Elmore | <ul style="list-style-type: none"> 25m intermediate pool Toddlers' pool Water slide | <ul style="list-style-type: none"> Separate toilet facilities (possibly not DDA compliant) | Non-Council facility. Managed by a volunteer Crown Land Committee of Management | Poor | 3,119 | 91 | 34 | \$16.23 | \$0.00 | \$16.23 |
| Faith Leech Aquatic Centre | <ul style="list-style-type: none"> 50m pool Intermediate pool Toddlers' pool Diving pool Water slide | <ul style="list-style-type: none"> Unisex accessible toilet Lift chair for 50m pool | Managed under commercial contract | Good | 17,182 | 239 | 74 | \$37.39 | \$2.25 | \$39.63 |
| Golden Square | <ul style="list-style-type: none"> 50m pool Intermediate pool Toddlers' pool | <ul style="list-style-type: none"> Accessible stairs | Council facility. Managed by a volunteer incorporated association | Poor | 18,057 | 127 | 41 | \$2.77 | \$0.91 | \$3.68 |

Aquatic Facility Summary (continued)

| Aquatic Facility Site | Overview of aquatic features | Disability/ accessibility | Management model | Overall current condition | Total visits | Days open (assuming no cold weather) | Daily visits | Cost to City per visit per day above casual/season pass entrance fees | Cost to operator per visit per day above casual/season pass entrance fees | Total cost per visit per day above casual/season pass entrance fees |
|---------------------------------|---|--|---|---------------------------|--------------|--------------------------------------|--------------|---|---|---|
| Goomong | <ul style="list-style-type: none"> 25m pool Toddlers' pool | <ul style="list-style-type: none"> Separate toilet facilities (possibly not DDA compliant) | Non-Council facility. Managed by a volunteer Crown Land Committee of Management | Good | 1,819 | 85 | 21 | \$27.83 | \$0.00 | \$27.83 |
| Gurri Wanyarra Wellbeing Centre | <ul style="list-style-type: none"> 51.5m pool Zero depth splash park Beach entry leisure pool Warm-water program pool | <ul style="list-style-type: none"> Accessible ramp for warm water pool Accessible ramp for 50m pool Beach entry into leisure pool Pool pod into warm water pool Changing places Accessible gym equipment | Managed under commercial contract | Good | 406,304 | 364 | 1,116 | \$2.58 | \$0.00 | \$2.58 |
| Heathcote | <ul style="list-style-type: none"> 25m pool Toddlers' pool | No disability accessible facilities on site | Managed under commercial contract | Good | 2,358 | 127 | 19 | \$78.41 | \$0.00 | \$78.41 |
| Marong | <ul style="list-style-type: none"> 25m pool Toddlers' pool | No disability accessible facilities on site | Managed under commercial contract | Good | 1,691 | 127 | 13 | \$105.25 | \$0.00 | \$105.25 |
| Peter Krenz Centre | <ul style="list-style-type: none"> 50m pool Multi-use pool Toddlers' pool Water slide | <ul style="list-style-type: none"> Accessible change room Hoist – warm water pool and 50m pool | Managed under commercial contract | Poor | 103,514 | 364 | 284 | \$6.27 | \$1.95 | \$8.22 |

Aquatic Facility Summary (continued)

| Aquatic Facility Site | Overview of aquatic features | Disability/ accessibility | Management model | Overall current condition | Total visits | Days open (assuming no cold weather) | Daily visits | Cost to City per visit per day above casual/season pass entrance fees | Cost to operator per visit per day above casual/season pass entrance fees | Total cost per visit per day above casual/season pass entrance fees |
|-----------------------|--|---|---|---------------------------|-----------------------------------|--------------------------------------|--------------|---|---|---|
| Raywood | <ul style="list-style-type: none"> 25m pool Toddlers' pool | No disability accessible facilities on site | Non-Council facility. Managed by a volunteer Crown Land Committee of Management | Poor | * closed for the 2022-2023 season | | | * closed for the 2022-2023 season | | |
| White Hills | <ul style="list-style-type: none"> 33m pool Toddlers' pool | No disability accessible facilities on site | Council facility. Managed by a volunteer incorporated association | Poor | 1,345 | 85 | 16 | \$47.97 | \$0.00 | \$47.97 |

Notes:**Direct operational Costs**

Operational costs are the direct costs to deliver the service and includes staffing costs, chemicals, goods, safety and compliance costs and utilities. Operational costs exclude any associated infrastructure costs such as capital works, assets renewal or maintenance works.

Cost to the City

Cost to the City includes direct operational costs paid for by the City and operational subsidies to support direct operational costs paid by the operator, less any offsets from the return of any betterment share. Betterment share is only applicable to facilities with management contracts where operators provide a guaranteed

sum to operate the facility. If the financial performance is better than the guaranteed sum the betterment is shared between the City and operator. However, the operator is responsible for all losses associated with any financial underperformance against the guaranteed sum.

Operator costs

Operator costs include any additional financial operating deficits above City subsidies or payments. Additional operator costs include any actual losses for CoM operated pools or losses due to financial underperformance of management contracts.

Facility notes

- Where there is no cost to the operator as part of contract management, a betterment return to the City is included from the facility financially performing better than the guaranteed sum of the contract
- Where there is a cost to the operator as part of contract management, a financial loss is included from the underperformance against the contract tendered sum
- Where there is a cost to the Committee of Management, a financial loss is included in operator costs underperformance against an actual net financial deficit

- Golden Square Swimming Pools operations is the only site that uses volunteers to replace paid direct service positions in reception, therefore staff costs are included in operator costs. Golden Square uses grant funding and out of season fundraising support operations
- Committees of Management further subsidised/support operational performance by out of season fundraising and savings to changes to opening hours to maintain financial viability
- White Hills Swimming Pool season operations were significantly impacted with closures and amended opening hours from staff shortages with the Committee of Management not requiring the full operational subsidy for the season

Impacts of COVID-19

The Arts and Recreation sectors have been hardest hit by COVID-19 lockdowns (ABS, 2020).

PUBLIC POOL CLOSURES* FROM 16 MARCH - 31 MAY 2020 RESULTED IN:



-\$346 million

immediate detrimental effect to the Victorian economy with ongoing further detrimental impacts.



-\$21 million

immediate detrimental effect to regional Victoria's economy with ongoing further detrimental impacts.



-\$6.9 million

detrimental effect on public health with further ongoing detrimental impacts.



-13 million

visits to public pools did not occur. Indirectly adversely affecting physical activity levels and mental health.



-8,000

aquatic industry staff missed out on water safety training.



-145,000

swim lessons were missed each week.



-\$523,000

average immediate detrimental economic effects on each aquatic facility's local community with ongoing further detrimental impacts.

Sourced from <https://lsv.app.accelerate.com/showDoc.cfm?DocID=336555> (page 9)

*It is noted that this data is restricted only to the 2019-20 financial year and that impacts carry over into the 2020-21 financial year.

**It is noted that adverse economic, health and social impacts could have been significantly greater in the face of the Coronavirus (COVID-19) pandemic had restrictions not been imposed. LSV and ARV remain supportive of all government efforts to protect the Victorian community.

Timeline showing COVID-19 restrictions Regional Victoria

July 2020

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

August 2020

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

September 2020

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | | | |

October 2020

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

November 2020

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| | | | | | | 1 |
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| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

December 2020

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

January 2021

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
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| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |

February 2021

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |

March 2021

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

April 2021

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
|-----|-----|-----|-----|-----|-----|-----|
| | | | 1 | 2 | 3 | 4 |
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| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | | |

May 2021

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
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| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

June 2021

| Mon | Tue | Wed | Thu | Fri | Sat | Sun |
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July 2021

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August 2021

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September 2021

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■ Pools open without restrictions
 ■ Pools open with restrictions
 ■ Pools closed

Sourced from https://lsv.com.au/wp-content/uploads/LSVARVStateofSectorReport2021_2021-12-07_07-16-23.pdf (page 20)

Facility closures during 2021-22

Metropolitan Melbourne COVID-19 facility closure

| | | | |
|-----------|---|--|-------------|
| July | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 | 15 16 17 18 19 20 21 22 23 24 25 27 | 28 29 30 31 |
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| November | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 27 28 29 30 | | |
| December | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 | 15 16 17 18 19 20 21 22 23 24 25 27 28 29 30 31 | |

Regional Victoria COVID-19 facility closure

| | | | |
|-----------|--|--|-------------|
| July | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 | 15 16 17 18 19 20 21 22 23 24 25 27 | 28 29 30 31 |
| August | 1 2 3 4 | 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 27 28 29 30 31 | |
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| December | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 | 15 16 17 18 19 20 21 22 23 24 25 27 28 29 30 31 | |

● Pools open without restrictions on patron numbers
 ● Pools open with restrictions on patron numbers
 ● Pools closed

Sourced from <https://cdn.revolutionise.com.au/site/oyw7jp6niyyugdpc.pdf> (page 21)

Location of aquatic facilities in Greater Bendigo from city centre



Olympic 50m pools

- 1 Bendigo East Swimming Pool
- 2 Brennan Park Swimming Pool
- 3 Faith Leech Aquatic Centre
- 4 Golden Square Pool
- 5 Gurri Wanyarra Wellbeing Centre
- 6 Peter Krenz Leisure Centre

25m or less swimming pools

- 7 Elmore Swimming Pool
- 8 Goornong Swimming Pool
- 9 Heathcote Swimming Pool
- 10 Marong Swimming Pool
- 11 Raywood Swimming Pool
- 12 White Hills Swimming Pool

Public splash park

- 13 Long Gully Splash Park

As can be seen in the map on the previous page there are six aquatic facilities clustered in Bendigo's city centre (within a 5km radius) and eight within 10km. Five swimming pools are in rural towns and the City's free splash park is at Long Gully.

The dense clustering of community aquatic facilities in the urban area and provision of traditional local pools in many of the region's small towns, is a legacy of pre-Local Government amalgamation provision; the result of a program of construction of community swimming pools associated with the 1956 Olympic Games and to reduce drownings in unsupervised waterways (lakes and rivers).

This incremental rather than planned provision of aquatic facilities across the Greater Bendigo region has resulted in overlaps of catchments, duplication of services and older facilities which are not sustainable or able to meet the needs of the community.

b. How does Greater Bendigo's provision compare to other Local Government Areas?

The table below compares Greater Bendigo to other regional cities based on the number of residents per aquatic facility.

Of the nine regional cities assessed, only Bendigo, Mildura and Wangaratta have a provision ratio of under 10,000 residents/per community aquatic facility.

With 10 outdoor pools, the City of Greater Bendigo has the most of any of these municipalities. The closest is the Rural City of Mildura, however the context is significantly different with Mildura having one pool per 3,154km² and Bendigo having much more dense provision with one pool per 300km².

| Municipality | Community aquatic facilities | Municipal Population | Residents per facility |
|--------------------|--|----------------------|------------------------|
| Ballarat | 8 Community Facilities: 1x Wellness Facility 4x Outdoor Aquatic 3 Splash Parks | 113,482 | 14,185 |
| Greater Bendigo | 13 Community Facilities: 2 x Wellbeing Facilities 10 Outdoor Aquatic 1 Splash Park | 121,221 | 9,325 |
| Greater Shepparton | 5 Community Facilities: 1 x Wellness Facility 4 x Outdoor Aquatic | 68,522 | 13,704 |
| LaTrobe City | 3 Community Facilities: 3 Wellness Facilities | 77,086 | 25,695 |
| Mildura Rural City | 8 Community Facilities: 1 x Wellness Facility 7 x Outdoor Aquatic | 56,969 | 7,121 |
| Horsham | 1 Community Facility: 1 x Wellness Facility | 20,369 | 20,369 |
| Wangaratta | 3 Community Facilities: 1 Indoor Aquatic (at Stadium) 1 Outdoor Aquatic 1 Splash Park | 29,740 | 9,913 |
| Warrnambool | 1 Community Facility: 1 x Wellness Facility | 35,419 | 35,419 |
| Wodonga | 2 Community Facilities: 1x Wellness Facility 1x Outdoor Aquatic | 43,183 | 21,592 |
| AVERAGE | | | 17,480 |

* Wellness Facilities are sites which offer a range of aquatic facilities and other recreational/wellbeing opportunities – e.g. group/community programs (dry) and gymnasiums.

| Level of development | Description | Catchment population estimate |
|----------------------|-------------|-------------------------------|
| 1 | Rural | Under 10,000 |
| 2 | Local | 10,000 - 40,000 |
| 3 | District | 40,000 - 70,000 |
| 4 | Major | 70,000 - 100,000 |
| 5 | Regional | 100,000 to > 150,000 |

Aquatics and Recreation Victoria guidelines recommend that "as the catchment population increases, so does the ability for it to support larger facilities with a greater range of amenities, components and programming options."

(see Section 8 of this report for detailed consideration of facility component provision)

c. How do users travel to community aquatic facilities?

Leisure and sporting facility trends and benchmarking by Aquatics and Recreation Victoria indicates that local or district-level recreation and sporting facilities have a primary catchment of approximately 5km and a secondary catchment of 10km. Approximately 75 to 85 per cent of users will reside within a 5km catchment with the remaining 15 to 25 per cent coming from between 5km to 10km from the facility.

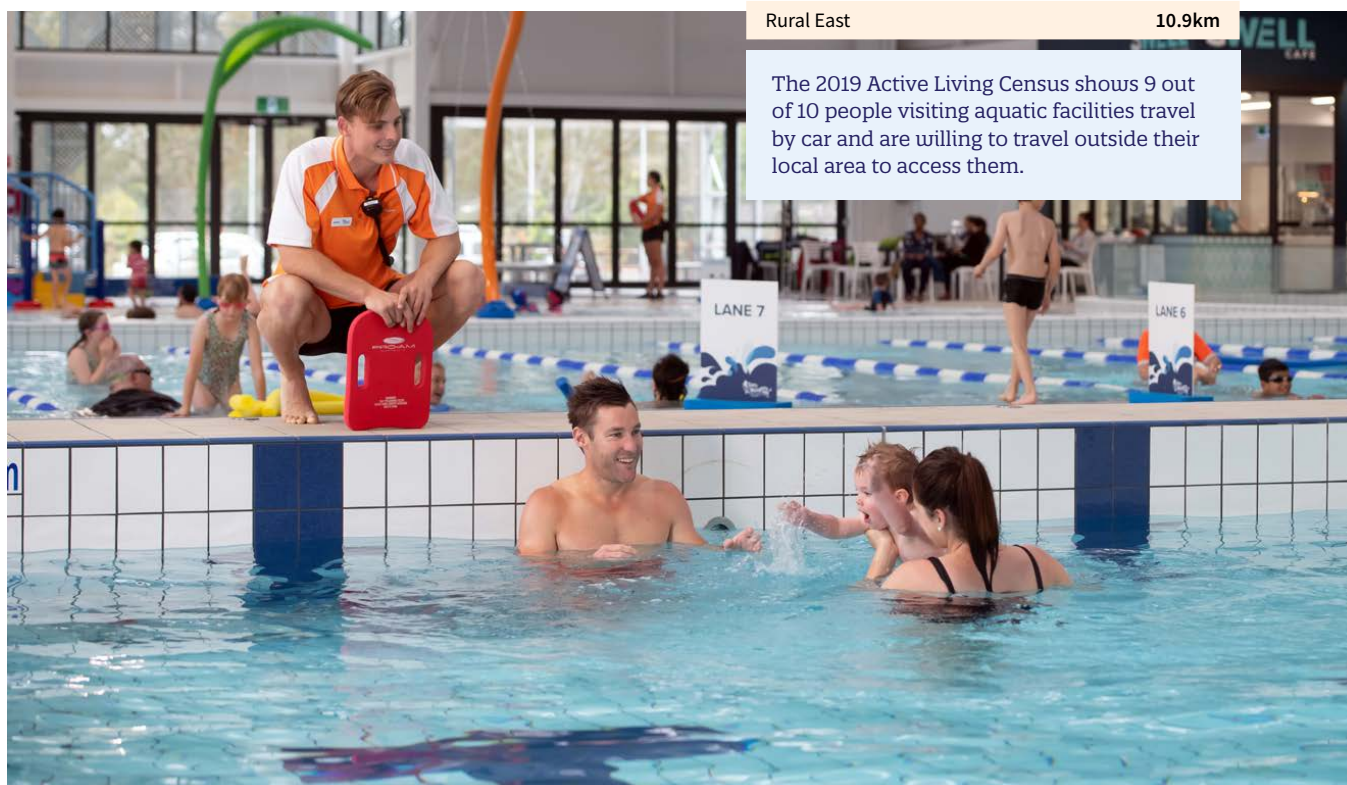
Regional facilities providing unique components and a larger number of activities will draw users from a wider catchment than a local/municipal facility.

How far do people travel?

The average distance residents travel to their swimming activity is 9.2km, ranging from 3km in Kangaroo Flat - Big Hill to 28km in Epsom - Ascot.

| | |
|--|---------|
| Bendigo | 8km |
| Eaglehawk - Eaglehawk North - Sailors Gully | 8km |
| East Bendigo | 4.6km |
| Epsom - Ascot | 28km |
| Flora Hill - Quarry Hill - Spring Gully - Golden Gully | 6.3km |
| Huntly | 14.1km |
| Kangaroo Flat - Big Hill | 3km |
| Kennington | 5.1km |
| Long Gully - West Bendigo - Ironbark | 7.6km |
| Maiden Gully | 11.3km |
| North Bendigo - California Gully | 5.6km |
| Strathdale | 14.6km |
| Strathfieldsaye | 11.9km |
| White Hill - Jackass Flat | 6.4km |
| Elmore - Rural North | 25.5km* |
| Heathcote and District | 16.8km |
| Marong - Rural West | 12km |
| Rural East | 10.9km |

The 2019 Active Living Census shows 9 out of 10 people visiting aquatic facilities travel by car and are willing to travel outside their local area to access them.



d. Private pool ownership

Private pool ownership is growing in Australia and is most prevalent in households with children and in warmer climates, especially inland areas with hot-dry summers.

In 2007, 12 per cent of Australians and 7 per cent of Victorians had a pool at home; by 2018 this had increased slightly to 13 per cent of Australians and 9 per cent of Victorians. The data showed that the proportion of urban and regional households with a pool was the same (9 per cent)⁴.

Besides a warmer climate there are other factors that determine whether someone will have a swimming pool at home. These include socio-economic factors and the presence of children in the house. Over 17 per cent of Australians with kids aged six to 11 have a pool at home (up 2 per cent on four years ago), a figure that jumps to just over 23 per cent (up 3 per cent) for homes with older children (12-15 years).

Based on these factors alone it is likely that Greater Bendigo has a greater proportion of private/domestic pools than many inland municipalities in Victoria. From the Active Living Census, we can estimate approximately 50 per cent of all swimming for recreation and leisure likely occurs at a private home.

How many domestic pools in Greater Bendigo?

The Victorian Government introduced new legislation in 2019 requiring all swimming pools and spas to be registered with Council by November 1, 2020. These laws are applicable to all swimming pools and spas capable of holding a depth of more than 300 mm (30 cm) of water, regardless of its age or status. This includes all permanent pools, above ground pools, indoor pools, hot tubs, wading pools and relocatable pools. Spa baths used for hygiene purposes are not required to be registered.

A recent audit from VAGO acknowledges that since the introduction of the regulations for private pool and spa safety that not all owners have registered their pools and spas with certified safety barriers.

This regulation has a number of required recommended actions from the audit. It indicates that Greater Bendigo has an estimated 4,500 pools.

The highest suburbs with registered pools include Strathfieldsaye, Maiden Gully, Bendigo and Strathdale.

As a significant proportion of homes have a swimming pool and a large proportion of those who swim do so in pools at private homes, providing community aquatic facilities for 100 per cent of people in a catchment is unnecessary.

Community aquatic facility provision should consider equity and disadvantage with decision making supporting access to community facilities for those who are least likely to have access to private pools.



⁴ Roy Morgan Research, 2018 <http://www.roymorgan.com/findings/7811-australian-swimming-pool-ownership-september-2018-201811230555>

6. CONTEMPORARY AQUATIC FACILITIES

Industry trends across Australia show traditional community pools are continuing to see a drop in visits whilst experiencing significant and ongoing increases in operating costs. Increasing staffing / supervision requirements, escalating energy costs and the need for asset maintenance / renewal / refurbishment all pose challenges to the viability of community aquatic facility provision.

With the average build of an Australian public swimming pool being 1968 there is a need to retrofit, redevelop and replace many of the older traditional pools.

Expectations of community aquatic facilities in the 21st century is that they are more than a place to swim; they are designed and programmed to meet a range of aquatic, social and physical activity needs in one place.

Aquatics and Recreation Victoria highlight the importance of following a disciplined planning process and basing the development of a new or refurbishment of community aquatic and recreation facilities on the needs and demands of its potential users. Understanding these potential users, and how to best engage them in aquatic activities through provision of contemporary, fit-for-purpose infrastructure is critical.

a. What does the aquatic market in Victoria look like?

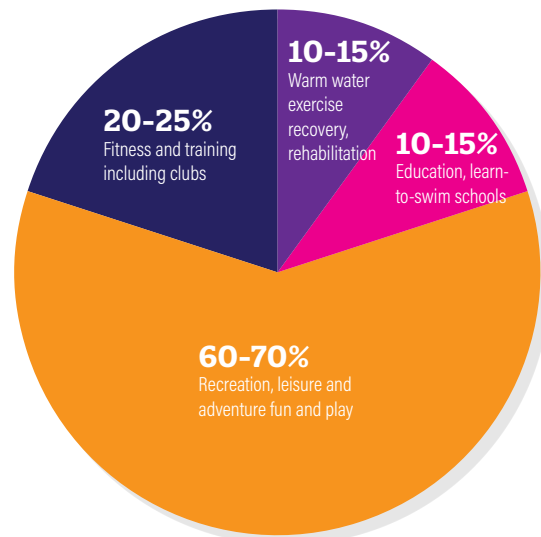
Aquatics and Recreation Victoria has defined the four typical aquatic market segments⁵. These are described as:

- **Recreation, leisure and adventure** - usually families, people coming with friends and groups for fun, relaxation, heat-relief, social and casual physical activities
- **Competitive/training/fitness** - usually made up of people predominantly attending facilities alone for structured fitness or competition activities
- **Education** - children and adults wishing to increase water safety and survival skills. Includes learn-to-swim classes, schools, club members and individuals joining programs to improve their skills and techniques. They require warm water pools, shallow water depths with some straight edges and accessible water access⁶
- **Health and therapy** - children, adults and older adults wanting to relax and/or exercise in hot water. This market also includes specialist health groups such as arthritis, asthma sufferers, etc. They require hot water pools and associated health/relaxation facilities i.e. spa/saunas, etc

To achieve maximum utilisation of community facilities, aquatic infrastructure needs to meet the needs/wants of all users. As 90 per cent of users drive to community aquatic facilities and are willing to travel (Active Living Census 2019), different users can be accommodated across multiple sites across a network of co-ordinated and complementary facilities. Only in larger, higher order facilities is it possible to find most user types accommodated in one place. Planning needs to ensure that across the network all needs are met in the appropriate mix relative to the demand for specific aquatic activities.

The diagram below illustrates Aquatics and Recreation Victoria's market research which suggests the optimum mix of infrastructure / programming based on user demand for different activities.

Maximum aquatic facility utilisation



b. Current mix of community aquatic facilities

Almost all Greater Bendigo's existing aquatic facilities are examples of last century design and services, with a main pool of water (50m, 33m or 25m), an intermediate pool and a toddler pool. Many of these facilities are outdoor and unheated and are generally only open seasonally from mid-November or December to mid-March.

With a predominance of deep-water provision at Greater Bendigo's facilities, the lack of diversity in current infrastructure means many potential users are not being provided for. The fitness/training segment is currently over-served with multiple facilities offering similar traditional pools near each other.

Greater Bendigo's current facilities mostly cater for the competitive/fitness and training market, and have limited capacity to meet therapy, education or recreation, leisure and adventure markets. Pools designed for lap swimming are not very adaptable to the infrastructure needs of other activities (leisure/fun, learn-to-swim or therapeutic programs).

The following is an assessment of which existing aquatic facilities accommodate (at least some) needs of each market segment:

⁵ *Indoor Aquatic & Recreation Facility Development Guidelines, Aquatics & Recreation Victoria (2011)*

⁶ ARV's Indoor Facility Design Guidelines - <https://cdn.revolutionise.com.au/site/bi2udlrqewx5dlqr.pdf>



Recreation, leisure and adventure

These needs are met to some extent through the following infrastructure at a limited number of facilities:

- Water slides: Peter Krenz Leisure Centre, Faith Leech Aquatic Centre and small slide at Elmore Swimming Pool
- Splash Parks: Long Gully and Gurri Wanyarra Wellbeing Centre

Health and therapy

- Specific infrastructure designed for this market's needs is only available at Gurri Wanyarra Wellbeing Centre and Peter Krenz Leisure Centre
- There is a limited therapeutic program at Heathcote Pool
- User data from Gurri Wanyarra Wellbeing Centre shows the highest percentage of members aged over 55 years which demonstrates the need/demand for this activity by older demographics
- With children, older people and people with a disability identified in Healthy Greater Bendigo provision of facilities which meet the needs of these groups should be a priority

Education

- Learn-to-swim is provided through comprehensive programs at Gurri Wanyarra Wellbeing Centre and Peter Krenz Leisure Centre
- There are learn-to-swim programs offered at some outdoor pools during the summer months. Pool depths, floor gradients and cold water limit the ability of these pools to provide a competitive, quality program offering
- As well as year around learn to swim classes at both Gurri Wanyarra and Peter Krenz Leisure Centre, there are other community facilities that offer learn-to-swim classes, with these offering classes from infant through to primary school aged generally through week long summer intensive programming of VICSWIM.
- Many schools host swimming carnivals and swimming / physical education programs over summer months at two facilities (Faith Leech or Bendigo East) in order to utilise large grassed areas, while a smaller number of schools utilise local outdoor pools to provide in-school-hours learn-to-swim programs

Fitness and training

- While only around one in five users want to participate in lap swimming, all community aquatic facilities (except Long Gully Splash Park) offer fitness and training facilities
- The City has six 50m (Olympic size) pools, with Gurri Wanyarra's pool having a moveable boom which makes it more adaptable and allows it to be converted to two 25m pools for short course competition during winter
- Water temperatures, depth/gradient and water volumes limit the ability for these pools to be used to meet the needs from other market segments (especially health and therapy which is in increasingly high demand)
- Having swimming clubs based at a site offers opportunities to attract and host major and local sporting events. Greater Bendigo currently has three swimming clubs.
- Faith Leech Aquatic Centre offers a regional facility for diving (accommodating both regular practice sessions and competitions)

To align with the City's policies, maximise the utilisation of existing facilities and strengthen the health and wellbeing outcomes achieved, Council should consider:

- Investing in new or refurbished facilities that meet the needs of under-served market segments (especially health and therapy)
- Limit further investment in facilities that cater mostly for the fitness and training market
- Transform and diversify the most sustainable and well-located facilities to better match the needs of the community and attract new aquatic participation
- Ceasing aquatic services that duplicate other community aquatic facilities which are provided by more sustainable, cost effective, better located and/or higher quality sites

7. CHALLENGES AND OPPORTUNITIES

Challenging trends that will continue to impact on the utilisation of Greater Bendigo's community aquatic facilities include:

- Growth in domestic pools that reduces demand for community aquatic facilities
- Competition from private providers who offer year-round learn-to-swim classes in their own pools
- Expectation of flexibility in accessing recreational facilities demonstrated by the growth in 24-hour gymnasiums
- Competition from (free) splash parks in playgrounds/parks
- Demand for different, contemporary aquatic facilities that require significant investment and take a long period of time to plan, fund and construct
- Increased requirements to comply with the Guidelines for Safe Pool Operations such as additional lifeguard staff, annual pool registration and increased testing requirements
- Providing a service that is responsive to weather variations experienced, especially during the fringe seasons
- Aquatic facilities are large energy consumers and therefore produce high greenhouse gas emissions. There is a need to decrease carbon emissions by increasing efficiencies

The opportunities which exist to improve provision to increase the positive impact on health, wellbeing and liveability goals are:

- Adoption of Universal Design Principles to ensure facilities are accessible for all ages and abilities
- Adoption of Environmentally Sustainable Design and implement improvements that reduce energy consumption, cut greenhouse gas emissions and improve the return on investment in terms of community outcomes
- Capitalise on the growing number of referrals by health professionals by offering more warm water therapy pools to provide rehabilitation, chronic pain management and injury prevention programs – especially targeting older and recovering/rehabilitation markets
- The potential for aquatic facilities to be used more for community and tourism events
- More diverse programming, services and amenities (such as cafes, gyms, group fitness and allied health services) at appropriate, higher-order community aquatic facilities to reduce operational costs by diversifying income streams, increasing visitation/utilisation and transforming potential users into active participants by improving infrastructure, programming, accessibility and inclusion
- Plan for more 'one-stop' community hub models including aquatic and other community facilities (e.g. library services, early years, community programs, meeting spaces and / or educational facilities) to maximise usage and share the facility operational costs
- Continue to provide community-led management of swimming pools with financial, technical and operational support due to the opportunities to strengthen their community connections
- Work with service providers to ensure there are no gender barriers to participation

a Enhancing liveability and wellbeing

Liveability is one of the five outcomes in Healthy Greater Bendigo 2021-2025.

Healthy Greater Bendigo aims to achieve a community in the future that has access to sustainable natural, built, social and economic environments that support and enhance health and wellbeing. These environments or "settings" are places that can impact and improve wellbeing outcomes by making healthy choices the easiest choices.

The City can improve and manage these settings in ways which best match community needs and support improvements in health and wellbeing outcomes. These settings, places where Bendigo's residents live, work and play, have significant potential to improve the community's wellbeing.

To achieve Greater Bendigo's vision and goals all community settings must be health promoting. They must encourage and facilitate healthy lifestyle choices and work to inform, encourage, enable and communicate healthy choices/behaviours to their users.

Sport and active recreation settings, including community aquatic facilities in all forms, have potential to increase physical activity, promote healthier lifestyles, improve access and engage people of all 'backgrounds, ages and stages' in active, social fun.

By supporting the health and wellbeing goals through the careful provision of appropriate infrastructure and programming, these influential community settings will play an important role in Greater Bendigo becoming a healthier and more liveable place.

b. Maximising utilisation

Planning for community aquatic facilities regularly evokes emotive debate and stimulates significant public interest – especially in relation to the infrastructure components and services considered. This is common whether planning for existing facilities or delivering new infrastructure.

It is important to understand how people use or want to use aquatic facilities and the appropriate mix of infrastructure that makes the most difference by meeting the needs of everyone in our community.

