COUNCIL MEETING MINUTES

CITY OF GREATER BENDIGO

6:00 pm on Monday March 17, 2025

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

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NEXT MEETING:

Wednesday April 23, 2025

COMMUNITY VISION 2021–2031

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

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

COUNCIL PLAN (MIR WIMBUL) – OUTCOMES

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

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

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

STAFF VALUES AND BEHAVIOURS

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

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

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

This Council Meeting is conducted in accordance with the

- Local Government Act 2020
- Governance Rules

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1. ACKNOWLEDGEMENT OF COUNTRY AND OPENING STATEMENT

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

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

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

We express our gratitude in the sharing of this land, our sorrow for the personal, spiritual and cultural costs of that sharing and our hope that we may walk forward together in harmony and in the spirit of healing.
Bangek Knoorarook Bunjil Dja Dja Wurrung
William Talle tallingingorak wirrmbool bunjil

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

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

- Mayor Cr Andrea Metcalf
- Deputy Mayor Cr Abhishek Awasthi
- Cr Shivali Chatley
- Cr Karen Corr
- Cr Owen Cosgriff
- Cr Damien Hurrell
- Cr John McIlrath
- Cr Thomas Prince
- Cr Aaron Spong

- Andrew Cooney, Chief Executive Officer
- Brian Westley, Director Presentation and Assets
- Stacy Williams, Director Healthy Communities and Environments
- Jess Howard, Director Corporate Performance
- Rachel Lee, Director Strategy and Growth
- Ryan Millard, Manager Governance

Apologies

- Nil

3. PUBLIC QUESTION TIME

3.1. Public Question Time Guidelines

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

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

Pre registering questions is recommended as this provides more time for a more detailed response to be provided to you at question time. Pre registered questions will also be given priority in accordance with the Governance rules. If a question is asked on the night and we don't have the answer immediately available we may need to take it on notice, please ensure you leave your contact details with the Governance officer so a response can be provided to you.

Regardless, any member of the community may ask a question in person. The preferred format is to state your name, suburb and briefly identify your topic (ie parking or Lake Weeroona Playspace, etc). Then, without preamble or statements, please ask one relevant question only.

To ensure fairness, given time constraints, only one question per community member will be accepted each month, inclusive of pre-registered questions, and questions on the night.

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

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

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

3.2. Pre-Registered Questions

Question 1:

From: Sean on behalf of Rainbow Local Government

Topic: LGBTIQA+ Inclusion Action Plan 2023-2025

Question:
When will a progress report on the LGBTIQA+ Inclusion Action Plan 2023-2025 be presented to the community?

Answer:
The development of a progress report of the LGBTIQA+ Inclusion Action Plan (2023-2025) is on the Community Inclusion Team's workplan and planned for initiation mid 2025. This delay has been a result of staff vacancies over time.

While progress against the identified actions will commence in the final quarter of the 24/25 financial year, a preliminary review indicates – out of a total of 45 actions, 18 have been completed, 25 are in progress and 2 have not yet started but planned for later in 2025.

The final progress report will be made available on Let's Talk Greater Bendigo - the City's community engagement platform.

Question 2:

From: Matthew of South Melbourne

Topic: Complaints about sex work

Question:
The Municipal Association of Victoria was concerned that decriminalising sex work would lead to an unmanageable number of complaints about sex work. In the first year after sex work was decriminalised, the City of Greater Bendigo received 7 complaints about sex work. Does the council believe it has enough resources to be able to adequately respond to 7 annual complaints about sex work?

Answer:
Planning Schemes were amended by the State Government in December 2023 to implement the decriminalisation of sex work and the City has adequate resources to investigate complaints regarding sex service premises, however, depending on the nature of the complaint, they may be referred to Victoria Police for their action.

Question 3:

From: Wendy of Mandurang South

Topic: Petition re mining exploration of council roadside

Question:
Do Councillors know, and approve of the fact, that even if a householder has refused permission for a mining company to explore and drill on their land, the mining company can explore 500 meters into the property underground from a council roadside, thus negating the householder's refusal?

Answer:
Thank you for sharing your concerns. The State Government are responsible for regulatory controls (approvals, etc) regarding Mining Exploration. Local government has limited involvement in these matters. Further detail is provided in the petition response later in tonight’s agenda.

Question 4:

From: Cailah of Long Gully

Topic: Bendigo Safety

Question:
What is the local council doing to make Bendigo feel safe again?

Answer:
Taken on notice.

Meeting adjourned 6:10pm.
Meeting resumed 6:17pm.

3.3. Gallery Questions

Question 1:

From: John Bardsley of Mandurang South

Topic: Mining Exploration

Question:
Are council willing to have further discussions and meetings with the considerable number of concerned and fearful residence regarding mining exploration impacting their properties - residents would like to further discuss with council what residents can do.

Answer:
Taken on notice.

4. WARD REPORTS

4.1. Ward Report - Kennington

Report not received at time of publishing.

4.2. Ward Report - Lake Weeroona

Lake Weeroona Ward Cr Thomas Prince presented a report on various issues and meeting/events, including:

- Events. What an intense but fruitful part of this role. I honestly don't think I've had so many changes of clothes on individual days in my life. As a long time fan of the Bendigo Spirit, its been great to be an official part of supporting them in their Championship. I have also had great opportunities to further engage with our sporting community in supporting and attending the Victorian Athletics Country Champs, Ultimate Frisbee championships, celebrating the birth of Womens soccer program with Bendigo City but also having some pretty important conversations with the organisers of the fantastic Bendigo Gift about how we can grow this evolution of our Labour Day weekend in Bendigo
- Arts and culture is alive in Bendigo following. And it's been great talking with residents who have attended the Frida Kahlo opening and exhibitions at the Golden Dragon Museum and not to mention connecting with the Bendigo Theatre Company to hear about their passions.
- I've now been to two Citizenship ceremonies and have really appreciated being involved in not just welcoming new Bendigonians but encouraging them to understand local government and explaining what my role is for them
- The biggest thing I wanted to highlight to my ward is what I've found really meaningful in my time so far. And that would have to be the opportunities I've had to grow as a person and as a leader thus far. I believe the pursuit to be a better version of myself, for the sake of my community (and for me) is something I need to continually strive for. To Be Better. The best opportunity of this was in participating in leadership training via Alicia McKay's Local Legends program where I was challenged about what my role is, the importance of relationships, perspectives and decision making and the importance of strategic questions. I also attended all 15 and a half hours of our deliberative panel event that was held over the weekend. I will post more further on this initiative at a later date however I wanted to acknowledge the contributions from 40 or so people this weekend just gone and express how valuable I found the experience.

- Of course, there has been plenty of other events, learning opportunities and engagements but these are just a few I've chosen to highlight
- I did also want to thank all of the residents that have contacted me with their individual and collective concerns. Whether we have agreed or not, I've really appreciated the thoughtful and measured conversations with people who simply care for the Lake Weeroona Ward and the Greater Bendigo Region.
-
- I would also like to notify the constituents of my ward that I am working hard in the background on some materials that is going to further facilitate my community engagements and listening posts. So please, keep an eye out.
- And lastly, I wanted to congratulate Stacy Williams on her appointment to her new role. We've been lucky to have inherited a strong executive and to lose a good one sucks but from the work we've seen and the support you've given, I can understand why this happened. Thank you and good luck.

Thank you and see you on the streets

4.3. Ward Report - Lockwood

Report not received at time of publishing.

5. DECLARATIONS OF CONFLICT OF INTEREST

No attendee declared a conflict of interest.

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

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

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

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

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

6. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDED MOTION

That the Minutes of the Council Meeting held on February 17, 2025, as circulated, be taken as read and confirmed.

Previous minute location:
https://www.bendigo.vic.gov.au/about-us/council/council-meetings#past-meetings

MOTION

That the recommended motion be adopted.

