

MINUTES

Council Meeting

Monday, 18 October 2021 commencing at 6:00 PM

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

*** Broadcast live on Phoenix FM 106.7 ***

VENUE:

www.bendigo.vic.gov.au/councilmeeting

NEXT MEETING:

Monday November 15, 2021

Livestream

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

This Council Meeting is conducted in accordance with the Local Government Act 2020 as amended by the COVID19 Omnibus (Emergency Measures) Act 2020, Governance Rules 2020 and Local Law Process of Municipal Government 2020

Council Vision

Greater Bendigo - creating the world's most liveable community.

Council Values

Six values inform everything we as Council do in working together to be the best we can for all of our community.

Seeking to achieve the best value for our use of the community's public funds and resources, by:

- We Lead;
- We Learn;
- We Contribute;
- We Care;
- We Respond;
- We Respect.

Goals

- Presentation and Managing Growth
- Wellbeing and Fairness
- Strengthening the Economy
- Environmental Sustainability
- Embracing our Culture and Heritage
- Lead and Govern for All

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1. ACKNOWLEDGEMENT OF COUNTRY

2. TRADITIONAL LANGUAGE STATEMENT

3. OPENING STATEMENT

4. MOMENT OF SILENT REFLECTION

5. ATTENDANCE AND APOLOGIES

Cr Dr Jennifer Alden

Cr Matthew Evans

Cr David Fagg

Cr Rod Fyffe

Cr Andrea Metcalf

Cr Margaret O'Rourke

Cr Greg Penna

Cr Julie Sloan

Cr Vaughan Williams

Mr Craig Niemann, Chief Executive Officer

Mr Andrew Cooney, Director Corporate Performance

Mr Steve Hamilton, Director Strategy and Growth

Ms Vicky Mason, Director Health and Wellbeing

Mr Brian Westly, Director Presentation and Assets

Ms Jessica Clarke-Hong, Manager Governance

6. SUSPENSION OF STANDING ORDERS

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

RESOLUTION

Moved: Cr Greg Penna

Seconded: Cr Rod Fyffe

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

CARRIED

7. COMMUNITY RECOGNITION

Welcome to this month's community section where we reflect on key events and achievements that have happened in Greater Bendigo since we last met.

Congratulations to Bendigo cheerleader Maddy Theobald and her team, Lady Reign, who recently secured the IASF 2021 World Championship.

Congratulations to resident Alannah McGregor, who has been nominated for the Fred Hollows Foundation Humanitarian of the Year award.

After suffering the terrible loss of loved ones, Alannah has worked tirelessly over the past 19 years to raise awareness of suicide prevention and to de-stigmatise what was once considered a taboo subject.

She helped form both the Suicide Prevention and Awareness Network and Safetalk workshops for community groups.

You can vote for Alannah to win by going to the www.hollows.org. Congratulations Alannah on this nomination.

Please also remember LifeLine is there to help by phoning 13 11 14.

Students at St Francis of the Fields and Epsom Primary Schools have been recognised in the Sustainability 4 Schools competition.

St Francis students were rewarded for their waste collecting systems, which has seen them reduce the size of their general waste (landfill) bins from 60 litres to a tiny 7 litres.

While Epsom students developed an eco-friendly team called Green Magpies to focus on protecting the environment. Their achievements include reducing the size of waste bins, introducing worm bins, building veggie gardens and completing water audits to help save money.

I attended the School Strike for Climate Change on Friday and it is wonderful to see so many young people engaged on this important issue.

I know there are many more young students like those at St Francis of the Fields and Epsom Primary Schools doing great work to make important environmental change locally.

On October 6, I had the great pleasure of presenting the Diverse and Inclusive Workplace Award at the Bendigo Business Excellence Awards.

Despite being online, it was so important that our business community had the opportunity to come together and reflect on recent times and celebrate their success.

I congratulate all of the nominees and winners on the night, in particular learning and development firm Thinka, which was named Business of the Year.

I would also like to acknowledge the great work of Be.Bendigo by ensuring the event could go ahead.

Finally tonight, on behalf of Council I would like to present John Jones with a certificate recognising his service to the Bendigo Maubisse Friendship Committee.

John first visited Timor Leste in 2007 and has been a valued member of the committee since 2013.

Over the years John has made eight team visits to Maubisse. While there, his work has included community consultation to determine priorities and supporting the development of dental health services. He has also assisted with loading donated school furniture for transport to Maubisse, hosting visitors from Maubisse, and his professional experience as an educator has led to him being instrumental in gaining funding for a mobile library and the scholarships project.

Congratulations John on your service to the committee over many years and thank you for your ongoing support for the group through your continued Rotary work.

We will mail this certificate to you.

- Nominations open for Citizen and Young Citizen of the Year

And that brings to a close this month's community section.

8. PUBLIC QUESTION TIME

9. RESUMPTION OF STANDING ORDERS

That Standing Orders be resumed.

RESOLUTION

Moved: Cr Margaret O'Rourke

Seconded: Cr Rod Fyffe

That Standing Orders be resumed.

CARRIED

10. CR DAVID FAGG REPORT

Cr Fagg presented his report as below:

" I gave my first extended Cr Report in January of this year, and it seems an age has passed since then. It provides an opportunity not only to summarise my activities over the past month or so, but to reflect on my first year of serving as a councillor, and comment on what the likely issues for Bendigo will be in the next few years.

But first, a short summary of my activities in the last month:

- Along with Cr Sloan and Metcalf, I met online with members of the Whipstick Northern Corridor Progress Association to discuss priorities for the Huntly area, a fast-growing location in our city.
- With council staff, discussed the process for the revitalisation of the bike and walking path from Bendigo Stadium to the Showgrounds
- Took part in 2 training sessions for councillors: the first on community leadership, and the second on negotiation skills

- Received updates on the Elmore and Goornong township plan process
- Met with a group in Eaglehawk that is planning a cenotaph for miners who died on the goldfields
- And just this morning, several councillors had a guided tour of the historical buildings at Bendigo TAFE with members of the Bendigo National Trust and Historical Society.

Now, some brief reflections on my first year as a councillor.

- Often councillors are put in the role of asking critical questions of council actions and policy. As it should be. But just as important is bringing the creative ideas of the community to council, and advocating for them. An example of this is the Victoria Hill Mining Area conservation plan. This was an idea put forward by a resident during the election campaign, and soon work will begin on this plan.
- Face to face contact with residents is indispensable to local democracy. Online chats or written communication is not substitute for having back and forth conversations with individuals or groups about their concerns and ideas. Covid-19 has prevented much of this, and it is certain that our local democratic culture has suffered for the lack of it.
- Councillors, in reality, have less power than most residents imagine. So, we need to make judicious use of the powers that we do have. The budget is an area I think we could improve by bringing community input into the process much earlier than we do. In addition, I've been surprised by the number of planning applications that are delegated to planning officers for decision.

What will be the issues in the next few years for the city of Bendigo? I select just 2.

First, we are growing numerically at a rate that will likely see our population grow to 200,000 by 2050. I don't see this as an aspiration, but a reality that for the most part is out of our hands. There are many issues here. The intelligent preservation of heritage versus the need for in-fill development. The need to limit more green fields developments to inhibit urban sprawl. The effect of numerical growth on our climate and health of our neighbourhoods. The decreasing ability of low income people to rent or buy a house. Whether Bendigo can provide the jobs and services needed for a city of 200,000. In this context, the "Managed Growth Strategy" is a crucial piece of council policy that I will be taking a keen interest in, as it develops.

Second, volunteer organisations and clubs are the glue that hold our community together. Council can help, but we are a bureaucracy and work best when we support the grassroots groups, clubs and organisations that knit people together. However, councillors keep hearing of groups who are struggling to find people to take on committee and board membership and are in danger of folding. We need to find ways of encouraging people to take on these crucial roles which are often unseen and thankless. If we don't find a way to wind back this trend, then many of the cherished events and groups that make Bendigo what it is, will simply wither and die.

Lastly - I give my best wishes to everyone in the Greater Bendigo community, especially as we all continue to cope with the impacts of Covid-19 restrictions on our families, recreation, friendships, schools, and businesses. I encourage us all to see this as a time to reach out to neighbours and friends who are struggling."

11. DECLARATIONS OF CONFLICT OF INTEREST

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

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

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

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

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

Cr Margaret O'Rourke declared a general conflict of interest in the Embracing Our Culture and Heritage Report No. 20.1 (Bendigo Historical Society Relocation) as she is a Board Member of the Bendigo TAFE.

12. CONFIRMATION OF PREVIOUS MINUTES

[Minutes for Council Meeting - 20 September 2021](#)

RECOMMENDATION:

That the Minutes of the Council Meeting held on Monday September 20, 2021, as circulated, be taken as read and confirmed.

RESOLUTION

Moved: Cr Julie Sloan

Seconded: Cr Andrea Metcalf

That the recommendation be adopted.

13. ANNUAL REPORT 2020/2021

13.1. Annual Report

Author	Aleisha Verwoert-North, Manager Communications; Nathan Morsillo, Manager Financial Strategy and Michael Smyth, Manager Business Transformation
Responsible Director	Andrew Cooney, Director Corporate Performance

Purpose

The purpose of this report is for Council to receive the City of Greater Bendigo 2020/2021 Annual Report.

Summary

This Annual Report provides an overview of the functions, achievements and performance of the City of Greater Bendigo with our community, the Government and other key stakeholders.

RECOMMENDATION

That Council receive the City of Greater Bendigo 2020/2021 Annual Report.

RESOLUTION

Moved: Cr Jennifer Alden

Seconded: Cr Margaret O'Rourke

That the recommendation be adopted.

CARRIED

Policy Context

Preparation of an Annual Report is a requirement of the Victorian Local Government Act 2020.

Sections 98, 99 and 100 of the Act state that a Council must prepare an annual report for each financial year that includes:

- Report of Operations of the Council
- Audited Financial Statement
- Audited Performance Statement.

These three documents and the relevant audit opinions have been combined in the City of Greater Bendigo Annual Report for 2020/2021.

Background Information

All Victorian Councils are required to report under the Victorian Government's mandatory system of performance reporting.

Report

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

The Report of Operations;

- A statement of progress in relation to major initiatives;
- A description of Council's operations;
- Results against prescribed Local Government Performance Reporting Framework (LGPRF) service performance indicators;
- Results of the LGPRF Governance and Management Checklist;
- A review of performance against the Council Annual Plan actions;
- Services funded in the budget and members / sectors of the community who receive these services;
- Major capital expenditure, changes and achievements;
- Results against the City of Greater Bendigo Strategic Indicators; and
- Other material relevant to Council activities and community interest.

Audited Financial Statements

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

The Audited Performance Statement:

- A description of the municipal district;
- Results against LGPRF prescribed service performance outcome indicators and measures;
- Results against LGPRF prescribed financial performance indicators and measures;
- An explanation of any material variations between results;
- Results against LGPRF prescribed sustainable capacity indicators and measures.

The Annual Report describes the City's operations throughout the year and highlights achievements. It reports to the Victorian Government, Greater Bendigo residents and the wider community for actions throughout the year on strategic objectives that were set down in the Council Plan for the year, as well as the prescribed information listed above.

To meet legislative requirements, a draft Annual Report, including audited financial statements and reports against LGPRF indicators and outcomes, must be supplied to the Minister for Local Government within four months of the end of the financial year. This year, as with last year, Councils have been given a further two months to complete the Annual Report, which is due to be submitted to the Local Government Minister by 30 November 2021.

Consultation/Communication

External Consultation:

Residents will be informed by public notice of the Annual Report's preparation and availability for inspection, subject to COVID-19 restrictions in place. Copies of the Annual Report will be available via the City's website and in hard copy (by post) upon request.

Internal Consultation:

Regular data collection, as part of Council Plan quarterly reporting and the LGPRF reporting requirements have provided the core content.

The Audit & Risk Committee, at the September 2021 meeting reviewed the draft Financial Statements and the draft Performance Statement for the 2020/2021 financial year prior to in-principle approval by the Victorian Auditor General.

Both the Performance Statement and the Financial Statements have been certified by the Principal Accounting Officer, Chief Executive Officer and two Councillors. These statements were presented to and endorsed by Council at its Ordinary Meeting on 20 September 2021. At the time of drafting this briefing, signed opinions had not been received from the Victorian Auditor-General's Office, but are expected shortly.

Resource Implications

Printing and design of the Annual Report and relevant advertising are provided for in the 2020/2021 Council budget.

Attachments

City of Greater Bendigo 2020/2021 Annual Report

14. INTEGRATED STRATEGIC PLANNING

14.1. DRAFT COUNCIL PLAN 2021- 2025 FOR ENDORSEMENT

Author	Vicky Mason, Director Health and Wellbeing
Responsible Director	Vicky Mason, Director Health and Wellbeing

Purpose

The purpose of this report is to provide information of the community feedback on the draft Council Plan 2021- 2025, highlight changes made in response, seek Council support to endorse the final plan and advocate for endorsement of the Community Vision and Values by community leaders and partner organisations across Greater Bendigo.

Summary

Over the last twelve months Councillors and Council staff have worked with the community to develop a Community Vision and Values and a Council Plan that will guide Council decision making over the next four years.

The draft Council Plan 2021- 2025 reflects the priorities of the new Council, contributing to achieving the Community Vision and Values, building on previous endorsed plans and strategies. It has been developed in alignment with the requirements of the Local Government Act 2020.

The final step in this planning process was to release the final draft for public feedback for a period of three weeks. Seventeen submissions were received from community groups, individuals and Council staff. As a result of this feedback several changes have been made to strengthen the plan prior to endorsement.

The Local Government Act 2020 requires that a Council Plan must include strategic indicators for monitoring the achievement of objectives. Community and Council indicators have been developed and included for each outcome area in the plan. These will be reviewed annually to assist Council in identifying priority actions as part of its annual planning process.

RECOMMENDATION

That the Greater Bendigo City Council endorse the Community Vision and Values, advocate for its endorsement by community leaders and partner organisations across Greater Bendigo and adopt the: Council Plan 2021 – 2025: Mir wimbul and thank the community for its contribution in determining future priorities for Council.

RESOLUTION

Moved: Cr Andrea Metcalf

Seconded: Cr Margaret O'Rourke

That the recommendation be adopted.

CARRIED

Note: a revised edition of the council plan *Mir Wimbul* has now been put onto the council web page. Most of the updates were administrative in nature, however Outcome 3 has been amended to include Goal 7 Work towards developing a major events precinct in Greater Bendigo.

Cr Fyffe left the meeting at 6.41pm

Cr Fyffe returned to the meeting at 6.42pm

Policy Context

Section 88 of the Local Government Act 2020 outlines the requirement that:

- A Council must maintain a Community Vision that is developed with its municipal community in accordance with its deliberative engagement practices.
- The scope of the Community Vision is a period of at least the next 10 financial years.
- A Community Vision must describe the municipal community's aspirations for the future of the municipality.
- A Council must develop or review the Community Vision in accordance with its deliberative engagement practices and adopt the Community Vision by 31 October in the year following a general election.
- The Community Vision adopted under subsection (4) has effect from 1 July in the year following a general election.

In accordance with Section 90 of the Local Government Act 2020, a Council must prepare and adopt a Council Plan for a period of at least the next four financial years after a general election in accordance with its deliberative engagement practices.

A Council Plan must include the following:

- The strategic direction of the Council
- Strategic objectives for achieving the strategic direction
- Strategies for achieving the objectives for a period of at least the next four financial years
- Strategic indicators for monitoring the achievement of the objectives
- A description of the Council's initiatives and priorities for services, infrastructure and amenity

A Council must develop or review the Council Plan in accordance with its Community Engagement Policy utilising deliberative engagement practices and adopt the Council Plan by 31 October in the year following a general election.

The Council Plan, once adopted, has effect from 1 July in the year following a general election.

Background Information

The Local Government Act 2020 (Act) received Royal Assent on March 24, 2020. It is a principles-based Act aiming to remove unnecessary regulatory and legislative prescription. The five sets of principles relate to:

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

The Act drives an integrated approach to planning and reporting to support strategic decision making through:

- Recognising that planning must be holistic and driven by the community
- Providing a comprehensive view of available resources and commitments
- Enabling alignment of objectives and capabilities, and
- Supporting an understanding of medium to long-term implications of decisions on resource allocation and Council performance.

The Act requires Council to develop the following:

Title	Timeframe	Due
Community Vision	10 years	October 2021 (has effect July 2021)
Financial Plan	10 years	October 2021 (has effect July 2021)
Asset Plan	10 years	Adopted by 30 June 2022 (has effect July 2022)
Council Plan	4 years	October 2021 (has effect July 2021)
Revenue & Rating Plan	4 years	Adopt by 30 June 2021 (this was adopted by the City in the June 2021 Council meeting)
Workforce Plan	4 years	31 December 2021
Annual Budget	1 + 3 years	Adopt by June 30 each year (adopted at the June 2021 Council meeting)

The development of the Community Vision, Council Plan, Financial Plan and Asset Plan all require *deliberative engagement* with the community. The Greater Bendigo Community Engagement Policy 2020 provides the following definition of deliberative engagement:

“a method of engagement process with a select group of participants. The process focuses on a defined issue. It weighs up options and provides recommendations to decision-makers”.

Previous Council Decision Dates:

Council endorsed its previous Community Plan 2017 – 2021 in June 2017.

Report

In September 2020 City staff developed a project plan outlining the steps required for Council to meet its strategic planning obligations under the Local Government Act 2020. Supported by Council, this involved the development of a comprehensive community engagement plan that provided opportunities for the Greater Bendigo community to contribute to the plan through a three-stage process over nine months.

The goals of the community engagement plan were:

1. To build the municipal community's understanding of current Council services, strategy and resources
2. To strengthen trust in Council and its commitment to listening and responding to the municipal community needs
3. Build a more comprehensive understanding of municipal community needs and aspirations to inform the development of short, medium, and long-term strategy.

Commencing in January 2021, stage 1 sought to understand what the community loves, values and wants to see improved or changed in the future. To assist engagement, Council named the project "Imagine Greater Bendigo" and launched its new online community engagement platform "Let's Talk Greater Bendigo". A survey was developed that built on the themes from community engagement undertaken over the last few years. Over 1,000 people responded to either the short form or long form survey online or by completing a post card. Members of our non-English speaking communities were engaged using post cards translated in Karen, Dinka and Dari.

Stage 2 sought to understand the broad range of community needs and priorities in relation to Council's services and program delivery exploring the key themes and outcomes from stage 1 engagement. In this stage City staff and Councillors reached out to key stakeholder groups and individuals asking them to identify their top three to five priorities.

Run concurrently with stage 2 was a Community Panel where we asked members of the community to come together to deliberate over issues, challenges and opportunities to develop a shared Community Vision and Values and provide input into future Council priorities. Over 15,000 invitations were sent to residents of Greater Bendigo by an independent recruiter. This resulted in 45 adults aged between 25 – 70 agreeing to participate over the two and a half days. They were joined by 20 young people aged between 12 – 25 years who responded to an expression of interest to participate. The panel was independently facilitated by expert community engagement practitioners with the following Community Vision and Values developed:

Community Vision - 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.

Values - transparency; sustainability: inclusion; innovation and equity.

Reports from each stage of the community engagement process are available on the Let's Talk Greater Bendigo community engagement platform.

The outcomes from the community engagement process along with consideration of the goals and objectives of current Council endorsed plans and strategies were then shared with Councillors over a series of workshops providing them opportunities to feed in priorities from their own community engagement.

The Council Plan has the following goals and outcomes:

1. Lead and govern for all - A community that works together to achieve our shared vision
2. Healthy, liveable spaces and places - A community where all people can live healthy, safe, harmonious lives in attractive and accessible settings
3. Strong, inclusive and sustainable economy - An inclusive, sustainable and prosperous community where all people can thrive
4. Aboriginal Reconciliation - A community that recognises and respects Aboriginal people and culture and enables the self-determination of Traditional Owners
5. A climate resilient built and natural environment - A community featuring healthy regional landscapes and buildings that are developed with the changing climate and earth's resources in mind.
6. A vibrant, creative community - A community that inspires a culture of creativity, activates its spaces, nurtures and supports talent, champions inclusion and access and shows the world.
7. A safe, welcoming and fair community - A community where people are respected, safe to participate in all aspects of community life and have equitable access to the resources they need.

The City of Greater Bendigo is on Dja Dja Wurrung and Taungurung country. Both Traditional Owner groups have Country Plans and Recognition and Settlement Agreements in place. Council is committed to working closely with Traditional Owners and other Aboriginal and Torres Strait Islander people who live in our city and region. As part of this commitment, the plan is dual named Mir wimbul: Council Plan 2021 – 2025. The meaning of Mir wimbul being close to “community protocol” in the Dja Dja Wurrung language. Feedback from Dja Dja Wurrung has been very positive about this approach.

At the August 2021 Ordinary meeting, Council released the draft Council Plan 2021 – 2025 for final review by the community. Seventeen submissions were received through the Let's Talk Greater Bendigo Platform, seven from individual members of the community, five from local organisations and five from staff. Only one submission was not supportive, with the remainder supportive. A number of suggestions were made for improvement. These included:

- Support and empower Traditional Owners' priorities in public land and cultural landscape management
- Strengthening Council support for the LGBTIQ+ community
- Highlighting investment in early years learning and development
- Supporting sustainable and active transport
- Supporting the development of the Bendigo Regional Dementia Village – GILBRUK Place as an economic development initiative

Modifications have been made to the draft Council Plan 2021 – 2025 to reflect these suggestions.

A key component of the final Council Plan is a set of indicators for each outcome area. These will be monitored annually during the life of the plan to ensure our actions and initiatives are moving us toward our desired outcomes. They include Community

Indicators: areas where Council can contribute to change, and Council Indicators: areas for which Council is responsible.

Priority/Importance:

The Community Vision and the Council Plan must be completed and adopted by Council before 31 October 2021.

Timelines:

The Local Government Act 2020 requires that Council adopt the Community Vision and Council Plan by 31 October 2021.

Risk Analysis:

The development of this Community Vision and Council Plan, including the exhibition process, meets legislated requirements.

Consultation/Communication

External Consultation:

Opportunities to provide written submissions on the draft Council Plan 2021 - 2025 were advertised through local media and the City's social media channels.

Internal Consultation:

Staff were invited to provide feedback as part of the Stage 3 community engagement process.

Consultation/Communication

External Consultation:

Opportunities to provide written submissions on the draft Council Plan 2021 - 2025 were advertised through local media and the City's social media channels.

Internal Consultation:

Staff were invited to provide feedback as part of the Stage 3 community engagement process.

Resource Implications

Preparation of the Community Vision and Council Plan was completed within the available budget.

The Financial Plan provides a 10 year financially sustainable projection regarding how the actions of the Council Plan may be funded to achieve the Community Vision.

All actions included in the Plan were separately considered and budgeted through Council's annual budget process.

Attachments

1. Council Plan 2021 – 2025: Mir wimbal
2. Stage 3 Community Engagement - Council Plan Submissions Sep 2021 - Summary

14.2. City of Greater Bendigo 10 year Financial Plan

Author	Nathan Morsillo, Manager Financial Strategy
Responsible Director	Andrew Cooney, Director Corporate Performance

Purpose

The purpose of this report is to provide information of the community feedback on the draft Financial Plan 2021-2031, highlight changes made, and to seek Council's approval of the final plan.

Summary

The City of Greater Bendigo has prepared the 10 year Financial Plan to support the Community's Vision and Council Plan.

The Financial Plan outlines the resources required to deliver the Council Plan and to ensure

- Council is investing in assets the community values
- Services remain affordable and accessible for the community
- Council remains financially sustainable.

At the August 2021 Ordinary meeting, Council released the draft Financial Plan for review and invited submissions from the community. Following the three week public exhibition period, six submissions were received from community members, local organisations and Council staff. All submissions have been considered when preparing the final draft Financial Plan and changes have been made to enhance the plan prior to endorsement by Council.

The 2021/2022 to 2030/2031 Financial Plan is Council's first 10 year Financial Plan to be completed under the Local Government Act 2020, and is required to be adopted by Council by 31 October 2021.

RECOMMENDATION

That Council adopt the Financial Plan 2021-2031 and thank the community for their contribution and feedback.

NOTE TO MINUTES:

Point of Order 1:

1. Was not sustained

Point of Order 2:

1. Error in Fact was not sustained
2. Not relevant to Motion was upheld

RESOLUTION

Moved: Cr Margaret O'Rourke

Seconded: Cr David Fagg

That the recommendation be adopted.

CARRIED

Policy Context

Community Engagement Policy

The City is committed to good community engagement to inform its plans and projects. This is a challenge across a City with a diverse range of services, and particularly so in a COVID impacted year. The following is a summary of some of the relevant community engagement undertaken to inform the plan.

Stage 1 of the Imagine Greater Bendigo process included "Our financial story" – which can be accessed on the City's *Let's Talk Greater Bendigo* website. It also asked the question "How should Council prioritise which services it delivers to our growing and changing community, while also maintaining infrastructure it is responsible for and investing in new projects as they are needed?".

A wide variety of responses were received and considered. The areas which were included "more often" were:

2. Better scoping, planning, monitoring and evaluation of projects (to avoid cost blow outs and to help prioritisation)
3. Prioritise health and wellbeing/equity
4. Prioritise climate risk/Environmentally Sustainable Design (to address climate change and save on energy costs)
5. Reduce operating costs and improve productivity/efficiency
6. More regular informed community consultation on prioritisation
7. Find more ways to generate income
8. Prioritise investment in rural/suburban areas/outside the city centre and mall
9. Advocate for more state and federal funding
10. Co-management/co-investment of facilities with community.

Stage 1 also asked a question around whether a small increase in rates may be necessary to maintain all current services. The answer to this question was approximately 50% for and 50% against.

Stage 2 of the community engagement plan included a community panel made up of 41 adults and 20 young people. Part of the process included consultation around the theme of "Lead and govern for all". A proposed goal under this theme included:

3. Accountable, financially responsible, equitable, transparent decision making

Relevant supported objectives against this goal are:

- Better long-term scoping, planning, monitoring and evaluation of projects

- Focusing on the sustainability of our infrastructure, improve our renewal and maintenance of current assets.

Legislative Requirements

The Local Government Act 2020 introduces a requirement for Victorian councils to develop, adopt and keep in force a Financial Plan utilising deliberative engagement practices covering at least the next 10 financial years. The Financial Plan must be prepared in accordance with the Local Government (Planning and Reporting) Regulations 2020.

Background Information

The Local Government Act 2020 (Act) received Royal Assent on 24 March 2020. It is a principles-based Act aiming to remove unnecessary regulatory and legislative prescription. The five principles are:

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

The Act drives an integrated approach to planning and reporting to support strategic decision making through:

- Recognising that planning must be holistic and driven by the community
- Providing a comprehensive view of available resources and commitments
- Enabling alignment of objectives and capabilities, and
- Supporting an understanding of medium to long-term implications of decisions on resource allocation and Council performance.

The Act also outlines a set of Financial management principles including:

- Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans
- Financial risks must be monitored and managed prudently having regard to economic circumstances
- Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community
- Accounts and records that explain the financial operations and financial position of the Council must be kept.

The Act also provides guidance around financial risk, financial policies, investments, borrowings and accounts and records.

The Act requires Council to develop the following:

Title	Timeframe	Due
Community Vision	10 years	October 2021 (has effect July 2021)
Financial Plan	10 years	October 2021 (has effect July 2021)
Asset Plan	10 years	Adopted by 30 June 2022 (has effect July 2022)
Council Plan	4 years	October 2021 (has effect July 2021)
Revenue & Rating Plan	4 years	Adopted 30 June 2021
Workforce Plan	4 years	31 December 2021
Annual Budget	1 + 3 years	Adopt by 30 June each year

Previous Council Decision(s) Date(s):

16 August 2021 Ordinary Council Meeting

Council resolved to advertise four documents for formal exhibition and submissions.

- Draft Council Plan 2021-2025
- Draft Health and Wellbeing Plan 2021-2025
- Draft Financial Plan 2021-2031
- Draft Climate Change and Environment Strategy 2021-2026

16 June 2021 Ordinary Council Meeting

Council resolved to adopt the 2021/2022-2024/2025 Budget.

In this 'implementation year' of the new Local Government Act requirements, with delayed elections in 2020, the 2021/2022 Budget was adopted in advance of finalising the Council Plan and 10 year Financial Plan.

Report

The City of Greater Bendigo has prepared the 10 year Financial Plan to support the Community's Vision and Council Plan. Through the development of the vision, the community has told us their desire for Greater Bendigo to be sustainable, prosperous and to have a bright and happy future. The Council Plan includes actions to deliver on this vision.

This Financial Plan outlines the resources required to deliver on the Council plan and ensures we are investing in assets the community values; our services remain affordable and accessible for the community; and our organisation remains financially sustainable.

The 2021/2022 to 2030/2031 Financial Plan is the first to be completed under the Local Government Act 2020 and in accordance with Part 2 of the Local Government (Planning and Reporting) Regulations 2020 for the City of Greater Bendigo. The draft Financial Plan has been developed utilising advice from the Department of Jobs, Precincts and Regions Financial Plan better practice guide ensuring the inclusion of:

- Statements describing the financial resources required to give effect to the Council Plan and other strategic plans of the Council
- Information about the decisions and assumptions that underpin the forecasts in the statements as specified above

- Statements describing any other resource requirements that the Council considers appropriate to include in the Financial Plan
- Any other matters prescribed by the regulations.

The Financial Plan is required to be adopted by Council by 31 October 2021.

The key financial outcomes of the 2021/2022 to 2030/2031 Financial Plan have been measured against the financial sustainability targets and indicate an ongoing low to medium risk financial sustainability rating.

Key outcomes include:

- fair and affordable revenue mechanisms with stability in rate increases and rates concentration
- maintaining sufficient working capital (liquidity) to meet our financial obligations
- the allocation of increased funding to meet capital renewal obligations
- ensuring that borrowings meet targets for indebtedness
- the improvement in underlying operational surplus throughout the life of the Financial Plan.

The plan has been drafted using the majority of the 2021/2022 budget as its base year and includes:

- the key financial sustainability risks and issues for the City
- the financial policy statements and strategic actions to address the key issues and risks
- the underlying assumptions underpinning the escalation in revenue and expenditure over the ten-year period
- the financial plan statements
- the financial performance indicators
- financial strategies for rates, borrowings, and reserves.

The City has a commitment to achieving zero carbon through the life of this plan and there are a number of actions in Council Plan that will support this aspiration. This will have generational benefit, but also short-term financial cost impacts. The plan that has been developed considers all of these factors and more.

Submissions recieved

At the August 2021 Ordinary meeting, Council resolved to release the draft Financial Plan 2021–2031 for review and invited submissions from the community. Following the three-week public exhibition period, six submissions were received, three from individual community members, two from local organisations and one from City staff. All submissions have been considered when preparing the final draft Financial Plan. There were some ‘cross-overs’ between these submissions with those for the Council Plan. A summary of these submissions and officer comments is included at attachment 2.

Two submissions received are project related, including seeking additional heritage and historical support, and have been noted for future capital works planning. Some detailed feedback was received in relation to the approach to measuring asset renewal and utilising (or not) depreciation as the primary measure. The draft Financial Plan has been

updated to incorporate this feedback, and notes more clearly now that this will also be discussed as part of the Asset Plan work coming up (due by June 2022).

Other submissions included feedback on the engagement process and project - asking that the City make clearer the process and links between strategies. There were also formatting and consistency feedback given, updating some population figures across all plans on exhibition and noting shared commitments with a local organisation.

Timelines:

The Local Government Act 2020 stipulates that the Council must adopt a 10 year financial plan and Council plan by October 2021.

Consultation/Communication

Internal Consultation:

The successive drafts of the Council Plan priorities and 10 year Financial Plan have been discussed with City staff and members of the Executive Team and their feedback has been considered by Council and changes made where agreed by Council.

External Consultation:

The draft Financial Plan was advertised and available electronically on Let's Talk Greater Bendigo from 17 August to 6 September 2021. It was also available in hard copy upon request. Opportunities to provide written submissions on the draft Financial Plan were advertised through local media.

Once adopted, the Financial Plan 2021-2031 will be publicly available on the City's website.

Resource Implications

The Financial Plan provides a 10 year financially sustainable projection regarding how the actions of the Council Plan may be funded to achieve the Community Vision.

Attachments

1. City of Greater Bendigo Financial Plan 2021-2031
2. Submissions Summary

14.3. Greater Bendigo Health and Wellbeing Plan 2021 - 2025

Author	Vicky Mason, Director Health and Wellbeing
Responsible Director	Vicky Mason, Director Health and Wellbeing

Purpose

The purpose of this report is to provide an overview of the community submissions received commenting on the draft Greater Bendigo Health and Wellbeing Plan 2021-2025, outline suggested changes to the Plan as a result and seek Council's support to endorse the final plan.

Summary

Over the last ten months staff from across the City have worked with key partners to review the Greater Bendigo Health and Wellbeing Plan 2017 – 2021. Together there has been reflection on learnings from work undertaken over the last four years, review of changes in population demographics and changes in national, state and local policy. This has been brought together with outcomes from the Imagine Greater Bendigo community engagement process. A new Draft Municipal Public Health and Wellbeing Plan for 2021 – 2025 was developed then made available for public feedback via the Let's Talk community engagement platform for a three-week period.

16 submissions were received, seven from local organisations/groups, eight from individuals and one from a City team. Overall the feedback was very supportive. The main suggestion for improvement were the inclusion of volunteering as an area for action.

A number of other minor changes have been made to improve the language and readability of the plan. Staff are proposing the brand the plan "Healthy Greater Bendigo 2021 – 2025 to highlight the outcomes we are all trying to achieve. This will also facilitate greater alignment with work we have been doing under this initiative.

RECOMMENDATION

That the Greater Bendigo City Council endorse Healthy Greater Bendigo 2021- 2025 and thank the community for their input in its development.

RESOLUTION

Moved: Cr David Fagg

Seconded: Cr Julie Sloan

That the recommendation be adopted.

CARRIED

Policy Context

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

Goal #2	Wellbeing and Fairness: Inclusive policies, partnerships and projects that improve learning opportunities and health. Increasing access and building better connections and quality of life for all
Objectives	2.1 Create a much healthier Greater Bendigo 2.2 Promote positive wellbeing across the Greater Bendigo community 2.3 Promote community connection 2.4 Support positive learning and development for residents of all ages and all abilities 2.5 Create proud and safe public places and commercial areas.

Greater Bendigo Health and Wellbeing Plan 2017 – 2021

Domains:

- Healthy and well
- Safe and secure
- Able to participate
- Connected to culture and community
- Liveable

Background Information

The Victorian Public Health and Wellbeing Act 2008 (the Act) mandates that Local Governments have a responsibility to promote and protect community health and wellbeing. As part of the requirements of the Act Councils must prepare a Municipal Public Health and Wellbeing Plan (MPHWP) every four years within 12 months of the council elections. The Act mandates the plan must:

- Include an examination of data about health status and health determinants in the municipal district
- Identify goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing
- Provide for involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan
- Have regard to the State Public Health and Wellbeing Plan
- Specify how the council will work in partnership with the Department of Health and other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the plan

The Victorian Climate Change Act 2017 requires that every MPHWP also considers the short- and long-term impacts of climate change in relation to health and wellbeing priorities. In addition, in May 2017 the then Victorian Department of Health and Human Services (now Department of Health) advised the need to incorporate actions focused on preventing and responding to family violence in the catchment.

The Act does allow Councils to incorporate the Municipal Public Health and Wellbeing Plan into the Council Plan subject to DHHS approval. Regardless of whether the Plan is incorporated or not, it is good to ensure that common language and priorities are reflected in both plans.

The current Greater Bendigo Health and Wellbeing Plan 2017 – 2021 (Plan) was endorsed by Council in October 2017. It utilises the domains within the Victorian Public Health and Wellbeing Outcomes Framework outlining agreed priorities under each domain. It also includes a Framework for Action to assist in ensuring evidence based best practice approaches to the work.

The required Municipal Public Health and Wellbeing Plan is a whole of community plan not just a Council plan so needs to be developed in partnership with the community and organisations who can influence community health and wellbeing. The aim of the final plan is to align strategic objectives with those in the Community Vision and Council Plan.

Previous Council Decision(s) Date(s):

The Greater Bendigo Health and Wellbeing Plan 2017 – 2021 was endorsed by Council in October 2017.

Report

A significant amount of work has been undertaken since the 2017 – 2021 plan was finalised including the development of a range of specific policies, strategies and programs including:

- Greater Bendigo Food Systems Strategy
- Greater Bendigo Healthy Food and Catering Policy
- Walk, Cycle Greater Bendigo
- Greater Bendigo Coalition for Gender Equity Strategy
- Northern Victorian Integrated Emergency Management Plan
- All Ages All Abilities Action Plan
- Greater Bendigo Volunteering Strategy
- Greater Bendigo Community Engagement Policy
- Connect Greater Bendigo
- Reconciliation Plan: Barpangu
- Healthy Greater Bendigo
- Healthy Heart of Victoria

A number of other plans also include objectives focused on improving community health and wellbeing including:

- A stronger Greater Bendigo: Economic Development Plan
- Greater Bendigo Environment Strategy
- Greater Creative Bendigo
- Greater Bendigo Integrated Transport and Land Use Strategy

- Greening Greater Bendigo
- Greater Bendigo Planning Scheme

A number of others are currently being developed or updated including:

- Greater Bendigo Social Justice Framework
- Greater Bendigo Cultural Diversity and Inclusion Plan

With so much strategy in place it was determined not to make significant changes to the 2021 – 2025 Greater Bendigo Health and Wellbeing Plan, continue to use the domains from the Victorian Public Health and Wellbeing Outcomes Framework and continue to strengthen existing efforts, evaluation and partnerships.

In reviewing the plan, the requirements as outlined above were undertaken including creating a 2021 Health and Wellbeing Data Profile, reviewing current national, state and local policy and undertaking an evaluation of the previous plan. The findings from this work together with outcomes from the Imagine Greater Bendigo community engagement process were utilised to develop an Issues and Opportunities Paper for further stakeholder consultation, most particularly with the Project Reference Group (see Consultation/Communication).

It is proposed that the new plan be branded Healthy Greater Bendigo 2021 – 2025 to highlight the outcomes we are all trying to achieve. This will also facilitate greater alignment with work we have been doing under this initiative.

Key differences in the Healthy Greater Bendigo 2021 - 2025 include:

- Structure
 - Incorporation of the Community Vision and Values
 - A proposed shared mission
 - Improved descriptions of each outcome area
 - Identification of “Areas for Action” rather than priorities
- New/changed Areas for Action
 - Oral health
 - Elder abuse
 - Socio-economic disadvantage
 - Gender equity
 - Volunteering
 - Aboriginal and Torres Strait Islander Reconciliation
 - Access to affordable, safe and secure housing
 - Access to quality public open space
- Alignment with the Environment Strategy
 - Zero carbon
 - Circular economy
 - Sustainable and Active Transport

- Water Sensitive Bendigo
- Thriving landscapes and ecosystems
- Framework for Action
 - Removal of “our focus” and “our settings and environments”
 - Changed “our enablers” to “supports”
 - Shared leadership and governance
 - Capability building
 - Community groups and organisations
 - Financing and resource allocation
 - Media and communications
 - Data, evidence and learnings from others
- Principles outlined in the new plan include:
 - Recognise that health is everyone’s business
 - Promote social justice
 - Work in partnership
 - Share learning
 - Include all ages, abilities, genders, sexualities and cultures
 - Incorporate universal design
- Approaches to the work will continue to be:
 - Systems thinking
 - Collective impact
 - Place based
 - Strengths based
 - Risk management
 - Monitoring, evaluation and learning

Following adoption of the new plan, City staff will then work on producing a Healthy Greater Bendigo Action Plan. This will outline all relevant work being undertaken by Council staff both leading initiatives and partnering with others. This will be shared with our community partners. We will also undertake a review on internal coordination and leadership of our work.

It is proposed that the external Project Reference Group for this work continue to meet regularly and take on an overall governance role for the work. Council may want to consider whether we appoint them as a Council Advisory Group.

Priority/Importance:

The development of a four-year Municipal Public Health and Wellbeing Plan is a requirement of all Victorian local governments to be finalised by the October of the year following the Council election.

Risk Analysis:

As highlighted above, Council has legislated responsibilities under the Victorian Public Health and Wellbeing Act to protect, improve and promote public health and wellbeing within their municipalities. The Local Government Act 2020 also discusses Council's role "is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

Consultation/Communication

In September 2020 City staff developed a project plan outlining the steps required for Council to meet its strategic planning obligations under the Local Government Act and the Public Health and Wellbeing Act 2008. Supported by Council this involved the development of a comprehensive community engagement plan that provided opportunities for the Greater Bendigo community to contribute to planning through a 3-stage process.

Titled "Imagine Greater Bendigo" the goals of the community engagement plan were:

1. To build the municipal community's understanding of current Council services, strategy and resources
2. To strengthen trust in Council and its commitment to listening and responding to the municipal community needs
3. Build a more comprehensive understanding of municipal community needs and aspirations to inform the development of short, medium, and long-term strategy.

Commencing in January 2021 Stage 1 sought to understand what the community loves, values and wants to see improved or changed in the future. To assist engagement Council named the project "Imagine Greater Bendigo" and launched its new online community engagement platform "Let's Talk Greater Bendigo". A survey was developed that built on the themes from community engagement undertaken over the last four years. Over 1000 people responded to either the short form or long form survey on-line or by completing a post card. Members of our non-English speaking communities were engaged using post cards translated in common community languages.

Stage 2 sought to understand the broad range of community needs and priorities in relation to Council's services and program delivery exploring the key themes and outcomes from Stage 1 engagement. In this stage City staff and Councillors reached out to key stakeholder groups and individuals asking them to identify their top 3 – 5 priorities.

Run concurrently with Stage 2 was a Community Panel where members of the community came together to deliberate over issues, challenges and opportunities to develop a shared Community Vision and Values and provide input into future Council priorities. Over 15,000 invitations were sent to residents of Greater Bendigo by an independent recruiter. This resulted in 41 adults aged between 25 – 70 agreeing to participate over the two and a half days. They were joined by 20 young people aged between 12 – 25 years. The panel was independently facilitated by expert community engagement practitioners with the following community vision and values developed:

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.

Transparency; sustainability: inclusion; innovation and equity.

Reports from each stage of the community engagement process can be accessed on the Let's Talk Greater Bendigo community engagement platform.

The outcomes from each stage of the planning process including those from the community engagement were shared with a Health and Wellbeing Plan Project Reference Group. Chaired by the Mayor, the following organisations and groups were invited to participate:

- Access Australia
- Bendigo and District Aboriginal Corporation
- Bendigo Community Health Service
- Bendigo Education Council
- Bendigo Health
- Bendigo Loddon Primary Care Partnership
- Centre for Non-violence
- Coliban Water
- DELWP Regional Office
- Department of Transport Regional Office
- Department of Education & Training Regional Office
- Department of Health, Regional Office
- Haven Home Safe
- Heathcote Health
- Latrobe University
- Loddon Campaspe Multicultural Services
- Murray Primary Health Network
- RANCH / Bendigo Neighbourhood Houses
- Regional Development Victoria
- Shine Bright
- Sport & Recreation Victoria Regional Office
- Sports Focus
- Women's Health Loddon Mallee
- Victoria Police Bendigo Office

Meetings of the Project Reference Group were held in February, April, June and July to coincide with key project milestones. Most meetings were able to be held face to face except the July meeting.

The Project Reference Group has agreed to take on the role of Governance Group post endorsement of the plan and will meet quarterly to review, exchange ideas and strengthen joint understanding of the work.