When community aquatic providers (usually Councils) are faced with developing or redeveloping an aquatic recreation facility, the debate about what components a facility should include to best service its community is often influenced most by club/sport-based stakeholders who are organised to advocate for the provision of competition, lap swimming and training facilities. This risks curbing potential growth of new users whose needs

would be better met by other forms of (often more viable) aquatic facilities that meets the needs of the other market segments.

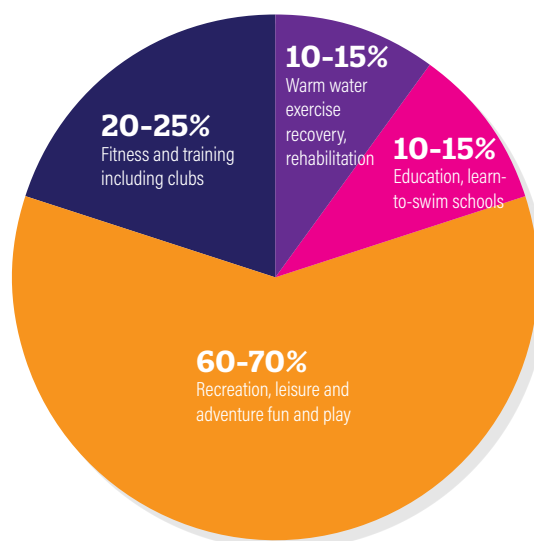
As described fully in section 7 of this report (see diagram), research shows that most people use aquatic facilities for recreation, fun, enjoyment, socialisation, education and therapy. Deep water (i.e. pools suitable for lap swimming) are often provided but only meet needs of only 20-25 per cent of the potential users. This form of provision adds operating costs and is a barrier to wider utilisation of the infrastructure by a diverse mix of participants.

Also, important to consider is the lack of co-ordination, planning and integration in the existing aquatic facilities network across the Greater Bendigo area. This results in duplication of similar facilities (often 25m or 50m swimming pools) and activities which do not meet the needs of a cross section of the community.

Aquatics and Recreation Victoria acknowledge in its 2011 guidelines that “as the catchment population increases, so does the ability for it to support larger facilities with a greater range of amenities, components and programming options.”

Their service provision model is summarised in the table below:

Maximum aquatic facility utilisation



The current provision of community aquatic facilities in Greater Bendigo does not adequately cater for current and, importantly, potential users. It is only when closer alignment between community needs and provision is achieved that the City will see gains in health and wellbeing outcomes, higher rates of facility utilisation, and reduced subsidies needed to offset the cost of aquatic recreation.

| Level of development | Description | Catchment population estimate | Typical General Components |
|----------------------|-------------|-------------------------------|---|
| 1 | Rural | Under 10,000 | <ul style="list-style-type: none"> shared competition and shallow water to reduced separate water areas dry/gym facilities as future development option usually linked to other community facilities to share management and operating costs |
| 2 | Local | 10,000 - 40,000 | <ul style="list-style-type: none"> limited program water combined with leisure water limited dry/gym facilities |
| 3 | District | 40,000 - 70,000 | <ul style="list-style-type: none"> ability to separate program and leisure water larger dry/gym facilities additional limited amenities |
| 4 | Major | 70,000 - 100,000 | <ul style="list-style-type: none"> more extensive program and leisure water consideration of indoor 50m pool and complementary warm water pools increased gym and program space additional complementarity amenities, food and beverage |
| 5 | Regional | 100,000 to > 150,000 | <ul style="list-style-type: none"> extensive and varied program leisure water and attractions inclusion of indoor 50m pool and separate warm water pools wellness/health club and extensive program room inclusions complementary services and amenities, creche, food and beverage |

"The size and component mix for any aquatic facility should be informed by research, a project feasibility study and operational financial modelling to ensure the catchment population's needs and future demands are met." Aquatics & Recreation Victoria 2011



c. Equity of provision and access

The population of Greater Bendigo has been steadily growing at around 1.72 per cent per annum over the last 10 years. It is forecast for similar growth to continue with a population of around 156,000 expected by 2036 and more than 200,000 by 2050.

This forecast growth is not evenly distributed with most expected to occur in suburbs such as Marong, Maiden Gully, Huntly and Strathfieldsaye. Further work is currently being completed on the City's Managed Growth Strategy which will provide a framework for how Greater Bendigo should grow to accommodate around an additional 80,000 residents to 2050 based on continued current rate of growth. It will be informed by a new Housing and Neighbourhood Character Strategy, and an update to the Commercial Land and Activity Centre Strategy.

In terms of the provision of community aquatic/recreational facilities (both existing and new) to accommodate a growing, ageing and diversifying population, the following must be considered:

- Areas with higher proportions of older residents require access to warm water for therapy, injury prevention, rehabilitation and overall wellbeing. This includes demand in some smaller townships such as Heathcote
- Areas with higher proportions of children/ young families require access to water for learning to swim and water play
- Communities experiencing relative economic disadvantage need access to community facilities and have greater sensitivity to cost
- Whilst data shows 90 per cent of aquatic facility users arrive by car and are willing to travel outside their suburb to access facilities, increased travel can pose a barrier to participation for communities with low incomes and/or low car ownership

- An increasingly diverse community means that the need for culturally safe, appropriate, inclusive and accessible facilities and programming is critical to maximising participation
- The suburbs of Huntly, Maiden Gully and Strathfieldsaye are forecast to experience the most growth and they currently have no community aquatic facilities within these suburbs
- Building permits indicate there is approximately one pool per 12 houses (8.3%) in Greater Bendigo. Data shows most of the pools in the last five years have been constructed in new residential growth areas including Strathfieldsaye and Maiden Gully. This may indicate demand for community aquatic facility provision in these areas may be less
- For future provision of community buildings (including community aquatic facilities) to better meet the needs of Greater Bendigo's growing and changing population, the City must recognise and address:
 - inequities in existing service levels
 - changing community needs and legislated standards
 - some existing facilities are no longer fit for purpose
 - challenges in maintaining a community-led management model (in some areas)
 - changing patterns of community volunteering

Aquatics and Recreation Victoria highlights the importance of following 'a disciplined and integrated planning process' and basing the development of any new or refurbishment of existing community aquatic facilities on the needs of and potential use by its catchment population.

d. Financial challenges of aquatic facilities operations and management

The City currently provides a significant subsidy to the provision of aquatic facilities.

Growing maintenance costs combined with rising utility prices, staff (in some facilities), the recent introduction of the updated Guidelines for Safer Pool Operations, and a limited ability to increase entry/membership prices will mean that continuing to operate such a large number of aquatic facilities will have a significant financial impact.

While there may be some ways to offset these costs through investment in new technologies, a shift to renewable energy or maximising the utilisation of some facilities through events or other activities will not be possible at all facilities given the upfront costs and limitations of existing facility design.

The 2022/23 cost of operations was \$3.87M which excludes maintenance, renewal and upgrade.

e. What is driving up costs?

1. Staffing

Compliance with relevant legislation, regulations and increasingly stringent risk management (see [Regulation and Compliance](#)) has had a massive impact on the cost of staffing community aquatic facilities.

Previously, community-managed swimming pools were operated relying on supervision by parents and volunteers. The Royal Life Saving Society of Australia guidelines now require two accredited lifeguards on duty, depending on the access to Ambulance services at each facility.

In addition, regulations for water quality management now require four-hourly testing and recording of chlorine and pH levels.

These two factors have significantly increased the direct staffing costs, especially at community managed pools.

2. Utilities

To meet water quality management needs and user expectations, swimming pools operate plant and equipment requiring high consumption of electricity, gas and water. This results in extremely high operational costs and high greenhouse gas emissions.

Community-managed sites have not received operating grant increases in line with growing utility costs and as a result many undertake fundraising to raise the necessary additional funds. It is anticipated that if operating grants to these facilities are not increased, these facilities will be forced to reduce their service levels (operating hours, season length, etc.) or potentially not open at all.

An environmental audit, to identify opportunities to improve efficiency, reduce costs and decrease emissions, is being implemented at Gurri Wanyarra Wellbeing Centre. It is possible to undertake audits for all sites, however improvements to costs via reduced energy/water use are unlikely to be feasible at some due to the age and condition of assets.

3. Asset maintenance

The City manages plant, equipment and infrastructure assets valued at more than \$1.7B. The average investment required to maintain all the City's assets each year is around \$44M.

Current renewal allocations of between \$27-\$34M per year are inadequate. As a result, the condition of some community infrastructure and assets will deteriorate over time. This underfunding leads to a growing 'gap' that will require funding over and above the annual allocation to eliminate.

As a result, investment in new and upgraded infrastructure and maintaining existing assets must be carefully balanced to ensure the City's assets are protected (if required).

Victorian Auditor-General's Report 2016⁸

Recognising the challenge faced by Councils in provision of aquatic facilities, the Victorian Auditor-Generals Office (VAGO) published a report in which Greater Bendigo was one of six Councils audited.

The report identified key challenges including:

- The cost of building new centres is high - exceeding \$50M in some instances
- There are many ageing aquatic and recreation centres across Victoria
- Councils are generally dependent on grants for the development and refurbishment of aquatic and recreation centres
- Aquatic and recreation centres are complex, evolving businesses with generating low returns, hence private sector investment is low
- Aquatic and recreation centres remain a high priority for their communities, and may generate high profile community and political issues
- Councils' effectively engage with their communities, which informs planning for future facility developments
- A lack of effective evaluation for aquatic and recreation centres often limits councils' ability to demonstrate achievement of broader social, health and wellbeing objectives

The report found that "ARCs (aquatic and recreation centres) are generally well planned and managed. However, most ARC operations are heavily subsidised by councils who are reliant on grants for new developments and refurbishments. The cost of providing ARCs should be balanced against social and other community outcomes, however none of the audited councils effectively evaluate their ARC services to determine how well they meet council's broader policy objectives."

The findings recommended Councils should improve monitoring, reporting and evaluation to determine how well community aquatic facilities meet broader objectives, given the significant investment needed. VAGO also recommended Sport and Recreation Victoria and Councils need to improve regional planning to avoid a concentration of aquatic facilities in some areas and manage ageing stock.

Infrastructure audits

While there are a range of benchmarks and indicators of asset condition that have been used to develop long term asset management plans for community aquatic facilities, there have not been detailed, site-specific audits undertaken.

The available condition audits are based on asset age, inspections and maintenance records. These records are not complete due to loss of information during amalgamation and a lack of reliable systems to record works undertaken. For detailed understanding of an asset, further detailed investigation is needed to understand likely lifespan and renovation options.

While the City does not have highly detailed information, engineering standards for water retaining structures and historical data indicate that the life of a swimming pool is approximately 50 years. While this is the likely lifespan, the pool will not necessarily suffer major failure after this length of time, but will become less reliable, prone to breakdown, water leakage and undertaking renovation/repairs become risky.

The City allocates between \$350,000 and \$550,000 each year to renew plant, buildings and equipment at community aquatic facilities. This varies depending on the need for unplanned/unscheduled maintenance.

While these amounts appear significant, it is not enough to undertake renewal works that are overdue at many facilities. For example, replacement of a concrete pool shell can cost in the order of \$7M and there is no allowance in the City's asset management plan for investment of this scale. As a result, short term, low cost repairs are undertaken to minimise service interruptions or loss of the facility over the short/medium term.

Pool plant and equipment audits

Like the infrastructure, swimming pool plant and equipment condition is also a risk to service continuity and safety. Condition is categorised in the audit as either Good, Fair and Poor for each site

The table below summarises the current condition of pool plant and equipment at each facility.

| Good | Fair | Poor |
|---------------------------------|--------------------------|-----------------------------|
| Faith Leech | Brennan Park | Elmore |
| Goornong | East Bendigo | Golden Square |
| Heathcote | Marong (Good to Fair) | *Peter Krenz Leisure Centre |
| Gurri Wanyarra Wellbeing Centre | | Raywood |
| Long Gully Splash Park | | White Hills |

*Peter Krenz Leisure Centre has been identified as being in poor condition. Asset audits indicate the aquatic components of this facility have approximately 10 years remaining asset life and staged renovation program is required at this site. Council has endorsed Stage 1 dry facilities concept design to progress to detailed design and construction when funding becomes available. Council's challenge is to attract funding for Stage 1 before attracting further funding for Stage 2 -aquatic facilities into the future.

The 2010 Aquatic Strategy recommended investment in those facilities that:

- were intended to be retained for the long term
- are owned or operated by the City of Greater Bendigo
- are in population growth areas, and/or
- present safety concerns

The condition of the plant and equipment at each site as illustrated above, relates to the implementation of the previous strategy. Over the past decade, investment has focussed on retaining and improving those sites considered part of the City's long-term aquatic facility network.

The 2019 plant and equipment audit recommended that \$1.72M needs to be spent over the next 5 years on equipment maintenance. Urgent and essential maintenance has been completed with recommendations in this strategy indicating the priority sites strategically.

Council should undertake further detailed investigation of facilities that are to be retained to understand the condition of these assets, determine their realistic lifespan, plan for maintenance and determine the feasibility of refurbishment options. These investigations also offer more certainty for long term budget planning.

Regulation and compliance

Due to the risks associated with aquatic facilities in relation to drowning, public health and child safety, there is a wide range of legislative regulations and guidelines to comply with to operate community aquatic facilities.

As the requirements become more stringent, compliance has become more costly and the risk of not meeting the regulations increases unless adequate investment in resources and capacity are made.

In summary, these changes have impacted the financial cost of operating aquatic facilities:

- Guidelines for Safer Pool Operations (GSPO) provide a practical framework for auditing, managing and ensuring adequately trained staff at different facilities. Introduced in September 2019, implementing the GSPO presents challenges especially for volunteer-run facilities – both financially and with staffing. Implementation of these guidelines will increase the cost an estimated additional \$233,000, which relates predominantly to the smaller rural facilities where additional funding for staff is required
- Public health regulations, which were updated in December 2019, increase the regulations and requirement for water testing. Each facility is required to have a water risk management plan approved, complete independent water tests and pay a public pools registration fee.

Council's Climate Change & Environment Strategy 2021-2026

Zero carbon emissions from Council's operations by 2020 will see action on transitioning off gas and additional solar opportunities, whilst ensuring water consumption monitoring and action.

Contractor vs Community Management models

Greater Bendigo's aquatic facilities are managed either by a community committee or a contractor. Both management arrangements are supervised and supported by City staff.

Contract managed facilities (current providers: Belgravia Leisure and YMCA Victoria) have larger operational expenses (as volunteers are not used) but the contract arrangements deliver more extensive services and programming, professional incident and risk management activities, better quality compliance and efficient administration.

Facilities run by the community (via committees of management) have low staffing costs as they rely on volunteers with limited paid staff in specific roles. However, as compliance requirements increase, the capacity of some committees to meet these is currently limited (see [Regulation and Compliance](#)).

The table below indicates the costs met by Council at each facility - illustrating the different operational models between the community-managed/led (Committee of Management) and contract-managed (e.g. YMCA) facilities.

| COUNCIL SUBSIDY AND GRANT ALLOCATIONS | | | | | |
|---------------------------------------|----------------|-------------------|------------------|-------------------|-------------|
| Facility | Contract Costs | Lifeguard Funding | Chemical Funding | Utilities | Maintenance |
| Gurri Wanyarra Wellbeing Centre | ✓ | | | ✓ | ✓ |
| Faith Leech Aquatic Centre | ✓ | | | ✓ | ✓ |
| Brennan Park | ✓ | | | ✓ | ✓ |
| Heathcote | ✓ | | | ✓ | ✓ |
| Marong | ✓ | | | ✓ | ✓ |
| Long Gully Splash Park | ✓ | | | ✓ | ✓ |
| Peter Krenz Leisure Centre | ✓ | | | ✓ | ✓ |
| Golden Square | ✓ | | | | |
| White Hills | | ✓ | ✓ | ✓ | ✓ |
| Bendigo East | ✓ | ✓ | ✓ | ✓ (partial) | ✓ |
| Raywood | | ✓ | ✓ | | ✓ |
| Elmore | | ✓ | ✓ | ✓ (partial water) | ✓ |
| Goornong | | ✓ | ✓ | | ✓ |



f. Subsidising aquatic facilities

With annual attendance in 2022/23 of around \$634,000 visits at an operational cost of \$3.87M, visits are on average subsidised by \$33.90 per visit.

As can be seen in the table following, depending on a range of variables, including attendances/utilisation rates, age of the infrastructure and management model, each facility requires a different level of subsidy to operate.

| Facility | Total cost per visit per day above casual/season pass entrance fees |
|---------------------------------|---|
| Bendigo East | \$5.64 |
| Brennan Park | \$37.59 |
| Elmore | \$16.23 |
| Faith Leech Aquatic Centre | \$39.63 |
| Golden Square | \$3.68 |
| Goornong | \$27.83 |
| Gurri Wanyarra Wellbeing Centre | \$2.58 |
| Heathcote | \$78.41 |
| Marong | \$105.25 |
| Peter Krenz Centre | \$8.22 |
| White Hills | \$47.97 |

Refer to extended notes on pages 18-20.

In addition to annual subsidies, in 2019/2020 Council provided additional support (facility specific grants) to top up funding for community-managed pools who were unable to operate within their budget due to increasing utility costs.

There is inequity between the financial contributions needed to provide services at different facilities. Sites requiring a higher subsidy do not generally offer better outcomes in terms of quality, accessibility or diversity of services/programs.

Due to aged and outdated infrastructure, many facilities don't meet the needs of current or potential aquatic users in their catchment due to the limitations of the infrastructure available. Subsidy levels need to be considered in context of the value and outcomes offered in terms of liveability, health and wellbeing, which are the core goals of aquatic service provision.



g. Planning for future service provision

Financial modelling indicates that there are extreme financial challenges ahead due to the age and condition of many assets. If the maintenance and infrastructure renewal gap is not reduced there is a strong likelihood that facilities will become unreliable and suffer service interruptions and/or will fail to meet required standards e.g. water quality or health and safety standards.

Critical to reliable planning is site specific testing (as recommended in the Infrastructure Condition section of this report) to quantify the actual cost of maintenance over the long term.

In addition to the risk of not meeting basic standards, there is a need to fund refurbishments to enable community aquatic facilities to better deliver on the vision of Council and the health and wellbeing needs of the community.

Investment in new facilities and/or significant upgrades will diversify opportunities for participation, improve access and increase utilisation rates (which are currently largely catering to fitness and training pool users/lap swimming).

Council should commence a transformation of the network of existing community aquatic facilities by:

- Allocating funds for new or refurbished infrastructure to increase liveability, health and wellbeing outcomes by better meeting the community's needs
- Seeking State and Federal Government grants
- Review of fees and charges
- Reducing or opting out of services
- Reducing levels of service where there is limited demand or duplication of services
- Reducing the number of facilities provided
- Potential commercial investment/partnership
- Diversification to maximise the use of existing facilities

The following section details the strategic framework, objectives and strategies for the coming decade.



8. SHORT TERM STRATEGIC ACTIONS (ZERO TO FOUR YEARS)

The strategy and its recommendations have been developed in context of the principles. These are:

- | | | |
|------------------|----------------------|-------------------|
| 1. Equity | 3. Promote wellbeing | 5. Sustainability |
| 2. Accessibility | 4. Partnering | |

Operational actions (policy, customer programming and service arrangements)

1) Equity

- i. Decisions will seek to ensure that high quality facilities and user experiences are delivered equitably to maximise liveability and wellbeing outcomes for the benefit of all residents.

2) Accessibility

- i. The City's aquatic facilities will be developed, managed and promoted in ways which maximise access to appropriate, safe and high-quality service provision for everyone.
- ii. Decisions will ensure that community aquatic facilities are accessible across the municipality.
- iii. Aquatic facilities will be retained at a scale appropriate for surrounding land uses.

3) Promote wellbeing

- i. The City's aquatic centres purpose is to support and encourage residents to live healthier lifestyles through improved facility design, accessibility and fee structures.
- ii. The City will actively develop its community aquatic facilities as integrated, adaptive and multifunction community buildings which provide for a range of community activities and purposes.

4) Partnering

- i. The City welcomes and actively pursue opportunities to work in partnership to design and deliver aquatic facilities, services and programs which maximise liveability, health and wellbeing outcomes for the community.

5) Sustainability

- i. The City's aquatic facilities will be designed and managed to be environmentally sustainable and will include energy saving, waste minimisation, and water saving and re-use elements.
- ii. The City will seek to implement a sustainable approach to community aquatic provision which focuses on provision of fewer facilities which:
 - a. more effectively and appropriately meet the needs of the whole community
 - b. attract a greater and more diverse level of use
 - c. are more connected and integrated with other services and facilities
 - d. are accessible
 - e. offer a diversity of aquatic facilities to match the needs of the potential user market (i.e. the market segments/demand for Recreation, Leisure and adventure 60%; Fitness and training 20%; Warm water exercise, recovery and rehabilitation 10% and Education, learn-to-swim schools 10%)



Major works (new and upgraded infrastructure)

A four-year action plan has been developed to define timelines for major projects that will implement this strategy in the short to medium term. The timeline for these proposed works is ambitious within the City's limited financial resources. Therefore, these major investments in new/upgraded infrastructure are subject to financial allocations to be considered as part of Council's annual budget process and are subject to change according to Council's competing priorities across all services, assets and other requests.

The following table, outlines key infrastructure changes proposed over the coming four years:

Renewal and Maintenance Works (swimming pool plant and equipment)

The City is proposing to spend \$2.488M on renewal across these facilities in accordance with asset management plans which have been developed for each site over a multi year plan. These investments support replacement of plant and equipment to ensure successful ongoing operation of these facilities.

| Aquatic Facility Site | Year 1 | Year 2 | Year 3 | Year 4 | Estimated total cost |
|--|--|---|--|--|----------------------|
| Long Gully Splash Park | No major upgrades | No major upgrades | No major upgrades | No major upgrades | \$0 |
| Bendigo East | No major upgrades | No major upgrades | Bendigo East Swimming Club relocates to Brennan Park | Removal of Bendigo East Swimming Pool structures | \$500,000 |
| Brennan Park | Detailed designing | Detailed designing and funding requests | Closed for works | Relocation of Bendigo East CoM to an upgraded site | \$7M - \$9M |
| Elmore | No major upgrades | No major upgrades | No major upgrades | No major upgrades | \$0 |
| Faith Leech Aquatic Centre | No major upgrades | No major upgrades | No major upgrades | Major plant renewal (\$650,000) | \$650,000 |
| Golden Square | No major upgrades | No major upgrades | No major upgrades | No major upgrades | \$0 |
| Goornong | No major upgrades | No major upgrades | No major upgrades | No major upgrades | \$0 |
| Gurri Wanyarra Wellbeing Centre | No major upgrades | Implement small scale ESD initiatives | Continue to implement ESD initiatives | No major upgrades | \$737,000 |
| Heathcote | No major upgrades | No major upgrades | No major upgrades | No major upgrades | \$0 |
| Marong | No major upgrades | No major upgrades | No major upgrades | No major upgrades | \$0 |
| Peter Krenz Centre | - Functional design - Business & financial planning | Peter Krenz Centre Stage 1 (dry facilities) concept plans were endorsed at the August 2022 Council Meeting to proceed to detailed design and construction once funding is confirmed. Advocacy is ongoing to progress the Stage 1 redevelopment. | | | |
| Raywood | No major upgrades | No major upgrades | No major upgrades | No major upgrades | \$0 |
| White Hills | | - Design of zero depth splash park - Construction of car park | | - Construction of splash park and closure of White Hills swimming pool | \$4.3M |

Notes:

1. Raywood Swimming Pool Committee of Management have the authority to determine the future operation and development of this Crown land-owned facility (not a Council-owned asset). At the time of updating the major works schedule it was not clear about the future direction of this facility and further consultation is required.



9. LONG TERM STRATEGIC RECOMMENDATIONS (YEARS 5+)

This section of the strategy provides high level recommendations, along with site specific recommendations for facilities in the context of the hierarchy and principles.

Principle 1 - Equity

- i. Revise service levels to ensure community aquatic facilities are an appropriate scale for the catchment
- ii. Minimise duplication of services where the scale or distribution of facilities does not reflect community needs
- iii. Undertake local planning and analysis to identify catchment service needs and provide the appropriate facilities mix
- iv. Identify alternative fee structures which support access for groups who have identified poorer health outcomes including:
 - a. People with a disability
 - b. Culturally or linguistically diverse
 - c. Aboriginal and Torres Strait Islanders
 - d. People with low income
 - e. Older aged residents living at home
- v. Review and benchmark the City's Cold Weather Policy to better reflect community use patterns when temperatures are 22 degrees or below

Principle 2 - Accessibility

- i. Transition from traditional lap swimming pool provision that meets the needs of fitness and training markets, to more diverse and inclusive facilities that cater for other aquatic market segments including leisure/fun/entertainment, warm water therapy, and aquatic education
- ii. Work with the Traditional Owners to acknowledge their culture and connection to the land in a meaningful way and to understand if opportunities exist to enhance service provision to the local aboriginal community
- iii. Undertake stakeholder engagement to identify opportunities that would improve accessibility. Initiatives already identified include:
 - a. Colour contrast for those who have vision impairment
 - b. Hearing loops and emergency strobe lighting to provide access and safety for people with a hearing difficulty

Principle 3 - Promote Wellbeing

- i. Undertake place based planning (rather than aquatic facility planning) to identify needs of the community and consider all options (including aquatic, leisure and community programs) to achieve improved health and wellbeing outcomes
- ii. Utilise aquatic facilities to promote healthy lifestyles and support behaviour change to support the goals and priorities of Healthy Greater Bendigo
- iii. Support positive ageing initiatives through programming and facility design improvements
- iv. Undertake annual service planning to ensure program delivery reflects the needs identified within Healthy Greater Bendigo, Council Plan and other key strategic document

Principle 4 - Partnering

- i. Identify opportunities to provide more efficient services by:
 - a. Supporting community-led management models
 - b. Reviewing the financial and professional support provided at volunteer managed facilities
- ii. Seek a formal review of support provided to facilities that are the responsibility of DEECA
- iii. Build partnerships with health and community service providers to deliver services at community aquatic facilities and increase utilization of spaces
- iv. Partner with the community to design and/or deliver culturally appropriate/safe programs to increase participation of identified target groups (i.e. CALD, ATSI, LGBTIQ+ community members)
- v. Support the co-location of services to share costs, improve aquatic facility utilisation and enhance access to services (e.g. a library, health etc)
- vi. Identify ways to increase use of existing facilities through partnering to deliver programs, events and activities

Principle 5 - Sustainability

- i. Review operational practices to minimise waste
- ii. Continue investing in technologies that reduce consumption of non-renewable resources
- iii. When considering options for asset renewal or upgrade, minimize environmental impacts such as embodied energy; maximise energy efficiency and source low impact product alternatives
- iv. Undertake audits to identify:
 - a. Chemical dosing system age condition and replacement options
 - b. Environmental risks associated with chemical delivery and storage
 - c. Water quality – chemical and reticulation
- v. Use natural shade and landscaping solutions to provide cooler environments
- vi. Undertaking more detailed asset condition assessments to understand the condition of major assets such as pool tanks/shells and water reticulation
- vii. Investigate the feasibility of consolidating facilities that duplicate aquatic activities/services within a catchment
- viii. Prioritise investment according to:
 - a. Legislative compliance (safety of staff, community and environment)
 - b. Asset protection/preservation
 - c. Economic and environmental efficiency
 - d. Service enhancement
 - e. Aesthetic improvement
- ix. To improve sustainability, review annual operating seasons and hours for all facilities in response to the availability of regional-level facilities at Gurri Wanyarra Wellbeing Centre. The aim will be to increase consistency of outdoor swimming pool seasons and to align facility opening hours with community use patterns/demand to maximise utilization and curb escalating costs



Site Specific Service Level Recommendations:

| Hierarchy | Typical characteristics | Catchment indicators | Existing aquatic facilities | Site specific recommendations |
|--|---|--|-----------------------------|---|
| Small Township | Able to be used by a diversity of users, across the lifespan, for a diversity of purposes, including wellbeing, social and life-long learning activities and programs. <i>Example: Community Halls</i> | <ul style="list-style-type: none"> Primarily attract people from the township within which it is based, as well as some people from neighbouring townships. Up to 2km travel distance (or 25 minutes average walking time) for people based in the township. | Elmore | <ul style="list-style-type: none"> Retain base service level and community management Review level of financial and professional support needed/provided in consultation with DEECA as the responsible agency for Crown Land Committees |
| | | | Goornong | <ul style="list-style-type: none"> Retain base service level and community management Review level of financial and professional support needed/provided in consultation with DEECA as the responsible agency for Crown Land Committees |
| | | | Raywood | <p><i>Raywood Swimming Pool Committee of Management has the authority to determine the future operations and development of this Crown Land owned facility. This facility did not open for seasons 2021/2022 and 2022/2023.</i></p> <ul style="list-style-type: none"> Retain base service level and community management Review level of financial and professional support needed/provided in consultation with DEECA as the responsible agency for Crown Land Committees |
| Large or residential growth corridor township/suburb | Able to be used by a diversity of users, across the lifespan, for a diversity of purposes, including wellbeing, social and life-long learning activities and programs. <i>Example: Golden Square Recreation Reserve Pavilion</i> | <ul style="list-style-type: none"> Primarily attracts people from the township within which it is based, as well as some people from neighbouring townships. Up to 2km travel distance (or 25 minutes average walking time) for people based in the township/suburb. | Bendigo East | <ul style="list-style-type: none"> After upgrades occur at Brennan Park, remove pool and relocate community management Return the Crown Land pool site back to the management of the State Government |
| | | | Brennan Park | <ul style="list-style-type: none"> Upgrade as an all year outdoor facility focused on fitness/lap swimming Create a community advisory group with key community groups such as LaTrobe University, Bendigo South East Secondary College and suburb community groups Consider renaming Brennan Park Pool in partnership with the community to acknowledge the combining of two services and suburban catchment of the service. |
| | | | Golden Square | <ul style="list-style-type: none"> The Golden Square Swimming Pool is retained as per the site master plan for Golden Square Recreation Reserve under the following conditions: <ul style="list-style-type: none"> - continued community management - a Council contribution of \$50,000 per season for operation and maintenance |
| | | | Heathcote | <ul style="list-style-type: none"> Retain a base level of service. Investigate viability of moving to community-led management |
| | | | Marong | <ul style="list-style-type: none"> Retain a base level service only given access to Gurri Wanyarra and Peter Krenz indoor facilities Consider opportunities for partnerships and co- location as Marong grows towards a forecast population of 8,000 |
| | | | White Hills | <ul style="list-style-type: none"> Implement the aquatic facility actions adopted in the Bendigo (White Hills) Master Plan Transform facility to replace current aquatic infrastructure with a regional level zero depth Splash Park |

| Hierarchy | Typical characteristics | Catchment indicators | Existing aquatic facilities | Site specific recommendations |
|--------------------------|---|--|---|---|
| Municipal | Somewhat unique in terms of the range of experiences, activities and program offered within Greater Bendigo. Usually occupies strategically important and highly accessible locations. More often found within or close to the Bendigo urban area. <i>Example: Libraries</i> | <ul style="list-style-type: none"> Primarily attracts people from across Greater Bendigo. Up to 10km travel distance (or 15 minutes average travel time via car) for people based in urban Greater Bendigo. For people based in rural Greater Bendigo, travel distances/times are likely to be greater. | Long Gully Splash Park | No change |
| | | | Peter Krenz Leisure Centre | <ul style="list-style-type: none"> Continue advocacy for funding for detailed design and construction of Stage 1 Council endorsed concept plans. Reestablish the Community Reference group for Peter Krenz Centre as required throughout Stage 1 and Stage 2 redevelopment Maximise existing asset life to support a staged replacement over the longer term |
| Regional | Usually has a moderate level of uniqueness or significance connected variously with sport and recreation, cultural heritage, the arts or other special values. | <ul style="list-style-type: none"> Attracts people from across Greater Bendigo plus central Victoria. Up to 2 hours of travel time by car. | Gurri Wanyarra Wellbeing Centre | <ul style="list-style-type: none"> Retain as premier regional facility Fund 100% asset renewal/ replacement of equipment commensurate with the scale of facility Investigate need to expand gym and wellness suites Invest in environmentally sustainable initiatives and technology to reduce energy consumption and work towards targets |
| | | | Faith Leech Aquatic Centre | <ul style="list-style-type: none"> Maintain current infrastructure including provision of diving facilities - tower and diving boards - and water slide Consider reducing operating hours/ season due to proposed changes at Bendigo East Pool and Brennan Park, and access to other municipal and regional aquatic facilities Upgrade diving pool plant infrastructure, replace/renew water slide, upgrade water treatment system |
| State or national | Has a high level of uniqueness or significance connected with sport and recreation, cultural heritage, the arts or other special value. | <ul style="list-style-type: none"> Attracts people Victoria and interstate. More than 2 hours travel time via car. | No facilities exist or are proposed in this category | N/A |

Draft Community Aquatic Facilities Strategy



Community Panel Report

City of Greater Bendigo

7/03/2023

capire

Privacy

Capire Consulting Group and any person(s) acting on our behalf is committed to protecting privacy and personally identifiable information by meeting our responsibilities under the Victorian Privacy Act 1988 and the Australian Privacy Principles 2014 as well as relevant industry codes of ethics and conduct.

