

COUNCIL MEETING MINUTES



6:00 pm on Monday, January 30 2023

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

Broadcast live on Phoenix FM 106.7 ***

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

NEXT MEETING:

6:00pm Monday February 27, 2023

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

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

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

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

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

2. TRADITIONAL LANGUAGE STATEMENT

Bangek Knoorarook Bunjil Dja Dja Wurrung
William Talle tallingingorak wirrmbool bunjil

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

3. OPENING STATEMENT

4. MOMENT OF SILENT REFLECTION

5. ATTENDANCE AND APOLOGIES

Attendance

- Mayor Cr Andrea Metcalf
 - Deputy Mayor Cr Matthew Evans
 - Cr Jennifer Alden
 - Cr David Fagg
 - Cr Rod Fyffe OAM
 - Cr Margaret O'Rourke
 - Cr Julie Sloan
 - Cr Vaughan Williams
-
- Craig Niemann, Chief Executive Officer
 - Andrew Cooney, Director Commonwealth Games
 - Steve Hamilton, Director Strategy and Growth
 - Chris Mitchell, Acting Director Presentation and Assets
 - Stacy Williams, Director Healthy Communities and Environments
 - Jessica Clarke-Hong, Acting Director Corporate Performance
 - Geoff Fallon, Acting Manager Governance

Apologies

- Cr Greg Penna
- Brian Westley, Director Presentation and Assets

RESOLUTION - Resolution No. 2023-1

Moved: Cr O'Rourke

Seconded: Cr Evans

That any apologies are accepted.

CARRIED

6. LEAVE OF ABSENCE

Nil

7. SUSPENSION OF STANDING ORDERS

RESOLUTION - Resolution No. 2023-2

Moved: Cr Fyffe

Seconded: Cr O'Rourke

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

CARRIED

8. COMMUNITY RECOGNITION

We now move to the first community section of 2023, where we celebrate personal achievements of residents, milestone events and other significant local news.

- First tonight, I would like to congratulate our Citizen and Young Citizens of the Year for 2023.
- We are delighted to congratulate Trevor Strauch, Amelia Leach-Unmeopa [UN-MEE-O-PA] and Mitchell Graham.
- Trevor has been recognised for his volunteering efforts over many years in the Huntly community, while Amelia is being celebrated for her youth advocacy and promotion of indigenous culture and Mitchell for his leadership in the Eaglehawk community.
- They are each so impressive and worthy of this recognition. So much so that we needed to have two Young Citizens of the Year this year.
- I also wish to acknowledge Bendigonian and Young Victorian of the Year, Darcy McGauley-Bartlett, who was recognised for his advocacy for Aboriginal and Torres Strait Islander People in the justice system.
- And it was wonderful to read about a number of local residents who received Australia Day honours last week. Council extends a warm congratulations to the following Medal of the Order of Australia (OAM) recipients:
 - Sally Duncan for service to basketball and people with a disability
 - Judith Richards for service to the Eaglehawk community, including support for Karen refugees
 - Margaret 'Peggy' Kearin for her support of people with diabetes
 - Ashley Donaldson, also for services to basketball; and
 - David Wright for his many roles as a volunteer in the Bendigo community
- A few sporting achievements of note:
 - Congratulations to Kangaroo Flat cricketer Jasmine Nevins who recently made her debut with the Victorian squad and Gary Warnest who has become a nationally accredited table tennis umpire.
 - Bendigo swimmers Jett Bird, Emily Kearns, Isabella Symons, Grace Dobie, Harry Allan and Charlie Whitsed all returned with medals following the recent Victorian Sprint Championships in Melbourne; and
 - White Hills' Brayden Stepien and Sandhurst's Kate Shallard have earned All-Australian selection following this month's Australian Country Cricket Championships. Kate was also named the women's player of the carnival.
- Finally, we are on the countdown to February 10, when we will find out if Bendigo is successful at the Australian Street Art awards. Our Bendigo Street Art Walking Tour is nominated in the Best Street Art Trail category, which is a great reflection of the effort of many staff to create a vibrant street art culture in our city and small towns.

And that ends tonight's community section.

9. PUBLIC QUESTION TIME

9.1. Pre-Registered Questions

1. From Ian of Bendigo:

- a. **Question** - Did the Fosterville gold mine, the regions largest emitter of greenhouse gas, use it's position as the financial sponsor of environment staff positions within council to persuade council to abandon the council's previous position of a carbon neutral city by 2030?
- b. **Answer** - As previously advised at the September Council Meeting Agnico Eagle does not sponsor environment staff positions within Council. They are one of many contributors to the Greater Bendigo Climate Change Collaboration. Neither the Governance Group nor funding partners have any decision-making powers with relation to the appointment of staff. The Council remains committed to achieve net-zero emissions for Council operations and the City by 2030.

9.2. Gallery Questions

1. From Kaylene of Long Gully:

- o **Question** - What are Councillor's personal stance on the desecration of the graves that is currently happening by Remembrance Parks Cemeteries around Bendigo?
- o **Answer** - Councillors are aware of the recent controversy, however are yet to form any views. This is not a responsibility of Council, but Councillors are happy to receive information on the decision made and background.

2. From Lyn of Strathdale:

- o **Question** - With regard the changes to the proposed Domestic Animal Act Orders why are there no off-leashes for dogs at Spring Gully and Strathdale? There is a lot of green space in both of those things, that happen to be sportsfields. We are not allowed to use them, it appears. At the moment we do have access to Rodda field and that has been taken away with no consultation whatsoever. And it is beyond me - those ovals are empty up until about 4 o'clock every day of the week. They cost a lot of money to maintain and we pay our rates that help maintain it. Why can't we just have access to one oval in either of those two spaces for off-leash activities?
- o **Answer** - The proposed Domestic Animal Act Orders changes are currently in the community feedback stage. Feedback is open until Monday February 13, 2023. You can have your say online through the City's Let's Talk Greater Bendigo engagement website (<https://letstalkgreaterbendigo.com.au/proposed-new-domestic-animals-act-orders>) or you can post your submission to the City of Greater Bendigo, P.O. Box 733 Bendigo VIC 3552 or hand deliver it to the City of Greater Bendigo customer service office in Hopetoun Street.

3. From Anita from Junortoun:

- o **Question** - How would you feel if your love ones grave personal items ended up at the Eaglehawk tip?

- **Answer** - Understand it would be very distressing for families, but Council does not have a role in the management of cemeteries.
4. Margaret of White Hills:
- **Question** - How often does Council maintain Wanyarram Dhelk?
 - **Answer** - The City is aware of the current status and is working with the Dja Dja Wurrung. We'll need to take exact timing on notice, and will respond directly when resolved.

10. RESUMPTION OF STANDING ORDERS

RESOLUTION - Resolution No. 2023-3

Moved: Cr Fyffe

Seconded: Cr O'Rourke

That Standing Orders be resumed.

CARRIED

11. WARD REPORTS

11.1. Eppalock Ward - Cr O'Rourke

It was wonderful to see so many in our community out and about over the Christmas New Year break after what has seemed like an endless winter – we have made up for it now with beautiful weather which encourages so many to explore what we have to offer. Once the rush of Christmas subsides activities do quieten down as we all take a little breather into the New Year.

My fellow Councillors Matt and Greg and I attended several activities which are listed below:

- Here are a few events attended since last council meeting:
- CoGB Staff Christmas Breakfast at the Gardens of the Future
- Queen's Jubilee Tree Planting event in Strathfieldsaye – well done to SDCE Dennis Johanson and Commonwealth Govt grant. Crs Matt and Greg attended
- Bendigo Karen New Year Soccer & Volleyball Tournament
- Opening Night of Jessie Bleakley's solo exhibition at the Rood Henry Artspace in Heathcote Cr Matt and Mayor attended
- BCA's 2023 Lunar New Year Festival at Dai Gum Sa
- Tour of New Bendigo Law Courts by Councillors and Exec
- Flora Hill Planning consultation at Hopetoun mill Meetings with residents at strathdale, kangaroo Flat and Lockwood Cr Greg attended
- Several Briefings which began back again on 16th Jan
- Cr Greg Australia Day at Mia Mia with address
- Cr Matt Australia Day at Strathfieldsaye
- Cr Marg Australia Day at Junortoun, Lake Weeroona and Citizenship Ceremony in the afternoon welcoming 66 new Citizens! Cr Matt attended also.
- A number of Councillors also attended the dawn Survival Day services with BDAC which was a very moving event and a strong reminder that Australia Day has different meaning for many, one of loss and mourning in the First Nationals community. It is important that we mark Australia Day with respect.

The holiday period is always a time for me to take some quiet time to reflect on the busy year that was, and what the new year holdsLast week after returning from a break with family in Hobart (and doing lots of walking..... so many hills; I forget after living there for early 7 years) I thought I should start doing some different walks in our beautiful Greater Bendigo instead of the flats of Junortoun.....so on Saturday I went early at 8am to Rozzie Park and View St; to get the heart rate up – I was so taken by the fact that I had the park almost to myself with only 2 other people walking and cycling through It was the beauty of the surrounds that really hit me and vibrancy of the greenness.

We take our open spaces for granted at times; I know I do..... we always have them; they always look so lovely and Saturday was no exception! Craig/Brian can you please pass on my compliments to the Parks and Gardens team.....it is no wonder we have several Green Flag awards for Rosalind Park – our open spaces look beautiful at the moment and such an asset for all residents to use; also a lovely cooling refuge with some of our warmer days.

It made me realise what a unique situation we have with open space right in the heart of a bustling small city of the world and how fortunate we are! To our residents, get out and enjoy it!

11.2. Lockwood Ward - Deputy Mayor Cr Alden

As we begin a new year - we have been getting back into activities in the Lockwood ward. There are always resident visits for issues such as weather impacts.

Last week Councillors and Exec staff had a guided tour of the new Law Courts. The justice system will benefit enormously from the collocation of so many court services under one roof. Created with thought, insight and sustainability in mind (including being all electric), it's natural finishes feature throughout this brilliantly light and calming space. The biggest highlight is Bunjil, the creator, looking over all. Congratulations to all involved, including the Dja Dja Wurrung input. When the chance comes for a tour grab it - you will be impressed.

The past couple of weeks have seen the commencement of a new year across different cultures in Bendigo. The Karen community celebrated the year 2762 in their calendar with a joyous occasion and a huge crowd in the White Hills Botanic Garden for the Future. A celebration of language, tradition and culture, the Karen New Year was first celebrated in the Karen people's homeland Burma in 1938.

2023 is officially the Year of the Rabbit in the Chinese calendar. Along with Mayor Metcalf and Councillors Evans and Williams I attended another spectacular event from the Bendigo Chinese Association at Dai Gum San. According to Chinese legend the Rabbit lives in the moon and signifies luck, longevity, peace and prosperity - all much welcome after the past year globally.

On Australia Day it was notable that increasingly people are drawn to events in our multicultural nation that promote reflection and respect for Indigenous peoples, noting also that the cancellation of the Australia Day March by the State Govt and City of Melbourne signifies change. Some Councils are involved in alternative events with an Indigenous focus and some are moving or discussing moving Citizenship Ceremonies from the day. Increasingly, workplaces are recognising that some staff do not want to take Jan 26 as a public holiday.

I attended an inaugural Survival Day Service and breakfast at the BDAC. Despite Aus Day seeking to celebrate the birth of our nation, the story of Australia is far greater than the 235 years since the landing of the first fleet at Sydney Cove. Australia's history begins over 60,000 years ago with our First Nations People, custodians of the world's oldest living culture. Thus we must also recognise that Aus Day being celebrated on Jan 26th is one of loss and mourning for many in the first Nations community. Also to be aware that the national public holiday on Jan 26th only started in 1994 and that services to mark a day of mourning for the Indigenous community hark back to 1938.

The City of Greater Bendigo has been active over the past year seeking the support of First Nations people locally to continue to grow our understanding of Australia's history and look to ways to respectfully connect with First Nation's desires around this issue and build a better community together.

I personally look forward to the time, similar to the desire by the Dja Dja Wurrung community, when a date can be set for Australia Day that is sensitive to all Australians' desires and can become the basis for celebration rather than mourning for so many.

11.3. Whipstick Ward - Cr Fagg

It's been a beautiful time to be a Bendigonian, especially in the Whipstick Ward, which boasts Rosalind Park, Lake Weeroona, Canterbury Park, Gardens for the Future, and the Botanic Gardens. We've had lots of positive comments from people enjoying these places, and pass our congratulations to the Parks and Gardens team for their always excellent work.

In particular, it was great to see the uptake of the new Lake Weeroona playground. New playgrounds or changes to playground designs are always controversial, but we think the punters have spoken loudly in favour. I know my kids have loved it.

Late last year, I really enjoyed hearing submissions from the community into the budget, and what our priorities should be. I know we can't possibly fund all the ideas, but I thank everyone nonetheless for their hard work. Every budget submission has a hard-working a dedicated individual or community group behind it, and that is what makes our community really hum.

I will be continuing to work as the chair of the Heritage Advisory Committee this year, and with the development of the Heritage Strategy this will be a busy time. I was also proud that the Committee developed budget submissions this year, and I hope this can be an ongoing practice.

Your ward councillors are itching to get back into things in the new year. As well as being involved in various community events over January, we will be at the community workshops in Elmore and Goornong in February, and the opening of the Tractor Sculpture in Kamarooka in March.

I would also draw people's attention to the Lets Talk Greater Bendigo website, where there are a number of policies for your comment:

- The Public Art Policy
- Road Safety Action Plan
- Proposed new Domestic Animals Act Orders: 24 hour cat containment, and changing to a default on-leash arrangement for dogs in the municipality.

Thanks

12. DECLARATIONS OF CONFLICT OF INTEREST

No attendee declared a conflict of interest.

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

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

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

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

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

13. CONFIRMATION OF PREVIOUS MINUTES

13.1. Confirmation of Previous Minutes

RECOMMENDED MOTION

That the Minutes of the Council Meeting held on December 12, 2022, as circulated, be taken as read and confirmed.

Previous minute location:

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

RESOLUTION - Resolution No. 2023-4

Moved: Cr O'Rourke

Seconded: Cr Sloan

That the recommended motion be adopted.

CARRIED

14. PETITIONS AND JOINT LETTERS

14.1. Response to petition: Commonwealth Games - Local Content Opportunities

Author:	Andrew Cooney, Director Commonwealth Games
Responsible Director:	Andrew Cooney, Director Commonwealth Games

Purpose

To provide a response to the petition tabled at the Council meeting on 12 December 2022, relating to local content opportunities for the 2026 Commonwealth Games.

Recommended Motion

That Council note that the following actions have been taken in response to the petition:

1. Letters have been written to the Minister for Commonwealth Games Delivery and Minister for Commonwealth Games Legacy advocating opportunities for local businesses be included as a key component of the Games Procurement Strategy.
2. Estimated timeframes for the procurement of design and construction services for each infrastructure project being delivered as part of the Commonwealth Games in Bendigo is being collated.
3. An industry forum is being organised for early 2023 to provide updates for local businesses on key information, including procurement timeframes relating to infrastructure projects for the venues and Athlete's Village being delivered in Bendigo for the 2026 Commonwealth Games.

RESOLUTION - Resolution No. 2023-5

Moved: Cr O'Rourke

Seconded: Cr Evans

That the recommended motion be adopted.

CARRIED

Report

The City of Greater Bendigo understands the benefits of hosting the Commonwealth Games is more than just having world class sport played at our venues. The Games needs to provide broader benefits for our community including additional jobs for our people and economic opportunities for our local businesses. A key outcome of Let the Games Begin, Council's Legacy Plan for the Game is to deliver jobs and economic benefits for our region.

We know that we have outstanding businesses and professional talent in Bendigo. We have been, and will continue to advocate for local businesses, including our design businesses, to have the chance to be considered for opportunities relating to the Commonwealth Games.

Council has now written to the Minister for Commonwealth Games Delivery and the Minister of Commonwealth Games Legacy to highlight the talent of Bendigo businesses and advocate to ensure our local businesses are provided the opportunity to be considered as part of the Commonwealth Games procurement strategy.

To ensure our local businesses are aware of the opportunities that will exist on the infrastructure and precinct projects, a forum is being organised to occur in early 2023. At this forum, key information about each of the venue and precinct infrastructure projects that are planned for the Commonwealth Games in Bendigo will be provided, including the estimated procurement timeframe and where each tender opportunity will be advertised. The objective of this session is to ensure our local businesses are aware of the process and potential opportunity and can participate if they choose.

Both Ministers that Council has written to will be invited to attend the forum.

Whilst the key focus of this forum will be infrastructure projects, it is anticipated that future forums on procurement opportunities will occur in the lead up to the Games.

Primary Council Plan Reference

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

Outcome 1 - Lead and govern for all

Outcome 3 - Strong, inclusive and sustainable economy

Secondary Council Plan Reference(s)

Goal 1 - Inclusive employment opportunities for all, sustainable jobs and investment and a diverse economy

Conflict of Interest

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

Attachments

1. Petition Commonwealth Games Local Content [14.1.1 - 20 pages]



ARCHITECTURE
INTERIOR DESIGN
URBAN PLANNING

09/12/2022

Mayor Cr Andrea Metcalf
City of Greater Bendigo

Dear Andrea

Congratulations on your re-election to Mayor. We wish you all the best for this term of Governing.

Following on from my recent communication with your office and on behalf of EPLUS Architecture, Fairbrother Construction, Y2Architecture and signatories I provide a petition.

*Commonwealth Games Bendigo 2026 'Better outcomes with local involvement'.
Architects, Designers, Construction Tradespeople demand the opportunity to participate in the procurement of
Commonwealth Games development and future public building development in Bendigo.*

The Action Requested:

To ensure that local design professionals and construction companies are afforded the opportunity to participate in all Commonwealth Games Development and future public building development in Bendigo.

Although the State Government have good policies around 'Buying for Victoria', this unfortunately does not always result in jobs for Bendigo companies and it's a general feeling throughout the professional design industry that local involvement begins at construction. Bendigo is flush with excellent construction companies and trades people we are not a city of construction companies and trades people. Within our region there are readily available professional service providers in Feasibility, Master Planning, Concept Designing, Construction Documentation, Contract Administration, Project Management, Construction, Construction Management and Early Works. We have design companies registered to complete Government projects up to \$100 million and regularly carry out large scale projects for Government and private agencies outside of the Bendigo Region.

To create sustainable and successful businesses in Regional Victoria, we must be afforded the opportunity to participate in regional development. In the last decade, well over \$1 Billion worth of development has occurred in the Bendigo region with little or no design consultancy involvement. This equates to approximately \$40,000,000+ of design consultancy fees with zero contribution back to our community. It is our local businesses that contribute back into the community, and we have personally contributed over \$200,000 in professional fees to Foodshare and all have supported various local sporting clubs, educational initiatives and events.

We welcome the opportunity to meet with you and representatives of City of Greater Bendigo early next year to collaborate on strategy to ensure regional business benefits from the regional Commonwealth Games in 2026.

Yours Sincerely

Matthew Dwyer AIA ALEP
Director Y2Architecture

Commonwealth Games Bendigo 2026

Better outcomes with local involvement.

Architects, Designers, Construction Managers and Construction Tradespeople demand the opportunity to participate in the procurement of Commonwealth Games development and future public development in Bendigo.

Please show your support and sign our petition.

Action Requested: We, the undersigned, petition the **Mayor and Councillors of the City of Greater Bendigo Council** to ensure that local design and construction companies are afforded the opportunity to participate in all Commonwealth Games Development and future public building development in Bendigo.

Within our region there are readily available professional service providers in Feasibility, Master Planning, Concept Designing, Construction Documentation, Contract Administration, Project Management, Construction, Construction Management and Early Works.

Petition

To the Mayor and Councillors of the City of Greater Bendigo council.

Date:

Contact Person: Matthew Dwyer AIA ALEP
Director Y2Architecture [matt@y2architecture.com.au]

Address: 5/ 41-43 Mundy Street Bendigo 3550

Subject of Petition: Inclusion of local design professionals and construction companies in the procurement of Commonwealth Games Development and future public building development in Bendigo.

Action Requested: We, the undersigned, petition the **Mayor and Councillors of the City of Greater Bendigo Council** to ensure that local design professionals and construction companies are afforded the opportunity to participate in all Commonwealth Games Development and future public building development in Bendigo.

Within our region there are readily available professional service providers in Feasibility, Master Planning, Concept Designing, Construction Documentation, Contract Administration, Project Management, Construction, Construction Management and Early Works.

Name [please print]	Address [please print]	Signature
STEVEN MARSH	CASTLEMARINE VIC	[Signature]
Briony Phillips	CASTLEMARINE VIC	[Signature]
Imogen Trevino	CASTLEMARINE	[Signature]
NICK TEANOR	CASTLEMARINE	[Signature]
Lisa Kitson	CASTLEMARINE	[Signature]
Beth Stowe	CASTLEMARINE	[Signature]
BRITA JOHANSON	CASTLEMARINE	[Signature]
Sashi Nair	CASTLEMARINE	[Signature]
Kate Guthrie	Campbells CK	[Signature]
Bethany Carlton	[Redacted]	Bethany
Winnie Marsh	CASTLEMARINE VIC	[Signature]
JOSINA BALL	[Redacted]	[Signature]

Bendigo

Name [please print]	Address [please print]	Signature
Daniel O'Halloran	[REDACTED]	[Signature]
Bryre Quill	[REDACTED] Harcourt	[Signature]
Desiree Osborne	[REDACTED]	[Signature]
Jane Martin	[REDACTED] Harcourt	[Signature]
Elizabeth Marsh	[REDACTED] PR. Castlemaine	[Signature]
John Marsh	[REDACTED] Castlemaine	[Signature]
Amy Greene	[REDACTED] Castlemaine	[Signature]
Ollie Fairclough	[REDACTED] CASTLEMAINE	[Signature]
Adam Smith	[REDACTED] CUSTON HILLS	[Signature]
Anna Mulgrew	[REDACTED]	[Signature]
Bonnie Mitchell	[REDACTED]	[Signature]
Cavan Laid	[REDACTED] Castlemaine	[Signature]
Linda Preston	[REDACTED] Huntly	[Signature]
J. McIntosh	[REDACTED]	[Signature]
KATHRYN MILLER	[REDACTED]	[Signature]
J. Greer	[REDACTED]	[Signature]
MATT PRESTON	[REDACTED] Quarry Hill	[Signature]
Jonathon McIntosh	[REDACTED]	[Signature]
LUCAS PRESTON	[REDACTED] HUNTLY	[Signature]
H. MILLER	[REDACTED] BENDIGO	[Signature]
S. BUTTS	[REDACTED] BENDIGO	[Signature]
H. DILL	[REDACTED] Campbells Creek	[Signature]
M. SAUNDERS	[REDACTED] CMAIA	[Signature]
J. Mamiot	[REDACTED] Last	[Signature]
ALEXANDRIA VAN DOMBURGH	[REDACTED] JACKSONS FARM	[Signature]
ANDREW SCHAEFER	[REDACTED]	[Signature]

Name [please print]	Address [please print]	Signature
Bailey Tramm	Golden Square 3550	[Signature]
Calum Gurd	Seagwicks 3551	[Signature]
Caleb Nitschke	North Bendigo	[Signature]
Codie Ella Shackles	Elmore	[Signature]
EMMA ROBERTS	[Redacted]	[Signature]
Hayley Conley	Elmore	[Signature]
Helinda Ludemann	J. Gully	[Signature]
Rachel Sumner	Maiden Gully	[Signature]
Liz Stewart	[Redacted]	[Signature]
Eddy Dickens	[Redacted]	[Signature]
BEN DYETT	S/E/Sage	[Signature]
Sarah Wood	Kennington	[Signature]
Jaclyn Tanner	Kindra	[Signature]
Roger Byan	Shahfield/Sage	[Signature]
Matthew Evelyn	[Redacted]	[Signature]
Pauline Englefield	[Redacted]	[Signature]
Trendy Brandon	[Redacted]	[Signature]
Jodie Hitchens	[Redacted]	[Signature]

Petition

To the Mayor and Councillors of the City of Greater Bendigo council.

Date:

Contact Person: Matthew Dwyer AIA ALEP
Director Y2Architecture [matt@y2architecture.com.au]

Address: 5/ 41-43 Mundy Street Bendigo 3550

Subject of Petition: Inclusion of local design professionals and construction companies in the procurement of Commonwealth Games Development and future public building development in Bendigo.

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Name [please print]	Address [please print]	Signature
Saran O'Connor	Spring Gully	[Signature]
Elly	[Redacted] 3031	[Signature]
SMITH DONALDSON	GOLDEN SQUARE	[Signature]
W. Donaldson	[Redacted]	[Signature]
W. DALGLISH	HUNTER	[Signature]
CHANTAL BROOKES	[Redacted]	[Signature]
Hayley Tobin	[Redacted]	[Signature]
Lyn Chamber	[Redacted] Ciba	[Signature]
Michele Fraser	[Redacted] W. Hills	[Signature]
Georgia Fraser	[Redacted] WHITEHILLS	[Signature]
Monica Langdon	[Redacted] M. Langdon	[Signature]
Drew Symons	[Redacted] Bendigo	[Signature]

Petition

To the Mayor and Councillors of the City of Greater Bendigo council.

Date:

Contact Person: Matthew Dwyer AIA ALEP

Director Y2Architecture [matt@y2architecture.com.au]

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Name [please print]	Address [please print]	Signature
Donna Coay	[REDACTED]	[Signature]
[REDACTED]	Axedale.	[Signature]
Megan Edwards.	[REDACTED]	[Signature]
[REDACTED]	Quarry Hill.	[Signature]
Brenda Miller	[REDACTED] Strathdale	[Signature]
Jenna Mannix	[REDACTED] Golden Square	[Signature]
XVETTE FANNAM	[REDACTED] KENNINGTON	[Signature]
Julie Cartwright	[REDACTED] CS	[Signature]
Carol Styles	[REDACTED] Lockwood	[Signature]
Janet Bradley	[REDACTED] Bgo.	[Signature]

Name [please print]	Address [please print]	Signature
Susan Hayes	[REDACTED]	[Signature]
Gwen Hayes	[REDACTED]	[Signature]
Adam Veilch	[REDACTED] White Hills	[Signature]
Margo Logan	[REDACTED] Streeby	Margph-Logan
Gairi Fawcett	[REDACTED] Frosteray	G Fawcett
Jacqui Daniel	[REDACTED] OH.	[Signature]
Marcelle Daniels	[REDACTED] KF	M. J. Daniels
ROHAN LANDER	[REDACTED] BUCKWOOD	R. Lander
Shmuel	[REDACTED] North Bond. H.	Shm
W's de Deugel	[REDACTED] FRANKSTON STH 3199	[Signature]
STAR FRANKSWORTH		[Signature]
Adam Wild	[REDACTED]	Admild
Ella Kustrin	[REDACTED] Quarry Hill	Ella K
Ivy Allen	[REDACTED] Quarry Hill	Ivy Allen
Tara Stemann	[REDACTED] White Hills	[Signature]
Melinda Alden	[REDACTED]	M. Alden
Macey Curnow	[REDACTED]	Macey Curnow
Mike Nolan		[Signature]
Declan Stirrup		[Signature]
Prudeno Cooke		[Signature]
Nick McDaniel	[REDACTED]	[Signature]
Jack Moorhead		[Signature]
Jon Helm	[REDACTED] Daylesford	Jon Helm
KEN CHARLES	[REDACTED] DAYLESFORD	Ken Charles
Kristy Dwyer	[REDACTED] Mandurong	[Signature]

[illegible]

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Name [please print]	Address [please print]	Signature
KRISTEN PINCOAT	[REDACTED] @JARRY HILL	[Signature]
TREVOR ELLIOTT	[REDACTED], BENDIGO	[Signature]

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Name [please print]	Address [please print]	Signature
Brian Stratford	[REDACTED]	B Stratford
Joseph Hughes	[REDACTED] Hennington FLORA HILL	[Signature]

Petition

To the Mayor and Councillors of the City of Greater Bendigo council.

Date:

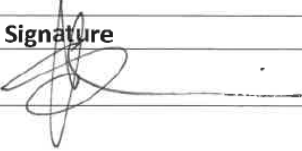
Contact Person: Matthew Dwyer AIA ALEP
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Name [please print]	Address [please print]	Signature
SONIA VESCOVI	RAVENSWOOD STH 3453	

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Name [please print]	Address [please print]	Signature
Marsha Busse		
Marian Dwyer		
BERNDA JORDAN		
JASON JORDAN		
JAMES GALLAGHER		
MARINA DAMJANIC		
Marilyn Taylor	longhully	allanby
Under Taylor	Bendigo	carlton
Jon Wells		
Tony Cross		Shona Jay Gil
Alan Stocker		

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Name [please print]	Address [please print]	Signature
RACHEL HANNAN	[REDACTED] BENDIGO	[Signature]
JESSICA RIGBY	[REDACTED] BENDIGO	[Signature]
RIMMON MARTIN	[REDACTED] BENDIGO	[Signature]
LUCAS HODGENS	[REDACTED] MANDURANGI	[Signature]
LING CHEAH	[REDACTED] FLORA HILL 3550	[Signature]
DARREN GREAVES	[REDACTED] CALIFORNIA Gully 3556	[Signature]
Dex Wong	[REDACTED] Flora Hill. 3550	[Signature]
NOEL HENDERSON	[REDACTED] ST. JOSEPH ST	[Signature]
LYNDSEY HENDERSON	[REDACTED] Bendigo 3550	[Signature]
BIM He	[REDACTED] Bendigo	[Signature]
Tomy Mottu	[REDACTED] CASTLEMAINE	[Signature]
MARIA SATHI	[REDACTED] Bendigo	[Signature]

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Name [please print]	Address [please print]	Signature
JASON WATSON	[REDACTED]	[Signature]
Ryan Saunders	[REDACTED]	[Signature]
SUSTIN GUN	[REDACTED] Perrine	[Signature]
RYLEN DICKENS	[REDACTED]	[Signature]
M. CIMAZ	[REDACTED]	[Signature]
K Dole	[REDACTED]	[Signature]
Brad O'Shea	[REDACTED]	[Signature]
Will McClure	[REDACTED]	[Signature]
Shelby Faulkner	[REDACTED]	[Signature]
David Nassar	[REDACTED]	[Signature]
Alex Grindal	[REDACTED]	[Signature]
Scott Ferguson	[REDACTED]	[Signature]

[illegible]

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This includes but is not limited to; Feasibility, Master Planning, Concept Designing, Construction Documentation, Contract Administration, Project Management, Construction, Construction Management, Early Works.

Name [please print]	Address [please print]	Signature
LOUISE MILTON	[REDACTED] Bendigo	

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Name [please print]	Address [please print]	Signature
Chris McGregor	[REDACTED]	[Signature]
Chris Thomson	[REDACTED]	[Signature]

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Name [please print]	Address [please print]	Signature
Jodi Stewart	[REDACTED] KENDRICKTON	[Signature]
DAVE KAREE	[REDACTED] Junortoun	Appearance
Kathryn Kelynaack	[REDACTED] Bgo	[Signature]
Bronwyn Bishop	[REDACTED] Reddingully	B Bishop
Jenna Mullane	[REDACTED] STRATHFIELDSAYE	Mullane
Tanya O'Gorman	[REDACTED] E/Hawk	[Signature]
Tony Hibbs	[REDACTED]	[Signature]
Christina Xie	[REDACTED] Junortoun	[Signature]
Mark Lacey	[REDACTED] Junortoun	[Signature]
SAM GIBBS	[REDACTED] Jun.	[Signature]
Andrew Wake	[REDACTED] Jun.	[Signature]
SIYONE BAKER	[REDACTED]	[Signature]

[illegible]

15. LEAD AND GOVERN FOR ALL

15.1. Contracts Awarded under Delegation

Author:	Greg Painter, Procurement Coordinator
Responsible Director:	Jessica Clarke-Hong, Acting 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.

RESOLUTION - Resolution No. 2023-6

Moved: Cr Sloan

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

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

Conflict of Interest

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

Attachments

1. Contracts Awarded Under Delegation Council Report December 2022 [**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
CT000646	Provision of Logwood Recovery	United Arboricultural Services	Brian Westley	21/12/2022	Schedule of Rates	3 Years with the option of further 2 years (1+1)	\$0. This contract brings in an income from the City's Logwood Recovery
CT000645	Cleaning Services for Bendigo Events & Venues	The Bendigo Cleaning Company	Steve Hamilton	19/12/2022	Schedule of Rates	3 Years with the option of further 2 years (1+1)	\$300,000.00
CT000643	2023 Bendigo Easter Festival Risk & Emergency Management Consultant	Sentry Business Resilience Solutions Pty Ltd	Steve Hamilton	19/12/2022	\$53,500.00	1 Year with the option of further 2 years (1+1)	\$53,500.00
CT000649	Provision of Traffic Management Services - Panel Contract	VORM Traffic Management Pty Ltd Traffic Australia Vic Pty Ltd Go Traffic Pty Ltd	Craig Niemann	28/12/2022	Schedule of Rates	3 Years with the option of a further 2 years (1x2)	\$1,400,000.00
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. Planning Scheme Amendment C269 and Planning Permit Application DS/137/2021 - 15 & 21 Pratts Park Road Strathdale

Author:	Frank Casimir, Strategic Planner
Responsible Director:	Steve Hamilton, Director Strategy and Growth

Purpose

This report seeks consideration of the submissions received to combined Planning Scheme Amendment C269Gben (the Amendment) and planning permit application DS/137/2021.