In late 2020 the City of Greater Bendigo was successful in receiving a VicHealth Local Government Partnership Grant. The aim of the grant was to strengthen engagement of children in Council's planning with a focus on the Health and Wellbeing Plan. To date

over 250 children have been engaged. A report from the consultation will be shared with Council once finalised. Key themes from this work have been fed into the final draft plan. Following the August Council Ordinary meeting, the draft Greater Bendigo Health and Wellbeing Plan was released for final community consultation for a period of three weeks. The community were invited to make a submission using the Let's Talk Greater Bendigo community engagement platform.

Sixteen submissions were received, seven from local organisations/groups, eight from individuals and one from a City team. Overall the feedback was very supportive. The main suggestion for improvement were the inclusion of volunteering as an area for action. A number of other minor changes have been made to improve the language and readability of the plan.

Internal Consultation:

Much of the work for this plan was led by an Internal Health and Wellbeing Working Group comprising staff from across the organisation who have met regularly since the 2017 – 2021 plan was developed.

Publication

Once finalised the Healthy Greater Bendigo 2021 – 2025 will be graphically designed and published on-line with relevant links to supporting data and principles on a designated Health and Wellbeing webpage. A poster of the Plan on a Page will be created for distribution to key stakeholders.

Resource Implications

The additional costs of delivering the 2021 – 2025 Municipal Public Health and Wellbeing Plan have been found from existing operational budgets. The costs for the Imagine Greater Bendigo community consultation were also met internally.

Attachments

1. Draft Greater Bendigo Health and Wellbeing Plan 2021 – 2025
2. Greater Bendigo Health and Wellbeing Plan submissions and responses summary

14.4. Climate Change and Environment Strategy

Author	Liam Sibly, Acting Manager Climate Change and Environment
Responsible Director	Vicky Mason, Director Health and Wellbeing

Purpose

To seek Council's endorsement of the Climate Change and Environment Strategy 2021-2026.

Summary

The final draft Climate Change and Environment Strategy 2021-2026 sets the future direction for Council's actions and investment relating to environmental sustainability. This strategy builds upon the 2016-2021 Environment Strategy, and the updated strategy has incorporated several improvements including: refined the focus of Council's action via clear and measurable targets; increased accountability via strengthened governance arrangements; and direct alignment to the Council Plan and Municipal Public Health and Wellbeing Plan. The updated strategy also includes a stronger focus on climate change, as a means to elevate Council's response to this critical issue. Collectively, these improvements will create a more sustainable Greater Bendigo.

Following Council endorsement on 16 August, stakeholders were consulted about the draft Climate Change and Environment Strategy (2021-26). Feedback received included 34 detailed survey responses and 20 written submissions, which provided useful feedback to refine the final draft strategy.

Overall, the feedback was highly supportive of the draft Climate Change and Environment Strategy. This included acknowledgements that the strategy had progressed from the previous iteration and it provides a significant direction to create a more sustainable future in Greater Bendigo. The main themes to emerge include:

- Solid support for accelerating climate action. This includes many requests for Council to take a stronger leadership role to prepare our communities for climate change and reduce our collective emissions as quickly as possible. Stakeholders were supportive of establishing community owned renewable energy systems, transitioning off gas, and facilitating the uptake of electric vehicles and active transport. The flagship project of the Greater Bendigo Climate Collaboration also received strong support.
- Many of the submissions encouraged Council to 'lead by example' to inspire others to become more sustainable. This was particularly evident for the action areas of Zero Carbon, Circular Economy, Water Sensitive Bendigo and Sustainable and Active Transport.
- Requests to strengthen community and stakeholder participation in the implementation of the Climate Change and Environment Strategy. This includes greater involvement of youth, business sector, multi-cultural communities, rural communities and disadvantaged groups.
- Strong support for the 'Healing Country Together' flagship project from the Dja Dja Wurrung and community groups. Feedback was received to refine the flagship project.

- Inclusion of a 'Circular Economy' flagship project to elevate the focus of this priority environmental challenge for the next five years and beyond.

Apart from an additional flagship project, no major change was made to the final draft Climate Change and Environment Strategy (2021-2026).

RECOMMENDATION

That Council:

1. Endorse the Climate Change and Environment Strategy (2021-2026)

RESOLUTION

Moved: Cr Andrea Metcalf

Seconded: Cr Julie Sloan

That the recommendation be adopted.

CARRIED

Policy Context

The Climate Change and Environment Strategy aligns and progresses the following strategic initiatives:

- City of Greater Bendigo Community Plan 2017-2021 - specifically Goal 5 - Environmental Sustainability
- City of Greater Bendigo Community Plan 2021- 2025 - specifically Outcome 5 - A climate resilient and healthy landscape
- Environment Strategy of Greater Bendigo (2016-21)
- Climate and Biodiversity Breakdown resolution (August 2019)

Background Information

The process to review and renew the 2016-2021 Environment Strategy commenced in January 2021. Consultants - RMCG were employed to assist facilitate and co-design the strategy. An internal governance model was established to co-design and oversee the strategy's development.

Councillors have been engaged five times throughout the process to develop the draft strategy. This includes:

- 26 April 2021 - review findings of 2016-21 Environment Strategy were presented to Councillors. The project process and timelines were also presented.
- 28 June 2021 - draft targets and flagship projects were discussed with Councillors.
- 2 August 2021 - draft strategy and flagship projects were workshopped with Councillors

- 16 August 2021 - Council were presented with the draft Climate Change and Environment Strategy and were asked to release the strategy for community and stakeholder consultation.
- 27 September 2021 - Councillors were presented with the results from the community and stakeholder consultation and the draft implementation plan.

Report

The final draft Climate Change and Environment Strategy (2021-2026) sets the future direction for Council's actions and investment relating to environmental sustainability. This strategy builds upon the 2016-2021 Environment Strategy, and the updated strategy has incorporated several improvements including:

- developing clear and measurable targets to focus Council's actions and investment;
- aligning the targets to the new community vision for increased 'line of sight' and integration with the Council Plan;
- strengthening governance and reporting arrangements to oversee progress and resource allocation;
- developing new flagship projects to drive high-impact projects;
- strengthening the focus and urgency on climate action; and
- refining the focus of the One Planet Living Framework to 6 actions areas, which includes: Zero Carbon, Circular Economy, Biodiversity and Regeneration, Water Sensitive Bendigo, Sustainable and Active Transport, and Sustainable Food Systems.

Collectively, these improvements set a significantly more progressive direction to create a sustainable Greater Bendigo.

Priority/Importance: High

The strategy sets the future direction for Council's actions and investment relating to environmental sustainability

Timelines:

The implementation of the strategy will commence immediately upon Council's endorsement. Quarterly and annual reports will be produced to show progress and achievements of the strategy.

Risk Analysis:

There are two strategic risks regarding the Climate Change and Environment Strategy (2021-2026):

1. Implementation risk about Council's ability to deliver an ambitious strategy with limited resources. To assist manage this, an implementation plan has been developed to outline required actions and the associated resourcing. An operational budget bid will be prepared for 2022/23 and future years.
2. Reputational risks about the potential perceptions that Council is not acting to the required scale, speed and impact on climate change and biodiversity breakdown. The strategy is attempting to address this risk by setting a progressive and ambitious direction

for environmental sustainability. Strong leadership from Councillors and staff to implement the strategy will further address this risk.

Consultation/Communication

On 16 August 2021 Council endorsed the release of the draft Climate Change and Environment Strategy (2021-26) for public comment over a three-week period. The release was accompanied by a media release, which resulted in two newspaper articles in the Bendigo Advertiser and three radio segments on ABC radio and Triple M. Stakeholders and partners were also notified via email.

The Let's Talk Greater Bendigo website hosted the draft strategy, and the webpage received 798 visits and drew 46 responses (34 surveys and 12 submissions). An additional eight submissions were received via email, and thus a total of 20 written submissions.

Presentations were provided to four advisory committees, 18 of the City's units and the Organisation Leadership Team. During each of these presentations stakeholders were encouraged to provide written submissions or complete an online survey. An online workshop was held with 25 staff members to develop the implementation plan.

Overall, community members and stakeholders were highly positive about the draft strategy and have praised the progressive direction. One community member's submission included "As a resident of Bendigo for the past 25 years I have enjoyed seeing the progress of our city and this report gives me hope for the future of our city." The Australian Conservation Foundation (ACF) wrote "congratulations on developing this draft Strategy. The wholistic approach is to be commended."

Copies of all submissions and survey responses received is within the Council Briefing paper dated on 27 September 2021.

Resource Implications

The final draft Climate Change and Environment Strategy has been developed within the current operational budget allowances.

To support the implementation of the strategy, an operational budget bid will be prepared. It is anticipated that this bid will request an increase in staff and operating budget. The quantum of this bid is subject to other Councillor priorities.

The implementation of the strategy is anticipated to have a cost impact to Council, however it is difficult to accurately estimate the full costs to achieve all the targets. This is because there are many unknowns and the operating context will rapidly change over the next five years due to market changes, technology improvements and external funding opportunities. The implementation plan has attempted to provide a high-level cost estimate for specific actions. However, not all costs will be known or have high-degree of confidence. As a result of this uncertainty, budget bids will be developed in subsequent years as progress is made and there is better information available.

Budget Allocation in the Current Financial Year: The Environment Strategy has an annual budget of \$190k per year.

Attachments

- A. Final draft Climate Change and Environment Strategy 2021-2026
- B. Implementation Plan
- C Monitoring, Evaluation, Reporting and Improvement Framework

15. PETITIONS AND JOINT LETTERS

Nil

16. PRESENTATION AND MANAGING GROWTH**16.1. 153 McNiffs Road, Redesdale 3444 - Use and Development of Land for a Dwelling, Outbuilding (Shed) and Ancillary Buildings and Works**

Author	Rhiannon Biezen, Statutory Planner
Responsible Director	Steve Hamilton, Director Strategy and Growth

Summary/Purpose

Application details:	Use and development of land for a dwelling, outbuilding (shed) and ancillary buildings and works
Application No:	DR/920/2020
Application Documents	Application Documents
Applicant:	Shane Muir Consulting Engineers Pty Ltd
Land:	153 McNiffs Road, REDESDALE 3444
Zoning:	Rural Conservation Zone
Overlays:	Environmental Significance Overlay 1 Environmental Significance Overlay 3
No. of objections:	Nil
Consultation meeting:	NA
Key considerations:	<ul style="list-style-type: none"> • Whether the proposal would result in an acceptable planning outcome having regard to the purposes of the Rural Conservation Zone and the relevant planning policy that deals with rural dwellings and the protection of agricultural land. • Whether the proposal is acceptable with regard to Crown Allotments and their intent when created. • Whether appropriate justification has been provided in support of the proposal.
Conclusion:	<p>The application is not in accordance with the Greater Bendigo Planning Scheme.</p> <p>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 Rural Conservation Zone and the relevant planning policy that deals with rural dwellings, the protection of agricultural land and treatment of historic allotments.</p>

RECOMMENDATION

Pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Notice of Decision to Refuse to Grant a Permit for Use and development of land for a dwelling, outbuilding (shed) and ancillary buildings and works at 153 McNiffs Road, REDESDALE 3444 on the following grounds:

1. The proposal is inconsistent with the purpose and decision guidelines of the Rural Conservation Zone:
 - a. To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.
 - b. To conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.
2. The proposal is inconsistent with local planning policy (Clause 22.02) by:
 - a. Making use of historic unplanned lots for rural residential purposes.
 - b. Leading to fragmentation of agricultural land through removal of 8ha of land from active production.
 - c. Encouraging the proliferation of dwellings in the rural landscape and intensifying the potential for conflict between incompatible land uses.

MOTION:

Moved: Cr Andrea Metcalf

Seconded: Cr Margaret O'Rourke

That the Motion as detailed below be adopted.

CARRIED

Pursuant to section 61 of the Planning and Environment Act (1987), Council issue a Permit for use and development of the land for a dwelling, outbuilding (shed) and ancillary buildings and works at 153 McNiffs Road, REDESDALE 3444, subject to the following conditions:

1. **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.
2. **ENVIRONMENTAL MANAGEMENT PLAN**
The Environmental Management Plan (EMP), prepared by Cumbre Consultants Pty Ltd (titled 'Land Management Plan', dated 9 August 2021) must be implemented in the following stages and timeframes (except where an alternative timeframe is agreed to in writing by the Responsible Authority), with all works being to the satisfaction of the Responsible Authority:
 - (a) The fencing of all areas must be completed prior to the occupation of the dwelling.

- (b) Replanting and conservation works must begin within three (3) months of occupation of the dwelling.
- (c) All revegetation activities must be completed within two (2) years following occupation of the dwelling. Upon completion, a progress report (including photographic evidence) must be provided to the Responsible Authority demonstrating satisfactory achievement of revegetation works consistent with the EMP.
- (d) The balance activities (including ongoing actions such as vegetation protection/replacement, pest management and weed management) must be carried out for the life of the EMP, being five (5) years.

Any changes to the EMP must be submitted to and approved by the responsible authority.

3. 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.

4. CONSTRUCT A GRAVEL DRIVEWAY

Prior to the commencement of works for the house, the owner must construct a gravelled driveway connecting the building envelope to Campbells Road.

5. 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.

6. NOTIFIATION OF PERMIT CONDITIONS

Before works start, the permit holder must advise all persons undertaking the vegetation removal/works on site of all relevant conditions of this permit.

7. COLOUR OF CLADDING

All external cladding and trim of the proposed building(s) (including the roof) must be of a non-reflective nature. Cladding materials must be coloured or painted in muted shades of green or brown or in colours satisfactory to the responsible authority.

8. SCHEDULE OF MATERIALS

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

9. NO HABITATION

The outbuilding approved by this permit must not be used for habitation.

10. NO SANITARY FIXTURES

No sanitary fixtures or fittings shall be installed within the outbuilding.

11. ENGINEERING CONDITIONS

- (a) The driveway between the property boundary and the edge of the traffic lane must be constructed generally in accordance with the Infrastructure Design Manual SD 255.
- (b) The driveway must provide a turnaround area at the residence.

12. DELWP - PROTECTION OF RETAINED VEGETATION DURING CONSTRUCTION

- (a) Before works start, a protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at a minimum of:
 - 12 times the diameter of the tree trunk at 130 cm above ground level (to a maximum distance of 15 metres) but no less than 2 metres from the base of the trunk, and
 - 2 metres from remnant patches of native vegetation.
- (b) The protection fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the Department of Environment, Land, Water and Planning. The protection fence must remain in place at least until all works are completed to the satisfaction of the department.
- (c) Except with the written consent of the department, none of the following may occur within this area:
 - vehicular or pedestrian access, trenching or soil excavation.
 - storage or dumping of tools, equipment or waste.
 - construction of entry and exit pits for underground services.
- (d) All earthworks are to be designed and constructed to avoid soil erosion. All fill is to be compacted, batters are to be topsoiled and revegetated and all drainage is to be diverted around the disturbed areas/batters. Drainage from benched areas, batters and access tracks is to be diverted on non-scouring grades to stable vegetated areas. Several drainage points are to be used to avoid concentration of drainage water.

13. NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY CONDITION

- (a) All buildings and works must be setback at least 30 metres from the top bank of all designated waterways running through the property.

14. GOULBURN MURRAY WATER CONDITIONS

- (a) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
- (b) All wastewater from the dwelling must be treated and disposed of using an approved system. The system must have a certificate of conformity issued

by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.

- (c) The wastewater disposal area must be located at least: 100m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.
- (d) The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.
- (e) The shed must not contain bedrooms (or rooms that could be used as bedrooms) or any facilities with the potential to produce wastewater, including toilets, kitchens or other food preparation facilities.
- (f) Stormwater run-off from buildings and other impervious surfaces must be dissipated as normal concentrated overland flow or directed to a storage tank or dam.
- (g) No buildings are to be located within 30m of any waterways.
- (h) Prior to the commencement of the construction of buildings or other works, the Land Capability Assessment, LCA/2010130, prepared by Shane Muir Consulting Engineers Pty Ltd, dated 26 November 2020, and DWG No.2010130-LCA, dated 30/11/2020, must be endorsed under the permit.
- (i) The disposal area, and any recommendations for fencing or the prevention of trafficable access to the disposal area, which are set out in the Land Capability Assessment, must be shown on the site plans that form part of the permit.
- (j) The wastewater treatment system and disposal area must be installed, and, at all times, must be operated and managed, in accordance with the endorsed Land Capability Assessment and the council-issued septic tank permit.
- (k) Prior to the commencement of buildings and works, a revised Environmental Management Plan must be submitted to the Responsible Authority, generally in accordance with the Environmental Management Plan, prepared by Shane Muir Consulting Engineers Pty Ltd, and dated 12 November 2020, but amended to include:
 - i. Identification of environmental areas, focused on the identified drainage line, to be revegetated and the environmentally enhanced areas to be included in the 10-year land management plan timeline action listing.

The amended report must be to the satisfaction of Coliban Water and

the Responsible Authority and when approved will be endorsed under the permit.

15. EXPIRY OF PERMIT

This permit will expire if the development permitted by the this permit is not completed within 2 years from the date hereof. The time within which the development must be completed may be extended, on written request to the responsible authority, before or within 6 months after the expiry of this permit where the development has not yet started or 12 months where the development has commenced.

Planning Note:

This development has been assessed and approved under the Planning Scheme provisions ***Rural Conservation Zone and Environmental Significance Overlay – Schedule 1*** only. This approval does not indicate that requirements of Part 4 of the Building Regulations 2018 have been satisfied.

Environmental Health Note – Septic Tank

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

Engineering Note:

A “Works Within Road Reserve Permit” must be obtained from Council’s Engineering Department prior to commencing any work outside the property boundary on the road reserve including works specified in 3 above. ***(Note: A Planning Permit is not a Works Within Road Reserve Permit)***

North Central CMA Planning Note:

Flood levels for the 1% AEP probability (100-year ARI) have not been determined for this area under the *Water Act 1989*. However, information available at North Central CMA indicates that in the event of a 1% AEP flood event it is likely that the property may be subject to inundation from a tributary of Back Creek.

Policy Context

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

- Goal 4 Presentation and managing growth
- Goal 6 Embracing our culture and heritage

Attachments

1. Planning Assessment Report

Attachment 1 - 153 McNiffs Road Planning Assessment Report

PLANNING ASSESSMENT REPORT

Background

This matter was previously considered by Council at its Ordinary Meeting of 24 June 2021, with the following motion being adopted:

“That Council defer a decision on Planning application DR/920/2020 to:

- Allow the applicant the opportunity to develop an enhanced Environmental Management Plan that clearly sets out the environmental benefits and actions to result from using and developing a dwelling on the land, to be submitted to the City not later than two months after the date of this meeting; and*
- Allow the subsequent assessment of the Environmental Management Plan by Planning staff, with summary advice presented to Council at the first reasonably practicable Council meeting following lodgement of the revised plan by the applicant.*
- Allow for further discussion by Planning staff with the applicant and landowner to understand the future intention of the remaining lots within the balance farming tenement, and any actions that could be undertaken to limit further fragmentation of that tenement.”*

The applicant has subsequently prepared a modified Environmental Management Plan. The applicant has not however engaged in further discussion regarding the future intention of the remaining lots within the balance farming tenement.

This report re-presents the matter, updating the assessment to include the new material received.

The subject site is one lot of a larger tenement of land comprising around 15 individual lots that are used for agricultural purposes (grazing). The majority of the surrounding area is also used for agricultural production. The lot is an old Crown Allotment, pre-dating modern planning instruments, and the Greater Bendigo Planning Scheme discourages their use for de-facto rural living purposes.

The applicant for the dwelling is not the present owner. The applicant is seeking to acquire the land, subject to planning approval.

Early in the application process concerns were raised with the applicant as to why a dwelling was required on site, to support either an agricultural or environmental outcome on the land. The applicant responded that a dwelling was required for the revegetation and management of the site as per the submitted Environmental Management Plan.

The original Environmental Management Plan (EMP) was found to be of a generic nature to any parcel of land (ie. it was not tailored to the specifics of the site). The EMP did not include the assessment and location of areas within the site that have significant flora and fauna or areas with high environmental or biodiversity values, and the plan did not detail a comprehensive land management strategy. Instead, the plan offered general examples of how the land *could* be managed and regenerated.

A revised Environmental Management Plan has since been received following Council's previous resolution. An analysis of that plan and whether its changes the recommendation is provided later in this report.

Report

Subject Site and Surrounds

The site is legally described as Crown Allotment 83B, Parish of Redesdale, and is part of an overall larger agricultural property consisting of approximately 15 separate land parcels, all of which are old Crown Allotments. The total area of the broader tenement is approximately 236ha. The tenement contains a dwelling at the northern end adjoining McNiffs Road.

The subject site is located on the corner of Campbells Road and Toops Road (unmade road), is rectangular in shape and has a total area of 8.38 hectares. The site has a southern boundary of 208.61 metres and an eastern boundary of 401.13 metres in length. The site contains an existing drainage line that traverses the site from north to east to around the middle of the site.

The site has historically been used for agricultural practices (grazing) in conjunction with the adjoining lots. The site is currently devoid of any structures and vegetation although one (1) tree is located within the middle of the parcel. Informal access is afforded to the subject site via Campbell's Road.

The site is located within the Rural Conservation Zone and is affected by the Environmental Significance Overlay Schedules 1 and 3. Surrounding land to the north, east and south are located within the Rural Conservation Zone with land to the west located within the Public Park and Recreation Zone (PPRZ) and is the location of the Mount Lofty Bushland Reserve, and land located to the south-west of the site is located within the Farming Zone. Most surrounding lots are used for agricultural purposes (primarily grazing). Lots directly to the east tend to be smaller individual holdings, with some dwellings and larger patches of vegetation.

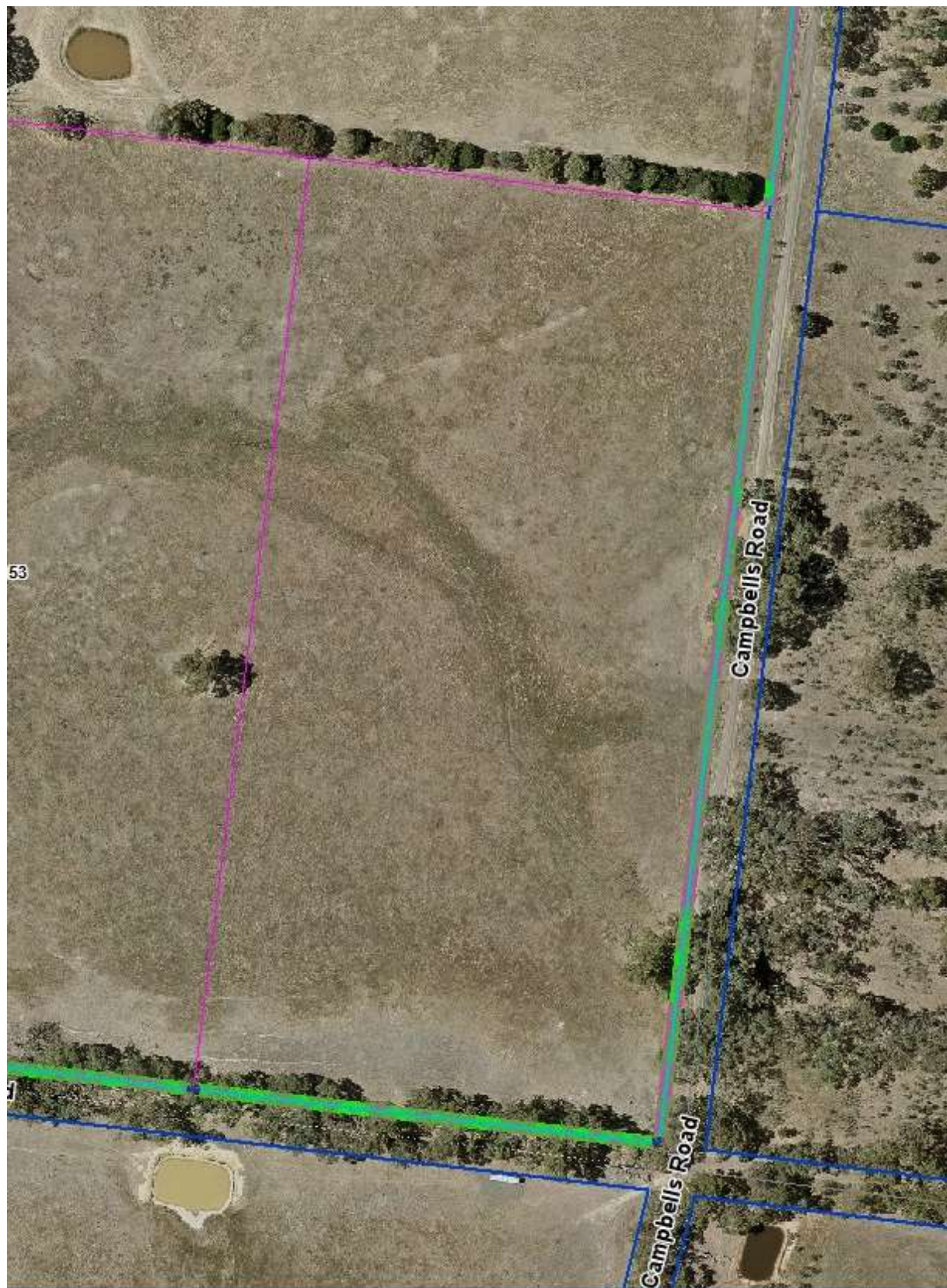


Figure 1: Location map showing subject site.



Figure 2 – Broader tenement



Figure 3 – Tenement showing title composition. Subject parcel shown.

Proposal

The application proposes the use and development of land for a dwelling, outbuilding (shed) and construction of a 100,000 litre water tank.

The dwelling is proposed to be located a minimum of 20 metres from the southern boundary (Tooks Road), 31 metres from the western (side) boundary and 12.9 metres from the proposed outbuilding (shed). Access would be derived from Campbells Road.

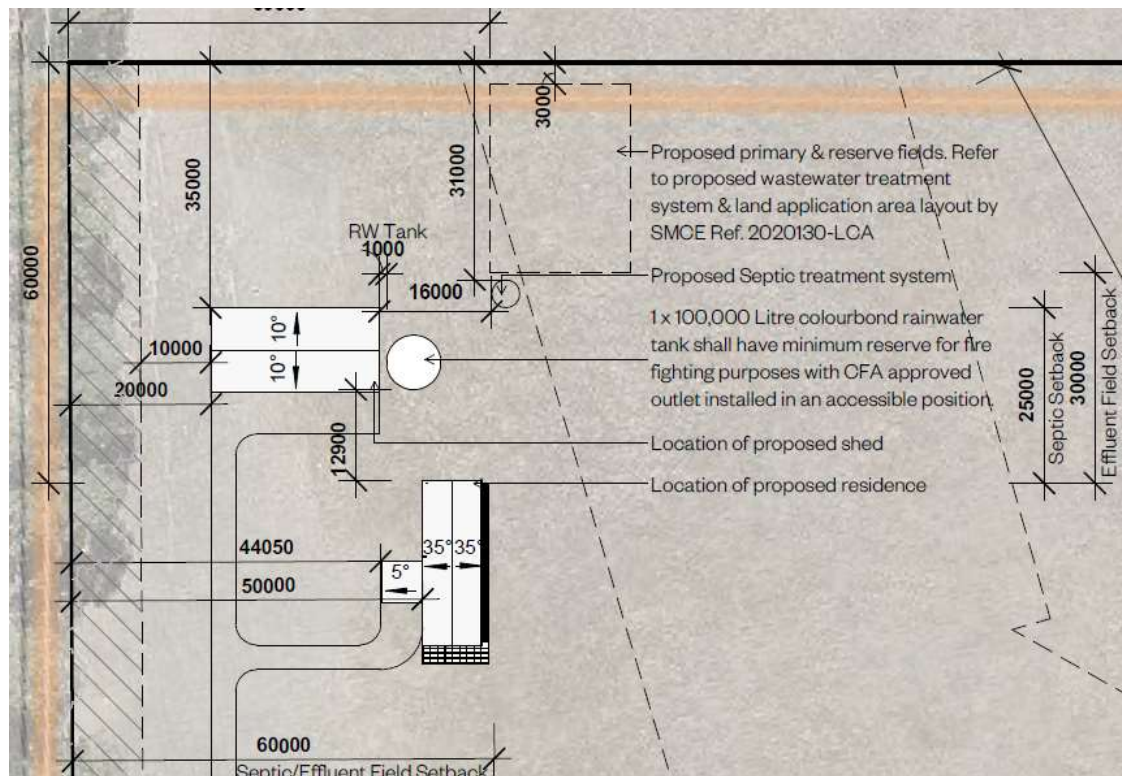


Figure 4 Site Plan. (West to top of page.)

The dwelling is proposed to consist of 4 bedrooms – master with WIR and en-suite, bathroom, toilet, laundry with WIL, an open plan kitchen, living and dining area – kitchen with walk in pantry, verandah, pergola and an attached double carport.

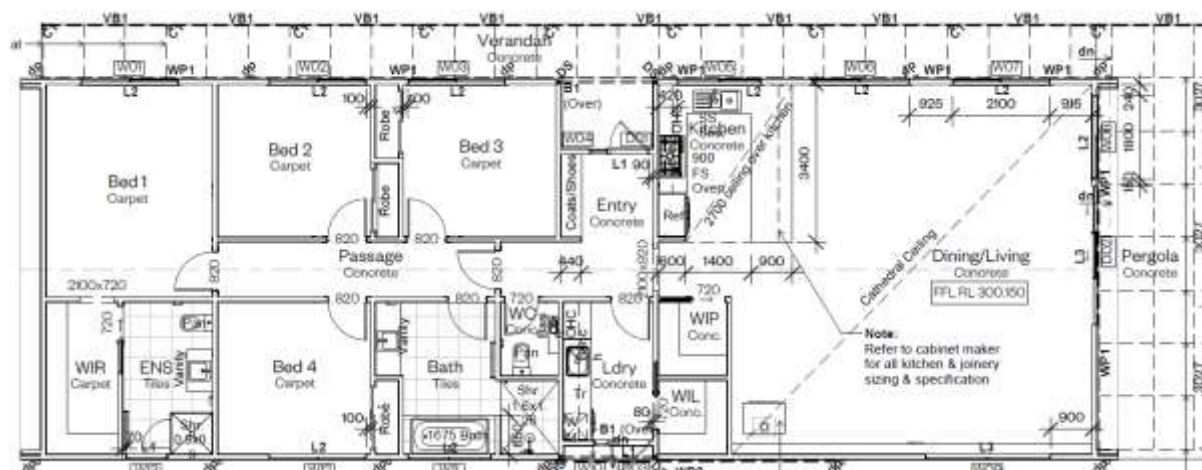


Figure 5 Floor Plan

The proposed dwelling would have a total floor area of 276.46 sqm including verandah, carport and pergola. The proposed dwelling would have a floor to ceiling height of 2.7 metres and an overall height of 6.15 metres.



Figure 6 Southern elevation

The dwelling is proposed to be constructed of a mix of metal and timber cladding for the external walls and Colorbond cladding for the roof.



Figure 7 Colour and materials schedule

The outbuilding would be located a minimum of 20 metres from the southern boundary (Tooks Road) and 35 metres from the western (side) boundary. The outbuilding would be setback a minimum of 12.9 metres to the west of the proposed dwelling.

The outbuilding (shed) would have a total floor area of 288 sqm (24 m x 12m), an overall height of 5.035 metres and be constructed of Colorbond in 'monument' (black).

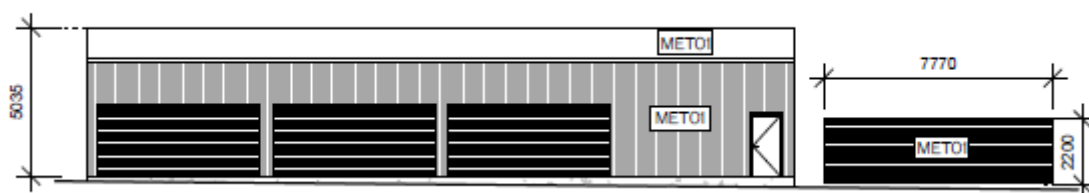


Figure 8 Southern elevation of outbuilding (shed)

A 100,000 litre water tank would be located on the northern elevation of the outbuilding (shed) and to the west of the dwelling.

The application documentation states that the dwelling is proposed in order to support the revegetation and land management of the subject site

Planning Controls - Greater Bendigo Planning Scheme

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

State Planning Policy Framework

- Clause 11 Settlement
- Clause 11.01-1R Settlement – Loddon Mallee South
- Clause 13.07-1S Land use compatibility
- Clause 14.01-1S Protection of agricultural land
- Clause 14.02-1S Catchment planning and management
- Clause 14.02-2S Water quality
- Clause 15.01-6S Design for rural areas
- Clause 16.01-5S Rural residential development

Municipal Strategic Statement

- Clause 21.02 Key Issues and Influences
- Clause 21.07 Economic Development

Local Planning Policies

- Clause 22.02 Rural dwellings policy

Other Provisions

- Clause 35.06 Rural Conservation Zone
- Clause 42.01 Environmental Significance Overlay – Schedule 1 and 3

Consultation/Communication

Referrals

The following authorities and internal departments have been consulted on the proposal:

Referral	Comment
Department of Environment, Land, Water and Planning	No objection subject to five (5) conditions.
North Centre Catchment Management Authority	No objection subject to one (1) condition.
Goulburn-Murray Water	No objection subject to seven (7) conditions.

Referral	Comment
Coliban Water	No objection subject to four (4) conditions. Coliban advised that an amended EMP be submitted to include the identification of environmental areas, increased focus on the drainage line and revegetation and for these works to be included within the 10 year Management Plan. An amended plan was submitted and re-referred to Coliban Water who consented to the application.
Traffic & Design	No objection subject to two (2) conditions.
Drainage	No objection and no conditions.

Public Notification

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

As a result of advertising, no objections were received.

Planning Assessment

Background to issue – remnant lots in rural areas

The original Crown Allotment subdivisions were undertaken at a time before mechanized farming techniques, where closer-settlement strategies were encouraged by the governments of the day. Many of these lots were never developed. Over time, through market forces and the introduction of mechanical farming implements, such lots became aggregated into larger holdings.

In the second half of the twentieth century, further subdivisions were often permitted by small local councils to encourage small-scale farming opportunities or for rural lifestyle pursuits. These lots also sit within the rural landscape, with some lots developed and others remaining vacant.

Most farms today now consist of multiple lots and can only be effectively managed and made financially sustainable if they are used in aggregate rather than individually. Once the land is fragmented the productive capacity of the land is diminished significantly, unless intensively used. Once individually developed with dwellings, lots are unlikely to ever be re-aggregated due to the increased costs involved.

Today, market forces apply pressure to use remaining lots for other purposes, including rural-residential ('lifestyle') purposes through the construction of dwellings. This has impacts on the availability of land for genuine farming enterprises. Further to this is the visual outcome within the rural landscape arising from the development of the dwellings. In aggregate, this can impact on the amenity and character of the surrounding area.

This is a challenge faced by many rural and regional municipalities, which they seek to address by directing such developments to lots zoned for rural lifestyle pursuits (Rural Living Zone) along with the implementation of local planning policies.

The Greater Bendigo Planning Scheme approach

Clause 22.02 Rural Dwellings Policy of the Greater Bendigo Planning Scheme has been developed and implemented for the purpose of protecting and effectively managing the large number of vacant rural lots that exist within the municipality. This Policy will be further discussed in the sections below, alongside the Statewide Rural Conservation Zone provisions.

Clause 22.02 Rural Dwellings Policy highlights the themes discussed above to ensure a consistent approach for considering the use of rural land for dwellings, and has the following relevant objectives:

- *To discourage the fragmentation of rural land, or land with significant environmental values.*
- *To limit the subdivision, use or development of land to that which is compatible with the utilisation of the land as a sustainable agricultural resource.*

Clause 22.02 has the following relevant policy on rural dwellings:

- *Discourage dwellings on existing small lots (lots smaller than the schedule minimum) in all rural areas except if:*
 - *Subdivisions have been created since the introduction of planning controls,*
 - *Substantial infrastructure works have been completed; or*
 - *The land has no agricultural potential and native vegetation will be retained and managed.*

The policy basis as outlined above seeks to ensure that the agricultural productivity of the land is carefully maintained to prevent adverse impacts on the land, including a decrease in agricultural productivity, to prevent the fragmentation of rural lots, and to ensure residential development is orderly so as to not negatively impact upon the agricultural productivity of significant agricultural land.

The *Rural Areas Strategy, September 2009*, asserts that when assessing the protection of agricultural land, consideration must be given to the oversupply of rural residential land which currently exists within the municipality. The strategy asserts that there is approximately 80 years supply of land currently zoned for rural-residential purposes within the Rural Living Zone and as such rural lifestyle development should be directed toward these areas.

Clause 22.02 also has the following relevant policy on new dwellings:

- *Ensure an application for a new dwelling is accompanied by an environmental management plan that addresses and details the following requirements, where relevant:*
 - *Building envelopes and lot boundaries.*
 - *Land forming, drainage and dams.*

- *Extent of native vegetation and any native revegetation. Services and infrastructure including the location and design of roads and wastewater disposal.*
- *Adjoining land uses including other dwellings.*
- *Wildfire hazard.*
- *Environmental features including degraded land, saline discharge, recharge areas, potential inundation and flooding.*
- *Cultural, historic and conservation values including significant flora and fauna.*
- *Use of adjoining public land.*
- *Boundaries of any relevant declared water supply catchments.*

Original Environmental Management Plan

The applicant originally submitted an Environmental Management Plan which mainly focused on how the proposed dwelling would impact on the site in its current form, during the development stage, fencing and revegetation of the drainage line located within the site. That plan was quite general in nature.

Amended Environmental Management Plan

The applicant submitted an amended Environmental Management Plan, prepared by Cumbre Consultants Pty Ltd on 16 August 2021. The Environmental Management Plan is summarised as follows:

- An amended site plan has been provided with proposed management zones for the site, characterised as domestic, conservation and grazing.
- Two (2) zones will be used for agriculture, specifically sheep grazing.
- The main conservation area would take in the centre of the site where a shallow gully area exists.
- The Plan sets out actions for revegetation of the conservation areas of the site, weed management, pest management and the like.

The full plan is available at: [LINK](#)

An extract showing the management zones is provided below.



Figure 9 Proposed land management zones

The applicant has now included an agricultural element of sheep grazing which will have a total area of 4 hectares. The applicant has proposed to improve the pasture through rotational grazing within the two proposed grazing areas. The proposed stocking rate for the subject site is 0.5 to 2 Dry Sheep Equivalent (DSE) per acre. The grazing area has been assessed as being a Class 3 ('fair') which supports agricultural uses with low to moderate levels of land disturbance such as broad acre cultivation in rotation with improved pastures. Moderate levels of production may be possible with specialist management practices such as minimum tillage. The holding capacity proposed is 24 sheep in an average season within the 4 hectares of pasture, if the site is well managed according to the actions of the EMP.

A biodiversity assessment via a site visit has been undertaken by the consultant, which has determined that the biodiversity value of the site has been severely degraded due to overgrazing and land clearing since the late 1800's. The site currently contains mainly

introduced species, being deemed as low strategic value of 0.41 to 0.60. The site's current strategic value is also derived from vegetation located within the road reserve, therefore the strategic biodiversity value is deemed to be lower than the cited 0.41 to 0.60. The proposed revegetation of the site would account for a maximum coverage of 30% within the two conservation areas, one being located along the drainage line within the approximate center of the site and the other running the length of the rear boundary of the site. This equates to 70% of the site being used for domestic and small scale agriculture of the site.

Assessment of the Amended Environmental Management Plan

The amended plan provides an improved understanding of the proposal, with more specific details of the environmental management actions proposed for the site. The revegetation of large sections of the site is unquestionably of benefit to the land.

However, the following elements of the proposal are noted.

The intended small scale agricultural grazing component has been newly submitted, although raises concerns with the proposed holding rates and the specialist knowledge required to improve the pastures on a continuous basis. The holding rates have not been assessed during times of drought and it is acknowledged that the land would not support the proposed holding rate of 24 sheep per season in a less than average season.

Water assets have not been identified, which is an important aspect given the introduction of an agricultural component onto the site.

The proposed agricultural element is therefore considered to be somewhat optimistic.

Notwithstanding the above, the key consideration is whether planning policy supports the development of dwellings in association with either small scale grazing or revegetation. The conclusions of the original report remain the same in this regard, being that the proposal is not supported by the Planning Scheme. Further discussion on this point continues below.

Future intention of remaining lots

The applicant has not responded to this element of Council's resolution. The future of the balance lots within the farming tenement therefore remains unclear.

Rural Dwellings Policy

The revised Environmental Management Plan proposes part revegetation of the site, along with small scale grazing. It is noted that grazing already occurs on the land, therefore there is no particular change of use from that perspective and the proposal is not found to warrant a dwelling based on agricultural reasons. This therefore leaves the question of whether the revegetation of part of the site is adequate justification to use and develop the land for a dwelling. Planning officers agree that the proposed revegetation of parts of the site would be beneficial for the land. However the Scheme does not identify that dwellings should be supported in this area 'in exchange' for good land management practices. *Good land management* and *whether the land should contain a dwelling* are distinct (ie. not dependent) issues.

Approving a dwelling on the site would also be contrary to the City's rural dwellings policy at Clause 22.02 which states that it is policy to discourage dwellings on existing small Crown allotments in all rural areas created before planning controls. As outlined earlier in this report, the site is part of an overall larger agricultural property in common ownership, consisting of around 15 separate land parcels, all of which are old Crown allotments. If approved, the proposal would essentially break up a larger land tenement, which already contains a dwelling, resulting in the fragmentation of rural land. Further, it would invite the fragmentation of the remaining lots within the common ownership in the same manner.

The municipality contains many thousands of vacant historic lots that each form part of a broader holding. Individual development of each of these, parcel by parcel, would have significant economic, environmental and landscape issues for the municipality.

The applicant has not engaged on the third element of Council's resolution, to be able to understand the future intention of the remaining lots within the balance farming tenement.

Based on the assessment, it is concluded that the proposal would not be acceptable when considered against local planning policy.

Environmental Significance Overlay

The site is also affected by the Environmental Significance Overlay – Schedules 1 and 3. Schedule 1 relates to the protection of watercourses and associated ground water quality, which supplies the Greater Bendigo region for the provision of potable water and agricultural activities. Schedule 3 aims to ensure the protection and maintenance of water quality and water yield within the Eppalock Water Supply Catchment Area. The development would likely cause a negative detrimental impact on these significant watercourses and catchment areas if the land is not managed correctly. Although the applicant submitted a 10-year land management plan, the plan is not detailed enough to ascertain whether the proposal would improve the quality of watercourses within the subject site. Whilst the referral authorities did not object to the proposal, their assessment was isolated to specific fields and not the comprehensive assessment against the Planning Scheme as required by the City.

This, however, is not a key area of concern and the recommendation for refusal does not derive from this particular planning control.

Conclusion

While the amended Environmental Management Plan is more detailed than the previous plan, the consideration for assessment is whether the Plan changes the original recommendation. The conclusion of the assessment is that the plan does not change the recommendation because the substantive in-principle reasons for the original recommendation remain, regardless of the quality of the plans provided.

The Scheme does not identify that dwellings should be supported in this area 'in exchange' for good land management or environmental outcomes. Given the context of the land as agricultural, the applicant could potentially have proposed a more intensive

agricultural enterprise necessitating the support of a residence, however this is not understood to be the intention.

Having regard to the relevant planning controls, the amended Environmental Management Plan still does not demonstrate Planning Scheme support. The proposal remains a 'de facto' rural living outcome. The added agricultural component of sheep grazing does not necessitate a dwelling being located onsite, given that the small scale of these activities can occur without one. The advice of the City's agribusiness team is that small flocks and their offspring do not require a dwelling for support, as long as the minimum welfare standards have been put in place by the owner.

The proposal continues to reflect an incremental and concerning shift towards rural living in an area of the municipality not intended for such a purpose. The City has around 70 years land supply remaining within Rural Living Zones. Planning policy seeks to direct such activities to such areas to safeguard remaining rural areas from the impacts of dwelling proliferation and land fragmentation.