For more information about the way we collect information, how we use, store and disclose information as well as our complaints procedure, please see www.capire.com.au or telephone (03) 9285 9000.

Consultation

Unless otherwise stated, all feedback documented by Capire Consulting Group and any person(s) acting on our behalf is written and/or recorded during our program/consultation activities.

Capire staff and associates take great care while transcribing participant feedback but unfortunately cannot guarantee the accuracy of all notes. We are however confident that we capture the full range of ideas, concerns and views expressed during our consultation activities.

Unless otherwise noted, the views expressed in our work represent those of the participants and not necessarily those of our consultants or our clients.

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1 Introduction

In 2020, the City of Greater Bendigo developed a draft Greater Bendigo Community Aquatic Facilities Strategy 2021-2031 (the Strategy) with community consultation to provide guidance for future decision making and investment to ensure future provision. The draft Strategy proposes the closure of the Bendigo East Swimming Pool service with the Bendigo East Committee to relocate to Brennan Park following significant upgrades to the site.

Council sought to explore this recommendation further with a Community Panel. The Community Panel (the Panel) will provide feedback and advice for Council's consideration as part of adopting the Community Aquatic Facilities Strategy. The City of Greater Bendigo engaged Capire Consulting Group (Capire) to design and facilitate the Community Panel which was held on the week of 13 February 2023.

All panel discussion was facilitated by independent facilitators from Capire, Amy Hubbard and Tiffany Tang.

This report summaries the process and outcomes of the Community Panel. This report does not include a summary of introductory or ice-breaker activities as part of the panel sessions.

The City of Greater Bendigo had initially planned for the Community Panel process to be held in November 2022. During engagement planning, Bendigo and surrounding regions were affected by a severe flood. Council staff decided to postpone the process to February 2023 to give the community time to respond and recover from the flood event.

Note in reading this report: Feedback and ideas documented in this report have been collated and recorded through written material generated during the workshop. Capire has taken care during the transcription process but unfortunately cannot guarantee the accuracy of all notes. We are however confident that the full range of ideas, concerns and views expressed have been captured in this report.



2 Participants

The recruitment approach of the Community Panel was to invite community members who had previous experience in engagement processes and represent a diverse group of residents in Bendigo. An invitation was sent to community members who had previously participated in the Imagine Greater Bendigo Community Panel. Following identification of the need to expand the expression of interest to 611 residents who had signed up to Let's Talk Greater Bendigo engagement page with interest areas of:

- Aged and disability
- Community development and wellbeing
- Community hubs
- Diversity and inclusion
- Families, children and young people
- Open space and parks
- Planning and design
- Sport and recreation
- Strategies, plan and policies
- Sustainability and environment

A total of 29 panel members accepted to join this Community Panel, of which 20 panel members completed the whole panel process (three sessions). Some panel members had withdrawn from the panel due to illness, expectations mismatch or wanting to discuss topics that were out of scope for this project. Figure 1 demonstrates the age distribution of the panel members who accepted to join. Representation of those under 45 was relatively low, with the highest groups being 70-74 and 55-59 years of age.

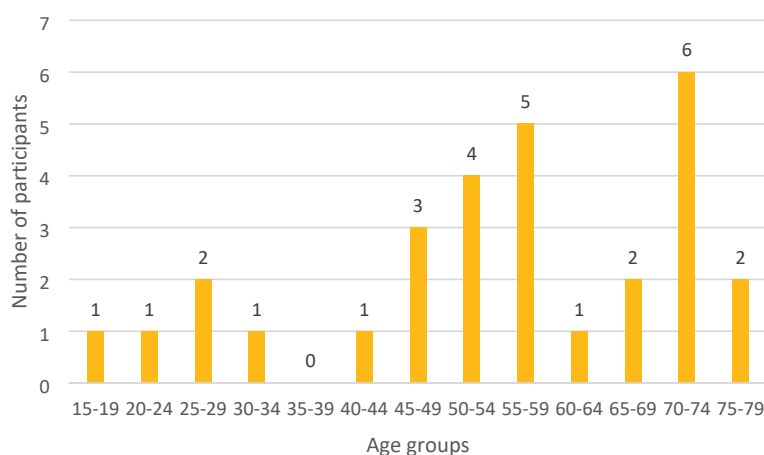


Figure 1 Representation of age groups of the Panel members

The Community Panel also had representation from people with a disability, representation from Aboriginal or Torres Strait Islander, LGBTIQA+ and people from a Culturally and Linguistically Diverse background.

To support participation, the panel members could join online meetings at Council's offices. A pre-reading information pack was also provided to panel members to familiarise themselves with the draft Strategy prior to the first session.

3 Discussion and outcomes

3.1 Process overview

The panel process occurred over three sessions:

- Tuesday 14 February, 6-8pm, online with an option to participate in-person if support is needed
- Thursday 16 February, 6-8pm, online with an option to participate in-person if support is needed
- Saturday 18 February, 9.30am–4.30pm, Ulumbarra Theatre, Bendigo, in person

The role and purpose of the Community Panel was to:

- acknowledge the Council and **community's priorities and values** in regard to aquatic services
- explore, discuss and review the **key recommendations** of the draft Greater Bendigo Aquatic Facilities strategy
- have a focused discussion about **Bendigo East and Brennan Park** pools
- provide **feedback and advice** to Council.

An overview of the Community Panel process is provided below.

| | | |
|---|--|---|
| <p>Session 1: Introduction Tuesday 14 February</p> <p>Purpose: Participants are provided key information including roles and responsibilities are explained as well as the remit of the panel.</p> <p>Outcomes:</p> <ul style="list-style-type: none">• <i>Shared understanding of roles, responsibilities and process</i> | <p>Session 2: Understand Thursday 16 February</p> <p>Purpose: Participants are presented with different experiences with aquatic facilities.</p> <p>Outcomes:</p> <ul style="list-style-type: none">• <i>Shared understanding of challenges and opportunities associated with aquatic facilities.</i> | <p>Session 3: Advice Saturday 18 February</p> <p>Purpose: Participants deliberate and review the draft recommendations for the two pools and provide advice to Council.</p> <p>Outcomes:</p> <ul style="list-style-type: none">• <i>Presentation of advice to Council by Community Panel</i> |
|---|--|---|

3.2 Advice

Outlined below is the advice and a set of community principles co-designed by panel members to guide Council's future decision-making associated with the two pools.

Feedback on the draft recommendations

Participants were given the opportunity to work together to capture their feedback and observations on the draft recommendations that relate to Bendigo East and Brennan Park pools. A summary of the feedback is provided below.

- Panel members sought clarification on the draft recommendations:
 - Clarify what happens after the pool is closed. Panel members learned that it will be returned to Crown land, and suggested that this should be made clear in the recommendation
 - Clarify what is meant by 'strengthening connections'
 - Clarify how 'priorities' are being defined / decided
- Panel members sought clarification about how the pool, if closed, will be transitioned to the other:
 - Can Brennan Park swimming pool accommodate the Bendigo East Committee of Management?
 - Can Brennan Park swimming pool accommodate additional users?
 - Will sponsorship currently going to Bendigo East swimming pool be transferred to Brennan Park?
- Panel members would like to see other options being explored. Some ideas provided included (in no particular order):
 - Shutting both pools and build a new aquatic facility at Strathfieldsaye.
 - Keeping both pools and add what is needed, for example splash park or solar heating system.
 - Council to facilitate a financial analysis with Bendigo East Committee of Management to explore other funding avenues (for example partnership, community crowd funding, more sponsorship).
 - Turn Brennan Park swimming pool into community-management. That can then include Strathfieldsaye, as well as encourage broader community involvement.
 - Involve the community in exploring other options for upgrading both pools. This could be explored in partnership with TAFE/ La Trobe University or nearby schools.
- Panel members suggested the following elements should be further considered/ examined when deciding the future for both pools:
 - The capacity of Brennan Park swimming pool. Is it feasible that Brennan Park can accommodate all users from Bendigo East swimming pool? Will there be enough car parking?
 - Brennan Park swimming pool has its own strengths – its proximity to the residential area, universities and schools, future Commonwealth Games site.
 - Whether the pools will be fit-for-purpose. This includes accessibility of the pools, their locations and heating function.
 - Splash park upgrades should consider equity in access (whether it should be placed inside/ outside of the paywall will impact usage).
 - Continue to develop Brennan Park swimming pool to meet demands from population growth.

- Long-term impact of the recommendations should be considered. Shutting down a pool seems to be a short-term solution without much long-term gain, as the community will be left with an abandoned facility. Council will lose a piece of land, and risk of not catering for the growing population.
- The 'boutique' qualities of Bendigo East swimming pool have intrinsic values that are beyond financial measurement; they can be community interactions, sponsors and Committee Management's understanding of local needs.
- Welcome the idea that Bendigo East Committee of Management will be kept, but object to the idea that the Committee can be transplanted into another community that disconnects from its network.
- When Council makes decisions on community facilities, they should seek community's views and aspirations. Council should have asked for community's views when developing the draft Strategy.

Community Principles for Decision Making

Panel members worked together to create five principles for Council to use in their decision making associated with the two pools. Participants were provided with a recommended structure when drafting the principles: what is a principle, why is it important and how it could look when it is applied.

Participants worked in small groups to develop a first draft of the principles. They then peer reviewed each other's work and consolidated the work from all groups into five overall principles. The principles were presented to Councillor Margaret O'Rourke at the conclusion of the panel process and are provided below.

Principle 1: Creative & innovative process and solutions

Without this we will miss great solutions and future progress opportunities. We risk making uninspired decisions that result in closing facilities unnecessarily and compromise community need. This could be having themed based pools, creative partnerships, creative funding models and community management options.

Principle 2: Sustainability & respect

We want long term economic and environmental sustainability to be considered. Respect means developing a culture of appreciation for heritage, prior achievement and looking through to future generations. This maximises and recognises investments in the past, present and future. This could mean maintaining existing pools with refurbishment that is fit-for-purpose.

Principle 3: Community participation, collaboration and empowerment

We want to use a broad range of local knowledge (include a range of stakeholders) and skills in all future decision making and planning. We want to have solutions that are relevant and cost-effective to the community.

This builds community pride that increases usage, community connection and empowering the community to manage the facilities. This could involve partnerships with local businesses, educators, students, not for profits, influencers, role models, and users to create solutions.

Principle 4: Accessible, equitable & inclusive

We want to listen to the voices and honour the needs of the community and consider diverse user groups. This will help achieve and increase accessible, equitable and inclusive facilities. This will create a sense of pride, 'ownership' and empowerment within the community.

Principle 5: Community health & wellbeing

The decision making to consider physical, mental, social, emotional, spiritual, and financial wellbeing. It is important for quality of life and reduces stress on health and wellbeing systems. It facilitates local community wellness and create a vibrant, engaged and healthy local community.

4 Evaluation

Provided below is a summary of the evaluation from the Bendigo Draft Aquatic Strategy Community Panel process. Eighteen of the 20 panel members completed the evaluation form.

| Statement | Poor | Fair | Good | Very Good | Excellent |
|---|------|------|---------|-----------|-----------|
| Quality of instruction | | | | | |
| How well did we describe what we needed to? | | | 11% (2) | 39% (7) | 50% (9) |
| How clear were we in providing relevant information and answering your questions? | | | | 44% (8) | 56% (10) |
| Use of time | | | | | |
| How well did we use our time? | | | 6% (1) | 33% (6) | 61% (11) |
| Participation | | | | | |
| How well did we do on making sure everyone was involved? | | | 11% (2) | 22% (4) | 67% (12) |
| Facilitation | | | | | |
| How well was the event managed? | | | 6% (1) | 17% (3) | 78% (14) |
| Content | | | | | |
| How satisfied are you with the overall workshop today? | | | 6% (1) | 22% (4) | 72% (13) |

General comments on the process:

- The hybrid meeting could do with some practice. The big room and virtual room struggled to collaborate effectively.
- Well-presented and thought-provoking. Good luck with the outcome.
- Not sure we finished up with anything specific regarding Bendigo East vs Brennan Park Pools.
- Maybe 4.30pm finish made the day a bit too long but maybe not possible. Maybe extra 30 mins to 1st session.
- Panel skewed too old and white. More diversity would be better next time.
- Please encourage all panel members to use microphone when contributing and asking questions. With the aircon it was quite hard to hear the softly spoken ones.
- I enjoyed the smaller group (last participated in the Let's Talk Bendigo – much bigger group). Met some interesting people and was surprised by some of what I heard. Food was good and the facilitators were fantastic.
- A great idea to do the Tues and Thurs online so it wasn't two intensive days like last time.
- Whole process was well run and early concerns about "hidden" agendas were allayed.
- Glad to be involved. I felt engaged, respected and heard.
- Great day. Very informative 3 days.
- Very good.
- Like all things, it would have been better to have more time – overall the process was good. Thank you.
- Everything was well organised and the participant acknowledged how much work has to happen to get these types of engagement to happen.

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Capire acknowledges
and deeply respects the
Wurundjeri people and
the Traditional Owners
of the Victorian land.



capire

16.3. 38 Myers Street, BENDIGO - Use and Development of Land for a Medical centre, Partial Demolition, External Alterations and Additions to Existing Building, Display of Business Identification Signage and Reduction in Car Parking Requirements

| | |
|-----------------------|--|
| Author: | Michael St Clair, Statutory Planner |
| Responsible Director: | Steve Hamilton, Director Strategy and Growth |

Summary/Purpose

| | |
|-----------------------|---|
| Application No: | DC/783/2022 |
| Applicant: | JP Brennan Pty Ltd |
| Land: | 38 Myers Street, BENDIGO 3550 |
| Zoning: | General Residential Zone |
| Overlays: | Heritage Overlay – Schedule 9 Parking Overlay |
| No. of objections: | Nine |
| Consultation meeting: | A formal consultation meeting was held at the City offices on 9 May 2023, attended by the Planning Officer, Mayor, applicant, and 6 objectors. |
| Key considerations: | <ul style="list-style-type: none"> • How the existing use as a Medical Centre is to be considered as part of this application. • Whether the proposed partial demolition and development are acceptable in a heritage context? • Whether the development is consistent with the surrounding built form character? • Whether the reduction of carparking is acceptable? • Whether amenity impacts to adjoining properties are acceptable? • Objector concerns. |
| Conclusion: | <p>The application has been prepared in accordance with the Greater Bendigo Planning Scheme.</p> <p>The addition to the existing building has been designed to appropriately respond to its heritage context and minimise impacts to adjoining properties, whilst serving the needs of an established medical practice providing specialist medical services to the aging population of Greater Bendigo. It is recommended that Council determine to grant a permit as the proposal, on balance, presents an acceptable planning outcome with regards to the purposes of the General Residential Zone, Heritage Overlay, Parking Overlay and broader planning policy framework.</p> |

Recommended Motion

Pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Notice of Decision to Grant a Permit for the '*Use and development of land for a medical centre; partial demolition, external alterations and additions; installation and display of business identification signage; and reduction in car parking requirements*' at 38 Myers Street, BENDIGO 3550, subject to the conditions at the end of this report.

Background Information

Previous Planning Permit History

The subject site is currently operating as Goldfields Urology, which was granted planning approval to operate under planning permit DU/767/2011. This permit allowed for the '*Demolition of existing shed, use of existing dwelling as a Medical Practice and the erection of two business identification signs*'. The permit was issued 22 December 2011 and remains current.

This permit provided for the lawful use of the land for a Medical Practice. Conditions within this permit did not limit the number of practitioners that were permitted to operate from the site nor the hours of operation of the practice. The planning permit included specific requirements for 5 car parking spaces to be provided on the site.

Plans endorsed as part of the planning permit for the site show three consulting rooms in addition to staff areas, reception and waiting room. Figure 1 below shows the endorsed site plan for planning permit DU/767/2011.

The site is a regular shaped allotment located on the eastern corner of Mundy and Myers Street, Bendigo. The allotment is 834 square metres in size and contains a single storey building. The existing building on site was originally constructed in 1930 as a dwelling before being converted to its current use as a Medical Centre (operated by Goldfields Urology). The building presents as an interwar California Bungalow clad in brick and render. The front setback of the building retains its dwelling setting as it presents to Myers Street. The rear portion of the site has been altered to service the medical centre, with five carparking spaces provided in close proximity to the current medical centre entry. Figure 1 below shows an aerial image of the subject site.

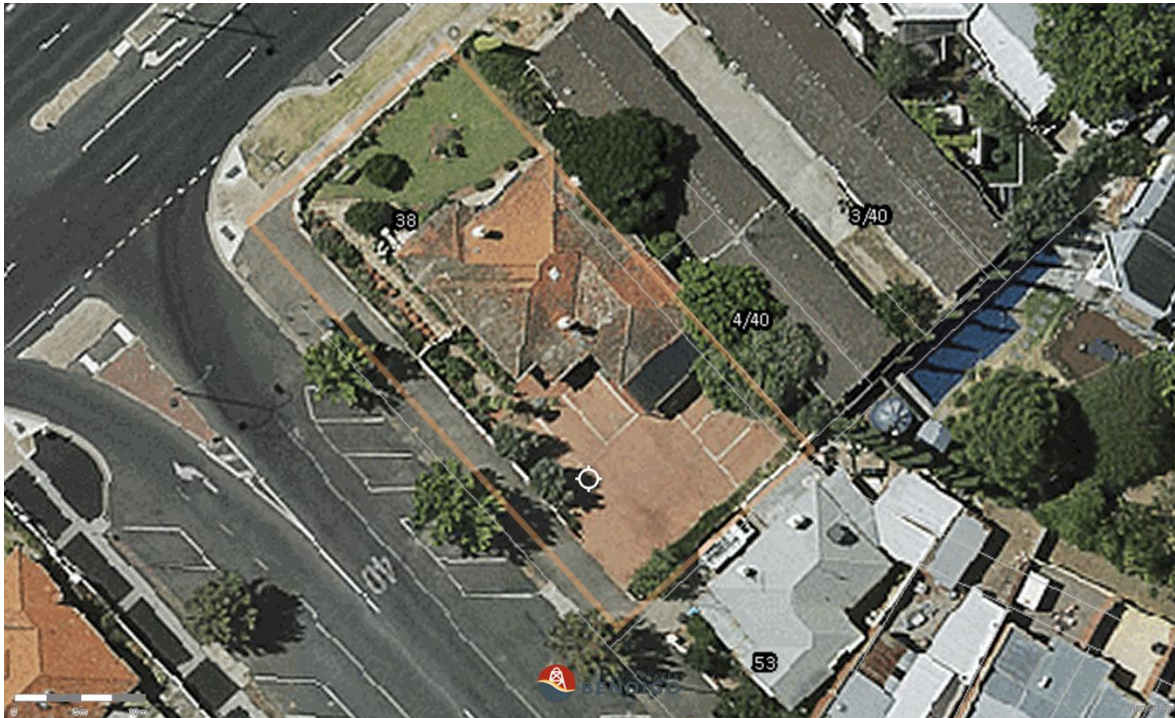


Figure 1: Aerial image of subject site

The surrounding area is generally characterised by the site's location at the fringe of the Bendigo City Centre. A mix of commercial and residential land uses exist along Mundy Street, with the Bendigo Dental Laboratory located two properties to the south-east of the subject site and a solicitors' office located opposite. On the opposite side of Myers Street are located a range of service and commercial businesses. However, the predominate use of land to the east of the Mundy and Myers Street intersection is residential in nature. This residential area is covered by the Heritage Overlay – Schedule 9 that relates to the Myers Street Precinct. Figure 2 shows an aerial image of the immediate surrounding area.



Figure 2: Aerial image of surrounding area

The immediate context of the site consists of residential interfaces. 40 Myers Street (to the north-east) contains four units arranged around a central common driveway, with two of these units backing on to the subject site. 53 Mundy Street (to the south-east) contains a single storey dwelling constructed around the same time as the subject site.

Myers Street (to the north-west) is an arterial road managed by the Department of Transport and Planning. It is developed as a two lane (in both directions) road separated by a central median. Parallel parking is provided along both sides of the road corridor. Right turn movements from Mundy Street onto Myers Street are prohibited. Mundy Street (to the south-west) is a local access street operating as single lanes in both directions. 45-degree angle parking is provided along this street. Parking on both streets is time controlled with parking fees applicable in certain sections.

Proposal

The application seeks planning approval for the *'Use and development of land for a medical centre; partial demolition, external alterations and additions; installation and display of business identification signage; and reduction in car parking requirements'*. The individual components are further discussed below.

- *Use of land for a Medical Centre*

The use of the subject site for a Medical Centre was given approval under Planning Permit DU/767/2011. No further planning permission is required to use the site as a Medical Centre. However, a number of shortcomings exist within the original permit that relate to the use component of the site. These relate to no controls being placed on the number of practitioners that operate from the site.

To correct this shortcoming, the assessment of this application has been undertaken as an Omnibus permit. This process provides an avenue for the permissions given under permit DU/767/2011 to be rolled over into any permit issued under this application; correcting the omission in the original permit, cancelling the original permit and resulting in only one permit that controls the medical centre use for the site. In essence, this would 'tidy up' the planning approvals relating to the site into a single permit.

In considering this application, the responsible authority is not able to consider if the Medical Centre use for the site is appropriate. This permission already exists and will remain so, no matter the outcome of this application.

- *Development of an expanded Medical Centre*

The proposal seeks to expand the existing Medical Centre by making the following changes:

- Internal alterations to the existing building (noting that this does not require planning approval).
- External demolition of rear lean to (later addition to the 1930 constructed building):
 - No changes to the external fabric of the original 1930's building.
- Refurbish the ground floor to include:
 - Three consulting rooms (note that a maximum of two will be utilised at a time, with three provided to allow for three different professionals to operate out of their own room over the course of the week. Only two will be present on site at any given time).
 - Two nurse rooms.
 - Enlarged reception and waiting room, with separate areas to provide increased privacy for patients and larger circulation spaces for accessibility requirements for patients in a hospital bed.
- Construct a second floor addition, comprising staff facilities of:
 - Office space.
 - Kitchen.
 - Meeting room.
 - Staff toilets.

Car parking spaces within the site will be reduced from five to four, required by increased space requirements of accessible spaces since the issue of DU/767/2011.

The extension to the rear of the Medical Centre is proposed to be in a contemporary style, clad in a mix of sheet metal, brick and fibre cement sheeting. Figures 3 to 10 below show the proposed development plans.

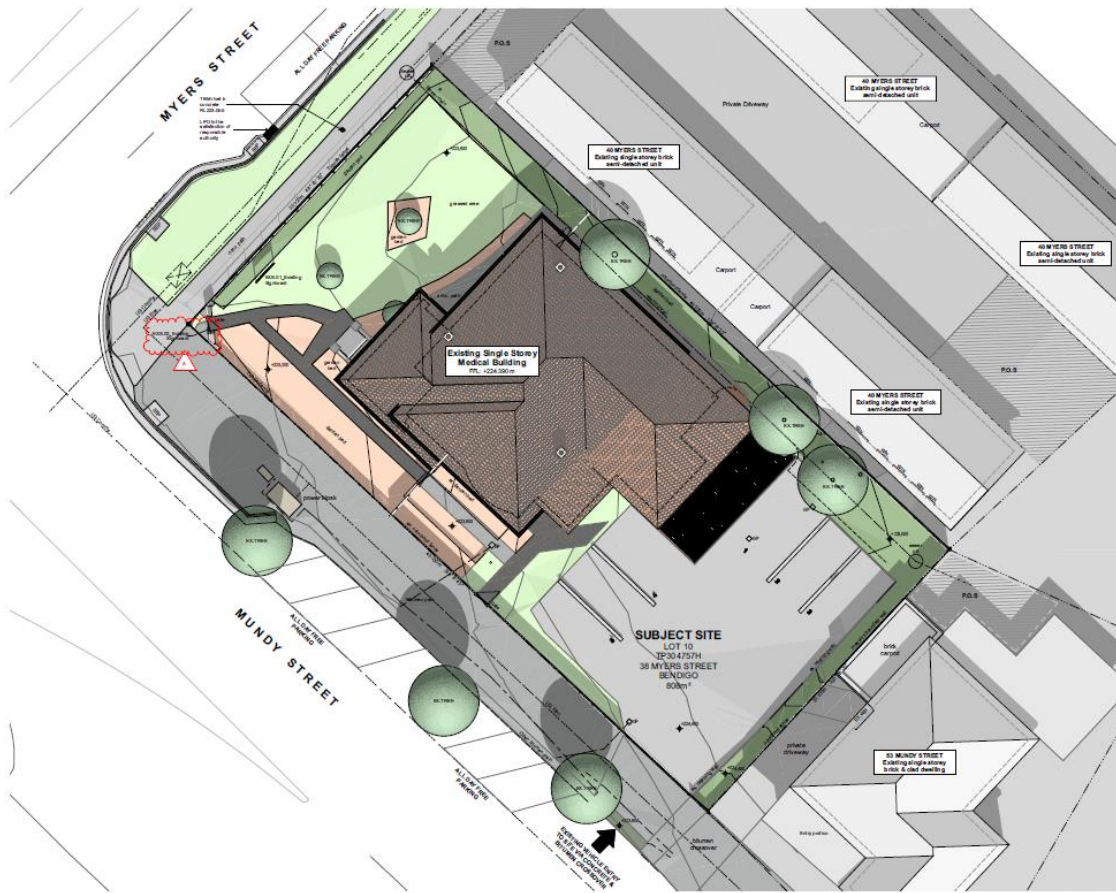


Figure 3: Existing site plan

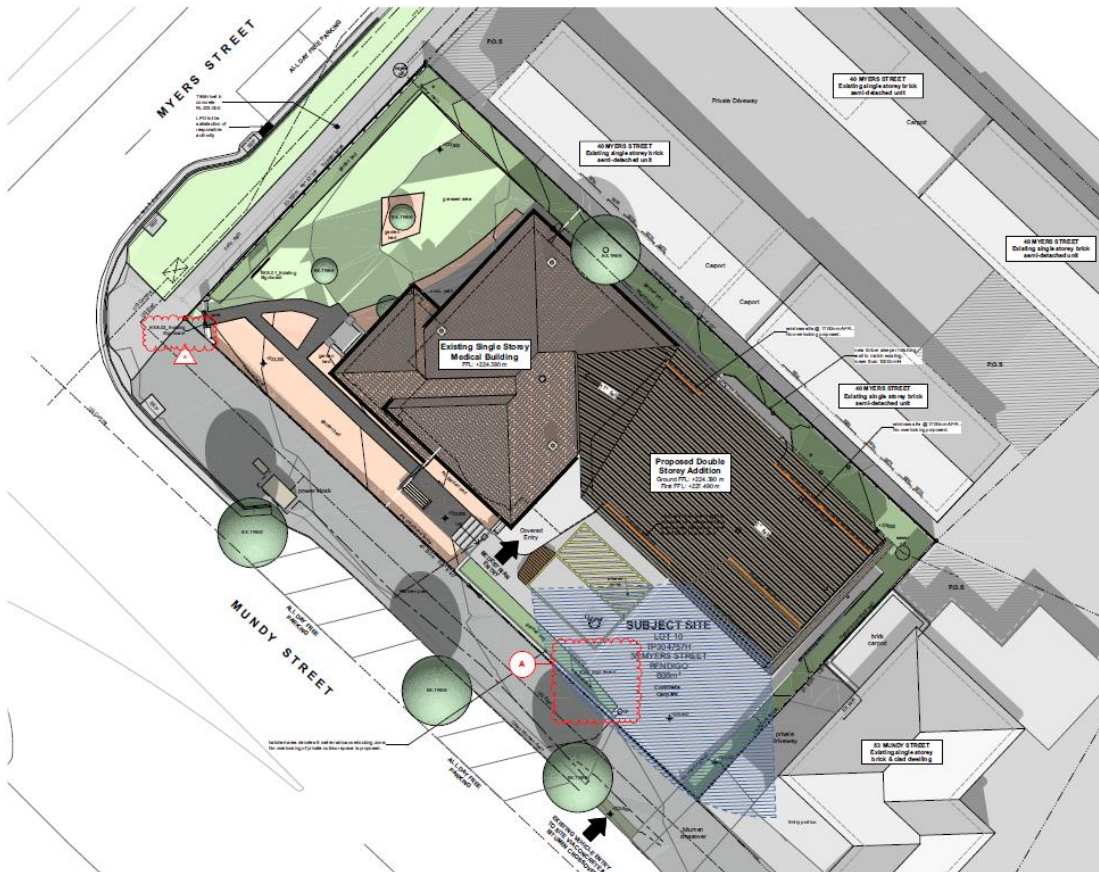


Figure 4: Proposed site plan

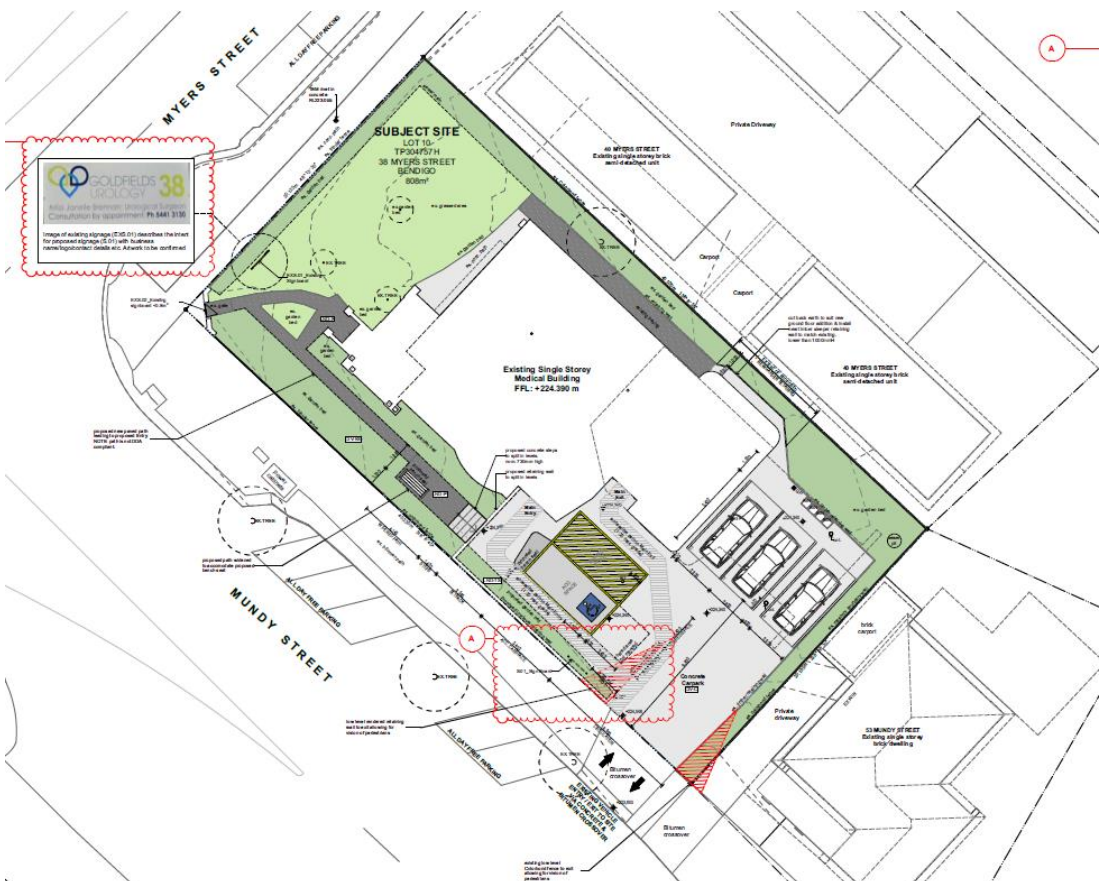


Figure 5: Proposed site works plan (showing proposed car parking)