The Amendment proposes to rezone the land at 15 and at 21 Pratts Park Road, Strathdale from Low Density Residential Zone to General Residential Zone and to delete the Development Plan Overlay Schedule 4, Low Density Residential Zone - Density Management Areas (DPO4).

The permit application is for the subdivision of the land at 21 Pratts Park Road into 39 residential lots, removal of native vegetation and the creation of a drainage reserve.

Proponent:	Pratts Park Estate P/L
No. of submissions:	15 (Two in support and thirteen in opposition/ requesting additional information)
Key issues:	• The proposed extension of Northmoor Drive. • Traffic congestion at the intersection of Pratts Park Road and McIvor Road. • The need for orderly planning. • The need for connectivity between neighbourhoods.

Recommended Motion

That Greater Bendigo City Council:

1. Note and accept all submissions received as a result of exhibition of Amendment C269Gben and planning permit application DS/137/2021.
2. Request the Minister for Planning to appoint an Independent Panel to consider all submissions received for Amendment C269Gben and planning permit application DS/137/2021 to the Greater Bendigo Planning Scheme.

RESOLUTION - Resolution No. 2023-7

Moved: Cr Evans

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

The Amendment and permit application initially sought to allow for the development of the land at 21 Pratts Park Road, Strathdale for residential purposes and included the removal of native vegetation and the creation of a drainage reserve. The Explanatory Report for Amendment C269Gben is included as Attachment 1 and the draft planning permit is included as Attachment 2. The exhibited subdivision is included as Attachment 3.

As a condition of authorisation (see Attachment 4), 15 Pratts Park Road, Strathdale was added to the Amendment for the proposed rezoning and removal of the DPO4. This was considered important from an orderly planning perspective to prevent a small (1,400 square metre) parcel of land remaining in the Low Density Residential Zone. The owner of 15 Pratts Park Road had previously been contacted by phone and in writing by City officers and had not supported their property being included in the Amendment. Despite this they did not provide a submission to the Amendment once on exhibition.

During the exhibition period, fifteen (15) submissions were received. Thirteen (13) submissions opposed the Amendment and permit application or sought clarification/changes, and two (2) were in support (see Attachment 5 for submissions). The opposing submissions were from nearby landowners and occupiers and the consultant acting on behalf of the proponent. DOT's submission requests further information to inform its position and although DOT note that it is likely to support the Amendment, it also notes that it reserves the right to object should the further information not be provided. It is important to note that DOT was engaged in the preparation of the Amendment and permit application prior to exhibition.

The most common concern raised in the opposing submissions related to the proposed extension of Northmoor Drive. Other issues included traffic impact at the intersection of Pratts Park Road and McIvor Road, stormwater drainage and the removal of the DPO4.

Based on submissions received there have been further discussions between City officers within Strategic Planning and Engineering in relation to the extension of Northmoor Drive. Based on further investigations and discussions, the City officer position remains that the extension of Northmoor Drive to the new road within the proposed subdivision is the most logical approach from an orderly planning perspective, and to ensure connectivity. Therefore, it is not proposed to make changes to the Amendment and associated permit application to resolve these submissions.

As there are unresolved submissions to the Amendment and permit application, a report will be presented to Council recommending that Council request the Minister for Planning to appoint an Independent Panel to consider submissions.

Background

The key steps in the Amendment process are summarised below:

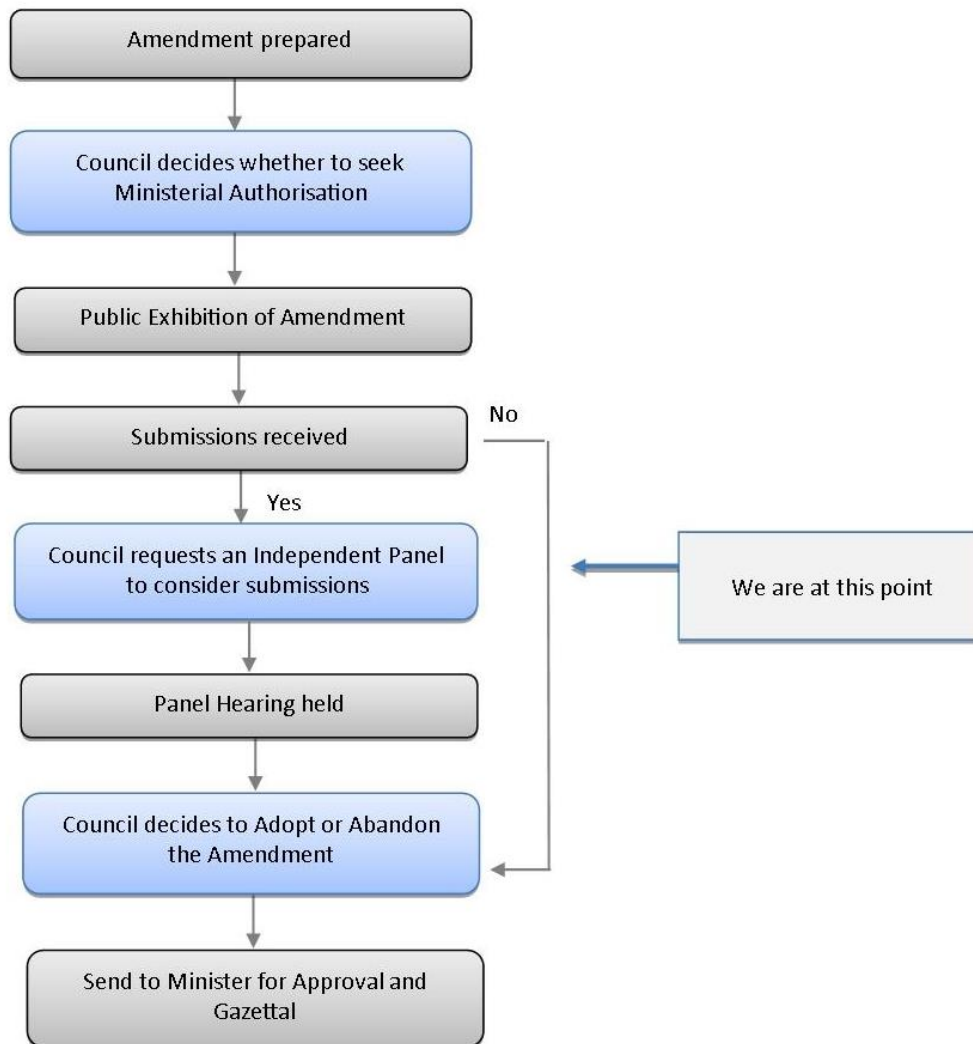


Figure 1: The Planning Scheme Amendment process

Previous Council Decisions

24 January 2018 - - Adoption of the *Greater Bendigo Housing Strategy*

20 April 2022 - Request the Minister for Planning to authorise Council to prepare a combined Amendment C269Gben and planning permit under section 96A of the *Planning and Environment Act 1987* to the Greater Bendigo Planning Scheme.

The land to the western side of Pratts Park Road, Strathdale was investigated as part of the review of Low Density Residential and Farming land within the Urban Growth Boundary which informed the *Greater Bendigo Housing Strategy 2018*. This land was identified through this review as being suitable to be rezoned for General Residential Zone

in the short term provided there were adequate buffers to the industrial zoned land to the north.

The Managed Growth Strategy project is underway, with a draft being finalised in early 2023. The redevelopment of sites such as these are critical to increasing housing stock within the Urban Growth Boundary, which is an emerging direction of the draft Managed Growth Strategy.

On 20 April 2022, Council resolved to request the Minister for Planning to authorise Council to prepare and publicly exhibit this combined Planning Scheme Amendment and planning permit application.

On 19 August 2022, the Minister for Planning authorised Council to prepare and publicly exhibit the Amendment and permit application subject to a number of conditions (Attachment 4).

One of the authorisation conditions was that the adjoining land at 15 Pratts Park Road, Strathdale should also be included in this Amendment to ensure orderly planning (and consistent zoning) is maintained in this area. It is of note that in a letter dated 1 March 2022 City officers contacted the owner of 15 Pratts Park Road but the owner did not agree to be considered in the rezoning process. To meet the above Minister's authorisation condition, another letter was sent to this landowner on 25 August 2022 to advise that their land will be included in this Amendment with no response received. This landowner was also notified as part of the exhibition process but they did not put in a submission to the Amendment.

As a result of this authorisation condition, the land affected by the Amendment is now described as 15 and 21 Pratts Park Road, Strathdale. The planning permit application affects only the land at 21 Pratts Park Road, Strathdale.

Report

Amendment C269Gben and permit application DS/137/2021 were exhibited for one month from 6 October 2022 to 7 November 2022.

Notice was provided in the following matter:

- Individual notices to owners and occupiers surrounding 21 Pratts Park Road, Strathdale (affected owners and occupiers).
- Notices to prescribed Ministers Under Section 19(1)(a) of the Act.
- Notices to service authorities.
- Public notice of the Amendment and of the permit application in the Bendigo Advertiser on 5 October 2022 and 8 October 2022.
- Publication of the notice of the Amendment and of the permit application in the Government Gazette on 6 October 2022.

- Display of a sign giving notice of the Amendment and permit application at the front of the land at 21 Pratts Park Road, Strathdale.
- Access to the Amendment and planning permit application documents were provided on-line on the City's website at <https://www.bendigo.vic.gov.au/Services/Building-and-Planning-Scheme-amendments> and on the Department of Environment, Land, Water and Planning at www.planning.vic.gov.au/public-inspection.

Submissions

Fifteen (15) submissions were received to the Amendment and permit application. There were two (2) supporting submissions both from referral authorities (CFA and DELWP). The remaining thirteen (13) were opposing submissions from adjoining landowners or occupiers, with one from the proponents' planning consultant and one from DOT. City officers are hopeful in resolving the DOT submission once the proponent provides an updated Traffic Impact Assessment. Among the opposing submissions, one was a joint submission from a group of thirty residents in Northmoor Drive. This has been counted as one submission.

It is worth noting that only one of the opposing submissions mentioned the Amendment among their concerns. They object to the deletion of the DPO4 from the land. The majority of submissions relate to the proposed extension of Northmoor Drive to connect through the site to Pratts Park Road, Strathdale.

A summary of direct notification and submissions received is provided in **Figure 2** below.



Figure 2 – Notification provided and submissions received

The submissions along with an officer response and recommendation are discussed in Table 1 below:

Table 1 – Submission Summary and Officer Responses

Submitter 1: David & Briony Tyndall	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Strongly objects to the proposed development / extension of Northmoor Drive for the following reasons: • There will be considerable increase in through traffic. • Businesses in Powells Street will use it as a shortcut if coming from Junortoun. • Northmoor Drive is very narrow. • Additional traffic in this street will make it more dangerous for pedestrians • Trees will need to be removed.	<u>Refer to Panel</u> In February 2001 the developer of the 'North Harley Street' estate, where Northmoor Drive is located, agreed to include a road reserve 'parcel' at the end of the court bowl to allow for a future connection from Northmoor Drive through to Pratts Park Road. The endorsed subdivision plan for the North Harley Street estate shows the land set aside for the future road connection. Strategic Planning in consultation with Engineering remain of the view that the extension of Northmoor Drive is the most appropriate outcome from an orderly planning perspective and to ensure connectivity and increase walkability. This would remove the long court bowl at the end of Northmoor Drive. It is expected that most traffic will travel to the east or through the new development and exit on Pratts Park Road. Therefore, the increase in traffic along Northmoor Drive by opening up the connection is expected to be negligible. Parked cars in Northmoor Drive will further moderate the speed of vehicles. If there is a need to remove any trees for the extension of Northmoor Drive, this will be dealt with in a separate process.
Submitter 2: Jayson Carroll	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u>	<u>Refer to Panel</u>

Object to the proposed extension of Northmoor Drive because of the following: • The street will become more dangerous for children walking to the bus stop due to increased traffic. • The application should keep the “Drive feel” of the court.	As per submitter 1.
Submitter 3: John Cassidy	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Concerned about the extension of Northmoor Drive to the proposed new subdivision for the following reasons: • Northmoor Drive is very narrow and when cars are parked on either side, large vehicles will have very limited access. • As Northmoor Drive has only one exit onto Northmoor Drive, there will be a “bottleneck” with the likelihood of an additional 78 cars plus and this will become untenable. • A bike or walking track is a better option instead of a road.	<u>Refer to Panel</u> Northmoor Drive has been designed and has the capacity to accommodate two-way traffic. Cars parked on Northmoor Drive are from the existing residents as the development is only proposed at this stage. The traffic impact assessment provided with the report prepared, on the basis of 39 lots has estimated the development will generate 34 vehicles per hour during the morning and afternoon peak hours. While the potential for a bike or walking track from Northmoor Drive through to the new development only was investigated, this was not the preferred approach. This wouldn’t eliminate the long court bowl and is not considered the most appropriate planning, engineering and transport / movement response.
Submitter 4: Phil Nolan	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Opposes: • Deletion of the DPO4 from the land.	<u>Refer to Panel</u> The DPO4 only applies to the Low

• The extension of Northmoor Drive into a through road. • Increase traffic congestion at Pratts Park Road/Mclvor Road intersection	Density Residential Zone and establishes conditions around reticulated water and sewerage. It does not apply to land within a General Residential Zone. Refer to submitter 1. The SIDRA analysis undertaken as part of the traffic impact assessment (TIA) indicates that the intersection at Mclvor Hwy/Pratts Park road currently operates below practical capacity. The TIA is however currently being updated and will be provided to DOT.
Submitter 5: Shane and Deborah Cowling	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Opposes the extension of Northmoor Drive for the following reasons: • No road marking in Northmoor Drive which is an indication this road was not designed to be a thoroughfare and manoeuvring past extra traffic will increase risks of collisions. • Current car parking in Northmoor Drive is already hazardous and extra traffic will exasperate the problem. • There is footpath only on one side of the road. • This extension will attract hoon drivers. • The quality of this road is substandard.	<u>Refer to Panel</u> Refer to response provided for Submitters 1 and 3.
Submitter 6: Tony and Kate Gundry	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Opposes the extension of Northmoor Drive for the following reasons:	<u>Refer to Panel</u> Northmoor Drive is a two-way street. Traffic to be generated by the new development will likely exit via Pratts Park

• This road is very narrow • There is no left turn (on North Harley Street). • Over time, people will use this as a shortcut. • Currently this road is used by local residents only who travel no faster than 15 kilometres per hour and there are children who play in this street.	Road not North Harley Street. There are other route options which are more practical, so this is unlikely to occur. Northmoor Drive is a public road and has a default speed limit of 50 km/h. However, as mentioned in the response to previous submissions parking of cars may moderate traffic speeds along this road.
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Submitter 7: Vicki Grainger

Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Oppose the extension of Northmoor Drive for the following reasons: • This road is not wide enough to provide for on street car parking and to accommodate traffic from an extra 78 cars. • This road was designed for a steady stream of traffic because it has a number of blind corners and sharp bends.	<u>Refer to Panel</u> Refer to response provided for Submitters 1 and 3.

Submitter 8: Joan and Michael Foley

Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Oppose the extension of Northmoor Drive for the following reasons: • Excessive two-way traffic will increase risks of accidents along this narrow street. • Northmoor Drive is a low-grade road with loose stones. • Northmoor Drive has footpath only on one side and this additional traffic will create a risk for pedestrians. • There will be an increase in traffic noise which will negate living in this street.	<u>Refer to Panel</u> Refer to response provided for Submitters 1 and 3. As traffic from the new development will be unlikely to use Northmoor Drive, the new development unlikely be the cause of any increase in traffic noise level in this street in the future.

Submitter 9: John William and Elaine Cullen	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Oppose the proposed subdivision for the following reasons: • There will be traffic congestion and as a result we will have difficulty progressing along our congested street (Northmoor Drive). • When cars are parked in Northmoor Drive, it is very difficult to pass. • It will be difficult for emergency vehicles and delivery vans to use Northmoor Drive.	<u>Refer to Panel</u> Refer to response provided for Submitters 1 and 3.
Submitter 10: Denis and Jennifer McCarthy	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Concerned about management of stormwater from the subdivision (upon development).	<u>Refer to Panel</u> There is a condition on the draft planning permit which requires that the development be designed for the appropriate management of run-offs from the land upon its development.
Submitter 11: Department of Transport	
Supports/Objects	Officer Response & Recommendation
<u>Position to be confirmed</u> The further information requested is: • A Traffic Impact Assessment Report in accordance with the relevant guidelines which assesses traffic impact (as a result of the proposed development) at the Pratts Park Road and Mclvor Road intersection. DOT state that it is likely to support the Amendment/planning application, however it reserves the right to object if the above information is not provided.	<u>Refer to Panel</u> The proponent is currently updating their traffic impact assessment report to address this submission. DOT has been engaged throughout the preparation of the Amendment and the permit application. DOT provided preliminary feedback on 29 November 2021 and City officers responded to this and provided clarification on 1 February 2022. DOT advised via email on 24 February

	2022 that it was “<i>relatively comfortable to support this proposal in principle</i>”, although it did reserve the right to provide further comments during exhibition. Spiire Consultants provided a Traffic Impact Assessment Report (TIAR) to DOT on 8 December 2022. This report concluded: • The additional traffic generated from the proposed development does not materially change the operation of the Pratts Park Road/ Mclvor Highway intersection • No further mitigation works are required at the intersection of Mclver Highway/ Pratts Park Road • The intersection of Pratts Park Road and the access to the proposed development, will require specific turning treatments. DOT has not yet responded to the TIAR, however the TIAR’s conclusions / recommendations and DOT’s response can be discussed at the Panel Hearing.
Submitter 12: Spiire Consultants (acting on behalf of the proponent)	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Oppose to the extension of Northmoor Drive because the permit applicant didn’t request this extension. It was the City who wanted this extension.	<u>Refer to Panel</u> This was a City requirement as it presents a logical and orderly planning outcome.
Submitter 13: Country Fire Authority (CFA)	
Supports/Objects	Officer Response & Recommendation
<u>Supports</u> Subject to conditions to put on the permit	<u>Refer to Panel</u> Noted. See conditions on draft planning permit.
Submitter 14: Department of Environment, Land, Water and Planning (DELWP)	

Supports/Objects	Officer Response & Recommendation
<u>Supports.</u> Subject to conditions to put on the permit	<u>Refer to Panel</u> Noted. See conditions on draft planning permit.
Submitter 15: Joint submission from 30 residents from Northmoor Drive	
Supports/Objects	Officer Response & Recommendation
<u>Objects</u> Oppose the extension of Northmoor Drive to the proposed subdivision but did not give any specific reasons.	<u>Refer to Panel</u> Refer to response provided for Submitters 1 and 3.

What are the issues raised in the submissions?

The main issues raised in the submissions relate to the following:

- Extension of the existing Northmoor Drive to a new road within the proposed subdivision and its traffic impacts.
- Traffic impacts on the Pratts Park and McIvor Road intersection.
- Stormwater drainage.
- Deletion of the DPO4 from the land.

Extension of Northmoor Drive and its Traffic Impacts

Several adjoining landowners and occupiers, including a group of thirty residents from Northmoor Drive and the consultant acting on behalf of the proponent, oppose the extension of Northmoor Drive. Northmoor Drive is a sealed local road with footpath on one side, has a kerb and channel and a total length of approximately 400 metres. It was created under planning permit DS/104/1998 granted on 18 May 1998 which allowed for the subdivision of the land known as CA 337C, North Harley Street, Strathdale into 39 lots in two stages.

In February 2001, the developer of the 'North Harley Street' estate, where Northmoor Drive is located, agreed to include a road reserve 'parcel' at the end of the court bowl, to allow for a future road connection from Northmoor Drive through to Pratts Park Road.

The certified plan of subdivision as shown in **Figure 3** below, indicates that Northmoor Drive was designed as a cul-de-sac but with provision for an extension to provide a vehicle connection to the land at 21 Pratts Park Road. This is indicated by the provision of a 14-metre wide road reservation at the end of the road up to the western lot boundary of 21 Pratts Park Road and which is currently still unmade.

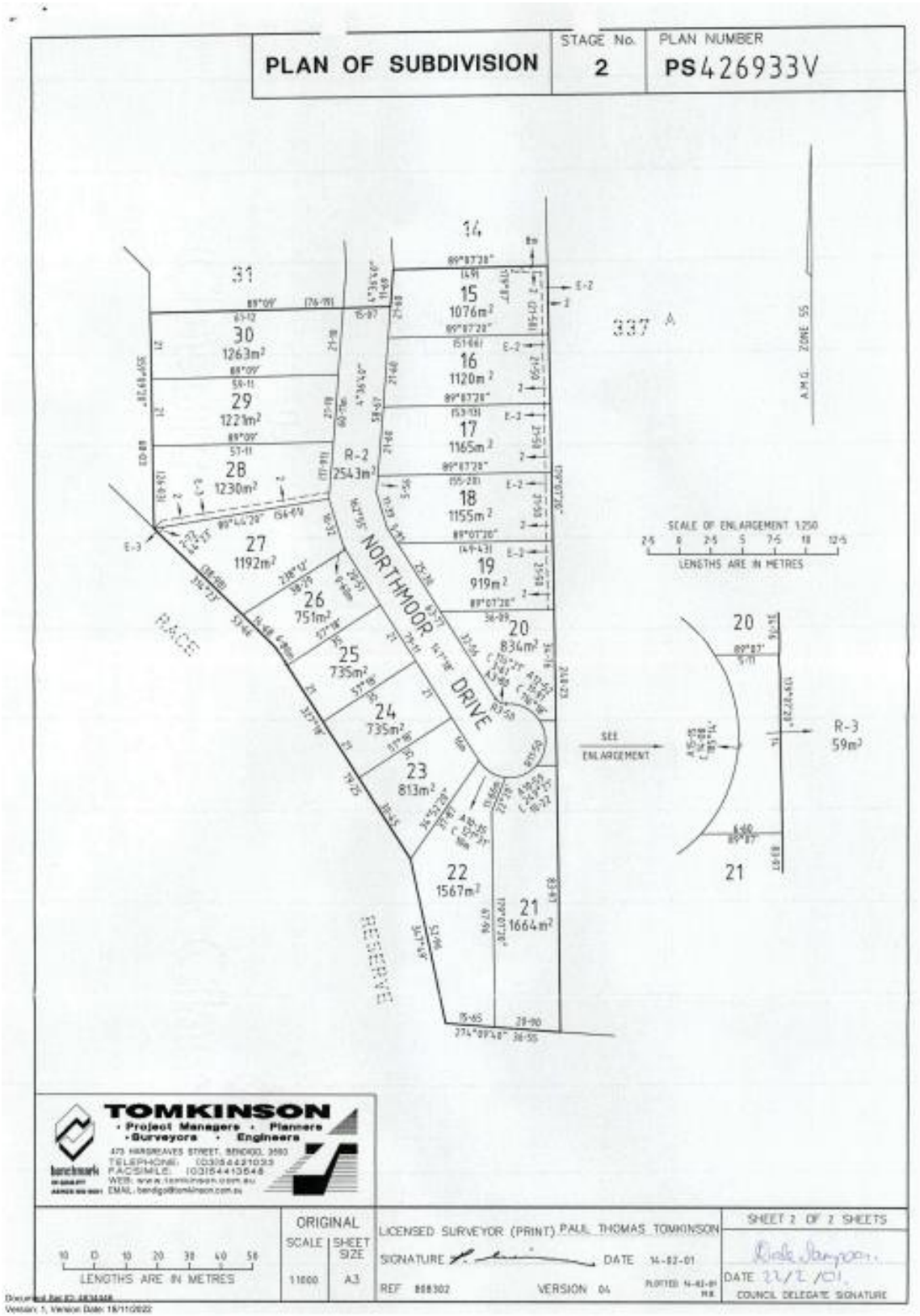


Figure 3: The certified subdivision plan (Stage 2) under planning permit DS/104/1998

In submissions, concerns have been expressed that the development of the land at 21 Pratts Park Road with new dwellings will cause traffic congestion along Northmoor Drive due to the amount of new traffic this development will likely generate. The design of

Northmoor Drive, its width and its construction standard are mentioned in the submissions to support this claim.

The City's traffic engineers have indicated that the extension of Northmoor Drive will provide for an alternative route to the east for Northmoor Drive residents which is currently only through North Harley Street (See **Figure 4** below). It is unlikely there will be an increase of traffic travelling west from the new subdivision through Northmoor Drive given there are better alternative routes. The profile and surface of Northmoor Drive is adequate for two-way traffic and the current on-street car parking will assist in moderating the speed of traffic.

Regarding the possibility of traffic congestion at the Pratts Park Road and McIvor Road intersection, this is not expected to occur, although it is worth highlighting that the Traffic Impact Assessment is currently being updated and will provide more accurate figures. This is because Bendigo City Centre bound traffic from the new subdivision and from Northmoor Drive will have the option to use Strickland Road (located at approximately 270 metres further north from the affected land) as a direct route to the Bendigo City Centre to avoid a right hand turn at the Pratts Park Road McIvor Road intersection.

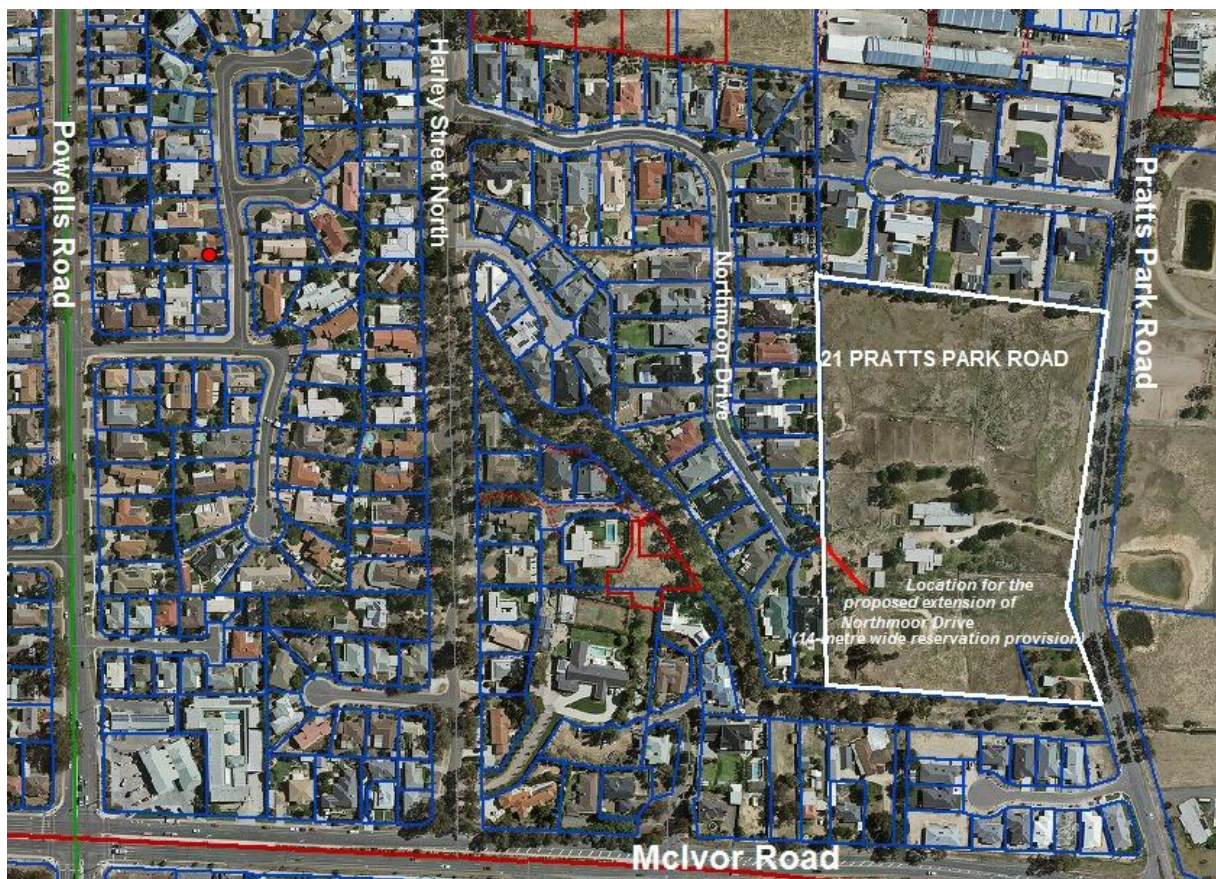


Figure 4: The location of Northmoor Drive and of its proposed extension

The extension of Northmoor Drive is also supported from a planning perspective. There is an objective under Clause 56.06 (Access and mobility management) of the Planning Scheme to provide for walking (including persons with impaired mobility), cycling, public

transport and other motor vehicles in an integrated manner. Clause 56.06-4 (Neighbourhood street network objective) specifically has an objective to provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

The extension of Northmoor Drive will therefore allow this proposed residential development to integrate with the existing street network as required by Clause 56.06-4 of the Planning Scheme. The City's traffic engineers have assessed that this extension, and for the reasons previously mentioned, it is unlikely to create any additional road safety issues as raised in the opposing submissions.

For the reasons as outlined, it is not proposed to make changes to the planned extension to Northmoor Drive to connect to the proposed subdivision.

Traffic Impacts on the Pratts Park Road and Mclvor Road Intersection

The Pratts Park Road and Mclvor Road intersection is located at approximately 100 metres to the south of the affected land (See **Figure 4** above). This intersection has recently been subject to upgrade works. One submitter has raised concerns that the proposed development will increase traffic congestion at this intersection.

DOT has requested that the traffic impact at this intersection be thoroughly assessed via a traffic impact assessment using the relevant guidelines to enable Transport for Victoria to be confident the development poses minimal increase in relative risk at this intersection. The proponent is currently updating the traffic impact assessment report to confirm there will be minimal impact on the current operation of this intersection. It is also worth noting that prior to the exhibition of the Amendment and permit application, DOT was consulted and offered their in-principle support for the Amendment and permit application.

In their comments, the City's traffic engineers have advised that traffic modelling shows that the east bound (left turning) traffic at Mclvor Road will not be significantly delayed. As previously stated, they have also advised that Bendigo City Centre bound traffic from the new subdivision will most likely opt to travel along Strickland Road to avoid a right hand turn at this intersection. There is an expectation that this will be confirmed when the traffic impact assessment report is updated.

Stormwater Drainage

One adjoining landowner in Calibre Close to the north of the affected land has raised a concern about the potential adverse impact from stormwater run-off from the affected land upon its development. In their response to this submission, City drainage engineers have stated that as required with all new residential development, the drainage of the affected land will need to capture run-off from the affected land for rain events up to and including the 20 per cent annual exceedance probability.

The draft planning permit also contains specific conditions for the management of stormwater from the affected land.

Post Exhibition Changes

Following exhibition, the City's Parks and Open Space Unit requested that Condition 3 on the exhibited draft permit be deleted because a Landscape Masterplan is not required for a subdivision of this size. The following changes have therefore been made to the draft planning permit:

- Include the terms "and street tree planting" under Condition 2. LANDSCAPE PLAN REQUIRED.
- Remove Condition 3. LANDSCAPE MASTER PLAN.

Also following exhibition, City officers identified a conflict issue for egress of those lots fronting on to Pratts Park Road. For safety reasons, it is recommended that vehicle movement from these lots should be in a forward manner. To address this, a condition (see Condition 6) has been added to the draft permit and which reads as follows:

"RESTRICTION ON TITLE

The plan of subdivision must include a restriction (or suitable equivalent, such as a s.173 Agreement) in accordance with the endorsed plans. The restriction must include the following wording:

- Dwellings on Lots 22, 23, 28, 30 and 32 must be designed in such a manner to allow vehicles to enter and exit the site in a forward direction onto Pratts Park Road."

The above post-exhibition changes have been included in the draft planning permit (see Attachment 2). Subject to Council endorsement to request the Minister for Planning to appoint an independent Panel, the attached draft planning permit will be presented to the Panel for consideration.

Priority/Importance

It is important for the City to adhere to statutory timeframes as per Ministerial Direction 15 (the Planning Scheme Amendment Process).

Options Considered

Section 29(1) & (2) of the *Planning and Environment Act*, 1987 states 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 requires that in consideration of submissions received in relation to an Amendment, the Council must either:

- Refer the submissions to an Independent 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.

Section 22(2) of the *Planning and Environment Act*, 1987 advises that Council has the option of accepting late submissions but must do so if requested by the Minister for Planning.

Given that City officers do not recommend changing the Amendment/ planning application in response to submissions, it is recommended that Council request the Minister for Planning to appoint an Independent Panel to consider all submissions.

Timelines

20 April 2022: Council requested authorisation from the Minister for Planning
19 August 2022: Council received authorisation from the Minister for Planning to exhibit Amendment C269
6 October 2022: 7 November 2022 - Exhibition of Amendment C269 and planning permit application DS/137/2021

Communications/Engagement

Prior to submitting the Amendment for authorisation, City officers referred the Amendment to various units internally for feedback. This included Parks and Open Space, and Engineering, with support provided by Statutory Planning for the Planning Permit requirements.