It remains of concern that the applicant has not engaged on the second element of Council's resolution to convey the intended future of the land within the residual farming tenement. Approval of the current proposal has the potential to set in chain the gradual outselling and pressure to develop the other 14 lots, disaggregating the farm and reducing its productive capacity. It would also undermine planning policy that seeks to direct such activities to strategically defined areas in the form of Rural Living Zones.

Finally, it is noted that the refusal of the application would not hinder the ability for the land to continue to be used for agriculture in accordance with the purposes of the zone, nor would it prevent good conservation and land management being practiced.

It is therefore 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 refuse to grant a permit; grant a permit; or grant a permit with conditions.

16.2. 15 Panorama Road, Lockwood South 3551 - 2 Lot Subdivision of Land (Dwelling Excision)

Author	Peter O'Brien, Planning Coordinator and Liz Commadeur, Planner - Subdivisions
Responsible Director	Steve Hamilton, Director Strategy and Growth

Summary/Purpose

Application details:	2 lot subdivision of land (dwelling excision)
Application No:	DS/266/2021
Application Documents	Application Documents
Applicant:	W A Martin and K L Martin
Land:	15 Panorama Road, LOCKWOOD SOUTH 3551
Zoning:	Farming Zone
Overlays:	Nil
No. of objections:	Nil
Consultation meeting:	NA
Key considerations:	<ul style="list-style-type: none"> Will the proposal result in an acceptable planning outcome having regard to Planning Policy and the Farming Zone? What has the Victorian Civil and Administrative Tribunal (VCAT) said about dwelling excision subdivisions in the Farming Zone?
Conclusion:	The applicant has appealed to VCAT against the City's failure to determine the application within the statutory timeframe. This report recommends Council establish the position of <i>not supporting</i> the proposal at the VCAT hearing scheduled for 27 October 2021.

RECOMMENDATION

The Council advise VCAT and the Permit Applicant that it does not support the granting of a permit for a 2-lot subdivision of land (dwelling excision) at 15 Panorama Road, LOCKWOOD SOUTH 3551 for the following reasons:

1. The proposal is inconsistent with planning policy regarding rural subdivisions and dwellings.
2. The proposal is inconsistent with the purposes of the Farming Zone.
3. The proposal does not support or enhance agricultural production which would be one of few reasons that a dwelling excision subdivision may be supported.

RESOLUTION

Moved: Cr David Fagg

Seconded: Cr Andrea Metcalf

That the recommendation be adopted.

CARRIED

Policy Context

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

- Goal 4 Presentation and managing growth
- Goal 6 Embracing our culture and heritage

Attachments

1. Planning Assessment Report

Attachment 1 - 15 Panorama Road Planning Assessment Report

Background Information

In March 1994 the site was created by the consolidation of two Crown Allotments by the former Rural City of Marong.

Report

Subject Site and Surrounds

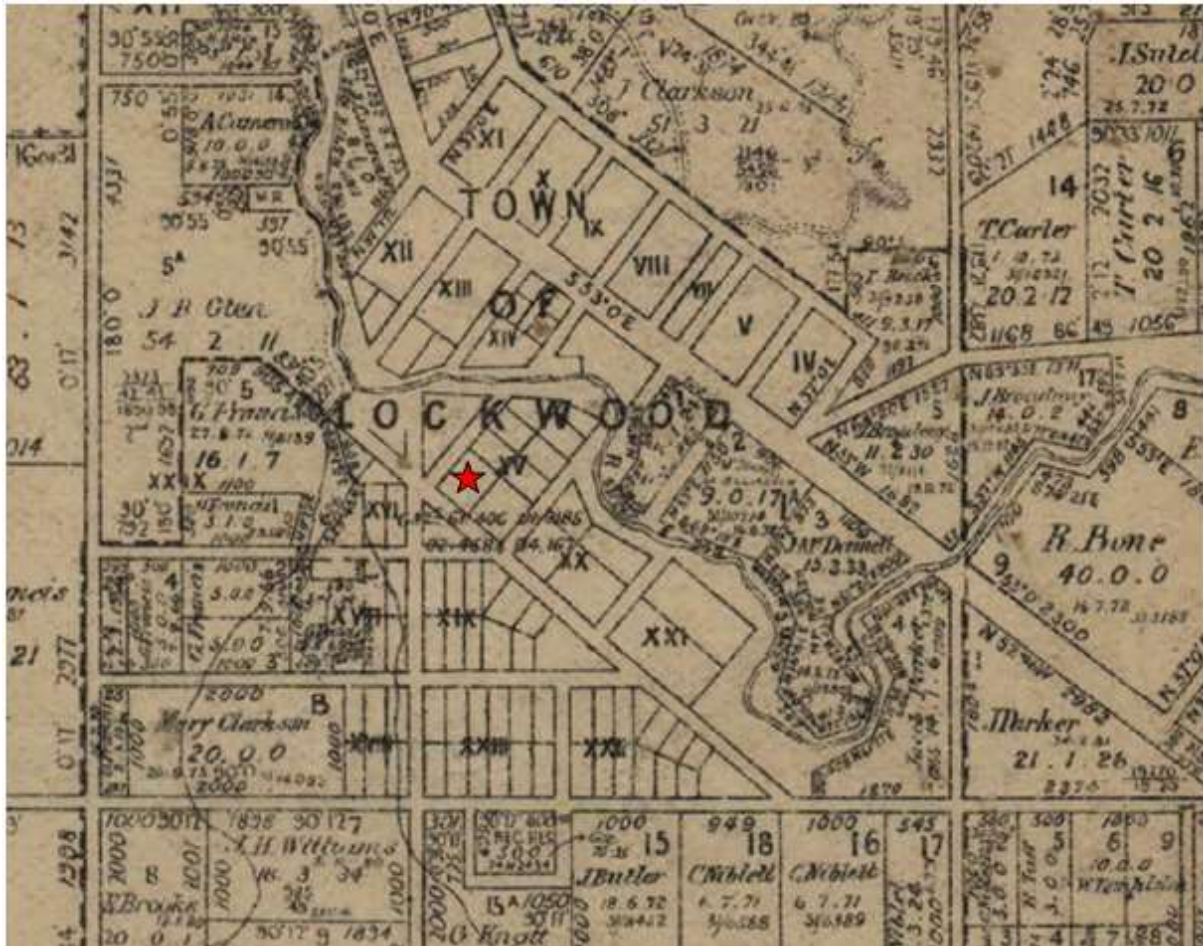


Figure 1: Location of application site on original survey / parish map for Lockwood.

The subject site is located on the corner of Panorama Road and Brooke Street, Lockwood South, approximately 150 south east of the Bendigo-Maldon Road. The site is rectangular in shape with an area of 8,093 square metres. The site has a frontage of 80.46 metres to Panorama Road and 100.58 metres to Brooke Street. A dwelling and outbuildings are in the south eastern part of the site. Access to the site is available from Panorama Road and Brooke Street. The site is currently serviced by electricity and telecommunication supply systems. Potable water can be provided by existing water tanks adjacent to the dwelling and a septic tank system is available for the management of wastewater on site.

The site is described as Land in Plan of Consolidation 354339 with two former Crown Allotments having been joined together to make the title which now exists. All other titles in the immediate surrounds are 4,000 square metres in size and above.

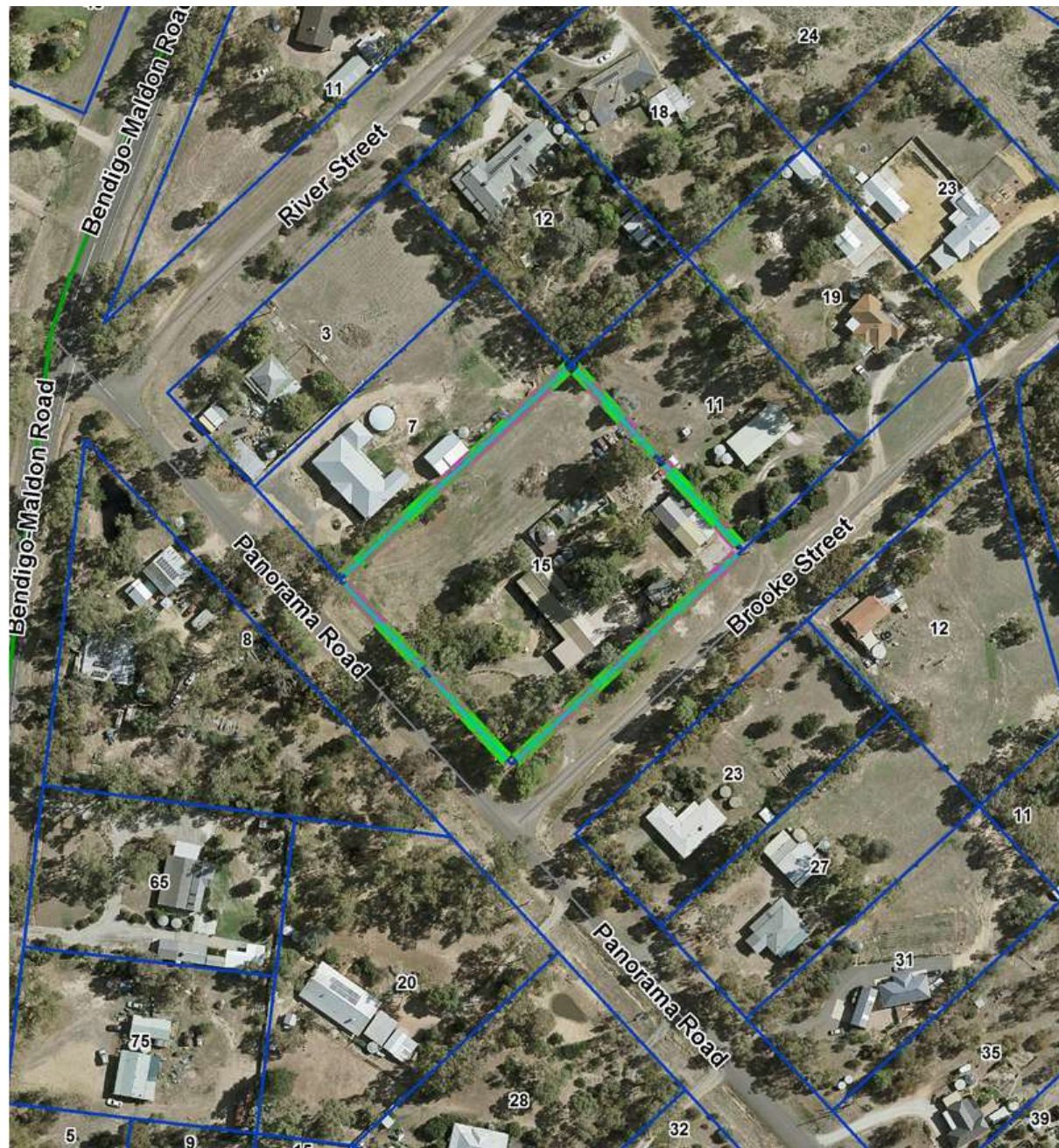


Figure 2: Location map showing subject site.



Figure 3: Application site in relation to Low Density Residential Zoned land.

Proposal



Figure 4: Proposed plan of subdivision.

The applicant seeks approval for a two-lot subdivision (dwelling excision). The subdivision layout would feature:

- Lot 1 would have an area of 5,377.01 square metres.
- Lot 2 would have an area of 2,715.66 square metres.
- An existing dwelling and associated outbuilding would be retained on Lot 1.
- Access to Lot 1 is from Panorama Drive Road and a secondary access from Brook Street, while access to Lot 2 would be from Panorama Drive.
- The lots created by the subdivision are capable of being serviced by electricity and telecommunication supply systems.
- Water supply can be provided by onsite water tanks (in the absence of reticulation).
- The management of wastewater on site would be reliant on septic tank systems.

Planning Controls - Greater Bendigo Planning Scheme

The need for a planning permit is triggered by:

- Clause 35.07-3 of the Farming Zone, which states that a permit is required to subdivide land.

The zone states that the minimum lot size for subdivision of land is 40 hectares, meaning that at least 80 hectares would be required to undertake a two-lot subdivision.

The application site is approximately 8,092.7 square metres. The Planning Scheme does, however, state that a permit may be granted to create smaller lots if the subdivision is to create a lot for an existing dwelling. The Planning Scheme at clause 35.07-3 states that a subdivision of this type must be a two-lot subdivision.

This provision is commonly referred to as being a 'dwelling excision' type of application.

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

Planning Policy Framework

- Clause 11 Settlement
- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement – Loddon Mallee South
- Clause 14.01-1S Protection of agricultural land Clause 15.01-3S Subdivision design
- Clause 16.01-5S Rural residential development
- Clause 16.01-3S Housing diversity

Local Planning Policy Framework

- Clause 21.02 Key Issues and Influences
- Clause 21.07 Economic Development
- Clause 22.02 Rural Dwellings Policy
- Clause 22.03 Rural Subdivision Policy

Other Provisions

- Farming Zone (clause 35.07)

- Decision guidelines (clause 65).
- Referral and notice provisions (clause 66).

Consultation/Communication

Referrals

The following authorities and internal departments have been consulted on the proposal:

Referral	Comment
Traffic & Design	No objection subject to conditions
Drainage	No objection subject to conditions
Environmental Health	No objection subject to conditions

Public Notification

The application was advertised by way of notice on the site and letters to adjoining and nearby owners and occupiers. No objections to the granting of a permit were received.

Planning Assessment

Will the proposal result in an acceptable planning outcome having regard to Planning Policy and the Farming Zone?

The applicant is seeking approval to subdivide land into two parcels, to allow the excision of an existing dwelling (Lot 2). The balance lot would be able to be separately sold and it is assumed any future purchaser would want to construct a dwelling. The construction of dwelling on the balance land would need a further Planning Permit given the zoning and that the current and proposed lot are both well under 40 hectares in size.

The Farming Zone specifies that all lots created by subdivision should be at least the area specified in the zone. In Greater Bendigo, the required minimum lot size is generally 40 hectares, however in this case, the area of the proposed lots does not comply.

There is discretion to grant a permit for a smaller lot if the subdivision is to create a lot for an existing dwelling and the Scheme states that it must be a two-lot subdivision. Because a permit may be granted does not mean it should be granted. The responsible authority must decide whether the proposed subdivision will produce acceptable outcomes in terms of the decision guidelines of the Farming Zone.

The purposes of the Farming Zone encompass the following relevant matters:

- *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 provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Only one of the zone purposes directly refers to 'dwellings', however this should not be taken to mean that the zone purpose supports the construction of dwellings, rather that purpose is centred around ensuring dwellings *do not adversely affect the use of land for agriculture*.

In addition to the minimum lot size provision, the provisions of the Farming Zone direct that consideration must also be given to several decision guidelines under the Farming Zone which consider the question of how rural subdivisions fit within these purposes.

The decision guidelines provide a means by which to assess such applications. The decision guidelines include the following matters that are relevant to this application:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*

The Rural Dwellings Policy (Clause 22.02) and Rural Subdivision Policy (Clause 22.03), supported by both State and local policy at Clauses 14.01-1S and 21.07- 8 and 21.07-10 discourage subdivision and dwellings on lots smaller than the schedule minimum. The Rural Subdivision Policy states:

- *Ensure lots created by excising dwellings under the provisions of Clause 35.07-3 should have a maximum size of 2 hectares, except as otherwise required by a provision of this planning scheme.*
- *Discourage subdivision that is likely to lead to such a concentration of lots as to change the general use and character of the rural area and which is not consistent with the purposes of the zones.*
- *Ensure lots created under the provisions of Clause 35.03-3, 35.06-3 or 35.07-3 for residential use and development are: -*
 - *Clustered in order to minimise the area taken up by residential use and development;*
 - *Not located to limit the productive use and development of rural land; and*
 - *Boundary realignments will be discouraged except if they are minor adjustments to take account of physical, person made or topographical features on the site.*
- *Ensure that lots created are of sufficient size to contain and manage domestic wastewater within the boundaries of each lot, to be demonstrated by a land capability assessment, where connection to reticulated sewerage is not required by the responsible authority.*
- *Discourage subdivision of high-quality agricultural land.*
- *Ensure subdivisions are carefully planned to protect water quantity and quality and significant native vegetation.*

- *Discourage serial excisions and further subdivision after re-configuration of existing titles.*

Officers do not assert that the land is being used productively, nor (given the context) would it likely raise issue for land which is being used in this way. Likewise, there is no issue with 'technical' ability for the lot to contain a dwelling, particularly regarding onsite effluent disposal for the proposed lot, and the system associated with the existing dwelling which has been confirmed by advice received from the City's Environmental Health team.

The factual situation for this site is atypical given the lot is located within an area originally surveyed to be the Lockwood Township (refer to Figure 1) and both the Low-Density Residential Zone and Farming Zone are applied in this former Township. The Low-Density Residential Zone has a minimum subdivision lot size of 4,000 square metres in cases where sewer is not available and there is no equivalent 'dwelling excision' provision which would allow those lots to be further subdivided. It seems counter to orderly planning that the Farming Zone lots could potentially be further subdivided, yet the Low-Density Residential Zone (which is a residential zone) cannot be.

The City has not sought to provide further locality specific guidance for area in the same way it has for Ravenswood, Neilborough and Kamarooka where the planning tool of the Restructure Overlay has been applied so that these areas develop in a more orderly way. The City has also not planned strategically for this area to develop as a township, had that been the case a different planning regime, for example the Township Zone would apply.

With respect to the proposed subdivision, what is being sought is atypical. This type of subdivision is generally confined to the subdivision of an existing dwelling from a significantly larger rural lot, with the balance lot continuing to be farmed. In many cases the balance (larger lot not containing the dwelling) is then restricted via permit conditions requiring the use of section 173 agreements to not allow for a further dwelling for a defined period, or at such time that the zoning changes. This is not the case in this instance.

Dwelling excision subdivisions (particularly those on larger lots) can be detrimental to the efficient operation of farming land if the subdivision does not relate to and is not required for the farming activity on the land. Both the current and proposed lots are under 2 hectares in size – and this element of the Rural Subdivision Policy is in place as it assumes that an excision would occur only in a case where the land was a large lot, the balance would be farmed hence the importance of minimising the lot area for the excised dwelling.

The excision of an existing dwelling in this case would create the expectation that an additional dwelling would be constructed on the vacant lot. In this case officers hold the view that there is no strategic basis for the approval of the subdivision, which could potentially be the case if the subdivision was of a larger farming lot where a nexus was demonstrated that the excision was related to the process of the consolidation of a larger farm. Further, the City has not planned strategically for the Lockwood Township to contain more dwellings as has been the case with other localities faced with similar contexts.

Panorama Road and its surrounds (both within the Farming Zone and Low-Density Residential Zone) represents what would be described as fragmented in terms of ownership and a more rural residential pattern of development. Larger Farming Zone holdings exist beyond this area, including a poultry farm approximately 1 kilometre to the south of the site.

Strategically, it is well understood that Greater Bendigo has a significant supply of land zoned for Rural Living purposes (an estimated 70 years supply), so whilst this proposal would only introduce a further Farming Zoned lot, there is clearly no strategic imperative for this subdivision to be approved.

Whilst planning does not operate under precedent, Council must be cautious in how discretion is exercised, and that exercise of discretion should be fair, orderly and consistent. Given the challenges the City currently has in assessing applications on existing Crown Allotments, it would not be an orderly planning outcome strategically if the dwelling excision provisions were used to create additional small unserviced allotments.

What has the VCAT said about dwelling excisions in the Farming Zone?

Most of the VCAT decisions that were reviewed tended to be cautious of dwelling excision applications, where the proposal has no relationship with, or is required for, the continuing operation of the agricultural use of the land and would merely allow the lot to be sold to another unrelated party.

It is acknowledged that VCAT decisions all rely on their own particular facts, contexts and application of the relevant Planning Scheme; however, in *Graham v Surf Coast SC* [2016] VCAT 883 (31 May 2016), the Tribunal found:

“The planning loss in this case is less about the loss of productive land, because the proposed house lot is relatively small (and even though it may be cropped/grazed). Rather, the loss relates to the creation of a small house lot that can only be used for rural living or lifestyle purposes. It is not proposed to contribute to agricultural production and is not intended to have any link with the balance lot that will continue in agricultural production. The current owners may have no issue with farming on abutting land because of their own experience but that is not necessarily the case for new occupants. Mr Forbes acknowledges issues can and do arise when “urban romantics” take issue with agricultural activities even though his evidence is that the impacts are not significant and the concerns are not well founded.”

With respect to the current viability of land or otherwise as a productive farming enterprise *Smith v Baw Baw SC* [2016] VCAT 611 (28 April 2016) found that:

“There is now, and for decades past has been, a desire by some people to capitalise on the residential value of farming land but this is to the detriment of farming purposes. It is thus that policies against the fragmentation of farming land by subdivision into small less useful or useless pieces (useless, that is to say from a farming point of view) have been formulated. Indeed, the tendency over 50 years or so has been for the areas needed for viable farming to increase rather than decrease, notwithstanding the advantages of advanced farming techniques, machinery, fertiliser and so on.

I should add, that it is not a question of every piece of land being a viable farm, standing alone. Substantial pieces of land can be aggregated to be the basis of viable agricultural activities. To do that it is convenient but not always necessary for pieces of land being used to be contiguous. A piece of land, not sufficient for a viable farm in itself, is still valuable farm land that can be owned, leased or used for agistment in association with other farm land. However, fragmentation into little bits is strongly contraindicated.”

Officers have been unable to locate a VCAT decision which relates to a parcel of land as *small* as 15 Panorama Road. In support of the recommendation being made, there are cases where councils, in approving dwelling excision subdivisions in order to be satisfied that the balance land will not be used for a dwelling, have in fact included permit conditions requiring section 173 agreements to this effect. These types of conditions / restrictions can be challenged at VCAT, however the use of this type of condition again underscores the sorts of circumstances where a dwelling excision should be entertained – such a circumstance is not the case for this proposal.

Conclusion

The applicant has appealed to the Victorian Civil and Administrative Tribunal (VCAT) against the City’s failure to determine the application within the statutory timeframe. This report recommends Council establish the position of *not supporting* the proposal at the VCAT hearing scheduled for 27 October 2021.

Options

Council may resolve to either:

- Advise VCAT it does not support the Grant of Permit as recommended; or
- Advise VCAT it does support the grant a permit with conditions.

16.3. Planning Scheme Amendment C241 - Former Golden Square Primary School at 6 Laurel Street, Golden Square

Author	Wonona Fuzzard, Coordinator Public Spaces and Place Making
Responsible Director	Steve Hamilton, Director Strategy and Growth

Purpose

The purpose of this report is to provide details of the proposed planning scheme amendment affecting the former Golden Square Primary School at 6 Laurel Street, Golden Square (known as Amendment C241gben).

Summary

Council has now been formally advised that following a request from the Department of Treasury and Finance (on behalf of the Department of Education), the Minister for Planning has referred Amendment C241gben to the Government Land Standing Advisory Committee (GLSAC) to facilitate the planning scheme amendment for the former Golden Square Primary School.

RECOMMENDATION

That Council:

1. Make a submission regarding Planning Scheme Amendment C241gben to the Government Land Standing Advisory Committee based on the position outlined in this Report.
2. Authorise City officers to present at any future Directions Hearing or Public Hearing on behalf of Council's submission.

RESOLUTION

Moved: Cr Andrea Metcalf

Seconded: Cr David Fagg

That the recommendation be adopted.

CARRIED UNANIMOUSLY

Cr Fagg left at 7.56pm

Cr Fagg returned at 7.57pm

Policy Context

Primary Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

- Goal 2 Wellbeing and fairness
- Objective 2.2 Promote positive wellbeing across the Greater Bendigo community

- Objective 2.5 Create safe and resilient communities

Secondary Community Plan Reference(s):

City of Greater Bendigo Community Plan 2017-2021:

- Goal 3 Strengthening the economy
- Objective 3.1 Support our local businesses and industry to be strong, vibrant and to grow and develop
- Goal 4: Presentation and managing growth
- 4.1.3 Complete agreed structure and township plans, this includes a neighbourhood revitalisation program for Golden Square.
- 4.2 Plan to meet future housing needs
- Goal 6: Embracing our culture and heritage
- Recognise and celebrate our unique history and diverse cultures.

Other References:

Connecting Greater Bendigo – Integrated Transport and Land Use Strategy 2015

Aims for a compact city, providing better access for people to both goods and services and promotes improved public transport and active transport for better health and wellbeing. Advocates for the reopening of the Golden Square railway station which is immediately adjacent to the subject site.

Greater Bendigo Residential Strategy (2014)

The Residential Strategy seeks to plan for and manage future residential development of the municipality. It includes the following relevant key direction:

“Facilitate the utilisation of significant infill and urban renewal sites with new innovative forms of housing, residential development and community focused neighbourhoods with an initial focus on land commonly referred to as ‘the Chum Street site’ and progressively focusing on a series of other publicly owned sites that have development potential.”

The development objectives relevant to the subject site are:

- Encourage the efficient use of land within the Urban Growth Boundary, including infill development while carefully managing any environmental risk and respecting the character of the area.
- Promote higher density and diversity on sites that demonstrate high levels of accessibility and proximity to activity centres and nodes such as the university and hospital precincts.
- Support high quality, well designed higher density residential development, especially in accessible locations, such as the City Centre, University Precinct and Village Centres.

Greater Bendigo Housing Strategy (2016) (Amended 2018)

The relevant key strategic directions which arise from the Housing Strategy include:

- To provide greater diversity in housing with a focus on smaller housing on smaller lots with a component of affordable housing.

- To have housing in accessible locations and for future residents to have safe active transport options.
- To improve the design quality of housing and the public realm and a generous provision of quality public open space and areas for people to gather.

Draft Golden Square Structure Plan and Urban Design Framework

The Draft Golden Square Structure Plan aims to develop a framework which will provide direction to revitalise and transform the suburb over time. The Plan sets out objectives, strategies and planning scheme recommendations on matters including land use (residential, commercial, industrial, passive open space), environmental risks (bushfire, flooding, and soil contamination), public realm improvements and the public transport network. The subject site has been considered in the Plan and is addressed in more detail in the Urban Design Framework which promotes the reuse of the site for higher density residential development and reuse of the exiting heritage listed former school building.

Background Information

The City was advised of the Education Department's intention to sell the property on 17 November 2015 as per the First Right of Refusal process. Various parts of the City provided feedback, including units such as Strategy, Active and Healthy Lifestyles, Property, Community Partnerships, Economic Development, Property and Engineering.

The City, at the time, advised the Department of Treasury that it did not intend to purchase the site. The City, however, did indicate that it was interested in the future use of the site, and specifically, that it has potential for an innovative housing development that would take advantage of its location i.e. close to commercial centre, community facilities, Calder highway and the disused railway station identified as part of the Bendigo Metro network.

Previous Council Decision Date:

19 August 2020 – Council resolved to place the Draft Golden Square Structure Plan, Background Report and Urban Design Framework on public exhibition.

Report

Government Land Standing Advisory Committee

A Government Land Standing Advisory Committee (GLSAC) has been appointed for the Golden Square Primary School site which is a fast-track planning scheme amendment process. Council is not the planning authority for Amendment C241gben, but can prepare and lodge a submission to GLSAC if it chooses. Council's submission would be considered alongside all other submissions that are received from the community. Submitters will also be able to present their views in front of the GLSAC at a public hearing.

At completion of the public hearing, the GLSAC will provide a report directly to the Minister for Planning with recommendations on Amendment C241gben, and the Minister for Planning will determine the final planning scheme controls.

In the event that If the site is to be rezoned for residential development, then the Department of Treasury and Finance could decide to commence a sale process.

Subject Site

The former Golden Square Primary School at 6 Laurel Street, Golden Square is comprised of 9 lots:

- Crown Allotment 3A, Section15A at Bendigo, Parish of Sandhurst (Crown land)
- Lots 1-3 Title Plan 951463
- Crown Allotments 15 and16, Section15A at Bendigo, Parish of Sandhurst
- Lots 1-3 Title Plan 812382



Figure 1: Aerial photo



Figure 2: Zoning map

The site is currently part zoned Public Use Zone (PUZ6) and General Residential Zone (GRZ).

Amendment C241gben

The amendment proposes to:

- Rezone part of the site from Public Use Zone 2 (Education) to General Residential Zone (Schedule 2), to facilitate residential development.
- Apply the Development Plan Overlay (Schedule 30).
- Apply the Environmental Audit Overlay.
- Remove the Heritage Overlay (HO25) that covers part of the site, and apply a new Heritage Overlay (HO916) that includes the heritage significant former school building and peppercorn tree.
- Remove the Neighbourhood Character Overlay (Schedule 1) from part of the site.
- Amend the Golden Square Residential Character Policy, and remove from part of the site.

In summary the proposal:

- Identifies a higher density dwellings scenario;
- Promotes adaptive reuse and protection of the heritage listed main former school building;
- Demonstrates active support for the protection of the heritage elements of the site through the identification of curtilage areas and protection of views to Laurel Street;
- Building heights that range from 9m to 13.5m; and
- A public open space component for connection from the former train station to Laurel street.

The Explanatory Report for Amendment C241gben is included as Attachment 1, and provides information on what the amendment does, and also its justification.

Draft Golden Square Structure Plan and Urban Design Framework

The draft Golden Square Structure Plan and Urban Design Framework provide the following strategic directions for the Golden Square Primary School site:

- Protect the existing heritage buildings on the site
- Support for higher density development on the site
- Support four storey apartments along the southern boundary
- Support 2-3 storey dwellings in the central part of the site
- Support 2 storey dwellings along the Panton street frontage
- Support the re-use of the heritage listed school building
- Protect key views from Laurel street to the heritage listed school building
- Provide a pedestrian connection from the former train station site to Laurel Street

Overall the information in the Explanatory Report is comprehensive, and the proposed higher residential density development is generally consistent with the vision outlined in the draft Golden Square Structure Plan. The protection and promotion of an adaptive re-

use of the former school building is supported and allows opportunity for complementary uses and ongoing access.

However, a key point of difference is the recommended building heights. The draft Structure Plan took a conservative approach to increasing density on the site, particularly in regard to the height of buildings. This component of the draft Structure Plan was already under review due to consideration of a submission received on behalf of the Department of Education. The submission was supportive of the overall vision of the draft Structure Plan, however, requested reconsideration of the heights proposed. Heights proposed are generally a storey higher than recommended in the Structure Plan with the height stepping up towards the back of the site.

Panton street is wide and lined with street trees. The width and depth of the site provides opportunities to develop a quality integrated design solution that could accommodate additional height in the central/ rear part of the site if the controls provide clear direction. With respect to the two to three storey buildings (up to 11m height) that are proposed to front onto Panton street and be included in the central area, any potential adverse impacts have been addressed well in the Development Plan Overlay (Attachment 2) through the following requirements:

- Front setbacks to Panton Street must be determined by the setbacks of the nearby church buildings;
- Buildings must be setback a minimum of five metres to side boundaries; and
- Buildings taller than two storeys must incorporate upper level side and front setbacks in order to reduce bulk and reduce amenity impacts.



Figure 3: Development Plan Overlay – Proposed heights and setbacks

Having regard to the controls in the Development Plan Overlay it is considered that the heights as proposed in this amendment have merit and will assist in achieving optimum use of an important infill development site which are becoming increasingly limited across Greater Bendigo. The draft Structure Plan will be presented to Council shortly and the relevant recommendations from this Report will be incorporated into the final document.

Affordable Housing

Appropriately located social housing to support the growing community needs, has been actively supported by the State government's recent Big Housing Build Program and Council's recent adoption of the Affordable Housing Action Plan. The subject site offers an excellent opportunity to consider a percentage of the site to be used for affordable housing. The site is ideally located for easy access to facilities and services which is why it was identified as a higher density development site. Further, this would provide an opportunity for adaptive reuse of the heritage building to provide complementary community-based services. There is precedence for this requirement to be included in planning schemes (most likely through the Development Plan Overlay) and would allow the State government to support the delivery of their own policy platform for delivery more affordable housing in the Big Build Housing Program.

Heritage

The heritage significance of the site has been considered in the Heritage Assessment Report and Statement of Significance (Attachment 3). The proposed amendment has included the recommendations of the Heritage Assessment and includes the protection of the main school building and peppercorn tree.

The Assessment also includes:

- A 5m curtilage around the school building;
- A view corridor that extends from Laurel Street to school building;
- A height control of 13.5m for development at the rear of the school building; and
- A height control of 9m on either side of the view corridor to Laurel Street.

The controls recommended are supported having regard to the high heritage value of the former school building, however, an extension of the curtilage area at the rear of site from five to eight metres should be considered due to the development height proposed at this part of the site.

Public Open Space

As part of the development of the draft Golden Square Structure Plan, discussions were held with Department of Treasury and Finance to look at opportunities to protect a portion of the land adjacent to the former railway station, as Council was advocating the reopening of the station. This would be the only opportunity to get a public access connection from the station to link to Laurel street allowing easy access to the commercial area on High Street. It was agreed that the wedge of land in question could be the offset of the required Open Space Contribution, and this agreement is recommended to form part of Council's submission to Amendment C241gben. It should be noted that originally this portion of land had been identified for development to a height of nine metres.

Priority/Importance:

This is of high importance due both to the importance of this site for the community and the timing for the exhibition period which concludes on 24 October 2021.

Options/Alternatives:

Council has the option of:

- Making a submission regarding the Planning Scheme Amendment to the Government Land Standing Advisory Committee which outlines our recommendations for the proposed amendment.
- Making a submission regarding the Planning Scheme Amendment to the Government Land Standing Advisory Committee which supports the amendment as exhibited.
- Not making a submission regarding the Planning Scheme Amendment to the Government Land Standing Advisory Committee.

Consultation/Communication

On Monday, 13 September 2021 Council was formally advised that following a request from the Department of Treasury and Finance (on behalf of the Department of Education), the Minister for Planning has referred Amendment C241gben to the GLSAC. The closing date for submissions is Sunday, 24 October 2021. The Directions hearing will take place in the week of 8 November 2021 followed by the Hearing in the week of 6 December 2021. Individual letters have been sent to a large area surrounding the development and an information session was held on 28 September 2021.

Interested community members and Council are now able to make a submission regarding the content of the proposed Amendment to the GLSAC as well as present at the Hearing

Resource Implications

Officer time will be required to prepare a submission to the Government Land Planning Service Advisory Committee.

Attachments

1. Golden Square Primary School Planning Report
2. Development Plan Overlay Schedule 30
3. Heritage Assessment and Statement of Significance

Attachment 1 - Golden Square Primary School Planning Report

Golden Square Primary School
Planning Scheme Amendment



Town Planning Report

Prepared by



For the Department of Treasury & Finance
December 2019

Use of report

This report has been prepared by Centrum Town Planning with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client.

This report is confidential and for the exclusive use of the Department of Treasury and Finance.

No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from Centrum Town Planning. Centrum Town Planning disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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Version	E
Date	121 December, 2019

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1 INTRODUCTION

This report has been prepared to support a planning scheme amendment to rezone the former Golden Square Primary School ('the site'). The site is located in Laurel Street, Golden Square, as shown in Figure 1 on the following page. The primary school closed in June, 2015. The site has been declared as surplus to education requirements by the Department of Education and Training (DET). In order to enable the sale of the land, the report recommends that a planning scheme amendment is prepared to rezone the site to the General Residential Zone with a Development Plan Overlay and Environmental Audit Overlay.

Centrum Town Planning was engaged to prepare this report by the Department of Treasury and Finance (DTF). The report provides a description of the site and surrounds, a description of the strategic and policy context, an analysis of the constraints and opportunities presented by the site, a discussion of its redevelopment potential and recommendations for planning provisions that should apply to the land.

The report is accompanied by two reports prepared by other consultants: a Heritage Assessment and Statement of Significance prepared by Amanda Jean, architect and heritage consultant, and a traffic and transport report prepared by Trafficworks. These reports are separately available as background documents.

2 SITE SUMMARY

Name of school	Golden Square Primary School
Address	6 Laurel Street, Golden Square
Land area	12,680 square metres (1.268 hectares)
Legal description	Total of 9 lots: <ul style="list-style-type: none"> • Crown Allotment 3A, Section15A at Bendigo, Parish of Sandhurst (Crown land) • Lots 1-3 Title Plan 951463 • Crown Allotments 15 & 16, Section15A at Bendigo, Parish of Sandhurst • Lots 1-3 Title Plan 812382
Municipality	City of Greater Bendigo
Zone	<ul style="list-style-type: none"> • General Residential Zone (GRZ) - Part • Public Use Zone - Education (PUZ2) - Part
Overlays	Heritage Overlay (HO25) – Part
Covenants / Easements	<ul style="list-style-type: none"> • Sewerage easement over CA16



3 BACKGROUND

Surplus sites are offered for sale to Victorian Government Agencies, local government and the Commonwealth Government via a First Right of Refusal (FROR) process. For the Golden Square Primary School, this process occurred from 17/11/2015 to 16/01/2016. No other government authority or agency elected to purchase the site through this process.

From a town planning perspective, the *Victorian Government Land Transactions Policy and Guidelines (April 2016)*, state that:

Prior to offering land for sale by a public process, agencies must have in place the most appropriate planning provisions (including zoning) so that the land can be sold on the basis of its highest and best use. An agency must not offer land for sale to a private purchaser that is zoned for a public purpose under a planning scheme unless an exemption is obtained under section 2(d) of the Policy (State of Victoria, 2016, 4).

The Crown land component of the site therefore needs to be removed from the Public Use Zone and appropriate planning provisions applied, prior to sale.

The site comprises a mix of freehold and crown land. The Crown land, Crown Allotment 3A, Section 15A at Bendigo, Parish of Sandhurst, has an area of approximately 6,620 square metres. In accordance with the *Strategic Crown Land Assessment Policy and Guidelines (April, 2016)*, a Strategic Crown Land Assessment (SCLA) was undertaken on 15/6/2016. The report found that there were low public land values present at the site.

4 URBAN CONTEXT

This section of the report describes the urban context of the site and the suburb of Golden Square under a number of themes relevant to planning.

Location and linkages

The site is located in the central part of Golden Square, two kilometres to the south-west of the Bendigo CBD. It is strategically located in a narrow corridor of land that lies between the Bendigo-Melbourne Railway Line and High Street, the main arterial road route in Bendigo.

Golden Square is located in the middle of an eight kilometre long stretch of urban development that extends from Kangaroo Flat to the Bendigo CBD. The suburb is traversed by three major features that cross Bendigo in a south-east to north-west direction: High Street (Calder Highway), which connects Melbourne with the Bendigo CBD, the Melbourne to Bendigo Railway Line and the Bendigo Creek. These features are visible in Figure 2.

Golden Square is strategically located in urban Bendigo. The north eastern boundary of the suburb adjoins inner Bendigo and the Bendigo CBD, where most of the City's retail, services and education facilities are located. The south-western boundary adjoins Kangaroo Flat, the gateway to the City from Melbourne and the south. The site has a high level of connectivity to the rest of urban Bendigo via High Street and two inter-urban arterial road routes, the 'inner box' (Don Street/Myrtle Street) and 'outer box' (McKenzie Street West).

Settlement pattern

Golden Square is a diverse suburb from a physical and social perspective. This diversity reflects its location and history. Golden Square was the location of the first gold discoveries in Bendigo and was one of the earliest areas settled by Europeans during the gold rush of the early 1850s. Golden Square contains various former mining sites and large areas of industrial and commercial land that are a remnant of the mining and manufacturing history of the area. Urban development historically followed the transport spines of High Street and the Melbourne to Bendigo Railway line and the oldest buildings are concentrated along these routes.

Population profile

Golden Square is, first and foremost, a residential area. The usual resident population of Golden Square at the 2011 Census was 8,303¹, which represented approximately 10% of the population of Bendigo². In 2011, Golden Square, together with the adjoining suburb of Kangaroo Flat was home to over 20% of Bendigo's population. Together, these suburbs form the most populous part of the Bendigo urban area. A map showing the extent of Golden Square from the 2011 Census is provided in the background documents that form part of this project.

¹ Golden Square, Code SSC20653 (SSC)

² Bendigo Code UCL211003 (UCL)

Housing stock

Golden Square has a population density of approximately 10.0 people per hectare (<http://profile.id.com.au/>). Despite its relatively low-density built form, this population density is amongst the highest in Bendigo and reflects the significant extent of urban development across the suburb. There is little diversity in housing stock of Golden Square: 86% of houses are separate dwellings and 11.5% were medium density dwellings at the 2011 Census (<http://profile.id.com.au/>). This is similar to the profile of housing across the City of Greater Bendigo as a whole.

Shops and services

Following the gold-rush, Golden Square was developed as a village in its own right. This role is reflected in the diverse range of recreational, religious, employment and other services available in the suburb. Major uses and destinations in Golden Square include:

- Golden Square swimming pool, football, bowling and netball clubs in Wade Street;
- Woolworths supermarket, 234 High Street;
- Mercy Health Bethlehem Home for the Aged, Taylor Street;
- Fortuna Villa, Chum Street;
- Deborah Triangle industrial area, Hattam Street;
- Central City Caravan Park, High Street.

The locations of these sites are shown in Figure 2. Retail uses are today focused around the intersection of Laurel Street and High Street, 100 metres to the north-west of the site, as shown in Figure 1. This area includes a small independent supermarket, hotel, post office, medical centre and dentist. The identity of Golden Square as a village continues to be valued to this day, although functionally, it operates as a suburb of Bendigo.

The Bendigo CBD contains a broad range of shops and services that service the central Victoria region, including retail, commercial, recreation, cultural and civic infrastructure.

Future growth

As a result of its location and attractive attributes, as described above, Golden Square continues to experience residential development in a variety of forms. This includes small residential subdivisions and large infill residential development such as an 82 lot development in Aspinall Street. It also contains a number of 'brownfield' sites that are in the process of being converted to new uses such as the Coliban Water depot in Alder Street and land at Fortuna Villa in Chum Street. The locations of these sites are shown in Figure 2.