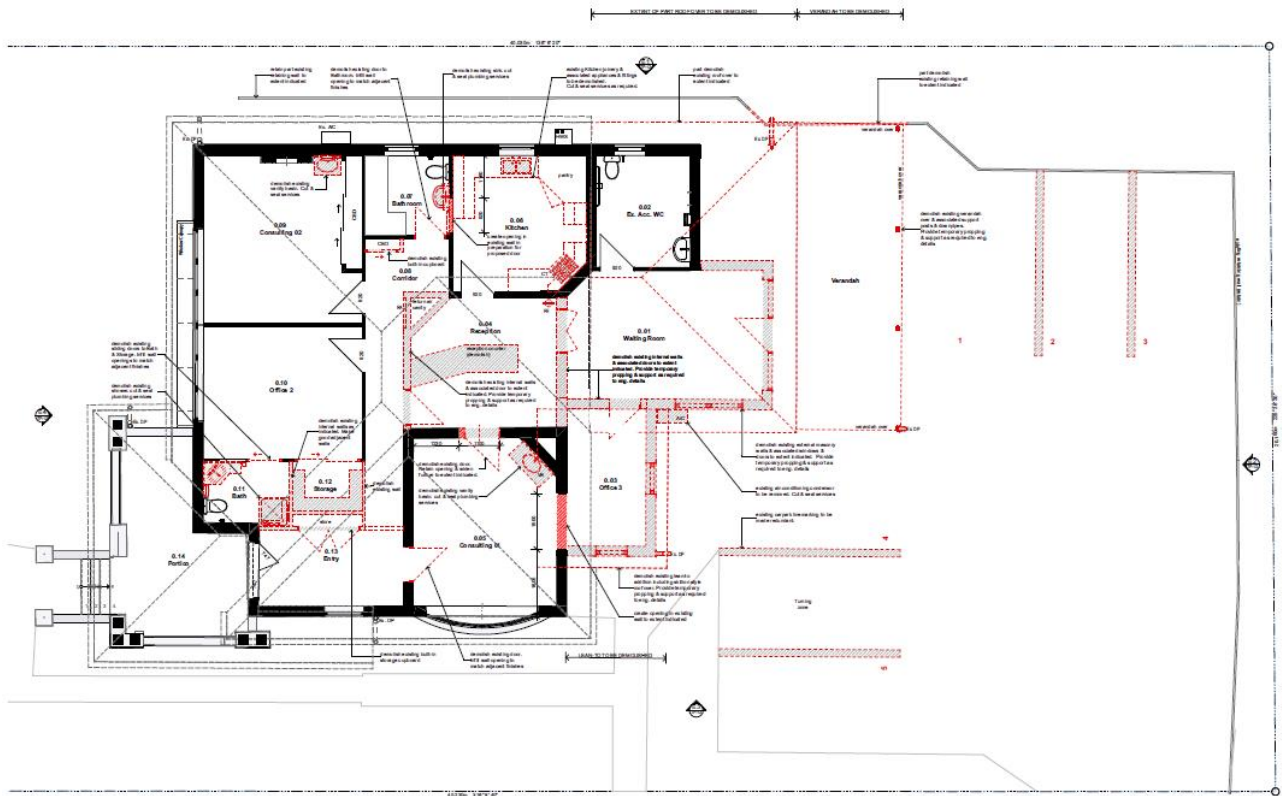


Figure 6: Existing floor and demolition plan

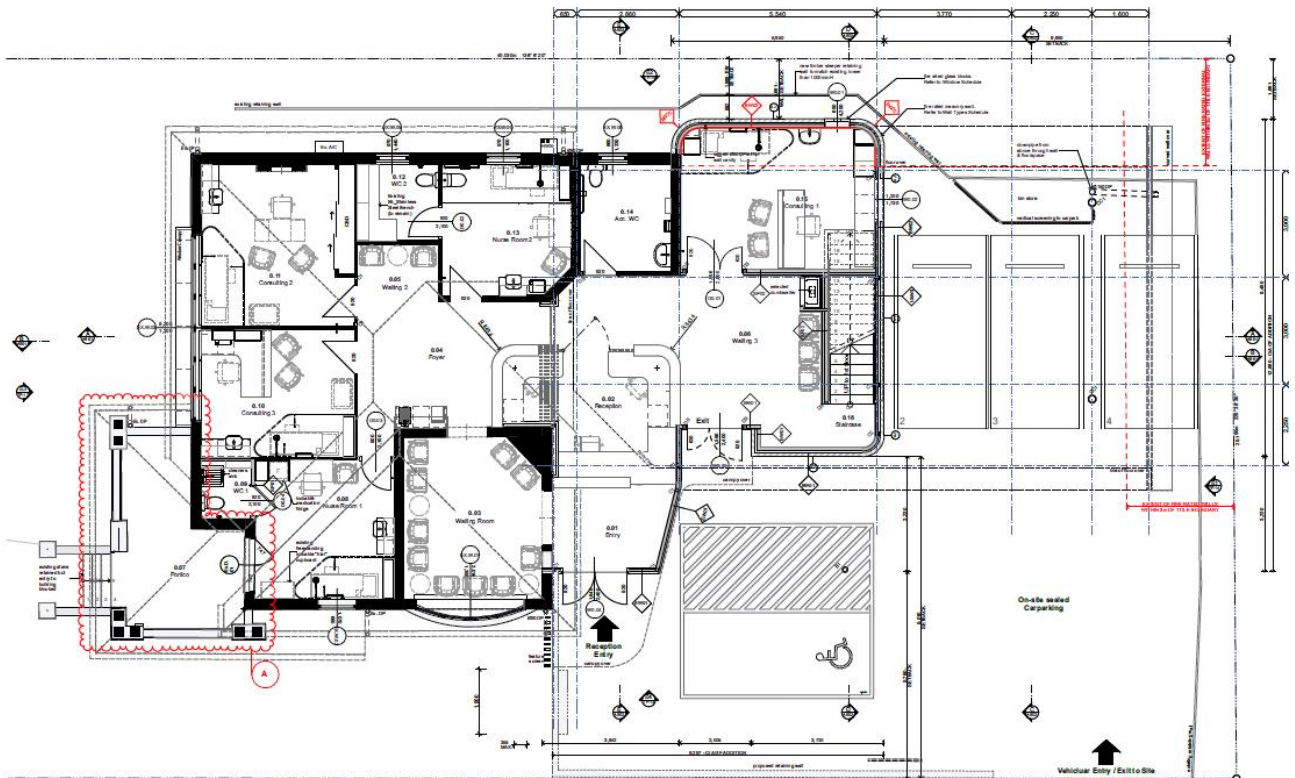


Figure 7: Proposed ground floor plan

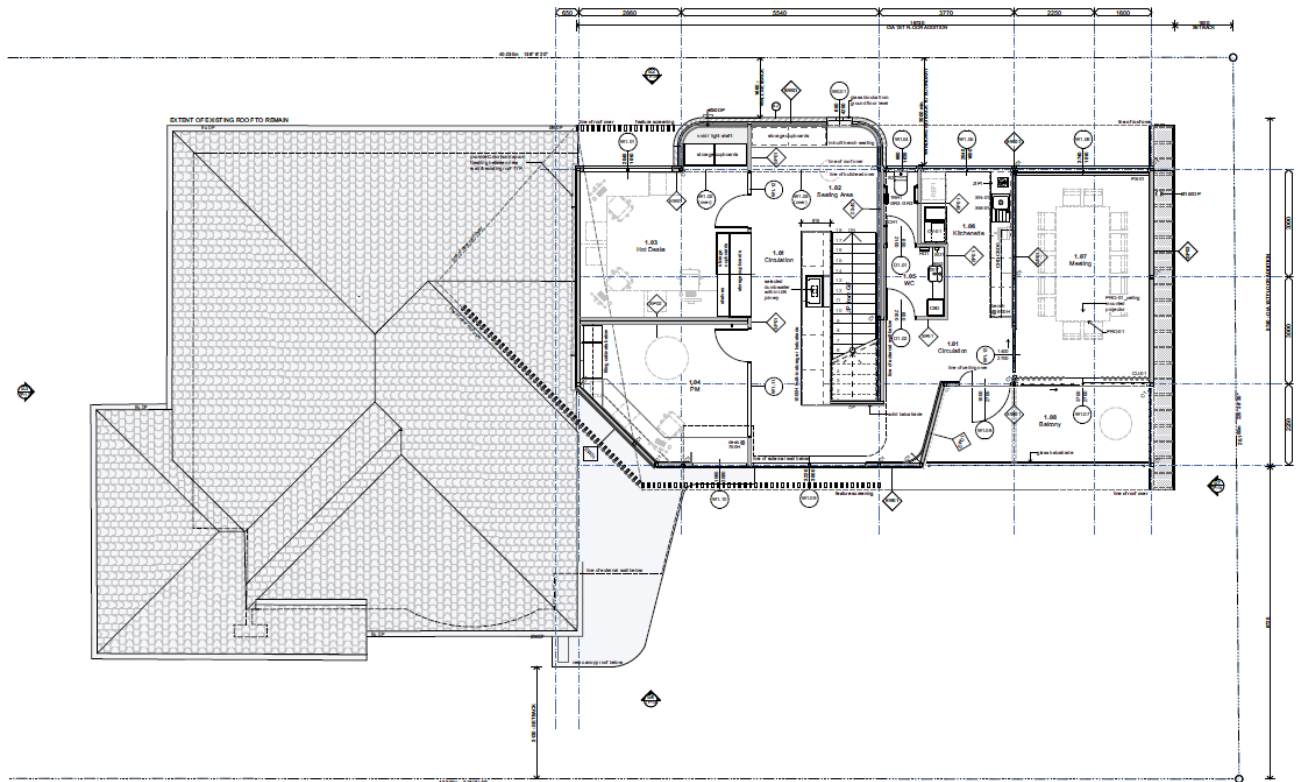


Figure 8: Proposed first floor plan

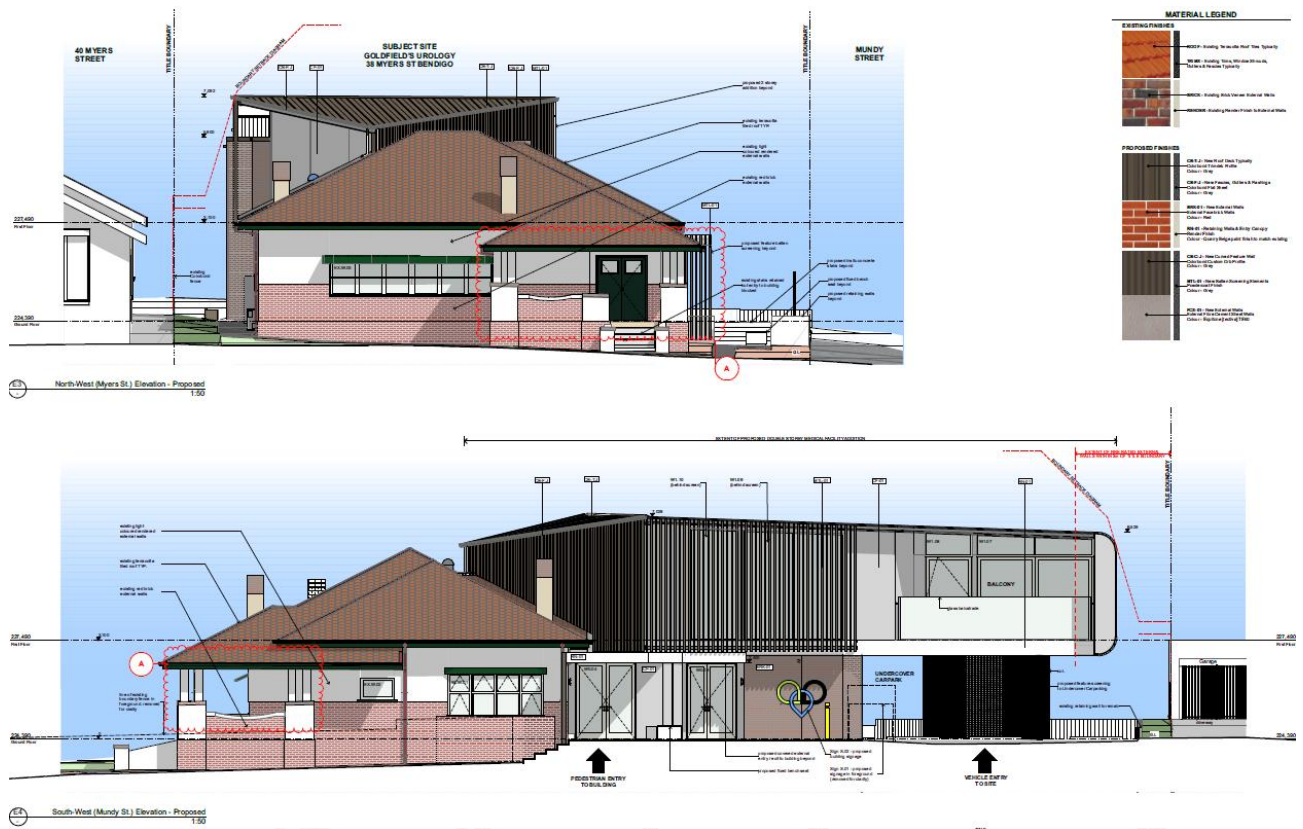


Figure 9: Elevations (Myers and Mundy Streets)

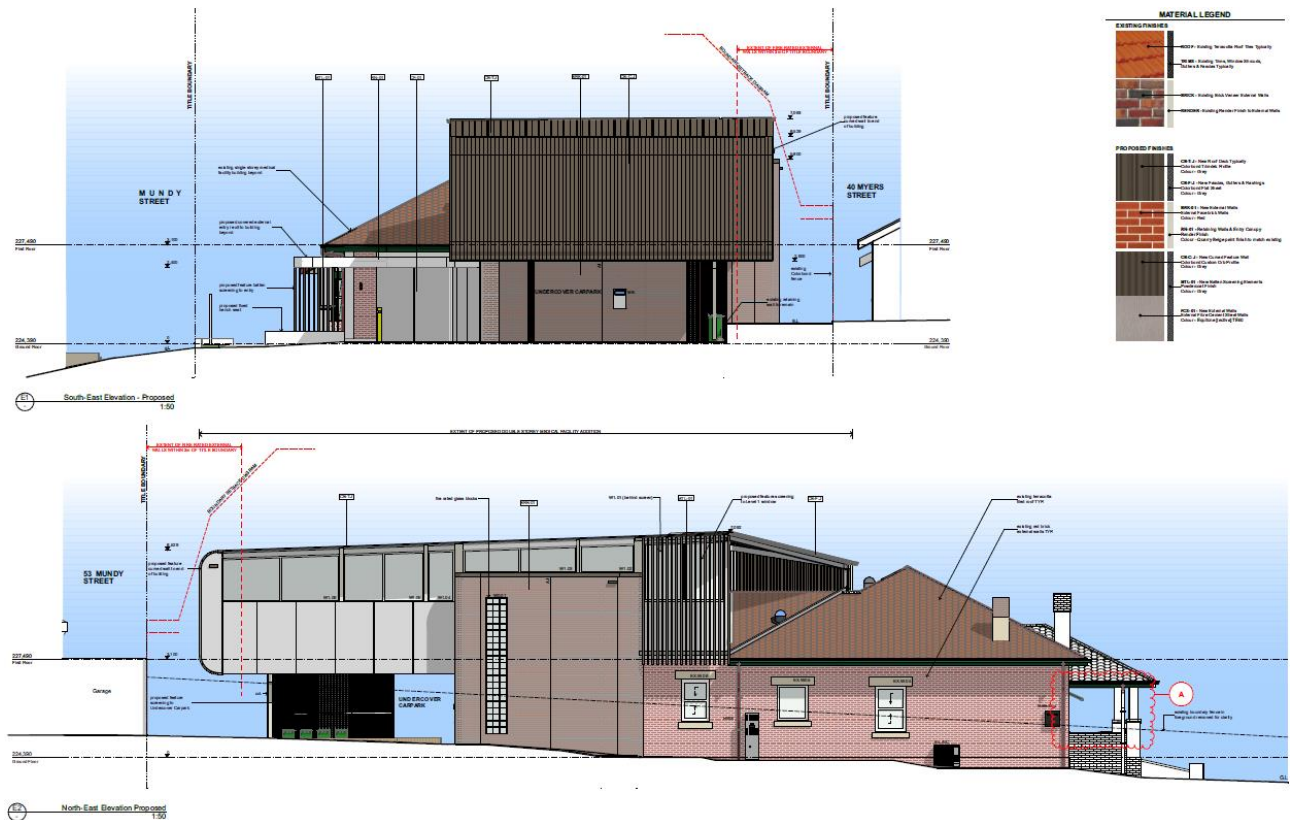


Figure 10: Elevations (residential interfaces)

- *Display of business identification signage*

The proposal seeks to display two new business identification signs on the site (noting that the existing sign on the Myers Street frontage will remain in place), described as follows:

- Sign 1 – Existing 1.125 square metre sign on Myers Street frontage to remain.
- Sign 2 – New sign on the Mundy Street frontage.
 - 1.5m wide and 0.75m high, with sign area of 1.125m².
 - Shown at Figure 11 below.
- Sign 3 – New sign to be placed on the Mundy Street façade, adjacent entry
 - To present as the logo for Goldfields Urology only
 - Refer to Figure 12 below



Figure 11: Sign 1 and 2 content

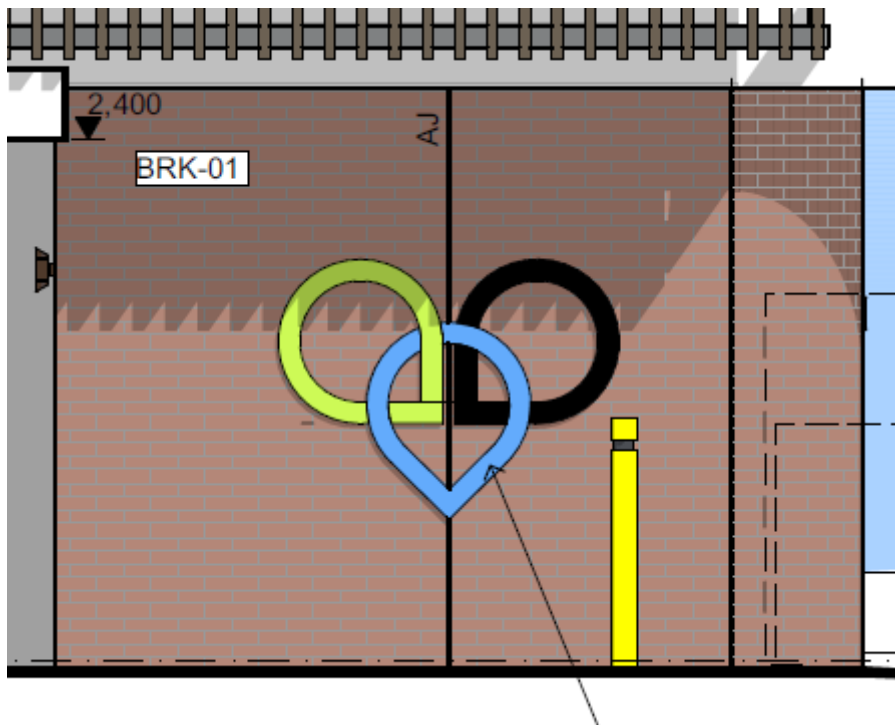


Figure 12: Sign 3 logo

- *Reduction of car parking requirements*

In accordance with Planning Scheme requirements, the proposed use of the land for two medical practitioners requires 8 car spaces to be provided. 4 car spaces are proposed to be provided on site, with the proposal seeking a reduction of 4 spaces.

Planning Controls - Greater Bendigo Planning Scheme

Why is a permit needed?

The following table lists all the relevant planning permit triggers that apply to this application.

Please note that planning permission is not required to use the land for a medical centre. Use was approved under planning permit DU/767/2011.

| Clause | Permit Trigger |
|--|---|
| Clause 32.08-9 General Residential Zone | <ul style="list-style-type: none">Construct a building or construct or carry out works associated with a section 2 use. |
| Clause 43.01-1 Heritage Overlay | <ul style="list-style-type: none">Demolish or remove a building.Construct a building or construct or carry out works.Construct or display a sign. |
| Clause 52.05-13 Signs | <ul style="list-style-type: none">Display business identification signage. |
| Clause 52.06-3 Car parking | <ul style="list-style-type: none">Reduce the standard car parking requirements. |

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

Municipal Planning Strategy

- 02.03 – Strategic directions
- 02.03-1 – Settlement
- 02.03-5 – Built environment and heritage
- 02.03-7 – Economic development
- 02.04 – Strategic framework plans

Planning Policy Framework

- 11.03-1L – Activity centres
- 11.01-1L-02 – 10 minute neighbourhoods – Greater Bendigo
- 15.01-1S – Urban design
- 15.01-1L-03 – Signs
- 15.01-2S – Building design
- 15.03-1S – Heritage conservation
- 15.03-1L – Post contact heritage conservation – Greater Bendigo
- 17.01-1S – Business
- 17.02-1L – Business – Greater Bendigo
- 18.01-1S – Land use and transport integration
- 18.01-1L – Land use and transport integration – Greater Bendigo
- 18.01-3L – Sustainable personal transport – Greater Bendigo
- 18.02-4L-01 – Highways and boulevards – Greater Bendigo
- 18.02-4L-03 – Car parking – Greater Bendigo

Other Provisions

- 32.08 – General Residential Zone
- 43.01 – Heritage Overlay – Schedule 9
- 43.02 – Parking Overlay – Precinct 1
- 52.05 – Signs
- 52.06 – Car Parking
- Clause 65 – Decision Guidelines

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/CommunicationReferrals

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

| Referral | Comment |
|---|--|
| Heritage Advisor (internal referral) | <p>The initial referral response from the City's Heritage Advisor notes the following:</p> <p><i><u>Not contributory</u> – Building was built outside of the era detailed in statement of significance.</i></p> <p><i><u>Demolition</u> Demolition to the rear of the building to allow the addition is supported as no significant fabric is being removed.</i></p> <p><i><u>Additions</u> Whilst the contemporary style, materials and height are okay, the design of the of new addition could respond better to scale and form of the existing building and immediate surrounding context.</i></p> <p><i>A recessed, unobtrusive link is generally preferred by the Design Guidelines for large double storey additions such as this proposal. It is unclear why the roof forms of the</i></p> |

| | |
|------------------|--|
| | <p><i>new and the old building has been chosen as a design response rather than connected through a link.</i></p> <p><u><i>Other considerations:</i></u></p> <ul style="list-style-type: none"> <i>• Car Parking - Car parking remains unchanged from the current configuration and therefore is acceptable.</i> <i>• Signs - Signage is an acceptable size, location and style for the heritage context and is supported.</i> <i>• Fencing - Low and open style is supported.</i> <p>These concerns were raised with the applicant through the Request for Further Information request described above.</p> <p>Following the applicant's submission of a response to the Request for Further Information, a further referral was made to the City's Heritage Advisor. The response noted the following:</p> <p><i>Whilst there has been additional written detail provided in addition to the original written design response which explains the design rationale, there appears to have been no changes to the addition from the original plans.</i></p> <p><i>It is acknowledged that there are constraints and competing needs for the proposal to meet car parking planning scheme requirements and also project brief requirements on site and therefore this has contributed to the need to arrange an overlapping roof form so that each of the buildings parts is embracing the other, rather than separated by a link (as recommended by the Heritage Design Guidelines).</i></p> <p><i>However, the heritage position remains that whilst the contemporary style, materials and height are okay, the design of the of new addition could respond better to scale and form of the existing building and immediate surrounding context.</i></p> <p>In summary, the City's Heritage Advisor maintains a level of concern with how the proposed extension interacts with the heritage significance of the precinct. Namely that the extension could respond better to the scale and form of the existing building and immediate surrounding context.</p> <p>These comments are discussed further below, when assessing the merits of the application in balance with all other planning considerations that must be taken into account within this application.</p> |
| Traffic Engineer | No objection – Subject to standard conditions relating to |

| | |
|---|--|
| (internal referral) | the formation of the on-site car parking area. |
| Development Engineer (internal referral) | No objection. |

Public Notification

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

As a result of advertising, nine objections were received with the grounds of objection summarised as follows:

- Medical centre use is not appropriate for the site:
 - Site should resume its residential use.
 - More appropriate vacant commercial buildings within the CBD which could accommodate this use.
- Built form:
 - Overshadowing of properties to the north-east and south-east.
 - Overlooking of properties to the north-east and south-east.
 - Impacts to airflows to properties to the north-east.
 - Not sympathetic to the neighbourhood character of the area.
 - Bulk and height of the extension is an overdevelopment of the area.
- Heritage impacts:
 - Built form not in keeping with heritage character of area.
- Excessive number of practitioners.
- Not enough car spaces provided and reliance on on-street parking.
- Compliance with Greater Bendigo Planning Scheme:
 - Inconsistent with the Bendigo Hospital Precinct policy.
 - Inconsistent with Council policy to promote inner city living.

A formal consultation meeting was held on 9 May 2023 to discuss the issues raised in the objections with the applicant. No resolution was reached as a result of this meeting, with no objections withdrawn.

The objections are discussed through the planning assessment.

Planning Assessment

The planning assessment for an application of this nature requires consideration of a broad range of matters. The key matters for consideration are:

- How the existing use as a Medical Centre is to be considered as part of this application.

- Whether the proposed partial demolition and development are acceptable in a heritage context.
- Whether the development is consistent with the surrounding built form character.
- Whether the reduction of carparking is acceptable.
- Whether amenity impacts to adjoining properties are acceptable.
- Objector concerns.

How is the existing use as a Medical Centre to be considered as part of this application?

Planning permit DU/767/2011 was issued on 22 December 2011, allowing for the *'Demolition of the existing shed, Use of existing dwelling as a Medical Practice and Erection of Two Business Identification Signs'* at the subject site. This permit is still active, providing planning approval for the ongoing operation of Goldfields Urology from 38 Myers Street, Bendigo.

As part of the processing of this application, the existing planning permit has been identified for cancellation if a new planning permit is issued as a result of this application. The intent of this process is to ensure that only one permit exists for the ongoing operation of the Medical Centre on the subject site, with all relevant conditions from the original permit rolled into any approval that may be granted for this application. To achieve this, it is required that the preamble for this application include the 'Use' trigger for purposes of continuity only.

However, it must be noted that the consideration of the merits of the site being used as a Medical Centre (then Practice) were undertaken in the consideration of the 2011 permit. The Medical Centre use is an existing use on the site and is not able to be considered as part of this application or factored into the decision making.

Whether the proposed partial demolition and development is acceptable in the existing heritage context?

Under the provisions of the Heritage Overlay, planning approval is required to *'Demolish or remove a building'* and to *'Construct a building or construct or carry out works'*. This includes partial demolition as it applies to the later rear addition to the dwelling. The purpose of the Heritage Overlay is as follows:

- *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 site is located within the Myers Street Heritage Precinct (HO9) and is not considered to be contributory to the heritage precinct.

The Statement of Significance for the precinct states the following:

“The streets, Bramble, McLaren and Mollison, provide the important residential base of this precinct with continuity of period and form of the housing within each being underscored by individually important house designs such as those listed above. The railway contains them but also provides a buffer which allows a visual focus on these streets because of their isolation and orientation towards it. The Gravel Hill School also serves as a visual focus because of its scale, its surrounding mature trees and its construction period which is related to that of the rest of the precinct.