In addition, the Amendment was referred to various State Government agencies prior to submitting for authorisation. These include Coliban Water, Powercor, Downer (Gas), CFA, DELWP, Environment Protection Authority and DOT.

The Amendment was exhibited via various channels as outlined earlier in the report.

All submitters will be contacted prior to the Council meeting.

Financial Sustainability

Officer time will be required to prepare the Amendment and permit application documentation for the Panel hearing to progress the Amendment and permit application.

The proponent is responsible for the payment of all statutory fees and costs incurred in the processing of the Amendment and permit application and costs associated with the holding of a Panel hearing.

Risk Assessment

Council has supported this Amendment to go through the Amendment process. It is important for this to continue to provide a transparent and clear process.

There are statutory timeframes which need to be adhered to in progressing planning scheme amendments.

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

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 C 269 gben Explanatory Report [**16.1.1** - 16 pages]
2. Greater Bendigo C 269 gben Draft Planning Permit Post Exhibition [**16.1.2** - 9 pages]
3. Greater Bendigo C 269 gben Exhibited Subdivision Layout Plan [**16.1.3** - 1 page]
4. Greater Bendigo C 269 gben Authorisation Letter [**16.1.4** - 2 pages]
5. Greater Bendigo C 269 gben Submissions - Redacted [**16.1.5** - 24 pages]

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C269gben

PLANNING PERMIT APPLICATION DS/137/2021

EXPLANATORY REPORT

Who is the planning authority?

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

The amendment has been made at the request of Pratts Park Estate P/L.

Land affected by the amendment

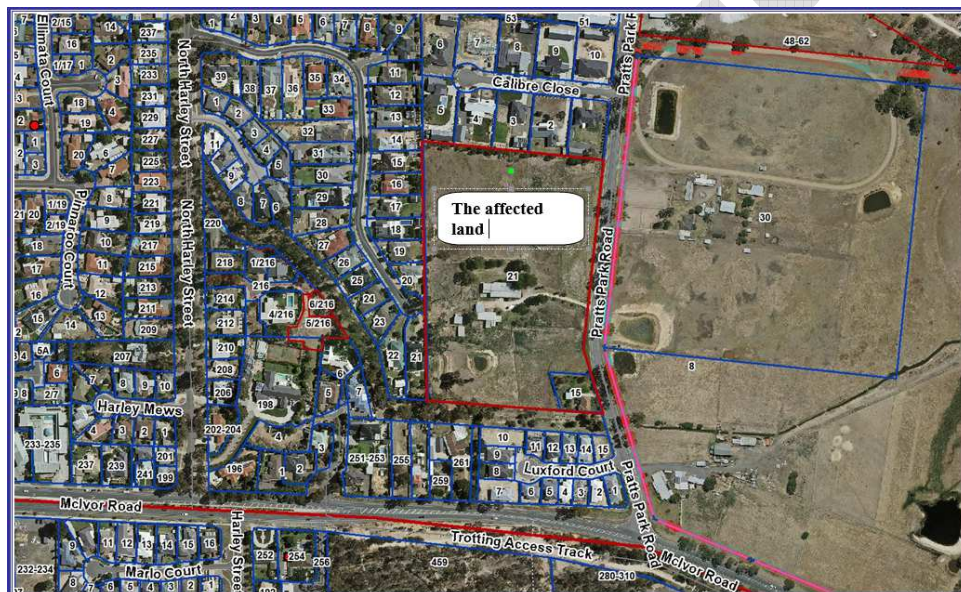


Figure 1: An aerial photo of the land affected by the Amendment and of its surrounding

OFFICIAL

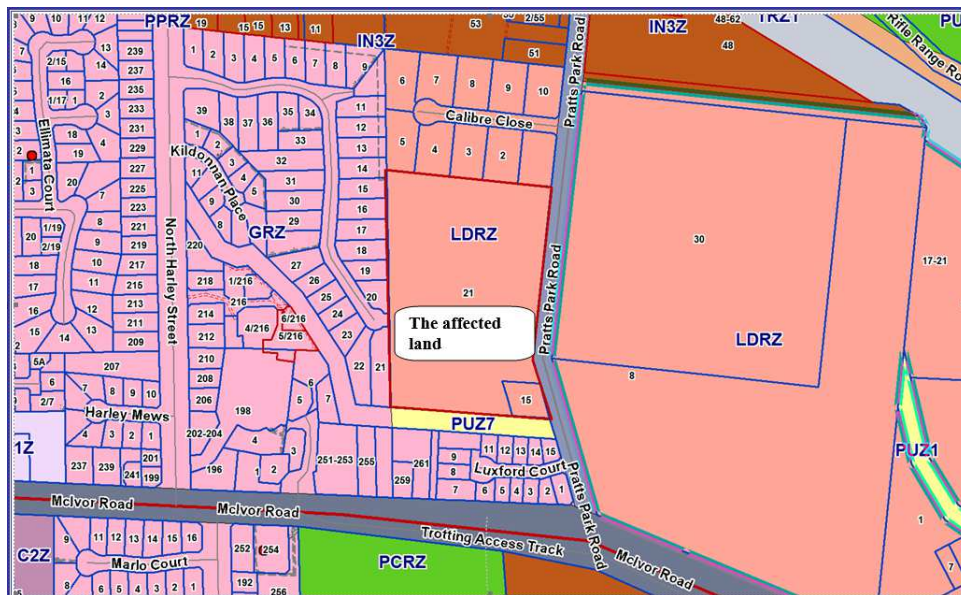


Figure 2: The current zoning of the land affected by the Amendment and of its surrounding

The land affected by the Amendment is 15 and 21 Pratts Park Road, Strathdale. The land at 15 Pratts Park Road is in two parcels and is also known as Lot 2 and Lot 3 on LP31446. The land at 21 Pratts Park Road is also known as Lot 2 on PS 144759 and Lot 2 on PS 144758. The combined total area of the affected land is approximately 4 hectares.

The planning permit application affects only the land at 21 Pratts Park Road. The land affected by the Amendment and the permit application is zoned Low Density Residential Zone (LDRZ) and is affected by the Development Plan Overlay Schedule 4 (DPO4) (Low Density Residential Zone - Density Management Areas). A small part of both 15 and 21 Pratts Park Road along their southern lot boundaries is affected by the Bushfire Management Overlay (BMO). The land at 15 and 21 Pratts Park Road each contain a single storey brick dwelling and a shed used for car storage. In addition to the dwelling, the land at 21 Pratts Park Road also contains other storage sheds, horse yards and extensive electric fencing for horses. All these structures, including the dwelling, at 21 Pratts Park Road are proposed to be demolished. There is no proposal to demolish the dwelling or the shed at 15 Pratts Park Road.

There are also two small dams located in the southern part of the land at 21 Pratts Park Road. Scattered vegetation exists throughout both 15 and 21 Pratts Park Road and consists of both native and exotic trees. There is no proposal to remove any of the vegetation at 15 Pratts Park Road. Native vegetation is proposed to be removed only at 21 Pratts Park Road.

The topography of the affect land is relatively flat with a slight fall from Pratts Park Road in the east to the western lot boundary of the land. Access to both 15 and 21 Pratts Road is currently from Pratts Park Road, which is in a Transport Zone 3 (TRZ3). Pratts Park Road is a sealed road that runs along the eastern lot boundary of 15 and 21. Pratts Park Road intersects with Melvor Road which is in Transport Zone 2 (TRZ2), approximately 100 metres to the south.

The subject site is located approximately 4.5 kilometres east of the Bendigo City Centre with easy access along Melvor Road. The land to the west of the affected land (see **Figure 1** and **Figure 2** above), is zoned General Residential Zone (GRZ) and is predominantly developed with single storey dwellings. The land directly to the north is zoned LDRZ and has been subdivided into lots of approximately 2,000 square metres, in accordance with the provisions of this zone. Further north approximately 130 metres from the affected land, the land is zoned Industrial 3 Zone (IN3Z) and is used and developed for light industrial purposes. The Bendigo Airport is located at approximately 1,500 metres further north.

Across Pratts Park Road to the east, the land is zoned LDRZ but remains in larger parcels with single dwellings and associated outbuildings on each lot. The land in this area is also affected either in part or

in total, by the DPO4, the BMO the Design and Development Overlay Schedule 1 (DDO1) (Airfield Environs - Restricted Building Heights) and Schedule 17 (DDO17) (Bendigo Airport – Height Restrictions Area (Area B)) and the Airport Environs Overlay Schedule 2 (AEO2).

At approximately 600 metres to the north-east, is the Bendigo Rifle Range site. To the south between McIvor Road and the affected land, the land is developed for residential purposes.

What the amendment does

The amendment proposes to:

- Rezone the land at 15 and 21 Pratts Park Road, Strathdale from LDRZ to GRZ as shown on Planning Scheme Map No. 20.
- Amend the Development Plan Overlay Schedule 4 (DPO4 – Low Density Residential Zone - Density Management Areas) from 15 and 21 Pratts Park Road as shown on Planning Scheme Map No. 20DPO.

The planning permit application seeks approval for:

- The subdivision of the land at 21 Pratts Park Road, Strathdale into 39 lots ranging in size from 369 square metres to 1,596 square metres, removal of 0.257 hectares of native vegetation and creation of a drainage reserve.

Panel Request



Figure 3: The proposed subdivision layout plan

Strategic assessment of the amendment

Why is the amendment required?

This amendment, which proposes to rezone the land from LDRZ to GRZ with the removal of the DPO is required to enable increased residential development on the land. This is consistent with the 'Bendigo Urban Strategic Framework Plan' with the site being within the Urban Growth Boundary (UGB) and the surrounding pattern of development particularly to the west and south of the site. The

land also already has access to services, including reticulated sewer. For these reasons it is considered that the subdivision of the land under the current LDRZ planning controls, with a minimum of 2000m² lots, would represent an inefficient use of residential land.

The amendment is also required to address two of the key housing issues for Greater Bendigo specifically housing diversity and housing affordability as listed at Clause 02.03-6 (Housing) of the Greater Bendigo planning scheme.

The DPO4 is required to be deleted from the affected land. One of the purposes of the Development Plan Overlay is to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land. The DPO4 (Low Density Residential Zone - Density Management Areas) applies only to land zoned LDRZ and will be redundant when the affected land is rezoned to GRZ.

The rezoning of this land is well supported by planning policy. It was identified in the *'Investigation of Low Density Residential and Farming Zone Land'* which resulted in its inclusion in the *Greater Bendigo Housing Strategy* (Amended 2018), The Housing Strategy, which is a background document within the Greater Bendigo planning scheme, identifies the efficient use of land within the UGB as a key factor in realising council's development objective to achieve a compact urban form that limits urban sprawl. The strategy identifies the subject site as suitable for rezoning in the short term, subject to appropriate buffers to the Industrial 3 Zone (IN3Z) land to the north. It is noted that the IN3Z land, the purpose of which is specifically to provide for industry compatible with nearby community uses, is located approximately 127 metres from the northern boundary of the subject site and land in between is developed for low density residential use, providing an appropriate buffer.

The *Urban Development Program Report* (DELWP, 2021) has determined that there is between 16 and 19 years of zoned greenfield supply in Bendigo and that with land identified to be rezoned (including this land) there are between 26 and 30 years of total land supply. This supply is in excess of the State planning policy requirement to accommodate projected population growth over at least a 15-year period. Given the volume of land available across the municipality, this rezoning will not have a significant impact on the current supply of residential land for Greater Bendigo.

One of the strategic directions for housing as set out in the MPS is to facilitate a wide diversity of housing typologies to suit all household types, needs and incomes and make best use of land and environmental resources. Another strategic direction as set out in the MPS is to increase the residential population of Bendigo City Centre and its immediate surrounds to create a more dynamic area, maximise the use of existing infrastructure and provide different housing choices for people. Based on these two strategic directions, it is considered that the GRZ is the most appropriate residential zone for the affected land because it is located within the UGB where growth and housing diversity is anticipated.

The proposed GRZ zoning for the affected land will be consistent with the established pattern of development of the surrounding area. The residential densities proposed are similar to that of the adjoining GRZ land to the west and south of the affected land. Also, the MPS does not contain any strategic direction which states that the existing predominantly single storey dwellings in this area should be retained into the future but rather states that a wide variety of housing typologies to suit all household types should be facilitated. Given the flexibility in terms of location and building heights allowed, it is considered that the GRZ is the preferred residential zone to achieve the strategic direction that the MPS has set for the future development of the affected land.

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

The amendment implements the objectives of planning in Victoria (sections 4(1) and 12(1)(a) of the Planning and Environment Act 1987 (the Act) as follows:

- *To provide for the fair, orderly, economic and sustainable use, and development of land;*

By providing for residential development at a higher density within a location identified as suitable for residential development, this amendment will provide for greater diversity of housing choice to meet community expectations and needs into the future.

The affected land is within close proximity to community facilities and allows efficient movement networks for vehicles and pedestrians.

The amendment is supported by the existing development pattern immediately to the west and south of the subject land. The site is located within an area that has been highlighted as having potential for further residential development due to its proximity to services and community facilities.

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

Social effects

The amendment proposes to rezone land within the Bendigo UGB. The site is located approximately 4.5 kilometres from the Bendigo City Centre. It is also within close proximity of several key facilities like the Strathdale Activity Centre (approximately 2.5 km to the south-west), La Trobe University Bendigo Campus, Bendigo South-East Secondary School (approximately 3 km to the south-west) and the Kennington Reservoir public open space (approximately 1.5km to the south-west). The amendment is expected to achieve a positive social outcome in that it will facilitate additional housing opportunities adjacent to an established residential neighbourhood and in addition, to the proximity to the site with the above facilities.

As previously stated, the GRZ is the most appropriate zone for this site principally because of its location, context and consistency with the City strategic directions for development in this area. As a result, it will have a positive social impact for Greater Bendigo in general because this zone provides for a more diverse form of housing. This area is predominantly developed with single storey dwellings and the City is currently not seeking to retain this as the preferred character for this area into the future, but instead supports 3 storey development, which is supported by the GRZ. Rezoning this site to GRZ will have a positive flow on effect on housing affordability in this area as it will be able to accommodate up to 3-storey dwellings as allowed in the GRZ. Similarly, the surrounding existing residential sites have the potential to be redeveloped with 3-storey dwellings.

The LDRZ land to the north was recently developed as large residential lots. The adjoining sites to the south and to the west of the land already contain higher residential development. The subdivision will be connected to Northmoor Drive to the west where an existing court bowl will be replaced with a road through to Pratts Park Road. There will only be one access point from Pratts Park Road to the new subdivision so to minimise traffic conflict along Pratts Park Road. In general, it is considered that the change to the streetscape in this section and side of Pratts Park Road has been incremental given the previous development on the adjoining land.

Vehicular movement/ road safety

The Department of Transport, in their initial submission, advised that the proposed rezoning will likely have an impact on the area specifically at the intersection of Pratts Park Road with McIvor Road.

Following this submission, to further mitigate any adverse traffic impacts, the proponent agreed to amend their subdivision layout plan so the only access to the subdivision to and from Pratts Park Road is located further to the north away from the intersection. It is also proposed to upgrade this section of Pratts Park Road to include the construction of a footpath on either side of its side. This application has also been referred internally to the City's Traffic Engineering Unit who have not raised any issues in relation to traffic.

Existing neighbouring land uses

The impact on the streetscape of an additional eight dwellings on the western side of Pratts Park Road will be mitigated because the abutting land to the south is already zoned and developed as GRZ and the land to the north was recently subdivided to the minimum lot size in the LDRZ and developed with single storey dwellings.

At approximately 600 metres to the north-east of the site is the Bendigo Rifle Range site. There is land zoned and already used for light industrial purposes at approximately 130 metres to the north of the site and the Bendigo Airport is also at about 1500 metres further north. The proponent has prepared and submitted a report titled *Acoustic Assessment of existing noise levels at 21 Pratts Park Road, Strathdale, from surrounding industry, aircrafts and nearby shooting ranges*, Audiometric and Acoustic Services, updated on 3 December 2021. The finding of this report is that the incidence of noise from aircrafts, gunshots and local industry is low and no additional building standards are necessary to mitigate noise.

The acoustic report also identifies that traffic noise from Pratts Park Road will have a higher impact on future residents and that noise attenuation treatment will be required for the dwellings adjacent to Pratts Park Road. To address this issue, there is a condition on the draft planning permit to ensure dwellings along Pratts Park Road are designed and constructed to the required standards to attenuate noise impacts as recommended in the acoustic report.

The condition on the planning permit requires that before the statement of compliance is issued under the *Subdivision Act* 1988 for the subdivision of the land, the owner must enter into an agreement with Council under Section 173 of the *Planning and Environment Act*, 1987. This agreement specifies and provides a list of the design and construction standards for future dwellings along Pratts Park Road as recommended in the acoustic report (Report No. 21072.1) by Audiometric & Acoustic Services dated 3 December 2021. The objective of this permit condition is to ensure that future residents in these dwellings are not adversely impacted by traffic noise from Pratts Park Road consistent with the provisions of Clause 13.07-1 (Amenity, Human Health and Safety).

Economic effects

Additional employment opportunities

The amendment will have positive economic effects by delivering employment opportunities during construction and providing additional residential land to cater for future residents. The land is within the Bendigo UGB and it is also connected to all basic services and its development for residential purposes will contribute to maximise the use of the existing services.

Impacts on any existing economic activity on the land.

The site is in a semi-rural setting consisting of mainly livestock (horses) and it does not appear that there is any real economic activity which is currently being carried out on the land. The rezoning will therefore have no adverse impact on any existing economic activity.

Environmental effects

Native vegetation removal

The most significant environmental impact of the amendment is the loss of the native vegetation. The existing native vegetation on the site consists of six scattered native trees namely one large Red Ironbark (trunk diameter at breast height being 78cm), one small Red Ironbark, one small Grey Box (trunk diameter at breast height <70cm) and three other small dead trees all assessed to be dead. It has also been assessed that much of the native vegetation is already lost or recently died with the impact from livestock grazing. Four remnant patches of native vegetation were also identified and assessed as part of this proposal.

The identification and assessment of the native vegetation proposed to be removed are contained in the report *Ecological Assessment 21 Pratts Park Road Strathdale 3550*, August 2020 by Cumbre and was submitted as part of the supporting documents for the amendment. The report also states that no threatened fauna species were recorded through the field work on the site as part of this assessment.

As part of the assessment, it was determined that because the proposed subdivision will result in lots smaller than 4,000 square metres, all native vegetation on site will be considered as lost and will need to be offset. It was also assessed that there are no feasible opportunities to avoid removal or minimise impacts without compromising the proposed development.

As part of their supporting documentation, the proponent has also provided evidence that they have secured the required offset from an accredited offset provider with the Department of Environment, Land, Water & Planning.

The ecological assessment of the site has also determined that from an ecological point of the view, the site is quite "depleted" and the property is very modified due to the current land use of grazing horses and it is concluded that the impact of native vegetation proposed to be removed will not have a major impact on the environment.

Cultural heritage

The site has not been mapped as being within an area of Aboriginal cultural heritage sensitivity. For this reason, a cultural heritage management plan has not been provided to support the amendment required for this proposal.

Bushfire hazards

The land is in a bushfire prone area and is partly affected by the Bushfire Management Overlay. A bushfire management statement titled *Bushfire Management Statement Residential Subdivision: 21 Pratts Park Road, Strathdale*, February 2021 by Spiire has been submitted to justify that the land can be safely used for residential purposes from a bushfire risk perspective. The report concludes that whilst the site is within a location that could potentially be impacted by bushfire, this does not represent an unacceptable level of risk for the subdivision and residential development given its location within the context of the existing urban area of Bendigo. The report further states that the separation between future dwellings and the surrounding bushfire hazards is such that all future dwellings will not exceed a BAL12.5 rating under AS3959-2018 *Construction of buildings in bushfire prone areas*. The Country Fire Authority has reviewed this report and did not object to its findings.

Soil contamination

In the report titled *Preliminary Environmental Site Assessment 21 Pratt Park Road, Strathdale Victoria*, Edwards Environmental, November 2021, the proponent has provided historic aerial images taken at different points in time dating 2019 back to 1956. These aerial images consistently show that the land was developed with a dwelling and associated shed including farm sheds and/or horse stables. Council has no records that the land has been used for any other purpose. The report also states that according to the 1956 aerial image, the site was being used for pastoral purposes. According to Planning Practice Note 30: *Potentially contaminated land*, July 2021, the use of land for agriculture and animal production has a medium potential for soil contamination. The conclusion of Edwards Environmental investigation is that the land is suitable for residential use and there is no need for any further environmental assessment.

Servicing

The affected land is within an area where all services and utilities are located within proximity. Apart from the new drainage reserve for stormwater which is being proposed to the north-east of the site all other facilities and networks are existing.

The amendment will have no unacceptable environment, social or economic impacts. Any native vegetation loss will be offset off-site for best outcome with offsets already secured. There are no existing incompatible land uses in the immediate vicinity which will impact on the future residents. As the land is not being used for any significant economic activity, its rezoning and subdivision for higher residential purposes will have no adverse economic impact.

Does the amendment address relevant bushfire risk?

This combined planning permit application and amendment proposes to rezone the land from LDRZ to GRZ and the planning permit application is to subdivide the land into 39 lots, removal of native vegetation and creation of a drainage reserve. The proposal will intensify the existing use and development of the land specifically through its rezoning and subdivision.

A Bushfire Management Statement Report was prepared to demonstrate that the planning permit application and the amendment comply with the Victoria Planning Provisions for bushfire, particularly Clause 13.02-1S (Bushfire Planning) of the Greater Bendigo Planning Scheme.

Clause 13.02-1S (Bushfire planning) provides the policy basis on how bushfire risk should be addressed. Among other matters, this clause states that this policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land that is within a designated bushfire prone area, subject to a Bushfire Management Overlay or proposed to be used or developed in a way that may create a bushfire hazard.

For this reason, the planning permit application and amendment have been considered and assessed for bushfire risk because the affected land is partly in a designated bushfire prone area and partly affected by the Bushfire Management Overlay.

Landscape considerations

The Bushfire Management Statement states that the land is located within an area of potential high fire risk, where bushfire can impact the subject land from high risk locations more than 150 metres from several directions. It also states that there are large bodies of public bushland within a 10-20km radius of the site. The Greater Bendigo National Park extends from the south to the south-west and the Bendigo Regional Park and Wellsford State Forest is located to the north-east of the land. Other public vegetated land is located to the north-west and to the south-west but these are separated from the affected land by established urban development. Within 1 kilometre of the affected land, local conditions consist of existing urban development along most aspects from the affected land except to the south and to the north-east which are part of the abovementioned public bushland.

The areas of public bushland described above present the highest threat from bushfire because of their extent and potential to allow bushfire to spread and gain intensity under extreme conditions. However, it is acknowledged in the Bushfire Management Statement that generally, prevailing wind conditions during the high threat bushfire seasons consist of north-westerlies followed by a cool change and strong south-westerly winds. However, the existing urban development directly to the northwest and to south-west of the affected land would reduce the impact of any fire running directly to the land from these directions.

The possibility of moderate south-easterly and north-easterly winds which would direct fire/embers towards the land from the bushland to the north-northeast and south-east, is likely to be of a reduced intensity.

Alternative locations for development

Given the level of the bushfire risks and the location of the bushfire hazards, it has been assessed that an alternative location for the proposed development is not required. The land either adjoins existing urban development or is separated from existing bushfire hazards by a maintained road reserve which is Pratts Park Road.

An alternative location for development is not relevant in the context of this planning permit application and amendment.

Availability of safe areas

According to the City of Greater Bendigo Municipal Fire Management Plan (August 2019), a neighbourhood safer place is available at the Lords Raceway (centre of race track) in Junortoun. This place is located at 646 McIvor Highway, Junortoun at approximately 1.5 kilometres to the south-east of the land. Access from the land to the safer place is directly available via Pratts Park Road (Transport Zone 3) and the McIvor Road (Transport Zone 2).

Site based exposure

In the Bushfire Management Statement provided to support the planning permit application and amendment, it has been assessed that given the existing separation between future dwellings and the surrounding bushfire hazard, all future dwellings will not exceed a BAL12.5 rating under AS3959-2018, *Construction of buildings in bushfire prone areas*. This includes future dwellings to be constructed on lots which are currently partly affected by the Bushfire Management Overlay.

Risk change

The planning permit application and the amendment will not result in an increase of the risk from bushfire for existing and future residents, property, community infrastructure or the natural environment principally because of the location of the land within the landscape.

Mitigation measures

A Bushfire Management Plan has been prepared for the lots to be created by the proposed subdivision and which are located within the area affected by the Bushfire Management Overlay, as part of the Bushfire Management Statement (See the lots hatched in red at Figure 2 above). The Bushfire Management Plan contains mitigating measures for bushfire risks upon the use and development of

these lots. These mitigating measures relate to defensible space setback, access, provision of static water supply for firefighting and building construction standards. Both the Bushfire Management Statement and the Bushfire Management Plan form part of the draft planning permit conditions.

From the above, it is considered that the amendment meets the objective of Clause 13.02-1S (Bushfire planning) as bushfire risk has been adequately considered and measures can be implemented that will increase bushfire resilience of the residential area and protect human life.

Further, the amendment meets the objective of Clause 02.03-3 (Environmental risks and amenity) of the planning scheme and is consistent with the relevant strategic direction for natural environmental risks in terms of strengthening the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Given the urban context of the land and the findings of the Bushfire impacts assessment, it is considered the proposal meets this strategic direction.

The Country Fire Authority has also reviewed the Bushfire Management Statement including the Bushfire Management Plan and supports the permit application amendment in its current form. The Bushfire Management Statement including the bushfire mitigating measures (defensible space, building construction standards, water supply and access) contained in the Bushfire Management Plan, all form part of the draft permit conditions.

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

The proposed amendment complies with the relevant Ministerial Directions, being:

Ministerial Direction No 1 – Potentially Contaminated Land

A preliminary environmental site assessment was undertaken on the subject land by Edwards Environmental which determined that the land is not potentially contaminated and the land is suitable for the proposed use

These investigations found no evidence of historic mining or other activity that may have potentially contaminated the land. Soil analysis was carried out and found that one area with concentrations of arsenic consistent with natural background levels found within the Greater Bendigo area. The soil analysis found no evidence of contamination that would pose a risk to the environment or human health. As such the findings of this assessment is that the site is considered suitable for residential use and there is no need for any further environmental assessment.

Ministerial Direction No. 11 – Strategic Assessment of Amendments

The amendment has been drafted in accordance with the Strategic Assessment Guidelines, provided in this explanatory report and the relevant supporting documents submitted by the proponent which include a full assessment of the amendment against the obligatory strategic considerations specifically in regard to the Form and Content of Planning Schemes under section 7(5) of the Act.

Ministerial Direction No. 19

As required by this Ministerial Direction, advice has already been sought from the EPA on this combined planning permit application and amendment. This planning permit application and amendment has the potential to have an adverse impact on the amenity and health of future residents. Potentially contaminated soil within the site and noise from nearby land uses are the main matters that were referred to the EPA for comments and advice and relevant permit conditions have been included.

The amendment is also consistent with the Ministerial Direction under Section 7(5) of the Act in relation to the Form and content of Planning Schemes.

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

The amendment supports the objectives of planning in Victoria and implements the general principles and specific policies of the Planning Policy Framework. Specifically, the amendment implements the following clauses of the Planning Policy Framework:

Clause 11.01-1S (Settlement) has an objective to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. The amendment is consistent with this objective because it will support the development of sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Clause 11.01-1L-01 (Settlement - Greater Bendigo) has an objective to manage Greater Bendigo's outward growth and avoid further sprawl by directing growth to identified locations. The amendment is consistent with this objective because it is for the rezoning and development of land within the UGB for more intense residential purposes.

Clause 11.01-1L-02 (10-minute neighbourhoods - Greater Bendigo) has an objective to develop a network of attractive neighbourhoods that allow most people to access local facilities and services within 10-minute walking or cycling from their home. The amendment is consistent with this objective because it is located within a 10-minute walking or cycling distance from the Strathdale Activity Centre which contains a range of commercial services and facilities including a full line supermarket.

Clause 11.02-1S (Supply of urban land) has an objective to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. The amendment is consistent with this objective because it will ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

Clause 11.03-2S (Growth areas) has an objective to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas. The proposal is consistent with this objective because it is located within the UGB and is not within a valued environmental area.

Clause 12.01-2S (Native vegetation management) has an objective to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. The applicant has stated in their application that they wanted to avoid the removal of vegetation but that the retention of any vegetation on the site would compromise the proposed subdivision of the land because of the proposed lot sizes. All native vegetation to be removed will however be appropriately offset (with offset already secured) so there is no net loss to biodiversity. For this reason, it is considered that the proposal is consistent with the objective set by this clause.

Clause 13.02-1S (Bushfire planning) has an objective to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. The amendment is consistent with this objective because the bushfire risks associated with the rezoning and future use of the land have been assessed and found to prioritise human life over other policy considerations.

Clause 13.04-1S (Contaminated or potentially contaminated land) has an objective to ensure that contaminated and potentially contaminated land is used and developed safely. The amendment is consistent with this objective because the preliminary environmental site assessment for the site found that it is suitable for residential use.

Clause 13.07-1S (Land use compatibility) has an objective to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. The off-site impacts of all existing neighbouring land uses on the future residents of the site have been investigated and assessed. The findings of the investigations are that the amenity of future residents of the development will only be adversely impacted by traffic noise from the adjoining Pratts Park Road. To address this, there is a condition on the planning permit which requires that the landowner enters into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act, 1987* to require that dwellings adjacent Pratts Park Road be designed and constructed to a certain standard to minimise noise impact from Pratts Park Road on the residents. The design and construction standards are specified in the permit condition.

Clause 15.01-3S (Subdivision design) has an objective to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. The subdivision layout plan has been assessed to be, on balance, consistent with the relevant design objectives and standards of Clause 56 (Residential Subdivision) of the Planning Scheme which sets out the design objectives and standards for the subdivision of land.

Clause 15.02-1S (Energy and resource efficiency) has an objective to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions. The amendment is consistent with this objective because the size and layout of the proposed lots are adequate to accommodate climate responsive housing design and environmentally sustainable development. The amendment will also facilitate urban development within an area that is close to services and facilities and will appropriately integrate land use and transport.

Clause 16.01-1S (Housing supply) has an objective to facilitate well-located, integrated and diverse housing that meets community needs. The amendment is consistent with this policy because it is for higher density housing development on a site that is well located in relation to jobs, services and public transport.

Clause 16.01-2S (Housing affordability) has an objective to deliver more affordable housing closer to jobs, transport and services. The amendment is consistent with this objective because of its minimal impact on residential land supply.

Clause 19.03-2S (Infrastructure Design and Provision) has an objective to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community. The amendment is consistent with this objective because the site has available connections to existing infrastructure networks and the proposed new lots will provide for the logical extension of these services.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Planning Strategy?

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

The amendment supports the Municipal Planning Strategy as follows:

Clause 02.03-1 (Settlement) sets out the strategic direction for settlement in the municipality. This amendment is consistent with the relevant strategic directions as it encourages development that supports population growth and will supply additional residential lots within the UGB for development which have been identified within the Greater Bendigo Residential Strategy as an appropriate site for residential development and supported by the Strategic framework plans contained at Clause 02.04 of the Greater Bendigo Planning Scheme. The amendment is also in keeping with the 10-minute neighbourhood principles being near the Strathdale Activity Centre and other community facilities.

Clause 02.03-3 (Environmental risks and amenity) sets out the key environmental risks for Greater Bendigo which include bushfire, soil degradation and land use compatibility. The bushfire risks associated with the proposed rezoning and development has been assessed as not to be at odds with this strategy or to any relevant objective contained in the PPF.

The amendment also appropriately manages the interface between urban development and other nearby non-residential land uses. This matter was investigated through the referral process. An acoustic assessment was commissioned to determine if any adverse amenity issues are likely to be experienced by future residents. The findings of the report concluded that future residents of the dwellings adjacent to Pratts Park Road would be adversely impacted by traffic noise from Pratts Park Road but that these adverse impacts can be mitigated by the appropriate design and construction standards of the future dwellings at this location. The Environment Protection Authority has also been consulted but did not raise any concerns about any other potential adverse impacts from nearby land uses.

Clause 02.03-6 (Housing) sets out the key housing issues for Greater Bendigo which include the location of residential development, housing diversity and housing affordability. The amendment is an opportunity to provide for new housing by providing vacant residential land for a diversity of dwellings and housing choices to be constructed with convenient access to the Strathdale Activity Centre and a number of community facilities such as Strathdale Park and Kennington Reserve.

Overall, the amendment will contribute to an increased housing supply in an appropriate location. The proposed amendment is supported within the overarching policy direction of Greater Bendigo to create a 'Compact Greater Bendigo' through the provision of suitably designed and located residential development within the UGB.