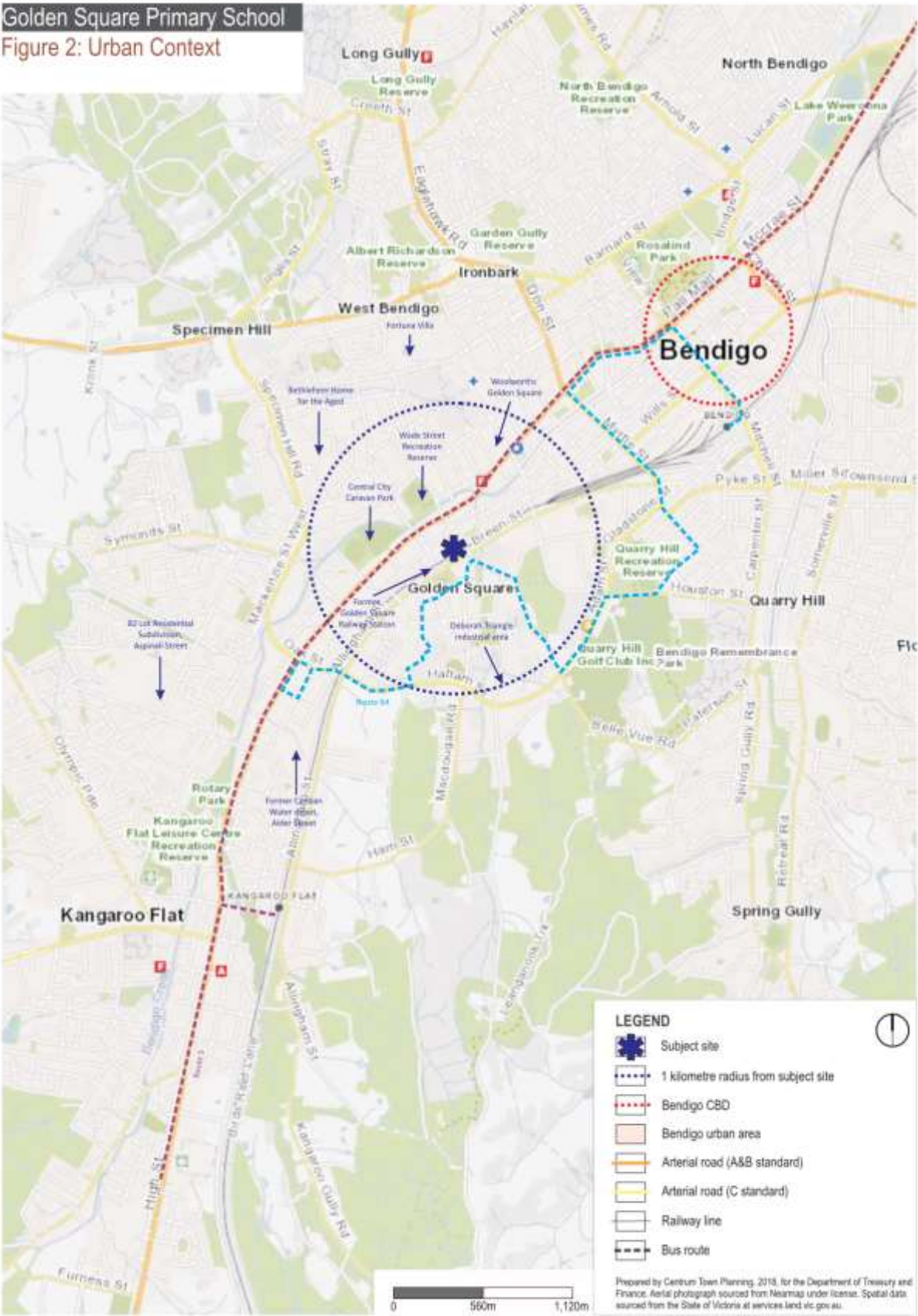
According to small area population projections prepared by the City of Greater Bendigo, the population of Golden Square is anticipated to increase by 1,707 people between 2016 and 2036, generating the need for an additional 703 dwellings (<http://forecast.id.com.au/bendigo/>). A summary of these projections is provided as Table 1, below. A map showing the extent of the Golden Square locality used in these projections is provided in the background documents.

Table 1 Population and housing forecast for Golden Square from 2016 to 2036

Summary	2016	2036	Net change	% Change
Population	9,208	10,915	1,707	19%
Households	3,849	4,602	753	20%
Average household size	2.32	2.27	-0.05	-2%
Population in non private dwellings	285	489	204	72%
Dwellings	4,030	4,733	703	17%
Dwelling occupancy rate	95.51	97.23	1.72	2%

Source: <http://forecast.id.com.au/bendigo/>, prepared by Centrum Town Planning, 2016

Golden Square Primary School
Figure 2: Urban Context



5 SITE DESCRIPTION

This section of the report provides a description of the key physical and planning related characteristics of the site. Many of the features that are described are shown in Figure 1 and the title and features plan in the background documents.

Physical characteristics

The site has an area of approximately 1.3 hectares. It is irregular in shape and has road frontages to Laurel Street, Panton Street and Maple Street. The south eastern boundary of the site abuts the Bendigo to Melbourne Railway Line. The high point of the land is the south western corner near Maple Street (237m AHD). From this point, the land falls approximately five metres to the north-west (Panton Street) and north-east (Laurel Street).

Legal attributes

The site comprises eight allotments. The largest of these is CA3A, the State School Reserve, which has an area of approximately 6,620 square metres. The remaining eight lots are freehold land owned by the Department of Education and Training. These include five lots that front Panton Street (approximately 3,750 square metres) and three lots near Maple Street (approximately 2,310 square metres).

The site is not affected by any registered restrictive covenants or Section 173 Agreements. Crown Allotments 16 is affected by a sewerage easement, which connects the site with sewerage infrastructure in Panton Street.

Existing use and development

The site has been developed with a large number of structures that reflect its former use as a school. The largest and most prominent building on the site is a Victorian school building that dates from 1874 (the 'main school building'). This is located centrally on the State School Reserve part of the site. It fronts Laurel Street to the north east and has a setback of approximately 40 metres from Laurel Street.

The main school building is constructed of red brick in the Gothic Style and has a central section and two wings. The building has a number of annexes at the front and rear that were added to the original building in the early 19th century. Apart from this, the building is substantially intact and in good condition. More details about the appearance, condition and layout of the building are provided in the Heritage Assessment and Statement of Significance provided as a background document.

The other structures on the site include portable classrooms, a hall and shelters. These are mainly located on the north-west (Panton Street) side and south-west (Maple Street) side of the site. It should be noted that a number of the portable classrooms that were located on the site when the background research for this report was carried out have since been removed by DET due to their age and condition. A number of these buildings are visible in photograph 7.

The site is currently used by Victoria Police for training purposes.

Landscape and vegetation

The remainder of the site has been developed for a mix of hardstand, gravel and grassed playground areas. The forecourt of the building on Laurel Street has been developed with hardstand playing courts, which are flanked by areas of native landscaping and several large trees. There is a grass oval that fronts Panton Street with a small row of gum trees inside the Panton Street boundary. Two large old peppercorn trees are located near the main school building, one to the south west of the building and one to the north.

Access and services

The site currently has three access points for vehicles and pedestrians:

- Laurel Street, the main pedestrian entry, there is no vehicle access from this gate;
- Panton Street, which allows vehicle and pedestrian access via a driveway;
- Maple Street, which features informal access for pedestrians and vehicles.

Electricity, gas, sewerage, water and telephone infrastructure are located in the immediate vicinity of the site. The site drains to Panton and Laurel Streets, which feature underground drainage pipes. These drains discharge into Bendigo Creek in Laurel Street to the north-west of High Street.

Site photographs

Photograph 1:
View of the main school
building and playground
forecourt from Laurel Street



Photograph 2:
View of the landscape
plantings near the Laurel
Street frontage of the site



Photograph 3:
Rear of main school
building showing annexes
and shade structures



Photograph 4:
View of the large old
peppercorn tree to the
north of the main school
building



Photograph 5:
View of the large old
peppercorn tree to the
south-west of the main
school building



Photograph 6:
Hall and storage sheds
looking north-west.



Photograph 7:
Entrance to the site from
Maple Street showing
portables (removed since
photograph taken)



Photograph 8:
Looking across the school
oval towards the main
school building from Panton
Street.



Photograph 9:
Panton Street frontage of
the site showing school
oval, avenue of gums and
Dutch elm street trees in
Panton Street.



Photograph 10:
Existing vehicle and
pedestrian access point on
Panton Street.



6 PLANNING PROVISIONS

The following zone and overlay provisions apply to the site under the Greater Bendigo Planning Scheme.

Zone provisions

The eastern part of the site is zoned Public Use Zone (Schedule 2). The remainder of the site is zoned General Residential (refer to Figure 3, below). The existence of land zoned General Residential is understood to reflect the historical acquisition of freehold land to the south west as the school expanded.

In the surrounding area, the land to the north-west is zoned Commercial 1. The other nearby land is zoned General Residential, with the exception of the Railway Line, which is zoned Public Use Zone (PUZ4) and Commercial 2 Zone on the south eastern side of the Railway Line.

Figure 3 Zone map



Source: www.services.land.vic.gov.au

Overlay provisions

The Heritage Overlay (HO25) applies to eastern part of the site that is zoned Public Use (refer to Figure 4). The Heritage Overlay is discussed in detail in the Heritage Assessment Report and Statement of Significance provided separate as a background document.

The Neighbourhood Character Overlay (NCO1) applies to CA16, which fronts Pantom Street (refer to Figure 4, below). This overlay is discussed in more detail in Section 12 of this report.

The Heritage and Neighborhood Character overlays also apply to land in the surrounding area. The Heritage Overlay applies to most of Laurel Street and the north-west side of Pantom Street. The Neighbourhood Character Overlay applies to the residential areas to the north-east and south-west along Pantom Street.

Figure 4 Overlay map



Source: www.services.land.vic.gov.au

7 SITE HISTORY & SIGNIFICANCE

This section of the report provides an overview of the findings of the Heritage Assessment and Statement of Significance prepared by Amanda Jean, 2018 (the 'Heritage Assessment'). A copy of this report is available as a background document. This assessment uses a range of primary and secondary data sources including heritage studies prepared by the City of Greater Bendigo. It was developed in accordance with the methodology set out in relevant VPP Practice Note for 'Applying the Heritage Overlay' (DELWP, 2018), and other accepted methodologies. The key findings of the assessment are summarised below under relevant sub-headings.

Heritage significance

The Heritage Assessment found that the main school building is a "key feature and contributory historic place" in the Laurel Street heritage precinct and "contributes to the high degree of integrity" of this precinct (Jean, 2018, 6). In its assessment against the relevant criteria for applying the heritage overlay, the Assessment found that the main school building:

- *The former Golden Square Primary School, No.1189, building is of historic significance as one of the oldest schools in Bendigo opening in 1874 and also one of the wealthiest. The evolution of the school illustrates the changing philosophy to public education in Victoria. (Criterion A)*
- *The former Golden Square Primary School, No.1189, is socially significant for providing education to the local population continuously for over 160 years prior to its closure in 2015. It is an unusual early example of a Junior Cadet School with onsite military training for students in the front drill parade ground. (Criterion H)*
- *The mature Peppercom tree, Schinus molle, at the rear of the primary school has historic significance as an exceptionally fine example of a school yard shade tree, which is over a hundred years old. (Criterion A)*
- *The former Golden Square Primary School, No.1189, has aesthetic significance as an excellent representative example of a colonial school based on the influential Buninyong Competition School Plan designed by architect, WH Elerker, under the direction of HR Bastow, the Education Department's Chief Architect. The building's design has an aesthetically pleasing bichrome red and cream brick Gothic Revival composition that has a high level of integrity. (Criteria E and D)*

Source: Jean, 2018, 18

The Assessment makes a number of recommendations about the future planning provisions for the site, including the application of the Heritage Overlay, as follows:

- *The existing Laurel Street Heritage Precinct, HO25, be removed from the former Golden Square Primary School, No 1189, as it extends to the original State School Reserve.*
- *Recommendation for the application of a new individual Heritage Overlay over the former Golden Square Primary School, No 1189, over the original State School Reserve and extended to include the rear mature Peppercom trees (Schinus molle).*

- *A curtilage be introduced for the former Golden Square Primary School, No 1189, heritage place in order to protect the heritage structure from future development including: -*
 - *View corridor that extends from Laurel Street to the front facade of the former Golden Square Primary School No 1189.*
 - *Height Control (H1) of 9 metres for all new development on either side of the View Corridor to Laurel Street.*
 - *5 metres curtilage around the side and rear elevations of the former Golden Square Primary School, No 1189.*
 - *Height Control (H3) of 13.5 metres height control for future development at the rear of the former state primary school.*
- *The Peppercorn Tree (Schinus molle) located at the rear of the Main School Building be included in the new individual Heritage Overlay for Tree Controls for the former Golden Square Primary School No 1189. Tree controls are specific to the Peppercorn Tree (Schinus molle) and include a no development curtilage of 25 metres diameter root protection zone around the tree.*
- *Recommendation that the former primary school sports playing fields, Lots 1-3 Title Plan 951463, Crown Allotments 15 Section 15A Parish of Sandhurst, be removed from the Heritage Overlay HO25, Laurel Street Heritage Precinct.*

Source: Jean, 2018, 19-20

Vegetation condition

The Department of Treasury and Finance commissioned A.C.A. Arboricultural Consultants Australia Pty Ltd to prepare an assessment of the condition of all trees on the site. A copy of the report is available as a background document.

The assessment found that:

- *The former Golden Square Primary School site consists of a tree-scape which is largely made up of Australian native species, the majority of which appear to have been planted in the early to mid 1990's.*
- *There are only two trees of potential significance upon the former Golden Square Primary School site, the two large (Schinus molle) Peppercom trees.*
- *The Peppercom tree at the rear of the main building (centre of site) is an exceptional specimen with a healthy and sound canopy. It is genuinely a tree worthy of protection.*
- *The Peppercom adjacent to the corner boundary fence of allotment...has been heavily lopped back to the boundary fence line. This has diminished the tree's aesthetic amenity to some extent but more seriously has resulted in a very large wound at the stem which is unlikely to heal over with new wound wood before internal decay takes its toll upon the tree's remaining structure over the longer term*
- *All other trees within the site have no particular significance and were planted relatively recently or are self-sown. The majority of these trees are exhibiting problems related to either their health, structure, overcrowding or proximity to infrastructure.*

Source: A.C.A. Arboricultural Consultants Australia Pty Ltd, 2017, 3-4.

The report considers that the Peppercom tree adjacent to 4 Laurel Street, does not have good long term prospects of survival. On this basis, it is considered that it should not be identified or protected through the heritage overlay.

The report recommends a Tree Protection Zone of 12 metres (radius) around the Peppercom tree at the rear of the main building. This distance should be used as the basis for the application of the Heritage Overlay, and a 25 metre diameter overlay is considered to be appropriate.

Recommendations

The key recommendations of the Heritage Assessment and Statement of Significance and Vegetation Assessment are, in summary:

- Removal of the existing Laurel Street Heritage Precinct, HO25 from the former Golden Square Primary School, No 1189, as it extends to the original State School Reserve.
- Application of a new individual Heritage Overlay (HO916) over the former Golden Square Primary School, No 1189, over the original State School Reserve and extended to include the rear mature Peppercom tree (Schinus molle), with tree controls to protect this Peppercom tree.
- Identification of a curtilage for the former Golden Square Primary School, No 1189, heritage place in order to protect the heritage structure, including view corridor to Laurel Street and height controls.

8 SITE SURROUNDS

This section of the report describes the areas surrounding the site with a focus on land use, built form and heritage and traffic and transport. Many of the features described are visible in Figure 1.

Land use and activities

The land fronting Panton, Laurel and Maple Streets in the immediate area is used predominantly for residential purposes. In addition, there are a number of small-scale service and industrial uses (auto repairs and supplies) on Laurel Street and Panton Street to the north east.

The site is located approximately 100 metres to the south of the Golden Square shopping precinct, which is focused on High Street but extends around the street block on Laurel Street. Key retail uses include the United Kingdom Hotel, a post office and newsagent and a small supermarket. A number of the commercial uses in High Street, including the supermarket, also have customer entry from Panton Street.

Heritage

The site is located in a cluster of religious and education buildings that are of heritage significance. These include:

- the former Golden Square Uniting (Wesleyan) Church, a significant red-brick Victorian church located on the south corner of Panton and Laurel Street (HO445);
- the former Uniting Church manse at 19 Panton Street;
- St Mark's Anglican Church at 29 Panton Street (HO452);
- the former Methodist Sunday School at 311-313 High Street (HO438);
- Laurel Street Railway Bridge (HO444).

The adjoining former Uniting Church is of architectural and historical significance to the state of Victoria, and is listed on the Victorian Heritage Register (H1371). The former Church and its manse are no longer used by the Church and were recently sold to private owners. The heritage significance of the surrounding area is discussed in more detail in the Heritage Assessment and Statement of Significance provided as a background document.

Built form

The church buildings described above are larger in height and form than the surrounding built form. They typically are greater than 8 metres in height, as shown in Figure 5. The former Uniting Church is the most dominant building in the area by virtue of its prominent corner location and impressive spire which extends to an estimated height of approximately 25 metres. The buildings associated with the shopping precinct are generally built with zero front and side setbacks to the street, reflecting their historical and ongoing retail role.

The land on the north west side of Pantom Street in the vicinity of the site has a strong residential character. It is characterised by single storey timber and brick dwellings with verandahs and garden settings. Most of the dwellings date from the Victorian era. Laurel Street opposite the site also features a number of Victorian dwellings. Most of these dwellings have heritage significance associated with the Laurel Street Precinct (HO25). A number of the dwellings are individually listed in the Heritage Overlay, as shown in Figure 5.

Traffic and movement

Pantom Street is a collector road that provides one lane of traffic in each direction, bicycle lanes and footpaths on both sides of the road. It provides a link between the southern part of Golden Square and the Bendigo CBD (via Hargreaves Street). According to the Traffic and Transport report prepared for this project, Pantom Street currently carries approximately 4,800 vehicles per day adjacent to the site (Trafficworks, 2016).

Laurel Street is also a collector road that provides one lane of traffic in each direction. It provides pedestrian footpaths on the north east side of the road and up to the school gate on the south-west side of the road. It provides a connection between the parts of Golden Square on the north-west side of High Street and those to the south east of High Street. The road carries approximately 4,000 vehicles per day adjacent to the subject site (Trafficworks, 2016). Laurel Street travels underneath the Railway Line just to the south of the site. This bridge has a clearance of 3.2 metres, which makes it unsuitable for some large vehicles.

Maple Street to the east of Pantom Street provides access to only four dwellings and is estimated to carry fewer than 100 vehicles per day. There is a footpath on the north-east side of the road.

Traffic and movement matters are addressed in more detail in the reports prepared by Trafficworks, which are provided as background documents.

Public transport

The following bus services are located close to the site:

- Route 5: Kangaroo Flat – Epsom via CBD along High Street, half hour intervals, Monday to Friday.
- Route 64: Golden Square to CBD along Belle Vue Road (East of Railway Line), hour intervals Monday to Friday.

These routes are shown in Figure 2. The former Golden Square Railway Station is located at the southern end of Maple Street. The station buildings are currently used for residential and media purposes. An underpass provides pedestrian access across the Railway Line at this point. Additional details about the traffic and transport network in the area are provided in the background documents.

Key features and places of interest in the surrounding area are shown in the photographs below.

Photographs of surrounds

Photograph 11:
Former Uniting Church on
the corner of Laurel and
Panton Streets.



Photograph 12:
Looking south east down
Laurel Street from High
Street.



Photograph 13:
Looking north-east along
High Street from the Laurel
Street intersection.



Photograph 14:
Looking north-west along
Laurel Street adjacent to
the site.



Photograph 15:
Looking south-east along
Laurel Street at the historic
rail bridge.



Photograph 16:
View of the former Golden
Square Railway Station at
the end of Maple Street.



Photograph 17:
Pedestrian underpass near
the former Golden Square
Railway Station.



Photograph 18:
St Marks Anglican Church
on Pantton Street.



Photograph 19:
Dwellings on the north west
side of Pantton Street,
opposite the subject site



9 SITE ANALYSIS

The subject site presents a range of opportunities and constraints for a new use or development. These will affect the future of the site in different ways depending on the type of use and development that is proposed. The opportunities and constraints are summarised below and shown visually in Figures 5-8. Each figure deals with a separate planning theme: urban design and heritage; landscape and environment; amenity and interfaces and transport and movement.

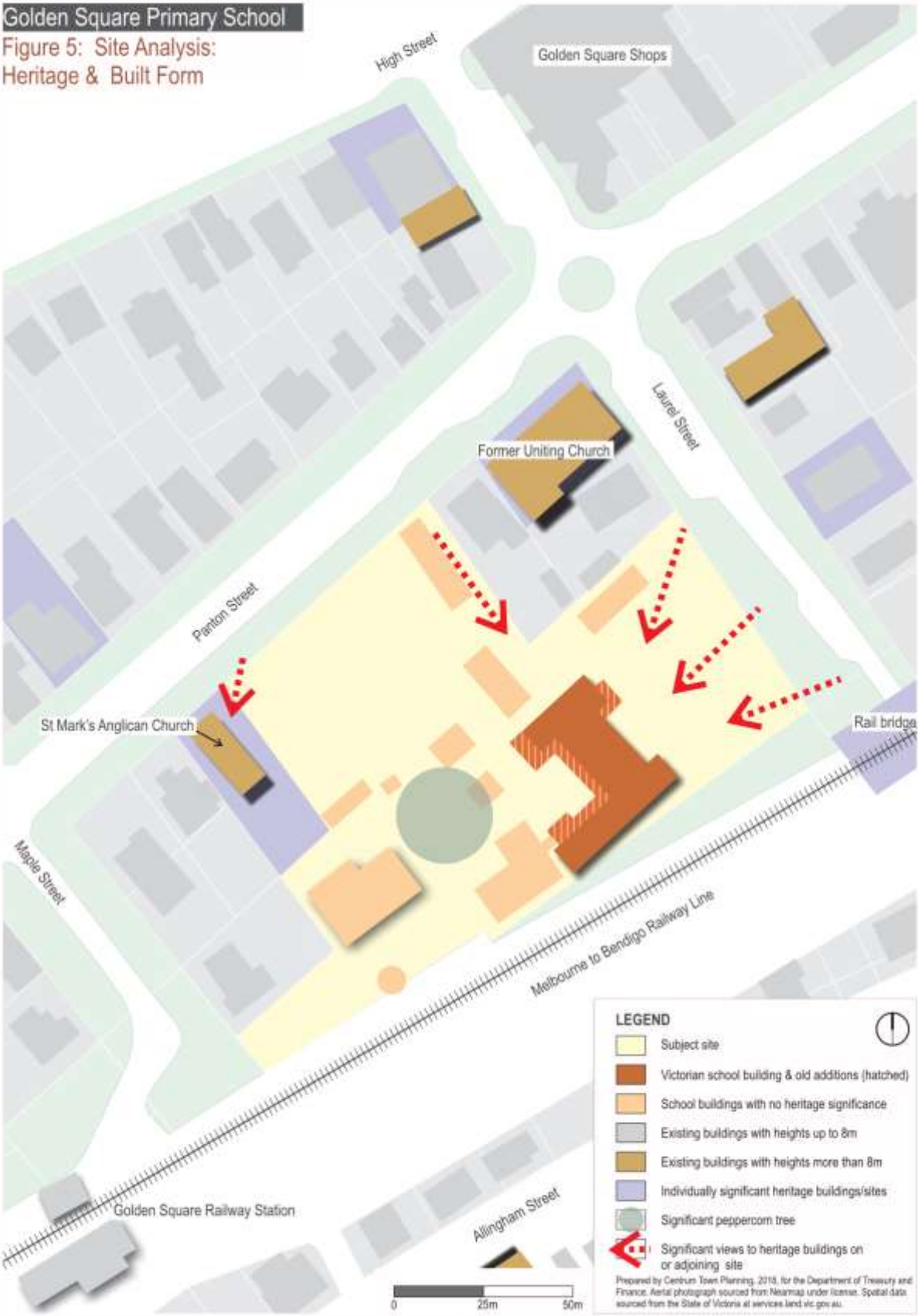
Key opportunities

- Close proximity to Golden Square shopping precinct is beneficial for a range of uses, particularly residential and commercial.
- Large size of site provides opportunity for different uses and forms to be re-developed across the site.
- Three street frontages provide opportunities to create multiple access points to the site.
- Main school building has significant size and character that could lend itself to a wide variety of future uses.
- All buildings, apart from the main school building, could be demolished to facilitate new development.
- Large peppercorn trees with heritage significance could be incorporated into new open space for amenity and shade.
- Existing Dutch elm street trees in Panton Street provide significant shade and amenity along this frontage.
- Site has a relatively gentle fall that should simplify site planning and construction.
- High level of pedestrian, cycling and public transport infrastructure in the immediate area.
- Capacity of roads in surrounding area is good.
- Long-term opportunity to capitalise on the potential to re-open the Golden Square Railway Station, consistent with the vision set out in the City of Greater Bendigo's Integrated Transport and Land Use Strategy (2015).

Key constraints

- Presence of important heritage places and dwellings in the immediate area requires careful consideration of building heights and forms close to site boundaries.
- View to the main school building from Laurel Street is important as it identifies the building and captures the extent of the building.
- Main school building has a layout and structure that could make conversion to some uses difficult or expensive.
- Large peppercorn trees are likely to require a large curtilage to ensure their long-term health.
- Close spacing of existing Dutch elm street trees in Panton Street limits access options along this frontage.
- Close proximity of private secluded open space on the northern and western boundary requires careful consideration of overlooking and building forms.
- Railway line could present noise issues for new residential development on or near the southern boundary.
- Maple Street frontage is narrow and may limit access arrangements or the type of development that could occur in this area.
- Advice from Government Land Planning Services that one zone should be used for the site, and that no re-subdivision or consolidation of lots will occur prior to sale of the land.

Golden Square Primary School
Figure 5: Site Analysis:
Heritage & Built Form



Golden Square Primary School
Figure 6: Site Analysis:
Landscape & Environment



Golden Square Primary School
Figure 7: Site Analysis:
Amenity & Interfaces



Golden Square Primary School
Figure 8: Site Analysis:
Transport & Movement



10 LEGISLATIVE CONTEXT

Planning & Environment Act 1987

Section 4(1) of the Planning Environment Act outlines the objectives of planning in Victoria. Objectives that are considered to be most relevant to the application include:

- to provide for the fair, orderly, economic and sustainable use, and development of land;
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- to facilitate development in accordance with the objectives set out in [the objectives];
- to balance the present and future interests of all Victorians.

Response

The proposed planning scheme amendment is considered to further the objectives of planning as set out in Section 4(1) of the Act, by providing a new planning framework that will fairly balance the various competing interests on the site. The interest that will be protected are the main school building and its immediate environs and the character and amenity of existing dwellings in Panton and Laurel streets. These will be balanced by the opportunity to develop parts of the site for higher density building forms that will contribute to the diversity of housing stock in the local area and capitalise in the site's close proximity to retail and transport services in Golden Square.

The proposed new planning framework will facilitate new development and will add to the economic and sustainable use of land by allowing for higher building forms in the central parts of the site. It will conserve and enhance the main school building, which is of local heritage significance by allowing a wide range of future uses that will ensure the long-term viability of the building.

Transport Integration Act 2010

This Act requires that all decisions affecting the transport system be made within the same integrated decision-making framework and support the same objectives. Planning authorities, acting under the Planning and Environment Act 1987, are an 'interface body' under the Transport Integration Act 2010 (TIA). The Act requires a planning authority to have regard to a set of transport system objectives and decision making principles where a planning scheme amendment is likely to have a 'significant impact on the transport system'.

Response

The proposal is unlikely to have a significant impact on the transport system. The subject site is located within a long-established urban area that has well-established road and bus infrastructure. This infrastructure is capable of accommodating the needs of future uses on the site, even if the ultimate use of the site includes a higher density development scenario or intense use.

Aboriginal Heritage Act 2006

This Act provides for the protection and management of Victoria's Aboriginal heritage. It requires that Cultural Heritage Management Plan (CHMP) be prepared for large developments or high impact activities in culturally sensitive landscapes, amongst other matters.

The Aboriginal Heritage Regulations (2018) specify that a CHMP is required for an activity if all or part of the activity area for the activity is an area of cultural heritage sensitivity and all or part of the activity is a high impact activity (Regulation 6), unless exempt under Division 2.

Response

The development site is partly located within two areas of cultural heritage sensitivity, as shown on Figure 9, below. The first area is a strip of land along Pantom Street that is within 200 metres of Bendigo Creek to the north west. The second area extends from the northern side of the land to a maximum of approximately 90 metres along the south eastern boundary of the land. This area covers most of the main school building.

The effect of this situation is that, unless it can be demonstrated that the land has been previously subject to significant ground disturbance, any high impact activities that are proposed to take place within these areas will require a Cultural Heritage Management Plan to be prepared before the responsible authority can issue a planning permit. Uses that are 'high impact activities' include office, industry, place of assembly and car park. Small subdivisions of less than 1,100 metres are exempt from the need for a cultural heritage management plan.

The requirement for a cultural heritage management plan could represent an additional restriction on the development potential of the main school building and the playground area in front of the building, as most of the likely non-residential uses of the building are 'high impact activities'. It may also represent a restriction on residential development on the land fronting Pantom Street, although this will ultimately depend on the form of development.

It is possible that the use of the main school building for conversion to, say, residential apartments and subdivision will also require a cultural heritage management plan. Again, the need for a cultural heritage management plan will depend on the ultimately form and size of the development.

Figure 9 Areas of cultural heritage sensitivity



Source: www.services.land.vic.gov.au

Ministerial direction No.1 – Potentially contaminated land

This direction aims to *ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination*. Potentially contaminated land includes land that was used for mining or industry.

Under the Direction, a planning authority must be satisfied that the environmental conditions of the land are suitable for sensitive uses including residential, child care and primary school, open space or agriculture. They must require that a certificate or statements of environmental audit is issued for the land in accordance with Part IXD of the Environment Protection Act 1970. Alternatively, the conditions can be postponed through the application of an Environmental Audit Overlay, which requires these declarations prior to the commencement of a sensitive use or any associated buildings and works.

Response

The Department of Education and Training carried out environmental assessment work on the site. The following points provided a summary of the findings of a gap assessment undertaken to supplement the previous works done by DET and their consultant:

- Lead and arsenic concentrations were above the guidelines across the site.
- Arsenic concentrations are considered to be naturally occurring in the Bendigo region (historic mining in the area).
- Leachability testing (used to simulate leaching through soil and to classify waste or ground/surface water contamination) of lead and arsenic indicated that concentrations are not leachable.
- Leachability testing of naphthalene and total PAH indicated that the concentrations are leachable, however - given the depth to groundwater is very deep (over 20m), the risk to groundwater was considered low.
- There are hot spot areas (BH6 and BH16) where soil is classified as Category B (i.e. Elevated concentrations of benzo(a)pyrene and PAH). There will be an additional cost to remove from this from the site.
- Asbestos fragments were also detected across the site.

Based on these findings, the assessment work makes the following recommendations:

- *Where further demolition of buildings is proposed at the Site, an asbestos building survey and risk register should be compiled in accordance with relevant legislation and guidelines.*
- *Where future excavation of soils is proposed at the Site, a Soil Management Plan should be prepared and implemented to prevent exposure of site workers to asbestos, metals, TPH and PAH impacted soil.*
- *Undertake a remediation financial risk assessment (RFRA) for potential future low density land use of the Site use which may include:*
 - *strategies to deal with contamination above acceptable environment and human health guidelines e.g. off-Site disposal, risk assessment etc.; and*
 - *likely quantities and costs for proposed remediation strategies, including hot spot removal and off-Site disposal of soils, if required.*
- *Liaison with the relevant planning authority and/or associated parties regarding the triggers for a Statutory Environmental Audit, in accordance with the Environment Protection Act 1970. As per EPA Victoria Publication 1609 (<http://www.epa.vic.gov.au/~media/Publications/1609.pdf>) potential triggers may include:*
 - *a planning need (e.g. permit condition, Environmental Audit Overlay, Ministerial Direction No.1).*
 - *due diligence.*
 - *when previous uses may have introduced contamination.*

Bluesphere Environmental, 2017, 19-20

Ministerial Direction No.19 (Parts A&B)

This direction and its associated ministerial requirements relate to amendments that may result in impacts on the environment, amenity and human health. It requires planning authorities to seek the views of the Environment Protection Authority in the preparation of planning scheme reviews and amendments that result in the use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste. This includes amendments that allow the use or development of potentially contaminated land under Ministerial Direction Number 1, or the use or development of land within a buffer distance for industry and material recycling, refuse disposal or transfer station. Part B of the Direction ensures that the EPA's views are included when the Minister authorises an amendment.

Response

We understand that the Government Land Planning Service is seeking clarification with the EPA about its requirements in relation to the site, however, it is expected that the application of the EAO will address any contamination related issues. This will be resolved through the planning scheme amendment process.

11 STRATEGIC CONTEXT

This section presents an overview of state and local strategic plans that are relevant to the proposal.

Plan Melbourne: Metropolitan Planning Strategy 2017-2050

'Plan Melbourne: Metropolitan Planning Strategy' outlines the State Government's long-term plan to accommodate Melbourne's future growth in population and employment. It predicts that Melbourne will grow by another 3.4 million people to be a city of 7.9 million people by 2051 (State of Victoria, 2017, 7). In order to accommodate this growth, the Plan estimates that an additional 1.6 million dwellings and 1.5 million jobs will be required (State of Victoria, 2017, 7).

One of the key principles driving the Strategy is an acknowledgement that Melbourne should be a "city of centres linked to regional Victoria", noting that regional centres that are well connected and within viable commuting distance of capital cities offer attractive housing and employment opportunities. As such, they have the capacity to relieve pressures on capital cities by absorbing some of their growing population. The Strategy contains a series of outcomes, objectives and directions for achieving the Strategy. The elements most relevant to Bendigo are:

- Acknowledgement of the important role that Bendigo will play in housing population growth in regional Victoria, and the need to invest in housing and employment in regional Victoria (p.28).
- The need to improve public transport links to Melbourne from Bendigo, protect the corridors and improve infrastructure and services to encourage commuting (p.133)
- The completion of Regional Rail Link, which has separated regional and metropolitan trains in Melbourne's west and create capacity for extra regional services (p.51).
- Various government-led initiatives to better integrate metropolitan and regional planning initiatives so that regional cities can accommodate a greater proportion of the State's residential and employment growth with good transport and infrastructure connections.

Loddon Mallee South Regional Growth Plan (2014)

This plan was prepared to guide growth and change in the Loddon Mallee South region for the next 30 years. The plan aims to promote Bendigo as the Regional city where significant residential and other urban growth will occur (DTPLI, 2014 iii). The plan considers the implications of a population of 150,000 to 200,000 in the City of Greater Bendigo by 2041 (DTPLI, 2014 11). Elements of the Plan that are most relevant to this application are:

- the relationship of Bendigo to metropolitan Melbourne for employment and exchange of goods and services, and potential for the relationship to become closer as transport links are improved (p13);
- the importance of Bendigo as a significant tourism asset, and its role in providing high level services and facilities to the region (p13);
- a goal to reinforce the role of Bendigo as the regional city, offering a range of employment and services as an alternative to Melbourne (p17);

- recognition that the majority of growth in the region will be accommodated in Bendigo over the next 30 years (pp 39&42).

Municipal Strategic Statement

The following elements of the Greater Bendigo Municipal Strategic Statement (MSS) are considered to be most relevant to the application:

- Clause 21.02 (Key issues and influences), which identifies a 'compact Greater Bendigo' as a key aim: Key drivers include:
 - the need to provide 1,000 new dwellings per year to satisfy growth in housing demand;
 - the lack of housing diversity and high cost of greenfield development;
 - the need to integrate transport and land use planning.
- Clause 21.05 (Compact Greater Bendigo), which aims to promote a compact urban area. A core element of the strategy is to create "10 minute neighbourhoods" where people can access many of their daily needs within a 10 minute walking or cycle trip. Key strategies include supporting proposals for well-designed developments that provide a diversity of dwellings, prioritizing walking and cycling and reducing car parking requirements where appropriate. Under the strategy, key infill development sites that are close to the CBD and other activity centres are to be the focus of high density housing, which is two to four storey development in the context of Bendigo.
- Clause 21.07 (Economic Development), which describes the activity centre hierarchy in Bendigo and sets out objectives and strategies for commercial development in the CBD. The clause:
 - identifies the Bendigo CBD at the top of the hierarchy and Golden Square as a "neighbourhood activity centre" that meets the day-to-day needs of the surrounding neighbourhood;
 - projects that Golden Square will experience demand for 1,400m² of specialty shops and 1,700m² of supermarket floorspace in Golden Square to 2031;
 - includes a direction to support additional speciality retail at the front of the Woolworths site and expansion of supermarket floorspace to serve infill housing demand.
- Clause 21.08-4 (Heritage), which identifies the importance of the City's heritage to its identity and aims to
 - *identify and protect heritage places with historic value;*
 - *encourage the appropriate reuse of heritage buildings;*
 - *support appropriate sympathetic redevelopment;*
 - *encourage compatible development adjacent to heritage places and features.*
- Clause 21.09 (Infrastructure), which identifies the need for transport planning to be integrated with land use planning by:

- directing growth to areas in activity centres and along main transit corridors
- facilitating new development based on the 10-minute neighbourhood principle;
- continuing to implement the expansion of Bendigo Metro Rail;
- advocating for a new railway station at Golden Square.

Greater Bendigo Residential Strategy (2014)

This strategy was adopted by Council in 2014. Its key findings have been incorporated into the planning scheme and are reflected in the Municipal Strategic Statement (see above). The Strategy contains a direction that explicitly clarifies the intent of the MSS in relation to higher density development in activity centres:

- *Provide for high quality, well designed, medium density residential development of two to four stories that respects existing heritage settings and neighbourhood character.... in and around the commercial activity areas and urban villages of Eaglehawk, Golden Square...." (City of Greater Bendigo, 2014, 5).*

Integrated Transport & Land Use Strategy (2015)

This strategy was adopted by the City of Greater Bendigo in 2015. The strategy sets the framework and direction for an integrated approach to transport and land use planning and reducing the reliance on cars. The recommendations of the strategy that are most relevant to the site are:

- *A target to progressively plan and design Bendigo to increase the percentage of residents living within 400 metres of an Activity Centre or Neighbourhood Activity Centre (p.33).*
- *Developing an urban design framework for Golden Square – short term action for the next 5 years (p.77).*
- *"Investigate critical success factors including land use and urban development opportunities as well as productivity, liveability and health dividends associated with providing additional railway stations at... Golden Square" - short term action for the next 5 years (p.79).*
- *The re-opening of the Golden Square Railway Station as part of a long-term goal to provide an inter-urban high speed rail system in Bendigo - medium term action for the 2020-2030 period (p.47, 71).*

Commercial Land and Activity Centre Strategy (2016)

This strategy provides the framework to facilitate future commercial development in Bendigo. The strategy forecasts commercial floorspace growth through to the year 2031. Key aspects of the strategy as it relates to the subject site are:

- *Recommendations to support the State Government in rezoning the subject site as a short term action (p.55 of Strategy).*
- *A recommendation to prepare an urban design framework for the Golden Square Activity Centre, including the former railway station and primary school site as medium term action (p.54).*

Key findings

- The State Government has introduced initiatives to encourage residential and employment growth in regional cities such as Bendigo through good transport and infrastructure connections.
- The Greater Bendigo Planning Scheme contains clear strategies to promote a compact urban area and new, more diverse housing in close proximity to existing activity centres such as Golden Square.
- Various Council strategies identify the need to unlock development opportunities in Golden Square and support the re-opening the former Golden Square Station as part of an inter-Bendigo rail system.
- The City of Greater Bendigo has adopted specific strategies to rezone the subject site to support the enhancement of the Golden Square Neighbourhood Activity Centre.

12 POLICY CONTEXT

This section of the report provides an overview of the policies and provisions of the Greater Bendigo Planning Scheme that are considered to be most relevant to the proposal.

Planning Policy Framework

The following clauses of the Planning Policy Framework are considered to be most relevant to the application:

- Clause 11 (Settlement), which states that planning is to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space...community facilities and infrastructure.
- Clause 11.01-1R (Settlement – Loddon Mallee South), which identifies Bendigo as a 'regional city' where major urban growth is to be encouraged.
- Clause 11.03-1S (Activity Centres), which aims to build up activity centres as a focus of high quality development and living for the whole community. Key strategies of this clause include:
 - developing centres of different sizes and function;
 - encouraging a diversity of housing types at higher densities in and around activity centres;
 - improving access by walking, cycling and public transport to services.
- Clause 13.04 (Soil degradation), ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.
- Clause 15.01 (Urban design), which aims to create urban environments that are safe, healthy, functional and that contribute to a sense of place and cultural identity. This clause sets out a range of urban design principles that should be followed for non-residential development, including building design, subdivision design, healthy neighbourhoods and neighbourhood character.
- Clause 15.03 (Heritage), which aims to conserve places of heritage significance by identifying and protecting them through the planning scheme. Key strategies to achieve the objectives relate to:
 - encouraging appropriate development that respects heritage places with identified heritage values; and
 - supporting the adaptive reuse of buildings where their use has become redundant.
- 16 (Housing), which aims to provide for housing diversity and associated infrastructure that is sustainable and close to activity centres, transport and other destinations. Key strategies for achieving the objective relate to:
 - increasing the supply of housing in existing urban areas, including under-utilised land;
 - ensuring that housing is integrated with infrastructure and services;

- encouraging housing development on sites that are well located in relation to activity centres, employment corridors and public transport;
 - increasing residential densities in existing urban areas;
 - improving housing diversity and affordability.
- 18 (Transport), which aims to ensure an integrated and sustainable transport system that provides access to social and economic opportunities in a sustainable and safe way. Strategies to achieve this include:
 - making jobs and community services more accessible
 - concentrating urban development around activity centres; and
 - public transport and walking and cycling infrastructure.

Clause 22.06 - Heritage policy

Clause 22.06 applies to all applications under the Heritage Overlay. Its relevance to the proposal is discussed in the Heritage Assessment and Statement of Significance provided as background documents.

Clause 22.15 - Golden Square Residential Character Policy

This policy applies to all development and subdivision in the General Residential Zone. The lots on the subject site that front Panton Street are located in Golden Square Precinct 1 (GS1), as shown in Figure 10. The remainder of the site is located outside the area affected by the policy.

Clause 22.15 aims to ensure that development is responsive to the desired future character of the area in which it is located and retains and enhances the identified elements that contribute to the character of the area. The remainder of the site is not affected by the policy. The 'statement of desired future character' for the area is as follows:

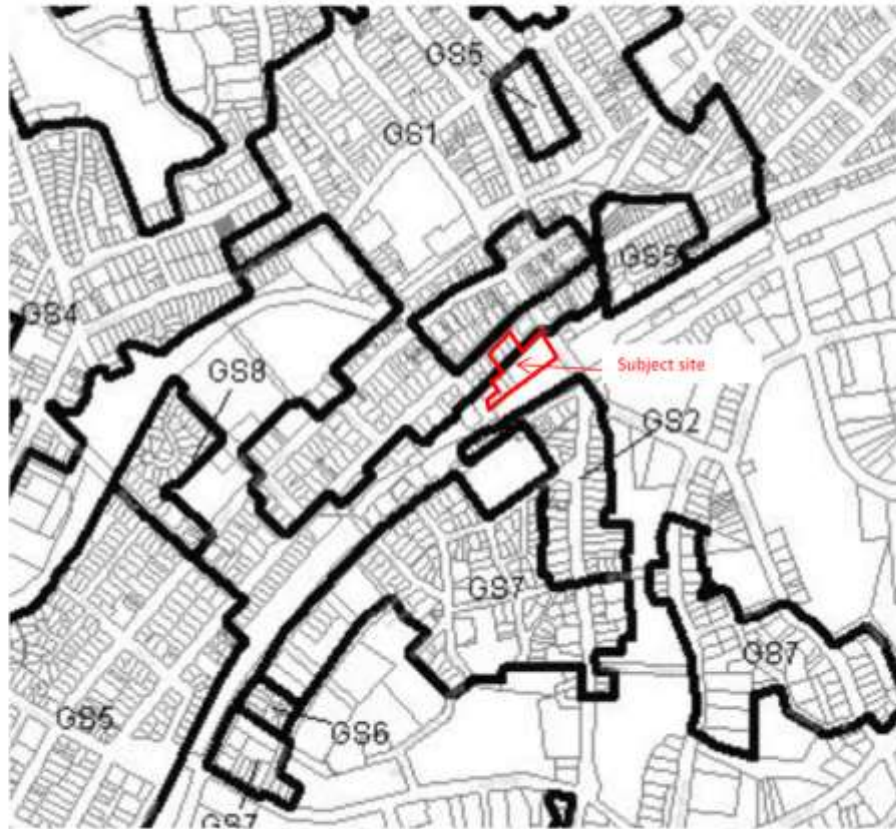
The heritage qualities and the distinctive characteristics of each streetscape will be maintained and strengthened.

The policy sets out a series of objectives and suggested design responses for new development. Whilst some of the objectives and design responses would be appropriate for new medium density development along Panton Street, other aspects of the policy would be likely to conflict with such development. These include the following:

- an objective to maintain and strengthen the established garden settings of the dwellings;
- a suggested design response to set buildings back from one side boundary by at least 2 metres, preferably both;
- a suggested design response to respect the predominant building height in street, including maintaining single storey building heights at front of dwelling if applicable.