The important St. Paul's block is linked to this precinct by the related period of the Albert Bush complex at the Williamson Street corner which offers commercial and ecclesiastical elements to the otherwise mainly residential precinct.”

In assessing an application to partially demolish a building, the Heritage Overlay requires that any Heritage Design Guidelines incorporated into the planning scheme must be considered. In this case, the *City of Greater Bendigo Heritage Design Guidelines (September 2020)* apply. In assessing an application for partial demolition, the City of Greater Bendigo's objectives are as follows:

- *To encourage the retention of a significant or contributory heritage buildings or places unless it is structurally unsound and beyond repair*
- *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*
- *Allow the demolition of non-contributory buildings in heritage precincts provided the replacement building positively contributes to the heritage significance of the precinct.*
- *Where demolition is supported, ensure any replacement building displays design excellence and positively contributes to the heritage significance of the place*
- *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*
- *To encourage the retention of the three dimensional form; retention of the façade only is not supported*
- *Require archival recording of sites by a heritage professional where demolition is supported, as appropriate.*

(emphasis added)

These objectives have been developed in direct reference to strategies detailed within Clause 15.03-1L: Post contact heritage conservation – Greater Bendigo.

In determining if the proposed partial demolition is appropriate, consideration has been given to the aspects of the building proposed for removal, noting that planning policy seeks to retain original building fabric. No original fabric of the 1930's building would be removed, with the partial demolition removing later additions to the building estimated as being constructed in the 1950s or 1960s. As such, officer assessment of the partial demolition is to support this aspect of the proposal.

In respect of the proposed alterations and additions, the '*City of Greater Bendigo Heritage Design Guidelines (September 2020)*' seek that the following objectives are met:

- To encourage additions and alterations that retain and protect the main architectural style, structure and significance of the heritage place.
- To ensure integration of new development by encouraging design that respects the heritage place through its setting, location, bulk, form, height, materials and appearance.
- 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.
- 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.
- To encourage additions and alterations that avoid demolition of a heritage place and/or contributory elements; retaining facades only is discouraged.

(emphasis added)

These objectives have been developed in direct reference to strategies detailed within Clause 15.03-1L: Post contact heritage conservation – Greater Bendigo.

Under the provision of the Heritage Overlay, the subject site is not subject to any internal building controls. As such, the internal changes to the existing 1930's building do not require a planning permit and as such have not been (and cannot be) considered as part of this application.

The focus of the assessment of the merits of the proposal is focused on the external changes proposed. As a starting point, no external changes are proposed to the original fabric of the 1930s dwelling.

The whole consideration of this application in regard to the Heritage Overlay is in relation to the proposed two storey addition to the rear of the existing building. The applicant has advised that the extension is required to provide additional space for the broader operation of the medical centre in support of the administration of patient files and to provide broader training opportunities to urology specialists facilitated by the Medical Centre operator.

The building design proposed for the addition was a point of objection for both the City's Heritage Advisor as well as within a number of objections. The decision by the applicant to construct a two storey form on the site was driven by a desire to retain a number of car parking spaces within the site, evidenced by the location of three carparking spaces within

the undercroft of the addition. Discussion with the applicant indicates that the operation of the site requires on-site parking as they regularly have patients in the advanced stages of life, with some in a poor state of health. Carparking in the immediate vicinity of the centre is essential to provide access to the services offered. This is further evidenced by the need for some patients to be transported to the site in a hospital bed via patient transport services.

The concerns raised by the City's Heritage Advisor primarily relate to the lack of a break or separation in the existing building and proposed extension. This design response is not in accordance with the design objectives listed (and emphasised) above.

In assessing the impact of the proposal in respect to the Heritage Overlay it is important to firstly understanding the heritage significance of the site and the surrounding area. The opposite sides of both Mundy and Myers Street are not located within the Heritage Overlay as shown in Figure 13 below.



Figure 13: Heritage Overlay as it applies to surrounding area

Further, the subject site is identified as being non-contributory to the Myers Street Heritage Precinct (HO9). The two adjoining properties at 40 Myers Street and 53 Mundy Street are also identified as being non-contributory. The contributory housing within this precinct is predominately located along Bramble, Mollison and McLaren Streets. This housing is predominately Victorian or Edwardian in style, constructed of brick or timber. None of the surrounding properties align with this heritage character.

52 Bramble Street is an individually listed dwelling under the Heritage Overlay. This site sits higher than the subject site, with the proposed development not observable when viewing 52 Bramble Street from the public domain.

Noting this context, the proposed addition to the rear of the existing building will not result in a tangible impact to the Heritage Character sought to be protected by this heritage precinct listing. As such, the objectives that relate to the design of the built form must be given less weight when balancing the competing planning controls that are under consideration with this application.

The City's Heritage Advisor advised that the contemporary style, materials and height of the addition were acceptable, but maintained a position that the design of the new addition could respond better to the scale and form of the existing building and immediate surrounding context. Acknowledging that there are constraints and competing needs for the proposal to meet car parking requirements along with project brief requirements, referral advice maintained a position that if a link cannot be achieved between the old and new forms, then it is recommended that the design be revised to greater address the scale and form of the existing building and immediate surrounding context.

The inclusion of a break is the starting point for any assessment of a large or double storey addition within the Heritage Overlay. The applicant detailed that this design response was not achievable in this instance as it would significantly compromise patient movements within the ground floor of the centre. The proposed addition at ground floor level provides an enlarged waiting room, sized to allow a patient to enter on a hospital bed and to be maneuvered around the various rooms within the centre in accordance with access space requirements. The applicant has advised that to accommodate these space requirements and maintain a level of carparking within the site that responds to the required demand, the removal of the link was necessary. Once these design constraints were identified within the ground floor, the focus of the design response was to employ design measures to reduce the impact of the addition to the public realm to achieve an acceptable design outcome within a heritage setting.

The addition is located to the rear of the building, behind the line of the existing building, maintains the existing setback to the north-eastern boundary and achieves a setback of 1.6 metres to the south-eastern boundary. The design incorporates a sloping roof, as opposed to a much harsher vertical transition, which allows for a more gradual height increase from the existing building and assists in reducing the dominance of the building within the streetscape. The addition incorporates a contemporary form and the open nature of the carparking area below the addition assists in reducing the overall bulk of the building. To aid in the delineation of the addition, in response to the lack of a built form break, the design of the proposal has specifically chosen different materials and colours than those present in the existing building. This design selection ensures that the new built form is easy to read as an extension to the existing building as is intended by the objectives listed above. When viewing the overall building from the street, it will be easily identifiable what is the original building and what is new (including where this transition occurs). The bulk, scale and setbacks of the addition are in keeping with residential development and will not detract from the surrounding area. These are all design considerations which the Heritage Design Guidelines and relevant policy framework

encourage in order to allow for the appropriate integration of additions within a heritage setting.

Further, the application seeks a moderate increase in the signage proposed on site. The existing sign on the Myers Street frontage, approved under the existing permit, will be retained. A second sign displaying the same information is proposed as part of this application to be placed at the Mundy Street frontage to the site, adjacent the existing vehicle entry point. A business logo is also proposed to be placed on the Mundy Street Façade of the building, adjacent to the main entry to the medical practice. This increase in signage within the Heritage Overlay is consistent with the consideration for signage within the Heritage Design Guidelines.

Officer assessment is that the extent of demolition, alterations and additions appropriately respond to the heritage setting and relevant planning policy framework, when balanced with other planning policy considerations.

Whether the development is consistent with the surrounding built form character?

The built form proposed must also be considered in a broader context under the requirements of the General Residential Zone. Specifically, the decision guidelines require consideration of *'the design, height, setback and appearance of the proposed building and works'*.

These considerations are guided by local policy contained in Clauses 15.01-1S: Urban Design and 15.01-2S: Building design. The key strategies for consideration relevant to this application under these clauses are:

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*

The proposed design response has derived from the needs of the medical centre to provide considerate care to its patients, the carparking requirements of the site and how the proposal relates to the surrounding properties (context).

As outlined above, the two storey design has derived from the need to retain four carparking spaces on site. The form, design and siting of the building has been discussed

above. The siting of the addition to the rear of the existing building minimises its impact of the public domains along both Mundy and Myers Streets. In addition to this, the siting of the addition allows for car parking to the rear (which is somewhat concealed), and for an appropriate level of landscaping to surround the building and car parking spaces.

Consideration is also required to be given to impacts on adjoining properties, including privacy, overshadowing and setbacks. The applicant has utilised the requirements specified in ResCode to shape how these amenity issues should be addressed. By also adopting the ResCode setbacks to the adjoining residential properties and the appropriate consideration of solar access requirements, the design has been appropriately sited to meet policy objectives. These are considered in more detail below.

Colour and material selection has largely been driven by the requirements of the Heritage Design Guidelines as discussed above. Material choice has been undertaken to provide some differentiation from the existing building to ensure the addition is clearly identifiable as a later addition. A contemporary design aesthetic has also been chosen to ensure that this differentiation exists. The contemporary design style has been chosen to reference more recent builds within the surrounding area, including the medical centre at 84 Mollison Street and Galkangu on Lyttleton Terrace. As this site is located at the transition point between the commercial and residential areas of the Bendigo City Centre, this design choice is considered appropriate.

As such, officer assessment is that the design of the addition is appropriate in respect to the surrounding built form character of the area.

Whether the reduction in carparking is acceptable.

As a result of the proposed extension and additional consulting rooms, the application is seeking to reduce the required number of car parking spaces to allow for two practitioners (at any one time) to operate from the site. This change results in an increase in statutory car parking requirements from 5 to 8 spaces as stipulated within Clause 52.06: Car parking. The application proposes to provide 4 spaces within the site (a reduction of 1 space from existing conditions to accommodate the increased space requirements for accessible parking spaces). As such, the application is seeking a reduction of 4 car parking spaces.

The site is located within the Parking Overlay – Schedule 1 area that applies to the City Centre. The Parking Overlay sets out car parking rates that differ from the standard rates contained within Clause 52.06 of the Planning Scheme, along with additional decision guidelines to be considered. It also allows for the consideration of a financial contribution from the permit holder as part of any waiver to reduce car parking provision on site. The Parking Overlay does not specify a specific rate for a medical centre and as such the column B rate (listed in Clause 52.06) of 3.5 spaces per 100 square metres of gross floor space is applicable. This results in a requirement for 11 spaces for the site. This rate,

however, has not been adopted for this application. The intent of these different rates is to require reduced carparking requirements on well located properties, such as within the Bendigo City Centre. Therefore, the standard medical centre carparking rate has been adopted for this assessment.

In determining if a car parking reduction is appropriate, a range of policies must be considered. In relation to the site, these relate to Clause 11.01-1L-02 – 10 minute neighbourhoods – Greater Bendigo and Clause 18.02-4L-03 – Car parking – Greater Bendigo.

Specifically, Clause 18.02-4L-03 – Car parking – Greater Bendigo requires that when assessing an application to reduce car parking that the following be considered:

- *The 10 minute neighbourhood principles set out in Clause 02.03-1 are met.*
- *There are off-site car parking alternatives.*
- *Bicycle parking and end of trip facilities are provided above the rates specified in Clause 52.34.*
- *The site is highly accessible, safe and functional.*
- *Pedestrian or cycling infrastructure is provided.*
- *Car parking demand will be managed through a transport management plan.*
- *The proposal enables the reuse of a heritage building.*

(emphasis added)

A Car Parking Demand Assessment was provided as part of the application. The main justification provided to support the reduction relates to how the site operates. The nature of urological services means that the practitioners spend their week working from various locations. It is common for a Urologist to only work a couple of days each week from their consulting rooms with the rest of the week visiting off-site facilities or undertaking procedures at hospitals/day surgeries elsewhere. This work schedule is likely to result in only limited times where both practitioners are working on site at any given time. Further, urologists generally service an older demographic with consultations taking longer than would be the standard with a general practice. As a result, it is expected that car parking demand will be less than standard statutory car parking rates.

The Car Parking Demand Assessment (written in November 2022, prior to the opening of the new Galkangu offices) identified an average car parking vacancy rate of 30% within this area of the City Centre (Extracted from the City of Greater Bendigo '*Bendigo City Centre Parking Futures Action Plan (April 2020)*'). This assessment indicates an acceptable level of on-street car parking availability in the area. It is expected that carparking take up has increased since the opening of Galkangu. However, it is still expected that capacity exists within the area to provide on-street parking provision for the subject site.

It is the officer's assessment that the reduction in car parking sought by the proposed expansion of the medical centre is appropriate for the location and availability of car parking for patients with respect to how the centre operates.

Under the provisions of the Parking Overlay, a cash-in-lieu payment is able to be sought as a contribution to the delivery of public off-street car parking facilities. The *Bendigo CBD Parking Precinct Plan (2009)* identifies a future multi-deck car parking facility to be located between St Andrews Avenue and Mundy Street (to the rear of the former City Offices, now Galkangu). As this site is located within 200 metres of the subject site, it is deemed to be a short walk, appropriate for a medical centre. As such, a nexus exists between the proposed development and the proposed car parking facility. A cash-in-lieu payment is therefore reasonable and has been included as a condition below. This contribution has been set at two spaces (50% of the reduction sought) to account for the reduced demand on parking due to the nature of urological services as described above.

Whether amenity impacts to adjoining properties are appropriate?

A range of amenity concerns were raised throughout the notice and consultation processes undertaken throughout the assessment of this application. These primarily focus on a non-residential use occurring within a residential area. It is important to reiterate that the consideration of 'use' is not able to be undertaken with this assessment. Amenity concerns specifically related to overlooking, overshadowing and impacts to airflow.

Under the Greater Bendigo Planning Scheme, amenity impacts associated with a medical centre on adjoining landowners is considered under the decision guidelines of the General Residential Zone. This assessment is not undertaken using the objectives and standards of ResCode (Clause 54 or 55), but is undertaken in respect of the following decision guidelines for '*Non-residential use and development*':

- *Whether the use or development is compatible with residential use*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

These guidelines are not measurable to the same extent as appears in ResCode, providing a level of subjectivity to the assessment of any impacts. However, as the site is in the General Residential Zone and adjoins residential uses, the standards within ResCode have been adopted as a pseudo assessment framework in considering the impacts to adjoining properties.

Objectors raised concerns with regards to the impacts to air flow around units within 40 Myers Street, located to the north-east. The concern related to the restriction of airflows that would result with a two storey building being built 1.68m from the common boundary between the two properties. The backwall of the adjoining property is setback approximately 1.5m from the boundary fence, resulting in an overall separation of approximately 3.15m. Officer assessment is that the current arrangement of the dwellings on the adjoining property is the main determinant in the restriction of air flows to units within 40 Myers Street. A 0.9m eave protrudes from the rear wall of the single storey units towards the fence line, resulting in 0.6m of clear access to the sky from the 1.8m high fence line. The construction of the addition to the Medical Centre is unlikely to result in any measurable further reduction in an already poor outcome. Further, the design of the addition provides an open undercroft in the location of the three car parking spaces, resulting in the ability of south-westerly winds to flow under the addition to the Medical Centre and onto the shared boundary fence. Finally, the impediment to air flows by development of this nature is not specifically identified as a consideration under the Planning Scheme, specifically in relation to ResCode. Submitted plans also demonstrate that side and rear setbacks, as set by ResCode, have been met by the proposal. Officer assessment is that the proposal will not result in unreasonable amenity impacts with regards to air flow.

Both adjoining residential properties listed concern with overshadowing impacts of the proposal. To aid assessment of this aspect, the applicant submitted shadow diagrams prepared in accordance with the requirements of ResCode. The assessment showed that there is no overshadowing impact to 40 Myers Street in either the existing or proposed scenarios. This property is located to the north-east of the subject site and as such casts a shadow towards the subject site. However, some impacts to 53 Mundy Street will result from the proposed addition. These impacts only occur in the afternoon as shown within the submitted 1500hrs model. Figure 14 below shows the extent of this impact.

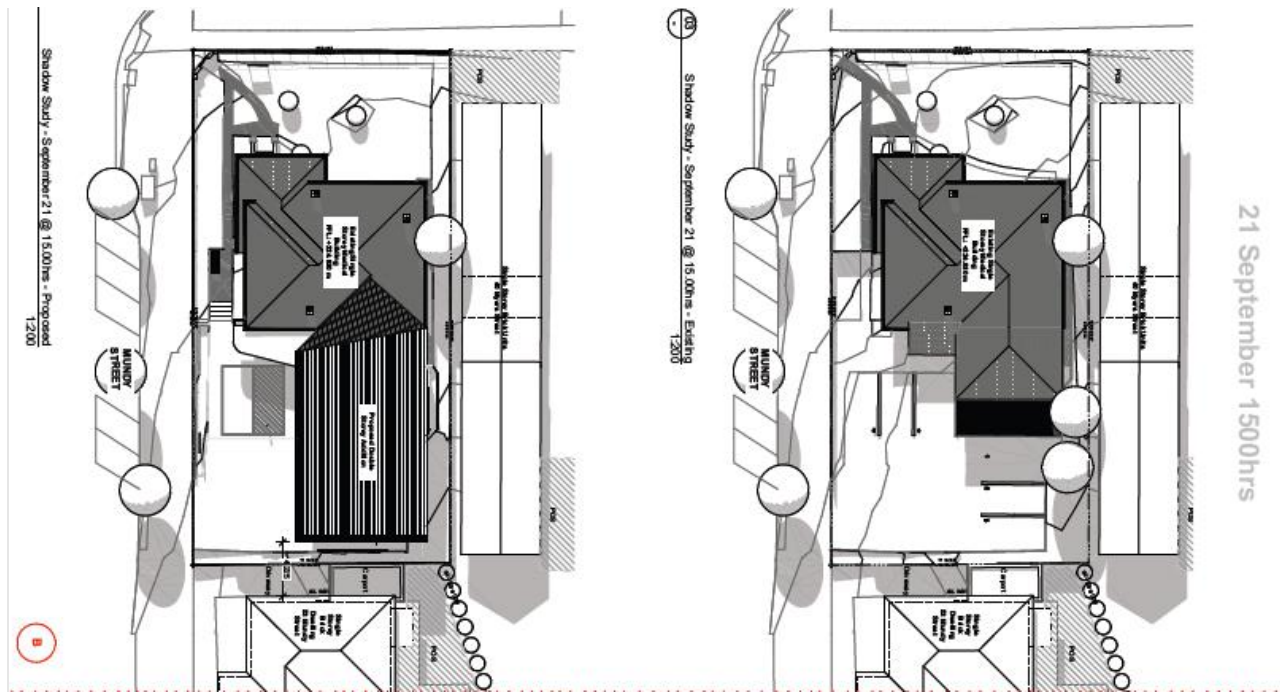


Figure 14: Overshadowing impact to 53 Mundy Street (1500hrs on 21 September)

The Secluded Private Open Space for 53 Mundy Street is provided to the north of the existing dwelling, immediately adjacent to the area proposed for development within the subject site. It has an area of 27 square metres. When assessing overshadowing impacts in accordance with ResCode, 75% of this private open space must not be overshadowed by the proposal for a period of at least 5 hours (or only 25% of impacts are allowable within any 5 hour period). At 3pm, 10 square metres of 53 Mundy Street is affected by shadow, representing the largest impact throughout the stipulated modelling period. This equates to 37% of the private open space.

However, there is no overshadowing impact from 9am through to 1pm (4 hours). Impacts commence from 1pm, increasing to the 37% impact at 3pm. The key 25% impact doesn't occur until after 2pm, meaning that at least 5 hours (9am-2pm) with less than 25% impact to the private open space is achieved, as is required by the ResCode overshadowing standard. Whilst there is some impact, this impact is within the thresholds set by the Planning Scheme when assessing overshadowing impacts. Officer assessment is that this level of impact is reasonable and supported in the context of this application.

Adjoining residential properties raised concerns with overlooking from the first floor addition. The submitted plans show that no windows are to be placed along the south-eastern elevation as it abuts 53 Mundy Street. As such, there is no opportunity for overlooking to result. Any views from the upper floor balcony would also be blocked by the solid wall. High level windows are proposed along the north-east elevation as it presents towards 40 Myers Street. These windows are proposed with a bottom window sill height of 1.8m above the floor level. This design feature satisfies the ResCode standard for overlooking. As such, officer assessment is that the proposal satisfactorily protects adjoining properties from any overlooking.

Overall, the proposed building addition has been appropriately designed in accordance with the requirements of the Greater Bendigo Planning Scheme to protect adjoining properties from undue amenity impacts.

Objector concerns.

Objector concerns relating to amenity impacts and car parking have been discussed above.

A number of objections raised concerns to the proposal not being consistent with local policy detailed within the Greater Bendigo Planning Scheme. This specifically related to the proposal being contrary to Clauses 11.03-6L-01: Bendigo City Centre and 11.03-6L-02: Bendigo Hospital Precinct. These concerns namely relate to the establishment of a medical centre in a former dwelling outside the Bendigo Hospital Precinct.

As a starting point for this discussion, it is important to note the previous discussion above about the consideration of use within this application. Approval for the use of the site for a medical centre already exists and cannot be further considered under this application. As such, the applicability of these clauses to this application is not relevant.

Further, the mapped area for Clause 11.03-6L-01: Bendigo City Centre does not contain the subject site. Therefore, the strategies listed under this clause are not applicable to the assessment, even if use was to be considered under this application.

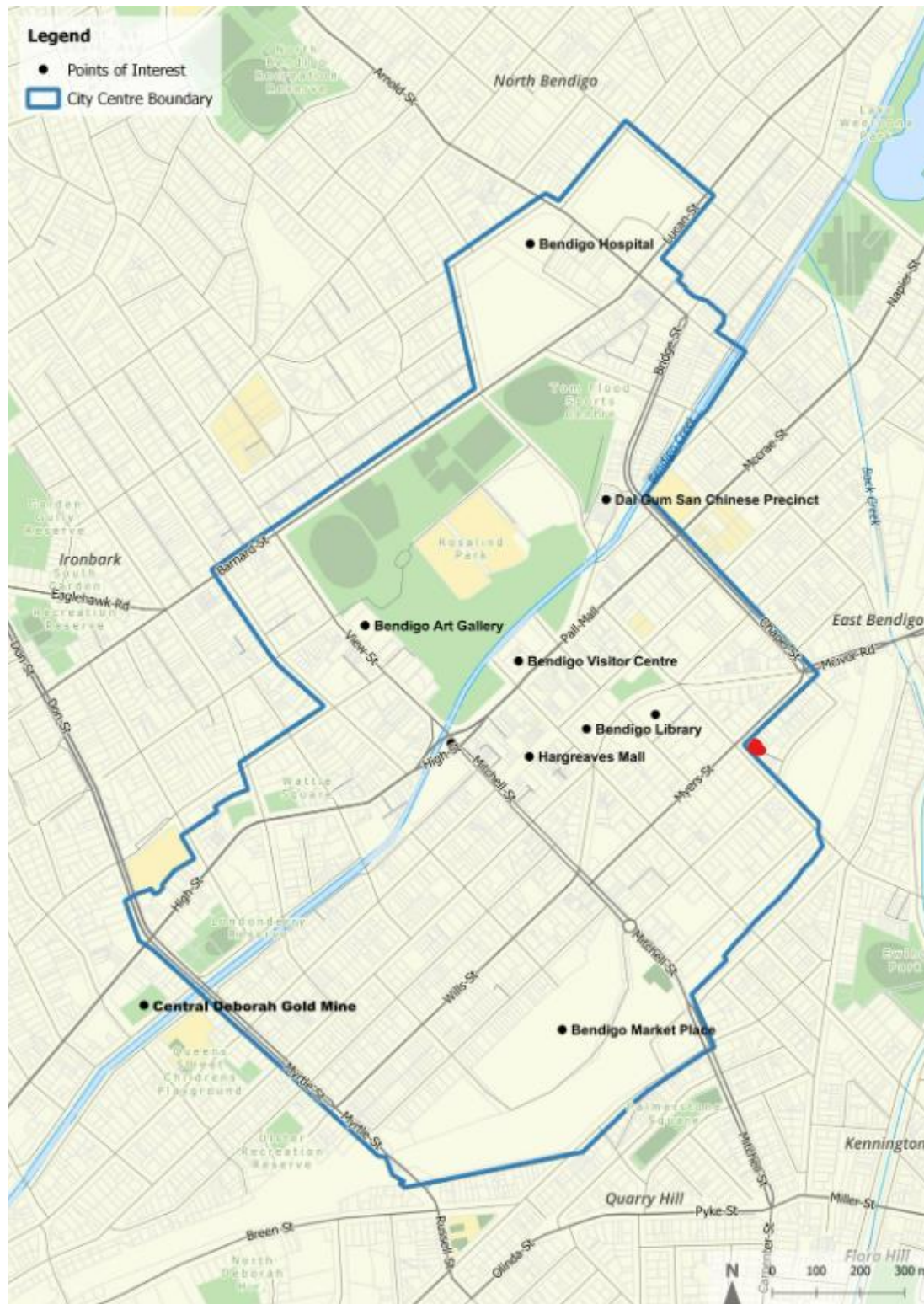


Figure 15: Bendigo City Centre Map (site highlighted red)

In relation to Clause 11.03-6L-02: Bendigo Hospital Precinct, this clause also only applies to the area shown within the map for the precinct. Strategies under this clause seek to direct the locating of medical centres with three or more practitioners to the Health Precinct and Bridge Street Activity Area. As the site (as shown in Figure 15) is outside the Hospital Precinct and is only proposing two practitioners, this clause does not apply.

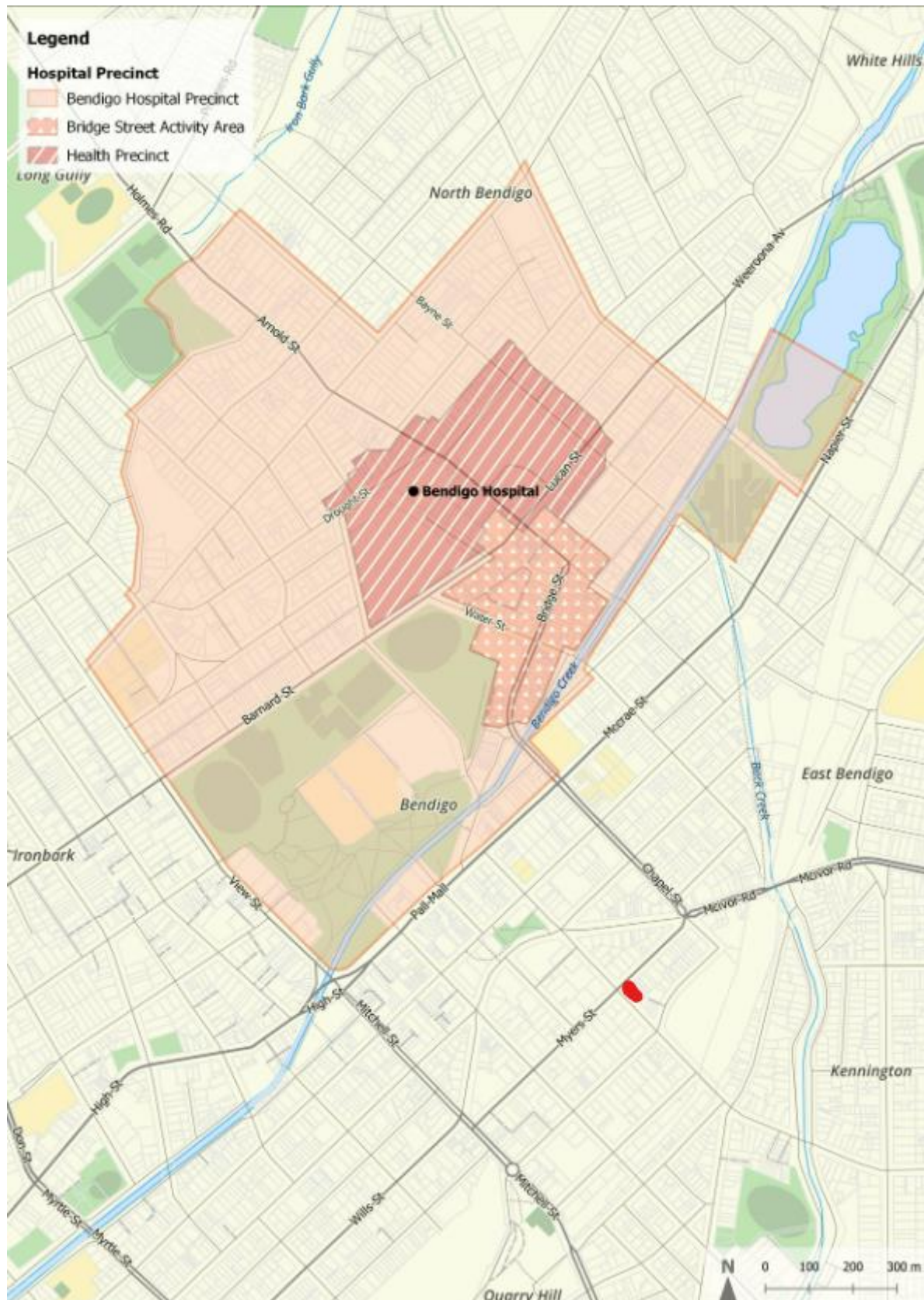


Figure 16: Bendigo Hospital Precinct Map (site highlighted red)

Officer assessment is that these clauses, even if they could be assessed in relation to the use of the site, are not relevant to the assessment of this application and therefore cannot be considered.

Conclusion

Officer assessment is that the application should be supported, subject to the conditions contained at the end of this report.

The application has come before Council for decision due to the number of objections raised throughout the assessment of the proposal. Objector concerns are detailed above and have been addressed throughout the subsequent discussion in this report.

The key reasons that the application is supported at officer level are summarised as follows:

- The use of the site as a medical centre is existing, with no consideration of this aspect able to be undertaken.
- The partial demolition of the rear later addition is supported as it is not original fabric of the building.
- The addition is appropriate from a Heritage context perspective noting that the site and immediate adjoining properties are non-contributory.
- The nature of the medical centre use associated with Urological services will not place undue demand on the surrounding on-street carparking provision in line with City policies.
- Amenity impacts have been assessed against the standards of ResCode and have been demonstrated to comply.
- The proposal is compliant with the Municipal Planning Statement, Planning Policy Framework, General Residential Zone, Heritage Overlay, relevant Particular Provisions and General Provisions of the Greater Bendigo Planning Scheme.

Approval of the proposal will aid in expanding much needed medical services to the residents of Greater Bendigo as the City's population ages. Amenity impacts to adjoining properties have been appropriately managed.