Clause 02.03-9 (Development infrastructure) sets out the strategic directions for development infrastructure in Greater Bendigo which include the provision of timely, efficient and cost-effective development infrastructure that meets the needs of the community and the incorporation of water sensitive urban design into residential and commercial development. The site can be appropriately serviced with all urban infrastructure as required under this clause. Water sensitive urban design (WSUD) measures have also been incorporated into the proposed subdivision layout and a servicing strategy has been devised that directs all stormwater run-off from the site to the legal point of discharge in Pratts Park Road or within the drainage reserve at the north-eastern corner of the development site.

Clause 02.04 (Strategic framework plans) provides for the strategic framework plans for the various major land uses in Greater Bendigo. The amendment is supported by the Urban Strategic Framework Plan as the land is located within the UGB and is appropriate for residential development as discussed above.

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

The application of the GRZ to the affected land is considered to be an appropriate use of the Victoria Planning Provisions.

Applying the GRZ to the affected land will lead to more efficient use of residential land and help to meet the future housing demands of Greater Bendigo. The selection of the GRZ has been made consistent with the provisions of Planning Practice Note 90- *Planning for housing*, December 2019 (PPN90), Planning Practice Note 91 – *Using the residential zones*, December 2019 (PPN91), the *Loddon Mallee South Regional Growth Plan*, 2014 and the *Greater Bendigo Housing Strategy* (Amended 2018). The *Greater Bendigo Housing Strategy* (Amended 2018) is a background document in the Greater Bendigo Planning Scheme.

PPN90 provides information and guidance about how to plan for housing growth and protect neighbourhood character to ensure a balanced approach to managing residential development in planning schemes, by considering housing, neighbourhood character and other strategic work undertaken. Whilst the *Greater Bendigo Housing Strategy* (Amended 2018) was adopted prior to PPN90, it identifies this land as suitable for rezoning for more intensive development in the short term. Similarly, since the adoption of the *Greater Bendigo Housing Strategy* (Amended 2018) until now, no strategic works have been completed which identifies the affected land to have specific neighbourhood, heritage, environmental or landscape character values that distinguish the affected land from other parts of the municipality or surrounding area.

The *Loddon Mallee South Regional Growth Plan*, 2014 (the LMSRGP) among other matters, sets out the future land use directions for the municipality of Greater Bendigo. The LMSRGP is a policy document at Clause 11.01-1S (Settlement) of the PPF. According to the LMSRGP future land use directions for Bendigo, this land is in a residential area within the UGB, where infill opportunities are to be identified to provide for medium and higher density housing in appropriate locations.

The *Greater Bendigo Housing Strategy* (Amended 2018) is consistent with the LMSRGP. One of its three key strategic objectives is the provision of greater diversity in housing with a focus on smaller lots with a component of affordable housing and one of the key strategic directions is that future housing will be directed to land within the UGB and small towns in the short to medium term.

As this land is within the UGB, the City has investigated it for potential rezoning as part of its "*Investigation of Low Density Residential and Farming Zone Land*" which resulted in the inclusion of the land in the *Greater Bendigo Housing Strategy* (Amended 2018). In this Strategy, this land was identified as suitable for rezoning to GRZ in the short term. Included in the justification for the rezoning of this land to GRZ is that the affected land is well located, being approximately 1.5km from Kennington Primary School and 2.5km from the Strathdale Activity Centre. Despite the coming into effect of PPN90 and PPN91 in 2019, the strategic direction set out for the affected land, and the surrounding area, in the *Greater Bendigo Housing Strategy* (Amended 2018) remains valid and current including its proposed rezoning to GRZ. This is because the new MPS that took effect in March 2022 following the gazettal of Greater Bendigo Planning Scheme Amendment C256gben, which among other matters, inserts and updates a new housing policy specifically Clause 02.03-6 (Housing) in the Greater Bendigo planning scheme. The strategic directions set out for housing in this clause as discussed elsewhere in this report, supports and reinforces the rationales to rezone the affected land to GRZ.

The proposed rezoning of the affected land to GRZ is consistent with PPN90 which requires that to respond to state and regional planning policies, a planning authority need to undertake some form of strategic planning. In this case the City has met this obligation by undertaking the *Greater Bendigo Housing Strategy* (Amended 2018) and adopting it to inform the future directions of land use in this area among other areas within the municipality.

PPN91 states that the right residential zone will reflect the true development capacity of the land. It also places emphasis on the importance of having strategic justification for implementing the new zones. This land has the capacity to support higher residential development being located adjacent to a Transport Zone 3 (Pratts Park Road) which provides direct linkage to the City Centre via Mclvor Road. The land is also flat and is not in an environmentally sensitive area which means that its development will have minimal effect on the natural environment in terms of earthworks or removal of vegetation of high biodiversity value.

Although, PPN90 and PPN91 came into effect after Council's adoption of *Greater Bendigo Housing Strategy* (Amended 2018), the City still supports the application of the GRZ to the affected land although it allows for dwellings up to 3 storeys high. It is also understood that neither PPN90 nor PPN91 provides for a minimum number of storeys for dwellings or building heights for the GRZ. Moreover, Council currently has no adopted strategic directions for a change to the existing built form in this area.

Apart of the locational advantage and natural attributes of the land, the maximisation of the use and development of this land for residential purposes is supported by policy. At clause 02.03-1 (Settlement), one of the strategic directions for settlement is to contain most of Greater Bendigo's growth within the UGB. Whilst the population of Greater Bendigo is projected to increase by over 2,000 per year over the next 20 years which would require an additional 1,000 new dwellings per year to accommodate this growth, it is considered good planning practice to allow for higher residential development in suitable areas so the City can accommodate this growth. Under the VPP, the GRZ is the best tool to achieve this because of its flexibility in terms of building typologies.

Further, at clause 02.03-6 (Housing), one of the strategic directions for housing in Bendigo is to increase the residential population of Bendigo City Centre and its immediate surrounds to create a more dynamic area, maximise the use of existing infrastructure and provide different housing choices for people. The application of the GRZ to this land supports this strategic direction because it will allow for its incremental and substantial development for residential purposes in an area where all basic infrastructure already exist including good road access and services.

The application of the GRZ is supported by existing strategic directions contained within the MPS. The land does not have any environmental constraints which may inhibit its further development for residential purposes. It has a locational advantage as it has access to all basic infrastructure, has easy access to the City Centre and other activity centres and is therefore an appropriate site toward which the future growth of the City should be directed. To achieve this outcome, the GRZ would be the preferred zone for this land.

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

The amendment has considered the views of the Department of Transport and the Department of Environment, Land, Water and Planning (Biodiversity). The Department of Environment, Land, Water and Planning does not object to the amendment or to the removal of native vegetation subject to conditions being included in the draft planning permit to address native vegetation offset requirements.

The Department of Transport initially raised concerns in their response about the proposed rezoning because of its potential adverse impact on the intersection of Pratts Park Road and Mclvor Road and submitted that a minor change be made to the proposed subdivision layout plan. The change requested by the Department of Transport is that the proposed access to the subdivision from Pratts Park Road should be located further north next to the proposed stormwater drainage reserve (See **Figure 2** above). The change has been made to the subdivision layout plan to address the concerns and following additional information on the amendment, the Department of Transport initially provided in principle support for the proposed rezoning and permit application.

When the Amendment and planning permit application was referred to the Department of Transport for exhibition, the Department has requested that a Traffic Impact Assessment report which assesses the traffic impact of the development at the intersection of Pratts Park Road and Mclvor Road failing which they will object to the Amendment and permit application. The proponent is currently updating the Traffic Impact Assessment Report to address the Department of Transport submission.

Consistent with the requirements of Ministerial Direction 19, the EPA has been consulted. In its response, the EPA did not object to the planning permit application and amendment but submits that Council should satisfy itself that consideration has been given to the need that potential soil contamination and noise impacts has been assessed according to the policy under the *Environment Protection Act, 2017*. An updated soil contaminated report was subsequently submitted which confirmed that the affected land is safe for use for human habitation. The acoustic report however recommends that the future dwellings to be constructed along Pratts Park Road should be designed and constructed to specific standards to protect the amenity of their residents against noise from traffic along Pratts Park Road. These required designed standards have been considered and form part of the draft planning permit conditions.

As outlined above, the Country Fire Authority has also reviewed the Bushfire Management Statement including the Bushfire Management Plan and supports the permit application amendment in its current form.

All relevant agencies have been consulted on the combined amendment/permit as part of the exhibition process.

As part of this process, the City Parks and Open Space Unit has requested that Condition 3 on the exhibited draft permit be deleted because a Landscape Masterplan is not required for a subdivision of this size. They have however suggested that Condition 2 on the exhibited permit be amended to include provision for street planting.

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

The proposed amendment is not considered to be of significant consequence to the transport system or the requirements of the *Transport Integration Act 2010*. The provision of new residential development into an existing urban area with access to the existing public transport and arterial road access supports the principles of the Act.

Resource and administrative costs

The proposal involves a combined amendment/permit for residential rezoning, removal of the DPO4 and subdivision to create 39 residential lots with removal of native vegetation and the creation of a drainage reserve. The proposed rezoning will not result in an increased number of planning permit applications being submitted to responsible authority, as the subdivision is contained within this application. Future residential development on the resulting lots will likely be achieved without the need for further planning approval.

Given the above, it is not considered that the amendment will result in any significant ongoing resource implications for Council.

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 6 February, 2023
- panel hearing: Week starting Monday 6 March, 2023

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Strathdale	15 & 21 Pratts Park Road	Greater Bendigo C269gben 002znMap20 Exhibition Greater Bendigo C269gben 001d-dpoMap20 Exhibition

Panel Request

**PLANNING
PERMIT
GRANTED UNDER SECTION 96I OF
THE PLANNING AND ENVIRONMENT
ACT 1987**

Permit No.: DS/137/2021

**Planning scheme: Greater Bendigo Planning
Scheme**

**Responsible authority: Greater Bendigo City
Council**

**ADDRESS OF THE LAND: 21 PRATTS PARK ROAD, STRATHDALE (LOT 2 PS 144759 &
LOT 2 PS 144758)**

**The Permit allows: Subdivision of land into 39 lots, removal of native vegetation and
creation of a drainage reserve.**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. NO LAYOUT ALTERATION

The subdivision permitted by this permit as shown on the endorsed plans and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

2. LANDSCAPE PLAN REQUIRED

Prior to the certification of the plan of subdivision, a landscape plan for the drainage reserve and street planting to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and form part of the permit. The plan must be drawn to scale with dimensions.

3. LANDSCAPE MASTER PLAN

~~Prior to the certification of the plan of subdivision under the Subdivision Act 1988, a landscape master plan for the subdivision to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The master plan must:~~

- ~~• Include new plantings within all road reserves and municipal reserves associated with the subdivision;~~

~~When approved, the landscape master plan will be endorsed and then form part of the permit.~~

4. COMPLETION OF LANDSCAPING

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

5. LANDSCAPING MAINTENANCE

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority for two years after the responsible authority has completed the preliminary acceptance inspection, including that any dead, diseased or damaged plants are to be replaced.

6. RESTRICTION ON TITLE

The plan of subdivision must include a restriction (or suitable equivalent, such as a s.173 Agreement) in accordance with the endorsed plans. The restriction must include the following wording:

- Dwellings on Lots 22, 23, 28, 30 and 32 must be designed in such a manner to allow

vehicles to enter and exit the site in a forward direction onto Pratts Park Road.

6-7 PUBLIC OPEN SPACE CONTRIBUTION

The applicant or owner must pay to the City of Greater Bendigo an amount equivalent to 5% of land in the subdivision to be determined by a suitably qualified and licensed property valuer. This payment must be made before a statement of compliance is issued and may be varied under section 19 of the *Subdivision Act* 1988.

7-8 REFERRAL OF PLAN

The plan of subdivision submitted for certification under the *Subdivision Act* 1988 must be referred the relevant authority in accordance with Section 8 of the Act.

8-9 PROVISION OF SERVICES

The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

9-11 EASEMENTS

All existing and proposed easements and sites for existing and proposed utility services and roads must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the *Subdivision Act* 1988.

ENGINEERING CONDITIONS

10- CONSTRUCTION OF WORKS

Prior to the issue of a statement of compliance, road works, drainage and other civil works must be constructed in accordance with the City of Greater Bendigo Infrastructure Design Manual, Version 5.30 – March 2020 and plans and specifications approved by the responsible authority and must include:-

- (a) A fully sealed pavement with kerb and channel.
- (b) Footpaths and/or shared pedestrian/bicycle paths on the side of the development along Pratts Park Road linking with the existing path at 15 Pratts Park Road.
- (c) Underground drainage.
- (d) Underground conduits for water, gas, electricity and telephone.
- (e) Appropriate intersection and traffication measures.
- (f) Appropriate street lighting and signage.
- (g) High stability permanent survey mark.

11- NORTHMOOR DRIVE COURT BOWL

Prior to the issue of a statement of compliance, the Northmoor Drive court bowl is to be removed and reconstructed as a standard street profile and paved footpath is to be extended to the existing footpath.

12- CITY OF GREATER BENDIGO ASSETS

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

~~13.~~ DETAILED DRAINAGE PLANS

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

- a) The direction of stormwater run-off.
- b) A point of discharge for each lot.
- c) Independent drainage for each lot.
- d) Stormwater detention:
 - Allowable discharge
 - Q20% = 140 litres per second
 - Q1% = 410 litres per second
- e) Stormwater quality.
- f) Drainage easements.

~~14.~~ PEDESTRIAN SIGHTLINES

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

~~15.~~ CONSTRUCTION MANAGEMENT PLAN

Prior to commencement of works, the owner or applicant must submit a construction management plan for approval by the responsible authority. This plan must include, but not be limited to:

- (a) A site specific plan showing proposed erosion and sedimentation control works.
- (b) Techniques and intervention levels to prevent a dust nuisance.
- (c) Techniques to prevent mud and dirt being transported from the site to adjacent streets.
- (d) The protection measures taken to preserve any vegetation identified for retention.
- (e) Techniques to prevent mud and dirt being transported from the site to adjacent streets and the protection measures taken to preserve any vegetation identified for retention.
- (f) Staging of water quality works.
- (g) During construction of works associated with the subdivision, the applicant must employ and provide the protection methods contained in the plan to the satisfaction of the responsible authority and the Environment Protection Agency.

~~16.~~ CONSTRUCTION STANDARDS FOR DWELLINGS ALONG PRATTS PARK ROAD

Before the statement of compliance is issued under the *Subdivision Act* 1988, the owner must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act*, 1987. The agreement must:

- Implement the findings and recommendations for the design and construction of dwellings along Pratts Park Road contained in the acoustic report dated 3 December 2021 (Report No. 21072.1) by Audiometric & Acoustic Services.
- Specifically, the following construction standards must be implemented:

External Walls

External walls must be standard brick veneer construction with an air cavity, 10 mm plasterboard lining and R1.5 insulation within the 90 mm studwork. Any lightweight sections must achieve $R_w > 46$ for bedrooms and $R_w > 37$ for other habitable rooms.

Roof/Ceiling Assemblies

Metal deck roofing with insulation of min R2.5 fibrous with internal lining of standard 10 mm plasterboard will be adequate to meet the requirements for all rooms except bedrooms. Bedrooms are required to have either:

- Pitched steel roof (22.5 degrees nominal) of min 0.42 mm with minimum R3.0 fibrous batts within the cavity and Bradford Anticon 60 MD R1.3 insulation over battens and 1 x 13 mm Standard Gyprock Plasterboard.
- Pitched concrete tile roof (22.5 degrees nominal) with minimum R3.0 fibrous batts within the cavity and Bradford Thermoseal Roof Tile sarking over battens and 1 x 13 mm Standard Gyprock Plasterboard.

Eaves are to be sealed and treated to prevent / minimise noise break into the roof space. Installers should ensure the fibrous insulation extends into any eaves.

External Doors

External doors to habitable rooms must be designed to provide an $R_w > 32$ or be of solid core construction with perimeter seals and a drop seal at the base of the door.

Ventilation

Evaporative coolers are not suited to noise exposed houses.

Split system air conditioners would be suited, if required.

Any Whirly Birds should not be situated over any of the bedrooms.

Glazing

Typical glazing may include the following orientations inclusive of aluminium frame however any glazing combination that achieves the minimum required R_w value will be suitable.

Room	Min Required R_w	Typical Glazing
Bedrooms	35	6.5 mm V-lam Hush - 8 mm argon - 4 mm Double Glazed
Other Habitable Rooms	32	6.38 mm Laminated or 6 mm - 12 mm - 6 mm Double Glazed.

REFERRAL AUTHORITY CONDITIONS

17. COLIBAN WATER

- The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets. Services are to be provided in accordance with our specifications.
- The applicant is to provide evidence to the satisfaction of Coliban Water that existing private water pipes and sanitary drains do not cross the boundaries between lots. Where modifications to pipes or drains are required in order to satisfy this requirement, all work is to be carried out in accordance with AS3500 National Plumbing and Drainage Code of Australia and the relevant requirements of Coliban Water. Works to modify Coliban Water assets may only commence with prior approval by Coliban Water.
- All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by Registered Easement in favour of Coliban Region Water Corporation.
- All proposed sewers must be located at least 1 metre from an existing or proposed

structure/boundary.

~~18.~~ POWERCOR

- (a) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- (b) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- (c) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
- (d) The applicant must, when required by Powercor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

Notes:

Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- RESERVES established by the applicant in favour of Powercor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.
 - Powercor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
- (e) The applicant must establish easements on the subdivision, for all existing Powercor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

~~19.~~ AUSNET SERVICES (GAS)

- (a) Easements in favour of SPI Networks (Gas) Pty Ltd must be created on the plan to the satisfaction of AusNet Services (Gas).
- (b) The plan of subdivision submitted for certification must be referred to AusNet Services (Gas) in accordance with section 8 of the *Subdivision Act 1988*.

~~20.~~ TELECOMMUNICATIONS

- (a) The owner of the land must enter into an agreement with:
 - A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time.
 - A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- (b) Before the issue of a statement of compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time.
 - A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can

demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

21. COUNTRY FIRE AUTHORITY

The bushfire management plan prepared by Spiire and dated 22 February 2021 must be endorsed as part of the permit.

22. BUSHFIRE MITIGATION MEASURES SECTION 173 AGREEMENT

Before the statement of compliance is issued under the *Subdivision Act* 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act*, 1987. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Greater Bendigo Planning Scheme.
- Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
- State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.
- The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

23. DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING

Notification of permit conditions

1. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Native vegetation offsets

The total area of native vegetation permitted to be removed is 0.257 hectares, comprised of 1 large tree.

2. To offset the removal of 0.257 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
 - A general offset of 0.042 general habitat units located within the North Central Catchment Management Authority boundary or Greater Bendigo municipal district;
 - have a Strategic Biodiversity Value score of at least 0.080.
 - provide protection for at least 1 large tree.
 - must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

Offset evidence

- a) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:
 - a security agreement signed by both parties, and
 - a management plan detailing the 10-year management actions and ongoing management of the site;

to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

b. credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

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

3. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at loddonmallee.planning@delwp.vic.gov.au.

21. EXPIRY OF THE PERMIT

The permit will expire if:

- (a) The plan of subdivision is not certified within two years from the date of this permit; or
- (b) The subdivision is not completed within five years from the date of certification of the plan of subdivision.

The responsible authority may extend the time for certification of the plan if a request is made in writing before the permit expires or within six months afterwards.

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. **C269gben** to the **Greater Bendigo Planning Scheme**.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.

5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

DRAFT





Department of Environment, Land, Water and Planning

8 Nicholson Street
East Melbourne, Victoria 3002
PO Box 500
East Melbourne, Victoria 8002

Mr Craig Niemann
Chief Executive Officer
Greater Bendigo City Council

Email address: f.casimir@bendigo.vic.gov.au

Dear Mr Niemann

PROPOSED GREATER BENDIGO PLANNING SCHEME AMENDMENT C269gben

I refer to your council's application for authorisation to prepare an amendment to the Greater Bendigo Planning Scheme. The amendment is a combined planning permit application and planning scheme amendment under Section 96A of the *Planning and Environment Act 1987* ('the Act'). The amendment proposes to rezone 3.8 hectares of land at 21 Pratts Park Road, Strathdale from Low Density Residential Zone to General Residential Zone and to delete the Development Plan Overlay, Schedule 4 (Low Density Residential Zone – Density Management Areas) from the land. The planning permit application is for the subdivision of the land into 40 lots, removal of native vegetation and creation of a drainage reserve.

Under delegation from the Minister for Planning, in accordance with section 8A of the Act, I authorise your council as planning authority to prepare the amendment subject to the following conditions:

1. That the land at 15 Park Pratts Road, Strathdale be included in the amendment and rezoned to the General Residential Zone (GRZ). This is to ensure that orderly planning is maintained and an isolated pocket of LDRZ land is not created.
2. That the explanatory report be amended to:
 - a) Reflect the inclusion of 15 Park Pratts Road, Strathdale into the amendment.
 - b) Provide further explanation of the choice of the GRZ to make it clearer for public exhibition what council's intention is for the area in terms of the future built form. Reference should be made to Planning Practice Note 91 (PPN91), in particular to Table 1, which outlines the role and application of the GRZ and explains that it should be applied to areas where a three-story character is preferred. This further explanation must be provided under sections 'Why the amendment is required' and 'Does the amendment make proper use of the Victoria Planning Provisions'.
 - c) Include a paragraph under 'Land affected by the amendment', that includes a description and the size of the land, the existing zone and overlays and surrounding zones and overlays.
 - d) Provide an explanation for the removal of the DPO4 under 'Why the amendment is required'.
 - e) Include a paragraph on current residential land supply and demand under 'Why the amendment is required'.
 - f) Discuss the requirement for a section 173 agreement to mitigate the effects of traffic noise from Pratts Parks Road on lots fronting this road, in response to Clause 13.07-1S.
3. That the proposed plan of subdivision be amended to be consistent with the statement in the explanatory report, by increasing the frontages of the lots fronting Pratts Parks Road (Lots 117, 202, 203, 204)*whilst slightly larger lots and wider frontages are proposed at the Pratts Park Road interface to respond to the lower density nature of land use to the north and east.*

Privacy Statement
Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



OFFICIAL

4. That the draft permit conditions be reviewed and amended to:
- Clarify that the reserve is a 'drainage reserve' in the preamble.
 - Ensure that the permit conditions are correctly numbered and appear in alphabetical order.
 - Remove the reference to 'occupation', which relates to use rather than subdivision.
 - Consider whether condition 5 should include a period of time.
 - Consider whether condition 6 should refer to a suitably qualified land valuer.
 - Review condition 10 to accurately reflect what is required. There should be no reference to 'if required'.
 - Review condition 22 to ensure the content is relevant to the approval sought.

The amended draft planning permit is to be provided to DELWP for review prior to exhibition of the amendment.

Additional comment

As council is currently preparing a neighbourhood character study for Bendigo that is well advanced, we recommend that you consider the recommendations of this report in relation to the proposed zoning for this site to ensure there is consistency.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Please note that [Ministerial Direction No. 15](#) sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and
- before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report ([Practice Note 77: Pre-setting panel hearing dates](#) provides information about this step).

The direction also sets out times for subsequent steps of the process following exhibition of the amendment.

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in [Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process](#).

In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister **at least 10 business days** before council first gives notice of the amendment.

Please submit the amendment electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact Rachael Blandthorn, Department of Environment, Land, Water and Planning, on 0473 527 960 or email rachael.blandthorn@delwp.vic.gov.au.

Yours sincerely



EMMA BRYANT
Manager, Loddon Mallee
Regional Planning Services

19/08/2022

Submission 1

Frank Casimir

From: David Tyndall [REDACTED]
Sent: Wednesday, 26 October 2022 1:53 PM
To: Planning Amendments
Subject: Planning permit for proposed development - 15 and 21 Pratts Park Road Strathdale.

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Frank

To whom it may concern,

As residents and rate payers of our property in [REDACTED] we strongly object to the proposed development/extension of Northmoor Drive to Pratts Park Road for the following reasons:

- We believe there will be a considerable increase of through traffic. Our neighbours have spoken with the Traffic Engineers who believe there won't be a large increase of traffic in the street. We strongly disagree with this assessment. If people living in the new development want to drive in to the city at peak times (school drop off's and work start/finish times) they will find it almost impossible to turn right onto McIvor Road from Pratts Park Road. We have lived here for 20 years and see daily the congestion at that intersection. This will force residents of the proposed development to avoid that intersection and drive up the existing Northmoor Drive.
- Businesses in Powells Avenue may see the new road as a possible shortcut to avoid traffic lights if coming back from Junortoun area. Again possible increase in through traffic. Possibly by Trucks.
- The existing Northmoor Drive is very narrow. It is approximately 6 meters wide. Often cars are parked on the road side and it is only wide enough for one car to get through. The bend in Northmoor Drive is also already quite a concern. There are often near misses in car accidents. The increase in traffic, as discussed above, would make the whole road quite unsafe in our opinion.
- There is only a footpath on one side of the road. Many residents walk pets and children ride bikes in the street. These activities will become much more dangerous.
- Northmoor Drive was asphalted in a material that means stones are constantly sitting on the road surface. Additional traffic will only make this more dangerous again.
- Existing established trees would need to be removed.
- If, as the Traffic Engineer suggests, the residents of the proposed subdivision will exit via Pratts Park Road, then what is the benefit of the road extension?

We would propose that instead of the road being extended a bike/pedestrian path would be more suitable.

We understand that development of the site is inevitable. But the Northmoor Drive extension is not required.

Thank you. We look forward to a favourable reply.

Regards
[REDACTED]

Submission 2

Frank Casimir

From: Carroll, Jayson S [REDACTED]
Sent: Monday, 7 November 2022 4:07 PM
To: Planning Amendments
Subject: Planning Permit Application DS/137/2021
Importance: High

Hi Greater Bendigo Strategic Planning Unit

I wish to voice my objection to part of the planning application of Planning Permit Application DS/137/2021.

The one objection I have with this planning application is the request to extend or to turn Northmoor Drive into a through road!

Northmoor Drive has always been a Drive which is a one way in and one way out exit for the residents of Northmoor Drive.

This planned or requested change will increase the amount of traffic if this proposed change was to go ahead. The existing road is not already big enough for two cars side by side and then if there are parked out the front of houses this is already a dangerous scenario.

This proposed change to the street would make the road more dangerous for the children that currently live in the street, children walking to the bus stops to catch buses to school. The safety of the children that live in the street is of my highest priority! There is not a footpath on both sides of Northmoor Drive, so children will be susceptible to being hit by the increased traffic by crossing the road to get to the footpath or playing.

I feel that the current application should keep the Drive (Court) feel with properties just added to the end of Northmoor Drive or the other option is rather than opening up the Drive to a whole new set of potential local and through traffic. These new blocks x 39 could use the exit onto Pratts only. This would eliminate any change required and make no further traffic into Northmoor Drive providing safety to the current and planned residents!

Instead of the developer could increase the lots to 40 without the need to change the road in and out of Northmoor Drive. This would increase available land to 40 lots, decrease the need to change the Northmoor Drive road and keep children and residents safer without the need for change. Or potential for the developer to make this a play space rather than a road!

Any questions please do not hesitate to call/e-mail me.

Thank you

Jayson Carroll
[REDACTED]

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1/11/22.

Submission 3

MR FRANK CASIMIR,
CITY OF GREATER BGO,


DEAR SIR,

RE PROPOSED SUBDIVISION
LOT 21 PRATTS PARK RD, STRATHDALE.

I AM WRITING THIS SUBMISSION OUTLINING MY
MAJOR CONCERNS, REGARDING THE EXTENSION OF
THE NORTHMOOR DRIVE BOWL, TO THE PROPOSED
NEW SUBDIVISION.

- ① NORTHMOOR DR. IS VERY NARROW, AND IN
FACT WITH CARS PARKED LEGALLY ON BOTH
SIDES OF THE ROAD, LARGE VEHICLES HAVE A
VERY RESTRICTED ACCESS.
- ② AT THE MOMENT NORTHMOOR DR, HAS ONLY
ONE EXIT, ONTO NORTH HARLEY ST. THIS BEING
INTO A VERY NARROW ONE LANE ROAD.
WITH A LIKELY HOOD OF A SUBSTANTIAL INCREASE
IN TRAFFIC, 39 NEW LOTS, UP TO 70 PLUS CARS,
THIS BOTTLENECK WOULD ALMOST BECOME
UN TENABLE.
- ③ IF THERE IS A NEED FOR CONNECTING THE
2 SUBDIVISIONS, MAYBE A BETTER OPTION
WOULD BE A BIKE AND WALKING TRACK,
WITH A NATURE STRIP.

I HOPE THAT DUE CONSIDERATION WILL BE
GIVEN TO THIS SUBMISSION. SHOULD YOU
HAVE ANY QUERIES ABOUT THE ABOVE,
PLEASE CONTACT ME ON,

JOHN CASSIDY.



Submission 4

Frank Casimir

From: Phil Nolan [REDACTED]
Sent: Monday, 17 October 2022 1:25 PM
To: Frank Casimir
Subject: RE: C269Gben - 15 & 21 Pratts Park Road, Strathdale: DS/137/2021 - OPPOSING SUBMITTER

Thank you Frank.

Regards
Phil

From: Frank Casimir [REDACTED]
Sent: Monday, 17 October 2022 11:39 AM
To: Phil Nolan [REDACTED]
Subject: C269Gben - 15 & 21 Pratts Park Road, Strathdale: DS/137/2021 - OPPOSING SUBMITTER

Hi Phil,

Thank you for getting back to me on this.

The permit conditions require only dwellings to be constructed on lots along the southern lot boundary (shown hatched red on subdivision plan) to have each a water tank with a minimum capacity of 5,000 litres for fire fighting purposes.

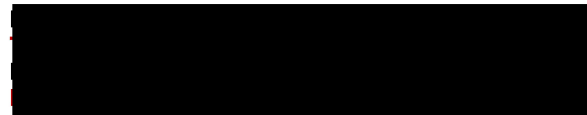
At this stage and following our assessment of the application, we have not yet found a justification for a Section 173 to be included on the permit to require minimum size rain water tanks for each lot.

However, now that you have raised this in your submission, I will refer this matter to our Drainage Engineer and to the applicant for their comments before getting back to you.

If you have any other questions on this, please ask me.

Regards

Frank Casimir
Strategic Planner



www.bendigo.vic.gov.au

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung Country.

From: Phil Nolan [REDACTED]
Sent: Monday, 17 October 2022 11:12 AM
To: Frank Casimir [REDACTED]
Subject: RE: C269Gben - 15 & 21 Pratts Park Road, Strathdale: DS/137/2021 - OPPOSING SUBMITTER

Thank you, Frank Casimir, for the quick response to some of my concerns.

What I understand from attached Terraco SWMP, is that part of their detention Cals including End user to install rainwater tanks to help with detection runoff.

As the moment the Draft DS/137/2021 Planning Permit conditions: Only makes reference to 173 Agreement for Bushfire Mitigation Measures, I'm not sure if this required dwellings to have min. size rainwater tanks storage for Fire Fighting purposes? However the attached SWMP calcs to assist to reduce site runoff as well as assist in some water quality treatment. Does this mean that planning permit needs as 173 agreement conditioning requirement for end users to have min. size rain water tank install & connected to each lot LPOD?

Greatly appreciated.

Regards
Phil Nolan

From: Frank Casimir [REDACTED]
Sent: Monday, 17 October 2022 9:43 AM
To: Phil Nolan [REDACTED]
Cc: Planning Amendments <psamendments@Bendigo.vic.gov.au>
Subject: C269Gben - 15 & 21 Pratts Park Road, Strathdale: DS/137/2021 - OPPOSING SUBMITTER

Hi Phil,

Thank you for your submission.

As part of their application, the applicant submitted a stormwater management plan (see attached) which also provides information on the on-site detention basin.

At this stage, we do not have the detailed internal drainage reticulation design drawings . These drawings will be required at some stage during the development process but is not a planning permit application requirement. I will however, make a request to the applicant if it is practical for them to provide us with these drawing as you have requested.

Please have a look at the attached and give me a call if you want to discuss/ask for more information.

Kind regards

Frank Casimir
Strategic Planner





- Terraco Internal drainage reticulation Design dwgs

From: Phil Nolan [Redacted]
Sent: Monday, 17 October 2022 7:10 AM
To: Planning Amendments <psamendments@Bendigo.vic.gov.au>
Subject: FW: C269Gben - 15 & 21 Pratts Park Road, Strathdale: DS/137/2021 - OPPOSING SUBMITTER

Greater Bendigo Planning Unit
Bridget Maplestone
Coordinator Planning Strategy & Policy
C/O: Frank Casimir
Ph: 5434 6307

Your Ref: C269Gben
Address: 15 & 21 Pratts Park Road, Strathdale
Planning App: DS/137/2021

Exhibition: Planning Scheme Amendment Rezone LDR to GRZ amendment DPO4 and creating of DR

Purpose: Subdivide 21 Pratts Park Rd, (Lot 2 on PS144759 and Lot 2 on PS144758) into 39 Lots and envisaged 15 Pratts Rd (Lots 2 & 3 on LP31446) further subdivided

Opposing Statement:

- Amendment to LPO4 (Removing the requirement to remove such conditions as; buffer areas separating land uses, stormwater retardation,).
- Increase Traffic congestion at Pratts Park Road & McIvor Hwy intersection.
- Internal Proposed Road linking up with Northmoor Drive, creating a through road onto Pratts Park Rd, (adding to the impact congestion at Pratts Park Rd & McIvor Rd Intersection). Notwithstanding that DoT reduced two entry & exit points to one, as now indicated on current Terraco Proposed subdivision plan.