It is recommended that the lots fronting Panton Street should be removed from the Golden Square Residential Character Policy to allow the new planning provisions prepared as part of this report to operate without conflict or confusion.

Figure 10 Golden Square Residential Character Policy map (from Clause 22.15)



Source: Greater Bendigo Planning Scheme, Clause 22.15

Neighbourhood Character Overlay

The overlay applies to one lot on Panton Street (CA16) that is currently vacant and forms part of the sports ground. The location and extent of the overlay are shown in Figure 4. This lot is the only part of the Panton Street frontage of the site that is not affected by the Heritage Overlay.

This overlay identifies and protects the 'Bendigo Early Settlement Residential Character' area. It aims to:

- ensure that new buildings and works reflect the preferred character of the surrounding area;
- encourage the retention of existing pre-World War I and inter-war dwellings;
- ensure that new buildings and works meet the objectives and design guidelines contained in the relevant Precinct Brochure of the City of Greater Bendigo Residential Character Study 2001.

The overlay requires a permit to demolish or remove a building. It modifies ResCode standards for garages, carports and front fence heights. It is also recommended that the overlay should be removed from this land for the same reasons that the residential character policy in Clause 22.15 should not apply, as explained previously. This will allow the new planning provisions prepared as part of this report to operate without conflict or confusion.

Key findings

- State Planning Policy strongly advocates the concept of building up existing activity centres for new development, including residential development at higher densities with a range of diverse housing types.
- State Planning Policy recognises and promotes the important role that major regional cities such as Bendigo should play in providing employment and housing growth.
- State Planning Policy requires high quality urban design outcomes that consider character and heritage qualities.
- The Golden Square Residential Character Policy and Neighbourhood Character Overlay contain some policy that is relevant to the future development of the precinct, but other policy that would conflict with the recommended future planning framework for the land.

Recommendations

- Remove the land fronting Panton Street from the Golden Square Residential Character Policy.
- Remove the Neighbourhood Character Overlay (NCO1) from Crown Allotment 16, Section 15A at Bendigo, Parish of Sandhurst, as shown in Figure 12.

14 PROPOSED ZONE PROVISIONS

Zones are the main tool for regulating land use in the Victorian planning system. This section of the report provides a discussion of potential future uses of the subject site and the options for zones.

Potential uses

The main school building has potential for a wide range of different uses. Some of these can be readily identified, however, others may only emerge in time. Potential uses may include:

- conversion to residential apartments;
- residential building such as short term-accommodation;
- specialist accommodation such as a retirement or nursing home;
- office spaces, either single or multiple occupants;
- recreation or place of assembly;
- an institutional or community use;
- a combination of the above uses.

The remainder of the site also has potential to be used and developed for a number of the uses listed above, however, its size and vacant nature are likely to make it more appealing for a residential development. The land former drill hall has potential to be used for car parking in associated with other uses both over the short and longer term. Parts of the site may also be used for different 'interim uses' prior to ultimately being re-developed for a more permanent use.

Zone options

The underlying zone of the surrounding area is considered to be residential, having regard to the pattern of zoning and uses in the surrounding area (refer to Section 6). There is significant strategic support in the Greater Bendigo Planning Scheme for more intensive infill development on the subject site, as discussed in Section 11 of this report. On this basis, there are considered to be two residential zone options for the site:

- Residential Growth Zone (RGZ)
- General Residential Zone (GRZ)

Table 2 shows a summary of the two zones, with a focus on their purpose and how they operate. The table shows that both zones can be tailored to local circumstances. The key differences relate to zone purpose and default building heights, both of which are designed to promote higher density outcomes in the Residential Growth Zone. The Residential Growth Zone also has more flexible provisions for non-residential uses, although this information has not been included in the table. Other zones, such as the Mixed Use Zone and commercial zones are not considered to be appropriate for the site because they allow for some commercial and industrial uses that would not be compatible with the surrounding area.

Table 2 Overview and analysis of Residential Growth Zone and General Residential Zone

Zone	Purpose	Likely application	Principles derived from zone purpose	Particular features
Residential Growth Zone RGZ	Enables new housing growth and diversity in appropriate locations	In appropriate locations near activities centres, town centres, train stations and other areas suitable for increased housing activity such as smaller strategic redevelopment sites	<ul style="list-style-type: none"> • Locations offering good access to services, transport and other infrastructure • Areas which provide a transition between areas of more intensive use and development and areas of restricted housing growth • Areas where there is mature market demand for higher density outcomes 	<ul style="list-style-type: none"> • A specific zone purpose to provide housing at increased densities in buildings up to and including four storey buildings. • Default maximum building height of 13.5 metres. • Schedule to the zone that can introduce area-specific modifications to a range of built form matters, including building heights, setbacks and site coverage.
General Residential Zone GRZ	Respects and preserves neighbourhood character while allowing moderate housing growth and diversity	In most residential areas where moderate growth and diversity of housing that is consistent with existing neighbourhood character is to be provided	<ul style="list-style-type: none"> • Areas with a diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character • Areas where moderate housing growth and housing diversity is encouraged 	<ul style="list-style-type: none"> • 11 metre maximum building height, with some exceptions. • Schedule to the zone that can introduce area-specific modifications to a range of built form matters, including building heights, setbacks and site coverage.

Source: Department of Environment, Land, Water & Planning, 2015, 4, compiled and expanded upon by Centrum Town Planning, 2018

Proposed zone

A detailed analysis of the residential zone options has been undertaken and is provided as a background document. This analysis concludes that the General Residential Zone would be the most suitable zone for the main school building area and that either the General Residential Zone or Residential Growth Zone could be used for the remainder of the site.

The Department of Environment, Land, Water and Planning has indicated that zones must follow title boundaries, and there is no proposal to re-subdivide the existing title boundaries on the site. Therefore, one zone must apply to the entire site. On balance, it is considered that the General Residential Zone would be appropriate for the entire site given the presence of the Heritage Overlay and sensitivity of the land in the front setback of the main school building.

In order to allow for development of up to 3-4 storeys or 13.5 metres in height in the central part of the site, the schedule to the General Residential Zone must be modified to allow this outcome. Height controls are further discussed in Section 15 of this report.

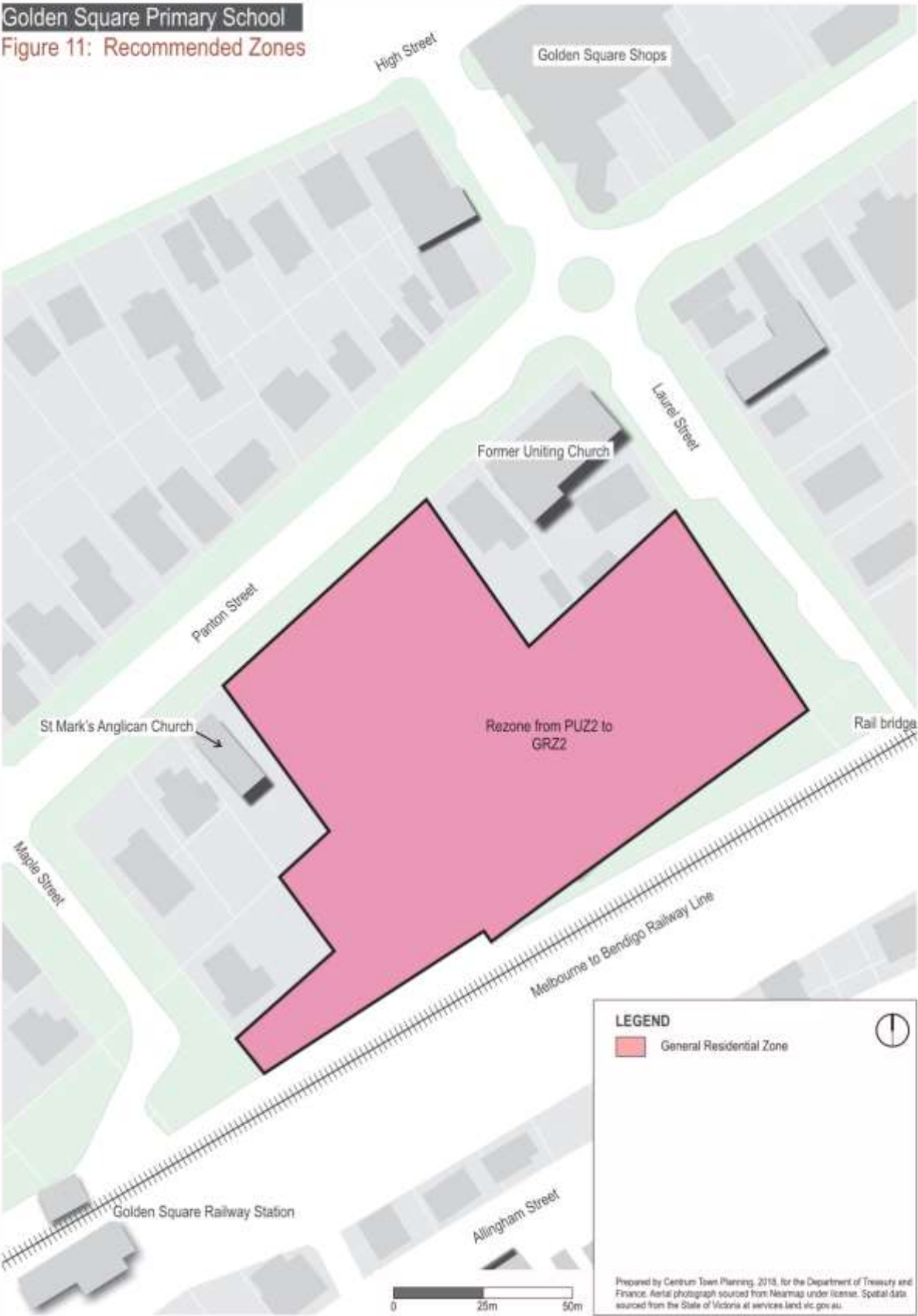
Any non-residential uses that are prohibited for the main school building under the General Residential Zone could be considered under the proposed new schedule to the Heritage Overlay, which proposes to allow prohibited uses subject to planning approval, as discussed in Section 16 of this report. This will allow any prohibited use to be tested on its merits against the criteria that the use must not adversely affect the significance of the heritage place.

Recommendations

- Rezone the entire site to the General Residential Zone (GRZ), as per Figure 11.
- Introduce a new schedule to the General Residential Zone (GRZ2) to allow for a 13.5 metre maximum building height for the central part of the site.

A new Schedule 2 to the General Residential Zone has been provided with the proposed planning provisions that have been prepared for the site.

Golden Square Primary School
Figure 11: Recommended Zones



Golden Square Primary School
Figure 12: Recommended
Changes to Overlays



15 PROPOSED DESIGN GUIDELINES

The site presents some clear opportunities for the re-use of existing buildings and the development of vacant spaces for new buildings. This section of the report discusses the key implications and challenges arising from the site analysis for different parts of the site and makes recommendations for appropriate design guidelines for inclusion in the new planning provisions for the site.

Central and southern areas including main school building

The central and southern parts of the site, including the area to the rear of the main school building, present opportunities for the highest building forms due to their greater setbacks from adjoining land. Building heights of up to 13.5 metres are considered to be appropriate in these areas as this would allow for 3-4 storey development, as supported by Clause 21.05 of the MSS. Within these areas, the size of the site would allow for a high degree of flexibility in terms of where building footprints and accessways could be located.

From a heritage perspective, a curtilage of 5 metres around the side and rear of the building has been identified and is reflected in the proposed schedule to the Development Plan Overlay. This will protect the significant walls, eaves and windows of the former school building, without unreasonably restricting future development. Nevertheless, high building forms of up to 13.5 metres in height at the rear of the building are considered to be appropriate to provide a physical and visual connection between the main school building and substantial new building forms that have the greatest potential to ensure its long term integrity.

The two historic peppercom trees on the site present both a constraint and an opportunity in the future layout of the site; they contribute significant amenity value to the central part of the site, but also present potential challenges for the site layout and the future maintenance and the installation and maintenance of underground services. Only the large tree to the south west of the main school building is considered to be worth of long term heritage protection, as discussed previously.

Land adjoining Panton Street & adjacent dwellings

The land fronting Panton Street and the land on the perimeter of the site near Panton Street have a higher degree of sensitivity than the central and southern parts of the site. This is due to the existing character and heritage significance of adjoining built form, presence of private open spaces associated with adjoining dwellings and the close visual relationship to Panton Street. Whilst these spaces could be developed for multiple dwellings at reasonably high densities, particular consideration of front and side setbacks to adjoining land and building heights is required.

The new provisions should seek to ensure graduated building forms that have an acceptable impact on adjoining properties in terms of appearance, overlooking and overshadowing. Maximum building heights of 11 metres are recommended to allow for three storey buildings with pitched roofs. A general requirement for upper floor setbacks for built form over two storeys in height will ensure that buildings are of an appropriate scale for the streetscape. Minimum side setbacks of five metres for new buildings are considered to be necessary in these areas. This will also encourage accessways to be developed in these areas with minimal impacts on the historic Dutch elm street trees in Panton Street.

On Panton Street, the setbacks of the Uniting and Anglican churches nearby provide appropriate reference points for the front setbacks of new development along Panton Street. Along Panton Street, new buildings on the site could have no or minimal side setbacks, as long as design is of high quality and facades are suitably articulated.

The design guidelines described above are shown visually in Figure 13.

Former playground / drill ground

The former playground in front of the main school building on Laurel Street is a complex space for a number of reasons. Firstly, it is the space that provides the main school building with its identity in that it is the only place where the full scale and detail of the building and its facade, including the name of the school, can be appreciated. Secondly, the space and the native landscaping associated with it have some amenity value and are associated with the historical development of the school, although are not of heritage significance. Thirdly, from a practical perspective the playground is likely to be an important place for parking and access for the main school building, irrespective of the nature of its future use. It could also provide opportunities for periodic uses and activities that may be associated with other uses on the site, or be quite separate.

For these reasons, this area is likely to have limited potential for the development of new buildings; however, new buildings should not necessarily be prohibited, but should be subject to a rigorous series of tests that ensure an appropriate outcome. For example, a potential user of the site may wish to construct a building or structure in front of part of the old school building. This outcome may be appropriate if the design is of particularly high quality and can preserve a large viewline to the main school building through glass or other means. Under such a scenario, it is likely that the new building would also need to be closely tied to the old school building from both a functional and ownership perspective to ensure that the viewlines are maintained and that vegetation and fences do not obstruct views.

Recommendations

- Apply new Schedule to the Development Plan Overlay to protect the important features and amenity of the site and surrounds and ensure that new development is of high quality. The new schedule should address the following matters:
 - historic features of the site from a design perspective
 - views of the main school building from Laurel Street
 - treatment of the main school building including extensions
 - building form, height and scale for new buildings
 - front and side building setbacks at ground level and upper floor setbacks
 - detailed design matters including articulation, building style, windows and entries and plant;
 - noise levels in habitable rooms from the railway line and non-residential uses.
 - access & car parking

- pedestrian and road connections through the site;

A new Schedule to the Development Plan Overlay has been included in the proposed planning provisions that have been prepared for the site.

Golden Square Primary School
Figure 13: Recommended
Design Guidelines



16 RISKS AND THREATS

Despite its development potential and attractive attributes, the site faces a number of threats and risks. These relate mainly to the future use and ownership of the main school building. This section of the report discusses these threats and risks and identifies potential ways that they can be minimized through planning provisions.

Land configuration

If the site is sold as a whole, a potential purchaser may seek to dispose of parts of the site in order to fund new development or for other reasons. This may be a reasonable outcome from some perspectives, however, under such a scenario, there is a risk that the main school building could be separated from the vacant parts of the site that are simpler and more profitable to develop. If this occurs, the main school building could lose a key potential source of revenue that would contribute to its long-term physical integrity, maintenance, or conversion to other uses. It may limit also the opportunities for vehicle and pedestrian linkages through the site.

For these reasons, it is recommended that the existing lot be consolidated and the main school building not subdivided from the remainder of the land until it can be demonstrated that a sound, long-term use of the main school building exists. It would also be preferable that a proper maintenance and management plan is in place. These matters should be managed through the objectives of the Schedule to the Development Plan Overlay. It is considered that some discretion will be necessary in applying this requirement, so general rather than specific requirements are considered to be appropriate.

Under this scenario, it will be important to ensure that individual dwelling lots or buildings can be progressively subdivided from the main parcel to provide a source of revenue for the development and ensure that this can contribute to the preservation of the main school building. Similarly, the subdivision of sections of the main school building may be acceptable under certain circumstances where an appropriate management regime is in place for the long-term maintenance of the building. Again, a general statement in the Development Plan Overlay can appropriately manage this issue at the discretion of Council.

Potential future use

Old former school buildings in Bendigo and other regional towns have a mixed history of conversion to other uses. Some, such as the former Long Gully Primary School in Upper California Road, Long Gully (HO545), have been successfully converted to office uses. Others, such as the former East Bendigo Primary School (HO891), have been unused for many years and are not being maintained in a way that will necessarily ensure their long-term survival.

A wide variety of factors are likely to influence the main school building's prospects for re-use. The factors will vary depending on the particular needs of the use. Similarly, it is difficult to know when a future use may emerge and how this may influence the overall development of the site. Given these uncertainties, it is considered important to ensure that a wide range of uses can be considered for the site and that the appropriateness of each use be assessed on its merits. The Schedule to the Heritage Overlay can be modified to allow uses that are otherwise prohibited in a zone, subject to two conditions:

- *the use will not adversely affect the significance of the heritage place.*
- *the benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place*

These conditions are considered provide an appropriate framework for the consideration of prohibited uses on the site. Allowing prohibited uses is supported by the Heritage Assessment that has been prepared for the site.

Under-development

To date, medium density housing in Bendigo has mainly taken the form of multi-unit sites on lots of 200-400m², where dwellings have primarily been small, detached or semi-detached houses. This form of housing has been successfully developed throughout urban Bendigo. This view is supported by research undertaken as part of the Greater Bendigo Residential Strategy, which found that lots of less than 300m² consistently made up between 10% and 20% of suburban style lots that were created between 2008 and 2013 (City of Greater Bendigo, 2014, 26). In a small number of areas, townhouses or terrace style houses have been developed at higher lot densities of 100-200 square metres. A small number of shop top apartments have also been developed in the Bendigo CBD.

The property market for higher density living in Bendigo is small and is just beginning to emerge. For example, a small number of recent mixed use developments in the CBD have included apartments. This market is, however, relatively small and immature. The relatively low cost of land in Bendigo compared with metropolitan property markets means that apartment type living is likely to be a niche residential housing type for the foreseeable future. It is also likely to be confined to certain locations in the CBD or other major attractions such as the Bendigo Hospital. This observation is supported by the City of Greater Bendigo's strategic planning vision, as described in Section 11.

Having regard to these factors, there is a risk that the most cost-effective form of development from a market perspective may be a subdivision or development of land at densities greater than 200 square metres. Town planning policies have traditionally not intervened in a meaningful way to require certain lot densities or yields; it has been left 'to the market' to determine the optimum lot and dwelling size.

For the subject site, it is not considered appropriate to specify a maximum lot size in an attempt to guide a certain form of development, although there is a risk that the planning framework could become redundant if it rigidly promotes higher densities that cannot be sustained by the property market. This is difficult to address in a meaningful way at this time, however, the issue should be investigated through regular reviews of the planning scheme, as required by the Planning and Environment Act, or other strategic processes undertaken by the City of Greater Bendigo.

Notice requirements

The Planning & Environment Act requires responsible authorities to give notice of a planning permit application to adjoining owners and occupiers of allotments or lots adjoining the land to which the application applies unless the responsible authority is satisfied that the grant of the permit would not cause material detriment (Section 52, Planning and Environment Act, 1987).

The Victoria Planning Provisions provide opportunities to exempt permit applications from these notice requirements in certain situations, which also exclude rights of appeal to VCAT. This is considered to be worthy of consideration for this site for the following reasons:

- there is significant strategic support in the Greater Bendigo Planning Scheme for higher density outcomes in activity centres such as Golden Square, as described in Section 11 of this report;
- the proposed new schedules to the Heritage Overlay and Development Plan Overlay will establish a strong and clear statutory framework for the future development of the different parts of the site;
- the proposed new schedule to the Development Plan Overlay will provide appropriate protection for setbacks to adjoining residential land;
- the planning scheme amendment process to introduce the new provisions will provide Council and the community with a full and formal opportunity to provide comment on the new provisions; and
- there is a high likelihood that multiple, even many, planning permit applications will be required to the site's final re-development; this has the potential to lead to significant delays and costs if notice of every planning permit application is given, particularly for similar types of development.

On balance, and having regard to the need to balance the different objectives of planning as set out under the Planning and Environment Act, it is considered appropriate to exempt planning permit applications from third party notice and review rights. This exemption should, however, be applied on the condition that the community is able to provide comment on the broader development vision for the site and main design parameters.

In this case, a Development Plan Overlay is considered to be the most appropriate tool to use to achieve this objective. The Development Plan Overlay requires that a plan be prepared to co-ordinate use and development before permits can be granted under the zone. This overlay has various other attributes that are discussed in the Planning Practice Note No.23 for Applying the Incorporated Plan and Development Plan Overlays (November, 2018).

One of the guidelines in the Practice Note is that the Development Plan Overlay should not be used on self-contained sites with few landowners, near existing residential areas (DELWP, 2018, 3). On face value, this would discourage the use of the Development Plan Overlay in this situation, however, this guidance needs to be considered having regard to the complexity of the subject site, the other planning provisions that will apply and the high likelihood of a large number of planning applications that consider similar matters over many years.

It is understood that the City of Greater Bendigo has developed an internal policy for the preparation of development plans. This includes a notice process to neighbours that allows them to understand the purpose of the plan and provides them with an opportunity to be involved in the process.

Once a Development Plan has been prepared and approved, planning permit applications can be considered by the City of Greater Bendigo without notice. It is considered that the City of Greater Bendigo has sufficient expertise and resources to give full and rigorous consideration of planning permit applications, particularly in relation to design and heritage.

It is noted that the Development Plan Overlay has been applied to a number of surplus government land sites considered by the Government Land Planning Service.

Contamination

The environmental assessment work that has been carried out has identified a sufficient level of contamination to warrant more detailed assessment work until a sensitive use commences. In response, the Department of Treasury and Finance has accepted that an Environmental Audit Overlay (EAO) should be applied to the land. This overlay triggers the need for a statutory audit under Section IXD of the Environment Protection Act 1970, prior to the use or development of land for a sensitive use.

This control will enable proper testing and management of the site conditions in the context of a new development proposal. It will also allow proper testing of hardstand and building areas that are difficult to access without some form of demolition or removal. The requirements of the EAO do not apply to commercial development.

Recommendations

- Allow prohibited uses to be considered for the main school building and its curtilage in the new Schedule to the Heritage Overlay (HO916).
- Apply the Environmental Audit Overlay (EAO) to the entire site.
- Apply a new Schedule to the Development Plan Overlay to the entire site, with requirements for:
 - a site and context plan;
 - concept plans for the layout of the site;
 - traffic management report;
 - arboricultural assessment of any significant vegetation; and
 - indicative landscape plan;
 - subdivision design requirements.

A new Schedule to the Development Plan Overlay has been provided with the proposed new planning provisions.

17 CONCLUSION

The former Golden Square Primary School is an ideal site for an intensive residential development or other uses that can capitalise on its strategic location and size. It has a significant area of vacant land at the rear of the main school building that could be re-developed for a variety of new building forms, with potential for buildings of two to four storeys in height.

The intensive re-development of major infill sites close to activity centres is a strong theme in the City of Greater Bendigo's Strategic vision for Bendigo, as expressed in the Municipal Strategic Statement and recent planning strategies. Golden Square is expected to accommodate an additional 1,700 people and 750 households over the next 20 years. Given its size and close proximity to the Golden Square neighbourhood activity centre, the subject site has the potential to play an important role in delivering upon this vision in the context of Golden Square.

For a suburban location, the site has outstanding access to shops, services and transport infrastructure. The site is within walking distance of essential shops and services in the nearby Golden Square neighbourhood activity centre, including recreation facilities, supermarket and medical facilities. It has good access links to nearby areas of employment in Golden Square and has good access to the Bendigo CBD and other destinations via road and bus transport. The road network in the immediate area can accommodate the additional traffic that would be generated by the site, even in a high yield development scenario. The site is therefore ideally suited to higher density residential outcomes and a new schedule to the General Residential Zone with a Development Plan Overlay should be applied to the entire site to facilitate these forms of development.

The most sensitive areas of the site are the main school building, which is of local heritage significance, and the land fronting Laurel and Panton Streets. The amenity and privacy of adjoining dwellings also requires careful consideration the future development of the site. This report has found that the future development of these areas can be appropriately managed through the application of overlay provisions in the planning scheme that address the design, development, heritage and amenity related issues.

There are a range of risks and threats relating to the future development of the site that can also be adequately managed through new overlay provisions, including soil contamination. Some development related risks relating to the future integrity of the main school building can also be addressed to some degree through new planning provisions.

18 SUMMARY OF RECOMMENDATIONS

Local policy

- Remove the land fronting Panton Street from the Golden Square Residential Character Policy.

Zones

- Rezone the entire site to a new Schedule 2 to the General Residential Zone, as shown in Figure 11.

Overlays

- Remove the existing Laurel Street Heritage Precinct, HO25 from the former Golden Square Primary School, No 1189, as it extends to the original State School Reserve.
- Remove the Neighbourhood Character Overlay (NCO1) from Crown Allotment 16, Section 15A at Bendigo, Parish of Sandhurst.
- Apply a new individual Heritage Overlay (HO916) over the former Golden Square Primary School, No 1189, over the original State School Reserve and extended to include the rear mature Peppercorn tree (*Schinus molle*), with tree controls to protect this Peppercorn tree.
- Allow prohibited uses on the site in the Schedule to the Heritage Overlay for the main school building.
- Apply a new Schedule to the Development Plan Overlay to the entire site to guide development and protect the important features of the site and its surrounds.
- Apply the Environmental Audit Overlay (EAO) to the entire site.

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Attachment 2 - Development Plan Overlay Schedule 30

GREATER BENDIGO PLANNING SCHEME

Proposed C241

SCHEDULE 30 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO30**

FORMER GOLDEN SQUARE PRIMARY SCHOOL**6 Laurel Street, Golden Square****1.0 Objectives**

Proposed C241 In preparing a development plan or an amendment to a development plan, the following objectives must be achieved:

- To preserve and maintain the heritage features of the main school building and its associated features and encourage adaptive re-use while allowing for significant redevelopment on the remainder of the site.
- To encourage contemporary new development of high quality and higher density on the land fronting Laurel Street and Panton Street while protecting the amenity of adjacent dwellings.
- To ensure that subdivision does not compromise the long-term integrity of the main school building and other features of heritage significance.
- To establish a vehicle, cycle and pedestrian network within the site that connects to and integrates with the local street system.

2.0 Requirements before a permit is granted

A permit may be granted before a development plan has been prepared provided the responsible authority is satisfied that it will not prejudice the future use and development of the land and is consistent with the development plan objectives in Section 1.0 of this Schedule.

3.0 Conditions and requirements for permits

Proposed C241 None specified

4.0 Requirements for development plan

Proposed C241 The development plan must be prepared for the whole site to the satisfaction of the responsible authority and generally in accordance with Plan 1 below and the following requirements:

Development plan components

A development plan must include the following components, as appropriate:

- Existing conditions and site analysis plans, which show:
 - Surrounding land uses and development.
 - Access points.
 - Adjoining roads.
 - Pedestrian and cycling links.
 - Public transport routes.
 - Noise sources.
 - Topography.
 - Existing canopy trees.
 - Soil conditions.

GREATER BENDIGO PLANNING SCHEME

- Vegetation.
- Concept plans for the layout of the site, *which may include non-residential uses, must be generally in accordance with Figure 1 and show:*
 - The location of proposed uses.
 - The location of existing and proposed buildings.
 - Three dimensional building envelopes for new buildings including indicative building heights, the separation distances between buildings, the relationship to surrounding sites and the setback from the street frontages.
 - Garden areas and locations of private and public open space.
 - Proposed lot and road layouts.
 - Areas set aside for car parking and bicycle parking.
 - Vehicle, bicycle and pedestrian access locations.
 - Waste storage and collection points, including any areas set aside for loading / unloading.
 - Stormwater and drainage management treatments including any water sensitive design, or integrated water management elements.
 - Indicative staging / sequence of development.
- A traffic management report outlining:
 - The existing capacity within the surrounding road network.
 - Likely car and bicycle parking demand and traffic generation.
 - Indicative access arrangements for vehicles, cyclists and pedestrians.
 - Recommendations for any traffic management measures.
- An arboricultural assessment of the effects of the development on any significant vegetation on the land including tree protection zones around trees of significance.
- An indicative landscape concept plan for the site.
- A report demonstrating how the development plan will achieve the development plan objectives and development plan requirements in this clause.

Development plan requirements

A development plan must include and address the following requirements to the satisfaction of the Responsible Authority:

Design requirements (all areas)

- Building forms must be well-proportioned and feature high quality details.
- Reproduction of heritage building forms and detailing must be avoided.
- Plant and services must be integrated with the building and must be located and screened so as to not be substantially visible from streets, public open spaces and secluded private open space areas.
- Residential development immediately adjoining the Bendigo-Melbourne Railway Line must be designed and located to limit noise levels in habitable rooms.
- Uses that include noise sources, such as mechanical plant, must include appropriate noise attenuation measures to minimise amenity impacts on residential uses.

Car parking & movement

- Vehicle access points to new development fronting Panton and Laurel Streets must be minimised to protect street trees and maintain the character of the frontage.
- Car parking associated with new buildings should not be visually prominent and should be located at the rear of new buildings or dwellings, or in a basement or undercroft section of a development.

GREATER BENDIGO PLANNING SCHEME

- New development should create public pedestrian connections through the site to link Laurel Street, Panton Street and Maple Street and include the opportunity to provide access to a future railway station for Golden Square.
- Loading and service vehicle access must be located and designed to avoid conflict with pedestrians and other vehicles, and to minimise visibility from the street.

Building height

The development plan must show the applicable preferred building height specified in Table 1 below and shown in Figure 1.

Table 1 Building height

Area	Preferred maximum height	Purpose
H1	9 metres	To facilitate development that is lower in height and less visually dominant than the main school building.
H2	11 metres	To facilitate 2-3 storey residential development.
H3	13.5 metres	To facilitate 3-4 storey residential development.

The development plan may vary the preferred maximum building height in Areas H1 and H2. Proposals to exceed the preferred maximum building height must be accompanied by a site analysis plan and a written urban context report documenting how the development plan will achieve the development plan objectives in this clause.

Setbacks

- Front setbacks to Panton Street must be determined by the setbacks of the nearby church buildings, as shown in Figure 1.
- Buildings must be setback a minimum of five metres to side boundaries, as shown in Figure 1.
- Buildings taller than two storeys must incorporate upper level side and front setbacks in order to reduce bulk and reduce amenity impacts.

Building frontages

- Buildings with long continuous side and front facades exceeding 10 metres must be divided into smaller vertical sections using variation in wall articulation, openings and windows, blank wall areas, materials and colours, or other techniques.
- On corner sites, buildings must address both street frontages with either openings and/or windows at street level.

Design requirements (in areas affected by Heritage Overlay - Schedule 916 only)

- A Conservation Management Plan must be prepared prior to the commencement of any works.
- The historic features of the site, as described in the Statement of Significance for the site must be preserved, including but not limited to the main school building and large peppercorn tree.
- Disruption to the original 1873 fabric of the main school building must be avoided unless for essential services or as an essential part of the adaptive re-use of the building.
- Extensions to the main school building must provide a clear separation between the old and new structure.

GREATER BENDIGO PLANNING SCHEME

- New development in the front setback of the building to Laurel Street (former playground / drill ground) must preserve or incorporate a significant vista of the main school building from Laurel Street as shown indicatively in Figure 1.
- New development in the front setback of the building to Laurel Street (former playground / drill ground) must not cover more than 30% of the front setback area and must include a landscaped space.
- The materials and colours of any buildings and structures must be compatible with the surrounding cultural heritage landscape.

Public open space contribution

- Public open space to allow for future access to the Golden Square Station, as shown in Figure 1, which will represent the total public open space contribution for the site.

GREATER BENDIGO PLANNING SCHEME

Figure 1 of Schedule 30 to Clause 43.04 - Indicative Framework Plan



Attachment 3 - Heritage Assessment and Statement of Significance



Former Golden Square Primary School No 1189 (photo 2016)



Laurie Burchell, photographer (ca. 1970- ca. 1999), State Library of Victoria

THE FORMER GOLDEN SQUARE PRIMARY SCHOOL

6 LAUREL STREET, GOLDEN SQUARE, BENDIGO, VIC, 3555

HERITAGE ASSESSMENT REPORT AND STATEMENT OF SIGNIFICANCE

PREPARED BY

AMANDA JEAN, ARCHITECT/HERITAGE CONSULTANT

FOR

THE DEPARTMENT OF TREASURY AND FINANCE, VICTORIA

OCTOBER 2018

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SUMMARY OF REPORT FINDINGS AND RECOMMENDATIONS

The Heritage Assessment Report of the former Golden Square Primary School, No 1189, at 6 Laurel Street, Golden Square, was commissioned by Centrum Town Planning on behalf of the Victorian Department of Treasury and Finance. The purpose of the report is to assess the level of cultural heritage significance of the former primary school and grounds and recommend heritage and conservation controls if required.

The findings of this Report are that:

The former Golden Square Primary School, No 1189, has individual cultural heritage significance to the City of Bendigo at a local level as well as contributory significance to the Laurel Street Heritage Precinct, Golden Square. It is in good condition and has a high level of integrity both externally and internally.

The former Golden Square Primary School, No 1189, dates to the discovery of gold in the Golden Square area in 1852. The school had an early beginning as a denominational tent school established as part of the Wesleyan Church mission in 1853. The construction of the present school building started in 1873 and opened for teaching in 1874. It is associated with the Education Act 1872. It was designed to accommodate a school population of 700 pupils which increased to 1000 pupils by 1890.

The front façade and setting of the bi-chrome red and cream brick Gothic Revival style school building and the dominating slate roof, tall decorative chimneys and ventilators provide character and are visually impressive. The layout and construction of the school building is robust and innovative. It is an example of a Junior Cadet military school that was established in the early 20th century. The front playground became the military drill parade ground and a Junior Cadet Barracks Room was added to the front entrance. Students who volunteered to fight and died serving in the First World War are remembered by the Schools Honour Board.

The two large mature Peppercorn trees (*Schinus molle*) mark the earlier western boundary of the former 1873 State School Reserve. The graceful weeping habit and aromatic pinnate leaves of the large fifteen metres tall trees are over a hundred years old. Commonly associated with school yards and railway stations and mostly planted during the 19th century, Peppercorn Trees are important identity markers of school playgrounds. These trees are now reaching maturity and are disappearing from the landscape.

The Peppercorn tree (*Schinus molle*) at the rear of the main building is an exceptional specimen of a school yard shade tree and has local historical significance. Whereas the other Peppercorn tree (*Schinus molle*) of similar age is for various reasons displaying signs of senescence. There are no recommendations for heritage protection of the latter tree.

The former Golden Square Primary School, No 1189, is of historical, social and aesthetic significance as an excellent representative example of its type at the local level to the City of Greater Bendigo.

It has historic, aesthetic and representative/architectural significance as an excellent example of a government school built as a direct result of the 1872 Education Act. It has social significance

for providing state sponsored education to local children for over 144 years until its closure in 2015.

The school expansion programme that was undertaken in the 1940s and 1950s with acquisition of additional land to accommodate portable classrooms, sports grounds and facilities, are not contributory to the primary school's heritage significance. The former church hall (c 1960s), which was used as the indoor sports facilities, has low heritage significance.

The recommendations of this Report are that:

The existing Laurel Street Heritage Precinct, HO25 be removed from the former Golden Square Primary School, No 1189, to the extent of the original State School Reserve and replaced by an individual heritage overlay.

Recommendation for the application of a new individual Heritage Overlay over the former Golden Square Primary School, No 1189, extending over the original State School Reserve and extended to include the rear mature Peppercorn trees (*Schinus molle*).

Justifications for the recommendation include the following heritage matters: -

- The heritage significance of the former Golden Square Primary School, No 1189, has been formerly recognised by its inclusion in the heritage overlay of the Greater Bendigo Planning Scheme at HO25, Laurel Street Heritage Precinct.
- The statement of significance for the Precinct lists contributory buildings that reflect the Statement of Significance.
- The former Golden Square Primary School, No 1189, is included in this latter list.
- It is identified as a key feature and contributory historic place in the Laurel Street Heritage Precinct (Eaglehawk & Bendigo Heritage Study 1993). It contributes to the visual cohesion of the precinct.
- It is one of a group of key civic buildings in the precinct that are distinctive for their polychrome red and cream brick Gothic Revival architectural style and are associated with the former Wesleyan Church in the area. It contributes to the high degree of integrity of the Laurel Street Heritage Precinct.
- Except for the former Golden Square Primary School, No 1189, other key heritage buildings within the Laurel Street Heritage Precinct were previously listed separately as individual heritage places. The recommendations are correcting an omission.

It is recommended and as advised by the Victorian Planning Practice Note 1 Applying the Heritage Overlay, 2018, a specific curtilage be identified around the former Golden Square Primary School, No 1189, in order to protect the heritage structure from future development.

- Recommendation for the creation of a view corridor that extends from Laurel Street to the front façade of the former Golden Square Primary School, No 1189. This will ensure the continued contribution of the heritage place to the Laurel Street Heritage Precinct. It will ensure that the historic view is retained. If development does occur on either side of the view corridor further design controls are recommended.

- On either side of the view corridor it is recommended that a Height Control (H1) of 9 metres be introduced for all new development.
- Recommendation for a 5 metres curtilage around the side and rear elevations of the former Golden Square Primary School, No 1189.
- A five metres will provide sufficient space to act as a buffer to protect the significant walls, eaves and windows, without constituting too much of an impediment on future development.
- Recommendation for a Height Control (H3) of 13.5 metres height control for future development at the rear of the former state primary school. The roof ridge height of the existing school is exceptionally high. The rear of the building does not have the level of integrity and authenticity as the front façade. The rear of the school can accommodate a greater degree of change than the front elevation without adversely impacting upon the heritage values and integrity of the place.
- The Peppercorn Tree (*Schinus molle*) inclusive of a 25 metres diameter root protection zone (no-development curtilage), located at the rear of the Main School Building be included in the new individual Heritage Overlay for Tree Controls for the former Golden Square Primary School, No 1189. Tree controls are specific to the Peppercorn Tree (*Schinus molle*).

Recommendation to introduce conservation controls to the new individual Heritage Overlay for the former Golden Square Primary School, No 1189. These include the following: Paint Controls and Prohibited Use Controls.

Recommendation that the former primary school sports playing fields, Lots 1-3 Title Plan 951463, Crown Allotments 15 Section 15A Parish of Sandhurst, to be removed from the Heritage Overlay HO25, Laurel Street Heritage Precinct. This is because there is no significant fabric and the land no longer reaches the threshold of local heritage significance.

It is recommended that Council consider as a future amendment adding Tree Controls within the HO25 Laurel Street Heritage Precinct in order to protect the entire Avenue of Dutch Elm trees (*Ulmus spp.*) on both sides of Pantom Street. This is recommended by the Bendigo and Eaglehawk Heritage Study, 1993, statement of significance for the Golden Square Heritage Precinct.



Figure 1: Recommended new Heritage Overlays for the former Golden Square Primary School No 1189 and the Peppercorn Tree (*Schinus molle*) with curtilage areas. Recommended changes to the Heritage Overlay HO25

(Map prepared by Raph Krelle, 2018).

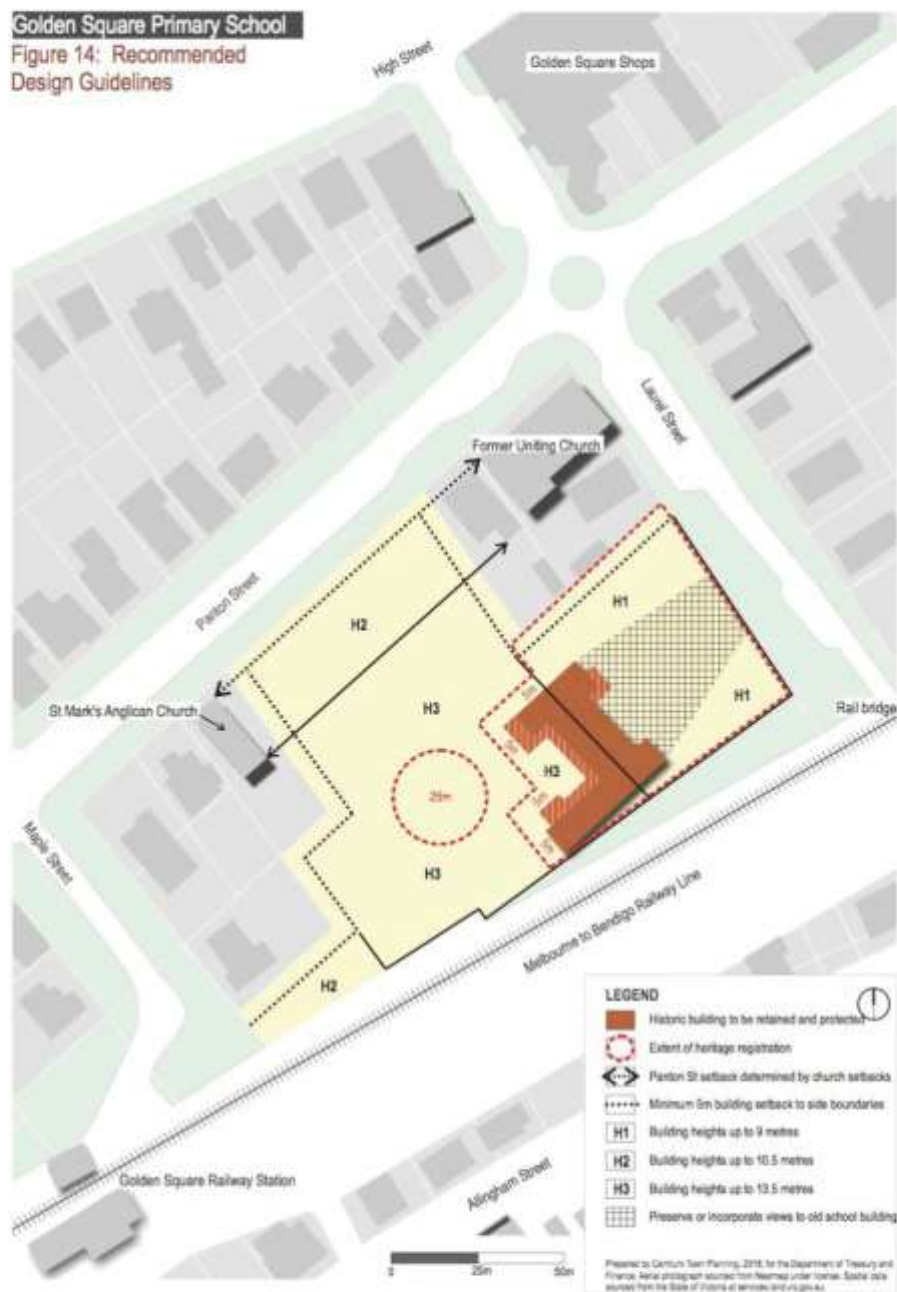


Figure 2: Recommended Design Guidelines

1.1 BACKGROUND AND BRIEF

The Heritage Assessment Report of the former Golden Square Primary School, No 1189, 6 Laurel Street, Golden Square, was commissioned by Centrum Town Planning for the Department of Treasury and Finance. The purpose of this report is to assess the level of significance and following, prepare a statement of cultural heritage significance for the former Golden Square Primary School, No 1189, with conservation controls if necessary.