Options

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

Conflict of Interest

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

Proposed Notice of Decision Conditions

1. NO ALTERATION TO LAYOUT

The development and/or use(s) permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

2. PERMIT DU/767/2011

This omnibus permit will not come into effect until permit DU/767/2011 is cancelled in accordance with section 62(2)(b) of the *Planning and Environment Act 1987*.

3. PRACTITIONER NUMBERS

Except with the prior written consent of the responsible authority, no more than 2 practitioners may operate from the medical centre at any one time.

The use permitted by this permit is limited to specialist medical consultants, in particular two Urologists, except with the prior written consent of 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. VEHICLE CROSSINGS

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

6. CAR PARK CONSTRUCTION

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

- (a) Properly formed to such levels that they can be used in accordance with the plans;
- (b) Surfaced with an all-weather-seal coat;
- (c) Drained;
- (d) Line marked to indicate each car space and all access lanes;
- (e) The carpark must be provided with public lighting in accordance with AS/NZ 1158.3.1 with fittings to minimise spill lighting on to neighbouring property (including road reserves) in accordance with AS/NZ 4282-1997;
- (f) Accessible parking bays, where required by the BCA, must be provided in accordance with AS/NZ 2890.6-2009, section 2 and must be signed in accordance with AS/NZ 1742.11-1999 and line marked in accordance with AS/NZ

2890.6-2009, section 3;

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

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

7. PARKING REDUCTION CASH IN-LIEU CONTRIBUTION

Prior to the occupation of the development, the applicant or owner in satisfaction of this condition must either:

- (a) Pay the City of Greater Bendigo the amount of \$28,377.42 being payment in-lieu of providing 2 car spaces on site; or
- (b) Enter into a section 173 agreement outlining how the payment in-lieu of the provision of 2 spaces will be paid by annual instalment (commencing on the first anniversary of the completion of the development).

8. CONSTRUCTION PHASE

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

9. LOADING AND UNLOADING

The loading and unloading of vehicles and the delivery of goods must at all times be undertaken within the boundaries of the subject land.

10. GENERAL AMENITY

The use permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.

11. REFRIGERATION AND AIR CONDITIONING EQUIPMENT

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

12. BAFFLED LIGHTING

Outdoor lighting, where provided, must be designed, baffled and located to the satisfaction of the responsible authority such that no direct light is emitted outside the boundaries of the subject land.

13. SIGNS NOT TO BE ALTERED

The location and details of the signs, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.

14. NO EXTERNAL SIGN ILLUMINATION

The signs permitted by this permit must not be floodlit or illuminated.

15. EXPIRY OF PERMIT

This permit will expire if the development permitted by the 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.

Notes:

Noise Emissions:

Noise emissions from the land shall comply with EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues at all times.

City of Greater Bendigo Engineering Note:

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

CONSENT FOR WORK ON ROAD RESERVES

The applicant must comply with;

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

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

Attachments

1. D C-783-2022 - Compilation of objections version 2 [16.3.1 - 32 pages]

From: [Planning Enquiries](#)
To: [Planning Admin](#)
Cc: [Michael St Clair](#)
Subject: FW: Comment on application DC/783/2022
Date: Thursday, 23 February 2023 11:18:26 AM

From: PlanningAlerts <contact@planningalerts.org.au>
Sent: Thursday, 23 February 2023 9:21 AM
To: Planning Enquiries <planningenquiries@Bendigo.vic.gov.au>
Subject: Comment on application DC/783/2022

For the attention of the General Manager / Planning Manager / Planning Department

Application DC/783/2022

Address 38 Myers Street, Bendigo 3550, VIC

Description Use and development of land for a medical centre, partial demolition, external alterations and extension of the existing building, installation and display business identification and reduction in car parking requirements

Name of
commenter Peter Cox

Address of
commenter

Email of
commenter

Comment

Objection: 38 Myers St Bendigo was built as a residential dwelling and to cater for the ever increasing need for more housing and needs to remain for the purpose for which it was built. The alternative will create a sprawling city with the need to build more and more houses on the edge of the city where utilities, public transport and other services are not available to neighborhoods. It will cost much to provide these services. There are many vacant commercial properties in the CBD that are left with little maintenance giving the city a degraded appearance. These vacant properties were built with the purpose of accommodating business such as a medical center.

Council has spent hundreds of thousands of dollars compiling reports such as the City Centre Plan which has been adopted by Council for the purpose of making the CBD a vibrant business area with car parking projects, public transport and most importantly facilities for pedestrians who walk the streets as potential shoppers. The Bridge St Precinct was adopted specifically as a medical precinct but little development has occurred.

Allowing businesses to establish in residential properties just raises the cost of housing, an issue facing many people today, particularly, young people but increasingly older people. For this application to be debated at council it will be likely necessary for councillors to put in objections as council has a policy of 6 objectors are needed for applications to come to a council meeting. This application and many others will destroy the life of the CBD

and further increase the demand for housing. Council can stop this from happening by changing the Great Bendigo Planning Scheme.

This comment was submitted via PlanningAlerts, a free service run by the charity [the OpenAustralia Foundation](#) for the public good. [View this application on PlanningAlerts](#)

Important Privacy Notice - Please Read

The email address and street address are provided to City of Greater Bendigo only so you can contact, identify and verify Peter Cox, in response to DC/783/2022, and not for any other purpose.

You, City of Greater Bendigo do **NOT** have permission to publish, nor share with anyone outside City of Greater Bendigo the email address and street address without express written permission from Peter Cox.

We specifically confirm that any consent given in any form (including pursuant to your privacy policy) to disclose personal information to third parties is withdrawn.



From: "Michael St Clair" <m.stclair@Bendigo.vic.gov.au>
Sent: Tue, 11 Apr 2023 21:08:08 +1000
To: "Planning Admin" <planningadmin@Bendigo.vic.gov.au>
Subject: FW: DC/783/2022 - 38 Myers St, Bendigo - Applicant response to submissions

From: Peter Cox [REDACTED]
Sent: Tuesday, April 11, 2023 8:53 PM
To: Michael St Clair <m.stclair@Bendigo.vic.gov.au>
Subject: Re: DC/783/2022 - 38 Myers St, Bendigo - Applicant response to submissions

Dear Michael,
Thank you for your correspondence in regard to the Planning Application DC/783/2022.

I do not wish to withdraw my objection for the following reasons-

38 Myers Street Bendigo was built as a period residential dwelling and to cater for the ever-increasing need for more housing and is required to remain for the purpose for which it was built. The alternative will create a sprawling city with the need to build more and more houses on the edge of the city where utilities, public transport and other services are not available to new neighbourhoods. It will cost much to provide these services. There are many vacant commercial properties in the CBD that are left with little maintenance giving the city a degraded appearance. These vacant properties were built with the purpose of accommodating businesses such as a medical centre. In areas such as Myers St, over 50% of housing has been taken over by business depleting an area next to the CBD of population. Council's aim is to increase population in and around the CBD giving it valuable foot traffic to shop in the CBD. Council has spent hundreds of thousands of dollars on reports over the past 20 years which have provided a direction to build population where services are located.

Response from the applicant.

- Due to the location of the building and the internal works, it is highly unlikely the building will be of interest for residential use again. Council's aim is to return houses, taken over by business, to residential use again.
- During the recent formal notice period it is understood eleven submissions were received by Council objecting to the proposal, therefore, it will need to go to a council meeting for decision. Council has the discretion to not approve this application.
- I agree with the concerns raised: Inconsistency with Clause 11.03-6L-02 'Bendigo Hospital Precinct'. Inconsistency with the purpose and decision guidelines of the General Residential Zone (GRZ); Inadequacy of car parking; Overshadowing issues; Potential overlooking issues;
- Concerns with the proposed design response on the heritage significance of the area. The design response has made the period home unrecognisable, the building bulk of the extension dominates the streetscape and is unsympathetic to the residential neighbours. And when it comes to protection of heritage properties and precincts The Burra Charter, a policy followed by

Council, says "The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it usable, but otherwise change it as little as possible so that its cultural significance is retained."

- I disagree that the ongoing use and development of the site as a medical centre assists in controlling the use of the land during evenings, weekends, public holidays and during the normal working week. Rather it turns a residential zone into a ghost neighbourhood and protection is not needed from the frequent and unpredictable comings and goings associated within typical residential land use.
- A consultation meeting with objectors would be appreciated.

Thank you for the opportunity to respond to the applicant.

Regards

Peter Cox

57 Green St California Gully 3556

On Tue, Mar 28, 2023 at 12:48 PM Michael St Clair <m.stclair@bendigo.vic.gov.au> wrote:

Good afternoon,

I write to you in regard to Planning Permit application **DC/783/2022** for the proposed **Use and development of land for a medical centre, partial demolition, external alterations and extension of the existing building, installation and display of business identification signage and reduction in car parking requirements at 38 Myers St, Bendigo**. Your submission on this matter has been provided to the applicant for review.

The applicant has prepared a response to the various submissions received to the application. Please find this attached.

Should you wish to provide additional comments to the application, I request that these comments be provided by close of business **Wednesday, 12th April 2023**.

Alternatively, if you feel that your concerns have been adequately addressed by the additional information provided and you wish to withdraw your application, can you please also provide written confirmation of this by the date above (please note that by withdrawing your objection, you will be foregoing your appeal rights to VCAT).

If you have any questions about the attached, please do not hesitate to contact me.

Kind regards,

Michael StClair

Senior Statutory Planner



PO Box 733, Bendigo, VIC 3552

T +61 3 54346155

National Relay Service 133677 then quote +61 3 54346155

E m.stclair@Bendigo.vic.gov.au

www.bendigo.vic.gov.au

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

Disclaimer: This is Planning advice only and is based on the information provided at the time of contact. If any of that information changes, it may affect the advice provided and you should contact us to ensure it is still applicable. Changes to the Greater Bendigo Planning Scheme may also affect the planning requirements of the advice.

Subject: RE: Copy of advertising documents for planning permit application at 38 Myers Street, Bendigo - DC/783/2022
Date: Thursday, 3 March 2022 9:31:17 AM
Importance: High

Good morning Alyse,

My apologies. My contact details as requested:

Steven Penna
38 Alice Street,
Mount Waverley, Vic 3149

Please do not hesitate to contact me if you need any other information.

Kind regards,
Steve.

CONFIDENTIALITY NOTICE AND DISCLAIMER

The information in this transmission may be confidential and/or protected by legal professional privilege, and is intended only for the person or persons to whom it is addressed. If you are not such a person, you are warned that any disclosure, copying or dissemination of the information is unauthorised.

If you have received the transmission in error, please immediately contact this office by telephone, fax or email, to inform us of the error and to enable arrangements to be made for the destruction of the transmission, or its return at our cost.

No liability is accepted for any unauthorised use of the information contained in this transmission.

Hi Steve,

Can you please send your contact details and address so this objection can be lodged.

Kind regards,

Alyse

Administration Officer



PO Box 733, Bendigo, VIC 3552

T +1300 002 642

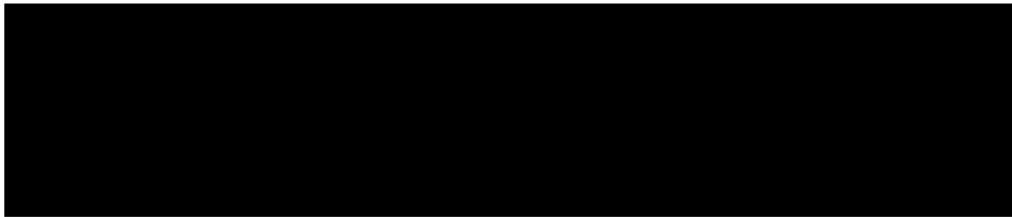
National Relay Service 133677 then quote 1300 002 642

E planningadmin@Bendigo.vic.gov.au

www.bendigo.vic.gov.au

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

My work days – Tuesday, Wednesday & Thursday



Hi Adelle,

Thank you for sending me a copy of the planning permit application at 38 Myers Street, Bendigo - DC/783/2022.

I do not support the planning permit application at 38 Myers Street, Bendigo - DC/783/2022.

I do not support the planning permit application at 38 Myers Street, Bendigo - DC/783/2022 for the following reasons.

1. The development adversely effects the significance of the heritage listed property.
2. The heritage listed house is a valuable contribution to the heritage streetscape . The partial demolition of the heritage listed property and the further development of the site considerably diminishes the valuable contribution the heritage listed house has on the streetscape.
3. The proposed development is too close to the boundary fence.
4. Breach of privacy. The rear wall of the proposed development overlooks my property (unit 4. 40 Myers Street Bendigo). The close proximity of the proposed development to the rear boundary, the height of the proposed development and the number of window openings, has a very high negative impact on the privacy for the occupants of the four units in 40 Myers Street, Bendigo.
5. Overshadowing. The close proximity to the boundary and the height of the proposed development would create a severe overshadowing issue, especially for my unit (unit 4, 40 Myers Street, Bendigo). I do not support the loss of sunlight to my unit. I plan to install solar panels onto the unit and the proposed development at 38 Myers Street would make this no longer possible. More importantly blocking out the afternoon sun year-round is unacceptable.

Please give serious consideration of my concerns and reject the planning permit application at 38 Myers Street, Bendigo - DC/783/2022 in its current form.

Please notify me that you have received this email.

Kind regards,

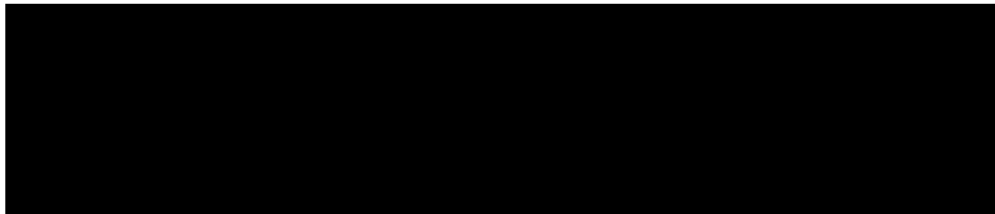
Steve Penna.

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Hi

Please find attached a copy of the advertising documents for the planning permit application at 38 Myers Street, Bendigo

Many thanks

Adelle Myers

Business & Systems Support Officer, Statutory Planning

PO Box 733, Bendigo, VIC 3552

T +61 3 5434 6355

National Relay Service 133677 then quote +61 3 5434 6355

E planningadmin@Bendigo.vic.gov.au

www.bendigo.vic.gov.au

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

From: "Michael St Clair" <m.stclair@Bendigo.vic.gov.au>
Sent: Tue, 11 Apr 2023 10:44:30 +1000
To: "Planning Admin" <planningadmin@Bendigo.vic.gov.au>
Subject: FW: DC/783/2022 - 38 Myers St, Bendigo - Applicant response to submissions

From: [REDACTED]
Sent: Saturday, April 8, 2023 10:48 PM
To: Michael St Clair <m.stclair@Bendigo.vic.gov.au>
Subject: RE: DC/783/2022 - 38 Myers St, Bendigo - Applicant response to submissions

Hi Michael,

Thank you for your email dated 28th March 2023.

I have read the response from spire in relation to the planning permit for 38 Myers Street and do not feel that they have addressed any of my concerns. The response seemed only an attempt to justify their proposal is appropriate for the site and is within the BCC guidelines.

Spire has missed the opportunity to take into consideration, my concerns for their expansion and development on a heritage site, they chose the easy way out by only justifying the development. No changes or suggestions were made to the initial design.

I remain resolute in my opposition to the Planning Permit application **DC/783/2022** for the proposed **Use and development of land for a medical centre, partial demolition, external alterations and extension of the existing building, installation and display of business identification signage and reduction in car parking requirements at 38 Myers St, Bendigo.**

Regards,

Steve Penna

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No liability is accepted for any unauthorised use of the information contained in this transmission.

From: Michael St Clair <m.stclair@Bendigo.vic.gov.au>
Sent: Tuesday, March 28, 2023 12:48 PM
To: Michael St Clair <m.stclair@Bendigo.vic.gov.au>
Cc: Planning Admin <planningadmin@Bendigo.vic.gov.au>
Subject: DC/783/2022 - 38 Myers St, Bendigo - Applicant response to submissions

Good afternoon,

I write to you in regard to Planning Permit application **DC/783/2022** for the proposed **Use and development of land for a medical centre, partial demolition, external alterations and extension of the existing building, installation and display of business identification signage and reduction in car parking requirements at 38 Myers St, Bendigo**. Your submission on this matter has been provided to the applicant for review.

The applicant has prepared a response to the various submissions received to the application. Please find this attached.

Should you wish to provide additional comments to the application, I request that these comments be provided by close of business **Wednesday, 12th April 2023**.

Alternatively, if you feel that your concerns have been adequately addressed by the additional information provided and you wish to withdraw your application, can you please also provide written confirmation of this by the date above (please note that by withdrawing your objection, you will be foregoing your appeal rights to VCAT).

If you have any questions about the attached, please do not hesitate to contact me.

Kind regards,

Michael StClair

Senior Statutory Planner



PO Box 733, Bendigo, VIC 3552

T +61 3 54346155

National Relay Service 133677 then quote +61 3 54346155

E m.stclair@Bendigo.vic.gov.au

www.bendigo.vic.gov.au

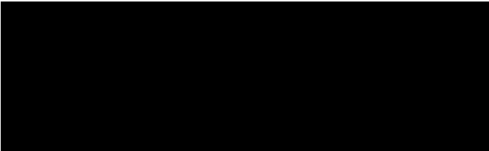
The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

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Name: Anne Hughes

Address: 55 Mundy St
Bendigo, VIC 3550



Application Number: DC/783/2022


Application Address: 38 Myers St Bendigo Vic 3550

Do you own or occupy land near the subject land?: Yes

If yes, please provide the address: 55 Mundy St Bendigo Vic 3550

Maximum 5000 characters: BENDIGO PROSTHETIC CENTRE AND DENTAL LABORATORY

55-57 Mundy St Bendigo



Dental Prosthetist
Anne Hughes

Date: 1/3/2023

Re planning Permit Application DC/783/2022

Letter of objection to proposed part demolition and construction of an extension to an existing practice at 38 Myers St Bendigo.

I am the Practice owner of The Bendigo Prosthetic Centre and Dental Laboratory at 55 Mundy St Bendigo.

I object to the proposed demolition and extension of the existing medical practice at 38 Myers St Bendigo on the following grounds:

1. The loss of the car parks currently at 38 Myers St Bendigo will result in worsening the already existing parking problem for patients at our practice. I have contacted the council numerous times regarding the lack of timed parking in Mundy St and feel that this will exacerbate the problem.

2. The proposed extension is not in keeping with the Heritage character of the surrounding neighbourhood.

Regards

Anne Hughes

Attachment 1: https://drive.google.com/uc?id=1kIKAyXaZ4Dt_XXo4rpHnLbwmllqjUcY&export=download&display=/Mar120231126AMDC7832022_43395542_objection.jpg

Attachment 2:

Attachment 3:



Objection to an Application for a Planning Permit

Your Contact Details

| | | | |
|----------------|------------------------------|------------|--|
| Name | Jennifer and Russell Jenkins | | |
| Postal Address | 52 Bramble St Bendigo | | |
| Phone (BH) | | Mobile No. | |
| Email | | | |

Which planning application are you responding to?

| | |
|---------------------|---------------------|
| Application No. | DC / 783 / 2022 |
| Application Address | 38 Myers St Bendigo |

Do you own or occupy land near the subject land?

| | |
|---|--|
| <input checked="" type="checkbox"/> Yes | If yes, please provide property address: |
| <input type="checkbox"/> No | 52 Bramble St Bendigo |

Please see next page to complete this form....

Any person who may be affected by the granting of a permit may object.

- If you object, you must state the reasons why and explain how you would be affected by the grant of a permit.
- If you object, the City must consider your objection unless you withdraw it.
- An objection that has been made primarily to secure or maintain a commercial advantage for the objector may be considered invalid.
- The application will not be decided on until at least 14 days after notice was given.
- If you object, you will be notified of the decision in writing.
- If you object and you are not satisfied with the decision you may appeal within 28 days of the notice of the decision to the Victorian Civil and Administrative Tribunal.

Submit your objection:

Email the completed and signed form and any supporting documents to planningadmin@bendigo.vic.gov.au
Or you can post it to City of Greater Bendigo, PO Box 733, Bendigo 3552.

Collection Statement

The City of Greater Bendigo (City) is committed to protecting your privacy. The personal information you have provided on this form is being collected by the City for the purpose of considering your objection. The personal information will be used to correspond with you about your objection and for any other directly related purposes. The reasons of objection may be made available online on the City's website during the public notice period of the application; to any person who may wish to inspect the application until the application process is concluded, including any review at the Victorian Civil and Administrative Tribunal; to relevant officers within the City and other relevant agencies directly involved in the planning process; and to persons accessing information in accordance with the Freedom of Information Act 1982, Planning and Environment Act 1987 or Public Records Act 1973.

Your personal information will not be disclosed to any other external party without your consent, unless required or authorised by law. If your personal information is not collected, we may not be able to consider your objection. If you wish to access or amend any of the personal information you have supplied to the City, please contact our Planning team on 03 5434 6355 or email planningadmin@bendigo.vic.gov.au

City of Greater Bendigo
15 Hopetoun St, PO Box 733, Bendigo 3550
T: 03 5434 6355
W: www.bendigo.vic.gov.au/planning

Please state your reasons of objection and how you will be affected if a permit is granted:

Reasons:

We request that height poles be erected at appropriate points to clarify sight-lines from the upper level of our residence.

We request further information on the proposed window treatments along the NorthEast elevation. This side of the proposed building will overlook our backyard, deck, swimming pool and master bedroom.

Signature: _____



Date: 2/3/23

\\bendigo\dfs\Department\Planning\Procedure Manual & Templates\6 Form, checklist & info sheet templates\Objection Form.docx

Last updated 15/4/2021

RECEIVED
CITY OF GREATER BENDIGO
PLANNING DEPARTMENT

3 March 2023

Mr Gregory Penna

49 Myers St Bendigo

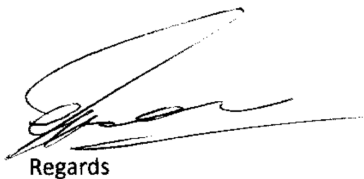
Vic 3550

Re Planning Permit Application DC/783/2022

Letter of Objection to proposed building part Demolition and construction of an extension to an existing practice at 38 Myers St Bendigo DC/783/2022


I am the Landlord of Flat 3 40 Myers St Bendigo, voicing my concerns as a responsible landlord should, and object to the Proposed Demolition and extension of the existing medical practice at 38 Myers St Bendigo on the following Grounds.

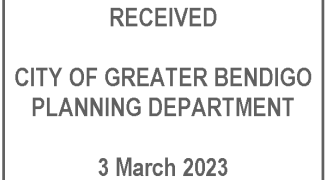
1. Shading from the proposed extension. Although Flat 1 and 4 will be affected moreso by this shading, caused by the height and bulk of the proposed extension build, flat 2 and 3 will also be affected when the sun is lower and during winter months, which is when it is needed most. Its height also makes it quite visible to all units.
2. The extension will also disrupt the flow of Air and beneficial wind to help keep the units at 40 Myers St Aired, dry and healthy
3. The proposed Extension is not in keeping with the Heritage character of the neighborhood
4. The proposed Extension is not sympathetic to the Neighborhood character
5. Loss of privacy from the east facing windows of the extension to any of the units at 40 Myers Street, but moreso unit 1 and 4
6. Not enough parking available to service staff and patients, resulting in overflow utilizing Myers and Mundy st car parking spots
7. The bulk and height of the extension is an overdevelopment of what was at some stage, simply a residence.



Regards

28 February 2023





Mr Steven Laverty

2/40 Myers St Bendigo

Vic 3550

Re Planning Permit Application DC/783/2022

Letter of Objection to proposed building part Demolition and construction of an extension to an existing practice at 38 Myers St Bendigo DC/783/2022

I am the Tenant of Flat 2, 40 Myers St Bendigo, voicing my concerns, and object to the Proposed Demolition and extension of the existing medical practice at 38 Myers St Bendigo on the following Grounds.

1. Shading from the proposed extension. Although Flat 1 and 4 will be affected moreso by this shading, caused by the height and bulk of the proposed extension build, flat 2 and 3 will also be affected when the sun is lower and during winter months, which is when it is needed most. Its height also makes it quite visible to all units.
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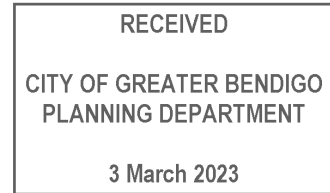
A handwritten signature in black ink, appearing to read "Steven Laverty".

Regards

28 February 2023



Mr Richard P Penna
155 McIvor Highway Bendigo
3550
[REDACTED]



Re Planning Permit Application DC/783/2022

Letter of Objection to proposed building part Demolition and construction of an extension to an existing practice at 38 Myers St Bendigo DC/783/2022

I am the Landlord of Flat 2, 40 Myers St Bendigo, voicing my concerns, as the landlord, and object to the Proposed Demolition and extension of the existing medical practice at 38 Myers St Bendigo on the following Grounds.

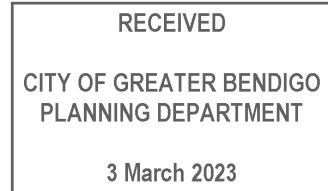
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7. The bulk and height of the extension is an overdevelopment of what was at some stage, simply a residence.

A handwritten signature in black ink, appearing to read "Richard Penna".

Regards

Mr Richard P Penna

28 February 2023



Ms Joy Sammut

3/40 Myers St Bendigo

Vic 3550

Re Planning Permit Application DC/783/2022

Letter of Objection to proposed building part Demolition and construction of an extension to an existing practice at 38 Myers St Bendigo DC/783/2022

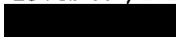
I am the Tenant of Flat 3, 40 Myers St Bendigo, voicing my concerns, and object to the Proposed Demolition and extension of the existing medical practice at 38 Myers St Bendigo on the following Grounds.

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A handwritten signature in black ink, appearing to read "J.A. Sammut".

Regards

28 February 2023



NAME : Arunee Boonchway & Chatchai Lanjanthoek

Unit 4 40 Myers St

Bendigo

3550

Ph [REDACTED]

RECEIVED

CITY OF GREATER BENDIGO
PLANNING DEPARTMENT

3 March 2023

Re Planning Permit Application DC/783/2022

Letter of Objection to proposed building part Demolition and construction of an extension to an existing practice at 38 Myers St Bendigo DC/783/2022

I am the Tenant of Flat 4, 40 Myers St Bendigo, voicing my concerns, as the landlord, and object to the Proposed Demolition and extension of the existing medical practice at 38 Myers St Bendigo on the following Grounds.

1. Shading from the proposed extension, caused by the height and bulk of the proposed extension build, flat 2 and 3 will also be affected when the sun is lower and during winter months, which is when it is needed most. Its height also makes it quite visible to all units.
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Regards

28 February 2023

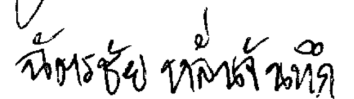
Name Arunee Boonchway

Signature



Name Chatchai Lanjanthoek

Signature



Name

Signature.

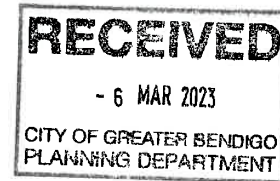
SURESH KUMAR
DHARMENDER SINGH.

Unit 1 40 Myers St

Bendigo

3550

Ph



Re Planning Permit Application DC/783/2022

Letter of Objection to proposed building part Demolition and construction of an extension to an existing practice at 38 Myers St Bendigo DC/783/2022

I am the Tenant of Flat 1, 40 Myers St Bendigo, voicing my concerns, and object to the Proposed Demolition and extension of the existing medical practice at 38 Myers St Bendigo on the following Grounds.

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Regards

28 February 2023

NAME - SURESH KUMAR

NAME - DHARMENDER SINGH

A handwritten signature in blue ink, appearing to be "Suresh Kumar", written over a horizontal line.

A handwritten signature in blue ink, appearing to be "Dharmender Singh", written over a horizontal line.

1 March 2023

Planning Department
Greater Bendigo City Council
P.O. Box 733
BENDIGO VIC. 3550

Attention: Mr Michael St Clair

Dear Michael,

**Planning Permit Application DCU/783/2022 – Use and development of land for a medical centre, partial demolition, external alterations and extension of the existing building, installation and display business identification and reduction in car parking requirements.
38 Myers Street, Bendigo 3550**

I refer to the above planning application and following a review of the documentation submit this objection to the proposal for consideration by Council:

Adverse impacts on No 53 Mundy Street

- Design not consistent with the character of this residential area
- Proposed expansion would have adverse impacts on the residential amenity of the area
- Overshadowing and restrict natural light to existing habitable room (Dining Room) – it is considered that the overshadowing diagrams are incorrect and misleading in the illustration of the existing and proposed conditions.
- Overlooking and privacy to No 53 Mundy Street
- Concerns with the number of practitioners, given the number of staff who are already employed at the facility
- Inadequate parking provision and layout
- Inconsistent with Bendigo Hospital Precinct Policy – see below
- Inconsistent with current Council projects to further promote inner city living by restricting business occupation of residential buildings even to the point of rezoning to fee up residential stock close to the CBD

Greater Bendigo Planning Scheme

Clause 11.03-6L-02 Bendigo Hospital Precinct – *See comments in italics*

Policy application

This policy applies to the Bendigo Hospital Precinct as shown on the Bendigo Hospital Precinct map that forms part of this clause. ***Noting this policy also provides specific direction on proposals outside of the precinct area.***

Objective

To support community health and wellbeing through ongoing development of medical and complementary uses in the Bendigo Hospital Precinct to develop a hub of medical services.

General strategies

Support the development of the Bendigo Hospital and associated institutions, including the Monash University and La Trobe University health schools.

Direct medical centres including large scale medical centres (with three or more practitioners), and high frequency medical centres (that have thirty minute or less intervals between appointments) to the Health Precinct and Bridge Street Activity Area. **See concerns on the number of practitioners and staff currently operating from this facility, why do they need such a large meeting room if only two practitioners who may not be there at the same time often?**

Avoid locating medical centres in the residential areas outside the Health Precinct and Bridge Street Activity Area unless:

- The presence and operation of the medical centre will not be detrimental to residential character and amenity, the function of the road network, local area parking availability and to community safety. **This proposal is considered detrimental to the residential character of the area both in terms of scale and design**
- The medical centre is a small scale practice (with one or two practitioners) with limited potential for future expansion. **See previous comments on the number of staff currently employed at the centre, how practical or reasonable is it for Council to ensure compliance in this regard?**
- The medical centre will utilise a converted existing building. **The existing building is a residential dwelling that could be easily used for residential purposes. The building a large modern extension is not consistent with this clause as it is not utilising an existing building.**
- The medical centre will occupy only the ground floor of the building. **The proposal involves a modern first floor extension and as such will not occupy only the ground floor**
- The car parking provision requirements under Clause 52.06 are met. **The car parking provision are not met**
- Car parking areas are located at the rear of the site. **Yes they are albeit insufficient.**
- Hours of operation are restricted to normal business hours. **The hours proposed are outside of what are normally considered business hours of 9am to 5pm**
- Existing visually prominent or otherwise significant trees on the site are to be protected.