Further Information Request:

- Terraco onsite Detention Basin Design dwgs: (AKA - DR)
- Terraco Internal drainage reticulation Design dwgs

Resolution Changes:

- Acoustic Fencing along adjoining boundary of existing fence line, (due to increase traffic noise).
- Noise Vegetation Buffering along adjoining boundary existing fence line.

Yours Sincerely

Phil Nolan (Submitter)



Submission 5

Frank Casimir

From: Planning Amendments
Subject: FW: Reference: C269Gben Pratts Park Subdivision
Importance: High

From: sdcowling@bigpond.com [REDACTED]
Sent: Friday, 28 October 2022 3:35 PM
To: Planning Amendments <psamendments@Bendigo.vic.gov.au>
Subject: Reference: C269Gben Pratts Park Subdivision
Importance: High

City of Greater Bendigo – Frank Casimir – 15-21 Pratts Park subdivide

In reference regarding Clause 11
NORTHMOOR DRIVE COURT BOWL

Prior to the issue of a statement of compliance, the Northmoor Drive court bowl is to be removed and reconstructed as a standard street profile and paved footpath is to be extended to the existing footpath.

As residents of [REDACTED] we strongly object to the above proposal, this court is one way in and one way out only opening up the street to the subdivision will have major consequences due to much more traffic.

1. There are no road markings in Northmoor Drive which would indicate the road is not thought of as a thoroughfare for increased traffic flow. Manoeuvring past extra traffic would increase the chance of a collision especially on the bends of the Road.
2. Current parking of vehicles in Northmoor Drive is hazardous as it is. Extra traffic would exasperate the problem.
2. Only one pathway exists on one side of this drive, so for pedestrians from the west side to walk along the drive they would have to navigate the extra traffic to access the footpath.
3. No sense is given why you would drive down North Harley St, turn into Northmoor drive, then continue onto the new subdivision when you only need to drive along McIvor rd and turn left into Pratts park rd.
4. This will attract hoon drivers even more so as they already use Pratts Park rd for hooning we can hear them from here.
5. The quality of the road is substandard, there is regularly a truck coming along to sweep the loose stones away. More traffic would compromise the road further leading to more stones being flicked up by passing traffic. People in the Drive may be hit, property may be damaged by the flicked up stones.

Regards
Shane and Deborah Cowling

[REDACTED]

Submission 6

Frank Casimir

From: ANTHONY GUNDRY [REDACTED]
Sent: Thursday, 3 November 2022 7:49 PM
To: Planning Amendments
Subject: 15 and 21 Pratts Park Road, Strathdale C269Gben

Thursday, 3rd November 2022

Dear Frank,

We are writing to you and the City of Greater Bendigo to voice our concerns with the proposed opening of Northmoor Drive to the development of 15 and 21 Pratts Park Road, Strathdale.

Firstly, we have no concerns with the proposed development of the 39 building blocks. However, our concerns with the proposed opening of Northmoor Drive are:

- Northmoor Drive is a very narrow road. Even small trucks, caravans, etc have trouble travelling on this road.
- It is basically a rabbit warren at the entrance with only a single lane when exiting the road.
- There would be hardly any benefit for the new homes to travel along Northmoor Drive. You are not allowed to turn left at the exit to Northmoor Drive. If you did break the law and turned left, you will just finish at Mclvor Road, where you will have to turn left anyway.
- If you turn right you would have to travel on a very narrow one way road to turn left to get to Powell's Avenue.
- It would be similar in time and distance to travel on Pratt's Road if you needed to head towards East Bendigo.
- Over time people will think this road is a shortcut. This will create a number of dangers, particularly if any speed is involved.
- Currently the road is used by the local residents. Almost all would travel no faster than 15 km per hour. This is because it is very narrow and there are a number of children who play out the front of this safe place/community.

We look forward to hearing from you regarding our concerns.

Regards,

Tony and Kate Gundry
[REDACTED]

Submission 7

Frank Casimir

From: Vicki Grainger <[REDACTED]>
Sent: Tuesday, 1 November 2022 7:20 PM
To: Planning Amendments
Subject: Proposed Combined Planning Scheme Amendment C269Gben and Planning Permit Application DS/137/2021

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Frank

Attention Frank Casimir,

I wish to voice my concerns about this proposal as I am a resident of [REDACTED]
[REDACTED] and have so for the past 13 years with my husband (child has since moved out) I am totally against the opening up of the drive to accommodate an additional 39 x 2 cars = 78 cars as the street is not wide enough to allow for off road parking as well as additional traffic coming through. It is not designed for a steady stream of traffic as it has blind corners and sharp bends. I hope that you do a thorough investigation and check measurements before you pass this proposal - I would suggest speed humps if the proposal goes ahead to keep traffic under 30 km as there are children and animals always out on the streets. I know that we can't stop progress but I hope that you at least listen to the people and their views.
kind regards Vicki Grainger
[REDACTED]

Submission 8

Frank Casimir

From: Michael Foley [REDACTED]
Sent: Saturday, 29 October 2022 5:51 PM
To: Planning Amendments
Subject: Greater Bendigo Proposed Combined Planning Scheme Amendment C269Gben and Planning Permit Application DS/137/2021-15 and 21 Pratts Park Road Strathdale

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Frank

Re: Opposition to extension of Northmoor Drive Strathdale 3550

To Whom It May Concern

As residents and ratepayers at [REDACTED] we (Joan and Michael Foley) strongly object to the continuation of Northmoor Drive into the proposed development at 21 Pratts Park Road Strathdale for the following reasons:-

Excessive two way traffic increases the risk of accidents on this narrow road particularly with the bends and the T intersection at the end with only a right hand turn on to very narrow North Harley Street.

Northmoor Drive has a low grade surface with loose stones and with extra heavy traffic would be prone to pot holes and uneven rough surface.

Northmoor Drive is too narrow for large vehicle access especially when two cars are legally parked either side of the road opposite one another.

Northmoor Drive has only one access to service 39 residences therefore the 39 lots in the proposed development only require one access to Pratts Park Road.

Residents on the Western side of Northmoor Drive have no footpath so consequently pedestrian traffic would be furthered endangered with increased two way traffic.

After recent conversation with the Council Engineer we do not agree with his opinion that the majority of traffic will enter and exit Pratts Park Road. It is obvious that there will be considerable increase in traffic along Northmoor Drive.

As the majority of residents in Northmoor Drive chose to reside here due to it's quiet peaceful and semi rural setting the increase in traffic and traffic noise negates the reason for living here. We believe a foot / cycle pathway would be a good alternative to the road which would enhance the environment and maintain the resident's lifestyle.

We trust that full consideration be given to this submission of our concerns and look forward to a favourable reply.

Thanking you In anticipation
Regards
Joan and Michael Foley

[REDACTED]

Submission 9

Bendigo Planning Department

24th October 2022

Re: Greater Bendigo Planning Scheme
Amendment C269 gben.
Planning Permit Application DS/137/2021

39 Lots have been planned for this proposed subdivision this would equate to at least 78 vehicles, possibly more. Traffic congestion would appear to be evident. As a resident of [REDACTED] we suffer difficulty in progressing along our congested street.

It appears three story buildings will be considered in this subdivision further adding to congestion.

If the roads in this subdivisions are as narrow as the road in Northmoor Drive. When vehicles are parked in Northmoor many are parked with wheels of one side of the vehicle on the road. When vehicles are parked both sides of the road it is very confined to pass between.

Emergency vehicles such as fire trucks, refuse rubbish vehicles and delivery vans have trouble weaving their way through.

There should be two exits from subdivision onto Pratts Park Road.

Thank you for the opportunity of making this submission

John William Cullen

Elaine Cullen

E. Cullen

Submission 10

Frank Casimir

From: Denis McCarthy [REDACTED]
Sent: Thursday, 3 November 2022 10:58 AM
To: Planning Amendments
Subject: Pratts Park Road subdivision

We are current residents of [REDACTED] and our home backs onto this proposed subdivision. Our only concern is the management of surface water, as currently we are getting inundated by huge amounts of water sheeting off this vacant land. We would like to see that the proposed drainage is addressing this issue, so water is directed away from our property.

Kind regards,

Denis and Jennifer McCarthy

Submission 11



Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

Council Ref: C269Cben
DOT Ref: PSA369/22

Frank Casmir
Strategic Planner
City of Greater Bendigo
[REDACTED]

Dear Mr Casmir

Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for a Planning Permit Given Under Section 96C of the Planning and Environment Act 1987

Thank you for referring Planning Scheme Amendment C269Gben corresponding to Planning Permit Application DS/137/2021 received by the Head, Transport for Victoria on 05 October 2022.

Please quote the reference number in all correspondence and contact with the Head, Transport for Victoria.

Further information request

Although the proposed amendment is likely to be supported by the Head, Transport for Victoria, the following additional information is required to enable the Department to respond to the Amendment:

1. A Transport Impact Assessment Report in accordance with the relevant guidelines. This report must provide the following assessment for the intersection of Pratts Park Road and McIvor Highway:
 - a. Predicted traffic generation arising from the proposed development and the impact of this on the existing arterial road network in all relevant peak periods for a design year 10 years post development assuming a 6%p.a. growth rate on the McIvor Highway.
 - b. Current weekday traffic counts and turning movements
 - c. A SIDRA model that assesses the existing and proposed Level of Service at the intersection



- d. The report will also identify any mitigation works required.

Preliminary comments:

The Head, Transport for Victoria also wishes to provide the following preliminary comments:

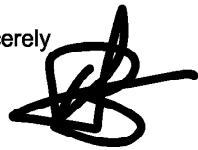
1. The traffic volume for 2020 on Mclvor Highway is estimated at 15,300 movements each day. This has significant implications for traffic at the intersection with Pratts Park Road whereby relatively small increases in traffic during peak times can have a detrimental effect on road safety at the intersection.
2. To enable the Head, Transport for Victoria to be confident the development poses minimal increase in relative risk the Department request the above information

In addition to requiring the further information requested to enable the Head, Transport for Victoria to properly consider the Planning Scheme Amendment, the Head, Transport for Victoria invites the permit applicant to respond to its preliminary comments.

If the information is not provided the Head, Transport for Victoria objects to the Planning Scheme Amendment.

Should you have any enquiries regarding this matter, please contact Jasmine Bartlett – Team Leader – Statutory Planning on [REDACTED]

Yours sincerely



Bruno Spandonide
Manager Transport Strategy
Loddon Mallee Region
28/10/2022

Submission 12

Frank Casimir

From: Zoe Porlai [REDACTED]
Sent: Wednesday, 16 November 2022 4:22 PM
To: Frank Casimir
Cc: Scott Blair
Subject: Submission to Combined Planning Scheme Amendment C269Gben and Planning Permit Application DS/137/2021

Hi Frank,

We write to put a formal submission into combined Planning Scheme Amendment C269Gben and Planning Permit Application DS/137/2021.

This submission is provided to demonstrate the reasoning for the proposed extension of Northmoor Drive. We wish to advise that during a pre-lodgement discussion with Council, a request was made that the plan be amended to extend Northmoor Drive through the subject site to provide connectivity through to Pratts Park Road.

The applicant had no intention of including the extension of Northmoor Drive in the application. This was a requirement that was instigated by Council.

Kind regards,

Zoe

Zoe Porlai

Senior Associate

Planning Working Days: Monday, Wednesday and Friday



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Submission 13

Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 2000-74575-123311
Telephone: 8746 1412
Council Ref:

4/11/2022

Frank Casimir
City Of Greater Bendigo

Dear Frank,

SUBMISSION TO COMBINED PLANNING SCHEME AMENDMENT & PERMIT APPLICATION

Proposal: C269
Planning No: Ds/137/2021
Location: 15 & 21 Pratts Park Road Strathdale

Thank you for providing CFA notice of C269 and Ds/137/2021.

CFA has assessed the proposed planning scheme amendment and permit application and can provide the following advice:

1. Advice in relation to proposed planning scheme amendment

Bushfire Hazard

- The location can be exposed to annual Fire risk – both from adjoining lands and more distant bushland locations. This can impact by – Direct Flame, Radiant heat or Ember attack.

Bushfire Mitigation Measures

- The development of General Residential, should see small size allotments. Subsequently the properties should be maintained with a low combustible fuel load that forms a defensible space.
- The access Roadways must be adequate width to ensure an unobstructed Trafficable width of 3.6m minimum is always available for emergency vehicles
- Council should be satisfied that adequate water supply is provided to meet the needs of the future community – including adequate *water pressure and flow* for firefighting purposes.

CFA supports the amendment in its current form.

If you wish to discuss this matter in more detail, please do not hesitate to contact the Manager Community Safety on [REDACTED]

Yours sincerely,

A handwritten signature in blue ink, reading "David Allen". The signature is stylized with a large, sweeping loop at the end.

David Allen AFSM
Manager Community Safety
CFA Fire Prevention and Preparedness



Department of Environment,
Land, Water and Planning

Submission 14

7 Taylor Street, Epsom
Box 3100, Bendigo DC, VIC 3554
Telephone: 035430 4444
DX 214506
loddonmallee.planning@delwp.vic.gov.au

Ref: SP482065
20221104 hf

Mr Ross Douglas
Manager Statutory Planning
City of Greater Bendigo

Attention: Frank Casimir

Dear Mr Douglas,

**JOINT PLANNING SCHEME AMENDMENT C269 AND PLANNING PERMIT APPLICATION
DS/137/2021
PRATTS PARK PTY LTD
15 AND 21 PRATTS PARK ROAD, STRATHDALE**

Thank you for your letter dated and received on 5 October 2022 about the above planning permit application and planning scheme amendment.

The application is for planning scheme amendment C269 and planning permit application DS/137/2021. Planning scheme amendment C269 seeks to amend zoning from Low Density Residential Zone (LDRZ) to General Residential Zone (GRZ) and amend the Development Plan Overlay Schedule 4 (DPO4). Planning permit application DS/137/2021 is for the subdivision of land into 39 lots, removal of native vegetation and creation of a drainage reserve. The subject land is zoned LDRZ and is affected by DPO4 and Bushfire Management (BMO1) Overlays under the Greater Bendigo Planning Scheme.

I provide this response on behalf of the Minister for Environment and Climate Action regarding the planning scheme amendments and proposed planning permit as the 'owner' of the adjoining land and Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) pursuant to Section 96C of the *Planning and Environment Act 1987*

Comments

The following response to the proposed Planning Scheme Amendment C269 from the Department of Environment, Land, Water and Planning (DELWP) comprises the consolidated views of DELWP (excluding the Planning group). The Planning group will provide separate input at the appropriate time.

Response

Planning Scheme Amendment C269 response

The Department of Environment, Land, Water and Planning (excluding the Planning Group) supports the proposed Planning Scheme Amendment C269 to rezone the land from Low Density Residential Zone to General Residential Zone and remove the Development Plan Overlay (DPO4).

Planning permit DS/137/2021 referral response

As an *adjoining owner*, the Department of Environment, Land, Water and Planning does not object to the permit being granted, but requests that the following conditions be included on the permit:

Notification of permit conditions

1. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



Native vegetation offsets

2. To offset the removal of 0.257 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- A general offset of 0.042 general habitat units located within the North Central Catchment Management Authority boundary or Greater Bendigo municipal district;
 - have a Strategic Biodiversity Value score of at least 0.080.
 - provide protection for at least 1 large tree
 - must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).

Offset evidence

- a) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:
- a security agreement signed by both parties, and
 - a management plan detailing the 10-year management actions and ongoing management of the site;

to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

- b) credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

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

3. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at loddonmallee.planning@delwp.vic.gov.au.

Access and Encroachment

3. No access is permitted to the subject land via the Crown land.
4. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.
5. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into (specify authority) drains or watercourses on Crown land. Overland flows must be maintained at the same rate post-development as on the undeveloped land.

Fencing

6. Prior to the issue of statement of compliance, the shared boundary with Crown land must be fenced to the satisfaction of the responsible authority and the Department of Environment, Land, Water & Planning in accordance with the Fences Act 1968 and at the applicant's expense. Fencing must be:
- a) erected on the boundaries of the land;
 - b) at least 1.5 metres in height
 - c) stock and domestic pet proof;
 - d) without gates or openings on to adjoining Crown land.

If a planning permit is granted, would you please include the following permit notes:

- The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office (loddonmallee.environment@delwp.vic.gov.au).
- Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

In accordance with Section 66 of the *Planning and Environment Act 1987*, please provide a copy of the permit, if one is granted, or any notice to grant or refusal to grant a permit to the above address.

If you have any questions regarding this matter, please contact insert Hayley Fell at [REDACTED]

Yours sincerely



Jeff White
Planning and Approvals Program Manager
Planning and Approvals

8 November 2022
[REDACTED]

FRIDAY Nov. 4TH 2022
Submission 15

To: Greater Bendigo Strategic
Planning Unit

Re: Greater Bendigo Proposed
Combined Planning Scheme
Amendment C269 Given 15-21 Thatts
Park Rd Strathdale 3550.

Attention - Mr Frank Casimir.

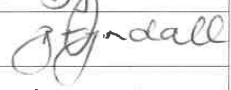
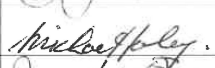
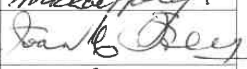
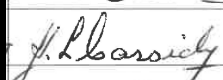
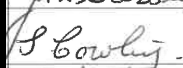
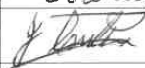
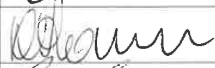
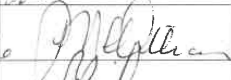
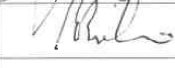
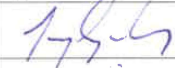
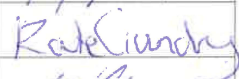
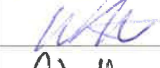
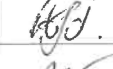
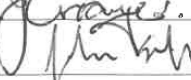
Frank, please find enclosed
a Petition signed by 30
residents in Louthmoor Drive
requesting Council to prevent
the extension of Louthmoor Drive
to the proposed development
in 21 Thatts Park Road
Strathdale.

Thank you in anticipation of
a positive response and outcome.

Regards.

Jean Foley
JEAN FOLEY

We the undersigned residents and rate payers of Great Bendigo City Council formerly request council to prevent the extension of Northmoor Drive to the proposed development 21 Pratts Park Road Strathdale.

Name	Address	Signature
David Tyndall		
Briony Tyndall		
MICHAEL FOLEY		
JOAN FOLEY		
JOHN CASSIDY		
SHANE COWLING		
JOHN CULLEN		
Elaine Cullen		
LEONIE THOMSEN		
BRETT THOMSEN		
Melinda Williams		
PETER BOUTHO		
HEATHER BOUTHO		
TONY GUNDY		
Kate Gundy		
MYWE ROTHMAN		
Rebecca Stratton		
Nancy Rathman		
Maurita Cink		
Vanessa Stommes		
VICKI GRAINGER		
JOHN GRAINGER		
John Strach		

We the undersigned residents and rate payers of Great Bendigo City Council formerly request council to prevent the extension of Northmoor Drive to the proposed development 21 Pratts Park Road Strathdale.

Name	Address	Signature
Jodie Shelton		Jodie Shelton
Melanie Greenshields		Melanie Greenshields
Judy Turner		Judy Turner
Deb. Cowling		Deb. Cowling
Geoff Cullen		Geoff Cullen
RON SPEERS		RON SPEERS
Mary Kelly		M. Kelly

16.2. Lot 7 Bradford Road, LOCKWOOD 3551 - Use and development of land for animal production, a dwelling and construction of outbuilding

Author:	Rees May, Statutory Planner
Responsible Director:	Steve Hamilton, Director Strategy and Growth

Summary/Purpose

Application No:	DR/975/2021
Application Documents:	https://epathway.bendigo.vic.gov.au/ePathway/Production/Web/GeneralEnquiry/ExternalRequestBroker.aspx?Module=EGELAP&Class=P&Type=PLNADV&Applicationid=1047124
Applicant:	Central Vic Planning Consultants
Land:	Lot 7 Bradford Road, LOCKWOOD 3551
Zoning:	Farming Zone
Overlays:	Bushfire Management Overlay
No. of objections:	0
Consultation meeting:	N/A
Key considerations:	- Whether the proposal would result in an acceptable planning outcome having regard to the purpose and decision guidelines of the Farming Zone and the relevant planning policy that deals with rural dwellings and the protection of agricultural land. - Whether bushfire risk can be reduced to an acceptable level.
Conclusion:	The application is not in accordance with the Greater Bendigo Planning Scheme. It is recommended that Council refuse to grant a permit as the proposal does not present an acceptable planning outcome with regards to the purposes of the Farming Zone and the relevant planning policies for rural dwellings and the protection of agricultural land.

Recommended Motion

Pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Notice of Decision to Refuse to Grant a Permit for the use and development of land the land for a dwelling and outbuilding, and use of the land for animal production (egg production) at Lot 7 Bradford Road, Lockwood 3551 on the following grounds:

1. The proposal is inconsistent with planning policy relating to rural dwellings and the protection of agricultural land at Clause 14.01-1S, 14.01-1L, 16.01-3S and the purpose and decision guidelines of the Farming Zone, in the following manner:
 - a. The dwelling does not genuinely support or enhance agriculture to an extent that a dwelling can be supported under the planning scheme;

- b. The dwelling would cause the fragmentation of agricultural land by limiting the ability of the parcel to consolidate with adjoining or nearby land;
- c. The dwelling would result in a permanent change in land use and has the potential to limit the expansion of agricultural activity on adjoining land.

RESOLUTION - Resolution No. 2023-8

Moved: Cr Alden

Seconded: Cr Williams

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 the land for a dwelling and outbuilding, and use of the land for animal production (egg production) at Lot 7 Bradford Road, Lockwood 3551 with the following conditions:

1 MODIFIED PLAN REQUIRED

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

- 1. An amended Farm Management Plan (which includes an Infrastructure Staging Plan) in accordance with the requirements of Condition 2.
- 2. A Landscape Plan in accordance with the requirements of Condition 4.

2 AMENDED FARM MANAGEMENT PLAN AND INFRASTRUCTURE STAGING PLAN

Farm Management Plan

Before the use starts, an amended Farm Management Plan for the management and operation of the use which is to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The Farm Management Plan must include:

- 1. An amended site plan showing the part of the Fruit and Nut Orchard and Olive Grove located within the defendable space area modified to comply with the defendable space management requirements outlined in the approved Bushfire Management Plan.
- 2. Proof of permission for the commercial use of water, or an alternative measure in place which will ensure the adequate provision of water.
- 3. The inclusion of an Infrastructure Staging Plan (as outlined below).

The use of the land must be undertaken in accordance with the Farm Management Plan endorsed to form part of this permit. The Farm Management Plan must be reviewed annually to the satisfaction of the responsible authority and any consequential changes to the plan submitted to and approved by the responsible authority. The use must be conducted in accordance with the endorsed plan at all

times.

Infrastructure Staging Plan

Before a building permit is issued for any dwelling on the property, an Infrastructure Staging Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The documents must include a clear site plan of the whole site, and be drawn to scale with dimensions, indicating all proposed infrastructure. The infrastructure staging plan must be generally in accordance with the plans prepared by Central Vic Planning Consultants dated 26 October 2022 and the material submitted as part of the planning permit application outlining the proposed agricultural land use.

The plan must show:

1. The property address;
2. Owner's details;
3. Proposed agricultural land use (including the sheep grazing, egg farm, olive grove and the fruit and nut orchard);
4. Details of the proposed infrastructure (including the internal driveway, post and wire fencing, electric fencing, water pumps, troughs, water tanks and irrigation lines);
5. Details of the staging in which the proposed infrastructure will be installed; and
6. Any other relevant information to support the proposal.

The Infrastructure Staging Plan must indicate to the satisfaction of the Responsible Authority:

1. At what stage the proposed dwelling will be constructed. It must also indicate that the proposed agricultural land use has been reasonably established on the site prior to construction of the proposed dwelling commencing. The components of the agricultural activity that must, *as a minimum*, be established on the site prior to the dwelling commencing include the installation of the internal driveway, post and wire fencing, electric fencing, water pumps, troughs and water tanks.
2. At what stage the proposed dwelling will be occupied. It must also indicate that the agricultural land use has been reasonably established on the site, prior to the occupation of the proposed dwelling. The components of the agricultural activity that must be established on the site, *as a minimum*, prior to the occupation of the dwelling includes the installation of the irrigation system, commencement of planting of the olive groves and the fruit and nut orchard, and the construction of swale drains for the orchard and olive groves.
3. Any remaining infrastructure in support of the intended agricultural use and the timeframe for completion of all infrastructure or such works should occur within a reasonable timeframe following the occupation of the dwelling.

The City may consider an alternative timeframe of works to that which is outlined above, which reasonably demonstrates the ongoing establishment of the agricultural land use, at various stages throughout the development process. It is also noted that the introduction of stock and tree planting may occur in a staggered manner provided

that progression has occurred in relation to the installation of required infrastructure.

When approved, the plan will be endorsed to form part of the permit. Once endorsed the Infrastructure Staging Plan must not be altered without written consent of the Responsible Authority and must be implemented to the satisfaction of the Responsible Authority.

3 No Layout Alteration

The use and development permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

4 LANDSCAPE PLAN REQUIRED

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

The plan must show:

1. A survey (including botanical names) of all existing vegetation to be retained and/or removed
2. Details of surface finishes of pathways and driveways
3. Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
4. Screen planting including native trees and shrubs with a minimum height of 2 metres at maturity along the front (western) boundary.
5. Screen planting including native trees and shrubs with a minimum height of 2 metres at maturity along the northern boundary to screen views of the building from the adjoining property.
6. The screen planting must comply with any requirements outlined in the Bushfire Management Plan.

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

5 LANDSCAPING WORKS

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

6 LANDSCAPING MAINTENANCE

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

7 DRAINAGE

The proposed building and works must be drained to an on site water storage tank or dam to the satisfaction of the City of Greater Bendigo as the responsible drainage authority.

8 Construct a Gravel Driveway

Prior to the commencement of works for the dwelling, the owner must construct a gravelled driveway in accordance with the requirements of both the Infrastructure Design Manual and endorsed Bushfire Management Plan, connecting the building envelope to Bradford Road to the satisfaction of the responsible authority.

9 Electricity Supply

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the responsible authority.

10 GENERAL DRAINAGE – BUILDINGS AND HOUSES

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

11 COUNTRY FIRE AUTHORITY

Before the development starts, the Bushfire Management Plan prepared by Central Vic Planning Consultants (Version 2), dated 02/02/2022) must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

12 BUSHFIRE MITIGATION MEASURES

The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

13 EXPIRY OF PERMIT

This permit will expire if the development permitted by this permit is not completed and the use permitted by this permit is not commenced within 2 years from the date hereof or if the use is discontinued for a period of 2 years. The time within which the development must be completed and the use must commence may, on written request made before or within 12 months after the expiry of the permit, be extended by the responsible authority.

Note – Onsite Wastewater Treatment

Before a building permit is issued for a dwelling at the property, a permit to install a septic tank must be issued by the responsible authority.

Note – Works Within Road Reserve

CONSENT FOR WORK ON ROAD RESERVES

The applicant must comply with:

1. The Road Management Act 2004,
2. Road Management (Works and Infrastructure) Regulations 2005, and
3. 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

CARRIED

Background Information

Planning permit application DR/975/2021 was lodged with the City on 19 November 2021. Formal correspondence requesting further information and raising preliminary concerns with the application was sent to the applicant on 15 December 2021. The correspondence raised a number of concerns with the Farm Management Plan, and required clarification in relation to the following:

- The number of trees to be planted, and timeframes for tree planting to occur.
- Whether further buildings were required to be constructed.
- Potential impacts to native vegetation

The application was referred internally to the City's Agribusiness Officer who raised concerns regarding the ability to conduct such an extensive agricultural operation in the absence of any improved soil quality.

Following the advice of the City's Agribusiness Officer, the application was referred to Agriculture Victoria's Agriculture Planning and Advisory Service which has been established as a State-wide advisory service to support the efficient consideration of planning approvals (through the provision of expert advice on planning permit applications) and to grow and expand agribusiness. Agriculture Victoria initially requested an amended Farm Management Plan to be provided as insufficient information had been provided for them to form a position on the application.

The applicant provided an amended Farm Management Plan which was re-referred to Agriculture Victoria. Agriculture Victoria reviewed the amended Farm Management Plan and advised that a number of items in the original further information request had not been addressed and raised concerns with the proposal.

The applicant provided a third version of an amended Farm Management Plan which was again referred to Agriculture Victoria. Agriculture Victoria advised that the proposal was inconsistent with the relevant policy framework, and that the proposed agricultural land use could be conducted without a dwelling on the site. They also acknowledged that the application material contained conflicting information.

Report

Subject Site and Surrounds

The subject site is located on Bradford Road, Lockwood and is formally referred to as Lot 7 on Plan of Subdivision 404428J. The subject site is generally rectangular in shape and has an overall area of 13.06 hectares. The site has a western frontage onto Bradford Road of 163.88 metres and a depth of 560.3 metres.

The subject site is currently vacant of built form and contains a dam in the northern section of the property. The site is currently used for grazing a small number of sheep. Native vegetation in the form of scattered trees and remnant patches are located throughout areas of the site, with vegetation more densely located along the southern and western boundaries, and in the eastern portion of the site surrounding the dam. Vehicle access to/from the site is via an existing crossover onto Bradford Road.

The site is located within the Farming Zone and is partially affected by the Bushfire Management Overlay. Surrounding land is located within the Farming Zone and the Public Conservation and Resource Zone (due to the site being located on the periphery of a State forest).

The site is adjoined by the following:

- North of the site at 1 Bradford Road is a 12.9 hectare (approximate) lot within the Farming Zone which is currently vacant with the exception of a dam. The lot is mostly clear of vegetation and is used for grazing purposes.
- East of the site at 150 Alexander Reef Road is a 34.4 hectare (approximate) lot within the Farming Zone which has a dwelling, a number of agricultural buildings, two dams and native vegetation around the dams in the southern corner of the property.
- South of the site at 97 Bradford Road is a 12.9 hectare (approximate) lot within the Farming Zone which contains a dwelling, associated outbuilding, dam and a significant amount of native vegetation.
- West of the site at Crown Allotment 4 Bradford Road is a 60 hectare (approximate) lot within the Farming Zone which is vacant, mostly cleared of vegetation and used for grazing purposes.

It is noted that all adjoining land is in different ownership.

Bendigo-Maryborough Road is approximately 640 metres to the north of the site and the Calder Alternate Highway approximately 2.6km to the east of the site.

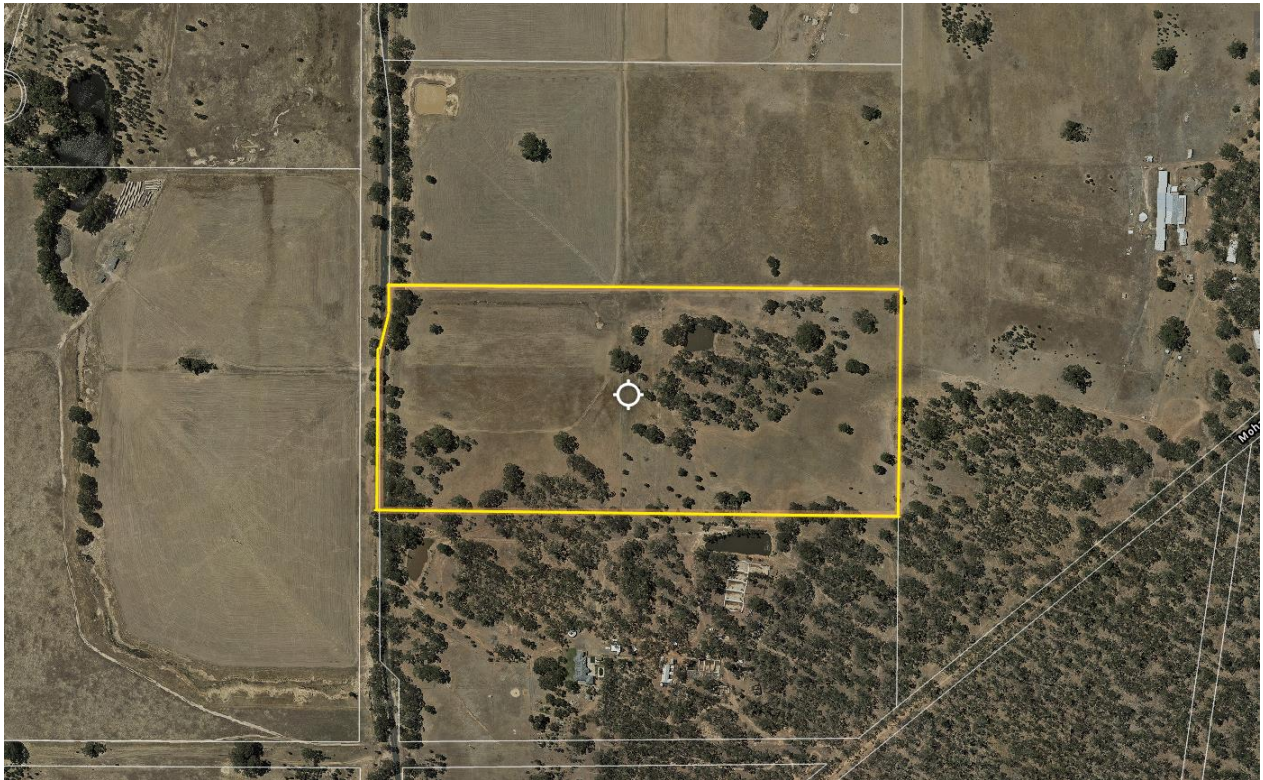


Figure 1: Location map showing subject site.