1.2 REASONS TO AMEND

When the former state primary school closed in June 2015, the Department of Education and Training declared it surplus to government operating requirements. Centrum Town Planning was engaged by the Department of Treasury and Finance to make recommendations for the planning provisions that should apply to the former school land. This Heritage Assessment Report is one of three supporting documents that informs the recommendations to rezone the former Golden Square Primary School (the site) from Public Use zone to a non-public use zone.

The significance of this place has been recognised by its inclusion in the heritage overlay of the Greater Bendigo Planning Scheme at HO25 as a key feature and contributory historic place in the Laurel Street Heritage Precinct (Eaglehawk & Bendigo Heritage Study (1993). It is, however, an early listing.

The format of the statement of significance for Laurel Street Heritage Precinct was prepared in 1993. The statement of significance does not include all the heritage values sought to be protected and managed for this site under the Planning Scheme. Additional values are attributed to the historical importance of the early school's development, its architectural style, its setting, curtilage, former playground and military parade ground, and mature peppercorn tree.

1.3 BACKGROUND TO THE AMENDMENT

The former Golden Square Primary School, No 1189, is located at 6 Laurel Street, Township of Golden Square, Bendigo. It comprises an area of approximately 1.3 hectares. The area is made up of 9 parcels of land, being a mix of Crown land and freehold title. It includes the following parcels of land as shown on the diagram below, Crown Allotment 3A, Section 15A, Parish of Sandhurst, State School Reserve (Crown Land) and Lots 1-3 Title Plan 951463, Crown Allotments 15 & 16 Section 15A Parish of Sandhurst, and Lots 1-3 Title Plan 812382.

The former Golden Square Primary School, No 1189, is part of the Laurel Street Heritage Precinct HO25, Bendigo Planning Scheme. There is one Lot on the western side of the school sports field, and three on the southern boundary, which are not included in the Heritage Overlay Laurel Street Precinct HO25. These include the three Lots TP812382 along the railway line and Lot 16 TP951463, adjacent the Church.

As part of this Heritage Assessment Report the potential significance of post Second World War school development of the former Golden Square Primary School was examined.

The 1940s and 1950s was a time of great experimentation in education design led by the Victorian Public Works Department Chief Architect, Percy Everett. He introduced the hexagonal classroom schools in 1946 and also the Bristol prefabricated classrooms between 1952 and 1954. This programme was managed under the private architectural firm of Roy Grounds. However, examples of these buildings have since been removed from the primary school site.



Figure 3: Site Plan. The area marked with a pale red background on the plan above is Crown Land associated with the establishment of the 1873 State School Reserve. The remaining parcels of land were acquired at a later date by the Education Department.

1.4 METHODOLOGY

Methodology is a system of principles that govern the way in which information and data is gathered and analysed for research assessment. The report is based on the following recommended methodologies in accordance with requirements for a Planning Scheme Amendment: -

- **VPP Practice Notes “Applying the Heritage Overlay” revised January 2018**, which provides guidance on what should be included in heritage overlays and heritage precincts or significant areas and such matters as ‘How are individual buildings, trees or properties of significance located within significant areas treated?’ **and** ‘What are recognised heritage criteria?’ and ‘Writing Statements of Significance’.
- **The Burra Charter, revised 2013, Australia ICOMOS** (International Council on Monuments and Sites), which is recognised Australia-wide in the identification, assessment and conservation of heritage places. Cultural significance is defined in the *Burra Charter* as being, ‘... embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects’.
- **Heritage Victoria’s *Model Consultants Brief for Heritage Studies*** (January 2010).
- **City of Greater Bendigo Heritage Studies** including the following:
Bendigo & Eaglehawk Heritage Study – Significant Sites 1993;
City of Greater Bendigo: Thematic Environmental History, 2013;
The State Planning Policy Framework and Local Planning Policy Framework of the City;
of Greater Bendigo Planning Scheme;
Miles Lewis, Australian Architectural Index;
<http://www.mileslewis.net/australianarchitectural.html>;

Victorian Heritage Database, <http://vhd.heritage.vic.gov.au>.

1.4.1 Collection of information

The history of the site was researched and documented using both primary and secondary sources. Primary sources, including historic maps and photographs, newspapers, land records, *Sands & McDougall* directories, rate books and other Council records, were used to establish the date of construction and early occupation of buildings and to provide further details about the use and development of individual structures.

Newspapers and visual material were accessed through the State Library of Victoria, the National Library of Australia's Trove website, Land Victoria, and the Public Record Office Victoria. Council building registers and rate books and rates indexes were also researched at the Bendigo Regional Archives Centre and Goldfields Research Centre.

Secondary sources referenced the *City of Greater Bendigo: Thematic Environmental History*, 2013, as well as published local social histories and personal memoirs about the history of Golden Square Bendigo. The list of 'References' at the end of the citations provides more detail as to the specific references used in the preparation of the property history.

Site visits and fieldwork were conducted between July and August 2016. Inspections were undertaken from both the public domain, on site and inside the school building. The survey included consideration of the condition and extent of original fabric and relative intactness. Mapping, site surveys and recording of buildings, spatial arrangements, functions and genealogy were combined with photography to prepare a written description of the site and its wider context. It included aspects about the history and character of the setting, landscape and space such as evidence of school gardens, playgrounds, sporting fields and the like.

1.4.2 Analysis of information

Heritage assessment includes narrative inquiry that is an investigation of the ability of a place to reveal its story. Different types of stories about the former Golden Square Primary School are linked to historic themes set out in the *Greater Bendigo Thematic Environmental History*, the *Eaglehawk and Bendigo Heritage Study* and the *Statement of Significance of Greater Bendigo*.

A comparative analysis against Bendigo's historic themes has revealed how the Golden Square Primary School, No 1189, interprets key historical periods in the development of education in Bendigo. The degree of legibility of the historic themes on site provides important visual anchors for the place.¹ Different heritage assets were measured against key stages in the wider development of the Victorian educational system throughout the 20th century.

These stories describe the process of the site's production, evolution and public consumption that is how the site was used. It includes an analysis of different philosophical approaches to teaching (pedagogy). Pedagogy refers to the theory, practices and principles of the profession of teaching.

Teaching is a spatial practice. Different methods of teaching result in different types of buildings, arrangements of structures, design of interior and exterior spaces, including attitudes towards vegetation. The changing approach to teaching relates to shifting notions of community identity, cultural and social values.

¹ Lowenthal, D. (1985). *The Past is a Foreign Country*, Cambridge University Press, Cambridge, Tengberg, Anna et al, (2012) *Cultural Ecosystems Services Provided By Landscapes: Assessment Of Heritage Values And Identity*, Ecosystem Services 2 (2012) 14-20.

1.4.3 Assessment of information

Heritage assessment has an evaluative dimension that determines how the past should be recalled and valued in the present. The methodologies listed above give guidance about how this evaluation should be undertaken. Standard heritage criteria are applied to determine the relative degree of significance of the site and its' assets. The criteria are as follows:

- *Criterion A:* Importance to the course or pattern of the City of Greater Bendigo's cultural or natural history (historical importance).
- *Criterion B:* Possession of uncommon, rare or endangered aspects of the City of Greater Bendigo's cultural or natural history (rarity).
- *Criterion C:* Potential to yield information that will contribute to an understanding of the City of Greater Bendigo's cultural or natural history (research potential).
- *Criterion D:* Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- *Criterion E:* Importance in exhibiting particular aesthetic characteristics in the context of the municipality (aesthetic significance).
- *Criterion F:* Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- *Criterion G:* Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of the place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- *Criterion H:* Special association with life or works of a person, or group of persons, of importance in the City of Greater Bendigo's history (associative significance).

Based on these recommendations a cultural heritage statement of significance and citation has been prepared for an individual heritage listing of the former primary school in the Planning Scheme as part of a proposed Planning Amendment.

The information is as follows:

- a statement of significance;
- a summary of the history;
- list of references;
- a description of the structures;
- recommendation for inclusion/exclusion in the Heritage Overlay;
- recommendations relating to specific identification of elements of significance;
- a recent aerial map identifying the location and extent of the Heritage Overlay;
- assessment against heritage criteria;
- an indication of intactness and condition;
- a comparative analysis and associated historical themes.

1.5 PLANNING STATUS

The former Golden Square Primary School, No 1189, is made up of 9 lots. They include Crown Allotment 3A, Section 15A at B3ndigo Parish of Sandhurst (Crown land), Lot1-3 title Plan 951463, Crown Allotment 15 & 16, Section 15A at Bendigo, Parish of Sandhurst, Lot 1-3 title Plan 812382.



Figure 4: Planning Status. The majority of former Golden Square Primary School is currently zoned Public Use 2- Education except for the 4 lots along the western boundary, which are zoned General Residential Zone 1.

1.5.1 Statutory Heritage Controls

The former Golden Square Primary School, No 1189, is a contributory heritage place in the Laurel Street Heritage Precinct listed under HO 25 of the Heritage Overlay Schedules of the Greater Bendigo Planning Scheme. Copies of relevant heritage citations are included at Appendix A.



Figure 5: Planning Status Heritage Overlay

1.5.2 Aboriginal Cultural Heritage Sensitivity Aboriginal Heritage

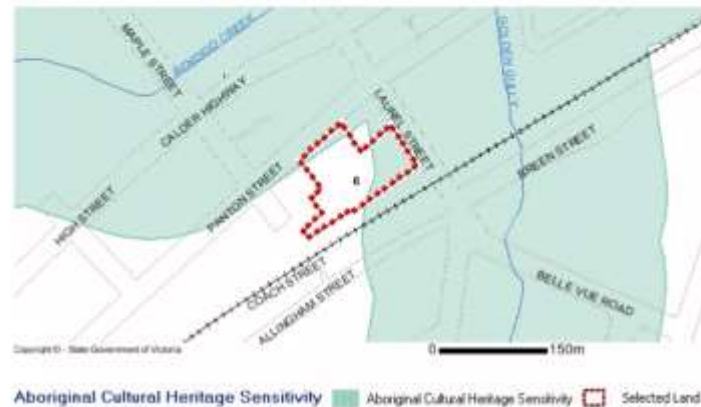


Figure 6: Planning Status Aboriginal Cultural Heritage Sensitivity



Figure 7: 1852 Map (State Library of Victoria)

Early involvement by Aboriginal people in the discovery and collection of gold and colonial administration of the area has been recorded on plan by an early gold digger in 1852. There are few remnant artefacts that record the first Government Camp and Native Troopers Camp in the vicinity of the Golden Square Primary School No 1189, except for this 1852 map drawn by an early gold digger.

The map clearly shows the topography of the area, the deep string of ponds that made up Bendigo Creek and the dry ephemeral Golden Gully waterway. The site of the Golden Square Primary School No 1189 is marked on the lower left side of the diagram.

2.0 STATEMENT OF SIGNIFICANCE

Name Former Golden Square Primary School, No 1189, Address 6 Laurel Street, Golden Square VIC 3550 Property No:	Reference
Building Type: Former state primary school, red brick 1874 single storey school and a Peppercorn Tree, <i>Schinus molle</i> .	Map Reference
Current Heritage Status: The Former State Primary School and grounds are included within the Heritage Overlay, HO25. No tree controls.	Survey date August 2016 (external and internal inspection)
Laurel Street Precinct HO25	Recommendation Include the Former Golden Square Primary School, No 1189, red brick main building and a Peppercorn Tree, <i>Schinus molle</i> , in the Schedule to the Heritage Overlay as a place of individual heritage and contributory to the Laurel Street heritage precinct HO25.
	Hermes Number



Designer/Architect W.H. Ellerker Department of Public Instruction in 1873 under HR Bastow.

Architectural Style Gothic Revival

Heritage Studies

Bendigo and Eaglehawk Heritage Study 1993 Graeme Butler

Heritage Assessment Report 2016/2018, Mandy Jean

Significance The 1874 Former Golden Square Primary School, No 1189, is of local historical, social and representative and aesthetic significance to the City of Greater Bendigo. The Peppercorn trees, (*Schinus molle*), is of historic significance to the City of Greater Bendigo.

What Is Significant?

The former Golden Square Primary School, No 1189, including the former 1874 school, a single storey polychrome brick building with blue stone foundations and base course, the slate roof configuration of decorative chimneys and raised ventilators, the front former school playground and military parade ground and single mature Peppercorn tree, *Schinus molle*, at the rear of the building. The rear cloakroom additions built in early 1904-1911 associated with Schools Inspector, Frank Tate's reforms, are of contributory significance. The recent verandah additions at the rear of the school building and circa 1960s prefabricated classroom, which is attached to the red brick school by a small covered walkway link, former 1960s church hall and other outbuilding and garden structures, fences and vegetation are not significant.

History

The former Golden Square Primary School, No 1189, had an early beginning in 1853, as a Wesleyan nomadic tent school based in Golden Square. The school tent, which was originally managed under the auspice of the Wesleyan Church developed into one of the largest primary schools in Bendigo by 1874. A permanent Denominational Wesleyan School formally opened in 1855 with the construction of a small timber school building and teacher's house. Shortly after the abolition of the Denominational School Board in 1862 by the Victorian government, the school became known as the Commons School, No 279.

Following the Education Act of 1872, the school, its teachers and pupils, were transferred to the present site at 6 Laurel Street, Golden Square adjacent the Uniting Church (former Wesleyan Church, 1870-1873). The school was known as the Golden Square Primary School, No 1189. The first school building on site consisted of a large timber hall, 60 feet by 18 feet, with a shingle roof, and 12 feet wide galleries at each end. By August of that year there were 500 pupils at the school.

The Victorian Education Department set up its own Architecture Branch under H.R. Bastow in 1873, largely in response to the increase in population generated by the gold rush. The construction of new substantial brick and slate roof single storey school building that commenced on site in 1873 and officially opened in April 1874 is associated with a massive public school building programme initiated by the Education Department.

The Golden Square Primary School, No 1189, was built for 700 pupils. The cost of the building was 3,472.10.0 pounds, built by local contractor, John Cowper, the builder who also constructed the Long Gully State School. The population of the school rapidly rose to 1041 pupils by 1895. The school closed in 2015.

Description

The design of the Golden Square Primary School, No 1189, is in the Gothic Revival architectural style. It is one of several typical school designs that were built under the direction of HR Bastow, resulting from an architectural competition. The winning entries were published in the Australian Sketcher in 1873. The architect, W. H. Ellerker, won first prize for his design in the third division of schools that were designed to accommodate 500-700 pupils.

His standard symmetrical model plan for 500 pupils became the basis for at least sixteen schools including, Golden Square Primary School, No 1189, as well as schools at Buninyong, Creswick, Castlemaine and Maldon. There are several variations to the architectural design which include

different window arrangements, brick patterning, the shape of the bell turret and the inclusion or omission of porches.

The former Golden Square Primary School, No 1189, remains one of the more intact examples of its type. There have been only minimal alterations and additions at the rear associated with educational reform initiated by Frank Tate's administration as Director of Education, in the early 1900s. This included the removal of the stepped classroom floors and installation of series of roof vents for cooling. Other minor additions took place at the rear of the main school building in the mid 20th century. Major school expansion occurred in 1940s and 1950s. These portable classrooms have since been removed from the site.

The front yard of the Golden Square Primary School, No 1189, was used as the school playground and military parade ground until 1959, when land was purchased facing Pantom Street and the existing dwellings demolished to make room for a sports field. At the time the school acquired the use of the church hall for an indoor sports hall. A number of trees are located on the school site, including two mature Peppercorn trees, *Schinus molle*, which grow along the original school western boundary dating to the 19th century. Additional Eucalyptus trees were planted in the 1970s and a row of Lemon-scented Eucalyptus trees that mark the new boundary of the school planted along Pantom Street. The Peppercorn Tree, *Schinus molle*, at the rear of the school building is an exceptionally fine example of a mature tree.

How is it significant?

The former Golden Square Primary School, No 1189, is of historical, social and aesthetic significance as an excellent representative example of its type at the local level to the City of Greater Bendigo.

Why is it significant?

The former Golden Square Primary School, No.1189, building is of historic significance as one of the oldest schools in Bendigo opening in 1874 and also one of the wealthiest. The evolution of the school illustrates the changing philosophy to public education in Victoria. (Criterion A)

The former Golden Square Primary School, No.1189, is socially significant for providing education to the local population continuously for over 160 years prior to its closure in 2015. It is an unusual early example of a Junior Cadet School with onsite military training for students in the front drill parade ground. (Criterion H)

The mature Peppercorn tree, *Schinus molle*, at the rear of the primary school has historic significance as an exceptionally fine example of a school yard shade tree, which is over a hundred years old. (Criterion A)

The former Golden Square Primary School, No.1189, has aesthetic significance as an excellent representative example of a colonial school based on the influential Buninyong Competition School Plan designed by architect, WH Ellerker, under the direction of HR Bastow, the Education Department's Chief Architect. The building's design has an aesthetically pleasing bi-chrome red and cream brick Gothic Revival composition that has a high level of integrity. (Criteria E and D)

Assessment Against Criteria

Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

Criterion D

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

Criterion H

Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

2.2 RECOMMENDATIONS

Planning Status

Recommended for inclusion in the Schedule to the Heritage Overlay of the Greater Bendigo Planning Scheme as an individual heritage place which contributes to the Laurel Street Heritage Precinct HO25.

External Paint Controls	Yes
Internal controls	No
Tree controls	Yes
Outbuildings and fences not exempt under Clause 43.01-3	No
Included on the Victorian Heritage Register under the Heritage Act 1995	No
Prohibited uses permitted	Yes
Name of Incorporated Plan under Clause 43.01-2	-
Aboriginal Heritage place	-

Conservation Policy: Recommended Design Guidelines

1. The existing Laurel Street Heritage Precinct, HO25, be removed from the former Golden Square Primary School, No 1189, as it extends to the original State School Reserve.
2. Recommendation for the application of a new individual Heritage Overlay over the former Golden Square Primary School, No 1189, over the original State School Reserve and extended to include the rear mature Peppercorn trees (*Schinus molle*).
3. A curtilage be introduced for the former Golden Square Primary School, No 1189, heritage place in order to protect the heritage structure from future development as follows: -
 - Recommendation for the creation of a view corridor that extends from Laurel Street to the front façade of the former Golden Square Primary School No 1189. This will ensure the continued contribution of the heritage place to the Laurel Street Heritage Precinct.
 - On either side of the view corridor it is recommended that a Height Control (H1) of 9 metres be introduced for all new development.
 - Recommendation for a 5 metres curtilage around the side and rear elevations of the former Golden Square Primary School, No 1189.

- A five metres will provide sufficient space to act as a buffer to protect the significant walls, eaves and windows, without constituting too much of an impediment on future development.
- Recommendation for a Height Control (H3) of 13.5 metres height control for future development at the rear of the former state primary school. The rear of the school can accommodate a greater degree of change than the front elevation without adversely impacting upon the heritage values and integrity of the place. This is because the roof ridge height of the existing school is exceptionally high, and the rear of the building does not have the same level of integrity and authenticity as the front façade.
- The Peppercorn Tree (*Schinus molle*) located at the rear of the Main School Building be included in the new individual Heritage Overlay for Tree Controls for the former Golden Square Primary School No 1189. Tree controls are specific to the Peppercorn Tree (*Schinus molle*) and include a no development curtilage of 25 metres diameter root protection zone around the tree.
- Recommendation that the former primary school sports playing fields, Lots 1-3 Title Plan 951463, Crown Allotments 15 Section 15A Parish of Sandhurst, be removed from the Heritage Overlay HO25, Laurel Street Heritage Precinct. This is because there is no significant fabric and the land no longer reaches the threshold of local heritage significance.



Figure 8: Recommended Design Guidelines

2.3 HISTORY

Golden Square is a suburb of Bendigo located two kilometres west of the city centre at the confluence of Bendigo Creek and its tributary, Golden Gully. It was in this vicinity in 1852 that gold was discovered, leading to the establishment of the Sandhurst (Bendigo) goldfields. The township of Golden Square was surveyed in 1854. The Wesleyan Church under the Wesleyan Church Association School established a tent school in the area in 1853. The Church still occupies the original site at the corner of Laurel and High Streets.

The wealth won from the nearby gold mines resulted in a fairly well-paid workforce in the locality, which clustered around several substantial civic buildings. These include among others the Uniting Church, the former Methodist Church (1873), the Manse, the Wesleyan Sunday School and the Anglican Church (1881). The need for a school in Golden Square was predominately to educate the children of those parents working on the deep lead mines located to the north and south of Golden Gully.

The initial provision of schools in Victoria from 1837 to 1862 was by private groups formalized in 1848 under the National Board of Education and the Port Phillip Denominational Board. Victoria had inherited the New South Wales schools' system (Campbell and Proctor, 2014:42). In 1862, the Board of Education was established under the Common Schools Act, and proceeded to control school plans and regulations, still generally in accordance with English prototypes.

In 1862 the Denominational School Boards were abolished, and the Golden Square Wesleyan School became Common School, No 279. There was pressure from the communities on the goldfields for secular non-denominational 'common schools' to support the growing number of children in the area.

Options for private venture education existed, but for the majority on the goldfields education was initially supplied by often nomadic competitive denominational tent schools (Campbell and Proctor, 2014:60). The Victorian Education Act of 1872 followed the example of the English Education Act of 1870 and introduced a revolutionary approach to schooling.

Golden Square Primary School, No 1189, replaced the Golden Square Common School No 279, located nearby in Golden Square which was established by the Wesleyan Authorities under the Denomination Board on the 1st February 1853 (Munari 1973). The first headmaster was William McClure and the enrolment was 60 pupils. Schools Inspector Thomas toured the school in 1854 and reported there was a nominal enrolment of 101, but that the makeshift school followed the nomadic movement of the miners. It was only in 1857 that Rev Joseph Dare forwarded plans to the Denominational Board and a sum of \$356 to match a government grant of \$150 for the construction of the building (Munari 1973). The first school building was timber with a metal roof and complete with a detached teachers' residence. The buildings were built on the Wesleyan Chapel Reserve on the corner of Laurel and High Streets, Golden Square.

2.3.1 The 1872 Education Act

The Golden Square Primary School was built as a direct result of the 1872 Education Act (Blake, 1973:757). The District Inspector of Schools, Archibald Gilchrist, selected the site of the school reserve adjacent the Wesleyan Church (the Uniting Church) on the corner of Panton and Laurel Streets in Golden Square in 1873. Local builder, Robert Wilkinson, was awarded the contract (250.10.0 pounds) to build the first government school. This was a timber building, 60 feet by 18 feet, with a shingle roof, with 12 feet wide galleries at each end and porches at each end of the building. By August 1873 there were 500 pupils at the school.

The Government was petitioned to provide adequate accommodation. At the end of November 1873, John Cowper, a local builder, who also constructed Long Gully State School, won the contract for 3,472.10.0 pounds for the erection of a very substantial brick building to accommodate 700 pupils (Munari, 1973). The first timber school continued to be used on the site until the 1920s. By 1874, a night school commenced to accommodate the growing numbers of pupils. By 1895 enrolment had reached 1041 pupils (Munari 1973).

The Golden Square Primary School Centenary 1873-1973 publication by the organising committee of the Centenary Celebrations written by D. J. Munari, states that the school opened on 17 August 1874 and the head master was Mr. Richards. There were several other schools in the area, a municipal school that operated from the Methodist Hall, another located near the site of St Mark's Anglican Church in Panton Street conducted by Mr. Jenkins and known initially as a Presbyterian School and another school at the corner of Laurel and Allingham Streets managed by Miss O'Sullivan and described as a Roman Catholic School (*1932-33 Back to Golden Square Souvenir Booklet, 1933*).

With the passing of the Education Act in 1872, the Government became responsible for the provision of all schools. The new Education Department set up its own Architecture Branch under H.R. Bastow. During the following three years almost one third of the total number of schools provided by the Education Department in the 19th century were built. School sizes increased from a maximum of three hundred to one thousand pupils. The schools generally included attached teachers' residences.

Victoria's Education Act 1872 broke new ground. Government, on behalf of the community, took responsibility for educating all children and young people. The largest education building program ever seen in this country began in 1872 when education was proclaimed free, secular and compulsory. The 1872 legislation required all children aged 6-15 years to attend school unless they had a reasonable excuse. Parents who did not send their children to school were liable for fines up to five shillings for a first offence, with the penalty increasing to 20 shillings for each repeat offence. In the five years following the 1872 Act, 600 schools were built around Victoria, either remodelled from existing structures or built from new.

The Golden Square Primary School was based on a generic public school design by the architect W.H. Ellerker that had been prepared for a design competition held by the new Department of Public Instruction in 1873 under HR Bastow. Built during 1873 and completed in 1874 the Gothic Revival style of the school was substantial and impressive. The school was innovative and modern with water connected in 1877, sewerage in 1930, and reticulated water in 1973.

The physical environment is important to effective teaching and learning and Bastow's designs reflected current practice in the 1800s. Effective learning was believed to occur with repetition and practice, and by keeping attention on the group rather than the individual student. During this era class sizes were large, and rooms were cavernous. The layout of the interior of the Golden Square Primary School reflects this legacy. The rooms are exceedingly large, many have internal temporary partitions but remain substantially intact. The interior plan clearly demonstrates early teaching philosophy with very few later modifications.

2.3.2 Early 20th Century Evolution of the School

Subsequently features in teaching aids were incorporated into the interior. By 1904 the original stepped floor feature of the classrooms, designed to improve sightlines from pupil to teacher, were now considered dangerous. The floors were made flat with teacher's platforms. The New Education Department Building Regulations in 1911 were the impetus for enlarging the

windows of many earlier schools with changes occurring from 1899 to 1923. There is no evidence of these changes at Golden Square Primary School.

However, it was during this period that the school was fitted with the distinctive conical roof ventilators to improve cooling during the hot summers and a series of small annexes were constructed in the rear courtyard. The tall elaborate barley twisted chimney's and fireplace remained to warm the rooms during winter. Early use of portable classrooms came into vogue by 1912 as cheap, portable, open-air pavilion classrooms were developed, although there is no evidence of these structures on site.

In 1910 school committees replaced the original Board of Advice set up under the Education Act 1872. The Golden Square Primary School committee was established in 1911. It was a statutory body receiving its powers under the Education Act. The Golden Square School with in excess of 500 pupils was classified as a 'Special Class' and was entitled to twelve members on the school committee. In addition to the committee there was a Mother's Club formed in 1924 that was very active in fund raising to provide for the new library, books, desks and such like equipment.

These committees working with the staff were instrumental in promoting the school, and its many innovative programmes, Empire commemorative occasions, Arbor Days, Wattle Days and Honour Books, in commemoration of former members of the school who fought and died in the wars, scholarships, all helped to create a particular identity for the place. The war effort was promoted with donation of large sums of money to the Education Department War Fund. As a Junior Cadet School with onsite military training for students, graduates were entitled to volunteer during the First World War in the office ranks. The Golden Square Primary School No 1189 Honour Board was donated to the Bendigo RSL Museum Hall in 2015.

2.3.3 Post Second World War Expansion

It was only after the Second World War when pupil numbers started to increase again that there was renewed interest in pre-fabricated classrooms. Schools became the agents of modernisation and community building. In 1950 prefabricated aluminium two-classroom 'Bristol' units were imported from England. The Bristol aluminium classroom was a prefabricated classroom unit manufactured by the Bristol Aeroplane Company and imported into Victoria in 1951 and other states. In total 782 of these were ordered into Australia as an attempt to solve the accommodation and education crisis.

The notion that school facilities could be used as community centres in non-school hours was fostered by educational leaders in the 1940s in Australia. The Australian Council for Educational Research (ACER) began publication of a series of books on the importance of good design. It illustrated the benefits of consolidating the one room school houses into modern-purpose built schools.

In 1952, the Public Works Department under Chief Architect Percy Everett, developed the Light Timber Construction (LTC) design, which became the dominant school building for the next twenty years. In 1961 a new portable classroom was developed and the current concept of providing a core school design for new schools, with flexibility provided by the addition or removal of portable classrooms, was established. School design became an experimental ground for unusual innovative methods of building technology (The Designing Australian Schools Research Group, Classroom to Campus 2013).

In 1948 the Golden School Primary School submitted a request for additional classroom space. In 1952, a 'Bristol building' housing two classrooms was erected for 1,300 pounds, which became the Rural School. In 1961 the first two Light Timber Construction (LTC) design, were

erected off Maple Street. In 1964 this was increased to three additional LTC prefabricated classrooms. It was followed in 1966 with another classroom for 3,844 pounds and a further classroom added to the Maple Street section in 1969 for 5,778 pounds. In 1965 the Nieman property on Pantom Street was purchased and demolished to provide for extra playground space. In 1966 a further prefabricated classroom was built at Maple Street followed by a further classroom in 1969. The nearby 1960s church hall was converted as an indoor sports facility.

The layout and spatial arrangement of the school, its play grounds and playing fields demonstrates changing attitudes towards corporeal education. The front yard remained the main playground and drill ground for the school for the majority of its existence. The west side of the rear courtyard was planted with a Peppercorn tree, *Schinus molle*, and another planted on the west elevation of the school.

These trees mark the earlier western boundary and former 1873 School Reserve of the Golden Square Primary School No 1189. The graceful weeping habit and dark green aromatic pinnate leaves of the large 15 metres tall trees are commonly associated with school yards and railway stations. They may have been planted in the late 1890s. There are a number of Peppercorn trees, *Schinus molle*, surrounding the adjacent Golden Square railway station.

The 1950s and 1960s prefabricated units were arranged at the rear of the school in two rows leading towards the railway station, in a design to replicate a village atmosphere. At the same time the School sold off an earlier school pine plantation to provide funds to purchase properties facing Pantom Street to create grass sports playing fields. A shelter shed was erected at Laurel Street front playground.

2.3.4 Late 1970s Development

In the 1970s the school expanded to include a new Library at Laurel Street, which was opened by the Hon. L. Thompson, Minister for Education in 1971. Further works included a new Sick Bay and automatic watering system. The majority of these 1940s and 1950s prefabricated units have been removed from site due to structural and safety reasons including the use of asbestos in the early building material.

In 1973 trees commemorating the schools' centenary were purchased and planted, 48 Maple trees planted along the southern boundary and six Maple trees planted along the railway line. There is no evidence of the Maple trees today. But a large 'bush garden' was planted at the front of the school along the west boundary. The large semi-mature Manna Gum planted during the centenary celebrations in 1973 in the 'bush garden' at the front of the school, along Laurel Street benchmarks changing attitudes towards the design of school gardens. It stands for recognition within school education about the aesthetic value of the Australian environment. Advocated by leading Australian landscape environmental designers 'bush gardens' became distinctly Australian created with exclusively native plants during the 1970s.

It illustrates the popularity and longevity of the State School Nursery, Department of Education, the Victorian State Schools Horticultural Society, supported by the Australian Native Association founded by CE Isaac, Supervisor of School Gardens in 1909. It is the only evidence together with the front playground, drill ground and Junior Cadet Barracks Room, of the strong patriot dimension of school gardening and corporeal education, an important facet to the history of education in Australia.

The school was awarded the Australian Native Association (A.N.A.) prize for the most improved gardens and grounds in the Bendigo inspectorate in 1973. The introduction of an Australian bush garden at the front of the school is recognized as an historic theme in the history

of Bendigo. However, this is not a particularly good example of such a school garden in the area as a range of plants have been miscellaneously added over the last thirty years.

2.3.5 References

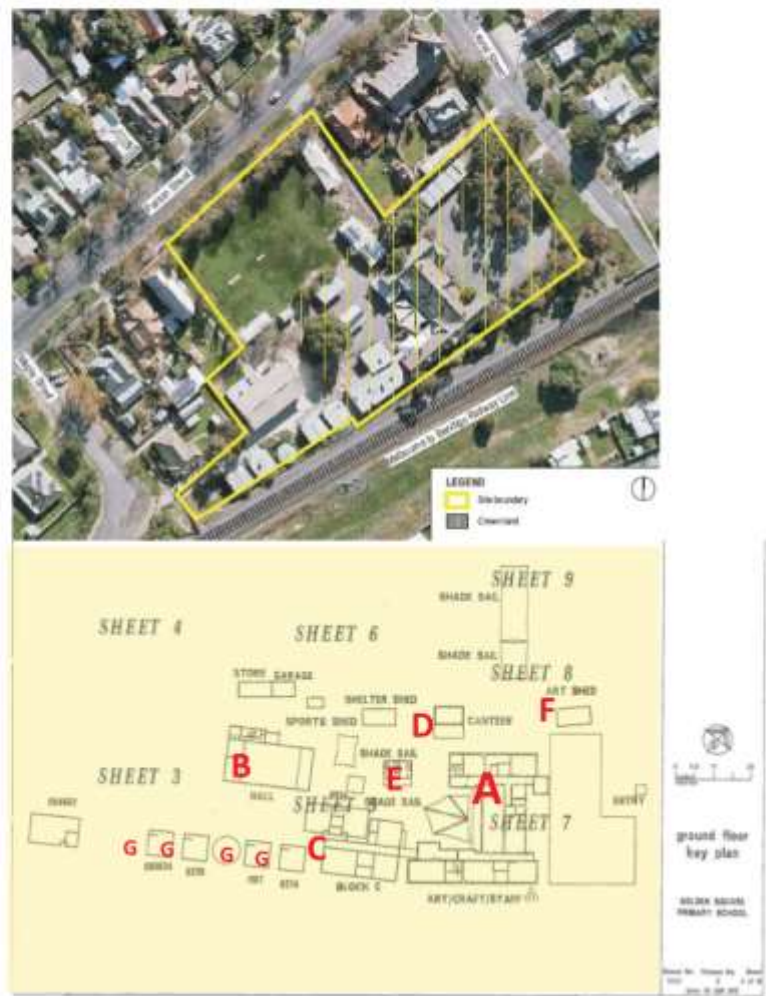
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- <http://vhd.heritagecouncil.vic.gov.au/places/5282#sthash.mfovFMfI.dpuf>
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2.3.6 Victoria's Framework of Historical Themes

8.0 Building community life

8.2 Educating people

2.4 DESCRIPTION



A	MAIN SCHOOL BLOCK	1873 Government designed Gothic Revival 'I' shaped red brick school
B	HALL BLOCK	1950s Brick with high clerestory windows.
C	BLOCK	1960s Light Timber Construction
D	CANTEEN	1970s Light Timber Construction
E	TOILET BLOCK	1990s Red brick toilet block
F	ART SHED	Post 1970 Metal all other sheds and garages, are metal frame and clad
G	BRISTOL CLASSROOMS	1952 Bristol Single classroom prefabricated structures aluminium some later Australian made timber external cladding.

Figure 9: Site Map c 2015

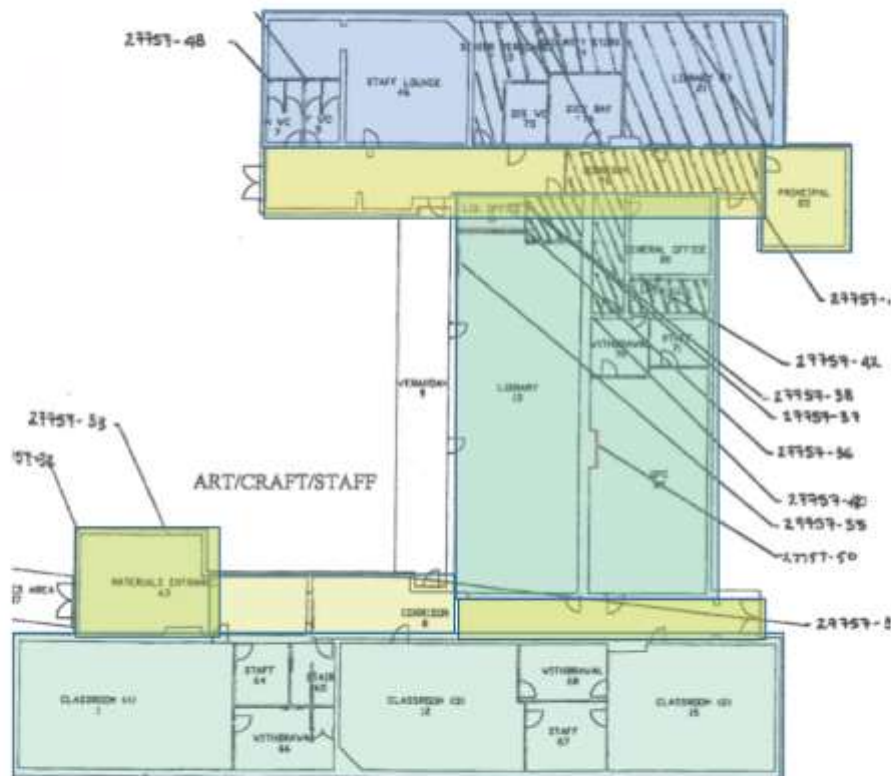


Figure 10: Survey drawing of the layout of the Golden Square Primary School, No.1189, in 2018

2.4.1 Main Building

The Main School Building is very substantial and robust. Designed as a bi-chrome red brick building in 1873 by the architect W.H. Ellerker. The design had been prepared for a design competition held by the new Department of Public Instruction in 1873 under HR Bastow, for the State Schools Division. Two years later, HR Bastow became the Senior Architect of the Public Works Department. At the end of November 1873, local builder, John Cowper, who also constructed Long Gully State School, won the contract (3,472.10.0 pounds) for the erection of a brick building to accommodate 700 pupils.

The building is typical of the Gothic Revival type, designed in an "I" shape with central section bookmarked by two end wings. Projecting gables break up the long horizontal central facade. The building has a substantial blue stone rusticated base course, with banks of triple double hung timber sash windows interspersed with single four pane timber double sash windows. The rear of the building has an original open verandah which is infilled in sections.

The small annex located beside the front entrance was formerly the Junior Cadet cloakroom. The interiors are simple but cavernous, somewhat plain, generally intact to their original nineteenth century configuration. The entrance lobby and corridors are a little more decorative with timber architraves. The internal layout has not altered over the years.

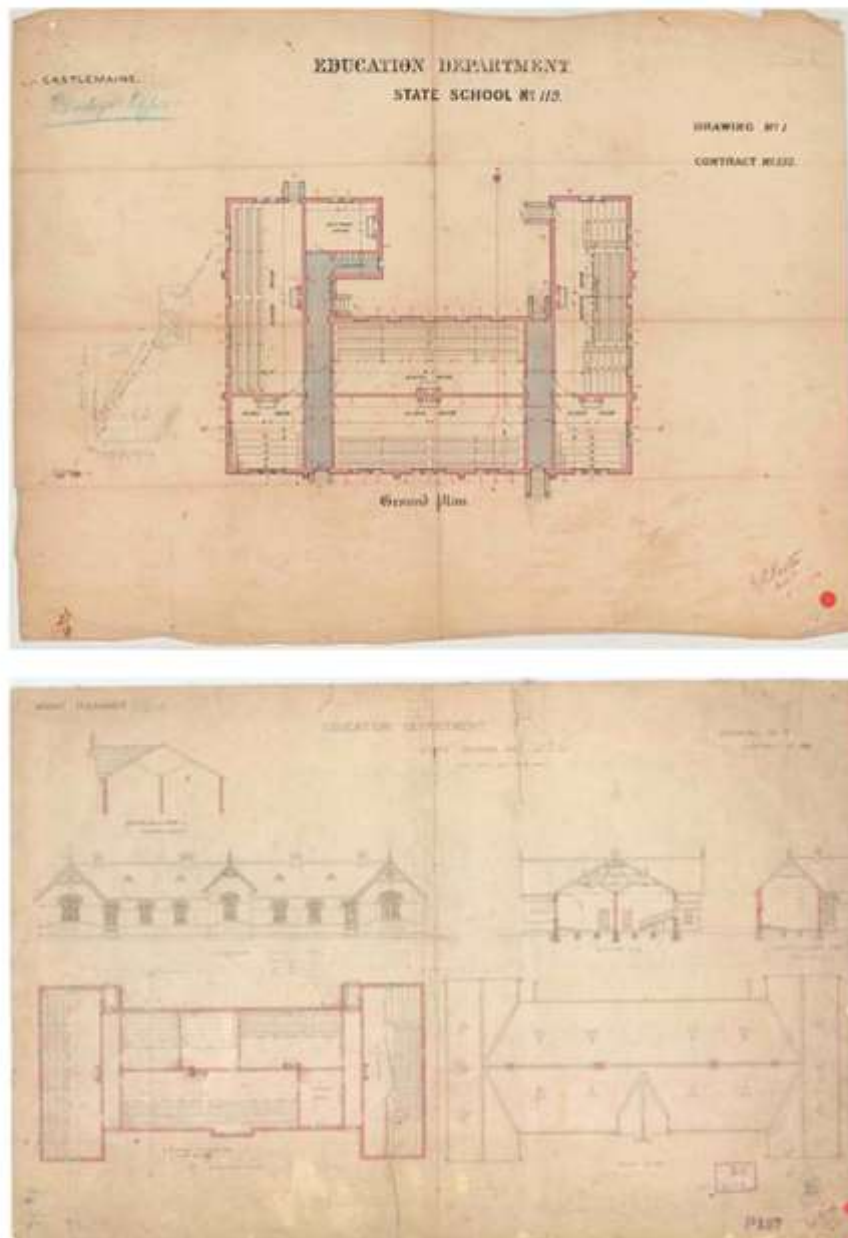


Figure 11: Standard design for the W.H. Ellerker, architect, (1840-1891), designed State Schools based on the influential Buninyong Competition School Plan under the direction of HR Bastow, the Education Department's Chief Architect.



Front façade facing Laurel Street.



Details of the front façade showing the new Junior Cadet Barracks Room



The west elevation and 20th century rear addition.



The West and East rear wings have later small annexes which rap around into the rear courtyard, some of these date to the early 20th century, but have had substantial internal changes.



View of the rear semi enclosed courtyard with late 20th century construction of a small open verandah and enclosed annexes used for cloakrooms and art/wet facilities.



View of the series of annexes on the East wing courtyard side of the 1874 school building.



The interior side wings are one room deep, followed by a corridor running the length of the building.



The central section has two classrooms back to back with the rear rooms.

2.4.2 Description of Post WWII Development

One of the few people to experiment with educational space in Australia in the 1940s and 1950s was the Victorian Public Works Department Chief Architect, Percy Everett. He introduced the hexagonal classroom schools in 1946 and also the Bristol prefabricated classrooms between 1952 and 1954. This programme was managed under the private architectural firm of Roy Grounds.

The Bristol aluminium classroom was a prefabricated classroom unit manufactured by the Bristol Aeroplane Company and imported into Victoria in 1951 and other states. Two aviation companies, Bristol and Hawksley were commissioned to despatch to Victoria 128 aluminium prefabricated classroom units in 1950 with another 200 the following year, (Argus 20.1.1950).

In 1948 the Golden School Primary School submitted a request for additional classroom space. In 1950 prefabricated aluminium two-classroom 'Bristol' units were imported from England. In 1952, a 'Bristol building' housing two classrooms was erected for 1,300 pounds, which became

the Rural School at Golden Square Primary School. The programme was discontinued by the mid-1950s.

Later aluminium classrooms were designed by the architect, Hugh Peck from 1954. At the same time the Public Works Department developed a timber frame classroom known as the LTC (Light Timber Construction). In 1961 the first two Light Timber Construction (LTC) design classrooms were erected off Maple Street at Golden Square Primary School, No 1189. In 1964 this was increased to three additional LTC prefabricated classrooms. In the 1960s local suppliers included AV Jennings, which went onto manufacture over a thousand units over the next decade.



Examples of a cluster of Light Timber Construction (LTC) design units at Golden Square School since removed due to poor structural conditions and potential asbestos contamination.



In 1961 a new portable classroom was developed and the current concept of providing a core school design for new schools, with flexibility provided by the addition or removal of portable classrooms, was established. Between 1950s and 1960s over 700 primary secondary and technical schools were built in Victoria using the LTC system.