As detailed above the proposal does not meet many of the requirements in Councils policy and as such is considered inappropriate for this location

Clause 32.08

The purpose of the General Residential Zone applicable to this application includes:

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

In response to the above:

- This location in Myers Street is not only in a residential zone but has a Heritage Overlay which provide a great level of protection to the neighbourhood. The introduction of a larger business use is not considered to respect the neighbourhood character of the area.
- This proposal removes housing from a location close to the city centre in an area that has good access to services and transport and is very well suited to further residential growth. It is noted that Council has proposals to limit commercial operations occupying residential stock within close proximity to the CBD event o the point of the consideration of back zoning to achieve this.
- Based on the information provided by the applicant this is more of a specialist facility where the large proportion of clients will be travelling, unlike a general practitioner this is not serving the local community needs. The provisions around limited range of other non-residential uses is there for a reason to better protect inner residential areas from uses that remove land for future residential development.

Clause 32.08-2 Table of uses

Medical centre is a section 1 use if the three conditions are met

1. *The gross floor area of all buildings must not exceed 250 square metres.*
2. *Must not require a permit under Clause 52.06-3.*
3. *The site must adjoin, or have access to, a road in a Road Zone.*

This proposal only meets the above criteria for point 3 and thus now becomes a section 2 use. This criterion provides encouragement for these types of use to be established in other locations and not within residential areas.

32.08-13 Decision Guidelines for Non-residential use and development

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

In response to the above decisions guidelines:

- As the proposal is a specialist type facility rather than a general practice with extended hours it is aimed at the wider community rather than the local community and its operation is not considered compatible with the existing residential use in the area.
- As stated above this is a more specialized facility where the wider community would travel to attend rather than the local community.
- The scale and intensity including the building bulk and hours of operation is not considered appropriate in this residential location. The location of car parking, the tight layout of the proposed car parking and large blank walls in close proximity to neighbouring properties are considered to have an adverse impact on the surrounding residential environment.
- As stated above the design and bulk of the proposed extension will have an adverse impact on surrounding residential properties in terms of access to natural light and visual amenity.
- Limited detail has been provided on any proposed landscaping and as such unable to be assessed as areas shown as garden beds.

- The layout of the proposed car parking is considered tight particularly when considering the high proportion of SUVs for family vehicles with requirements for reversing through the layout on to the street near an uncontrolled intersection from a main road. It should be noted that Mundy Street is one of the main connector street for the proposed bicycle network into the CBD and the creation of further unsafe conflict points should be not be supported.
- No areas for refuse, particularly medical refuse are shown on the plans so this cannot be adequately assessed.
- As detailed throughout this document the layout and access to the proposed car parking do not meet the requirements and as such will result in clients using the residential street for parking at all times of the operation and this is considered to have an adverse impact on the amenity of this residential area.

Clause 52.05

Under the signage provisions this site is within a High Amenity Area with relevant purposes:

- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder*

The use of commercial signage in this residential area is not considered compatible with the amenity of the residential area.

Clause 52.06

The purpose of this clause as relevant to this application is:

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

In response to the above:

- The application if for a reduction of the required car parking spaces from 11 to 4 and it is considered that the layout and egress of the proposed car parking is not practical and will not facilitate the use of these spaces for car parking and as such any parking will occur on the residential street.
- The applicant has indicated that the clinic provides more of a specialist type facility where a large proportion of client will travel by motor vehicle resulting in further off site impacts in a residential area.
- As detailed above it is considered that the proposed car parking layout is not easily accessed, difficult to maneuver, is located in close proximity to residential properties and will result in the majority of parking occurring in the residential street all of which will have an adverse impact on the amenity of the residential neighbourhood.
- As stated above and throughout this document the proposed car parking layout is not of a high standard, it is tight creating safety issues with the need for reversing and tight turning areas to exit safely. The small nature of the carparking and limited turning areas will not enable the easy and efficient use of the proposed car parking area, leading to adverse impacts on the surrounding residential neighbourhood.

Clause 65

The header to this clause is very clear and is often used within VCAT:
Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 65.01

Before deciding on an application or approval of a plan, the responsible authority **must** consider, as appropriate (only matters relevant to this application listed):

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Several of the above matters have been discussed previously however the key areas here are:

- Section 60 of the P&E Act 1987, sets out what matters must a responsible authority consider, only matters relevant to this application included:

(1) Before deciding on an application, the responsible authority must consider;

(a) the relevant planning scheme; and

(b) the objectives of planning in Victoria; and

(c) all objections and other submissions which it has received and which have not been withdrawn; and

(f) any significant social effects and economic effects which the responsible authority considers the use or [development](#) may have.

(1A) Before deciding on an application, the responsible authority, if the circumstances appear to so require, may consider—

(g) any other strategic plan, policy statement, code or guideline which has been adopted by a Minister, government [department](#), [public authority](#) or municipal council; and

(j) any other relevant matter.

- The consideration of other policies adopted by Council such as the Bendigo Hospital Precinct Plan which provides guidance as to the criteria Council may consider in applications for medical centres outside of the precinct.
- The effect on the amenity of the area is considered to be detrimental due to the nature of the proposal in a residential area, inadequate access to parking, impact on the parking in the street, noise with the development very close to residential boundaries, over shadowing of existing residential properties and overlooking Reverse adverse amenity impact provision and the need to protect existing use rights of residential occupants in the street as this is a residential zone.

- As stated above the car park size and layout is inadequate with only four spaces provided and the ability to turn vehicles around within to provide safe exit makes the car park space uninviting to potential users. The layout proposed is not considered easy to access or facilitate easy maneuvering in an area to be frequented by patients due to the new entry door proposed and required reversing movements.

Application report - Confusion and errors (General Comments)

- Paragraph one - 'generally surrounded by medical and other small business' is grossly misleading and does not recognize the different zonings that exist as within the residential block of which this site is part of there is one other non-residential use with is a dental laboratory not a dentist.
- Paragraph two - Myers Street forms the boundary of the CBD, indicating this site is outside of the boundary and in a different zone? Seems to be contradictory to comments above, that did not recognize a boundary.
- Paragraph four - along Mundy Street the site is abutted by a commercial style building used by Bendigo Dental Laboratory when in fact the abutting site is a residential dwelling (No53). Also the report contends that the opposite side of Mundy Street is used for a number of uses – noting this side is partly within a different zone there is one residential dwelling, two vacant lots, an office and a vacant building.
- Paragraph five – identifies the uses but fails to acknowledge totally different zone controls with the CBD boundary.
- Report states 5 spaces existing but no DDA however a review of the existing site plan indicates 6 spaces on site?
- Application specifies 'Use and Development' yet the use of the site for a medical centre appears to have already been established?
- Increase in practitioners from 1 to 2 yet there appears to be a significant number of staff accessing the facility – the question is what are the staff providing and are the number of practitioners clearly being monitored by Council?
- Paragraph five under the 'Proposal' states 'the site is also proposed to retain the existing carparking and reduce the number of spaces from four to five?'
- Car parking and Access - Four car parking spaces are proposed with the extension, all spaces are to meet specific standards including one space designated as an accessible car space. This statement indicates only four spaces in total are being provided – how many is it?
- The usability and practicality of the car parking layout is questionable with vehicles having to negotiate reversing maneuvers to exit the site with limited view of pedestrians and often fast-moving traffic turning off Myers Street into Mundy Street. Demonstration of turning templates within to show exist in a forward direction would be far safer at this location.
- The statement 'The proposed extension is not considered to result in any undue amenity impacts' shows a lack of respect for the surrounding residential dwellings and particularly No53.
- The statement 'The proposed extension has been designed to subtly fit behind the existing building to avoid affecting the frontage view of the existing building from Myers Street' would appears to be incorrect as the plans provided clearly show the existing dwelling from Myers Street dwarfed by the large structure behind. No comment has been made as to how the proposed extension affects the view from Mundy Street.
- The statement 'The appearance of the proposed extension is unique in comparison to the existing buildings within view the proposed extension from Mundy Street, however the materials used and setback from the street does not allow the extension to affect the heritage value of the area. Additionally, the modern extension is fitting with other new and developing buildings forming in the Bendigo City Centre'. The

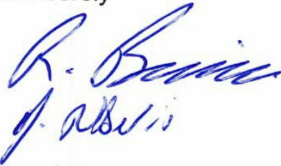
report has previously noted that this site is outside of the CBD area and in a different zone – It is considered that the design and bulk of this proposal are not in keeping with the residential character of the area and particularly adversely impacts on No53 Munday Street.

- The existing entry/porch to the building from Myers Street is proposed to be a 'trial room'? A new entry is proposed from Mundy Street substantially changing the movement patterns and address to the public realm in Mundy Street.
- The statement 'The physical constraints of the site make it unfeasible for 11 car parking spaces to be provided.' Indicate that maybe this site is not appropriate for this use?
- The reference to the Bendigo City Centre Parking Futures Action Plan (April 2020) and the notation of removing mandate car park requirements relates to the CBD and commercial areas where this site is outside of those boundaries.

I trust the above additional information will be appropriately considered in the determinations on this matter and that all Councillors are made aware of the submissions.

Should you require any questions regarding any of the details above please do not hesitate to contact me on [REDACTED] or email [REDACTED]

Yours sincerely



Robert and Dorian Borserio
53 Mundy Street
Bendigo 3550

From: [REDACTED]
Sent: Mon, 3 Apr 2023 09:37:08 +1000
To: "Michael St Clair" <m.stclair@Bendigo.vic.gov.au>
Subject: Re: DC/783/2022 - 38 Myers St, Bendigo - Applicant response to submissions
Attachments: CCE_000490.pdf

Hi Michael,

I refer to our recent correspondence regarding the proposal at 38 Myers Street.

As this current proposal is for 2 practitioners and one of our concerns is the number of staff currently on site.
Please see below an extract that clearly indicates there has been 2 practitioners for some time and there is up to 9 staff onsite.

Kind regards,
Dorien & Rob Borserio

On Tue, Mar 28, 2023 at 12:49 PM Michael St Clair <m.stclair@bendigo.vic.gov.au> wrote:

Good afternoon,

I write to you in regard to Planning Permit application **DC/783/2022** for the proposed **Use and development of land for a medical centre, partial demolition, external alterations and extension of the existing building, installation and display of business identification signage and reduction in car parking requirements at 38 Myers St, Bendigo**. Your submission on this matter has been provided to the applicant for review.

The applicant has prepared a response to the various submissions received to the application. Please find this attached.

Should you wish to provide additional comments to the application, I request that these comments be provided by close of business **Wednesday, 12th April 2023**.

Alternatively, if you feel that your concerns have been adequately addressed by the additional information provided and you wish to withdraw your application, can you please also provide

written confirmation of this by the date above (please note that by withdrawing your objection, you will be foregoing your appeal rights to VCAT).

If you have any questions about the attached, please do not hesitate to contact me.

Kind regards,

Michael StClair

Senior Statutory Planner



PO Box 733, Bendigo, VIC 3552

T +61 3 54346155

National Relay Service 133677 then quote +61 3 54346155

E m.stclair@Bendigo.vic.gov.au

www.bendigo.vic.gov.au

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

Disclaimer: This is Planning advice only and is based on the information provided at the time of contact. If any of that information changes, it may affect the advice provided and you should contact us to ensure it is still applicable. Changes to the Greater Bendigo Planning Scheme may also affect the planning requirements of the advice.

31 March 2023

Planning Department
Greater Bendigo City Council
P.O. Box 733
BENDIGO VIC. 3550

Attention: Mr Michael St Clair

Dear Michael,

Planning Permit Application DCU/783/2022 – Use and development of land for a medical centre, partial demolition, external alterations and extension of the existing building, installation and display business identification and reduction in car parking requirements.

38 Myers Street, Bendigo 3550

I refer to the above planning application and the response to our objection provided by the applicant dated 22 March 2023.

The response largely dismisses our objection and does not address our concerns.

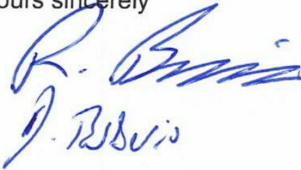
More specifically issues with the response are:

- The hospital precinct policy does not apply yet the wording in the planning scheme and policy is very clear about the criteria for medical centres outside of the precinct area.
- Questions on staff numbers as there appears to be significantly more staff there than just two practitioners.
- The premise that the first-floor addition is for staff meeting and facilities and not part of the medical centre is simply not acceptable as it is all part of the one development for a medical centre – without the upper level the centre is clearly not big enough for this site.
- The proposal is considered detrimental to the residential character with the commercial extension that will impact our residential amenity,
- The site is considered appropriate for further residential growth in accordance with the GRZ provisions and Council's current plans to increase inner city living opportunities.
- Concern is raised regarding the statements attributed to renters – considered inappropriate and not a planning consideration given it is a residential zone and could be owner occupied.
- The changes in occupation as detailed is almost impossible for Council to ensure compliance with the car parking provisions, noting the previous concerns regarding the number of staff there already.
- The overshadowing of our habitable room windows which currently receive natural sunlight to warm the rooms is of great concern.
- The overlooking issue is one of privacy and is largely from the proposed balcony area that allows views from above to our front yard and verandah where we like to sit.

I trust the above additional information will be appropriately considered in the determinations on this matter and that all Councillors are made aware of the submissions.

Should you require any questions regarding any of the details above please do not hesitate to contact me or [REDACTED] or email [REDACTED]

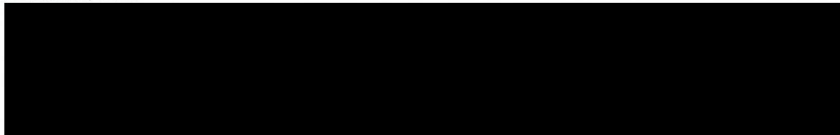
Yours sincerely

Handwritten signature in blue ink, appearing to read 'R. Borserio' and 'D. Borserio'.

Robert and Dorien Borserio
53 Mundy Street
Bendigo 3550

03/04/2023, 09:17

image001.png



Address:

38 Myers Street
Bendigo Victoria 3550

Operating since 2010 in Bendigo, Goldfield Urology services the Bendigo and surrounding regions. Our team is lead by
Urological surgeon [redacted] supported by Nurse Practitioners [redacted]



16.4. Positive Ageing Advisory Committee members

| | |
|-----------------------|---|
| Author: | Megan Goode, Connected Communities Officer – Positive Ageing |
| Responsible Director: | Stacy Williams, Director Healthy Communities and Environments |

Purpose

This report seeks Councillor endorsement to finalise the recruitment process for the Positive Ageing Advisory Committee (PAAC) as per the Terms of Reference.

Recommended Motion

That Council:

1. Endorse the appointment of new committee members;and
2. Thank outgoing committee members for their contribution to the committee.

Executive Summary

The Positive Ageing Advisory Committee (PAAC) comprises a maximum of 17 community representatives, appointed by Council resolution following an expression of interest process.

On 30 June 2023 five committee members finished their term. In addition, three committee members could not complete their full term. To fill vacancies, the City ran a public expression of interest process in May 2023.

17 applications were received and following an evaluation process, six new members are recommended for appointment to the committee for the next two years.

Background

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

The Committee's objectives are:

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

Committee meetings are held six times a calendar year.

New committee members will be appointed for a two-year term to align with the Positive Ageing Action Plan (2023-2025).

Previous Council decision dates:

- February 2017 – Council appointed five members for a two-year term and five members for a four-year term.
- 2019 - Council appointed five members for a two-year term and five members for a four-year term.
- 2021 - Council approved the extension of current committee members terms by one year due to an inability to contribute to the committee due to COVID-19. Council appointed five members for a three-year term.

Report

The Terms of Reference for the Positive Ageing Advisory Committee (attachment 16.4.3) states the following:

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

Composition of the Committee shall be at least:

- Community members that represent the diversity of older adult's interests, backgrounds, cultures, ages and experiences in Greater Bendigo;
- City of Greater Bendigo Councillor who shall chair meetings;
- Officers of the City of Greater Bendigo as deemed relevant

The Councillor Representative is currently Councillor Greg Penna.

City officers undertook an evaluation process of suitability of the applicants to make the recommendation to Council. The process considered the applicants responses to the following questions in the expression of interest;

1. Why would you like to join the Positive Ageing Advisory Committee?
2. Please explain your ability to represent the views and needs of older adults within Greater Bendigo?
3. List any organisations or groups that support older adults that you have been and/or are currently involved in?
4. Is there anything else you would like to add to your expression of interest?

Eight community members were shortlisted for interview for the six vacant roles.

Interviews considered the applicants responses to the following interview questions;

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

The following applicants have been recommended for appointment for a two-year term:

1. Andrew Rimington
2. Carol McCabe
3. Carmel Williams
4. Kerrin Beecher
5. Stephen Mooney
6. Kerry Parry

(Further detail regarding the above applicants can be found in attachment 16.4.2)

Outgoing committee members are:

1. Tan See Tuang
2. David McRae
3. Anne Fahey
4. Ian Burdett
5. Jennifer Jones
6. Neil Drummond
7. Geraldine Stills and
8. Special mention to Ruth Hosking who joined the committee in 2010 and has made a significant contribution to the committee and community over time.

Timelines

Expression of interest was open from Friday 2 June – Tuesday 20 June 2023.

Interviews with shortlisted candidates were held from Wednesday July 5 - Friday July 7, 2023.

The new PAAC term will begin from September.

Communications/Engagement

Printed advertisements were published in Bendigo Advertiser and the Mclvor Times, as well as advertisement in the GB e-news update, on social media and promoted through positive ageing networks.

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 1 - Strengthened community health and wellbeing

Conflict of Interest

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

Attachments

1. Positive Ageing Advisory Committee - Terms of Reference 2023 [**16.4.1** - 5 pages]



Positive Ageing Advisory Committee

TERMS OF REFERENCE

1. Purpose

The Positive Ageing Advisory Committee will advocate for and provide feedback and advice on behalf of Greater Bendigo's older adults on matters of concern related to positive ageing and receive information from the Council to share with their networks.

1.1 The Committee's objectives are:

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

Council will take the advice and feedback of the Committee into consideration, wherever possible, when developing new plans, services and strategies relevant to older adults. Feedback on how this advice is used by the Council will be provided to the Committee.

2. Membership

- 2.1 Membership of the Committee shall not exceed 17 persons. Community representatives on the Committee should be aged 50 or above.

2.2 The Committee's membership shall comprise:

2.2.1 Nominated Councillors who shall chair meetings

2.2.2 Community and organisational representatives that represent the diversity of older adult's interests, backgrounds, cultures, ages and experiences in Greater Bendigo.

2.2.3 City staff as deemed relevant to facilitate and organise meetings and other City Staff may attend particular meetings as guest speakers

3. Appointment of Members

- 3.1 Community and organisational representatives shall be appointed by Council following an expression of interest and interview process.
- 3.2 To fulfil membership requirements the EOI process will be publicly advertised and promoted. A panel will be convened to assess all EOI's, shortlist, conduct interviews and make recommendations to Council on member appointments.
- 3.3 In developing its member appointment recommendations for Council, the Panel will have regard for applicants':
 - 3.3.1 Demonstrated understanding of and commitment to positive ageing
 - 3.3.2 Current participation in community groups or activities that support positive ageing. Ability to maintain strong networks and communication pathways that foster exchange of information between the Committee and broader community
 - 3.3.3 Reflectiveness of the diversity of older adults in the Greater Bendigo community
 - 3.3.4 Willingness to support local government processes, including compliance with relevant policies and procedures, and the interests of the organisation.

4. Term of Appointment

- 4.1 Member appointments shall be for a two-, three- or four-year term.
- 4.2 Councillor appointments shall be for a twelve-month term.
- 4.3 Retiring members may apply for further membership terms without expectation of automatic renewal.

5. Cessation or Revocation of Membership

- 5.1 A member may resign from the Committee at any time by providing written notice.
- 5.2 The term of any newly appointed member shall expire at the same time as the member being replaced.
- 5.3 Given the resources required to advertise vacancies through a range of diverse mediums, a minimum of three member vacancies will be required in order to trigger a formal recruitment drive.
- 5.4 If a member misses more than three meetings in succession without informing the City staff, their membership may be revoked through the decision of the Committee;

- 5.5 Council and the Chief Executive Officer retain the right to revoke the membership of any member deemed to be acting outside the interests of the Committee, the City and Greater Bendigo's senior residents.

6. Conduct of Members

In performing the role of a Committee member, persons are required to:

- 6.1 Participate in an induction session at the commencement of each term.
- 6.2 Comply with relevant City policies e.g. the City's Human Rights Charter, Code of Conduct, Volunteer Policy and organisational values and behaviours.
- 6.3 Act honestly, declare any conflicts of interest and act respectfully with City staff, other Committee members and members of the public.
- 6.4 Not make improper use of their position or improper use of information acquired during their membership term.
- 6.5 No member is authorised to speak on behalf of the Committee without prior support from the Committee or the Chairperson.

7. Conduct of Meetings

Timing and frequency

- 7.1 Meetings will be held every six weeks during the working week at a time that is most convenient for the majority of members.
- 7.2 Special meetings may be called at the discretion of the Chairperson.

Agendas and minutes

- 7.3 The standard agenda items of Committee meetings will include:
- Acknowledgment of Country.
 - Attendance and apologies.
 - Conflicts of interest.
 - Consideration / endorsement of previous meeting minutes.
 - Sharing of information from community group/s members represent
 - Other business.
- 7.4 The Committee, by resolution or through the Chairperson, may invite any individual, interest group, or agency representative to attend a meeting as a delegation or to present information that will assist the Committee in meeting its objectives.
- 7.5 Minutes of each Committee meeting will be recorded and distributed to all members, Councillors and the City's Executive Management Team.

8. Conflicts of interest

- 8.1 Where a member has a conflict of interest in relation to an item to be discussed, where if any decision made could result in a direct or indirect benefit or loss to them as opposed to a large sector of the community, the member must declare their conflict of interest to the Committee at the beginning of the meeting.
- 8.2 The provisions of the Local Government Act 1989 apply to Councillors members.

9. Insurance

- 9.1 Public Liability Insurance: Members of any Committee established by the Council under the Local Government Act or any other enabling legislation, whilst acting in that capacity within the scope of their duties for and on behalf of the Council, are provided with cover under the LMI Broadform Public and Products Liability and Professional Indemnity Insurance, subject to the LMI policy terms, conditions, endorsements, exclusions and deductible and the like.
- 9.2 Council appointed Committee members, whilst acting in that capacity within the scope of their duties for and on behalf of Council, are covered within the terms and conditions of the Council's LMI Public and Products Liability Insurance Policy for third party personal injury or damage to property (as defined) caused by an occurrence, and where applicable for breach of professional duty, in connection with the Business of the Council.
- 9.3 The City's insurance policies provide indemnity for personal injury, property loss, products liability and claims for breach of professional duty, subject at all times to the Policy "Conditions and Exclusions".

10. Dissolution

- 10.1 The Committee may, at any meeting, agree to disband.
- 10.2 The Council may - for any reason - resolve to disband the Committee and, upon written notice to that effect being given to Committee members, the Committee shall be disbanded.

11. Implementation and Review

- 11.1 A review report will be submitted to Council every two years detailing the activities and achievements of the Committee against its stated objectives and any recommendations for improvements. The report will also outline any suggested amendments to the Committee's Terms of Reference.

12. Resources Provided by the City

The City will provide support to Committee functions. This support will include:

- 12.1 Briefing the Chair on relevant issues and opportunities and suggested meeting agenda items.
- 12.2 Providing secretarial, technical and coordination support for Committee meetings, including organising guest speakers.
- 12.3 Provide a suitable venue for the Committee's meetings.

- 12.4 Updating the City's website on positive ageing activities and news.

13. Other Matters

- 13.1 Members are encouraged to provide feedback about participation experiences throughout the year during meetings, via agenda items or by contacting the Chairperson or City staff outside of meetings.
- 13.2 The last meeting of each year will involve evaluating the past year of Committee functioning, as well as planning for the following year.

17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY

17.1. Potential Sale of part Lot S3 known as 26 Herriot St Heathcote to the Community Safety Building Authority for the CFA

| | |
|-----------------------|---|
| Author: | Barry Maskell, Strategic Property Analyst |
| Responsible Director: | Brian Westley, Director Presentation and Assets |

Purpose

Request that the City of Greater Bendigo Council:

- Authorise sale of 26 Herriot Street Heathcote (entire parcel, or part thereof, subject to design requirements) to the State Government, through the Community Services Building Authority (CSBA) under the exemptions provided for in S116 of the Local Government Act (**the ACT**); and
- Authorise City of Greater Bendigo Officers to dispose of any remaining surplus land at 26 Herriot Street Heathcote, not required by the CSBA, in accordance with obligations under S114 of the ACT.

Recommended Motion

THAT THE GREATER BENDIGO CITY COUNCIL, IN RELATION TO 26 HERRIOT STREET HEATHCOTE (being Lot S3 on PS 342275A in Certificate of Title Volume 10311 Folio 549), RESOLVE TO:

1. **DECLARE** that all of 26 Herriot Street Heathcote is **SURPLUS** with part, or all, of this parcel identified as being required by the Community Services Building Authority.
2. **EXECUTE** any sale in line with the obligations under the Local Government Act 2020, noting that sale price will be subject to independent valuation.
3. **AUTHORISE** the Chief Executive to sign and seal all relevant sale documents.

Background

The City owns a vacant freehold parcel of land at 26 Herriot St Heathcote. The property is bisected by a residential development but is held on one title known as Lot S3 on PS 342275A Certificate of Title Volume 10311 Folio 549. It is the view of City of Greater Bendigo Officers that the entirety of the parcel is surplus to the City's current and future needs.

CSBA have made a formal request to purchase part, or all, of the property to enable construction of the new Heathcote Emergency Services Facility (specific details to be resolved through the detailed design phase).

Any sale of land to the CSBA will be subject to an independent valuation to establish a sale price of which the market value is to be determined by the Valuer General of Victoria based upon the highest and best use of the site.

Any remaining portion not required by the CSBA, for the purposes of constructing the Heathcote Emergency Services Facility, is considered surplus to the City's current and future needs; although any decision regarding any residual land at this location will be subject to a future resolution.

Previous Council decision dates:

Council Meeting 21 March 1995

Pursuant to the provisions of Section 189 of the Local Government Act, the Council at that time determined that the properties are no longer required and directed that the land be sold.

Council Meeting 4 July 2007

Decision regarding the future use of this land could be considered by the Community Plan committee. Community suggestions regarding the future use of 30 Herriot Street Heathcote be referred to the appointed Heathcote Community Plan Implementation Committee for assessment in line with the priorities established by the community through the community planning process.

Report

26 Herriot St Heathcote (also includes 17 Pohlman St Heathcote) known as Lot S3 on PS 342275A Certificate of Title Volume 10311 Folio 549.



Strategies

Heathcote Township Plan 2019

The Heathcote Township Plan was adopted by Council in 2019. At this time the City was aware that the CFA and SES were seeking a new premises as the current one is no longer fit for purpose. The Township Plan did note that the City should work with the CFA/SES to find a new facility. The Township Plan did note that any new facility should be proximate to the town centre.

Additional Considerations:

- The O'Keefe Rail Trail must be protected.
- The construction of the extension of Station Street will be the responsibility of the CSBA as part of contract of sale and/or as part of their future development. The CSBA will only be required to construct the road along part of their boundary with the remaining road to be constructed as part of a future development with the agreement running with the land binding any future purchasers should the CSBA sell off any part not required by the CSBA.
- Suitable arrangements to be implemented regarding existing water stand infrastructure on site.
- Subject to sale of the land to CSBA, any development on this site will be subject to Statutory Planning and Building Regulation requirements.

Priority/Importance

High Priority:

The purchase of 26 Herriot Street Heathcote is a HIGH priority for the State Government and can be prioritised under the exemption provided in Section 116 of the Local Government 2020.

LEGAL

Any sale of Council owned freehold land must comply with the Local Government Act 2020.

Communications/Engagement

Extensive internal engagement has been undertaken with all impacted units across Council. The land has been deemed surplus following comprehensive internal consultation.

Without prejudice discussions have been held with CSBA representatives.

Financial Sustainability

Any sale will be commensurate with an independent valuation obtained through the Victorian Government Land Monitor.

CONCLUSION

A considerable amount of preliminary background research has been done to identify this property as surplus to Council requirements.

The request to purchase all, or part thereof, of this property by the CSBA has required this property to be fast tracked to facilitate delivery of this critical community infrastructure.

Policy Context

Primary Council Plan Reference

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

Outcome 3 - Strong, inclusive and sustainable economy

Outcome 5 - A climate resilient and healthy landscape

Secondary Council Plan Reference(s)

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

Goal 3 - Active community engagement and excellence in customer service

Goal 1 - Strengthened community health and wellbeing

Goal 7 - Sustainable population growth is planned for

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

Goal 3 - A transformed and revitalised City Centre

Goal 5 - A community that feels safe

Goal 7 - Emergencies are prevented or mitigated

Other Reference(s)

[City of Greater Bendigo Asset Plan 2022-2032](#)

[Local Government Act 2020](#)

- Division 2 - Constitution of a Council - S14 (Power to dispose of Property)
- Division 4 Powers in Relation to Land - S14, S114
- Community Engagement S55, S56

Valuations of Land Act 19--

[Subdivision Act 1988](#).

[Community Engagement Policy \(March 2020\) - ECM 3304829](#)

[Public Open Space Contributions Policy \(August 2020\) ECM 4475024](#)

Greater Bendigo Public Space Plan
[Financial Plan 2021-2031](#)

Conflict of Interest

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

Attachments

Nil

18. ABORIGINAL RECONCILIATION

18.1. Renaming LaTrobe University Bendigo Athletics Complex

| | |
|-----------------------|---|
| Author: | Vanessa Wait, Aboriginal Place Names Officer |
| Responsible Director: | Stacy Williams, Director Healthy Communities and Environments |

Purpose

To endorse the renaming of LaTrobe University Bendigo Athletics Complex to Lar Birpa Athletics Complex.

Recommended Motion

That Council:

- Endorse the renaming of LaTrobe University Bendigo Athletics Complex to Lar Birpa Athletics Complex.
- Endorse the naming proposal of Lar Birpa Athletics Complex to be lodged with the Geographic Names Victoria for consideration and inclusion in VICNAMES.
- Emails all 74 submissions respondents informing them of:
 - Council's decision to recommend the proposed renaming
 - The opportunity for objectors to appeal to Geographic Names Victoria

Executive Summary

It is recommended that LaTrobe University Bendigo Athletics Complex is renamed Lar Birpa Athletics Complex.