Moved: Cr Thomas Prince
Seconded: Cr Damien Hurrell

Resolution No. 2025-11

CARRIED

7. PETITIONS AND JOINT LETTERS

7.1. Petition Acknowledgement - Mining Exploration/Drilling at Curb Sides and Other Areas

Purpose

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

Summary

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

> *We, the residents of Junortoun, Longlea, Strathfieldsaye, Axe Creek, Emu Creek, Mandurang and Sedgwick who live in the area of proposed mining exploration licence by Falcon Metals EL008505, and exploration licence EL006503 by Agnico Eagle / Fosterville Gold Mine.*
>
> *Plead that you do not grant or give permission for roadside mining exploration or drilling. We are locking our gates and will not be allowing exploration on our properties. We please that you look after your growth area by not allowing mining exploration on the areas controlled by you such as roads. If we do not let them in to our properties and you do not allow them access to land under your control, then exploration and subsequent mining cannot happen.*
>
> *As part of the Rural Area's Strategy for Growth please include protecting your growth areas from mining and the negative effects of this. Currently there is an inquiry on the effect Fosterville Mine has had on the community of Axedale, which includes toxic dust (arsenic) which effects the tank water, contamination of ground water, noise pollution (from the vents and plants) and earthquakes (Fosterville admitting to causing seismic events by blasting underground).*
>
> *Strathfieldsaye and surrounds are known growth areas with new families moving in every day. Mining side effects and growth cannot go together. The environmental risk of mining far outweighs any other environmental risk created by growth and creates toxic elements not conductive with habitable areas.*
>
> *Please protect us. Do not allow mining exploration on ground under your control.*

Signatures - 184

Recommended Motion

That Council receive the petition and refer this operational matter to the Director, Presentation and Assets for consideration and response to the lead petitioner, Dr Kim Hattingh, directly.

MOTION

That the recommended motion be adopted.

Moved: Cr Thomas Prince
Seconded: Cr Damien Hurrell

Resolution No. 2025-12

CARRIED

Background

The State Government are responsible for regulatory controls (approvals, etc) regarding Mining Exploration.

Any works within the road reserve (including minor works such as mining explorations) which disturb the soil is classified as excavation and would require a Works Within Road Reserve Permit (WWRR) and/or Memorandum of Authorisation (MoA).

Clause 16 of the Road Management Act 2004 states that the managing Road Authority cannot unreasonably withhold approval of the permit.

Our experience is that these exploration works usually have minimal impact on the landscape, including vegetation.

Conflict of Interest

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

Attachments

1. Petition Redacted - Not Allow Mining Exploration Drilling at curb sides and other areas [**7.1.1** - 16 pages]
2. Motivational Letter to Support Petition [**7.1.2** - 3 pages]

7.2. Petition Acknowledgement: Removal of Urban Trees in Elandra Drive, Ascot

Purpose

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

Summary

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

> Dear Mayor and Council Members of the City of Greater Bendigo,
>
> **Subject: Petition for the Removal of Urban Trees in Elandra Drive, Ascot**
>
> We are writing to formally request the removal of the spotted gum trees planted on the nature strip of Elandra Drive, Ascot.
>
> This petition (Attachment 1) is submitted on behalf of the residents who have expressed their concerns regarding the safety and condition of these trees. We have visited the residents of Elandra Drive to seek support for the removal of the trees and have recorded the impact that the trees have had (Attachment 2 & 3).
>
> Under the City of Greater Bendigo Urban Tree Management Guidelines, the removal of the City's tree assets is considered under specific circumstances. From interviewing residents and collecting evidence on the impact we believe the following points justify our request for the removal of the trees:
>
> 1. **Risk to human life:** The trees planted on the narrow nature strip of Elandra Drive are spotted gum and have successfully grown into tall and large trees. Towering over our residential houses, the species frequently drop large limbs posing an extremely high risk to human life and the safety of the rate-paying residents and visitors.
>
> 2. **Damage to private infrastructure:** Houses in the street are experiencing property damage from fallen branches. On two occasions branches have fallen on vehicles causing windscreen damage which required replacement. A resident reported that the trees were damaging their house foundations, including loose and cracked bricks, cracked concrete and cracked internal plaster walls.

Boundary fences, outdoor lights and spa baths have also been damaged or destroyed by fallen branches. Expansive root systems have also caused rise and lift in driveways and have impacted the integrity of underground plumbing. A resident reported that the tree root system compromised plumbing causing sewer to overflow inside the house. This damage required plumbing and toilet replacement.

3. **Fire Safety:** Fuel such as leaf litter and vegetation create a bushfire hazard. The trees continuously shed leaves and drop branches causing a high fuel load throughout summer. We are street proud and are actively clearing our properties of fire hazards before the start of the Fire Danger Period and maintaining it throughout the season. With this tree species the work is relentless for us to ensure our collective fire hazard is reduced.

4. **Proximity to private infrastructure:** The trees are planted on a narrow nature strip, within a narrow street. Trees are located approximately 0.5-3.0 metres away from our privately owned infrastructure such as houses, fences, vehicles, caravans and driveways and cause ongoing damage and concern. In our street interview, two residents indicated that they have moved from the main bedroom located at the front of the house to the back of the house to be furthest away from the tree and to be safer from potential tree falls. The close proximity of the trees to the houses is also perceived to devalue the future resale of our houses, which is one of our biggest assets.

5. **Tree health impacted by pest/disease:** Several trees have and are being impacted by a pest species. A diseased tree becomes structurally weak, increasing the risk of branches falling and causing damage to property, and vehicles, and potentially hurting people. Residents have also reported white ants inhabiting the trees and have informed the Council. At the request of residents, the Council has removed trees in poor health and is regularly monitoring tree health at an ongoing cost to ratepayers.

6. **Damage to Public Infrastructure:** The root systems of the spotted gums are impacting both underground and above-ground assets. The predominant soil type along Elandra Drive is clay, which restricts the tree’s tap root and lateral root systems, causing them to uplift the soil around the trunk.
We believe that these roots pose a threat to underground infrastructure such as NBN, gas lines, Coliban water, sewer systems, and street lights. Additionally, the roots are affecting above-ground infrastructure, including footpaths, roads, and gardens. Damage to both underground and aboveground assets can lead to increased costs for utility companies and ratepayers. It is also noted that the Council has been addressing the lift in the footpaths by shaving or grinding down the concrete to reduce trip hazards. To date, up to 43 footpath sections

have been shaved, and we anticipate that more will be scheduled for Council maintenance in the future.

7. **Storm Water Infrastructure:** The trees continually shed leaves and branches, resulting in a significant amount of leaf litter throughout the year. During the summer months, this leaf litter accumulates on the streets, blocking the stormwater drains that are crucial for drainage during severe summer storms. The council frequently receives calls for assistance to clear the leaf litter through their street sweeping services.

8. **Tree suitability:** The eucalyptus species selected for our street are simply not suitable for a narrow urban streetscape. Neighbouring streets do not have this particular species in their streetscape. As a collective, we advocate and value biodiversity and support urban trees, an alternate tree species would be more suitable for narrow streetscapes, which are near residential houses and human life.

9. **Green waste overload:** The residents pay rates to utilise the Council green bins for their household use. Constant cleaning up of the leaf litter means that residents are filling their green bins before they can add their own compost. Our roof gutters are always full and require constant cleaning. Downpipes are sometimes blocked resulting in specialised contractors employed to clear blockages.
10. **Trees block solar panels:** Residents have embraced sustainability and added solar panels to their houses. The large standing trees are also blocking and shading the solar panels reducing their efficiency.

11. **Safety to Service providers:** Australia Post drivers and other service providers visiting Elandra Dr experience near misses with fallen branches whilst delivering mail, parcels or reading metres. A postal driver reported that no other street has the vegetation obstacles they need to navigate to provide a service.

Council Engagement
Many residents of Elandra Drive have contacted the Council to express their concerns. The Council customer service register would contain years of complaints, safety issues and service requests. On 13/01/2025 an onsite resident meeting was held with Mayor Metcalf to discuss these safety issues.

Petition
We (Sue Engellenner and Bev O'Brien) conducted interviews with residents on Elandra Drive to gather support for a petition calling for the removal of the spotted gum trees. The response was overwhelmingly positive, with 36 residents signing the petition. It should be noted that some residents were away and some homes were vacant during the signature collection. In addition, some

residents sought more information about the tree removal and replacement process including further details on tree species and timelines.

As a collective, we believe any interventions and solutions to retain these trees to keep us safe will be unsuccessful. The risk to life and estimated cost of ongoing repairs now outweighs the amenity value of the trees.

The trees have an unacceptable probability of failure, which could result in significant damage or injury. Given these circumstances, we urge the City Council to prioritise the safety and well-being of the residents of Elandra Drive by approving the removal of the identified trees.