The Light Timber Construction (LTC) design became the dominant educational architecture for the next twenty years in both primary and secondary levels. Hugh Peck, the school architect, also suggested the "Queensland type" blinds be fitted externally to achieve appropriate sun control.

Example of this type of development, the Light Timber Construction (LTC) design, was erected at the rear of the 1874 brick school off Maple Street (see above). In 1964 the cluster of LTC units were increased to three prefabricated classrooms. It was followed in 1966 with another classroom for 3,844 pounds and a further classroom added to the Maple Street section in 1969 for 5,778 pounds. These buildings have now been removed from the site.

Prefabricated buildings have long been used on the goldfields as immigrants brought building materials package from London, Glasgow, Singapore and Hong Kong to be reassembled here in the 19th century. Illustrated pattern books allowed settlers to order at distance.

The majority of these buildings were manufactured off shore, apart from the extensive Victorian Justice Department prefabricated building timberyards based in Richmond, Melbourne, which produced portable gaols, police accommodation and courthouses.

The next great emergency in building demand occurred in 1940s and 1950s and 1960s when rapid population growth, shortages in material and labour following the World Wars initiated industrial scaled mass production of prefabricated buildings.

School design during the 1940s and 1950s became a leader in innovative architectural practices. From 1946, after the Second World War, prefabricated buildings were used to relieve the housing, material and labour shortage in England and Australia.



Bristol Prefabricated Classroom un its at the former Golden Square Primary School in 2016



Bristol prefabricated single class rooms, showing typical view of the interiors which are all the same. These buildings have now been removed from the site

2.4.3 Description of Post 1960s Development



Hall simple rectangular light brick masonry wall structure with high clerestory windows.

After a period of low public interest perceptions about prefabricated buildings and innovative design are now changing in Australia. The possibilities afforded by computer aided design, computer numerical control and building information modelling have transformed Japanese and European prefabricated building manufacture and these capabilities are now impacting on the Australian market.



Canteen



Art shed



Storage sheds and garage



Brick toilet block



View of the two mature Peppercom trees that mark the former western boundary of the school.



Brick toilet block



By the 1970s referencing the pedagogy and spatial practices of Paulo Friere, together with innovative school principals and architects the design and expansion of schools' buildings were arranged like a town with spatial connections in and out of a central courtyard resembling lanes and streets. A series of clerestory lit barn like basic units or pods had mezzanine levels introduced into the main volumes, with withdrawal or breakaway spaces.

Structures were utilitarian in concept bare brick walls, metal sheds, services, unadorned concrete and industrialised windows. These design themes of open/closed public/shared became part of an unpretentious architectural language that was a low-tech approach with simple makeshift sheds resembling a domestic back yard.

Demountable school classrooms of the 1950s and 1960s are the precursor to an emerging change in architecture driven by the development of new materials such as proprietary insulated lightweight

sandwich panels for walls, floors and roofs and other materials such as ceramic coated metal cladding, and prefabricated modular service pods. The new structural system afforded by interlocking panels rather than frames allow for easy transport.

The former Golden Square Primary School had four portable prefabricated Bristol classrooms and a cluster of LTC prefabricated classrooms. Other structures such as the canteen and art room were an assortment of different structures and construction types. The 1950s and 1960s prefabricated units have recently been removed from site due to aging structural support systems, aluminium cladding, lack of insulation and potential asbestos risk.



Aerial View of the Site and Landscape in 2015.



Figure 12 : Aerial Photograph of the Site Diagram by Centrum Planning, Bendigo, 2016.

2.4.4 Description of the Vegetation



Peppercorn Trees
Schinus molle, associated with waste mining land railway stations and school yards, growing along the original western boundary of the school, also found along the railwayline.



Avenue of Dutch Elm trees, *Ulmus Xholiandica*, along Pantom Street was planted during the 19th century and is associated with the 'city beautiful' movement. The row of Lemon Scented Gum, *Corymbia citriodora* growing along the sports field boundary with Pantom Street tree planting programme undertaken in the 1970s. The row of Red Ironbarks, *Eucalyptus sideroxylon*, on the verge in Laurel Street at the front of the school are part of the City of Bendigo Street Tree programme.





Miscellaneous shrubs planted along the 1874 school building wall. It is recorded that 42 Maple trees were planted along the railway line eastern boundary. However, the Maple trees do not appear to have survived and were planted outside the school boundary.



View of the Avenue of Dutch Elm trees, *Ulmus Xholiandica*, growing along Pantom Street on the new western boundary of the school playing fields.



The front yard of the School has been the main playground and drill ground for the school for the majority of its existence. The large area gives some idea of the space required to accommodate 700 pupils in the practice of drill, parades and flag raising ceremonies, which were important in the early life of the school. Later the space was used for physical education such as the netball and other sports.



The front yard is historically important as the site for school drill, military training and other junior cadet training practices. In 1910 the Defence Act made it compulsory for boys aged 12-14 years to enrol in the junior cadetship programme. The programme was abandoned in 1929. In the early 1900s a Junior Cadet Barracks room was constructed at the main entrance to the school to house the uniforms and rifles of the junior cadets (seen in the photograph to the left).

Between 1880 and 1905 numerous Public Instruction Acts designed to improve education provision were gazetted. Forms of physical training, marching, rifle drill, bands, gymnastics and corporeal education became an important part of school philosophy to engender a sense of national



The front 'bush garden' including several Manna Gums created in 1973 was awarded the prize for the ANA Most Improved School Garden Award in Victoria.

identity, provide unity, and produce healthy literate citizens who could contribute to development of a 'new' nation. Physical education was funded in primary schools, specifically military drill was the most popular form of physical activity until the 1940s.

Military marching and parades were an essential part of school curriculum. The promotion of nationalism was an important part of the education system. It took many of different forms such as the development of school gardens, tree planting days for Empire Day, Imperial Day, Wattle Day, and just the establishment of tree plantations. The sale of the school tree plantation enabled the purchase of land to develop the sports fields. George Brown, founder of school garden movement in Victoria from 1902 under the direction of Schools Inspector Frank Tate. He worked under the Minister for Mines and Education, Peacock, and Cyril E. Isaac, Supervisor of School Gardens. The school garden movement's longevity in Victoria is due in part to the formation of the Victorian State Schools Nursery and Horticultural Society, Department of Education. By 1909 they were supported by the Australian Natives Society. Tate's motto for school gardens was 'agriculture, colour, beauty and imperialism.'

3.1 ASSESSMENT AGAINST CRITERIA

Criterion A *Importance to the course, or pattern, of Victoria's cultural history*

The former Golden Square Primary School has a long history dating to the beginning of the gold rush in Golden Square. It demonstrates the changing educational philosophy and approach of the first colonial and later state government philosophy and educational policies as they changed and adapted to new circumstances and philosophy.

1. The former Golden Square Primary School No 1189 is the successor of the Wesleyan Common School No 279, Golden Square that was originally established by the Wesleyan Authorities under the Denomination Board on the 1st February 1853. Schools Inspector Thomas toured the school in 1854 and reported the makeshift school followed the nomadic movement of the miners.
2. It was in 1857 that Rev Joseph Dare forwarded plans to the Denominational Board and a sum of \$356 to match a government grant of \$150 for the construction of the building. The first school building was timber with a metal roof and complete with a detached teachers' residence was built on the Wesleyan Chapel Reserve on the corner of Laurel and High Streets, Golden Square. In 1862 the Denominational School Boards were abolished, and the school became the Common School, No 279.

3. The Golden Square Primary School in its present location was built as a direct result of the 1872 Education Act. The District Inspector of Schools, Archibald Gilchrist, selected the site adjacent the Wesleyan Church on the corner of Panton and Laurel Streets in Golden Square. There were two schools built. In 1873 the first school building was built by local builder Robert Wilkinson for a contract of 250.10.0 pounds. This was the timber building 60 feet by 18 feet, with a shingle roof, with 12 feet wide galleries at each end and porches at each end of the building.
4. By August 1873 there were 500 pupils at the school and a second more substantial school building was built at the end of November 1873, John Cowper, the builder, won the contract for 3,472.10.0 pounds. The school building accommodated 700 pupils with the school population rising to over 1,000 pupils in early 1890s.
5. Further expansion of school facilities was halted until the 1950s after the Second World War when to accommodate the 'baby boom' generation new buildings were relocated to the site initially as prefabricated Bristol classrooms for teacher training then for additional classrooms. The Public Works Department prefabricated timber frame classrooms known as the LTC (Light Timber Construction) were used.
6. The school campus, including buildings and landscape have been part of local community life and a prominent local landmark for nearly 150 years. The complex forms a significant part of the townscape of Golden Square. Its longevity is evidence of the continued rich gold mining in the area.
7. A number of trees are located on the school site, including two mature Peppercorn trees, planted along the original school western boundary dating to the 19th century. There is in addition a 1970s 'bush garden' and Manna Gum stand, as well as a row of Lemon Scented Eucalyptus trees planted along the western boundary with Panton Street.

Criterion B *Possession of uncommon, rare or endangered aspects of Victoria's cultural history.* NA

Criterion C *Potential to yield information that will contribute to an understanding of Victoria's cultural history.* NA

Criterion D *Importance in demonstrating the principal characteristics of a class of cultural places or objects.*

1. As discussed above there were several comparable WH Ellerker architect designed large schools built in 1873/1874 catering for between 700-1000 students on the goldfields constructed under Hr Bastow's administration in Victoria in the nineteenth century. The Minister of Public Instruction, James Wilber-Stephen at the time wanted Bastow to design buildings that had a strong visual presence. He wanted education to dominate the landscape; to be a symbol of Government supremacy.
2. Bendigo is home to what might possibly be HR Bastow's most impressive neo-Gothic architectural school creations. The former Golden Square Primary School is one of a collection of impressive Gothic Revival schools in Bendigo.
3. The Main School Building at the former Golden Square Primary School was originally designed by WH Ellerker, architect, in 1873. It forms an impressive group of architects designed buildings in Golden Square designed in the high Victorian Gothic revival

polychrome brick architectural style, inclusive of the former Wesleyan Church now the Uniting Church, the Manse, Teachers Residence, former Wesleyan Commons School.

4. The mature Peppercorn tree, *Schinus molle*, at the rear of the primary school has historic significance as an exceptionally fine example of a school yard shade tree, which is over a hundred years old. (Criterion A)
5. The front 'bush garden' including several Manna Gums created in 1973 was awarded the prize for the ANA Most Improved School Garden Award in Victoria. It marks changing attitudes towards the design of school gardens. Advocated by leading Australian landscape environmental designers 'bush gardens' became distinctly Australian created with exclusively native plants during the 1970s. This garden was supplemented by additional plantings over time and other plantings have been removed.
- 6.

Criterion E *Importance in exhibiting particular aesthetic characteristics.*

1. The former Golden Square Primary School has aesthetic significance as an excellent representative example of a colonial school based on the influential Buninyong Competition School Plan designed by architect, WH Ellerker, under the direction of HR Bastow, the Education Department's Chief Architect. The building's design has an aesthetically pleasing bi-chrome red and cream brick Gothic Revival composition that has a high level of integrity.

Criterion G *Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.*

1. The former Golden Square, Primary School, No 1189, history of development provides important evidence of the intense mining activity in golden square, the site of the first gold discovery and subsequent the site of some of the richest mines in Bendigo and location of massive mine engineering factories and foundries. It demonstrates the extent of wealth generated by the nearby mines in a large, regional goldfields' centre.
2. The former Golden Square Primary School No.1189 is socially significant for providing education to the local population continuously for nearly 165 years prior to its closure in 2015. It is an unusual early example of a Junior Cadet School with onsite military training for students in the front drill parade ground. (Criterion H)

3.2 COMPARATIVE ANALYSIS

The Golden Square Primary School, No 1189, design is based on the Mount Pleasant State School No.1436, Ballarat, design both planned in 1873 and built the following year. They are one of HR Bastow's Education Department's earliest architectural designed schools. The design was based on the winning entry by WH Ellerker, architect, and became one of several large schools that catered for between 700-1000 students on the goldfields. HR Bastow used the Ellerker design as a base, then varied the patterned brickwork, window arrangements and the design and placement of bell turrets.

The 'free, secular and compulsory' *Education Act 1872* cast primary education in a mould that would last for over 100 years. It created a department of education under a Minister of the Crown, withdrew effective power from local authorities and parents, withdrew state aid from church schools, centralised recruitment, training and dispersal of teachers, separated secular from religious

instruction, abolished fees and mandated attendance for children between the ages of 6 and 15. Under the Education Act of 1872 the government had full responsibility for the design and construction of all new school buildings.

The challenging job of designing and constructing hundreds of new schools throughout the state was made significantly easier for the Department of Education by the employment of Henry Robert Bastow as Chief Architect and Surveyor. Through his vision and leadership, 615 schools were built in just five years. He achieved this by creating templates for various sized buildings and adapting each to meet the specific environmental needs of the individual schools.

The new Education Department recognised the inadequacy of the buildings currently in use and the urgent need for more and bigger urban schools, capable of accommodating 800 to 1000 students. With only plans received from the London School Board to serve as a guide and estimates from the Public Works Department which were much too high, the then Minister, James Wilberforce Stephen, decided to appoint his own architect, Henry Robert Bastow. Since Bastow himself had no experience of designing school buildings, local architects were invited to submit competitive designs for schools falling into three categories — a single storey building for 1000 students, a building for 1000 students over two floors and a school to accommodate 500 students. A particularly significant design was developed in response to the climate of north-west Victoria, incorporating deep verandahs and hooded high level windows.

Early in May 1873, and shortly after the Departmental Architect, Mr. Bastow, had been appointed, the Hon. J. W. Stephen, then Minister of Public Instruction, decided to advertise for competitive plans for certain large town schools. The Chief Architect, Bastow, was assisted in his task by the provision of a number of designs through a competition for local architects. "The employment of all the gentlemen named (with no exception) was the result of this competition, Messrs. Wharton and Vickers, Schneider, Ellerker, and Crouch being selected competitors, and Messrs. Terry and Webb having assisted in adjudicating over the competition." (Parliamentary Papers 1882).

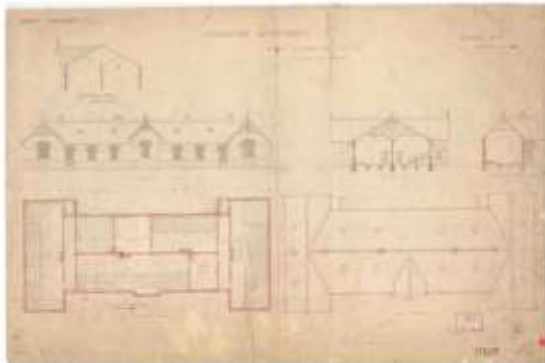
These were subsequently re-used and modified on a number of different sites. In addition, 230 portable schools were supplied to sites throughout the State, and a new type of pre-fabricated school was produced and exhibited in the 1880 Royal Exhibition. In 1882 the Royal Commission into Education transferred responsibility for the design and construction of schools to the Public Works Department. Bastow became architect for the State Schools Division, and two years later, Senior Architect of the Public Works Department. The following years were marked by the large number of additions to existing schools, the provision of detached residences, and the building of a number of architecturally impressive large urban schools.

The depression of the 1890s left the teaching service demoralised. Buildings deteriorated, and the curriculum stagnated until 1902 when Frank Tate was appointed Victoria's first Director of Education, charged with implementing the recommendations of the 1899 Fink Royal Commission to modernise the system. Tate introduced kindergarten methods into the Infant Departments and broadening the primary curriculum to include the manual arts, elementary science, music, literature, history and physical education. Tate's innovations set the pattern for state education until the 1950s.

Existing schools were remodelled to provide smaller teaching spaces, each of which would be presided over by an individual teacher. New schools were surrounded by larger grounds, allowing for a greater variety of children's play, and infant departments were formalised, with an infant mistress placed in charge of the first three of the nine years of primary education.



1884 map of Victoria showing the distribution of state schools after the first 12 years of state education, 1884; National Library of Australia.



Mount Pleasant State School No. 1436: Photographs of State School Buildings. Department of Education: VPRS SSO1436-3.

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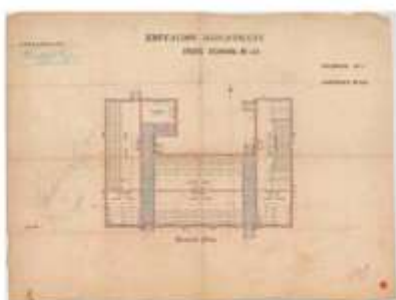


Maldon State School No. 1254, 1873; Department of Education: PRS 1396-p0-4; Heritage Victoria.

Figure 13: 1884 Map of the distribution Victorian State Schools



Maryborough State School No. 404, in 1874:
Photographs of State School Buildings.
Department of Education: VPRS 1396-p0-4:
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Architectural plan for Castlemaine State School
No. 119, 1875 showing school rooms, galleries
and infant room: VPRS SSO119-3:
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Victoria.



Gravel Hill State School No. 1566, 1875:
Photographs of State School Buildings.
Department of Education: VPRS 1396-p0-4:
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Long Gully State School No. 2120, 1879:
Photographs of State School Buildings.
Department of Education: VPRS 1396-p0-4:
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4.1 APPENDIX A

Bendigo and Eaglehawk Heritage Study Statement of Significance

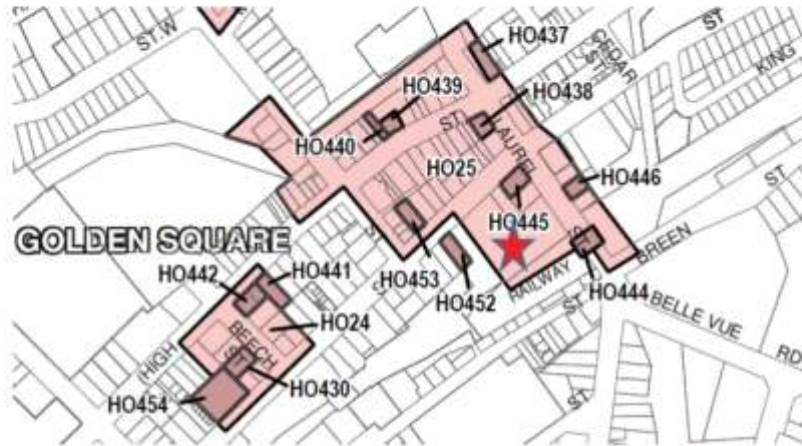


Figure 14 : Heritage Overlay of Laurel Street Heritage Precinct The site

Golden Square Heritage Precinct identified in the Bendigo and Eaglehawk Heritage Study, 1993, has been divided into two parts, namely Laurel Street Precinct, HO25, and Beech Street Precinct, HO24. Laurel Street Heritage Precinct is adjacent the site of the first gold discovery in 1852 that initiated the gold rush to the Sandhurst gold mining field (Bendigo). It comprises a cluster of individually heritage listed sites as well as many contributory buildings to the precinct.

Heritage Overlay HO 25 Statement Of Significance For Laurel Street Heritage Precinct (Eaglehawk And Bendigo Heritage Study).

Contributory Streets

Beech, Edwardian, timber
 High, Edwardian, timber
 Laurel, Victorian, Edwardian, timber, brick
 Pantom, Victorian, timber, brick

Golden Square has long been a separate entity, perhaps since the gold prospects found by Mrs. Kennedy and Mrs. Farrell at Golden Point in October, 1851.¹ As a result the 'Hamlet' of Golden Square was surveyed by 1854 and allotments sold over the next few years.²

Caire's 1875 view of Golden Square centres on the former Methodist Church (1873-), which was one of the earliest spires to rise over Bendigo. A product in part of the financial and other contributions of local mine managers, the church stood for the Cornish devotion to Methodism.

Behind it was the Golden Square School, itself a product of the Methodist zeal. A Methodist school existed near here from 1853 and was replaced, soon after (c1857-9), by a new timber church-school, initiated by the Rev. Joseph Darc.³ The site was at the corner of Laurel and High Streets, with a detached teacher's residence, where the former Sunday School still stands (313 High Street). The present school site was gazetted in May, 1873, and builder, Robert Wilkinson, proceeded to erect a new schoolroom there. However, with an average attendance of 500, spread over the old and new schools, the community sought government aid, resulting in John Cowper building a more substantial brick school on the site 1873-4. The north wing opened August, 1874.⁴ Nearby, there was also St. Marks Anglican Church which opened, in 1881, at Pantom Street.⁵

This growth in the number of civic buildings reflected Golden Square's family population and paralleled the growth of the rest of the district, benefiting from established highly capitalized mines with a salaried work force.⁴ To serve this industry, a crusher was set up by Young in 1856, to serve mines in the area.⁵ Andrew Harkness & Co. (See 255 Mackenzie Street) had commenced their Victorian foundry as early as 1858 at Golden Square and well past 1900.⁶ He was well located, with the dense peppering of mine shafts which followed the rich New Chum line of reef, occupying sites in Panton, Breen and Rose Streets, (Shenandoah, New Chum Railway, Eureka Extended, Shamrock, Old Chum, Young Chum and Craven's shafts).⁷

The church and miners, however, did not always agree - with the Rev. Nigh vying with a Mr. Richards in 1872 over a site in Maple Street; one wanting a church site, the other wanting gold.⁸

Another early sign of community needs is the Golden Square Police Station at the Beech Street corner of High Street (363). Further north is the Salvation Army Hall (former) at 319, located next to the old Methodist Sunday School and, next again, to the more recent Golden Square Post Office (321). The Golden Square railway station is another.

Golden Square was to be served by a house tram in 1887, linking it with Bendigo, Lake Weeroona and Eaglehawk.¹ Trees were to be planted in large numbers (70) at the Golden Square Recreation Reserve in Laurel Street, during mid-1890, under the supervision of the municipal head gardener, Gadd.² This did not stop those at Golden Square demanding better picnic facilities at Rosalind Park, now that tram travel was available.³

Individual sites in the area include mine manager, David Lanyon's, house at 6 Beech Street, also a product of the noted architect, William Beebe.⁴ The former Golden Square Hotel and nearby Hibernian Hotel (opposite the police station) served the Golden Square hamlet over a long period, as did the more distant Foundry Arms, located nearer to the Victoria Foundry. Thomas Howe's fruit shop survives on the Maple Street corner of High Street (330).

Panton street commences with the church as the focus of a small community which consists mainly of residential with some commercial uses along High Street. The main residential streetscape is 28-34 Panton Street and 93 another at the Beech Street intersection. Otherwise the development is patchy, with different eras represented, some intrusive, others supportive of the overall character. Elm trees provide for some visual continuity along Panton Street and the civic use of the school, church and notable bridge nearby reinforce this part of the precinct's village centre role.

Significance

Golden Square's historic identity springs from the first gold finds in the district at Golden Point and the subsequent development of a rich mining industry, along with some of the area's most important foundries. Although parts of the old hamlet have altered beyond recognition, it still possesses a core of civic buildings which allow recognition of its former self-contained status. The housing stock is both expressive of the boom-era in mining and, in some cases, the aspirations of mine owners and their chosen architects. It is close or adjoins to significant mine sites such as the New Chum Railway and Eureka Extended Mines and possesses elm plantings from the Victorian era in Panton and Maple Streets.

Golden Square was one of the best known of the mining areas of nineteenth century Bendigo. While few remnants of the early alluvial phase of mining survive the present road patterns, street patterns and several buildings still include elements which suggest different phases in the history of Bendigo both before and after alluvial mining.



Laurel Street Heritage Precinct predominant architectural style of the historic buildings is bi or polychrome brick, Gothic Revival dating to 1870-1880s

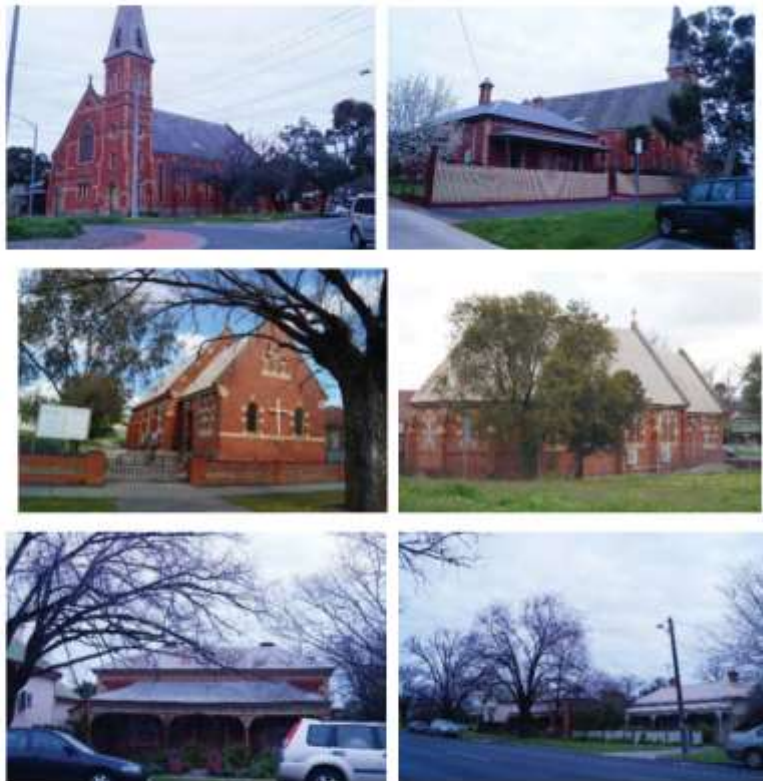
4.1.2 APPENDIX A Architectural Description and Summary

The former Wesleyan Church (Uniting Church) at Golden Square is a landmark building in Golden Square. It was very popular amongst the local Cornish miners and their families. The building, its manse and setting, have state heritage listing and are inscribed on the Victorian Heritage Register. It is the second biggest Church in Bendigo and one of the oldest churches in Bendigo, designed to seat 1,200 people. The organ was built by R. Mackenzie & Co., of Melbourne, at a cost of 520 pounds. The building was finally completed in 1873. At the time, it was the most imposing church on the Bendigo goldfields.

The former Golden Square Primary School is contemporary to the church, being built in 1873/74. And like the Church is a large Gothic Revival style building in bi-chromatic brick with a slate roof.

The Gothic Revival polychrome brick architectural style of the former Wesleyan Church and the Golden Square Primary School influenced the form, character and appearance of subsequent local buildings which include the Manse, the Wesleyan School Hall, the former Salvation Army Hall, the former Post Office and several nearby wealthy miners' villas.

The red brick high Victorian style is a predominant architectural style of Golden Square heritage precinct. It provides visual cohesion between different features and buildings of the former mining hamlet together.



View of heritage places in the Laurel Street Heritage Precinct

4.1.3 APPENDIX A Summary of Early 1850s - 1890s Historic Features of Golden Square

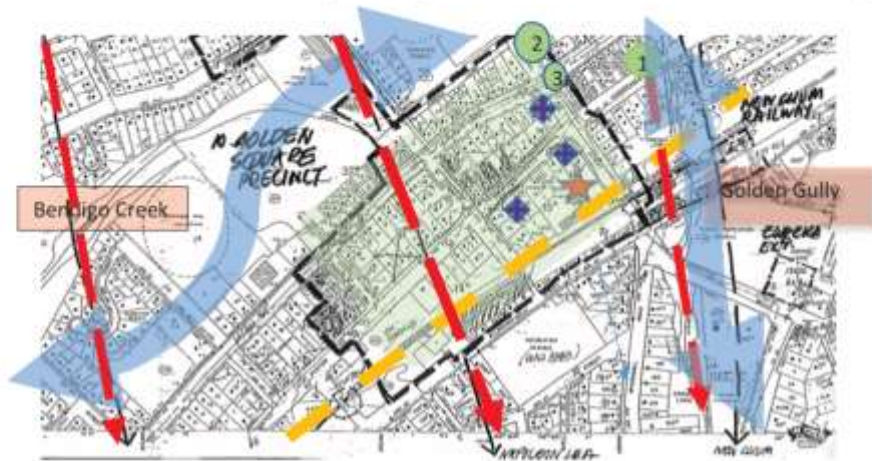


Figure 15: Golden Square Heritage Precinct Bendigo and Eaglehawk Heritage Study 1993

- 1: Sites of metal foundries such as Andrew Harkness Foundry;
- 2: Golden Point where gold was first discovered;
- 3: Civic core of Golden Point hamlet
- Lines of gold reef, the site of a series of large quartz gold mining companies;
- ★ Subject site and the location of the early Government Camp
- ✚ Churches
- Bendigo Creek and Golden Gully, the location of early alluvial gold mining Identified as being areas of potential Aboriginal Cultural Heritage Significance.
- Cluster of Peppercorn trees growing along the railway line.

Diagram of the former Golden Square Primary School within Laurel Street Heritage Precinct, showing the civic core of Golden Square, the location of churches and schools, important historic lines of gold reef, clusters of wealthy quartz mines and shafts, the location of Chinese market gardens and clusters of Peppercorn trees. Early alluvial gold mining areas were found along Golden Gully and Bendigo Creek, later site of Chinese market gardens and by the mid 20th century housing commission estates.

4.2 APPENDIX B: HERITAGE OVERLAY CLAUSE 43.01

The Greater Bendigo Planning Scheme sets out the vision statement for identifying, protecting, maintaining and promoting its cultural heritage. The aspirational goals of cultural heritage are linked to social interaction and to ideas of cultural identity and cohesion.

The total complex of buildings, infrastructure, urban spaces and natural resources represent the most significant asset and resource in central Victoria. Heritage is an important part of the economy of the municipality due to its role in attracting tourists, renovators and new residents who bring economic development initiatives and assets (Clause 21.06 Planning Scheme)

According to the Greater Bendigo Incorporated Plan the definition of:

Contributory place: A contributory place contributes to the significance of a heritage precinct (note due to the limitations of the *Eaglehawk and Bendigo Heritage Study*, 1993 all buildings located within a heritage precinct in this study which were constructed prior to 1960 are considered to be contributory).

Individual place Heritage Overlay: is a single heritage place that has cultural heritage significance additional to its context. These places may also contribute to the significance of a heritage precinct. Significant places will usually have a separate citation and statement of significance. In some instances, a significant place may be considered non-contributory within a precinct. For example, an important Modernist house within a Victorian era precinct.

Significant feature/element: A significant feature or element is any feature (building, tree, structure etc.) that the relevant heritage study identifies as contributing to the significance of a heritage place.

Significant place: A significant place is a single heritage place that has cultural heritage significance independent of its context. These places may also contribute to the significance of a precinct. Significant places will usually have a separate citation and statement of significance.

VPP Practice Notes “Applying the Heritage Overlay” January 2018

How are individual buildings, trees or properties of significance located within significant areas treated?

The provisions applying to individual buildings and structures are the same as the provisions applying to areas, so there is no need to separately schedule and map a significant building, feature or property located within a significant area.

The only instance where an individual property within a significant area should be scheduled and mapped is where it is proposed that a different requirement should apply. For example, external painting controls may be justified for an individual building of significance but not over the heritage precinct surrounding the building.

Alternatively, tree controls may be justified for a specific tree or property within a significant precinct but not over the whole precinct. In such situations the individual property or tree should be both scheduled and mapped.

Significant buildings or structures within a significant precinct can be identified through a local planning policy.

Places Of Individual Heritage Significance Within The Laurel Street Heritage Precinct

HO24	Beech Street, Golden Square Beech Street Precinct	No	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No
HO25	Laurel Street, Golden Square Laurel Street Precinct	No	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No
HO444	Laurel Street, Golden Square Railway Bridge	Yes	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No
HO437	302 High Street, Golden Square Building	Yes	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No
HO438	311-313 High Street, Golden Square Methodist Sunday School	Yes	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No
HO439	320 High Street, Golden Square Building	Yes	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No
HO440	322 High Street, Golden Square Building	Yes	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No
HO445	2A Laurel Street, Golden Square Uniting Church	-	-	-	-	Yes Ref H1371	No	-	No
HO446	7 Laurel Street, Golden Square Building	Yes	No	No	No	No	No	Yes – Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015	No

No Tree Controls have been identified in the schedule of the heritage overlay. However, the 19th century avenue of mature Dutch Elm trees along Pantom Street are identified as contributing to the significance of the heritage precinct in the Bendigo and Eaglehawk Heritage Study, 1993.

Municipal Strategic Statement Clause 21.08

Greater Bendigo has a large number of significant heritage assets of local, state and national significance. There is a need to find a balance between protecting our heritage places for current and future generations and the vibrancy of our City, but also to allow for sensitive and innovative development.

Objectives:

- To identify and protect heritage places with Aboriginal and historic cultural value as well as natural value.
- To protect and enhance the municipality's heritage for future generations.
- To encourage the appropriate reuse of heritage buildings.
- To encourage compatible development adjacent to heritage places and features.

Greater Bendigo Thematic Environment History: Heritage Statement of Significance

Greater Bendigo's heritage is of outstanding historical, social, aesthetic, architectural, and scientific significance according to the Statement of Significance in the *Greater Bendigo Thematic Environmental History*, 2013.

Historical and social significance:

Greater Bendigo was the location of one of Victoria's earliest alluvial gold rushes, followed by the establishment and expansion of quartz mining. The Bendigo-Eaglehawk field was one of the world's great nineteenth century quartz mining centres (the largest in eastern Australia and the second largest in Australia after Kalgoorlie). The colossal output helped sustain global financial systems and trade and was a significant contributor to the development of Melbourne. The mining activity initiated significant innovations and developments in commerce, manufacturing and technology. Examples include the first mining stock exchange in Australia (in the Beehive Building on Pall Mall), one of the largest railway workshops in Australia, and the foundation of Bendigo Bank and the Myer retail empire. Construction of a reliable water supply in the Coliban Water reservoir system also influenced historical development, including the location and viability of settlements and horticulture. Trans-national immigration associated with gold mining brought a diversity of traditions and cultural practice. In particular the Cornish, German and Chinese miners have made significant and ongoing contributions to the culture and development of Greater Bendigo.

Aesthetic and architectural significance:

German immigrant architects designed buildings which are now regarded as some of the most significant in regional Victoria, helping to make the municipality of aesthetic/architectural significance. Bendigo city has one of the highest concentrations of Victorian Heritage Registered properties in the State, and two of regional Australia's most architecturally distinguished boulevards in Pall Mall and View Street. Bendigo has an outstanding collection of historic civic buildings, complemented by more modest collections of civic buildings in other towns. Significant structures in Greater Bendigo include those associated with industry, public utilities, mining, transport, agriculture, engineering and manufacturing. Boom style homes and gardens built by mining speculators contrast with an extensive collection of modest German and Cornish miners' cottages.

Many small settlements also retain buildings associated with gold rushes. In addition, there are significant buildings that represent a diverse vernacular tradition. There are also fine examples of 19th century town planning layouts and botanic gardens, public parks and avenues of trees. Extensive natural areas, including Box-Ironbark forests, rivers, hills and valleys of cultural and aesthetic significance provide a contrast to the urban centres and agricultural landscapes.

Scientific significance:

The municipality's heritage is of scientific significance. Numerous historical and archaeological sites associated with different phases and types of gold mining and processing survive and demonstrate aspects of mining technology. There are also outstanding examples of manufacturing industry associated with restructuring of the mining industry, in particular foundries and engineering works for defence and agriculture, where advances in technology were also made. There are in addition natural sites of significance throughout the municipality, including geological and geomorphological sites.

These include the Big Hill ridge which marks the southern gateway to Bendigo. Important Aboriginal cultural heritage values also exist in the City of Greater Bendigo. The Jaara people are the traditional inhabitants of the Greater Bendigo region, and have contributed significant Aboriginal heritage assets that are recognized as being vital features of the environment and are irreplaceable records of cultural development. All Aboriginal places, sites and objects, whether identified or unrecorded, are important for the continued development of the community, and are protected by State and Commonwealth legislation. Protection applies equally on Crown and freehold land.

Further strategic work

Complete the recommendations for future heritage studies identified in the *Greater Bendigo Thematic Environmental History*, 2013, including:

- Bendigo CBD.
- Urban areas of the former Shire of Strathfieldsaye.
- Former Shire of Huntly.
- Review of the Eaglehawk and Bendigo Heritage Study.
- Twentieth century development.
- Industrial heritage places.
- Aboriginal heritage places

Local Policy Framework Clause 22.06

The specific heritage policies, strategic directions and recommended implementation action plans that apply to the Golden Square Primary School No 1189 as follows:-

Heritage Policy

This policy applies to all applications in the Heritage Overlay.

Policy basis

This policy builds on the Municipal Strategic Statement objectives identified in Clause 21.08. The MSS recognises the extensive and significant range of heritage assets in the municipality which provide benefits to the local community and future generations.

The MSS identifies the need for a heritage policy to guide decisions on demolition and development of heritage places. This policy seeks to maintain and enhance the significance of heritage places while accommodating the needs of residents to adapt and develop such places.

Objectives

- To retain heritage assets for the enjoyment, education and experience of residents, visitors and future generations of the municipality.
- To ensure that new development is sympathetic with the appearance and character and maintains the significance of heritage places, including surrounding precincts.

- To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places.
- To encourage the sympathetic re-use and adaptation of heritage places so that such places are maintained and enhanced.

Policy

It is policy to- among other things:

Subdivision

- Ensure that subdivision does not adversely affect the significance of the heritage place.
- Ensure that appropriate settings and elements for heritage places are maintained including the retention of any original garden areas, large trees and other features which contribute to the significance of the place.
- Ensure that development which may result from the subdivision of heritage places does not adversely affect the heritage significance of the place.
- Ensure that the subdivision of heritage places retains the existing built form pattern where such pattern contributes to the significance of the heritage place.

Demolition

- Encourage the retention of a significant or contributory heritage building or place unless it is structurally unsound and beyond repair.
- Encourage the retention of original elements that contribute to the significance of a heritage place including but not limited to windows, doors, chimneys, verandahs, shopfronts, fences, outbuildings and trees.
- Allow the demolition of non-contributory buildings in heritage precincts provided the replacement building does not adversely affect the heritage significance of the precinct.

Infill development/New Buildings

- Encourage new buildings that do not adversely affect the significance, character or appearance of the heritage precinct, and are visually recessive.
- Ensure that the design of new buildings responds to the context of the heritage precinct and nearby contributory buildings including scale, height, mass, form, siting, setbacks and materials.
- Encourage new development within a heritage precinct that is contemporary in appearance and that does not mimic historic styles or details.

Greater Bendigo Planning Scheme Clause 82

This incorporated plan sets out the permit exemptions from the provisions of the Heritage Overlay in accordance with Clause 43.01-2 of the Greater Bendigo Planning Scheme. This incorporated plan applies to all precincts or places in the Schedule to the Heritage Overlay (Clause 43.01).

The Greater Bendigo Planning Scheme places great emphasis on protecting, maintaining and managing adjoining or nearby heritage places in the assessment of proposed changes to the built environment.

Greater Bendigo Thematic Environmental History

8.2 Educating people (147)

By the mid-1850s, school reserves were set aside during surveys of goldfields townships. As well as government schools, religious institutions were also allocated land for educational purposes, including in Sandhurst the Free Presbyterian School in 1856; Church of England School in 1861; and Evangelical Lutheran School prior to 1859.

By 1860, the Wesleyans had constructed nine schools in Sandhurst, and were loaning three of them to the Presbyterians. By 1859, the Denominational Board had fifty large tents on the goldfields being used as churches and schools and housing a total enrolment of 3,326.

Early churches also reflect the relative strength or presence of the different ethnic groups on the goldfields. Methodists were prominent in the early goldfields, especially in the western gullies. According to Serle, trained lay members could take up preaching and pastoral work, form a congregation, start a Sunday School and build a church even if suitably qualified clergy were not available. The multiple small Methodist churches across the municipality stand as testament to their success.

Following the *Education Act* of 1872, there was a rush of school building activity throughout the municipality from Sandhurst to Wild Duck Creek. Many of these were simple, one room common schools but standard plans for classrooms/schools, based on English models had been available since 1866. Standard plans were frequently altered to suit local conditions and available materials. Some schools were built by prominent architects.

**Key places identified in the Thematic History
That have the potential to be of significance
to the heritage of Greater Bendigo.**

**Golden Square Primary School
Key features that are of heritage significance.**

Early goldfields school buildings and teaching facilities	<i>The School had its origins in the Wesleyan Church association early tent school of 1853.</i>
School reserves	<i>The School was initially erected on the Wesleyan Church Reserve then transferred in 1873 to Education School Reserve.</i>
Schools established under the 1860s and 1870s legislation	<i>The School was established under the Denominational Board, then operated as a Commons School before the transferring to the Education Department in 1873/1874 when the main school building was completed.</i>
Properties associated with various private, religious and finishing schools	<i>The history of the School encompasses both religious and government management systems.</i>
Early high/secondary schools, Technical schools, Mechanics Institutes	<i>NA</i>
Buildings associated with various adult-education groups and programs	<i>The School opened a night school in the 1880s to accommodate teaching all ages.</i>
School of Mines facilities	<i>NA</i>
Tertiary education facilities	<i>The School opened the two 1950s Bristol classrooms for Teacher Training in Rural Schools.</i>

17. WELLBEING AND FAIRNESS

17.1. Draft Malone Park Master Plan

Author	Fraser Neele, Recreation and Open Space Strategic Planner
Responsible Director	Vicky Mason, Director Health and Wellbeing

Purpose

To present the draft Malone Park Master Plan to Council seeking a public exhibition period.

Summary

This report seeks Council endorsement of the Draft Malone Park Master Plan (the Draft) and seeks to proceed to public exhibition for a period of >21 days.

The Draft:

- Provides a service and infrastructure footprint that will serve as the key public open space in a future Marong of 8,000 residents;
- Identifies critical barriers to the better utilisation of the reserve, namely the area occupied by the Marong Light Harness Club and the age and condition of the buildings and facilities on the reserve;
- Provides for a facility that services a much larger user base including a new multi-purpose central pavilion, additional netball/tennis courts, a large, potentially illuminated, multi-purpose irrigated area that could serve many different sporting and community needs flexibly and in step with emerging needs;
- Identifies a relationship with future reserves and open spaces developed through the Marong Structure Plan;
- Continues and perpetuates the unique and contradictory nature of the reserve as a facility that is both nested within the bush and centrally located within a growing urban area;
- Retain flexibility to accommodate future users through the changing demographics and growth of Marong whilst continuing to service the existing user groups as appropriate.

Support from Council will enable exhibition in September/October in anticipation of presenting a final plan for adoption in December.

Recommendation

That Council:

1. Approve the draft Malone Park Master Plan being released for public exhibition;
2. Seek community feedback on the draft;
3. Receive a further report summarising feedback and a final version of the Master Plan.

RESOLUTION

Moved: Cr Rod Fyffe

Seconded: Cr Vaughan Williams

That the recommendation be adopted.

CARRIED

Policy Context

The Draft aligns with Goals 1, 2, 4 and 5 of the Bendigo Community Plan by planning for a growing population in a way that provides good quality public facilities. The Draft endeavours to encourage participation, promoting wellbeing and connectivity for residents of Marong and Surrounding areas.

The Draft's recommendations and outcomes are innovative and responsible and have been developed through consultation with users and the broader community.

Great focus has been put on existing Strategies and Plans through the development of the Draft. Key relevant documents considered are the Marong Structure Plan, The Greater Bendigo Public Space Plan and the Active Living Census. Other plans such as the Environment Strategy, the Municipal Strategic Statement and peak and sporting body plans and strategies have also been considered.

Background Information

The previous master plan for Malone Park was developed in 2006 and due to many changes at this reserve, it is not possible to deliver the plan.

Council resolved to assume Committee of Management for this reserve in November 2015 and since this time has undertaken many improvements at the site including cricket training nets, netball/tennis courts and essential safety improvements. With the Marong township continuing to grow and demand pressures, Greater Bendigo City Council allocated funding to support a Master Plan for this reserve. Last year, Insight Leisure Planning was appointed to prepare a Master Plan for Malone Park, the premier open space within Marong. This plan is intended to identify a service and infrastructure footprint that will provide for an eventual Marong population of 8,000 in line with the Marong Structure Plan.