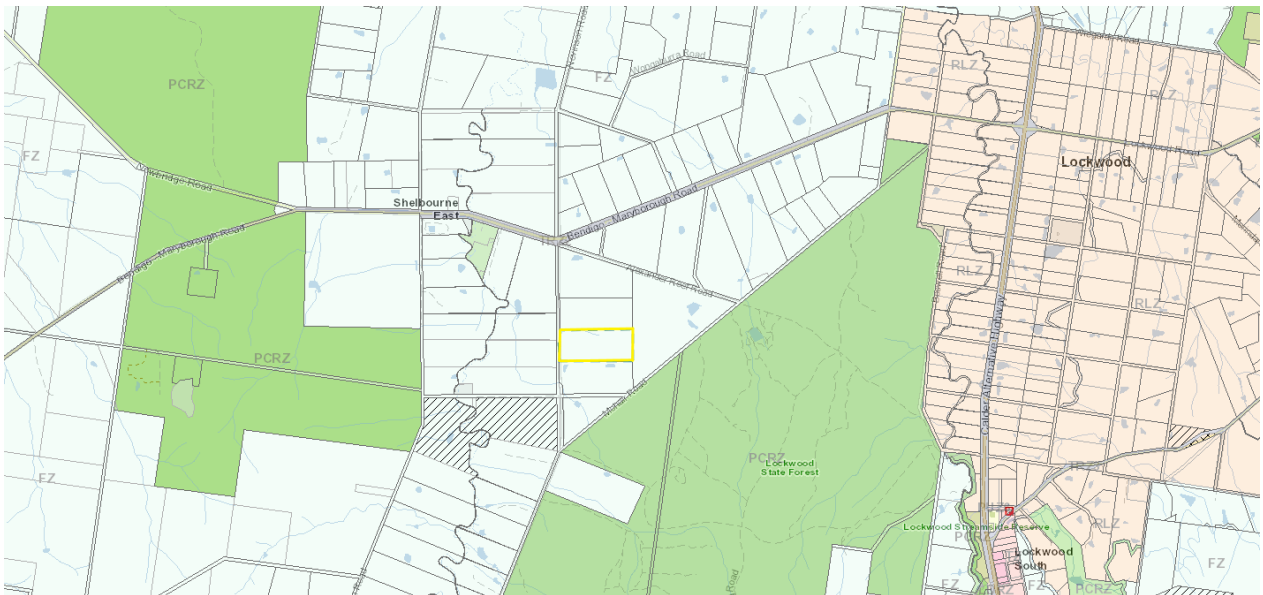


Figure 2: Zoning map showing the subject site and surrounds.

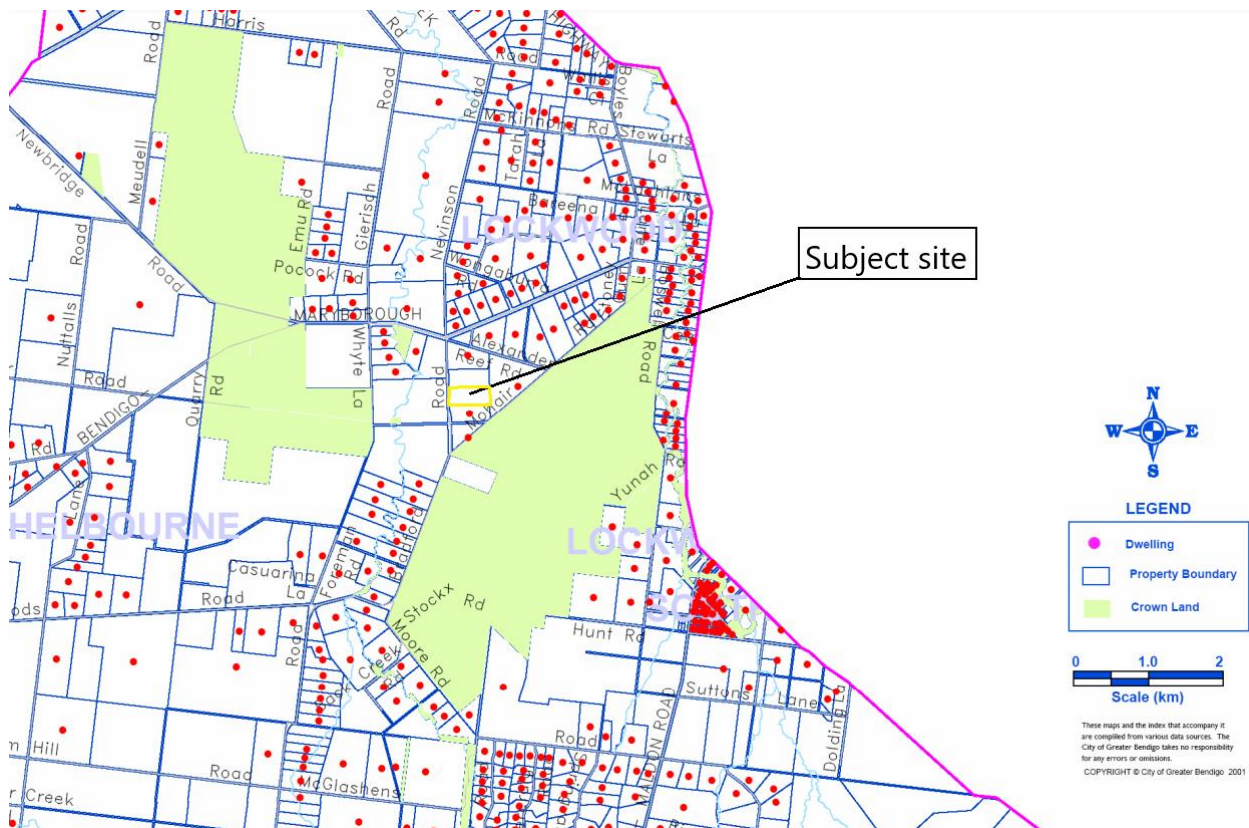


Figure 3: Extract from the City's *Rural Areas Strategy 2009* showing the subject site and dwellings in the area

Proposal

The application proposes the use and development of the land for a dwelling and outbuilding, and use of the land for animal production.

The proposed dwelling and outbuilding would be contained within a single building; with the dwelling located within the front of the building and the outbuilding located within the rear.

The building would be setback 150 metres from the front (western) boundary and 50 metres from the side (northern) boundary. Figure 4 (below) shows the proposed site layout.

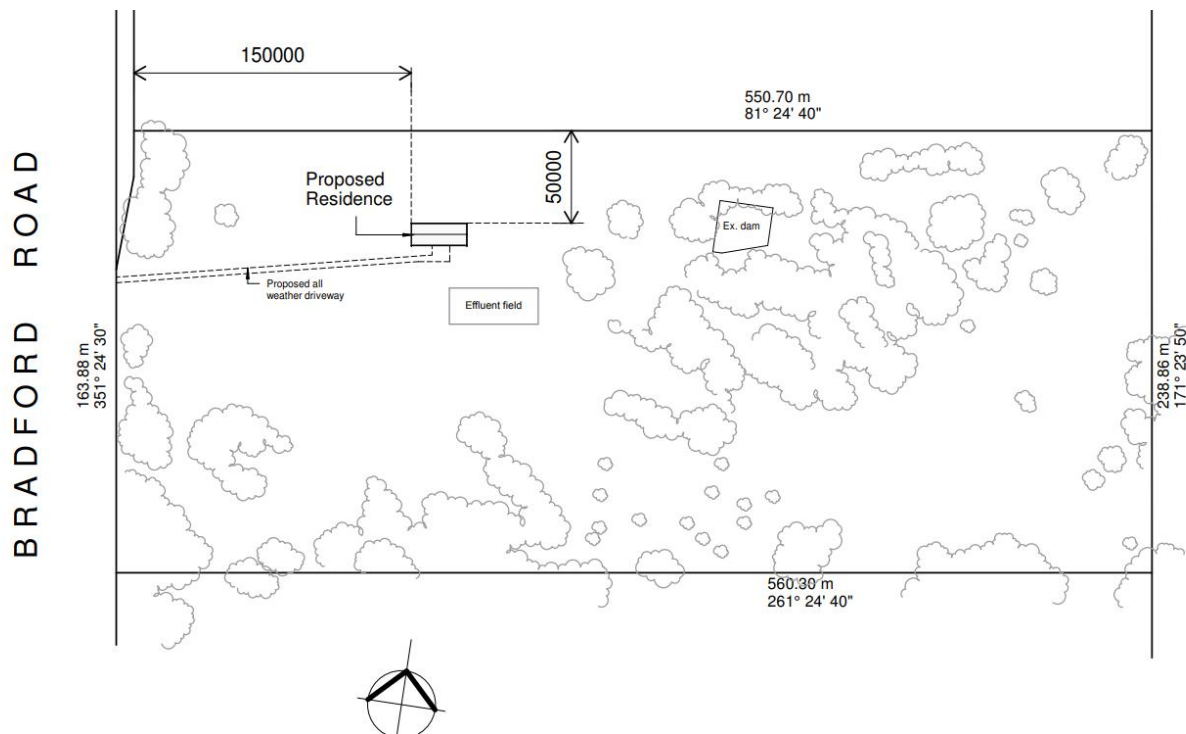


Figure 4: Proposed site layout plan.

Dwelling

The dwelling would be of a two-storey design containing three bedrooms; two bathrooms and an open plan kitchen, meals and lounge area at the ground floor; with a rumpus room on the upper floor

Outbuilding

The outbuilding (shed) would be located in the rear portion of the building and have an overall area of 224.4 square metres (18.55 metres x 11.7 metres). The building would be used for domestic storage along with storage of machinery to maintain the property and agricultural produce.

The outbuilding would be accessible via two large sliding doors at the rear of the building and a large roller door on the southern elevation of the building.

The building would be constructed of a combination of brickwork and corrugated Colorbond sheeting, with a Colorbond roof.

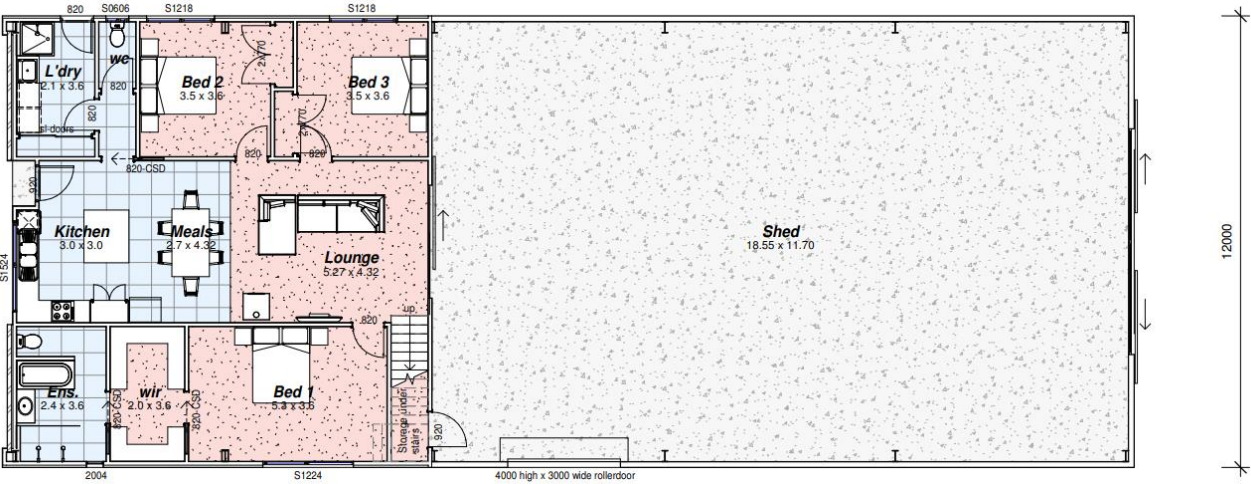


Figure 5: Proposed Ground Floor Plan.

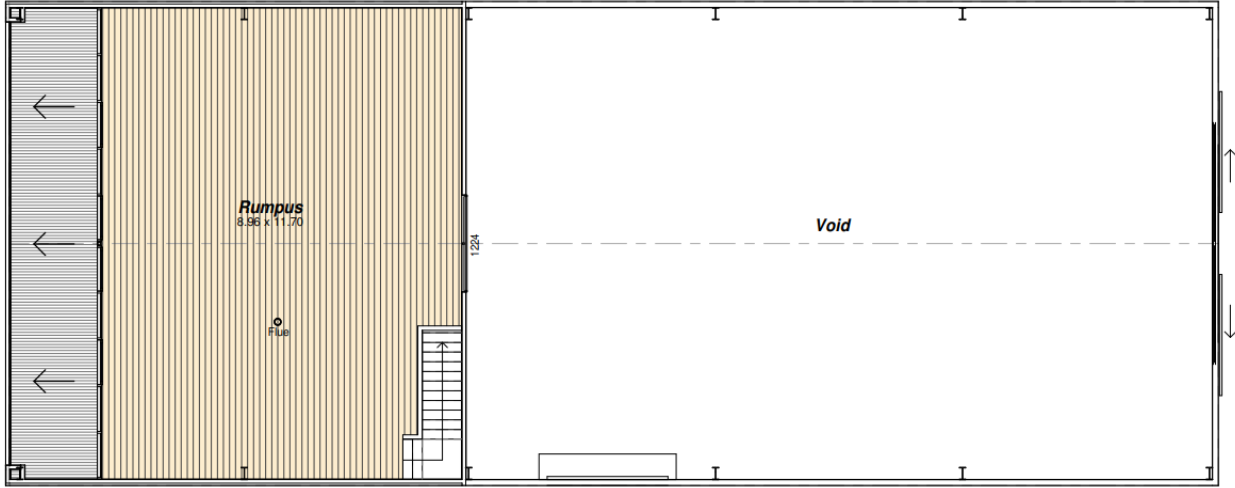


Figure 6: Proposed Upper Floor Plan.



North Elevation

Figure 7: Proposed Northern Elevation.

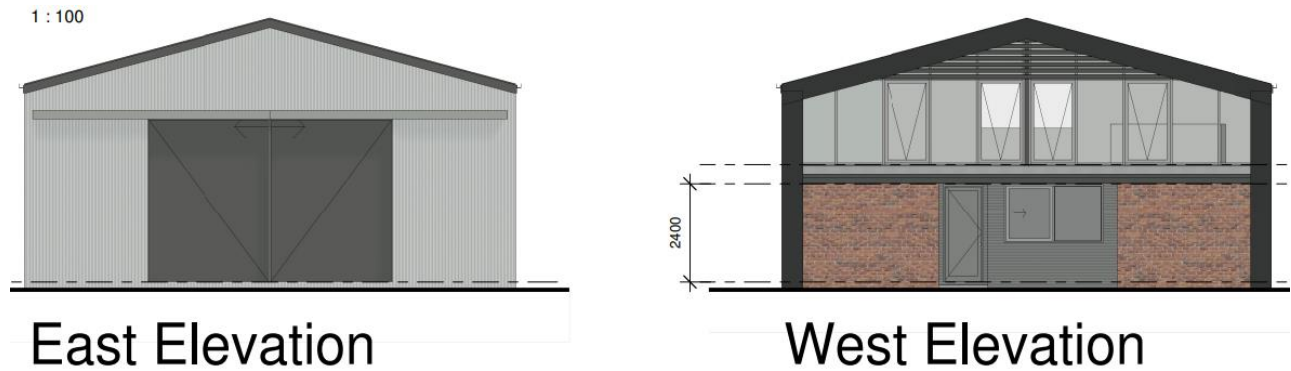


Figure 8: Proposed Eastern and Western Elevations.

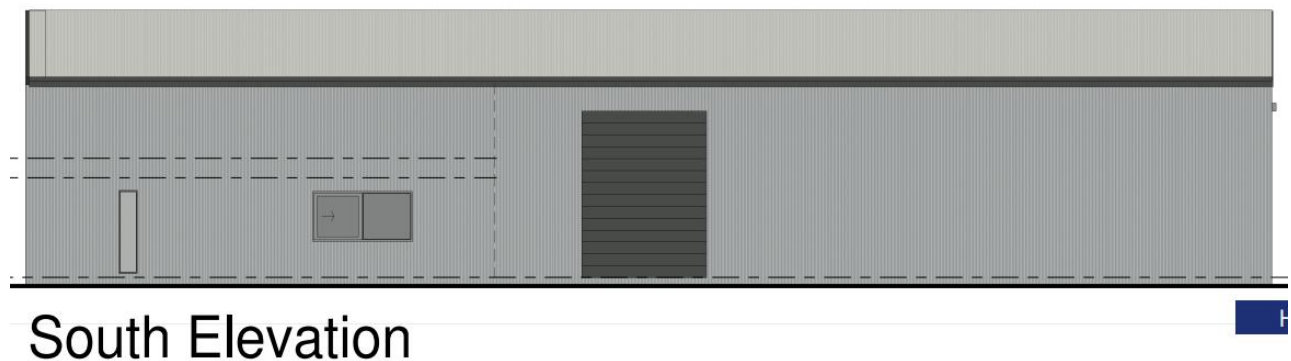


Figure 9: Proposed Southern Elevation.

Farm Management Plan

The application is accompanied by a Farm Management Plan prepared by Central Vic Planning Consultants which states that the owner intends to use the land for a range of agricultural activities including sheep grazing, egg production and an orchard.

A flock of up to 25 White Suffolk Ewes and 1 White Suffolk Ram would be provided on site. The sheep would graze and be rotated through the proposed paddocks and produce lambs and wool for sale. The sheep would be provided with vitamin and mineral products periodically to ensure they receive sufficient nutrients. The pastures would be ploughed and re-seeded to provide sufficient feed for the sheep.

The Farm Management Plan outlines that 100 chickens would be kept on site. The chickens would be free range during the day and kept in the mobile chicken 'tractor' at night to protect them from predators. The chickens would be rotated through the fruit orchard and kept out of the sheep grazing paddocks. It is estimated that 30,000 eggs would be produced annually and the eggs collected daily. Egg production forms part of the broader land use definition of 'animal production' which requires planning approval in the Farming Zone.

The orchard would be located in the front (western) portion of the site and contain approximately 340 trees. 240 Olive trees are proposed to be planted including a variety of

Planning Controls - Greater Bendigo Planning Scheme

Why is a permit needed?

Clause	Permit trigger
Clause 35.07-1 Farming Zone	• Use of the land for a dwelling (Section 2 use). • Use of the land for animal production (Section 2 use).
Clause 35.07-4 Farming Zone	Construct a building or to construct or carry out works: • Associated with a Section 2 use. • Within 100m of a waterway.
Clause 44.06-2 Bushfire Management Overlay	Construct a building or to construct or carry out works associated with accommodation.

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

Municipal Planning Strategy

- Clause 02.03-1 Settlement
- Clause 02.03-4 Natural resource management
- Clause 02.03-6 Housing

Planning Policy Framework

- Clause 11.01-1S Settlement
- Clause 11.01-1L-01 Settlement Greater Bendigo
- Clause 13.02-1S Bushfire planning
- Clause 14.01-1S Protection of agricultural land
- Clause 14.01-1L Protection of agricultural land – Greater Bendigo
- Clause 14.01-2S Sustainable agricultural land use
- Clause 15.01-6S Design for rural areas
- Clause 16.01-3S Rural residential development
- Clause 16.01-3L Rural residential development – Greater Bendigo

Other Provisions

- Clause 35.07 Farming Zone
- Clause 44.06 Bushfire Management Overlay
- Clause 53.02 Bushfire Planning
- 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
Agriculture Victoria (Advisory service)	The application was referred to Agriculture Victoria who advised that the proposal's justification for a dwelling in the Farming Zone would appear contrary to the purpose of the zone and the strategic objectives of the Greater Bendigo Planning Scheme. The refusal of the application appears to be supported by VCAT decision.
Country Fire Authority (External referral)	Supported the proposal – subject to standard conditions requiring the Bushfire Management Plan to be endorsed.
Environmental Health (Internal referral)	Supported the proposal – subject to a notation requiring a permit to install an onsite wastewater system to be obtained prior to the issuing of a building permit.
Agribusiness Officer (Internal referral)	The application was referred to the City's Agribusiness Officer and a site inspection conducted with this officer. The Agribusiness Officer advised that the site visit confirmed that the ground is highly compacted and there is a concern that unless the ground is improved, it may not be possible to run the business as an extensive operation. It was suggested that the application be referred to Agriculture Victoria.

Public Notification

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

As a result of advertising no objections were received.

Planning Assessment

Whether the proposal would result in an acceptable planning outcome having regard to the purpose and decision guidelines of the Farming Zone and the relevant planning policy that deals with rural dwellings and the protection of agricultural land.

Rural residential development in farming areas results in agricultural land being taken out of production, and limits the ability of the land to be used for its intended purpose. New dwellings must be limited to those that genuinely relate to agricultural production to avoid potential land use conflict. The Greater Bendigo Planning Scheme seeks to address land use conflicts in agricultural areas by directing 'rural lifestyle' development to appropriately zoned land within the Rural Living Zone and Low Density Residential Zone, and through the use of planning policies to manage and direct the development of new dwellings into other rural zones to ensure that important agricultural land is protected.

The Municipal Planning Strategy at Clause 02.03-4 recognises the protection of agricultural land and sustainable agricultural land use as being a key natural resource management issue for Greater Bendigo. The policy acknowledges that ongoing agricultural production depends, in part, upon maintaining a mass of productive land, which excludes concentrations of residential type uses that have the potential to restrict normal agricultural practices.

The use and development of the land for a dwelling and outbuilding requires planning approval in this instance due to the subject site being located within the Farming Zone and on a lot of less than 40 hectares in size. However, the General Decision Guidelines of Clause 65 states:

"Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause."

The purposes of the Farming Zone are as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*

- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

The Farming Zone has been facing increasing pressures in more recent years for subdivision and residential development, primarily for rural lifestyle opportunities rather than for genuine farming purposes. The *Rural Areas Strategy, September 2009* notes that the use of discretion to approve new houses in rural areas is still being generously applied, despite an oversupply of land within the Rural Living Zone to cater for such demand. Rural residential development should be directed into existing planned areas for this purpose.

Continued poor decision making poses a significant threat to the viability of the local agricultural sector as over time it progressively compromises the ability of local farming enterprises to operate and expand.

Consideration must also be given to the decision guidelines under the Farming Zone which require attention to be given to matters such as:

- *Whether the use or development will support and enhance agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

In addition to the purpose and decision guidelines of the Farming Zone is the question of whether the proposal is consistent with the Planning Policy Framework.

State level planning policy at Clause 14.01-1S has the objective to protect the state's agricultural base by preserving productive farmland. Relevant strategies to achieve this objective include:

- *Ensuring the productive agricultural land is protected from unplanned loss due to permanent changes in land use;*
- *Protecting productive agricultural land;*
- *Preventing inappropriately dispersed urban activities in rural areas; and*

- *Limiting new housing development in rural areas by directing housing growth into existing settlements and discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*

The City's local agricultural policy at Clause 14.01-1L draws together these themes to provide a consistent basis for considering rural dwellings within the Farming Zone, and to manage the large number of vacant rural parcels that exist across this municipality. The policy includes the following relevant strategies:

- *To avoid the construction of a dwelling unless required to support a genuinely economically viable agricultural use of the land that requires permanent and continuous care, supervision or security.*
- *To ensure that where a dwelling is deemed necessary to support an agricultural use, that the use is viable based on the level of investment required and the estimated return as shown in an integrated land management plan.*
- *To ensure that where a dwelling has been deemed necessary to support an agricultural use, that the agricultural use has been established on the land prior to the construction of a dwelling.*
- *To avoid the construction of a dwelling on existing small lots (lots smaller than the zone schedule minimum) in the Farming Zone.*

In considering an application for the use of the land for a dwelling, the policy directs that consideration should be given to the following:

- *Whether there will be an impact on the viability of adjoining agricultural land uses;*
- *Whether there is a demonstrated need to reside on the site to support the agricultural land use; and*
- *Where a dwelling is deemed necessary to support an agricultural use, whether that use is viable based on the level of investment required and the estimated return as shown in an integrated land management plan.*

Planning policy relating to rural residential development at Clause 16.01-3S has the objective to identify land suitable for rural residential development, and includes the following relevant strategies:

- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.*
- *Ensure planning for rural residential development avoids or significantly reduces adverse economic, social and environmental impacts by maintaining an adequate buffer distance between rural residential development and animal production.*
- *Discourage development of small lots in rural zones for residential use or other incompatible uses.*

From a review of the applicable policy there is an overarching theme to ensure that agricultural land is carefully managed to ensure that agricultural production and expansion is not disadvantaged by unplanned rural residential development.

The relevant planning policy framework seeks to ensure that new dwellings in the Farming Zone are only approved in instances where they are genuinely required to support or enhance agriculture. In making a determination, consideration should be given as to why there is a need to live on the site, how that would support or enhance agricultural production, whether agriculture would remain the primary land use, and whether it is likely that the land would remain in agricultural use into the future following development of the dwelling.

The application proposes the use and development of the land for a dwelling. For the following reasons, it is concluded that the proposal would not be acceptable when considered against these matters and is contrary to the purpose of the Farming Zone and the relevant policy framework that deals with rural dwellings and the protection of agricultural land.

The site is currently used for agricultural purposes with sheep grazing occurring on site and paddock fencing erected. Despite a new agricultural land use being proposed, the inclusion of a dwelling on the site is not going to significantly improve the level of production and will reduce the area of land available for agricultural purposes. The scale of the agricultural activity proposed is similar to a 'hobby farm' and as such the dwelling would perform the function of supporting a rural lifestyle rather than being a necessity in the operation of a commercially viable business. The site is already utilised for grazing sheep, and the only additional activities proposed are the planting and maintenance of the fruit and nut trees and the poultry farming activity, which again do not require a permanent on-site presence. The concern is that the proposal is ultimately a rural residential living outcome which is disguised as an agricultural use within a Farming Zone.

The Farm Management Plan, prepared by Central Vic Planning Consultants, includes details of the agricultural activities which are proposed to be undertaken. It is proposed that the dwelling would be constructed prior to the identified agricultural activities commencing. This is contrary to planning policy which seeks to ensure that the agricultural land use is established on the land prior to the construction of a dwelling.

The Farm Management Plan submitted with the application does not provide any clarity for what will occur if the farm operation is to cease after the dwelling is constructed. Once the dwelling is constructed, there is a risk that the agricultural activity may not be sustained. The proposal, if approved, would introduce a new residential dwelling adjacent to larger farming operations. This poses a threat to the future expansion of adjoining and nearby farming operations. The approval of a dwelling on a small lot will create a lifestyle property, and will inflate the value of rural land making it more expensive for larger farms to purchase such land. The likelihood of the dwelling being used only for residential purposes and non-genuine agricultural activity is highly likely given that the first activity outlined in the operation and management plan provided is the construction of the dwelling. There is a concern that the dwelling could be constructed and the planting of the fruit orchard and the establishment of the poultry farm may not occur, resulting in an outcome where the site

is used entirely for rural residential purposes with a small amount of sheep grazing. This is an undesirable outcome in the Farming Zone, and one which the relevant planning policy framework strongly opposes.

As outlined above, advice was sought from the City's Agribusiness Support Officer and Agriculture Victoria's Planning Advisory Service in order to inform the assessment of the application. As part of this process, the Farm Management Plan which has been provided in support of the application, was reviewed. The Plan states that "*the development of a dwelling on the property is essential for the execution of this business proposition*". Agriculture Victoria have advised that the agricultural use of the land could be conducted without a dwelling on site, although regular attendance would be required for monitoring of livestock welfare. It should be acknowledged that this advice has been provided by advisors with specialist knowledge of Victorian agricultural farming systems.

There does not appear to be a clear nexus between the proposed dwelling and use of the land for agriculture, and the applicant has failed to provide any evidence to suggest that the dwelling would increase the agricultural output of the land in any meaningful way. The clear advice provided by Agriculture Victoria's Agricultural is that the proposed agricultural activity can occur without the need for a dwelling.

In order to protect agricultural land from residential encroachment, new dwellings within the Farming Zone must be limited to those that genuinely relate to agricultural production, and those where continual management and an on-site presence is required. Agriculture Victoria have indicated that approximately 1 in every 30 dwelling applications which they receive actually requires a dwelling in order to genuinely support the agricultural use of the land. The absence of a dwelling in this instance does not hinder the ability of the site to be used for agriculture, either on its own or by incorporation into a larger property holding (consolidation). The size of the site should not raise expectations that it is suitable only for a rural lifestyle dwelling.

Whilst it is acknowledged that there are 'undersized lots' (those less than 40 hectares in size) in the wider area that already contain dwellings, it is important to consider each application on its merits and the application at hand cannot be compared directly to other applications as each site has different circumstances, and there are a number of nearby dwellings that pre-date the current planning policy framework.

In cases such as *Bennett v Greater Bendigo CC [2018] VCAT 1486 (24 September 2018)* and *Russell Smith Town Planning Services v Mount Alexander SC [2018] VCAT 58 (11 January 2018)*, the Victorian Civil and Administrative Tribunal (VCAT) has determined that the presence of dwellings and smaller lot sizes within the surrounding area does not mean it has become a 'de-facto' rural living area. In *Russell Smith Town Planning Services v Mount Alexander SC [2018] VCAT 58 (11 January 2018)* the Tribunal rejected this sentiment, stating the following:

“Thus I do not accept that the more intensely settled nature of this area and the smaller lot sizes around the subject land means it has become a de facto rural living area with no agricultural production capacity or potential”.

Of particular note are the parcels of land directly opposite the subject site on the western side of Bradford Road that do not currently contain dwellings. These parcels of land are currently being used for grazing purposes and have productive agricultural potential. The presence of a dwelling within proximity to these parcels of land has the potential to limit the expansion and productive capacity of the adjoining parcels and therefore providing uncertainty to the neighbours and potentially compromising their ‘right to farm’.

Whether bushfire risk can be reduced to an acceptable level.

Planning policy through Clause 13.02-1S has the objective to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Protection of human life should occur through reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

The site is mostly affected by the Bushfire Management Overlay and the proposed development will be sited within the extent of the Bushfire Management Overlay. The purpose of the Bushfire Management Overlay is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

An application under the Bushfire Management Overlay must meet the requirements of Clause 53.02 Bushfire Planning which includes a number of siting, design and construction measures which, when employed, reduce the risk to life and property from bushfire to an acceptable level.

The application was accompanied by a Bushfire Management Statement and Bushfire Management Plan which have considered the level of bushfire risk and specify standard requirements relating to the BAL rating, defendable space, water supply and access.

The application was referred to the CFA who did not object to the granting of a permit. The inclusion of standard conditions on any planning permit issued would ensure that the bushfire protection measures are maintained on a continuing basis, and that bushfire risk is reduced to an acceptable level.

It is noted that the Farm Management Plan shows part of the Fruit and Nut Orchard and Olive Grove as being located within the defendable space. Trees within this location would need to have a canopy separation of 5 metres and a clearance of at least 2 metres between the lowest tree branches and ground level in order to comply with bushfire requirements. This could be achieved through appropriate spacing, or amending the layout of these areas.

As such, the grounds for refusal do not relate to bushfire risk.

Conclusion

The application proposes the use and development of the land for a dwelling which would result in an acceptable planning outcome having regard to the purpose and decision guidelines of the Farming Zone and the relevant planning policy that deals with rural dwellings and the protection of agricultural land.

If approved, the proposal would likely result in a reduction in agricultural land area and contribute to the incremental shift towards rural living. Such rural living opportunities could result in a net loss to agriculture due to permanent land use changes, and undermine the purposes of the Farming Zone and ongoing agricultural production. This is contrary to planning policy.

It is recommended that a Notice of Decision to Refuse to Grant a Permit be issued.

Options

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

Conflict of Interest

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

Attachments

Nil

17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY

Nil

18. ABORIGINAL RECONCILIATION

Nil

19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT

19.1. Kerbside Bin Collection Frequency

Author:	Brooke Pearce, Manager Resource, Recovery and Education
Responsible Director:	Brian Westley, Director Presentation and Assets

Purpose

To present the service level review of Kerbside Bin Collection Frequency and seek adoption of a change to the service.

Recommended Motion

That Council:

1. Endorse the service review recommendation to alter kerbside collection services as follows:
 - a. Waste collection from weekly to fortnightly;
 - b. FOGO collection from fortnightly to weekly; and
 - c. Recycling collection unchanged (remain fortnightly).