The street residents would like to be informed when this issue is scheduled to be discussed at a Council meeting so that we can attend the meeting in person.

We appreciate your attention to this matter. We look forward to a prompt and favourable response.

Sincerely,

Heidi Kleinert, Sue Engellenner and Bev O'Brien
On behalf of the Residents of Elandra Drive Ascot

Signatures - 37

Recommended Motion

That Council receive the petition and a response be prepared within two (2) meetings.

MOTION

That the recommended motion be adopted.

Moved: Cr Karen Corr
Seconded: Cr John McIlrath

Resolution No. 2025-13

CARRIED

Conflict of Interest

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

Attachments

1. COGB Petition Submission - Tree Removal Elandra Dr ASCOT [**7.2.1** - 3 pages]
2. Petition Attachment 1 - Residents of Elandra Derive Ascot - Signed Petition Redacted [**7.2.2** - 2 pages]
3. Petition Attachment 2 - Residents of Elandra Drive Ascot - Tree Survey Redacted [**7.2.3** - 7 pages]
4. Petition Attachment 3 - Photos of nature strip trees impacting Elandra Drive Ascot [**7.2.4** - 8 pages]

7.3. Bee Museum Petition Response

Author:	Andrew Plant, Community Strengthening Officer
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

Purpose

To provide a response to the petition requesting that the Bee Museum located behind the former Huntly Shire Office (620-626 Midland Highway, Huntly) be removed and reconstructed at the site adjacent to the Heathcote McIvor Historical Society's office in Herriot Street, Heathcote.

Recommended Motion

That Council respond to the lead petitioner advising that:

- Council provides in-principal support for the Heathcote McIvor Historical Society to relocate the Bee Museum from the former Huntly Shire Office to Heathcote, subject to the Historical Society submitting a project schedule outlining methodology, costings and timelines to determine the feasibility of the relocation.

MOTION

That the recommended motion be adopted.

Moved: Cr Aaron Spong
Seconded: Cr John McIlrath

Resolution No. 2025-14

CARRIED

Executive Summary

A petition (see Attachment 1) was received at the Council meeting on December 16, 2024, requesting that Council approve a proposal to remove the Bee Museum, presently located behind the old Huntly Shires Offices (Midland Highway, Huntly). The proposal identifies the preferred site to reconstruct the Bee Museum (the Museum) on land next to the Heathcote McIvor Historical Society's (HMHS) office at 19 Herriot Street, Heathcote.

Background

Council received a petition from Heathcote McIvor Historical Society requesting that Council approve a proposal to remove the Bee Museum currently located behind the old Huntly Shire Offices.

The Museum was originally constructed in 1971 as part of a Heathcote tourism development at the McIvor Range Reserve, near the old Powder Magazine. It was later relocated to the old Sandhurst Town and other sites before being moved to its current location under the ownership of the Victorian Apiarists' Association (VAA). Ownership of the building has since been transferred from the VAA to the HMHS.

Above: Aerial view of current location of the Bee Museum behind the former Huntly Shire Office - 620-626 Midland Highway, Huntly.

The City requires the building to be removed (either by relocation or demolition) from its present site to allow drainage works to be undertaken as per the Huntly Structure Plan and for the potential future development of a community hub.

The petition requests that the museum is returned to Heathcote with HMHS recommending it is relocated to land next to the HMHS's office at 19 Herriot Street, Heathcote (same title). The site where HMHS is located is crown land and the City is Committee of Management. Approval to relocate the Bee Museum to 19 Herriot Street,

Heathcote would require approval from the Department Energy, Environment and Climate Action (DEECA). This approval will need to be included in the requested project schedule.

The following table outlines a schedule proposed by HMHS for Council consideration, however the City is seeking more clarity regarding the proposal to ensure works can be carried out safely, within required timeframes and within their budget;

Tasks actioned by HMHS	Tasks actioned by CoGB
Deconstruction of pavilion by qualified tradesperson	Approval of removal of Bee Pavilion
Transport to new site by qualified transport	Actioning of relevant permits
Site levelling, filling, boxing, slab by qualified tradesperson	Provision of access to Huntly site
Reconstruction of pavilion by qualified tradesperson	

Also noting that all Council approvals and permits will need to go through the normal application and approval process, demonstrating transparency and equity.

Previous Council decision dates: No previous reports

Report

Prior to Council receiving the petition the City was contacted by HMHS in December 2022
advising that the Victorian Apiarist Association (VAA) wished to reinstate their ownership of the Bee Museum and relocate it. In response, the City set up a meeting on January 11, 2023 with representatives from HMHS and VAA. The outcome of the meeting was as follows:

- HMHS would remove HMHS artefacts from the museum
- The City approved access to the site for VAA to remove the museum by 31/12/2024.

On August 25, 2024 VAA contacted the City and advised they were;

- assessing the condition of the museum
- removing items on display
- deciding whether to relocate or demolish the building.

On September 9, 2024, the VAA informed the City the task of relocating the museum was beyond its resources and that they had gifted the building to HMHS.

On October 23, 2024 and November 25, 2024, City staff contacted HMHS by phone and email respectively to confirm the:

- need for the Museum to be relocated by the 31/12/24 to accommodate drainage works that relate to the Huntly Structure Plan and the potential future development of a community hub
- process for dismantling and storage of the Museum
- planning and permission process required to reconstruct the Museum in the Camp Hill Historic Precinct, 19 Herriot Street, Heathcote.

It was identified in this correspondence that demolition could not be undertaken by volunteers as this would not be compliant with OH&S requirements. HMHS would need to engage a registered builder with a demolition licence and insurances to remove the Museum. A building permit is also required to demolish and remove the building.

The City also advised that it was not able to undertake project management, works and cover costs associated with the relocation of the Museum. However, it was suggested an application under the City's community grant program could be worth considering.

To progress the relocation of the Museum the City requested from HMHS a detailed project schedule/scope outlining;

- How and by who the Museum will be dismantled (eg: a quote with evidence that a registered builder with a demolition licence and relevant insurances will undertake the works)
- How and by who the Museum will be transported (eg: a quote or information from a transport company)
- How the site will be cleaned and restored (according to Council standards)
- Application for a building permit to cover the works
- Project budget and how these costs will be met. Evidence that HMHS will be responsible for all costs and liabilities associated with the project
- Timeframes for the removal and reinstatement of the site
- A plan for reconstruction of the Museum including any required site preparation (eg tree removal/levelling) and landowner approval

Priority/Importance

To make way for drainage works that relate to the Huntly Structure Plan and the potential future development of a community hub a decision on the future of the Museum needs to be made.

Options Considered

The following options have been identified:

1. RECOMMENDED: In-principal support for HMHS to relocate the Museum from the site providing appropriate documentation (methodology, costs and timeframes) can be provided to determine feasibility of the relocation. The City will commit to support the development of the requested project schedule providing guidance and options.

2. If appropriate documentation and timeframes cannot be provided the Museum will need to be demolished by the City as part of the drainage works scheduled for later in 2025.

Timelines

Council staff were advised drainage works will be undertaken in 2026, exact timing for these works is still to be determined. To ensure the site is ready for the commencement of drainage works the removal of the Museum and site reinstatement needs to be finalised by 31 December 2025.

Timeframes, methodology and budgeting information were requested from HMHS before receiving this petition. This information is required to determine the feasibility and likelihood of the Museum relocation.

Communications/Engagement

A response to the petition will be provided to HMHS in writing outlining Council's decision.

Information and discussion contributing to this report has involved:

- Heathcote McIvor Historical Society representatives
- Victorian Apiarist's Association representatives
- Simone Ewenson – City of Greater Bendigo, Heritage Collection Officer (see Attachment 2)
- Andrew Plant – City of Greater Bendigo, Community Strengthening Officer
- Vanessa Wait – City of Greater Bendigo, Coordinator Community Strengthening
- Carl Krelle - City of Greater Bendigo, Building Inspector
- Aaron Manning – City of Greater Bendigo, Property Services Project Officer
- Lauren Watt – City of Greater Bendigo, Coordinator Precinct Planning and Heritage

- Kingsley Sexton – City of Greater Bendigo, Coordinator Infrastructure and Development
- Shannon Grist – City of Greater Bendigo, Coordinator Building Regulation
- Janita Norman – City of Greater Bendigo, Heritage Building Officer Property Services

Financial Sustainability

Financial responsibility for the proposed project lies with HMHS, however the City is happy to support the group with some Officer time to develop the project plan/schedule as requested, to help determine the feasibility of the project.