An Issues and Opportunities Report was prepared as an internal working document and allowed officers, consultants and the community to flesh out constraints and options in order to identify challenges and test initial ideas before developing into the draft plan.

Report

Through the development of the Issues and Opportunities paper and the consultation process, it was identified that the dramatic future growth of Marong will increase usage rates and challenge the existing infrastructure. The Draft utilises the current higher than average participation rates and the demographic profile of Marong to recommend expansion options.

The demand assessment shows that there is need for at least one additional oval in the short term with long term needs likely to require a third oval, as well as space that can

be used for non-traditional sports such as touch-football and other flexible uses including community events, festivals and carnivals. As such the Draft identifies the need to relocate the Light Harness Club to alternative sites which are more appropriate for this activity.

Key outcomes of the Draft include:

- The development of a single multi-purpose pavilion and community building to service all users;
- Relocation of Marong Light Harness Club;
- Redevelopment of the existing harness track into a green playing surface that is equivalent to two ovals;
- Development of two additional netball and tennis courts near the pavilion;
- Improved walking and cycling connections through the site and connecting Discover Marong (estate) to the Marong School and Town Centre via the existing bridge over Bullock Creek;
- Future relocation of other community facilities such as the existing playground into the reserve to increase activation and access by the community;
- Preservation of the natural amenity and enhancement of passive recreation assets.

Consultation/Communication

The Draft has been generated through extensive internal and external consultation. This included:

- One on One meetings between the consultant and key stakeholder groups,
- Widespread surveying of the Marong community with 268 responses,
- Workshop with stakeholders once the Issues and Opportunities Paper was prepared.

Internal consultation was undertaken at project inception including one on one engagement with internal stakeholders at an officer and coordinator level.

The Public Space Committee was consulted in the development of the Issues and Opportunities Paper and had the opportunity to discuss the Issues and Opportunities in a meeting and provide a response.

Internal officer groups undertook workshops on the refinement of the Issues and Opportunities Paper into the Draft Plan.

Lockwood Ward Councillors were briefed on 15 April 2021 to outline the key issues and opportunities this master plan process has identified and likely outcomes within a draft master plan.

Resource Implications

The implementation plan has been constructed in a way which identifies key actions which will arise as part of ongoing renewal programs and aspirational items which will only occur if opportunities (for example: external grants) arise. The plan is broken down into pre-planning, short, medium and long term priorities in order to clearly articulate

which actions are a priority and what pre-planning is necessary to deliver higher priority actions within a suitable timeframe for the growth of Marong.

Costs included in the plan are indicative and should only be utilised as a reference. Actual costs will be identified as part of the detailed planning and design stages of implementation

Attachments

1. Draft Malone Park Master Plan

18. STRENGTHENING THE ECONOMY

18.1. Bendigo Art Gallery Redevelopment

Author	Michael Terrett, Major Projects - Project Manager and Jessica Bridgfoot, Director Bendigo Art Gallery
Responsible Director	Steve Hamilton, Director Strategy and Growth

Purpose

The purpose of this report is to present Council with, and seek endorsement of, the Business Case for the Bendigo Art Gallery Redevelopment (*Preferred Option*) noting that this project has previously been identified as a Tier 1 investment priority. This report also outlines the advocacy and investment strategy for the project and discusses the allocation of future Council funds to the project.

Summary

The Bendigo Art Gallery Redevelopment project is a Tier 1 investment priority for the City and with an estimated Project Budget of up to \$28 million. This is required to deliver on the high-level project requirements and this budget will cover all construction costs, consultant fees, authority fees and contingencies for the duration of the project. The budget includes a provisional allocation of \$3 million for design contingency and escalation costs.

Currently it is anticipated that investment will come via several sources as documented in the City's current *Investment Prospectus (Priority Projects for Government Investment)* and includes State and Federal government, the Bendigo Art Gallery, philanthropic sources and the City.

The City has already received \$280,000 investment from the State Government's Enabling Tourism Fund to progress the Concept and Schematic Designs and to enable the Project to be in a position to potentially attract State Government and other Funds for redevelopment in FY 2022/23.

To progress the project to an investment-ready stage, a detailed Business Case was undertaken. This Business Case considered a range of redevelopment options against broad socioeconomic factors. The *Preferred Option* was modelled on an increase in visitation of 30% over a 20 year timeframe. This showed a Net Present Value of \$3.02M and Benefit Cost Ratio of 1.13, meaning the project benefits outweigh its costs by a factor of 1.13.

The *Preferred Option* is also considered to provide \$20M in direct local economic stimulus during construction, just under 100 full time jobs, and \$41M in new regional income. Combined with the existing gallery operations, the net outcome is expected to deliver up to 95 fulltime equivalent jobs in the local economy and to generate upwards of \$15M in regional income.

Recommendation

That Council:

1. Note and endorse the Bendigo Art Gallery Business Case, 2021, highlighting that the project aim is to facilitate a redevelopment which will have significant positive regional socioeconomic outcomes and be a gallery for the people.
2. Endorse a Council contribution of maximum \$3 million total cost for the project contingent upon securing external funding for the \$25 million balance for the project, over an estimated 3-year timeline, which is to be allocated into future year budget deliberations.
3. Note that officers will prepare an advocacy and communications plan for the project in line with the Business Case and to ensure community engagement on the project is maximised.
4. Receives six monthly updates on the project.

RESOLUTION

Moved: Cr Rod Fyffe

Seconded: Cr Margaret O'Rourke

That the recommendation be adopted.

CARRIED

Policy Context

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

Goal 2: Wellbeing and Fairness – '2.3 Promote community connection' '2.4 Support participation and development for residents of all ages and abilities'

Goal 3: Strengthening the economy – '3.3 Ensure Greater Bendigo is a welcoming place for new businesses and industries and supports creativity and innovation and visitor attraction'

Goal 4: Presentation and Managing Growth – '4.4 Keep Greater Bendigo attractive with good quality public facilities and places'

Goal 6: Embracing our culture and Heritage – '6.3 Offer and support a diverse range of events that attract and connect people' '6.5 Advance reconciliation'

Strategic Alignment & Reference

Council Policy Reference: [Procurement Policy](#)

Background Information

The Bendigo Art Gallery has a vision to be one of Australia's leading galleries, recognised for its work both domestically and internationally, and to continue to contribute to Greater Bendigo and the Victorian Community (creatively, culturally, socially, and economically).

Due to the physical constraints of the space in which it operates, the Gallery's redevelopment has been identified by the City of Greater Bendigo and the Bendigo Art Gallery Board as a priority Project to be delivered within the next four years.

Historically, the Gallery has developed on an as-needs basis, which has resulted in spaces being added onto existing buildings and designed to minimize cost and adapt best to what has been previously developed. The opportunity that the redevelopment project presents is to facilitate a future and community focussed outcome that will affirm the gallery as one of the leading galleries in Australia.

The goals of the Bendigo Art Gallery in the coming years include:

- Continue to build a vibrant contemporary arts hub that is recognised nationally and internationally for its innovative programming; that celebrates Art, creativity and culture and engages a diverse audience from the local and regional community and beyond
- Provide opportunities for families and people of all ages to attend, connect, engage, explore and learn through the arts; support Indigenous recognition, self-determination and reconciliation, and provide opportunities for diverse communities to see and share their identity and stories
- Consolidate the Gallery's position as an iconic contemporary arts destination and help drive cultural tourism and economic activity, and
- Build an innovative and sustainable organisation that is seen in the Arts Sector as being an employer of choice.

The redevelopment project will enable the realisation of the above goals.

Report

The strategic need for this redevelopment project is underpinned by the need to secure the medium and long-term viability of the Bendigo Art Gallery, to enable it to grow with the City and to maintain its position as the leading Regional Art Gallery in Australia. In addition, this project will:

- Enhance Visitor Attraction, Engagement & Experience
- Improve financial sustainability
- Improve community engagement, enabled by an ability to expand the cultural collection
- Improve environmental outcomes

The redevelopment will also provide a much-needed boost to tourism and regional visitation with dedicated blockbuster exhibition space and improved access to the permanent collection; allowing the Gallery to cement its position as a regional destination. A diversified program offer will also allow the Gallery to tap into new markets and audiences to the benefit of the broader Bendigo region.

The proposed investment will make a major positive contribution and provide much needed support to the local and regional economy and recovery from the effects of COVID. The Gallery will be elevated to maximize its ability to enhance social capital, provide meaningful cultural engagement opportunities, and support the growth of creative and cultural industries in Greater Bendigo.

The Gallery redevelopment is also in alignment with both Victorian & Commonwealth policy contributions in addition to the City's Community Plan Goals outlined above.

The Business Case

To assess the redevelopment project in its inception phase, the City commissioned a Business Case which identifies the social, cultural, and economic benefits of the Bendigo Art Gallery Redevelopment Project. The Business Case has recently been endorsed by the Bendigo Art Gallery Board and now forms a key part of the project context and planning for the next stages of the projects lifecycle.

The key audiences for the business case include the primary investors (The City of Greater Bendigo, the Bendigo Art Gallery Board plus Victorian State and Commonwealth funding agencies and investor Partners / Donors) along with broader stakeholders including the Traditional Owners and service delivery partners.

The Business Case is attached to this report as Attachment 1.

In summary, the Business Case is structured into five main sections, including:

1. **Introduction** outlines the context and the Gallery's vision and overriding principles
2. **Case for Change** identifies the overarching problems that investment at the Bendigo Art Gallery aims to address, the benefits anticipated from this investment, and the interventions that investment must incorporate
3. **Preferred Investment Description** which describes the final investment option that was endorsed for further development. Functional scope and plans, architectural drawings, and capital costs are also provided
4. **Investment performance** which outlines how the preferred investment option performs in comparison to the business as usual scenario from strategic, visitation, financial and socio-economic perspectives, and
5. **Implementation Plan** outlines key implementation milestones and timelines for delivery of the preferred investment option

For the Business Case, three redevelopment options were initially considered to cover a range of development scenarios of different scales. The options initially considered are summarised in Appendix 3 of the Business Case, and include: (not exhaustive):

- **Option 1: Modest Upgrade:** \$15M indicative cost, 8 galleries, 8 galleries, 2,140m², 950m² blockbuster exhibition space, 600m² Learning space, 160m² retail space, outdoor terrace, improved DDA access, new lifts and a rooftop bar and restaurant.
- **Option 2: Moderate Upgrade:** \$20M indicative cost, 8-9 galleries, 2,170m², 1,510m² blockbuster exhibition space, 600m² Learning space, 160m² retail space, outdoor terrace, improved DDA access, new lifts and a rooftop bar and restaurant.

- **Option 3: *Integrated experience*:** \$25M indicative cost, 9-10 galleries, 2,900m² – 3,365m², up to 1,760m² blockbuster exhibition space, 125m²-160m² flexible space on first floor, 600m² Learning space, 125m² retail space, outdoor terrace, improved DDA access, new lifts and a rooftop bar and restaurant, New Dja Dja Wurrung cultural object keeping place, learning landscape and ceremony place, Forecourt and Civic Square, new art storage, racking and first floor foyer space.

Each of the above Options was considered further for scope, cost and best value. Upon review, a modified Option was identified as the most viable – Option 4 (**The Preferred Option**).

Note: Option 3 does present as the most integrated experience for the project, however due to subsequent cost modelling and review of the scope of works, this was considered as too expensive, hence a *the Preferred Option* was developed, which does retain the important gallery and cultural elements, as follows:

- New dedicated Dja Dja Wurrung cultural collection Place of Keeping.
- A dedicated and flexible first floor large sized blockbuster exhibition space.
- New learning centre with flexible learning spaces and a dedicated children's/families gallery.
- 6 - 7 gallery spaces for free and collection based exhibitions, which will expand the existing gallery footprint by between 700m² – 800m²
- New retail space.
- A new forecourt / landscaping to View Street including public seating for informal gathering, events, and Dja Dja Wurrung cultural learning.
- A new or refurbished ground floor café opening onto the Rosalind Park, servicing both park and gallery users.
- New and or refurbished office, boardroom spaces and new front desk and cloak facilities.
- New amenities including lifts and accessible bathroom facilities.
- The separation of unpaid exhibition spaces at ground floor from paid first floor exhibition spaces.
- New high efficiency, sustainable solution mechanical plant system to significantly reduce energy footprint and on-going running costs.

Further detailed review of the *Preferred Option* will be undertaken as the project moves through the detailed design phase. This will include further assessment of environmental performance and opportunities of the redevelopment and the building as a whole (to achieve as high level of environmental performance as practically possible given the redevelopment nature of the project), materials used including recycled and low carbon impact material opportunities, and addressing the issues associated with previous as needs-basis expansion works over time. Additionally, the detailed design phase will consider options to future proof the building such as design considerations for expanded event spaces, loading dock and back-of-house facilities, dining facilities and/or roof top spaces.

The *Preferred Option* was evaluated through the Business Case and included an investment performance evaluation over a 20 year period (as compared to continuing the

Gallery in its current format), and also considered a range of investment appraisals such as enhanced visitor attraction and experiences, financial and environmental sustainability, community engagement and cultural connection, and assessments to Local, State and Federal government policy.

In terms of visitation numbers, the Business Case modelled an increase in visitation of 30% under the *Preferred Option* (increasing over current numbers by 60,000 people per annum). On a financial front, the Preferred Option was modelled (operating costs and revenue) over the 20 year timeframe and included 3 yearly blockbuster exhibition revenues in its assessment, and this showed a net improving financial (profit) position.

When considering a range of financial and socioeconomic factors – which provides a more holistic assessment of the project's performance – the redevelopment project exhibits a Net Present Value of \$3.02M and Benefit Cost Ratio of 1.13. These results mean that the project benefits outweigh its costs by a factor of 1.13. Given the inherent social, community and cultural focus of the project and the Gallery itself, this is considered a solid outcome for the project.

More broadly, the redevelopment project (as standalone), under the *Preferred Option*, is considered to provide \$20M in direct local economic stimulus during construction, just under 100 fulltime jobs, and \$41M in new regional income. Following redevelopment, the project is expected to provide \$1 – 3M in direct economic stimulus, up to 30 ongoing jobs, and \$2.5M in additional regional income. When coupled with the Gallery's existing operations, the net result is expected to be up 95 fulltime equivalent jobs in the local economy and up to \$15M in regional income.

For further detailed information about the *Preferred Option* please refer to the attached Business Case.

Next Steps

Following consideration of this report by Council, the project will continue in the advocacy phase which will include the development of the Advocacy Plan, ongoing meetings with key stakeholders and Partners and community engagement, and also into concept and schematic design. The project team are also pursuing ways the project can be considered as a State significant project which would assist with planning and project timelines.

Consultation/Communication

The following provides an outline of the consultation and engagement processes going forward.

Communications Plan (operational, underway): This Plan articulates the key stakeholders, partners, project risks and mitigation measures, key messages, communication tools and milestones for the project. The key communication tools that will be utilised include (but not limited to) Frequently Asked Questions, Community bulletins, Media releases, Weekly e-newsletter update, Bendigo Art Gallery e-newsletter update, GB Magazine, Social media platforms, Project page on Gallery and City websites, Site signage, TV screens in City offices and libraries, Project Videos (eg. Construction progress)

Advocacy Plan: This will be prepared to provide a structured approach to advocacy to key stakeholders and potential project partners, to secure project support and funding.

The indicative communications timeline for the project at present (subject to consideration of this report by Council) commences in October 2022 (media releases, etc), into early 2022 (community information and feedback sessions to inform the design outcomes, etc), and further information as the project progresses. The intent is to engage widely with our community, Traditional Owners, key stakeholders and partners through the life cycle of this project. The ultimate success of the project will be determined by successful engagement, feedback and dialogue with our community and stakeholders.

Resource Implications

The project is currently being administered under a Project Governance Structure which includes a Project Control Group (PCG) with members including City officers, State Government, the Bendigo Art Gallery Board and Project Working Groups. The PCG meets on a regular basis and enables the project to proceed with appropriate governance and processes in place.

It is currently anticipated that the lifecycle of the project will run through years 2021 to 2024 (subject to the confirmed timing of funding), on the assumption of a 14 to 16 month design period followed by a 16 to 18 month construction period, i.e. an overall design and construction program of between 30 to 36 months. Detailed cashflows for the project will be prepared as the project progresses and timelines become clearer with external investment. At this stage it is expected that the project will proceed (subject to approvals) over the following timelines:

Year	Project Stage
1 (2021/22)	Design
2 (2022/23)	Design + commence construction
3 (2023/24)	Construction completion

To date, the City has received a separate \$280,000 from the Victorian Government's Enabling Tourism Fund to progress the Concept and Schematic Designs to enable the project to be investment-ready. The terms of this funding require a matched investment of \$280,000, either from the City, an alternate investor, or through the successful outcome of another Victorian Government grant, the Fast Track fund. If the Fast Track application is unsuccessful, the City will cover the \$280,000 matched funding. If it is successful, terms of the Fast Track funding stipulate the City must contribute at least \$70,000. This funding allocation from the City, if required, can be considered as part of the total investment for the project by the City.

The overall cost expectation for the project, as per the City's current *Investment Prospectus (Priority Projects for Government Investment)* is:

Investment Source	Contribution	Comments
City of Greater Bendigo	\$3 million*	As per this report, total investment * Subject to securing external funding
Bendigo Art Gallery Board	\$2.5 million	Committed
Philanthropic	to \$1.5 million	Opportunities / Partners identified

Investment Source	Contribution	Comments
Government Funding (State and Federal)	to \$21 million	Further advocacy to be undertaken
Total Investment	\$28 million	(including contingencies)

Note: progress beyond the current financial year (2021/22) would require securing external funds for the project and Council consideration of allocated funds via normal budget processes.

Attachments

1. Redevelopment Prospectus
2. Business Case Summary

18.2. Bendigo Airport Lease of Lot L3

Author	Vicki Bayliss, Bendigo Airport Manager
Responsible Director	Steve Hamilton, Director Strategy and Growth

Purpose

Council officers are seeking approval to commence the procedures for the proposed grant of a lease of Lot L3, of Lot 3 on Plan PS 422204F, being land at Bendigo Airport (premises) to Darren and Kristy Milgate (lease proposal).

Summary

Darren and Kristy Milgate are current tenants who would like to take out another lease on Lot L3 at the Bendigo Airport. They would like a lease term of ten (10) years with three (3) five (5) year options to renew the lease. The site is approximately 216 square meters of land. The Council lease policy has assessed the annual market rental for the site at \$1,705.00 per annum, plus GST.

Recommendation

That Council:

1.
 - a. Resolves that the procedure be commenced to consider a proposal to lease the land comprising approximately 216 square metres of land, being part of the land in certificate of Title Part Lot 3 PS 422204F, Volume 10557, Folio 954, known as Lot L3 at the Bendigo Airport situated on 35 Victa Road, East Bendigo, (Land) for the purposes of an airport hangar (Lease Proposal);
 - b. Directs that the public notice calling for submissions on the Lease Proposal be given in the Bendigo Advertiser;
 - c. Authorises the Manager Economic Development to undertake the steps to give effect to item b);
 - d. Directs that any submissions received will be considered by the Council at a future ordinary meeting to be held at the Bendigo Town Hall.
2. Directs that a further report to Council in respect of the Lease Proposal include an assessment of all submissions received and of any submissions heard if they make this request.

RESOLUTION

Moved: Cr Greg Penna

Seconded: Cr Andrea Metcalf

That the recommendation be adopted.

CARRIED

Policy Context

Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

Goal 3: Strengthening the economy

Objective 3.1 Support our businesses and industry to be strong, vibrant and to grow and develop

Strategy Reference (include weblink as applicable):

Bendigo Airport Strategic Plan - <https://www.bendigo.vic.gov.au/About/Document-Library/bendigo-airport-strategic-plan>

Strategic Direction 2: Effectively Manage and Maintain Bendigo Airport Assets

Council Policy Reference (include weblink as applicable):

Background Information

Darren and Kristy Milgate are current tenants at the Bendigo Airport and are looking for a long-term lease to construct another hangar on.

Four new long-term leases were advertised in 2021 for leases at the Bendigo Airport. These leases are now executed or in the process of being executed.

Report

The Bendigo Airport is located at 35 Victa Road, East Bendigo (being part of the land in certificate of Title Part Lot 3 PS 422204F, Volume 10557, Folio 954 (Land).

The Bendigo Airport has three (3) vacant hangar sites available to lease. The uptake has been very strong over the last few years with 15 leases commencing in the last two years.

Darren and Kristy Milgate are seeking another lease on a part of the Land at the airport which is known as Lot L3 at the airport. Lot L3 is approximately 216 square metres and based on the current market rental will be leased for \$1,705.00 per annum plus GST.

Darren and Kristy Milgate propose to use the Premises for the purposes of an airport hangar over a lease term of ten (10) years with three (3) five (5) year options.

Timelines:

If Council intends to consider the lease proposal, then Council officers will place a public notice in a local newspaper calling for submissions from the public about the lease proposal and allow at least 28 days for submissions to be received. Council must then consider any submissions received and conduct hearings for anyone that wishes to be heard in support of their decision, before Council can consider and then make a final decision about whether to grant the lease proposal. Once submissions have closed, Council officers will provide another report Council outlining the submissions received (if any) and making a recommendation about whether to approve the lease proposal, for Council's consideration.

Consultation/Communication

Resource Implications

The costs associated with the negotiation and development of the lease documentation can be absorbed in the Economic Development Unit operational budget. There will not be an increase in ongoing maintenance or operational expenses as a result of this lease.

If Darren and Kristy Milgate's lease is approved an additional \$1,705.00 per annum, plus GST revenue will be made.

The revenue will increase annually as per the Bendigo Airport Lease Policy.

Attachments

19. ENVIRONMENTAL SUSTAINABILITY

20. EMBRACING OUR CULTURE AND HERITAGE

20.1. Bendigo Historical Society Relocation

Author	Deb Simpson, Coordinator Strong Communities
Responsible Director	Vicky Mason, Director Health and Wellbeing

Purpose

To outline the challenges and risks associated with Bendigo Historical Society's (BHS) operations centre and collection repository remaining at the Bendigo Regional Archive Centre (BRAC).

To seek Council approval of a proposed BHS relocation support package.

Summary

BHS requires both an operations centre and a collection repository to be able to function effectively. These are currently located at BRAC. BHS's ideal is to also have a 'shop front' and community museum space however this is a lesser priority. BHS was occupying Bendigo TAFE's Specimen Cottage as its shop front until July 2020, when it was required to vacate due to the site forming part of the Bendigo Law Courts Redevelopment project scope.

BHS's collection includes items that are paper-based (e.g. documents) and non paper-based (e.g. clothing, framed pictures). The volume of BHS's collection now far exceeds BRAC's capacity.

Public Records Office Victoria (PROV) has identified a range of risks relating to BHS's ongoing use of BRAC and also made a series of recommendations. PROV has advised that failure to implement its recommendations will result in health and safety risks and also place at risk BRAC's accreditation as a Class A Place of Deposit (POD) for the storage of public records.

The City of Greater Bendigo (City) has been consulting with BHS about potential alternative accommodation options since mid-2020. Detailed analysis of five options has been undertaken. The City's recommended option is Option 1: Relocate BHS's operations centre and collection repository to Bendigo TAFE's Building A North under a long-term lease arrangement. (The proposed lease terms are Commercial in Confidence and were detailed in the 11 October 2021 Councillor briefing). Under this option, BHS would no longer require access to BRAC.

BHS has conditionally agreed to Option 1 subject to Council approving the proposed relocation support package and there being nothing untoward in Bendigo TAFE's lease. The proposed relocation support package includes assistance with:

- Lease fees;
- Relocation costs;
- Building fit out;
- Development of a strategic plan in 2022;

- Assessment of floor loading capacity;
- Investigation of rising damp causes;
- Development of existing floor plan design and elevations to support future floor plan design and building fit out requirements; and
- Project / logistics management, including technology transition advice.

The proposed relocation support package would require an unbudgeted 2021-22 allocation of approximately \$65,450, inclusive of one-off relocation and building fit out costs. This figure does not reflect City staff time that would be entailed in project / logistics management.

Cr Margaret O'Rourke declared a general conflict of interest in the Embracing Our Culture and Heritage Report No. 20.1 (Bendigo Historical Society Relocation) as she is a Board Member of the Bendigo TAFE.

Cr O'Rourke left the meeting.

RECOMMENDATION

That Council approve the proposed Bendigo Historical Society (BHS) relocation support package, conditional upon:

- a. BHS being the party that enters into the lease with Bendigo TAFE; and
- b. BHS committing to developing a strategic plan in 2022 and to the plan's subsequent implementation.

MOTION

That Council approve the proposed Bendigo Historical Society (BHS) relocation support package, conditional upon:

- a. BHS being the party that enters into the lease with Bendigo TAFE; and
- b. BHS committing to developing a strategic plan in 2022 and to the plan's subsequent implementation.
- c. The City of Greater Bendigo guaranteeing the lease costs for the first three years of the lease.

RESOLUTION

Moved: Cr David Fagg

Seconded: Cr Andrea Metcalf

CARRIED

Cr O'Rourke returned to the meeting.

Policy Context

- Public Records Act 1973

Primary Community Plan Reference:

City of Greater Bendigo Community Plan 2017-2021:

- Goal 6 Embracing our culture and heritage

Secondary Community Plan Reference(s):

City of Greater Bendigo Community Plan 2017-2021:

- Goal 1 Lead and govern for all

Background Information

BHS was first formed in 1938 and became incorporated in 1990. BHS seeks to *'encourage and facilitate the study of the history of Bendigo and district. BHS shall acquire, research, preserve, conserve, interpret and exhibit material which illustrates this history.'*

Specimen Cottage

Specimen Cottage is situated within Bendigo TAFE's Central Business District (CBD) campus. It was used as BHS's shop front' between July 2013 and July 2020.

BRAC

BRAC is an accredited Class A POD under the Public Records Act 1973. To attain and maintain this accreditation, the facility must comply with strict storage standards.

Report

In 2011 the City and BHS entered into a Memorandum of Understanding (MOU) providing BHS with access to a BRAC repository area (for the storage of paper-based collection items only) and a BRAC work room. This MOU does not require BHS to pay any BRAC hire fees or contribute to BRAC's operating costs. The pre-cursor to this MOU was a 2009 MOU between the City, Bendigo Senior Secondary College and BHS which reflects that BHS was required to relocate to enable Ulumbarra Theatre's development.

Since 2011 four shipping containers have also been installed at the BRAC site to assist with the storage of BHS's non paper-based collection items and the sheer volume of BHS's collection. It is anticipated 18 months to 2 years of concerted sorting effort would be required to progressively decant and remove the shipping containers.

BHS has outlined its accommodation needs as being a space or spaces that could support:

- Storage of its voluminous collection (paper and non paper-based items);
- Workspaces for collection management and documentation;
- A shop front;
- A public research space; and
- A community museum.

A Project Control Group (PCG) identified that responding to BHS's accommodation needs would likely entail:

- A sizeable space or spaces;
- Some initial fit-out costs;
- Significant rent and operational cost increases; and
- Removalist fees.

BHS considers Bendigo TAFE's Building A North can support all of its accommodation needs with the exception of a shop front and community museum.

Priority/Importance:

In November 2020 PROV advised the City that BHS's ongoing use of BRAC was placing BRAC's Class A POD accreditation at risk.

Options/Alternatives:

The four other potential accommodation options the City has undertaken detailed analysis of are:

- Option 2: Relocate BHS's operations centre and collection repository to Bendigo TAFE's Building A South under a long-term lease arrangement. Under this option, BHS would no longer require access to BRAC.
- Option 3: Purchase and install four additional non-refrigerated shipping containers (fitted with reverse city air conditioning) at the BRAC site to accommodate more of BHS's collection. This option would not be appropriate for the long-term storage of BHS's collection as temperature and humidity cannot be guaranteed, however it would offer the same conditions as the four other shipping containers BHS is already using at the BRAC site. Under this option, BHS would still require access to BRAC's work room as its operations centre.
- Option 4: Contract Grace Information Management (GIM) to relocate and store BHS's non-paper based collection only at GIM's Eaglehawk-based building. Under this option, BHS would still require access to BRAC's work room as its operations centre.
- Option 5: Contract GIM to relocate and store all BHS's collection at GIM's Eaglehawk-based building. Under this option, BHS would still require access to BRAC's work room as its operations centre.

The other options initially identified but then excluded from detailed analysis due to being incompatible with BHS's accommodation needs were:

- The Mews (former Maternal and Child Health Centre): 1 Sidney Myer Place, Bendigo;
- Bendigo Heritage Attractions: various localities;
- The BeeHive (Bendigo Mining Exchange): 18 – 26 Pall Mall, Bendigo; and
- Office space / house: 18 Forest Street, Bendigo.

Timelines:

PROV initially indicated it would withdraw BRAC's Class A POD accreditation if the risks it had identified were not remediated prior to October 2021. PROV is now offering some

timeline flexibility provided the City can demonstrate it is continuing to make progress towards BHS's relocation.

Progress:

BHS has conditionally agreed to Option 1 subject to Council approving a proposed relocation support package and there being nothing untoward in the Bendigo TAFE lease.

Risk Analysis:

PROV has identified a range of risks relating to BHS's ongoing use of BRAC and also made a series of recommendations. PROV has advised that failure to implement its recommendations will result in health and safety risks and also place at risk BRAC's accreditation as a Class A Place of Deposit (POD) for the storage of public records.

Consultation/Communication

Internal Consultation:

In 2020 the City established a Project Control Group (PCG) with multi-directorate representation.

In August 2021 the City's Executive Management Team provided in-principle approval for staff to negotiate with BHS regarding Option 1.

External Consultation:

The City has been consulting with BHS about potential alternative accommodation options since mid-2020. City staff have also been working with BHS to establish collection retention and disposal principles and procedures, and to sort through the voluminous collection. For example, it was identified that BHS was in breach of the Firearms Act due to not securely storing vintage firearms in its possession. The subject firearms have now been sold.

Resource Implications

Previous Council Support:

In 2011 the City and BHS entered into a Memorandum of Understanding (MOU) providing BHS with access to a BRAC repository area (for the storage of paper-based collection items only) and a BRAC work room. This MOU does not require BHS to pay any BRAC hire fees or contribute to BRAC's operating costs. The pre-cursor to this MOU was a 2009 MOU between the City, Bendigo Senior Secondary College and BHS which reflects that BHS was required to relocate to enable Ulumbarra Theatre's development.

The City was leasing Specimen Cottage from Bendigo TAFE for \$7,000 per annum then sub-leasing it to BHS for \$2,500 per annum, resulting in total annual lease costs to the City of \$4,500.

Any known or anticipated variance to budget:

The proposed relocation support package would require an unbudgeted 2021-22 allocation of approximately \$65,450, inclusive of one-off relocation and building fit out costs. This figure does not reflect City staff time that would be entailed in project / logistics management.

Projected costs for future financial years:

The proposed lease terms are Commercial in Confidence and were detailed in the 11 October 2021 Councillor briefing. Lease fee assistance constitutes the projected costs for future financial years.

Attachments

21. LEAD AND GOVERN FOR ALL

21.1. Mayoral Term Length

Author	Geoff Fallon, Governance Coordinator
Responsible Director	Andrew Cooney, Director Corporate Performance

Purpose

The purpose of this report is for Council to formally resolve the length of the Mayoral term for the 2021/2022 term (one or two years). Confirmation of the length of the term is required prior to the Council Meeting to elect Mayor and Deputy Mayor for the 2021/2022 term which is scheduled for 9 November 2021.

Summary

The Local Government Act 2020 states at Part 2 Section 26 that:

(3) Before the election of the Mayor, a Council, other than the Greater Geelong City Council, must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.

Recommendation

That Council approves to set the Mayoral term for 2021/22 for one year.

RESOLUTION

Moved: Cr Margaret O'Rourke

Seconded: Cr Matthew Evans

That the recommendation be adopted.

CARRIED

Policy Context

- Goal 1 Lead and govern for all

Background Information

The term for all previous City of Greater Bendigo Council Mayors has been for one-year.

Report

Options/Alternatives:

The Council may alternatively resolve to elect the Mayor for a two year term.

Risk Analysis:

There are no identified additional risks with either option.

Consultation/Communication

N/A

Resource Implications

N/A

Attachments

Nil

21.3. Council Meeting date to elect Mayor and Deputy Mayor and December 2021

Author	April Hinton, Governance Officer
Responsible Director	Andrew Cooney, Director Corporate Performance

Purpose

The purpose of this report is to set the date for the meeting to Elect Mayor and Deputy Mayor and set the date for the final Council meeting of 2021 in December.

Summary

At the conclusion of each Mayoral term, the date for the meeting to Elect the Mayor and Deputy Mayor is required to be set.

The Council meeting dates for 2021 were set at the commencement of the Term and based on the Mayoral term. Therefore, a date for December 2021 Council meeting date was not set.

Council Meeting dates for 2022 are due to be considered at the Council meeting in December 2021.

RECOMMENDATION

That Council

1. Endorse Tuesday, November 9, 2021, as the Council Meeting to Elect Mayor and Deputy Mayor commencing at 6:00pm at the Bendigo Town Hall (or via online platform subject to Public Health advice) and publicly advertise the date.
2. Endorse Monday December 13, 2021, as the final Council Meeting for the Greater Bendigo City Council for the 2021 calendar year commencing at 6:00pm at the Bendigo Town Hall (or via online platform subject to Public Health advice) and publicly advertise the date.

RESOLUTION

Moved: Cr Margaret O'Rourke

Seconded: Cr Matthew Evans

That the recommendation be adopted.

CARRIED

Policy Context**Primary Community Plan Reference:**

City of Greater Bendigo Community Plan 2017-2021:

- Goal 1 Lead and govern for all

Background Information

Previous Council Decision(s) Date(s): December 14, 2020.

Report

Each year the timelines to elect the Mayor and Deputy Mayor are reviewed and nominate a Council meeting date to elect Mayor and Deputy Mayor (previously referred to as a 'Special meeting') is nominated and set. It is proposed that the Council meeting to elect the Mayor and Deputy Mayor be held 6pm Tuesday, November 9, 2021.

Council meeting dates for 2021 were set as per the Mayoral term, not the calendar year. Therefore a meeting date in December 2021 was not nominated. It is proposed that the final Council Meeting for the Greater Bendigo City Council for the 2021 calendar year be held on Monday December 13, 2021 commencing at 6:00pm at the Bendigo Town Hall (or via online platform subject to Public Health advice).

2022 Council meeting dates and frequency will be reviewed and a further report be considered by Council at the December Council meeting, setting the dates for 2022.

Consultation/Communication

Consultation with Councillors and senior staff has occurred and determined the dates outlined in this report as appropriate.

Resource Implications

Advertising of Council Meetings can be accommodated within existing budget allocations.

Attachments

Nil

22. URGENT BUSINESS

Nil

23. NOTICES OF MOTION

Nil

24. COUNCILLORS' REPORTS

Cr Fyffe reported as follows:

Met with residents and no official functions attended.

Cr Williams reported as follows:

Number of community engagement items cancelled and meetings postponed, but still a log of work continuing 'behind the scenes'

Attended the Rural Community Committee Meeting and the Farming and Agribusiness Advisory Committee Meeting - very important in looking toward the future in these rural areas

Concern expressed to Cr Williams on the vaccine passport trials and vaccination mandate with some people fearful of their freedom of choice and privacy and their right to make a living and hope that democracy will prevail

Cr Penna reported as follows:

Attendance at a meeting of the Government Land Sale Advisory Committee on the sale of a site in Golden Square which was very informative

Chaired the Positive Ageing Advisory Committee at the Bendigo Art Gallery

Meeting with hotelier representatives regarding rates

Meeting regarding the Heathcote Township Committee

Tour of the TAFE facility proposed for Historical Society

Cr Metcalf reported as follows:

Firstly congratulations to Bendigo cheerleader Maddy Theobald and her team, Lady Reign, who recently secured the IASF 2021 World Championship within the International Open division five category after hitting zero with a flawless routine. Cheerleading is a combination of acrobats and gymnastics and is highly skilled. The team were training via zoom prior to being given permission to train together. It shows your dedication Maddy.

Cr. Sloan and myself were fortunate to go out to Elmore for a meeting with the Elmore community reference group last Thursday evening for initial talks on their township plan which was Covid interrupted. It was so nice to be out in person and I am confident it will be a successful plan as they are a community that get on and get things done.

Cr. Williams has mentioned the two online meetings with the Farming and Agribusiness advisory committee and Rural communities as I chair both of these committees. I agree with him about the importance of the committees to Council.

By the number of pages that are in tonight's agenda it would be very obvious that I and the other councillors have spent much of this last four weeks reading and digesting the information before us. We see the reading on more than one occasion but I read it each time so I can understand it. That's been my month.

Cr Sloan reported as follows:

Thank you Mayor Alden, I am pleased to table my councillor report about joining with our community and reflecting on key events.

- Covid restrictions and lockdowns continued to interrupt plans for face-to-face community meetings listening posts. Communication with community members, groups and township progress associations has been made via phone, email and some online meetings with issues raised by residents including asset and gravel road maintenance.
- Community meeting with the Elmore community to discuss township and community plans and online with Huntly Whipstick Northern Corridor Progress Association to discuss local goals and developments, with Raywood and Woodvale meetings pending. Committee meetings with Empowering Eaglehawk and Sustainability and Environment an online meeting with Youth Council about planning events together and reviewing the local Mulga Bill walk/cycle Trail.
- Online community events and meetings attended included the Bendigo Business Excellence Awards, workshops about managed growth strategy, a visit to central goldfields library to look at the E-charging station for Scooters & W/chairs, returned to the bulb festival Blooming Borough.
- I attended online activities and. I am, along with Cr's Metcalf and Fagg, continue key forward planning to enable meetings to occur with a range of community groups including Goornong District Action Group and Woodvale Progress Association, and with the communities of Elmore, Eaglehawk and White Hills when safe to do so, online is an option for all meetings.

Thank you, that concludes my councillor report.

Cr O'Rourke reported as follows:

Terrific online experience for the Be.Bendigo Business Excellence Awards, which at one point, had 175 connections. Winners and finalists to be congratulated and commended Dennis Bice on his work with Be.Bendigo which he concluded with on Friday and taking up the role of Chief Executive Officer at the Bendigo Stadium.

Cr O'Rourke highlighted the importance of the business groups in their support to each other and for advocating to various levels of Government.

Also complimented Craig and the city staff forward the work that has been completed around Barkly Street - it looks amazing and understands that residents are appreciative of the work undertaken.

Continue to assist residents and visiting properties, in a COVID-safe manner.

Eppalock Ward Councillors looking forward to some engagement at Peppercorn Park with the O'Keefe Rail Trail and down the track, looking to visiting the Bendigo Yacht Club at Eppalock.

Supported the progress with the Managed Growth Strategy.

Cr Evans reported as follows:

It was great to attend several events, community, and committee meetings, as well as savour the breaking of Melbourne's 57-year premiership drought!

BE.BENDIGO/ BENDIGO BANK BUSINESS EXCELLENCE AWARDS

I was fortunate to attend the online iteration of the Be.Bendigo & Bendigo Bank Business Excellence. The wonderful occasion was hosted by Channel 9's Rebecca Madden and put on by PowerAV and Tough Cookie Marketing.

The night was a celebration of Bendigo's brilliant business community. Congratulations to all nominees and award winners in the respective categories! Special mention to the committee members who presided over the selection process. No doubt it was a difficult task, as all were deserving winners.

Congratulations to Thinka and all of the Thinkanarians on taking out the top honour – Bendigo's Business of the Year!

VCE STUDENTS

Looking forward, I would like to take this opportunity to wish all VCE students the best of luck for their upcoming exams.

The last two years have thrown many challenges to your studies but you. Despite these, know that you have done the hard-yards with the support of your dedicated teachers. Back yourself and know that your ATAR won't define you.

Best wishes and go well!

CONCLUSION

Finally, I would like to acknowledge our community's response to the COVID-19 pandemic. In many ways, our community has led the nation. From our high vaccination rates to keeping our case numbers low. Our community has got on with the job.

We are almost through this. We are edging closer to opening up.

Stay Classy Greater Bendigo. See you in the Community.

EVENTS & ENGAGEMENTS

- Joint Meeting of Councillors and Youth Councillors (online).
- Youth Take Over online briefing & launch.
- Meeting with business owners Andrew, Ray, and Mark (online).
- Meeting with Minister Jacinta Allan MP, Maree Edwards MP, representatives of the Bendigo Easter Fair Society and Bendigo Chinese Association with City Staff and Cr Fyffe to discuss the 150th Bendigo Easter Fair in 2022 (online).
- The Be.Bendigo & Bendigo Bank Business Excellence Awards (online).
- Disability Inclusion Reference Committee (online).
- Meeting to discuss the Heathcote Township Committee.
- Meeting with locals in Spring Gully to inspect a potential footpath.

- Bendigo Easter Fair Reference Group Meeting (online).
- Attended workshops with key stakeholders in the early development of the City's Managed Growth Strategy.
- Fully vaccinated from COVID-19.
- Visited the Bendigo TAFE site to discuss a vision for maintaining Bendigo's heritage artifacts.
- Watch the replay of the AFL Grand Final multiple times!
- Several councillor briefings and meetings.

Cr Fyffe left the meeting at 8.59pm

Cr Fyffe returned to the meeting at 9.08pm

25. MAYOR'S REPORT

The Mayor Cr Jennifer Alden's report as follows:

- Chaired the online Creative City of Gastronomy Advisory Committee meeting.
- Co-Chaired the online meeting with the City of Greater Bendigo Council and Youth Council.
- Chaired the online Pandemic Relief and Recovery Committee and Strategy Planning Workshop.
- Chaired the online Sustainable Environment Advisory Committee meeting.
- Participated and presented the City of Greater Bendigo sponsored award category 'Diverse and Inclusive' at the online Be.Bendigo and Bendigo Bank Business Excellence Awards.
- Attended the online Golden Square Pool Annual General Meeting.
- Attended the online Public Health and Wellbeing working group meeting.
- Attended the online Regional Cities Victoria Advocacy Priorities launch event.
- Participated in the media briefing for the Business Grants Fund.
- Participated in the School Strike for Climate walk by event at the Library Gardens.
- Visited the TAFE Community Precinct.
- Spoken with residents, businesses and community groups regarding a wide range of issues.
- Participated in numerous radio, newspaper, television media interviews and photo opportunities.

26. CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer presented his report as follows:

During the month I participated in meetings of:

- Loddon Campaspe Regional Partnership.
- Loddon Campaspe Councils.
- Regional Development Australia.
- Regional Cities Victoria.

Regional Cities Victoria – 2022-25 Advocacy Priorities

- Last week Regional Cities Victoria launched their 2022-25 Advocacy Priorities.
- Regional Cities Victoria comprises municipalities for Ballarat, Bendigo, Geelong, Horsham, Latrobe, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.
- The priorities provide a range of investments to help the regions rebuild and recover from COVID-19 and to be growing connected economies that are attractive places to live, work and visit.
- Minister Mary-Anne Thomas, Minister for Regional Development and Minister for Agriculture opened the launch.
- Shadow Minister Peter Walsh provided an address.
- The launch included a panel session to discuss “Why Victoria’s success relies on thriving regional cities” with panellists Aexandra Gartmann, CEO, Rural Bank, Felicia Mariani, Chief Executive, Victoria Tourism Industry Council and Michel Masson, CEO, Infrastructure Victoria.

27. CONFIDENTIAL (SECTION 66) REPORTS

RECOMMENDATION

That Council close the meeting to members of the public pursuant to Section 66(2)(f) of the Local Government Act 2020 to consider a report relating to personal information.

RESOLUTION

Moved: Cr Andrea Metcalf

Seconded: Cr Rod Fyffe

That the recommendation be adopted.

CARRIED

There being no further business, the meeting closed at 9:17 pm.

Confirmed:

November 15, 2021 _____ **Chair**