RESOLUTION - Resolution No. 2023-9

Moved: Cr Alden

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

Section 106 of the Local Government Act 2020 requires that Council must plan and deliver services in accordance with the Service Performance Principles (SPPs). In line with the SPPs service reviews are undertaken to ensure that services:

- are provided in an equitable manner and be responsive to the diverse needs of the municipal community
- are accessible to the members of the municipal community for whom the services are intended
- have quality and cost standards that provide good value
- continuously improve in response to performance monitoring
- include a fair and effective process for considering and responding to complaints about service provision.

This review was conducted and identified opportunities for positive environmental impacts that align with mandated legislation and Council policies, strategies and guidelines.

Background

The outputs of the Waste Service are General, Recycling and Organics (FOGO) (Food Organics, Garden Organics) kerbside collection for Residential and Commercial properties.

The outputs are measured in terms of number of bins collected and the tonnage of each type of waste disposed.

Customers receive a kerbside collection and education about the impacts of waste, where it ends up and, how it is sorted and processed, and how some disposal methods can have major impacts on the environment.

In July 2015 the organics fortnightly collection service was introduced into the City of Greater Bendigo urban and Marong township area. This has assisted in diverting up to 15,000 tonnes of FOGO per annum from going to landfill. In 2021 the organics service was rolled out to a further four rural small townships in Axedale, Elmore, Goornong and Heathcote resulting in another 2,467 properties able to divert organics from general waste.

The collected organics material is taken to Biomix in Stanhope to be processed into compost, although future organics will be processed in Bendigo by WCT following a recent Council resolution.

The Eaglehawk Landfill is due to reach capacity in 2023 and the City resolved to not construct a new landfill within the municipality.

The Circular Economy (Waste Reduction and Recycling) Act 2021 requires councils to provide municipal waste and recycling services. The definition of recycling includes organics.

This report provides detail on the Service Review - Kerbside Bin Collection Frequency, including:

- Profile of the Service
- Scope and Out of Scope
- Approach
- Stakeholder Engagement
- Benchmarking
- Findings and Impacts
- Recommendations

Report

Profile of the Service

The Resource, Recovery and Education (RRE) Unit aims to deliver on the Council Plan and provide resource recovery services efficiently and effectively to meet our customer's expectations within the limit of the funds available, and in compliance with current legislation. Resource recovery is an essential service that is legislated by the Local Government Act.

It is expected that a service is provided for general waste, whilst recycling and organics collection services are mandated by 2030 as per the Recycling Victoria – Kerbside Reform legislation. The kerbside reforms objectives are in line with the City's Climate Change & Environment Strategy. Council employees deliver the domestic and commercial general waste collection services in house and contractors provide the recycling and organics collection services.

Key features of the Resource Recovery and Education unit's current service delivery model include:

- Collection of garbage from domestic and commercial properties
- Managing contracts for collection and sorting of recyclables and organics
- Operation of landfills and transfer stations to community expectations
- Compliance with EPA standards
- Management of risk associated with legacy/closed landfills
- Strategic planning for future waste and resource management
- Delivering behavioural change workshops and strategies to encourage waste minimisation and diversion
- The introduction of a local Circular Economy – including finding circular solutions for domestic and commercial recovered resources.

This review was undertaken within the context of relevant key regulations, policies and guidelines as summarised below relating to waste management which may have an impact on City of Greater Bendigo current and future waste management operations.

Relevant Links and Legislation:

- [City of Greater Bendigo Council Plan, Mir wimbul 2021-2025](#)
- [Victorian Local Government Act 2020](#)
- Greater Bendigo Climate Collaboration
- The Circular Economy (Waste Reduction and Recycling) Act 2021
- Environment Protection Authority Victoria
- Recycling Victoria – Kerbside Reforms
- The Climate Change and Environment Strategy 2021-2026
 - Goal 1 - A well-established circular economy with zero recoverable waste to landfill

- o The targets in the strategy for 2026 are to have zero organics to landfill from the region, and 72% of the region's 'waste' diverted from landfill.

Approach

This service was assessed in line with the City's Service Review Framework, steps included:

- User interviews with stakeholders and stakeholder engagement
- SWOT Analysis
- Business Analysis

Findings and Impacts

Sustainability Victoria's report 'Optimising kerbside collection systems' published in 2017, provides a framework for greater consistency in kerbside recycling in Victoria. The preferred collection frequency where an organics collection is provided is for the organics bin to be collected weekly where a fortnightly residual waste service is provided.

The contracts with external providers for the recycling and organics collection contracts are due to expire in mid-2023.

What is changing in Victoria?

The Victorian State Government's key focus on cutting pollution and delivering a cleaner, greener Victoria, will require the following future developments:

- Single-use plastics ban
 - 1st February 2023 State legislation will ban single-use straws, cutlery, plates, expanded polystyrene food and drink containers.
- Container Deposit Scheme
 - A container deposit scheme to manage waste plastic, glass and aluminium products will be introduced and managed by the State Government by 2023. The scheme will give a cash refund for every eligible can, carton and bottle that is returned. It is anticipated beverage suppliers will fund the scheme and network operators will manage the collection points. This will further assist in diverting recyclable material from our General Waste.
- Recycling
 - By 2030 a new 4-stream waste and recycling system will be standard for households
 - Green Bin: FOGO
 - Yellow Bin: Mixed recycling
 - Red Bin: General waste material
 - Glass recycling (*the City advised the State in 2020 that a glass diversion 'drop off' areas will be introduced rather than a fourth bin. This has been approved as part of the City's transition plan provided to DELWP in line with the requirements of the Recycling Victoria Policy*)

What are our service level agreements (SLA's)?

The current kerbside collection service to residential properties in Bendigo provides for:

- General Waste collected weekly

- Recycling collected fortnightly
- FOGO collected fortnightly

The collection frequency of General Waste at other similar councils are:

Council Type	General Waste Collection	
	Fortnightly	Weekly
Interface	1	8
Regional	5	4
Large Shire	4	15
Small Shire	4	14
Total	14	41

Of the 14 councils that have a fortnightly General Waste collection

- 11 have a weekly FOGO collection
- 1 has a weekly recycling collection

Refer Attachment – Benchmarking – Council Waste Collection

Benchmarking

Those councils switching to weekly FOGO and fortnightly General Waste have seen dramatic reductions in organics to landfill and large increases in their diversion and recycling rates.

Macedon Ranges Shire Council: the amount of general waste collected since the introduction of the weekly FOGO service in February 2020 has reduced by 32%. The monthly landfill diversion rate before the introduction of the weekly FOGO collection was 39%. This has risen to 74% in October 2021.

Banyule Council: the organics diversion has increased by 42% since switching to weekly FOGO collection in July 2022.

Glen Eira City Council: the organics diversion has increased by 45% since switching to weekly FOGO collection in July 2022.

Surf Coast Shire Council: have had a 46% increase in organics diversion going from fortnightly to weekly organics, as well as a 32% decrease in waste to landfill.

Bass Coast Shire: went straight to weekly collection of FOGO in September 2017 and have reported that waste to landfill has been consistently below 30% since this introduction.

What will be the environmental impact of a change to kerbside bin collection frequency?

In the 2021/2022 financial year the City's residents produced approximately 25,000 tonnes of General waste that goes to landfill. There were 15,000 tonnes of organic waste collected from the FOGO bins.

In 2022 EnviroCom Australia was engaged by the City to conduct an analysis of the specific waste streams to determine the level of contamination in each stream. The table below shows the composition of the different waste streams and the levels of contamination found.

	General Waste	Recycling	FOGO
Landfill materials	54.00%	15.13%	1.53%
Recyclable Materials	18.00%	83.91%	1.03%
FOGO Materials	28.00%	0.96%	97.44%
Contamination rate	46.00%	16.09%	2.56%

Based on contamination rates, a change to a weekly FOGO collection could move the 28% of FOGO material out of the General Waste and into the FOGO bin, diverting around 7,000 tonnes per year from landfill.

The conservative environmental benefit measured in greenhouse gas emission savings for shifting organic material from landfill to composting is approximately 225.2 kg.CO₂e per tonne of organics diverted. This equates to a saving of 788,200 kg.CO₂e per year, which is the equivalent of 5.3M kilometers of an average passenger car driving per year. [Source](#)

When organic material is in the General Waste stream it creates leachate as the general waste materials breakdown and absorb the water from the organic material. Greenhouse gas emissions are also produced and contribute to global warming.

The circular economy aims to recover and reuse all the material resources we no longer use. By diverting waste from landfill, we can reduce our greenhouse gas emissions, contributing towards delivering our Climate Change and Environment Strategy 2021-2026.

The City has just voted to enter into a service agreement and lease with Western Composting Technology for the establishment of an organics processing and recirculation facility on land owned by the City that is located next to the Livestock Exchange in Huntly (subject to regulatory approvals). The facility will process up to 30,000 tonnes of FOGO each year and reduce emissions by 16.3% in comparison to current kerbside organics disposal arrangements.

The Eaglehawk landfill is expected to reach capacity and cease accepting waste in 2023. Currently only commercial waste is deposited at Eaglehawk. Residential general waste is taken to the landfill at Patho, 95kms north of Bendigo. Upon the closure of the Eaglehawk landfill all general waste will be carted to Patho. Only waste that cannot be recovered or recycled should be sent to landfill. The Circular Greater Bendigo project has a scope of two years to find alternative solutions to waste streams, with the aspiration to achieve zero-waste to landfill.

Options considered

In response to the findings and impacts aligned to the scope of the review, three options were considered:

Waste system	Bin configuration	Rationale	Customer impacts
OPTION 1			
Business as usual (BAU): Continue 3 bin system	Waste: Weekly, 140 and 240L Recycling: Fortnightly, 240L FOGO: Fortnightly, 240L	Aligns with some responses in the survey	- Waste disposal costs to incur EPA levy - Full FOGO bin leads to organics placed in waste bin - Does not align with strategic objectives or community expectations regarding environmental outcomes
OPTION 2			
3 bin system. Fortnightly waste collection	Waste: Fortnightly, 140 and 240L with option for those with 140 bins and special circumstances to opt in for second 120L bin Recycling: Fortnightly, 240L FOGO: Fortnightly, 240L	- Strategic alignment - Environmental alignment 66.27% of customers with a 140L bin are not filling it every week 63.48% of customers with a 240L bin are not filling it every week. - Future proofing in anticipation of cost escalation of waste disposal at Patho - Prepares community for future changes to waste resourcing and recycling	- Small reduction in waste disposal costs - Some customers waste bins will be full prior to collection day - May lead to small improvement in waste sorting
OPTION 3			
3 bin system. Fortnightly waste and weekly	Waste: Fortnightly, 140 and 240L with option for those with 140 bins and	- Strategic alignment - Environmental alignment 66.27% of customers with a 140L bin are not filling it every week 63.48% of customers with a 240L bin are not filling it every week.	- Waste disposal costs may reduce - Improved waste sorting especially organics diverted from waste

organics	special circumstances to opt in for second 140L bin Recycling: Fortnightly, 240L FOGO: Weekly, 240L	• Future proofing in anticipation of cost escalation of waste disposal at Patho • Prepares community for future changes to waste resourcing and recycling • When organic material is in the General waste stream it creates leachate as the general waste materials breakdown and absorb the water from the organic material. Greenhouse gas emissions are also produced and contribute to global warming. • Diverting green waste from the General waste bin to the FOGO bin reduces the cost of disposal as the landfill levy does not apply to green waste ultimately reducing the cost for all ratepayers. • Estimated reduction of FOGO in General Waste of 25% over 3 years • Savings in reduction of waste disposal costs • Anticipated savings: Year 1 \$168,214, Year 2 \$308,820 and Year 3 \$437,496	• Exposure to Patho charge increases reduced • Better environmental outcomes due to less waste to landfill and waste transport reduction
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Option 3 has been identified as the best option to achieve, environmental and workforce efficiencies that align with mandated legislation and Council policies and guidelines. The service review recommends option 3 to be endorsed and an implementation plan developed to implement this option.

If the service change is endorsed by Council, a detailed implementation plan will be completed by City staff. The implementation plan will provide clarity regarding proposed dates (second half of 2023 or early 2024) for the service change as well as options available to residents who feel the fortnightly general waste would not meet the waste management requirements for their home.

Financial Sustainability

- Currently 28% of FOGO in general waste bin per external audit report – this percentage of organic material going to landfill has a landfill levy applied per tonne.
- Estimated maximum of 25% reduction, using staged approach to calculate change in disposal cost:
 - Year 1 - 10% reduction of organics in General Waste

- Year 2 - 8% reduction of organics in General Waste
- Year 3 - 7% reduction of organics in General Waste
- Contamination rate of less than 5% in FOGO (in the Waste Stream Assessment 2022, the rate was 2.56%. If the rate exceeds 5%, this would mean a higher charge)

Risk Assessment

No change to the service will:

- Heavily impact on missing climate change targets
- Miss opportunities to improve the diversion and recycling rates
- Is a misalignment with Climate Change and Environment Strategy and industry evidence regarding improving diversion and recycling rates
- Is a misalignment with the state-level recommendations for collection frequencies

Policy Context

Primary Council Plan Reference

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

Outcome 1 - Lead and govern for all

Outcome 5 - A climate resilient and healthy landscape

Secondary Council Plan Reference(s)

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

Goal 2 - Circular economy

Other Reference(s)

1. City of Greater Bendigo Annual report 2020/2021
2. National Transport Commission: Carbon Dioxide Emissions Intensity for New Australian Light Vehicles 2020. [Source](#)
3. Optimising kerbside collection systems 2017– Sustainability Victoria
4. The Climate Change and Environment Strategy 2021-2026
5. <https://www.vic.gov.au/building-victorias-circular-economy>

Conflict of Interest

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

Attachments

1. Benchmarked Councils [**19.1.1** - 2 pages]

Council Name	General Waste	Recycling	FOGO	Council Type
Nillumbik	Fortnightly	Fortnightly	Weekly	Interface
Cardinia	Weekly	Fortnightly	Fortnightly	Interface
Casey	Weekly	Fortnightly	Fortnightly	Interface
Hume	Weekly	Fortnightly	Fortnightly	Interface
Melton	Weekly	Fortnightly	Fortnightly	Interface
Mornington Peninsula	Weekly	Fortnightly	Fortnightly	Interface
Whittlesea	Weekly	Fortnightly	Fortnightly	Interface
Wyndham	Weekly	Fortnightly	Fortnightly	Interface
Yarra Ranges	Weekly	Fortnightly	Fortnightly	Interface
Bass Coast	Fortnightly	Fortnightly	Weekly	Large Shire
Macedon	Fortnightly	Fortnightly	Weekly	Large Shire
Surf Coast	Fortnightly	Fortnightly	Weekly	Large Shire
Golden Plains	Fortnightly	Weekly	N/A	Large Shire
Campaspe	Weekly	Fortnightly	Fortnightly	Large Shire
Baw Baw	Weekly	Fortnightly	Fortnightly	Large Shire
Colac Otway	Weekly	Fortnightly	Fortnightly	Large Shire
Cornangamite	Weekly	Fortnightly	Fortnightly	Large Shire
East Gippsland	Weekly	Fortnightly	Fortnightly	Large Shire
Moirā	Weekly	Fortnightly	Fortnightly	Large Shire
Moorabool	Weekly	Fortnightly	Fortnightly	Large Shire
Moyne	Weekly	Fortnightly	Fortnightly	Large Shire
South Gippsland	Weekly	Fortnightly	Fortnightly	Large Shire
Southern Grampians	Weekly	Fortnightly	Fortnightly	Large Shire
Swan Hill	Weekly	Fortnightly	Fortnightly	Large Shire
Glenelg	Weekly	Fortnightly	N/A	Large Shire
Mitchell	Weekly	Fortnightly	N/A	Large Shire
Mount Alexander	Weekly	Fortnightly	N/A	Large Shire
Wellington	Weekly	Fortnightly	N/A	Large Shire
Horsham	Fortnightly	Fortnightly	Fortnightly	Regional
Warrnambool	Fortnightly	Fortnightly	Fortnightly	Regional
Mildura	Fortnightly	Fortnightly	Weekly	Regional
Wangaratta	Fortnightly	Fortnightly	Weekly	Regional
Wodonga	Fortnightly	Fortnightly	Weekly	Regional
Shepparton	Weekly	Fortnightly	Fortnightly	Regional
Bendigo	Weekly	Fortnightly	Fortnightly	Regional
Geelong	Weekly	Fortnightly	Fortnightly	Regional
Latrobe	Weekly	Fortnightly	Fortnightly	Regional
Benalla	Fortnightly	Fortnightly	Weekly	Small Shire
Indigo	Fortnightly	Fortnightly	Weekly	Small Shire
Queenscliffe	Fortnightly	Fortnightly	Weekly	Small Shire
Strathbogie	Fortnightly	Fortnightly	Weekly	Small Shire
Pyrenees	Weekly	Fortnightly	Monthly	Small Shire
Central Goldfields	Weekly	Fortnightly	optional	Small Shire
Hepburn	Weekly	Fortnightly	trial	Small Shire
Alpine	Weekly	Fortnightly	N/A	Small Shire
Ararat	Weekly	Fortnightly	N/A	Small Shire
Buloke	Weekly	Fortnightly	N/A	Small Shire
Gannawarra	Weekly	Fortnightly	N/A	Small Shire

Hindmarsh	Weekly	Fortnightly	N/A	Small Shire
Loddon	Weekly	Fortnightly	N/A	Small Shire
Mansfield	Weekly	Fortnightly	N/A	Small Shire
Murrundindi	Weekly	Fortnightly	N/A	Small Shire
Northern Grampians	Weekly	Fortnightly	N/A	Small Shire
West Wimmera	Weekly	Fortnightly	N/A	Small Shire
Yarriamback	Weekly	Fortnightly	N/A	Small Shire

19.2. Sustainability and Environment Advisory Committee SEAC Terms of Reference Review

Author:	Ashley Fletcher, Climate Change Resilience Officer
Responsible Director:	Stacy Williams, Director Healthy Communities & Environments

Purpose

The purpose is to note the changes to the Sustainability and Environment Advisory Committee's (SEAC's) Terms of Reference.

Recommended Motion

That Council note the Terms of Reference and proposed changes to SEAC.

RESOLUTION - Resolution No. 2023-10

Moved: Cr Sloan

Seconded: Cr Alden

That the recommended motion be adopted.

CARRIED

Executive Summary

The current SEAC Committee has been in place since 2019 with its term is due to finish in February 2023.

The Committee, as per Section 13 of its Terms of Reference, is required to undertake a review of its Terms of Reference every four (4) years prior to the conclusion of its term or as otherwise required. The Terms of Reference can be revised by Council endorsement.

The current purpose of the Sustainability and Environment Advisory Committee (SEAC) is to *“provide environment and sustainability advice to Council on the development of strategic documents such as the Council Plan, the Council budget and other relevant policies, strategies and actions plans”*.

Following input from the Committee and relevant Council officers, the following changes are proposed to the Committee:

- Adjust the role of the Committee from an advisory group that provides advice to Council and input into Council processes only to a forum that shares information between organisations and collaborates on achieving collective environmental outcomes across the City more broadly, including through collective advocacy.
- Revised membership to ensure relevant government, non-government and community organisations are represented who play a material role in influencing environmental outcomes in the City.

Background

The Terms of Reference for SEAC were last reviewed in 2019 prior to the establishment of the current committee whose term expires in February 2023.

Since the last review of the Committee’s Terms of Reference, several developments have occurred such as:

- Council adoption of the *Climate Change and Environment Strategy 2021-2026* which established a suite of environmental goals and targets for Council and the City more broadly.
- Establishment of the Greater Bendigo Climate Collaboration which is focused on identifying and progressing emission reduction projects for the City.
- Replacement of the *Local Government Act 1989* which referred to “advisory committees” with the *Local Government Act 2020* which makes provision only for “delegated committees” and “community asset committees”.

- Review of Council's community advisory groups which recommended alternative approaches to undertaking community consultation in addition to or instead of through advisory groups.

Given this context, it is timely to review the purpose and operations of SEAC, including its Terms and Reference.

Report

Current Terms of Reference and Committee functions

The purpose of the Committee as set out in the 2019 Terms of Reference are as follows:

- 3.1 Providing advice to Council on the development and implementation of relevant Council policies, strategies and action plans;*
- 3.2 Providing advice to Council on relevant current and emerging issues and providing guidance on research and investigation needs;*
- 3.3 Considering and recommending options for future strategic work that will enhance and improve organisational and community environmental sustainability;*
- 3.4 Participating in relevant community forums and events for the purpose of seeking feedback from the community on issues relevant to environmental sustainability;*
- 3.6 Identifying relevant funding opportunities.*

While SEAC's input into Council's strategic documents is valued, this input does not exempt Council from consulting more broadly with stakeholders and the community through a diverse range of engagement techniques. As such, it is officer's view that the consultative role of the Committee alone is not sufficient to justify its continued operation.

The recent development of the Priorities and Advocacy Prospectus comprised the first piece of advocacy prepared by the Committee for several years, signalling an interest in a change in focus.

Terms of Reference Review

The review of the Committee's Terms of Reference included:

- Discussions with the Committee's current chair, Cr Alden.
- Internal discussions between Council officers who attend and administer the Committee.
- A workshop with current Committee members.

The current Committee's feedback about their term of SEAC can be summarised as follows:

- Worked well: The opportunity be involved in the development of the *Climate Change and Environment Strategy 2021-2026* and other Council strategies and plans. The development of the Priorities and Advocacy Prospectus. The ability to ask officers questions about strategies and plans following presentations. The ability to stay up to date with Council's strategic environmental work. The opportunity to function as a conduit for information between community organisations and Council. The opportunity to hear stakeholder and community

perspectives to help inform decisions in the chamber (councillor comment). Bi-monthly meetings.

- Opportunities: Broadening the focus of the Committee to a partnership / collective impact model while maintaining its advisory role to Council and minimising duplication with other partnership groups. Improving communication between meetings. Changing the structure or format to encourage greater attendance. Including keynote speakers.
- Other potential members: Landcare networks, Environment Protection Authority, education sector and business groups.

Existing environment focused partnership groups

Other environment focused partnership groups operating in the City include:

Theme	Group	Members	Function	Geographic focus
Water	Water Sensitive Bendigo	Coliban Water, Goulburn Murray Water, Djaara, NCCMA, DELWP, CoGB	Share information and identify priority waterways and water infrastructure projects and advocacy initiatives for the City.	City of Greater Bendigo
	Coliban Integrated Water Management Forum	Water authorities, Djaara, NCCMA, CoGB	Identify water infrastructure projects across Coliban Water's region for DELWP funding.	Coliban Water's service region
	North Central Catchment Partners Forum	Water authorities, Djaara, NCCMA, LGAs, state gov departments and agencies	Share information, identify and progress collaborations, identify priority natural resource management projects for the North Central catchment.	North Central catchment
Climate Change	Greater Bendigo Climate Collaboration (until 2025)	CoGB, DELWP, key businesses and community organisations	Identify collaborative projects and advocacy to reduce emissions across the City.	City of Greater Bendigo
	Central Victorian Greenhouse Alliance (CVGA)	Local governments	Identify collaborative climate mitigation and adaptation projects across the region, networking and support councils with climate action.	CVGA region
Biodiversity	None	N/A	N/A	N/A
Waste	Circular Economy Reference Group	Local governments, Recycling Victoria, EPA	Information sharing, continuous improvement discussions, networking, regional support.	Loddon Mallee
Sustainable Transport	Loddon Campaspe Transport Working Group	Local governments, DoT, RDV	Review of the Loddon Campaspe Integrated Transport Strategy	Loddon Campaspe
Sustainable Land Management	Farming and Agribusiness Advisory Committee	CoGB, state gov departments, Bendigo TAFE, agribusinesses and support orgs	Provide advice to Council about initiatives to support the farming and agribusiness sector	City of Greater Bendigo

While the current array of environment related networks, groups and forums is extensive, not all groups include representatives from community organisations and no group focuses on biodiversity matters. Climate adaptation and sustainable transport are also under-represented in current collaborations.

As such, transitioning SEAC to a partnership group that includes representatives from the government, non-government and community sector with a focus on all environment

matters, including biodiversity, would fill a gap in the City. Even so, any revision to the SEAC Terms of Reference needs to ensure the group complements and does not duplicate the functions of existing groups and forums.

Proposed changes to SEAC

Updated Terms of Reference are attached to this briefing paper. Key elements of the updated Terms of Reference are provided below.

Name:

- Greater Bendigo Environment Partnership

Purpose:

- To share information, ensure alignment of environmental work across the City, identify partnership and collaboration opportunities, provide information and advice back to member organisations (including Council) and collective advocacy that progresses climate action and protection and enhancement of the City of Greater Bendigo's natural environment.

Membership:

1. City of Greater Bendigo – Councillors x 2
2. City of Greater Bendigo – relevant Manager or Director
3. Victorian Department of Energy, Environment and Climate Action
4. North Central Catchment Management Authority
5. DJAARA
6. Taungurung Land and Waters Council
7. Coliban Water
8. Parks Victoria
9. LaTrobe University
10. Bendigo TAFE
11. Bendigo Youth Council
12. Biolinks Alliance
13. Bendigo Sustainability Group
14. Bike Bendigo
15. Australian Conservation Foundation – Bendigo District
16. East Bendigo Landcare Network
17. Mandurang Strathfieldsaye Landcare Network
18. Loddon Plains Landcare Network

Chair:

- City of Greater Bendigo councillor.

Administration:

- City of Greater Bendigo Climate Change and Environment Unit.

Meeting frequency:

- Bi-monthly (every second month).

Term:

- 2 years with the Terms of Reference to be reviewed after this period or as required.

Benefits

Benefits of the proposed model include:

- Establishment of a coalition of environment organisations which can be a powerful voice for the environment in the City.
- Capacity to share information between organisations rather than just from Council.
- Capacity to align work across organisations and identify opportunities for collaboration.
- Increased likelihood of higher attendance provided meetings are efficient and effective.

Membership

The proposed membership of the Partnership was developed through consultation with the existing Committee and internally.

The criteria for membership are based on an organisation having a material role in influencing environmental outcomes, a balance of government, non-government and community organisations and a variety of organisations which represent different environmental issues across the City. Additionally, the community organisations should be incorporated or should have appropriate governance mechanisms in place to ensure transparency and accountability.

Timelines

16 Jan: Councillor Briefing on draft updated Terms of Reference
30 Jan: Council Meeting to formally note the change in the committee's focus and updated Terms of Reference
Feb: Final SEAC meeting with current members
Feb & Mar: Recruit and appoint new members
Apr: First meeting of the new Partnership

Indicative program for 2023

An indicative agenda program for 2023 is provided below which includes a focus on sharing information about priorities and work programs across organisations in the first instance, followed by review and implementation of the Advocacy Prospectus.

Apr, Jun, Aug 2023 – presentations from members on priorities for their organisations
Oct, Dec 2023 – review of Advocacy Prospectus and set meeting agenda for 2024

Communications/Engagement

An internal review of the Terms of Reference was undertaken with relevant staff and the Chairperson. A workshop was held with the current SEAC Committee at its December meeting. Their input was considered as a part of this review.

Financial Sustainability

The Committee is currently and will continue to be administered with existing resources.

Risk Assessment

Risks associated with maintaining SEAC as existing include inefficient use of staff resources, poor attendance at meetings and dissatisfied Committee members due to their limited influence.

Risks associated with changing the structure of the Committee as proposed involve establishing a group that has overlapping functions with other existing local and regional partnership groups. This risk can be mitigated with clear Terms of Reference and effective governance.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 5 - A climate resilient and healthy landscape

Secondary Council Plan Reference(s)

Goal 3 - Thriving landscapes and ecosystems

Other Reference(s)

Climate Change and Environment Strategy 2021 – 2026

Conflict of Interest

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

Attachments

1. Terms of Reference Greater Bendigo Environment Partnership January 2023 [**19.2.1** - 7 pages]



Greater Bendigo Environment Partnership

TERMS OF REFERENCE

January 2023

1. Introduction

The City of Greater Bendigo

- 1.1 Greater Bendigo is a municipality in Central Victoria. It includes the State's third largest city, Bendigo, rural areas and the hinterland towns of Axedale, Elmore, Heathcote, Marong and Redesdale. Extensive natural areas, including Box-Ironbark forests, are set aside in national and regional parks, crown land reserves, and state forests, as well as occurring on private land.
- 1.2 Aboriginal clans occupied the forests and plains of the area before the arrival of pastoralists in the later 1830s and 1840s and still maintain a connection to this country. The discovery of gold in the municipal area in the early 1850s generated an extraordinary period of development; it brought diggers and settlers to Greater Bendigo, who established a rich and culturally diverse society. The expansion and influence of gold mining also impacted on the development of industry, manufacturing and commerce. The municipal landscape of today reflects all these layers of history and culture, in the spatial layout of urban areas, agricultural land, and natural environments.
- 1.3 Greater Bendigo, like other places around the world, is confronted by a number of environmental and sustainability challenges including climate change, loss of biological diversity, waste management challenges, water scarcity and depletion of natural resources.

Collective impact

- 1.4 A number of government, non-government and community organisations play a critical role in progressing climate action and enhancing the natural environment of the City. The work of these individual organisations will have greater impact if it is aligned and all organisations work in partnership. The voice of these different organisations is also strengthened when they speak together and advocate collectively.

2. Terminology

- 2.1 The term 'environment' refers to the natural environment and includes air, soil, water, climate, plants, animals and biodiversity. The term 'climate action' refers to both climate mitigation and adaptation.

3. Purpose

In scope

The purpose of the Partnership is to:

- 3.1 Share information and find opportunities to align existing priorities and work programs to achieve better outcomes for the environment and climate action.
- 3.2 Collaborate on initiatives that progress climate action and protection and enhancement of the City of Greater Bendigo's natural environment.

- 3.3 Identify relevant funding opportunities.
- 3.4 Advocate on environment and climate issues and opportunities as appropriate. The advocacy priorities should be determined at the beginning of each term and should be documented in an Advocacy Prospectus developed collaboratively by the Partnership.
- 3.5 Provide advice to Council and other organisations as requested on the development of strategic documents such as the Council Plan, the Council budget and other relevant policies, strategies and actions plans. Council and other member organisations will take the advice of the Partnership into consideration, however they will not be obliged to adopt the Partnership's recommendations.

Out of scope

The Partnership will not:

- 3.6 Have an approval function over work within individual organisations.

4. Relevant strategies and plans

A number of strategic documents guide decision making within the Partnership's member organisations.

The key high-level plans and strategies relevant to the Partnership include:

- 4.1 *Climate Change and Environment Strategy 2021-2026*, City of Greater Bendigo
- 4.2 *Greater Bendigo Biodiversity Strategy*, City of Greater Bendigo (in development)
- 4.3 *Greater Bendigo Zero Emissions Roadmap*, City of Greater Bendigo (in development)
- 4.4 *North Central Regional Catchment Strategy*, North Central Catchment Management Authority
- 4.5 *Dhelkunya Dja: Dja Dja Wurrung Country Plan*, Djaara
- 4.6 Various biodiversity, climate change, waste and transport plans prepared by the Victorian State Government.

By facilitating opportunities to work together, the Partnership will seek to strengthen implementation of these existing strategies and plans.

5. Relationship to other partnership groups and forums

- 5.1 The Partnership will seek to complement and not duplicate the functions of other networks, forums and environmental partnerships operating in the City. These include:
 - The Farming and Agribusiness Advisory Committee which provides advice to Council about initiatives aimed at supporting the agricultural sector within the City.

- The Greater Bendigo Climate Collaboration Governance Group which is the steering committee for a project which seeks to progress emission reduction initiatives for the City of Greater Bendigo and the broader region.
 - Water Sensitive Bendigo which seeks to collaborate on integrated water management projects within the City.
 - North Central Catchment Partners Forum which seeks to foster knowledge sharing and shared priority setting for environmental and natural resource management initiatives across the North Central Catchment.
- 5.2 Information from these and other collaborative groups will be shared with the Partnership as relevant and appropriate and vice versa.

6. Membership

- 6.1 The membership of the Partnership is comprised of government, non-government and community organisations that play a material role in influencing environmental outcomes in the municipality. The community organisations that are invited to participate in the Partnership should be incorporated or should have appropriate governance mechanisms in place to ensure transparency and accountability.
- 6.2 Organisations invited to participate in the Partnership are as follows:
- Two (2) elected members of the City of Greater Bendigo Council, from which the Chairperson and deputy chairperson shall be selected.
 - One (1) City of Greater Bendigo representative at a Director or Manager level from a relevant Directorate
 - One (1) representative of the Victorian Government Department of Energy, Environment and Climate Action
 - One (1) representative of the North Central Catchment Management Authority
 - One (1) representative from DJAARA
 - One (1) representative from Taungurung Land and Waters Council
 - One (1) representative from Coliban Water
 - One (1) representative from Parks Victoria
 - One (1) representative from La Trobe University
 - One (1) representative from Bendigo TAFE
 - One (1) representative from the Bendigo Youth Council
 - One (1) representative from the Biolinks Alliance
 - One (1) representative from the Bendigo Sustainability Group
 - One (1) representative from Bike Bendigo

- One (1) representative from the Australian Conservation Foundation – Bendigo District
- One (1) representative from the East Bendigo Landcare Network
- One (1) representative from the Mandurang Strathfieldsaye Landcare Network
- One (1) representative from the Loddon Plains Landcare Network

7. Appointment of members

- 7.1 The organisations listed under Clause 6 will be formally approached and invited to nominate a representative to participate in the Partnership.
- 7.2 Member organisations may be added or removed at the discretion of the Chair with input from the members of the Partnership.
- 7.3 Should a vacancy occur during a term, the Chair may make recommendations to the Partnership to fill it. The Partnership shall approve new members by majority. The term served by the newly appointed member shall expire at the same time as the current Partnership.