It has been suggested that the group apply for a Community Grant to support the project. Medium Grants up to $10K are available twice a year, in February and August.

No budget information has been provided by HMHS at this time to determine what level of investment is required to relocate the Museum and if this investment is feasible for HMHS.

Risk Assessment

Insufficient information currently exists to complete a comprehensive risk assessment for the removal of the museum by HMHS.
The requested project plan will help to identify risks. Some risks will be mitigated through the engagement of qualified and experienced contractors and consideration of budget.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 1 - Lead and govern for all
Outcome 6 - A vibrant, creative community

Secondary Council Plan Reference(s)

Goal 1 - Accountable, financially responsible, equitable, transparent decision making
Goal 5 - Recognise and celebrate our significant national and international heritage

Other Reference(s)

N/A

Conflict of Interest

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

Attachments

1. PETITION- November 2024 Beekeeping Museum Petition Redacted [**7.3.1** - 11 pages]
2. LETTER October 2024 Beekeeping Museum [**7.3.2** - 1 page]

8. REPORT ITEMS

8.1. 14 Anderson Street, North Bendigo - Amendment to Existing Permit Allowing Use of the Land as a Medical Centre

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

Summary/Purpose

Application No:	AM/655/2014/B
Applicant:	Sufiya Khan Medical Pty Ltd
Land:	14 Anderson Street, NORTH BENDIGO
Zoning:	General Residential Zone
Overlays:	Heritage Overlay Schedule 4
No. of objections:	1
Consultation meeting:	Consultation was undertaken via the exchange of written correspondence.
Key considerations:	Is the intensification of the medical centre use on the site acceptable?
Conclusion:	The proposed amendments to the permit would transform the existing use on the site unreasonably and would result in unacceptable amenity impacts to surrounding landowners and occupiers. It is recommended to refuse the proposed application to amend the permit on this basis.

Recommended Motion

That Council issue a Notice of Decision to Refuse to Grant an Amended Permit to allow use of the land for a medical centre for general practitioners at 14 Anderson Street North Bendigo on the following ground:

1. The intensity of the amended medical centre use and associated traffic generation will be incompatible with surrounding residential use and will result in unacceptable impacts to amenity and safety.

MOTION

That the recommended motion be adopted.

Moved: Cr Karen Corr
Seconded: Cr Damien Hurrell

Those voting **for** the Motion:

- **5** (Cr Andrea Metcalf, Cr Karen Corr, Cr Owen Cosgriff, Cr Abhishek Awasthi and Cr Damien Hurrell)

Those voting **against** the Motion:

- **4+0:**
  - Against (Cr Shivali Chatley, Cr John McIlrath, Cr Thomas Prince and Cr Aaron Spong)
  - **plus**
  - Abstained (Nil)

Resolution No. 2025-15

CARRIED

Background Information

The following planning permit was granted for the land on 16 February 2015:

- DU/655/2014 – Use of land as a medical centre (child health), staged construction of extension to building and associated car parking facilities, display of signage, repairs to boundary fence (wall), reduction in car parking requirements and demolition of swimming pool and deck.

The endorsed plans were subsequently amended under Planning Permit Amendment Application AM/655/2014/A on 6 August 2015, which allowed for the removal of the mature peppercorn tree located on the north-western side of the medical centre building, within the internal driveway.

The permit anticipated construction of works in two stages.

- Stage 1 was to utilise the existing building on the site for 3 full time health practitioners and 2 part time health practitioners.
- Stage 2 of the development was proposed to commence at a later date with the extension including a waiting room, three consulting rooms and one specialist therapy room to the south-east of the existing building. Once Stage 2 of the medical centre was completed an additional 4 practitioners were to be permitted to operate from the site.

Stage 1 of the works were completed, however the development anticipated as part of stage 2 did not proceed and this aspect of the application has therefore lapsed.

Key to the approval of the use of the land for a medical centre in this location was the specific nature of the medical services being provided, which was limited to child health services only. These specialist services require a longer appointment time and therefore result in fewer patients being seen and being on the premises at any one time. Additionally, the permit included specific conditions intended to restrict the number of practitioners to operate on the site, in order to ensure that the use of the land did not transform beyond what was anticipated as part of this approval.

The intention of these restrictions was to ensure that the medical centre did not result in any adverse amenity impacts (traffic, noise or otherwise) to the surrounding residential area, noting that the original application had 9 objections from surrounding landowners at the time.

A plan showing the approved layout is included below.

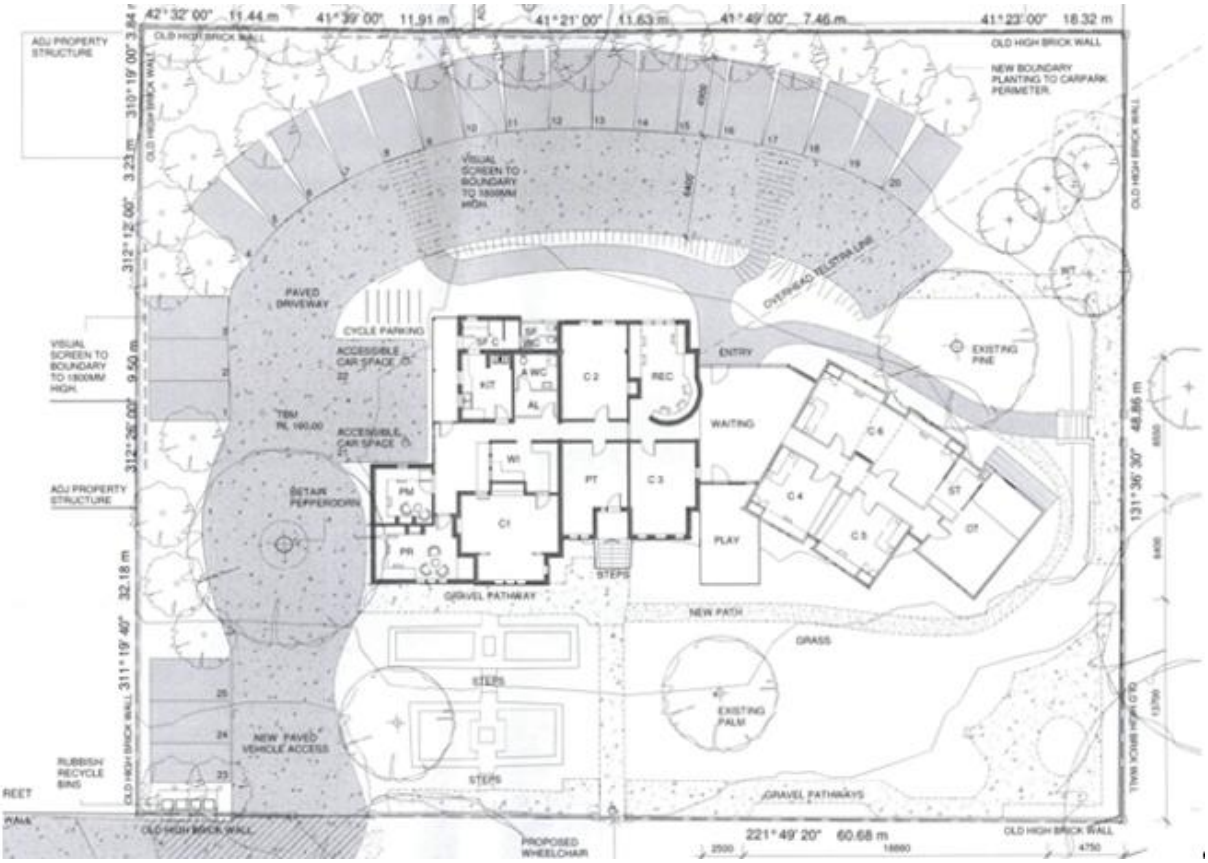


Figure 1: Endorsed site plan as part of the original permit.

It is noted that the current constructed car parking arrangements that exist on the site do not fully accord with the location of parking as shown on the endorsed plan in Figure 1 above.

Report

Subject Site and Surrounds

The subject site is a large, elevated corner allotment, located on the northern side of the intersection of Anderson and Niemann Streets in North Bendigo. The site is rectangular in shape, measuring approximately 60 metres (width) x 48 metres (depth), with a resulting total area of 2,913 square metres.