The proposed name has approval and support from Djaara and complies with the Naming Rules for places in Victoria: statutory requirements for naming roads, features and localities - 2022.

The naming proposal is consistent with relevant key Council plans and policies.

It is aligned to the 19 June 2019 Council notice of motion to support Aboriginal place naming of key public landmarks across Greater Bendigo.

Information about the proposed name has been provided to the community through a community consultation process in line with State Government's Naming rules for places in Victoria (2022). The consultation process was open from the 24 April and closed on the 24 May 2023.

Through the consultation process a total of 74 submissions were received, 51 in support and 23 objecting to the proposed name (see confidential **attachment 2.12.1** for details of all 74 submissions).

Objections received were not able to demonstrate valid reasons of how the proposed name did not comply with the Naming rules (see **attachment 2.12.2** for further details) and therefore it is recommended that Council adopts the name Lar Birpa Athletics Complex.

Background

At the 19 June 2019, Council meeting, Council endorsed a Notice of Motion to support Aboriginal dual naming of key public landmarks across Greater Bendigo and to explore a systematic approach to this work in the future.

Aboriginal Place Naming in Greater Bendigo must adhere to three key sources, these being:

- Geographic Names Victoria's Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2022 (Naming Rules)
- The wishes and interests of Djaara and the Taungurung Land and Waters Council.
- The City's Place Interpretation and Naming Policy.

As a leading naming authority within the municipality, the City can submit naming proposals to Geographic Names Victoria to:

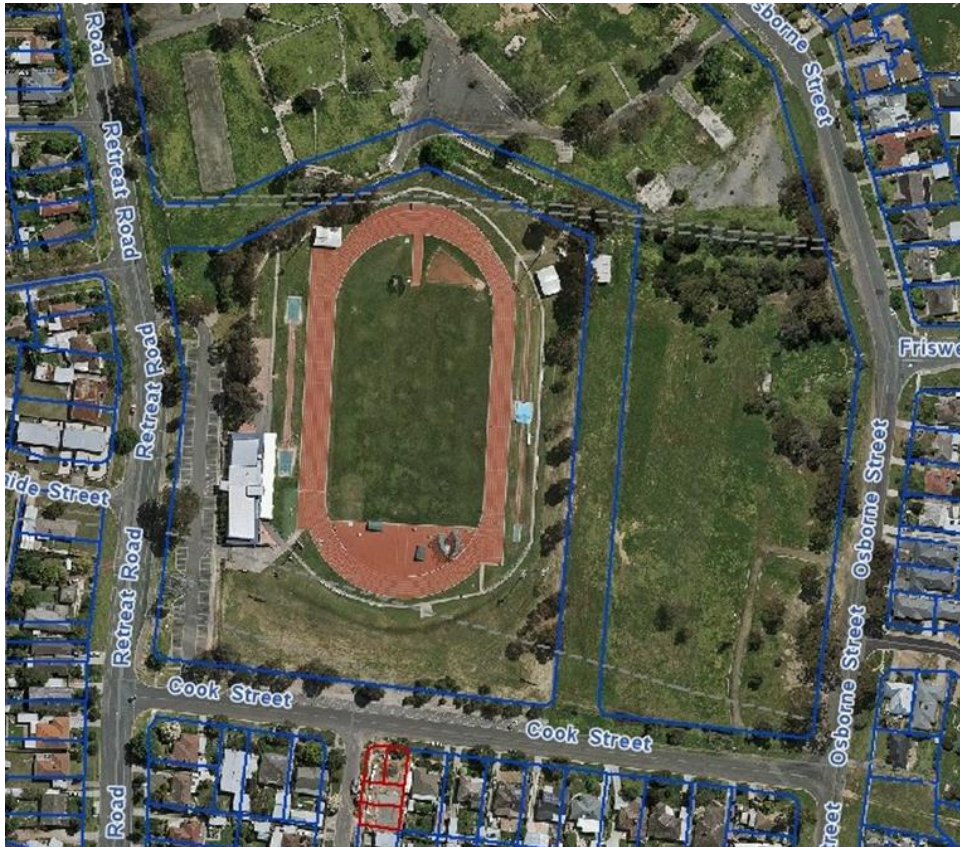
- name or rename roads,
- features and
- localities that they are responsible for.

Naming proposals must adhere to the Naming Rules.

The City has the following options for incorporating Aboriginal language into Place naming:

- Use of Aboriginal names when naming or re-naming roads, features and localities within Greater Bendigo
- Seek dual naming for specific local features (such as mountains, rivers and open space recreation reserves) to include both an Aboriginal and non-Aboriginal name
- Naming of Council-owned buildings in Djaara or Taungurung language (dependent upon the location within the municipality).

The City has taken over full ownership of Latrobe University Bendigo Athletics Track from Latrobe University. With this purchase there was an opportunity to rename this facility in line with the Council motion on the 19 June and other key strategic documents.



In 2021, consultation was undertaken with Djaara and the name Lar Bir Pa Bendigo Athletics Complex was approved and supported. Lar Bir Pa Bendigo Athletics Complex went out for 30 days community consultation in August 2021. A total of 55 submissions were received.

At the time of consultation, Geographic Names Victoria were reviewing the Naming Rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016.

The Naming Rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2022 has since been released and replaces the previous 2016 edition.

The Naming Rules set out step by step information on naming or changing the boundaries of roads, features and localities in Victoria. The Naming Rules are the statutory guidelines provided under section 5 of the Geographic Place Names Act 1998.

The original naming proposal (Lar Bir Pa Bendigo Athletics Complex) does not comply with the 2022 Naming Rules due to its length and therefore needed to be revised. This meant that the City needed to restart the naming process for this site.

In 2023, further consultation with undertaken with Djaara and Geographic Names Victoria to develop a revised naming proposal. It was proposed that Latrobe University Bendigo Athletics Complex be renamed Lar Birpa Athletics Complex.

Lar Birpa means 'a place to run' in Dja Dja Wurrung language.

This naming proposal aligns with the City's strong commitment to promoting Aboriginal Place Naming and the use of Traditional Owner language in public spaces across the municipality. The proposal meets recommendations made by the Traditional Owners as part of a community engagement project in 2020 that new and existing Council-owned building be considered for future Aboriginal place naming.

Previous Council decision dates: 19 June 2019

Report

LaTrobe University Bendigo Athletics Complex (LUBAC) is in Flora Hill and has been jointly owned by LaTrobe University and managed by the City since early 1990's. In early 2019 the City purchased the land from LaTrobe University. The facility represents a key regional sports complex for the Greater Bendigo region.

Following its purchase, the facility required a new name that excluded reference to 'LaTrobe University'. This presented an opportunity to name another prominent community facility in Greater Bendigo using Traditional Owner Language.

During this process, it has been identified through Geographic Names Victoria that LaTrobe University Bendigo Athletics Complex is not currently registered, which puts public and operational safety for emergency response at risk; and causes confusion for transport, communication and mail services.

Now that the City is aware that the site is not registered, it is important that the Naming process is followed and that the new name is registered with Geographic Names Victoria to mitigate these risks moving forward.

The naming proposal aligns with the City's commitment to reconciliation with Aboriginal and Torres Strait Islander peoples and to key actions under *Barpangu*, the City's Reconciliation Plan 2021-2025. The proposed name of Lar Birpa Athletics Complex recognises Aboriginal heritage and promotes the reinstatement of Djaara language into the landscape.

The City is a naming authority for all Council owned and managed sites and must follow the Naming Rules when undertaking a Place Naming process.

As a naming authority for the naming of roads and features within the municipality, the City is undertaking the naming process in accordance with the Geographic Place Names Act 1998 and the Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2022 (Naming Rules).

The Naming Rules are the statutory guidelines provided under section 5 of the Geographic Place Names Act 1988 and therefore mandatory for all naming authorities in Victoria.

The following process has been undertaken to date:

- An update of the 2021 process and formal request to Djaara to propose a name that complies with the Naming Rules for LaTrobe University Bendigo Athletics Complex
- Liaison with Geographic Names Victoria to ensure the proposed name complies with the 2022 Naming rules
- Stakeholder engagement with Athletics Bendigo on the proposed name and renaming process
- Development of a community engagement platform on City of Greater Bendigo's Let's Talk
- Community Consultation process undertaken for a 30 day period
- Two letter drops to 170 residents in the surrounding area of LaTrobe University Bendigo Athletics Complex advising them of the community consultation process and how to make a submission



Letter drop area

- Email update to the 55 participants of the 2021 process inviting them to make a submission
- Broader media release to advise that the community consultation process was open and how to make a submission
- A social media post was published on the City of Greater Bendigo's Facebook page on Wednesday 26 April. The post generated 66 link clicks to the Let's Talk page, 106 reactions, 94 comments and 4 shares.

Priority/Importance

Council needs formalise the decision on the naming proposal as per the process identified within the Naming Rules.

If Council agrees to adopt the proposed name, a naming proposal will be developed and submitted to Geographic Names Victoria. Community members who objected during the consultation process will be provided with the opportunity to appeal directly to Geographic Names Victoria.

If Council decides not to adopt the proposed name, then a revised naming proposal will need to go out for further public consultation.

The site needs to be officially named through Geographic Names Victoria to mitigate public safety concerns.

Supporting the use of Djaara and Taungurung language in place naming within the municipality aligns with Council's commitment to reconciliation with our Aboriginal and Torres Strait Islander community and to actions under the City's Reconciliation Plan (2021-2025), Barpangu.

Objective One of the Reconciliation Plan aims to recognise, acknowledge and celebrate the Traditional Owners and Aboriginal and Torres Strait Islander peoples across the municipality. Action 1.2 identifies working with the Traditional Owner Groups to promote Aboriginal place naming and the use of Djaara and Taungurung language in public spaces across the municipality consistent with recognised Country.

Place naming is one of the important ways that governments, industry and communities can work together to support the United Nations Sustainable Development Goals (SDGs). Most of the SDGs require standardised names of places and roads to deliver the work needed to achieve the goals, as well as for effective reporting.

SDG: Reduced Inequalities

Target 10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard

Support and encourage naming of places after minority groups and ensure equality in the naming of places

The [Victorian Aboriginal Affairs Framework 2018-2023](#) (the VAAF) is the Victorian Government's overarching framework for working with Traditional Owners, organisations and the wider community to drive action and improve outcomes.

This naming proposal supports the following VAAF goals:

- Goal 18 Aboriginal land, water and cultural rights are realised
- Goal 19 Aboriginal culture and language are supported and celebrated

Timelines

The renaming project commenced: February 2023

Stakeholder engagement (including Djaara) and development of Communications plan/Engagement tools: March/April 2023

Community Engagement opened: April 2023

Community Engagement closed: May 2023

Submissions Considered: June 2023

Council Decision: July/August 2023

Proposal to Geographic Names Victoria (if name adopted by Council): October 2023

Outcome from Geographic Names Victoria: December 2023

Communications/Engagement

Internal Engagement

- Active and Healthy Unit
- Communications Unit
- Engaged Communities Team

External Engagement

The City has consulted with Djaara on a suitable name for LaTrobe University Bendigo Athletics Complex and has received permission from Djaara for the use of 'Lar Birpa'.

The City has undertaken a public consultation process in accordance with the Naming Rules for Places in Victoria.

The naming proposal was released on Let's Talk Greater Bendigo on the 24 April at 8.20am and a media release was issued. An email was sent to the 55 community members who made a submission in 2021 providing an update and advising that they would need to submit a new submission to be considered as part of this process. Out of the 55 community members directly contacted a total of 14 submissions were received.

A letter drop was undertaken on the 24 April to 170 residents within the immediate area surrounding the facility, inviting them to make a formal submission. It was identified that there was a grammatical error in the proposed name in the correspondence, so a further letter drop was undertaken on the 28 April to the same residents with a correction.

The City received 74 formal submissions in total to the proposed name (this number does not include where an individual has submitted multiple times). Of the 74 submissions, 51 supported and 23 objected to the proposed name.

Objections received were not able to demonstrate valid reasons of how the proposed name did not comply with the Naming Rules (for further details see **attachment 2.12.2**).

The proposed name is in line with Council's policies and plans including its commitment to reconciliation.

It is recommended that Council adopts the name **Lar Birpa Athletics Complex**.

Financial Sustainability

All work undertaken within Community Partnerships budget due to successful operating Budget Submission for an Aboriginal Place Names Officer in 2020/2021 budget.

This budget will bid has been carried forward due to timing issues and will expire in 2024.

Ongoing support of Aboriginal Place Names would require a further budget submission for the 2024/2025.

Risk Assessment

The following risks have been identified in relation to Aboriginal place naming activities:

- extended or prolonged timelines for the completion of each naming project;
- difficulties in sourcing an appropriate Dja Dja Wurrung or Taungurung language name for a site;
- and difficulties in the implementation and adoption of new Aboriginal place names in the wider community or local media due to poor promotion, lack of communication or education about the name.
- If naming proposal is not adopted by Council, the naming process would be required to start again – extending resourcing.
- If sites are not correctly registered with Geographic Names Victoria, there is a public safety risk in terms of emergency response.

City staff will work to mitigate these risks by:

- Developing a Communications Plan to ensure a structured approach to community engagement and to build community support for Aboriginal place naming.
- Engage with Internal and external partners during the consultation to ensure all parties are informed of the process.
- Progressing naming proposals in accordance with the correct process and legislative requirements under the *Naming Rules for Places in Victoria* and the *Geographic Place Names Act 1998*.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 4 - Aboriginal reconciliation

Secondary Council Plan Reference(s)

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

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

Goal 3 - Enhanced wellbeing of our Aboriginal and Torres Strait Islander community

Other Reference(s)

Barpangu - Reconciliation Plan 2021-2025

Objective 1: Recognise, acknowledge and celebrate the Traditional Owners

ACTION: Work with the Traditional Owner Groups to promote Aboriginal place naming and the use of Dja Dja Wurrung and Taungurung language in public spaces across the municipality consistent with recognised Country

Social Justice Framework - 2022-2032

Core pillar of Action - Recognise Aboriginal and Torres Strait Islander Peoples/First Nation's peoples.

- The City of Greater Bendigo acknowledges the Dja Dja Wurrung and Taungurung Peoples as the Traditional Owners of the land and recognises other Aboriginal and Torres Strait Islander people as First Nations Peoples; and values their traditions, knowledge and culture.

Yilingga Marna Agreement

Opportunity: Project Investment

- For projects and activities that are categorised as 'negotiation activities' under the RSA, the City will engage DJAARA to provide Aboriginal place naming and the use of Dja Dja Wurrung language on site.

The use of Traditional Owner language supports a number of resolutions from International Frameworks including:

The United National Group of Experts on Geographic Names (UNGEGN)

UNGEGN was established to provide a cooperative framework, allow for follow up on conference resolutions and promote standardisation of geographical names across member states. Victoria complies with a number of [United Nations Group of Experts on Geographic Names](#) (UNGEGN) resolutions.

Naming authorities are required to indicate how the Naming Proposal aligns with particular UNGEGN resolutions. This Naming proposal aligns with the following:

- UNGEGN Resolution V/22 Aboriginal/ native geographical names
- UNGEGN Resolution VIII/1 Promotion of minority group and indigenous geographical names
- UNGEGN Resolution IX/5 Promotion of the recording and use of indigenous minority and regional language group geographical names

Conflict of Interest

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

Attachments

1. Let s Talk Feedback Summary [**18.1.1** - 4 pages]

Let's Talk Feedback Summary

The City has undertaken a public consultation process in accordance with the Naming Rules for Places in Victoria.

The naming proposal was released on **Let's Talk Greater Bendigo** on the 24 April at 8.20am and a media release was issued. An email was sent to the 55 community members who made a submission in 2021 providing an update and advising that they would need to submit a new submission to be considered as part of this process. Out of the 55 community members directly contacted a total of 14 submissions were received.

The City received 74 formal submissions in total to the proposed name (this number does not include where an individual has submitted multiple times).

Of the 74 submissions, 51 supported and 23 objected to the proposed name.

When making a submission the Naming Rules state that an objection or submission must explain why a proposal is opposed/supported.

At a minimum, objections or submissions (including petitions and pro-forma documents) should explain:

- The person's or group's interest in the naming proposal – for example if their address is affected or whether they have a personal link with the place and/or name
- Reasons for the name being inappropriate/appropriate, unsuitable/suitable or unsupported/supported, including how it does not comply with the naming rules.

The Naming Rules state that the Naming Authority need not consider objections that don't explain reasons for the objector opposing the name. Most objections received did not meet the minimum criteria, however the City choose to consider all submissions (both objections and those in support).

Those objections that did meet the minimum requirements did not provide a valid reason.

The City also received additional responses from the community, both positive and negative through social media. These comments have not been included in this report as they are not considered a formal submission as per the Naming Rules. The comments were in line with the feedback provided in the formal submissions.

A total of 51 submissions were received in favour of the naming proposals.

Common sentiments cited for supporting the naming proposal included:

- It is appropriate to provide respect, acknowledgement and recognition of the Traditional Custodians of the Land
- Consistent and aligned to Council Policies, Strategies and plans
- Place Naming is a part of reconciliation
- Culturally appropriate
- Brings language and culture into mainstream culture
- Creates safe, welcoming and inclusive places

- The use of language provides a sense of place and identity
- Relevant and meaningful
- Celebrates and connects custodians to the land.

A total of 23 submissions were received objecting to the proposal. The key issues and the number of times submissions identified them are outlined below:

- The proposed name is difficult to pronounce (Two submissions).

Naming Rules - Principle K: Language in the Naming Rules it is recognised that Traditional Owner names will initially appear complex however over time they will become familiar and easy to use.

This has been demonstrated with both Ulumbarra and Gurri Wanyarra, which are now widely accepted and used within the community. In addition, a soundbite has been provided of the proposed name which is available on the Let's Talk page. Pronunciation of Traditional Owner language is not recognised as a valid reason for objection under the Naming Rules.

- The proposed name does not include the location and therefore will be difficult for community and emergency response services to find (Six submissions).

Naming Rules - Principle A: Ensuring public safety in the Naming Rules identifies the importance of protecting our communities and not putting the public and operational safety for emergency response at risk; or cause confusion for transport, community and mail services.

A number of submissions identified that there had been issues with emergency services finding LaTrobe University Bendigo Athletics Complex and believed that it was because the location was not in the name. It has been identified through this Naming process that LaTrobe University Bendigo Athletics Complex is not currently registered with Geographic Names Victoria.

Registering sites is essential for managing emergencies and delivering goods and services within Victoria. The site being unregistered would have been the reason that Emergency services has had difficulty finding the site and not because the location was not in the name.

By undertaking this Naming process, we will ensure that this site is registered with Geographic Names Victoria.

- The proposed name is too long and confusing (one submission).

Naming Rules - Principle K: Language of the Naming Rules it is preferable that names do not exceed three words and/or 25 characters. An exception to this is in the use of Traditional Owner languages.

The City has consulted with Dja Dja Wurrung and Geographic Names Victoria to ensure the proposed name complies with Principle K – Language under the naming rules.

It is recognised that the name might appear confusing to begin with but over time it will become familiar and easy to use.

The proposed name is consistent with other facilities in Greater Bendigo such as Gurri Wanyarra Wellbeing Centre.

- The proposed name does not reflect the broader use of the facility (Five submissions).

A number of submissions identified that Lar Birpa (a place to run) did not adequately reflect all activities that athletics encompasses.

Naming Rules - Principle K: Language of the naming rules it is identified that names need to be no more than three words and/or 25 characters with the exception of Traditional Owner Language.

Given limitations to the length of the name, Lar Birpa (a place to run) is recognised as the best fit for purpose as running is shared component for all the activities. Under the naming rules this does not represent a valid reason for objection.

Representation of the broader use of the facility can be represented in other ways throughout the centre. For example, images on promotional material, artwork within the centre.

- The proposed name does not have cultural significance to the site/land (Two submissions).

The City consulted with Djaara, the Traditional Owners, and they were supportive of the proposed name for the site.

Naming Rules - Principle C: Linking the name to place of the Naming rules it recognises that names should have a link to place to ensure the preservation of our cultural heritage.

By consulting and engaging with the Traditional Owners and using Traditional Owner language in the name, the City is recognising and promoting the cultural heritage of the land.

Although it was not requested as part of the consultation process, alternative names were proposed in a number of submissions for LaTrobe University Bendigo Athletics Complex.

The following names were proposed in more than one submission

- Flora Hill Athletics Complex (Two submissions)

- Bendigo Regional Athletics Complex (Two submissions)
- Use of the word Waratah in the title (Two submissions)
- Bendigo Athletics Complex (Three submissions)

Under the naming rules, names should be no more than three words and/or 25 characters. Proposed names of Flora Hill Athletics Complex and Bendigo Regional Athletics Complex would not comply.

The naming rules support the use of Traditional owner language; however, Waratah is not local to the area and has not come from consultation with Traditional Owners.

Waratah comes from the Euro Aboriginal people, the original inhabitants of the Sydney area. Its use locally would not be appropriate.

Bendigo Athletics Complex would comply with the Naming rules however it does not recognise or support the City's and Geographic Names Victoria's commitment to reconciliation and the use of Traditional owner language in place naming.

The overall results of the community consultation indicate support for the proposed name.

19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT

Nil

20. A VIBRANT, CREATIVE COMMUNITY

Nil

21. A SAFE, WELCOMING AND FAIR COMMUNITY

21.1. Disability Inclusion Reference Committee 2023

| | |
|-----------------------|---|
| Author: | Nikki Williams, Coordinator Inclusive Communities |
| Responsible Director: | Stacy Williams, Director Healthy Communities and Environments |

Purpose

This report seeks Councillor endorsement to finalise the recruitment process for the Disability Inclusion Reference Committee as per the Terms of Reference.

Recommended Motion

That Council:

1. Endorse the appointment of new committee members; and
2. Thank outgoing committee members for their contribution to the committee.

Executive Summary

The Disability Inclusion Reference Committee (DIRC) comprises eight community representatives, four representatives from a local disability agency or network, up to three City Managers/Coordinators and one City staff member as support.

In June 2023, 12 committee member positions became vacant for a two-year term.

The vacant positions were for eight community representatives (people with disability or unpaid carer) and four representatives from a local disability-specific agency; or local organisations/networks that have influence on social inclusion for people with a disability.

To fill the vacancies, the City undertook an Expression of Interest process which resulted in 42 applications.

Following shortlisting, 22 applicants were interviewed by the Selection Panel in late June 2023.

The Selection Panel was unanimous in their decision to select 15 applicants for recommendation to Council for appointment to the DIRC.

Background

Establishing the Disability Inclusion Reference Committee (DIRC) was a key recommendation of the City's Community Access and Inclusion Plan (2015 – 2018).

The role of the DIRC is to provide access and inclusion advice to the City to ensure greater social inclusion of people with disabilities. The DIRC acts as a central point for City staff when advice is sought on matters relating to the needs and requirements of people with disabilities. The Committee assists the City to consider access and inclusion when developing policies, strategies and undertaking projects (capital and operational). The DIRC is currently supported by Outcome 7 (A safe, welcoming and fair community) of Mir wimbul 2021 - 2025.

Previous Council decision dates:

- 10 June 2015: Council adopted the Community Access and Inclusion Plan 2015 – 2018 with an action being to: Develop a Disability Advisory Group, or similar.
- 25 November 2015: Council endorsed the establishment of the DIRC and its Terms of Reference.
- 21 August 2019: Council endorsed the Greater Bendigo Disability Inclusion Reference Committee Member Appointments.
- 16 August 2021: Council endorsed the Greater Bendigo Disability Inclusion Reference Committee Member Appointments.

Report

In line with the DIRC's Terms of Reference, member positions become vacant after a two-year term and meetings are bi-monthly.

Cr Matthew Evans is the current Councillor representative.

Expressions of Interest were invited in accordance with the DIRC's membership criteria as per the Terms of Reference:

- Community representatives who are persons with diverse disabilities,
- Community representatives who are unpaid carers of persons who live with a disability, ideally with at least 1 carer of a child and 1 carer of an adult,
- Representatives from local disability-specific agencies; and
- Representatives from local organisations or networks that have influence on social inclusion for persons with a disability.

Membership should always weigh in favour of the number of community representatives and unpaid carers versus agency and City representation.

The Expression of Interest period for the vacant positions commenced on the 6th of May 2023 and closed on the 9th of June 2023.

42 Expressions of Interest were received for the 12 vacant positions.

In the Expression of Interest application, each applicant was asked to respond to three key questions to assist with the assessment of their knowledge and experience.

The key questions were:

1. Why do you want to be a member of the Disability Inclusion Reference Committee?
2. What is your personal or professional experience of disability and your understanding of the issues affecting people with a disability in our community?
3. What connections do you have to community networks or groups?

22 applicants were shortlisted for interviews.

Shortlisted candidates included:

- five unpaid carers,
- nine persons with disability and
- seven representatives from a local disability- specific agency and
- one representative from local organisation or network that has influence on social inclusion for people with a disability.

Other shortlisting considerations included:

- gender
- diverse disability types (e.g., intellectual, physical and sensory),
- age and
- the type of organisation the applicant was representing.

Interviews were conducted on the 27th and 28th of June 2023.

The Interview Panel consisted of Nikki Williams (Coordinator Inclusive Communities), Bernadette Wright (Current Chairperson of the DIRC) and Sophie Gardner (Acting Inclusive Communities Officer - Access & Inclusion).

For the current Chair's Expression of Interest application review/interview Vanessa Wait (Inclusive Communities Officer) stepped in as part of the Interview Panel.

The selection panel chose to recommend three additional members to the DIRC - two people with physical or intellectual disability and one carer.

This is due to acknowledgement of members' disability and how this can impact on availability for meetings. Several meetings have been cancelled over the last two years due to not having a quorum (the pandemic also influenced attendance).

The 15 successful members chosen to join the committee:

| | Appointed member | Representing | New or returning member |
|---|-------------------|---|-------------------------|
| 1 | Bernadette Wright | Person with a physical or intellectual disability | Returning |
| 2 | Stephanie Sayer | Person with a physical or intellectual disability | Returning |
| 3 | Mark Boyd | Person with a physical or intellectual disability | New |
| 4 | Pamela Scherger | Person with a physical or intellectual disability | New |

| | | | |
|--------------------------------|--------------------|---|-----------|
| 5 | Gabrielle Ashman | Person with a physical or intellectual disability | New |
| 6 | Claire Opie | Person with a physical or intellectual disability | New |
| 7 | Alex Reimers | Person with a physical or intellectual disability | New |
| 8 | Michael Taylor | Person with a physical or intellectual disability | New |
| 9 | Jessica Symes | Unpaid carer of a person with a disability | Returning |
| 10 | Jennifer Pinchbeck | Unpaid carer of a person with a disability | New |
| 11 | Ben Van Zeyl | Unpaid carer of a person with a disability | New |
| 12 | Kym Hart | Relevant Organisation rep - Gurri Wanyarra | New |
| 13 | Jasmine Noske | Relevant Organisation rep – Sports Focus | New |
| 14 | Rebecca Rosman | Relevant Organisation rep – Amicus | New |
| 15 | Justin Marshall | Relevant Organisation rep – Vision Australia | Returning |
| Councillor Representative/s | | | |
| Cr Matt Evans | | | |
| City Representatives | | | |
| Sophie Gardner/ Anthony Mercer | | Inclusive Communities – Access & Inclusion Officer, DIRC Administrative Support | |
| Nikki Williams | | Inclusive Communities Coordinator | |
| Anthony Petherbridge | | Manager Strategic Planning | |
| Daniella McClure | | Manager Property Services | |
| Toni Lyons | | Coordinator Organisation Development | |

It is the Selection Panel's opinion that these 15 applicants all satisfied the key selection criteria, and collectively offer an excellent mix of motivation, disability inclusion knowledge, personal experience, advocacy and leadership skills, and connections with the wider community as per the guidance provided in the Terms of Reference (see attachment 3.4.1).

It was the Panel's opinion that the remaining seven applicants, whilst having demonstrated knowledge and experience in their respective areas, did not satisfy one or more of the interview questions as strongly as the recommended applicants.

The appointment of the 15 recommended applicants will finalise the DIRC recruitment process for 2023, with all available positions being filled.

In accordance with the DIRC's Terms of Reference, community representatives and representatives from a local disability agency/network are appointed for a two-year term.

The seven short listed, but unsuccessful applicants, will receive written notification of the outcome, thanks for their interest in joining the Disability Inclusion Reference Committee and feedback if requested.

We would like to formally thank retiring members:

1. Liz March
2. Liz Wright

3. Adam English
4. Lord John Drake Cooper
5. Sara McQueenie

Priority/Importance

This initiative is of high importance as it represents and reflects the City's strategic commitment to people with disability in Greater Bendigo, a cohort which currently represents 26.2 per cent of the population (31,827 people).

Timelines

The new DIRC term and membership positions commence 31st August 2023 until June 2025.

Communications/Engagement

External consultation has occurred with the following:

Details of the Expression of Interest process were promoted via:

- Media Release
- E-News
- Radio
- Community newsletters
- Relevant email networks
- City's website,
- DIRC meeting
- Social media accounts.
- Officers responded to numerous enquiries from interested community members and service providers during the Expression of Interest period.

Internal consultation has occurred with:

- People and Culture Unit
- Communications Unit
- Community Partnerships Unit

Financial Sustainability

The Inclusive Communities Officer – Access and Inclusion (0.6 FTE) role convenes and facilitates the DIRC within existing resources.

Officers provide any disability-related support required for members to enable their participation.

The level of resources the City allocates in response to the various issues and opportunities arising out of the work of DIRC are responded to on an as needs basis within existing resources.

Risk Assessment

Appointing a new DIRC committee for two years, shows Council's commitment that our community is accessible and that people with disabilities can fully participate in community life.

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

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

Other Reference(s)

Social Justice Framework 2022-2032

The key principles are:

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

These core principles are supported by seven pillars of action. The pillars that apply to the DIRC include:

Support Access and Inclusion - The City of Greater Bendigo services, programs and facilities are designed and delivered in a way that is available to all and incorporates diverse perspectives and skills, with a focus on reducing the barriers which may prevent access.

Enable Engagement and Participation - The City of Greater Bendigo engages the community to enable meaningful, equitable and informed input into decisions which affect their lives.

Conflict of Interest

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

Attachments

Nil

22. URGENT BUSINESS

Nil

23. NOTICES OF MOTION

Nil

24. MAYOR'S REPORT

25. CHIEF EXECUTIVE OFFICER'S REPORT

26. CONFIDENTIAL (SECTION 66) REPORTS

RECOMMENDED MOTION

That Council close the meeting to members of the public pursuant to Section 66(2) of the Local Government Act 2020, to consider reports 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;

and

(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.