8. Attendance

- 8.1 If a Partnership member is absent for more than 3 (three) meetings without apology to the Chairperson, that person will be contacted, and their membership may be revoked.

9. Term of Appointment

- 9.1 All members shall be appointed for a 2-year term. At the conclusion of the term all positions become vacant.
- 9.2 Representatives shall remain on the Partnership for their term so long as they represent the organisation referred to or until such time as the Chair or the relevant organisation chooses to replace them.
- 9.3 Exiting members may be selected for further terms of office at the end of each Term

10. Chairperson

- 10.1 A Councillor of the City of Greater Bendigo is to be appointed by Council to chair the meetings.

11. Conduct of Meetings

- 11.1 The Partnership will meet bi-monthly (every second month). The schedule will be determined at the beginning of the calendar year. Special meetings may be called as required at the direction of the Chairperson.
- 11.2 A quorum will consist of more than half the membership.
- 11.3 The Partnership may invite any individual, interest group, or agency representative to attend a meeting as a delegation or to submit or present information that will assist the Partnership in carrying out its functions.

11.4 Recommendations to Council should be formed by a consensus. If a consensus is not achieved, decisions will be made by a vote (show of hands) of members.

11.5 The outcome of the vote must be included in the meeting minutes.

12. Minutes

12.1 Minutes of each meeting will be recorded and distributed to the Partnership within a reasonable timeframe.

13. Code of conduct and interests

In performing the role of a member, a Partnership member must:

13.1 Act honestly;

13.2 Exercise reasonable care and diligence;

13.3 Not make improper use of their position; and

13.4 Not make improper use of the information acquired because of their position.

14. Conflict of interest

14.1 Where a member of the Partnership has a conflicting personal interest, direct interest or indirect interest (as those terms are described in the Local Government Act 2020) in relation to a matter the Partnership is considering, or is likely to consider or discuss, the member must disclose the interest to the Partnership before the matter is considered or discussed at a meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

14.2 Where the Partnership member discloses a direct or indirect interest in relation to a matter they must not participate in any vote or discussion on that matter.

15. Dismissal of Members

15.1 The Chair may, at their discretion, suspend or dismiss any Partnership member that the Chair considers is or has acted in breach of these Terms of Reference or has acted outside the interests of the Partnership or their representative organisation.

16. Review of Terms of Reference

16.1 The Partnership will undertake a review of the performance of the group and the Terms of Reference prior to the conclusion of its term or as otherwise required.

16.2 Any revisions are subject to the approval of the Partnership.

17. Resources provided by City of Greater Bendigo

17.1 The City of Greater Bendigo will provide administrative and technical support for the Partnership's meetings and a suitable venue.

18. Reporting

- 18.1 Council officers will brief Councillors annually on the Partnership's activities and initiatives in the previous year and will provide regular updates through Councillor Briefings and / or Councillor Bulletins.
- 18.2 Members of the Partnership are encouraged to provide an annual update to their relevant organisations on the Partnership's activities and initiatives in the previous year.

19. Confidentiality

- 19.1 Information discussed, received, used or created by the Partnership is confidential, unless the Partnership resolves otherwise.

20. A VIBRANT, CREATIVE COMMUNITY

Nil

21. A SAFE, WELCOMING AND FAIR COMMUNITY

21.1. Youth Council Term 2023-2024

Author:	Leon Moulden, Engaged Communities Officer
Responsible Director:	Stacy Williams, Director, Healthy Communities and Environments

Purpose

To provide Council with an opportunity to endorse the 2023-2024 Youth Council membership.

Recommended Motion

That Council endorse the 2023-2024 Youth Council membership.

RESOLUTION - Resolution No. 2023-11

Moved: Cr Evans

Seconded: Cr Fagg

That the recommended motion be adopted.

CARRIED

Executive Summary

Every two years all 18 Youth Council positions become open and an expression of interest process begins. Expressions of Interest for Youth Council opened on 30 September 2022 via the City's volunteer management system (Better Impact) and closed on Monday 31 October 2022. This was supported by extensive City and YO Bendigo communications and promotion. 21 applications were received from young people from across the municipality and from diverse backgrounds.

Interviews were conducted by an interview panel consisting of Mayor Cr Andrea Metcalf, Cr Matthew Evans and Leon Moulden, Engaged Communities Officer – Youth Lead. Interviews commenced on 22 November 2022 and finished on 30 November 2022. The Panel then made their final selection of 18 candidates from the 21 applicants. All applicants were informed of the outcome within a week of interviews.

Ten of the 18 Youth Councillors are returning Youth Councillors and eight are new Youth Councillors. The new Youth Council will begin briefings and meetings in February 2023, with training in January 2023. Youth Council will continue to oversee the development and of the Youth Action Plan 2023-2024 and will assist with school engagement during the public exhibition period commencing on 31 January 2023 to 28 February 2023, before

Youth Council approves the final Youth Action Plan. The Youth Council will then oversee the implementation of the Youth Action Plan during this term of office.

Background

Youth Council terms are for two years and at the end of each term all 18 Youth Council positions are open. To fill these positions an expression of interest process is held, followed by interviews and then the selection of 18 Youth Councillors in accordance with section six (Expressions of Interest) of the Youth Council Terms of Reference (Attachment A).

Report

Process:

Expressions of Interest for Youth Council opened on 30 September 2022 via the City's volunteer management system (Better Impact) and closed on Monday 31 October 2022. This was supported by extensive City and YO Bendigo communications and promotion. 21 applications were received from young people from across the municipality and from diverse backgrounds.

To be eligible to be a member of the City of Greater Bendigo Youth Council applicants must:

- Be between the age of 14 and 24 years (Youth Councillors are required to resign when they turn 25).
- Live, work and/or study in Greater Bendigo.
- Hold a valid Working with Children Check (volunteer level) and Police Check if 18 years and older.

This includes young people from all backgrounds and experiences, living in all areas of Greater Bendigo, who are eager to develop leadership skills, advocate for young people and make a difference in the community.

Applicants were required to provide responses to the following questions:

1. Why would you like to be a City of Greater Bendigo Youth Councillor?
2. Why do you think you would make a good Youth Councillor? (e.g., what skills, qualities or experience do you have?)
3. What do you see as the top issues for young people in Greater Bendigo that could be Youth Council priorities?

Applicants were assessed on their response to criteria in their Expression of Interest form and their Interview.

Interviews were conducted by an interview panel consisting of Mayor Cr Andrea Metcalf, Cr Matthew Evans and Leon Moulden, Engaged Communities Officer – Youth Lead. Interviews commenced on 22 November 2022 and finished on 30 November 2022. The Panel then made their final selection of 18 candidates from the 21 applicants.

Candidates were informed of the outcome within one week of the interviews concluding. Of the 21 applicants, 18 were successful and three were unsuccessful. Of the 18 successful candidates, ten are returning Youth Councillors and eight are new Youth Councillors. Those applicants who were unsuccessful have been offered other opportunities with the YO Bendigo Team, including with Amdedo youth magazine and with YO Events. All unsuccessful applicants will be invited to apply again when positions become vacant for casual vacancies (most likely in late 2023) and all have been advised on how to improve their chances if they apply again.

2023 Youth Council Membership

The Youth Council 2023-2024 membership is as follows:

Returning Youth Councillors:

- Abby Patten (16 years old, studying at Bendigo Senior Secondary College)
- EJ Clayton (20 years old, employed)
- Emily Pennington (16 years old, studying at Bendigo Senior Secondary College)
- Lilly Correll (16 years old, studying at Bendigo Senior Secondary College)
- Max McKellar (16 years old, studying at Bendigo Senior Secondary College)
- Mia Thomas (17 years old, studying at Bendigo Senior Secondary College)
- Sean Cox (17 years old, studying at Bendigo Senior Secondary College)
- Remus Brasier (17 years old, studying at Girton Grammar)
- Ryan Peterson (23 years old, studying at La Trobe University Bendigo)
- Victoria Tangey (21 years old, studying at Deakin University)

All 2022 Youth Councillors who reapplied for the 2023-2024 term were successful in gaining a Youth Council position in 2023.

New Youth Councillors:

- Augustine Leung (17 years old, studying at Girton Grammar)
- Ben Reid (17 years old, studying at Catherine McAuley College)
- Freya Nicoletti (15 years old, studying at Girton Grammar)
- Jemima Kreutzer (16 years old, studying at Marist College)
- Jonah Zoch (18 years old, studying at La Trobe University Bendigo)
- Lexi Rasmussen (15 years old, studying at Bendigo South East College)
- Sharlee Dunolly-Lee (21 years old, studying at La Trobe University Melbourne)
- Zoe Di Camillo (14 years old, studying at Bendigo South East College)

From a demographic perspective the 2023 membership of Youth Council is reasonably diverse with a good representative mix of ages, genders and identities as well as geographic spread. There are ten females, six males and two gender diverse members. One member identifies as Aboriginal and Torres Strait islander, one member identifies as culturally diverse, four members identify as LGBTQIA+, and three are from the rural areas of Greater Bendigo. Five members are 18 years of age or above and 13 are under 18 years.

Next Steps

Youth Councillors will commence briefings and meetings in February 2023 and continue until early December 2023. Training is in January 2023 with additional workshops provided through-out the year.

Youth Council will continue to oversee the development of the Youth Action Plan 2023-2024 and will assist with school engagement during the public exhibition period commencing on 31 January 2023 to 28 February 2023.

The Youth Council will then oversee the implementation of the Youth Action Plan during this term of office.

Timelines

This Youth Council term is from January 2023 to December 2024.

Communications/Engagement

The Youth Council Expression of Interested process was promoted by:

- A media release on 4 October 2022.
- Multiple advertisements in the Bendigo Advertiser (8, 15, 22 and 29 October), Bendigo Times (13 and 20 October), Mclvor Times (12 and 19 October).
- City of Greater Bendigo social media posts (4, 8, 17 and 22 October).
- Promotion on the Goldfields Bendigo Library screens.
- Articles in GB e-news (11 and 24 October).
- Content on the YO Bendigo website.
- YO Bendigo social media posts (3 and 21 October).
- YO Bendigo e-news email (6 October).
- Direct emails to networks, schools, La Trobe University, service providers, partner organisations and interested young people (including all young people who had enquired about Youth Council over the previous year).
- Current Youth Councillor promotion to networks and at events such as the Zinder Festival.

All 2022 Youth Councillors were informed of the process and encouraged to apply.

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 3 - Young people are supported to explore, engage and be empowered to shape the world they live in

Other Reference(s)

City of Greater Bendigo Health and Wellbeing Plan 2021-2025 (Healthy Greater Bendigo):

Outcome 3: Able to participate.

Area for action: Empower children and young people.

Conflict of Interest

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

Attachments

1. City of Greater Bendigo Youth Council 2022 Terms of Reference (V 2-24 August 2022) [21.1.1 - 13 pages]



City of Greater Bendigo Youth Council

Terms of Reference

Approved 24 August 2022

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1. Purpose

The City of Greater Bendigo Youth Council is an advisory and advocacy committee whose role is to represent the voice of young people who live, work and/or study in the City of Greater Bendigo (the City). Youth Council achieves this by:

- + Providing advice to the City of Greater Bendigo Council on plans, strategies, policies and projects so that they better align to the needs of young people;
- + Engaging with young people to identify their priorities; and
- + Advocating on issues that directly impact young people.

2. Goals

The goals of the Youth Council are to:

- + Provide opportunities for young people to have their say and influence Council plans, strategies, policies and projects.
- + Promote young people as valuable citizens who make a positive contribution to the community.
- + Provide opportunities for young people to develop leadership skills.
- + Provide the opportunity for Councillors to meet, hear and learn from young people.
- + Provide opportunities for young people to consult with the wider community.

3. Objectives

The objectives of the Youth Council are to:

- + Represent and promote the voice of young people in the City;
- + Provide a platform for young people to advocate on priorities that are important to their lives;
- + Advise the City of Greater Bendigo Council on current and emerging issues affecting young people;
- + Provide opportunities for young people to influence youth-focused programs and projects delivered by the City;
- + Provide a mechanism for young people to oversee the implementation of the Youth Strategy;
- + Identify services gaps and opportunities for improved cooperation, coordination, and advice and feedback to young people and partnerships that will improve outcomes for young people;

- + Provide opportunities for young people to have a say in the activities offered through the YO Bendigo youth facility;
- + Build a sense of civic pride about young people in the community;
- + Provide opportunities for young people to be engaged in civic activities and events;
- + Include young people from diverse backgrounds in decision-making processes;
- + Strengthen professional development opportunities for young people; and
- + Develop young people's confidence and leadership skills.

4. Membership and Eligibility

The City of Greater Bendigo Youth Council will comprise a minimum of fifteen and a maximum of eighteen members who live, work and/or study within Greater Bendigo. Members must be aged between fourteen and twenty-four years, and a majority must reside within Greater Bendigo.

To be eligible to be a member of the City of Greater Bendigo Youth Council members must:

- Be between the age of 14 and 24 years.
- Live, work and/or study in Greater Bendigo.
- Hold a valid Working with Children Check (volunteer level) if 18 years and older.
- Not be an employee of the City of Greater Bendigo.

This includes young people from all backgrounds and experiences, living in all areas of Greater Bendigo, who are eager to develop leadership skills, advocate for young people and make a difference in the community.

Membership will be determined via a selection process, including a City of Greater Bendigo Youth Council Expression of Interest form addressing the key selection criteria, an interview and a referee check.

Expressions of Interest for the Youth Council can be submitted when the applicant is thirteen years of age and are open to persons up to twenty-three years. This will allow for the young person to turn fourteen in their first year or finish their term before the age of twenty-five years.

5. Casual Vacancies

The Youth Council may choose to fill a vacating Youth Councillor position/s during a Youth Council term through a Casual Vacancy process. If Youth Council membership falls below the minimum of fifteen members and is before six months to a full-term the Casual Vacancy process must begin.

A casual vacancy takes place when a Youth Councillor:

- + Resigns in writing to the Youth Council, or;
- + Without prior leave of the Youth Council is absent from three consecutive meetings and does not show cause; and a majority of Youth Councillors have agreed to terminate the absentee Youth Councillor's membership (in accordance with section 10.2).

When a Casual Vacancy occurs during a Youth Council term the vacancy may be filled via consideration of the unsuccessful candidates from the previous Expression of Interest round. Members of the interview panel will meet to discuss unsuccessful candidates and examine them in order of each candidate's score (count back process), with the candidate of the highest score being given the option to fill the casual vacancy (if the panel deem the candidate worthy). If that candidate is unwilling or unable to accept the casual vacancy position, then the candidate with the next highest score will be considered and so on until a candidate is selected and has accepted. If no candidate is selected via the count back process a Casual Vacancy Expression of Interest process will begin.

6. Expression of Interest

6.1. Criteria

Interested young people who meet eligibility requirements must complete an Expression of Interest form, undertake an interview and provide a referee. Applicants are selected according to the following selection criteria:

- + Their ability to constructively participate in an advisory capacity;
- + The ability to represent a broad range of views that reflects the diversity of the Greater Bendigo community;
- + A thorough understanding of the local community and its social, environmental and economic influences on young people;
- + Good knowledge and understanding of the local issues that are relevant to young people;
- + A willingness to contribute positively to meetings in a fair and unbiased manner;
- + The ability to look beyond personal interests for the benefit of the community;
- + The ability and willingness to encourage participation from the community;
- + The capacity to commit to the Youth Council and its expectations for the duration of the Youth Council term; and
- + A willingness to celebrate the success and achievements of young people in Greater Bendigo.

6.2. Process

Expressions of interest will be open for three weeks (21 days). Engaged Communities Staff will short list applicants for interview.

- + Successful applicants will be contacted for an interview.
- + The interview panel will consist of at least three members, be of mixed gender and have at least one City Councillor and one City Officer.
- + For casual vacancy positions the interview panel must also include a serving Youth Councillor.

- + Unsuccessful applicants will be notified via email no more than 5 working days after the Expression of Interest process has closed.

7. Term of Office

Each Youth Council term will be for a period of two years. Youth Councillors reserve the right to reconsider their role on Youth Council according to work, study or personal commitments.

7.1. Executive

The Youth Council elects a Youth Mayor and two Deputy Youth Mayors annually. The election will be conducted via an anonymous ballot. The Youth Council must first seek nominations for each executive position. Nominees for each position will be asked to present a candidate speech to the Youth Council explaining why they should be elected to this role. The ballot will be facilitated by Engaged Communities staff.

All Youth Councillors are eligible for election to the position of Youth Mayor or Deputy Youth Mayors.

Youth Mayor or Deputy Youth Mayors hold their positions for a 12-month term. The current Youth Mayor and Deputy Youth Mayors are eligible for re-election to executive positions within their current Youth Council term.

The Youth Mayor and Deputy Youth Mayor positions become vacant if the incumbent ceases to be a Youth Councillor, by submitting a written resignation to a Youth Council meeting.

8. Priority Areas

The Youth Council must establish an annual list of priorities that will guide their strategic direction during their term. Each priority area will form its own working group to be chaired by a Youth Councillor. The priorities must be selected and presented to City of Greater Bendigo Councillors in the first three months of the term.

9. Working Groups

9.1. Purpose and role

The role of each working group is to explore and develop options on Youth Council priority areas and then make recommendations to the Youth Council for consideration. Working groups do not have decision-making powers.

Additional working groups may be formed as the Youth Council deems necessary. Working groups may focus on specific projects, events, or activities that align with the Youth Council priority areas and/or The Youth Strategy.

9.2. Working Group Membership

Youth Council working groups must have at least 4 Youth Councillors as members and a maximum of six. Youth Council working groups will be chaired by a Youth Councillor who is not a member of the Youth Council Executive. However, members of the Executive may be a member of a working group. The Chair of the working group is responsible for facilitating the group's deliberations and reporting on the progress of the group back to the Youth Council.

10. Meetings

10.1. Quorum

The quorum for a Youth Council meeting must be at least a majority (half plus one) of the members of the Youth Council. For a Youth Council comprising of all eighteen Youth Councillors, the quorum will be ten. For a vote to be successful a majority (half plus one) of members in attendance must vote in favour of the proposed motion. If the vote is a draw (even) the vote is then deemed unsuccessful because it is not a clear majority of half plus one vote.

If a quorum is not present within 15 fifteen minutes after the scheduled start time of a Youth Council meeting, the Youth Council will not be able to make any binding decisions. The notes from this meeting can be ratified at the next meeting, provided a quorum is present at that meeting.

10.2. Attendance

Youth Councillors are required to provide an apology if they cannot attend a Briefing or Meeting at least 24 hours before the meeting. Youth Councillors are required to have a reasonable excuse for not attending meetings.

Apologies within 24 hours of the meeting will be accepted for unforeseen circumstances.

All apologies are to be provided to Youth Council Support Staff.

Youth Councillors who fail to provide an apology before a Briefing or Meeting will be considered as absent from a meeting without notice.

If a Youth Councillor is absent for more than three consecutive briefings/meetings without notice or does not provide a timely or adequate apology, the Youth Councillor will be considered under review.

Youth Councillors under review will be required to meet with Youth Council Executive and Youth Council support staff to show cause.

If a Youth Councillor is absent for three consecutive briefings/meetings without notice and has not shown cause, the Youth Council may vote to decide if the absentee Youth Councillor should continue as a member of the Youth Council.

A motion must be passed to terminate the membership of a Youth Councillor under review. Written notice must then be provided to the absentee Youth Councillor for termination to be in effect.

A Youth Councillor may apply for a Leave of Absence when circumstances require a Youth Councillor takes leave from Youth Council duties because they are unable to fulfil them. A Leave

of Absence must be provided in writing to Youth Council Support Staff. A Leave of Absence does not impact Youth Council Honorarium payments (Section 12.4).

10.3. Dates and Times of Meetings

The City of Greater Bendigo Youth Council is in session from February to November each year. Briefings will be held from 6:00pm – 8:30pm in the Green Room at the YO Bendigo Youth Facility or online when required. Meetings will be held in the Reception Room of the Bendigo Town Hall from 6:00pm – 8:30pm or online when required. Where possible a hybrid option of both in-person and online meetings will be arranged.

An attendance register will be kept for all City of Greater Bendigo Youth Council Briefings and Meetings. Youth Councillors who are unable to attend a Briefing or Meeting will inform the Youth Mayor or Engaged Communities Staff prior to the Briefing or Meeting.

Meetings scheduled on public holidays will be rescheduled to the next available working day.

Youth Council Briefing and Meeting dates can be found in and annual Youth Council Calendar.

10.4. Special Meetings

A special meeting of the Youth Council can be called by the Youth Mayor or at least two (2) Youth Councillors by a written notice to the Youth Mayor.

- + The notice must specify the date and time of the special meeting and the business to be transacted;
- + Notice must be given at least one week prior to the meeting;
- + City of Greater Bendigo Engaged Communities staff must call the special meeting as specified in the notice or resolution.

Unless all Youth Councillors present unanimously agree to deal with another matter, only the business specified in the notice or resolution is to be transacted.

11. Reporting

The Youth Council will provide a minimum of quarterly progress reports to the City of Greater Bendigo Council to report on their progress and deliberation. The Youth Council will report back to Councillors where appropriate. Quarterly written progress reports will be provided to the City of Greater Bendigo Council.

12. Expectations

12.1. Dress Code

Youth Councillors are required to wear smart casual attire for Youth Council Briefings, Meetings and other City events and activities.

12.2. Volunteer Registration

Youth Councillors are deemed to be City of Greater Bendigo volunteers therefore Youth Councillors are required to be registered in the City volunteer management system – Better Impact. This includes providing signed parental/guardian consent forms for members under 18 years, providing evidence of a Working with Children Check for those 18 years and above, and providing evidence of COVID-19 vaccination.

12.3. City Values and Behaviours

All Youth Councillors are expected to be aware of and adhere to the City of Greater Bendigo's six values and behaviours: *We Lead, We Learn, We Contribute, We Care, We Respond, and We Respect* found in the City's [Volunteer Handbook](#).

Youth Councillors are also expected to adhere to the City of Greater Bendigo's Code of Conduct also found in the Volunteer Handbook.

Further information on Youth Councillor expectations can be found in the [Youth Councillor Position Description](#).

12.4. Youth Council Honorarium

In recognition of Youth Council's considerable time commitment and contribution to the City and community, Youth Councillors shall be paid an honorarium. The honorarium is to reward and recognise Youth Councillor volunteer contribution and not payment for services rendered.

Youth Council honorarium payments will be tiered to recognise the different levels of commitment and time required by individual Youth Councillors. The Youth Council honorarium tiered structure shall be:

- All non-Executive Youth Council members (members who are not the Youth Mayor or Deputy Youth Mayors) will receive the base level of honorarium payment (paid to a maximum of 15 members).
- Youth Councillors whom Chair a Youth Council Working Group will receive a loading in addition to the non-Executive base payment.
- Both Deputy Youth Mayors will receive a separate higher level of payment to recognise the higher level of commitment required for the position.
- The Youth Mayor will receive the highest level of payment to recognise the very high level of commitment required for the position.

Honorarium payments will be made twice yearly with 50% of the total amount paid with each instalment. Parental consent forms will be required for payments for Youth Councillors under 18 years.

Youth Councillors are required to adhere to Section 10.2 (Attendance) of the Youth Council Terms of Reference in order to receive an honorarium payment.

The Youth Council honorarium and the amount will be reviewed and determined by the Executive Management Team (City of Greater Bendigo senior management).

13. Confidentiality

During the course of their duties Youth Councillors will receive information they are required to treat as confidential. This may be information that is either commercially sensitive or is personal or private to a particular individual or organisation. Youth Councillors must not breach confidentiality when communicating with the media or members of the public.

14. Conflict of Interest

The Local Government Act identifies direct and indirect conflicts of interest which require disclosure as they arise.

If a Youth Councillor has a particular bias or interest in an issue or discussion, or believe others might perceive that they do, there may be a conflict of interest. If this occurs, the Youth Councillor must alert the Youth Mayor at the beginning of the meeting when requested.

A Conflict of Interest register will be kept by Youth Council Support Staff.

15. Resolution of Grievances

In the event that a conflict occurs between Youth Council members, the Youth Mayor/Deputy Mayor(s) and Youth Council will work with Engaged Communities staff to resolve it. If a Youth Councillor has a grievance or concern, it should be raised according to the following:

- + If the grievance is about a fellow Youth Council member, the issue should be raised with the Youth Mayor; or
- + If the grievance is about the Youth Mayor, the issue should be raised with Engaged Communities staff; or
- + If the grievance is about an Engaged Communities Staff member, the issue should be raised with the Youth Mayor and the Engaged Communities Coordinator; or
- + If the grievance is about an Engaged Communities Staff member and/or Coordinator, the issue should be raised with the Youth Mayor and the Manager Community Partnerships; or
- + If the grievance is about a member of staff from another department of the City, the issue should be raised with the Youth Mayor and the Director of Health & Wellbeing.

All conflicts will be addressed and resolved in accordance with the City's code of conduct.

16. Communication

16.1. Media and Social Media

All communications with the media will be conducted under the guidance of and with the support of Engaged Communities Staff and the Communications Unit at the City.

Media statements/releases on behalf of the City of Greater Bendigo Youth Council will be issued by the Youth Mayor or Engaged Communities staff through the Communications Unit.

Youth Councillors directly approached by media outlets will, in the first instance, redirect enquiries to the Communications Unit and/or Engaged Communities staff. Youth Councillors are to seek authorisation before making media statements. This will be done in consultation with the Communications Unit and Engaged Communities staff.

The Youth Mayor is responsible for policy statements about the strategic direction of the Youth Council. The Youth Mayor can delegate their authority to other Youth Councillors under certain circumstances, for example where:

- + The Youth Mayor is unable to respond and/or attend to a request or represent Youth Council;
- + A Youth Councillor has a specific ongoing interest and/or role in an issue;
- + The topic/area of concern aligns with the Youth Councillor's working group;
- + A Youth Councillor has specific knowledge or expertise in the matter; or
- + A Youth Councillor leads a specific Committee e.g. Victorian Youth Week Planning Committee.

16.2. Guidelines for Personal Views

In the interest of free speech, Youth Councillors must feel free to make personal comments on matters important to them, without undermining the Youth Council. When expressing their views:

- + Youth Councillors will make it clear to the media that they are not representing Youth Council;
- + Youth Councillors will not distribute media releases, unless approved as a Youth Council media release;
- + Social media profiles that identify the account holder as being a Youth Councillor must display the following disclaimer: *Any views expressed here are my own and are not necessarily the views of Youth Council.*

The Youth Mayor must be given advance notice of any statements to be made to the media or media releases to be issued. In making media statements or issuing media releases:

- + Youth Councillors must not act to damage or impair the public image of or public confidence in the Youth Council; and
- + Youth Councillors will refrain from publicly criticising decisions made by the Youth Council and the City of Greater Bendigo Council.

17. Youth Councillor Support

The City of Greater Bendigo's Engaged Communities team will provide secretariat support to the Youth Council, assisting with the preparation and development of documents. Further to this,

Engaged Communities staff will assist with policy research and development, event planning and other duties.

Transport assistance will be provided in the form of taxi vouchers to aid Youth Councillors travelling to and from meetings and official duties.

Any support required to enable full participation on the Youth Council will be provided by the City. This includes support for accessing information, e.g. minutes, agenda and documents in Easy English, large print, braille, interpreter and translation services, electronic and hard copy options.

The structure and processes of the meetings will be designed to ensure the voices of all Youth Councillors are heard. Youth Councillors will be provided with name badges, iPads and City of Greater Bendigo email address that are consistent with the City's policies.

18. Training

Youth Councillors will be provided opportunities to attend various training and professional development sessions throughout their term. This may include:

- + Training in meeting procedures;
- + Code of conduct;
- + Governance;
- + Public speaking;
- + Leadership; and
- + Any other training as required.

19. Induction

All Youth Councillors are required to attend an induction to the Youth Council and an induction to the City of Greater Bendigo. Youth Council Induction will include:

- + Roles and responsibilities of Youth Councillors;
- + Expectations of Youth Councillors;
- + Media training;
- + Information about Youth Council's role and processes;
- + Information about City of Greater Bendigo; and
- + Information about the role of local government.

Youth Councillors will also have their photo taken, both as a group and individually to be used in official City publications.

20. City of Greater Bendigo Council

City of Greater Bendigo Councillors will be invited to meet with the Youth Council at the beginning of each Youth Council term and invited to participate in the Youth Councillors' induction and orientation training sessions where appropriate.

The City of Greater Bendigo Mayor will be encouraged to provide specific mentoring for the Youth Mayor, and the Deputy Mayor for the Youth Council Deputy Mayors. Other City of Greater Bendigo Councillors will be encouraged to mentor Youth Councillors.

City of Greater Bendigo Councillors may be invited to or request to attend Youth Council Meetings, and/or as agreed to hold joint meetings with the Youth Council.



22. URGENT BUSINESS

Nil

23. NOTICES OF MOTION

Nil

24. MAYOR'S REPORT

- Spoke at the Rural Youth Awards at The Capital
- Attended the launch of the Bendigo Library Children's Space Mural by Indigenous Artist, Troy Firebrace
- Christmas social event with fellow Councillors' and Executive
- Chaired Economic Development Implementation Steering Committee Meeting
- Attend the Council staff Christmas Breakfast at the Bendigo Botanic Gardens
- Participated in online meeting for the Integrated Municipal Emergency Management Planning Committee
- Regional Cities Victoria General Meeting and Regional Cities Victoria Mayors' Meeting
- Officially opened the Elf Academy at Bendigo Heritage Attractions
- Attended the Queen's Jubilee Tree Planting Event at Strathfieldsaye
- Participated in the judging panel for the Citizen and Young Citizen of the Year
- Spoke at the Bendigo Karen New Year Soccer and Volleyball Tournament at the Epsom Huntly Recreation Reserve
- Spoke at the Carols by Candlelight event in Rosalind Park
- Drew the Christmas Raffle for the Eaglehawk Rotary Club
- Spoke at the Karen New Year celebrations at the Gardens for the Future, Bendigo Botanic Gardens
- Attended Australian Open Tennis as guest of the Acting Premier
- Tour of CBD with VicPol Superintendent Dixon and Inspector Hargadon and City Chief Executive Officer
- Met with Local Member, Ms Maree Edwards
- Meet and Greet with Citizen and Young Citizens of the Year
- Attended handover of new equipment from Spoutvac to Veolia
- Attended planning consultation meeting(s)
- Attended meeting to review community budget submissions for 2023/2024
- Attended the opening night of Jessie Bleakley's solo exhibition: "Quietude" at Rood Henry's Artspace in Heathcote
- Attended Bendigo Chinese Association's 2023 Lunar New Year Festival
- Online meeting to discuss UNESCO World Heritage bid
- Participated in a tour of the new Bendigo Law Courts with fellow Councillors and Executive
- Briefing on Regional Victoria Strategic Pipeline Stakeholder Reference Group
- Spoke at and/or attended the following Australia Day events:
 1. Elmore
 2. Lake Weeroona
 3. Together with the Citizen and Young Citizens of the Year participated in judging the Show and Shine at the Lake!
 4. Officiated at citizenship ceremony for 66 new citizens from 20 countries at the Bendigo Town Hall
 5. Visited Goornong Swimming Pool
 6. Huntly
- Spoken with residents, businesses and community groups regarding a wide range of issues
- Participated in numerous radio, newspaper, television media interviews and photo opportunities

25. CHIEF EXECUTIVE OFFICER'S REPORT

The CEO spoke about the following items:

- Acknowledged the work of staff over the Christmas period.
- Acknowledged the efforts of all incoming and outgoing Citizens of the Year - did a great job at Australia Day ceremonies and during 2022, respectively.
- Acknowledged the efforts of all the community groups who are instrumental in Australia Day.
- Junior Classic at Bendigo Basketball Association was very successful for basketball, community and Bendigo economy.
- Law courts development is exceptional.
- Galkangu work is progressing with City move-in approximately mid-year.
- Citizenship ceremonies were highly attended.
- Lots of work being done in flood affected communities in rebuilding. Lot's of people still significantly affected.
- Lots of consultation open through Let's Talk Greater Bendigo website (<https://letstalkgreaterbendigo.com.au/>) - encourage all residents to provide feedback.

26. CONFIDENTIAL (SECTION 66) REPORTS

RECOMMENDED MOTION

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

RESOLUTION - Resolution No. 2023-12

Moved: Cr Fyffe

Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

27. CLOSE OF MEETING

There being no further business, the meeting closed at 7:58 pm.