A large building is located centrally on the site. Formerly a dwelling known as ‘Tanglewood’, this building holds some heritage significance, however it is noted that the site is only within a precinct Heritage Overlay and is not referred to as a key site within the Drought Street Heritage Precinct.

The dwelling was converted into a medical centre in accordance with aforementioned Planning Permit DU/655/2014, which is sought to be amended as part of the current application. The existing building has undergone several extensions and alterations

following its construction in the 1860s. In its current form the building remains most recognisable as a 1920s era dwelling.

A brick wall surrounds the entire perimeter of the site. The wall was constructed circa 1860s/1870s and is also recognised for its heritage importance. The wall restricts views into the property from Anderson and Niemann Streets and appears to be in good condition at both street boundaries. The north-east and north-west sections of the wall are noticeably lower than at the street frontages, which is due to a large amount of fill introduced to the site to construct the dwelling.

The building is set within an extensive landscape setting at the front and south-eastern side of the building. Vehicle access to the site is via an asphalt crossover to Anderson Street (shared with 16 Anderson Street) which connects to an internal sealed car parking area.

In a broader contextual sense, the site is situated 240 metres north-west of the Bendigo Hospital campus, 270 metres south-west of Arnold Street and 420 metres north of Barnard Street. The site forms part of a wider residential neighbourhood in which a range of lot sizes and dwelling types exist.

Figure 2: Aerial view of the subject site and surrounds

Figure 3: Broader aerial view of the subject site and surrounds

Figure 4: View of the site from Anderson and Niemann Street intersection looking at the southern corner of the site.

Figure 5: View of the site from Anderson Street showing the existing front fence and vehicle access.

Figure 6: View of the site vehicle crossover and accessway from Anderson Street.

Proposal

The application proposes the following amendments to Planning Permit DU/655/2014 under section 72 of the Planning and Environment Act.

Changes to what the permit allows

The permit preamble currently reads as follows:

> *Use of land as a medical centre (child health), staged construction of extension to building and associated car parking facilities, display of signage, repairs to boundary fence (wall), reduction in car parking requirements and demolition of swimming pool and deck*

It is proposed to amend the permit to allow for use of the site as a general practice medical centre. This would necessitate the removal of the reference to child health. It is also proposed to remove the reference to the second stage of the development and associated reduction in car parking requirements, resulting in the following proposed permit preamble:

> *Use and development of the land as a medical centre, construction of associated car parking facilities*, *display of signage, repairs to boundary fence (wall) and demolition of swimming pool and deck*

It is noted that the approved signage is already existing and that the repairs to the boundary fence (wall) and the demolition of the swimming pool and deck have already occurred.

Permit conditions

Condition 3

It is proposed to amend condition 3 of the permit which relates to practitioner numbers. Condition 3 of the permit currently reads as follows:

> *Except with the prior written consent of the responsible authority, no more than the following amount of practitioners may operate from the medical centre at any one time:*
>
> *Stage 1: 3 practitioners and 2 pathologists (2 mornings per week – refer Condition 4).*
> *Stage 2 (lapsed): 7 practitioners and 2 pathologists (2 mornings per week – refer Condition 4).*

The use permitted by this permit is limited to specialist child health medical consultants, in particular paediatricians, occupational therapists, physiotherapists, psychologists, speech therapists, play therapists and similar, except with the prior written consent of the responsible authority.

With only stage 1 of the permit being acted upon, currently only 3 practitioners and 2 pathologists are permitted to offer health services in accordance with this condition.

The amendment seeks to amend condition 3 to remove the limitations surrounding the type of health practitioners allowed on the site. Reference to stage 2 would also be removed. The following health service providers are proposed to operate from the site instead:

- 3 general practitioners.
- 1 allied health professional twice a week.
- 1 visiting nurse twice a week.

The applicant has informally proposed reductions to the number of practitioners throughout the amendment application assessment process, however the application has not been formally amended to reflect these suggested reductions.

Condition 4

It is also proposed to amend condition 4 of the permit which relates to hours of operation.

Condition 4 of the permit currently reads as follows:

Except with the prior written consent of the responsible authority, the use permitted by this permit must operate only between the following times:
(a) Monday to Friday – 8:00am to 6:00pm
(b) Saturdays – 9:00am to 1:00pm

**2 part time pathologists are permitted to operate 2 days per week, Monday-Friday between the hours of 8:00am to 1:00pm.*

Condition 4 of the permit is proposed to be amended as follows, removing the restriction on the times pathology can operate from the site, and slightly reducing the overall hours of operation:

(a) Monday to Friday – 9:00am to 4:30pm
(b) Saturday – 9:00am to 12:00pm

Car parking

An amendment to the existing endorsed plans is also required. Approval of the 'as constructed' car parking layout is required as the car park was not constructed in accordance with the plans endorsed under the permit.

A plan showing the revised car parking layout was accompanied with the application, shown in Figure 7 below, however this plan is not suitable to determine whether the car park and access arrangements are acceptable. An amended car parking plan, drawn to scale and with dimensions was requested, however has not been received.

Figure 7: Proposed 'as constructed' site and car parking plan.

Planning Controls - Greater Bendigo Planning Scheme

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

Municipal Planning Strategy

- 02.-3-3 – Environmental risks and amenity
- 02.03-9 – Infrastructure

Planning Policy Framework

- 11 - Settlement
- 11.03-6L-02 – Bendigo Hospital Precinct
- 13.07-1S – Land use compatibility
- 19.02-1S – Health facilities

Other Provisions

- 32.08 – General Residential Zone
- 65 – Approval of an application or plan

Policy Context

Primary Council Plan Reference

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

Outcome 2 – Healthy, liveable spaces and places

Secondary Council Plan Reference(s)

Goal 7 – Sustainable population growth is planned for

Consultation/Communication

Referrals

The following internal department has been consulted on the proposal:

Referral	Comment
Engineering - Traffic & Infrastructure	No objection or comments in relation to the functionality of the car parking provided on site.

Public Notification

The application was advertised by way of letters to adjoining and nearby owners and occupiers, and two signs displayed on the site. As a result of advertising, one objection was received. This objection is discussed below.

Grounds of Objection	Officer Comments
• The proposal will result in increased traffic congestion to the shared driveway. • The driveway only allows for 1 way traffic movement. The existing driveway exists onto a blind rise on Anderson Street. • A manual gate requires vehicles to stop in the driveway when entering and exiting the property. • The proposal to amend the medical centre for a GP to operate will result in up to 5 patients per hour pr GP. As the proposal is for 3 GP's the proposal will result in up to 15 vehicles movements per hour. • A new driveway should be developed to provide access to the medical centre. • Trespassers on the property looking for the medical centre currently occur. The change in how the site is used will increase the frequency of trespassing.	The proposed amendments seek to remove the current restrictions on how the medical centre on the site operates. Transformation of this approved use to a general practice medical centre will result in more traffic entering and exiting the site, given the increased frequency of appointment times associated with a typical medical centre use. While sufficient car parking is provided, the existing one way driveway is the only access point into the site. Although the City's Engineers did not have any concerns regarding the functionality of the car parking areas, it is considered that the objector's concerns regarding how the current access arrangements will work from a practical sense are valid, and will likely result in amenity impacts from the additional traffic to the site. The application does not propose any suitable vehicle management arrangements to manage this risk, and the objectors should not have to be inconvenienced, nor have their amenity affected by the additional traffic movements to the site.

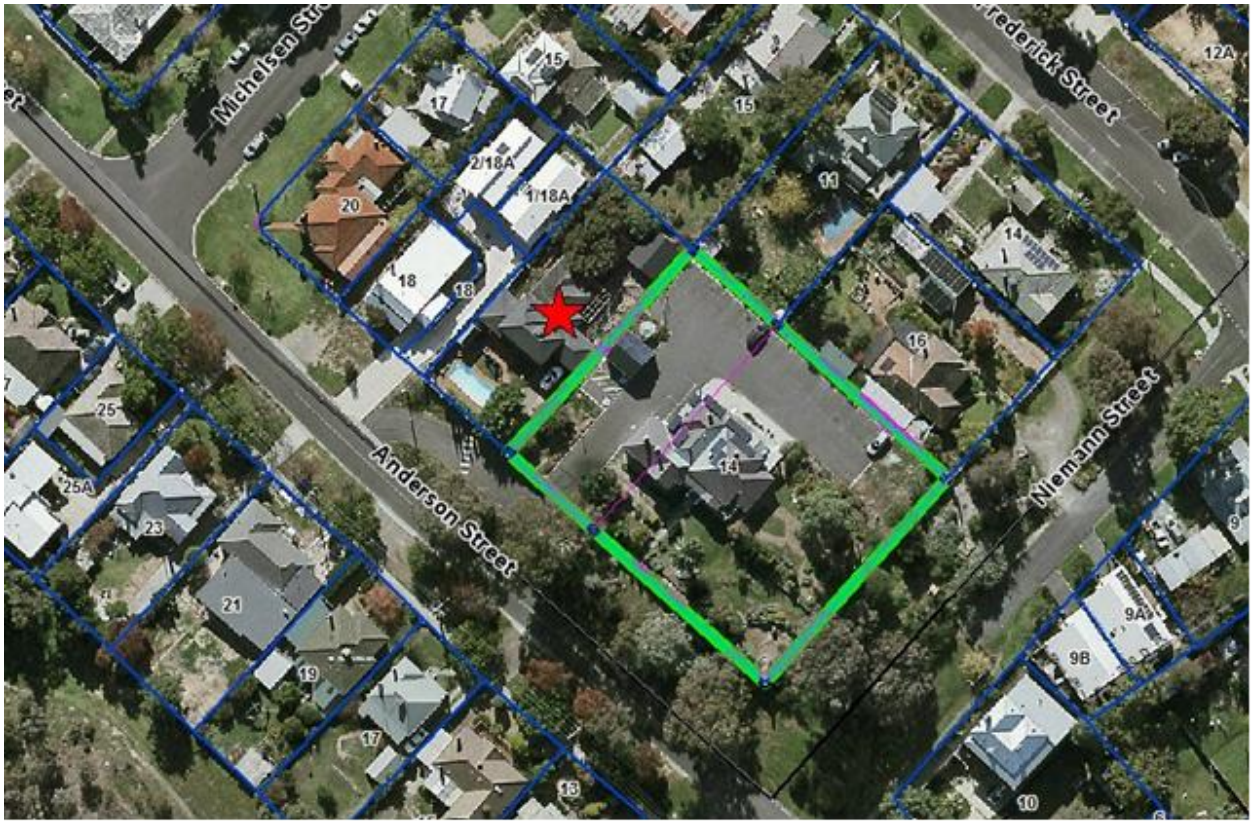


Figure 8: Aerial image of the subject site and the location of the objector's property.

Planning Assessment

For this amendment to the permit it is only necessary to consider the changes to the permit, which have been outlined above.

In determining whether the proposed changes are acceptable, the following two questions are considered, being:

- Whether medical centres are generally appropriate within a General Residential Zone; and:
- Whether the intensification of the existing medical centre use of the land is acceptable.

Is a medical centre an appropriate use of land within the General Residential Zone?

The purpose of the General Residential Zone is:

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

A permit is required for a medical centre in the General Residential Zone where any of the following occur:

- The maximum floor area is exceeded (250 square metres);
- A permit is required to reduce the car parking requirement;
- Where no access to a road in a Transport Zone is provided.

In the case of the existing permit, a permit was triggered under all three of these provisions.

For non-residential use and development, the General Residential Zone sets out a range of decision guidelines which assist in determining whether a non-residential use such as a medical centre is appropriate. These guidelines include:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- Any proposed loading and refuse collection facilities.

In deciding to issue the existing planning permit in 2015, Council determined that the parameters in which the medical centre intended to operate at that time *ie being limited to child health specialists only*, were an acceptable response to the site and in accordance with these decision guidelines, and that the potential for any adverse impacts from operation of the site could be appropriately managed via the implementation of the current permit conditions.

Consideration is now given to whether the proposed amendments would ensure that the medical centre use remains acceptable.

<u>Does the amended proposal accord with the decision guidelines for non-residential uses in the General Residential Zone?</u>

The application to amend the permit seeks to remove the restriction on the medical centre being limited to child health only and to instead operate as a general practice.

The effects of this amendment would be a significant increase to the number of patients visiting the site at any one time, and the total number of patients being seen

per day. This increase would have associated traffic and car parking impacts, with more vehicles accessing the site and requiring parking on site each day.

In determining whether this intensification is acceptable, it is appropriate to revisit the decision guidelines for non-residential uses in the General Residential Zone. These will be considered and discussed in turn below.

- *Whether the use or development is compatible with residential use*

A medical centre is not necessarily an unfamiliar element within the residential landscape, and often they are located in these areas to provide ease of access to the community in which they intend to serve. A medical centre has successfully operated from the site in harmony with the surrounding residential use. This is likely to be in part due to the restrictions placed on the current permit to limit how intensively the site is used. A key question is whether the revised proposition, which would allow more intensive use of the land, would see the use continue to remain compatible with surrounding residential land use. The resulting increase of visitation to the site *is* likely to result in some amenity impacts beyond those which exist with the current restricted use.

- *Whether the use generally serves local community needs*

The current medical centre and any revised medical centre use of the site is likely to generally service the needs of some in the local community.

- *The scale and intensity of the use and development.*

As outlined above, the proposed amendment seeks to modify the scale and intensity of the current medical centre use of the land. The removal of the current restriction which limits use of the land for child health medical specialists only will transform the current use significantly. A traditional general practice will service a far greater number of patients per hour and per day than a specialist medical service with longer appointment times and far fewer patients each day.

- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*

This application to amend the permit does not involve any additional buildings and works on the site, nor any additional landscaping. These considerations therefore remain unchanged since the permit was originally granted.

- *The provision of car and bicycle parking and associated accessways*.
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

While the amendment does not propose any alteration to existing access and parking arrangements, the intensification of the current use will result in greater utilisation of these existing areas, which is likely to have amenity impacts. The driveway which provides access into the site is narrow, single width only, and also serves as an entry point to the neighbouring property at 16 Anderson Street. An increase to the amount of traffic using this driveway daily is likely to result in not only amenity impacts to the property owners at 16 Anderson Street, but may also introduce safety concerns and conflicts from this increased use to users of the site and the broader surrounding road network.

As noted earlier within this report, the current parking arrangements do not accord with the layout approved by the original permit, however the number of car parking spaces remains the same.

- *Any proposed loading and refuse collection facilities.*

Existing areas would be used for loading and refuse collection. There may be an increase in the quantity of refuse generated for the site, however it is considered the site could appropriately manage this.

Is the intensification of the medical centre use of the site appropriate, having considered these decision guidelines?

In summary, while the amended proposal remains in accordance with *some* of the decision guidelines set out within the Zone, the instances where it does not accord, ie scale, compatibility with residential use and traffic and parking impacts, result in the proposed use transforming inappropriately from what was anticipated and approved under the existing permit. The proposed changes are likely to result in adverse impacts to surrounding landowners and occupiers.

On this basis, it is considered that the proposed changes to the permit preamble and permit conditions are not acceptable and should not be approved.

In order to address the matter of the constructed carparking not being in accordance with the existing endorsed plans for this site, a separate amendment to plans only will be required. This action would need to be pursued by the applicant following a refusal of this application to ensure compliance with the existing permit.

Conclusion

The proposed amendment would inappropriately transform the existing approved medical centre use and would likely result in unacceptable amenity and traffic impacts to surrounding landowners and occupiers. Refusal of the proposed amendment is recommended.

Options

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

Conflict of Interest

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

Attachments

Nil

8.2. 37 Barrell Street, California Gully - Use and Development of Land for a Childcare Centre and a Reduction in Car Parking Requirement

Author:	Peter O'Brien, Coordinator Statutory Planning
Responsible Director:	Rachel Lee, Director Strategy and Growth

Summary/Purpose

Application No:	DU/187/2023
Applicant:	TA & VA Pty Ltd
Land:	37 Barrell Street, CALIFORNIA GULLY 3556
Zoning:	General Residential Zone
Overlays:	None
No. of objections:	Seven
Consultation meeting:	No formal consultation meeting was held at the applicant's request; however, the applicant opted to directly engage with objectors. With the consent of two objectors, the applicant held talks with them and subsequently provided the objectors with formal written responses and an opportunity for a right of reply.
Key considerations:	• Is the use and development of the land for a childcare centre appropriate, considering its compatibility with residential use, community need, scale, design, landscaping, parking, and traffic impacts? • Is the extent of vegetation removal acceptable?
Conclusion:	The proposed childcare centre is considered suitable given the site's zoning, location and context. The design addresses key considerations, such as compatibility with residential use, the scale of development and the retention of vegetation, which helps maintain the neighbourhood character. The reduction of two car parking spaces is reasonable and will not adversely affect the nearby road network. Concerns regarding privacy, noise, drainage, heat and shading can be mitigated through conditions such as acoustic fencing, privacy screening, a detailed drainage plan and a landscape plan with canopy trees. A Soil Management Plan will also be required to manage risks related to the site's mining history.

	Overall, the proposal strikes a balance between facilitating the childcare centre development and minimising environmental and amenity impacts. It is recommended that Council issue a Notice of Decision to Grant a Permit for the proposed development, subject to the conditions outlined.

Recommended Motion

That Council issue a Notice of Decision to Grant a Permit for the use and development of land for a childcare centre, and a reduction in car parking requirement at 37 Barrell Street California Gully, subject to the conditions at the end of this report.

MOTION

That the recommended motion be adopted.

Moved: Cr Thomas Prince
Seconded: Cr Aaron Spong

Those voting **for** the Motion:

- **6** (Cr Andrea Metcalf, Cr Shivali Chatley, Cr John McIlrath, Cr Abhishek Awasthi, Cr Thomas Prince and Cr Aaron Spong)

Those voting **against** the Motion:

- **3+0:**
  - Against (Cr Karen Corr, Cr Owen Cosgriff and Cr Damien Hurrell)
  - **plus**

Abstained (Nil)

Resolution No. 2025-16

CARRIED

Background Information

The subject site was subject to a previous VCAT decision (*Rankin Holdings Pty Ltd v Greater Bendigo CC* [2022] VCAT 194), which resulted in a refusal of a multi-unit development proposal due to concerns regarding vegetation removal, neighbourhood character and site responsiveness. In particular, the Tribunal found that the removal of mature trees, particularly Ironbark species, was inconsistent with the existing streetscape and environmental objectives.

The current proposal seeks approval for the use and development of a childcare centre, which differs from the previous application in both form and function. While the site constraints, including vegetation retention and neighbourhood character, remain

relevant considerations, the proposed childcare centre use introduces different operational and planning considerations, particularly regarding traffic, parking and amenity impacts, which will be addressed in the body of this report.

Report

Subject Site and Surrounds

The subject site is located on the eastern side of Barrell Street, California Gully. It is irregular in shape with a frontage of 23.77 metres to Barrell Street, a depth of around 97 metres and an overall area of approximately 2,200sqm.

The subject site contains a single-storey, weatherboard dwelling with a Colorbond corrugated iron roof and a detached garage.

A 1.5-metre-high Colorbond fence runs along the frontage, with vehicle access provided via a single crossover from Barrell Street.

The land slopes gradually, with an approximate 1-metre fall across the frontage and a 2-metre fall from the southwest to the northeast corner.

The site contains 3 identified mineshafts.

A 4-metre-wide drainage easement is located at the rear of the site.

The Arborist Report, submitted with the application and prepared by Howell Arboriculture (dated 17 October 2024), surveys trees both within the subject site and on immediately adjoining properties, identifying a total of 37 trees. Of these, 21 trees are located within the subject site. The report classifies one tree (Tree 27) as having high retention value, four trees (Trees 15, 28, 29, and 30) as having medium retention value, and the remaining 16 trees (Trees 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, 24, 25, 26, and 31) as having low retention value.

The subject site is situated in a well-established residential area of California Gully, characterised by single-storey detached dwellings, wide roads and substantial native vegetation, including Box Ironbark trees.

The surrounding lots are primarily residential, developed with single-storey dwellings on varying lot sizes, some with outbuildings and established vegetation. The road network includes wide Council roads, such as Green Street and Barrell Street, the latter of which is subject to Heritage Overlay Schedule 310 (HO310), relating to a group of Red Ironbark trees along Barrell Street.

The subdivision pattern is varied, generally comprising rectangular allotments with irregular shaped and larger lots on street corners. The subject land is one of 5 larger allotments on the western side of Barrell Street. There are several subdivided lots of less than 300sqm near the subject site, which contain unit developments.

The area is within close proximity to public transport, open space reserves and community infrastructure, providing access to various amenities and services.

Figure 1. Aerial map showing subject land and surrounding land, with objectors' properties (which are proximate to the site) marked with a star.

Figure 2. Zoning map showing subject land and surrounding land

Figure 3. Map showing the distribution of trees within the subject site and on adjoining properties

Proposal

The application seeks approval for the use and development of a childcare centre, including the demolition of the existing dwelling, construction of a new building and a reduction in car parking requirements.

Building Layout & Operations

The childcare centre will accommodate 110 children across four rooms, with age-appropriate allocations:

- Children Room 01: 67.3 sqm – 20 children (under 3 years old)
- Children Room 02: 80.7 sqm – 24 children (under 3 years old)
- Children Room 03: 107.5 sqm – 33 children (over 3 years old)
- Children Room 04: 107.5 sqm – 33 children (over 3 years old)

Internal facilities will include a foyer, reception/waiting area, office, staff room, manager's cabin, multipurpose area, planning room, kitchen, laundry and amenities. The total building area is proposed to be 579 square metres.

The centre will operate Monday to Friday, 6:30 AM – 6:30 PM and will be closed on weekends.

An outdoor play area of 834 sqm will be located at the rear and sides of the building.

Access & Car Parking

Vehicle access will be provided via a new 5.5m wide crossover from Barrell Street.

A total of 22 on-site parking spaces, including one accessible space, will be provided within the front setback, with a landscaping strip proposed along the boundary.

A car parking reduction is sought under Clause 52.06 of the Greater Bendigo Planning Scheme.

Waste Management

A dedicated, enclosed outdoor waste storage area will be provided.

A Waste Management Plan (prepared by O'Brien Traffic, dated 15 March 2024) was submitted as part of the application, stating that waste will be collected daily by a private waste collection service.

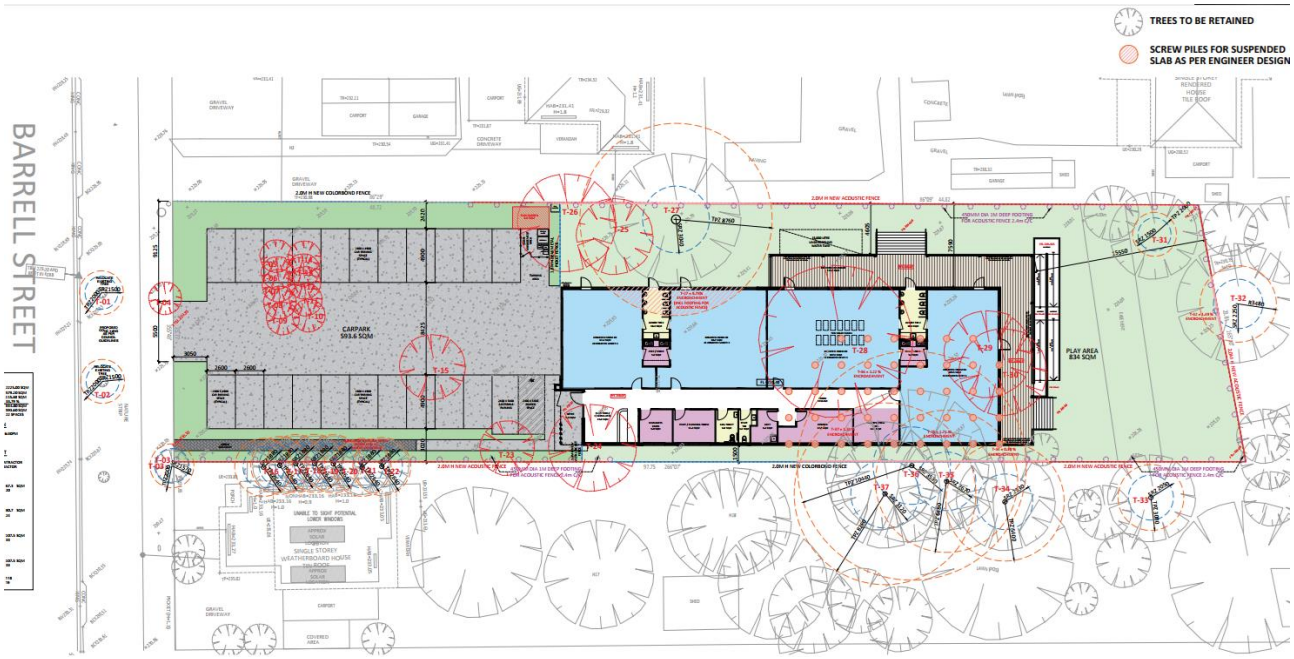


Figure 4. Proposed overall site plan

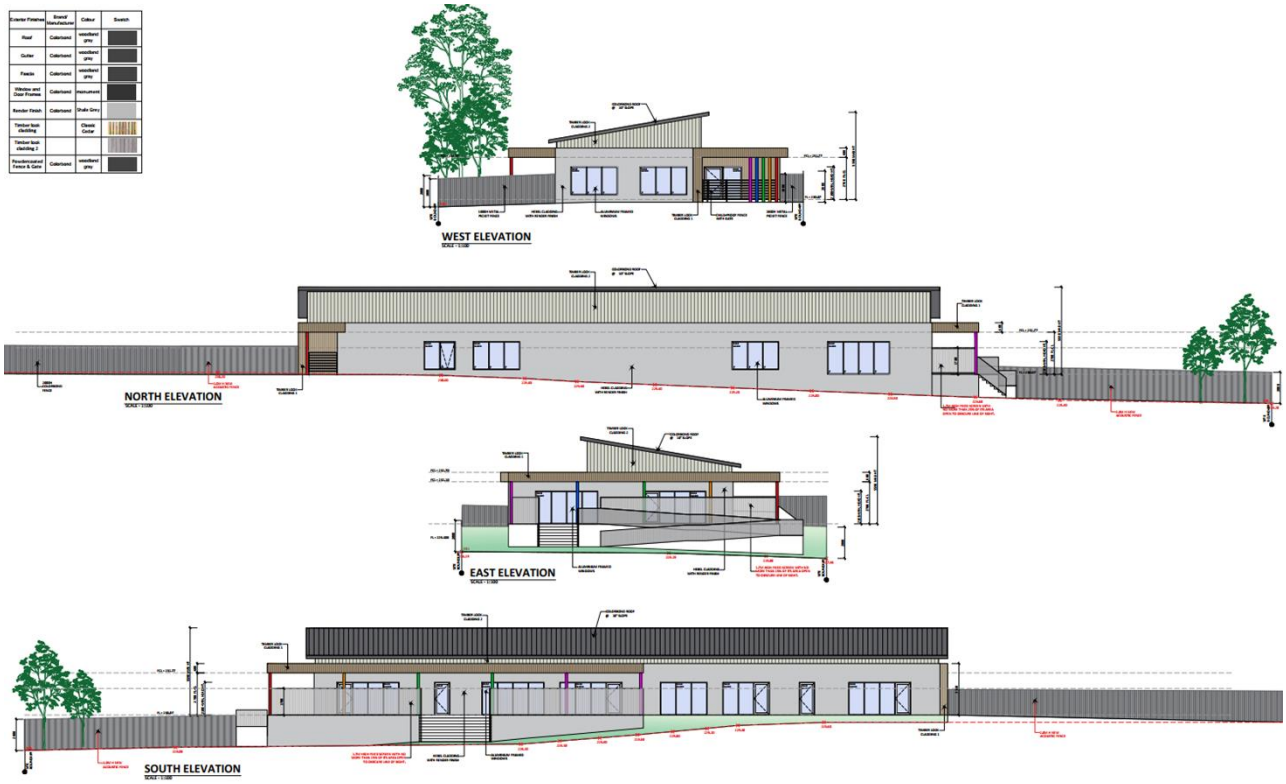


Figure 5. Elevations

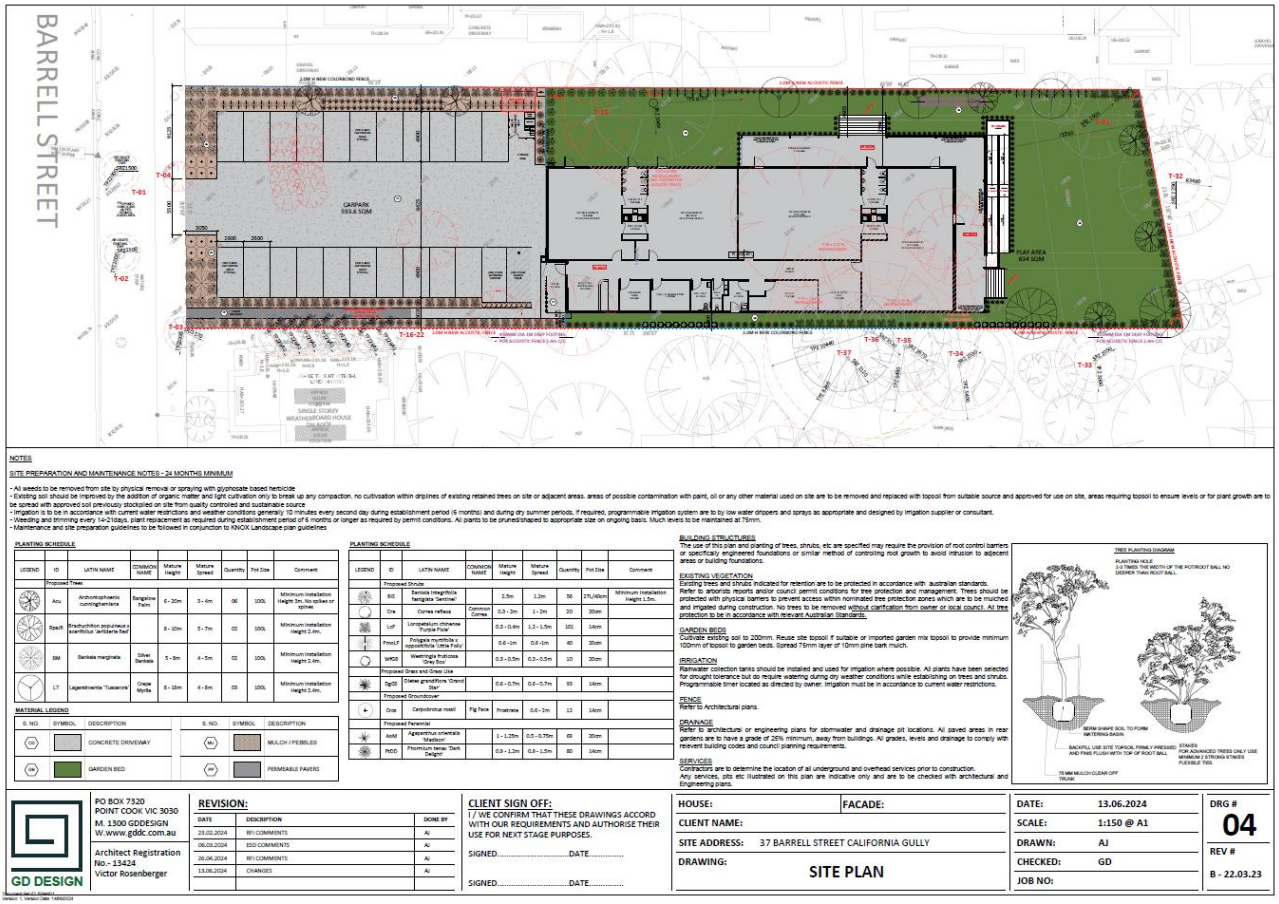


Figure 6. Landscape Plan

Figure 7. Perspective of the Proposed Childcare Centre

Removal of vegetation

As part of the proposal, it is only Tree 27, identified as having high retention value that will be retained on site. All other trees on the site will be removed. Tree 31 will not be

impacted by the proposal; however, it is an invasive weed species thus it is not recommended for retention in the submitted Arboricultural Impact Assessment Report.

All adjoining trees (Trees 3, 16-22, 1, 2, and 32-37) will be retained. However, tree protection measures, including the use of screw piles for the suspended slab, will be required where Tree Protection Zones (TPZs) extend into the site.

However, it should be noted that under the Clause 52.17-7 exemptions of the Scheme, a planning permit *is not required* for vegetation removal, as the site is less than 4,000 square metres in size.

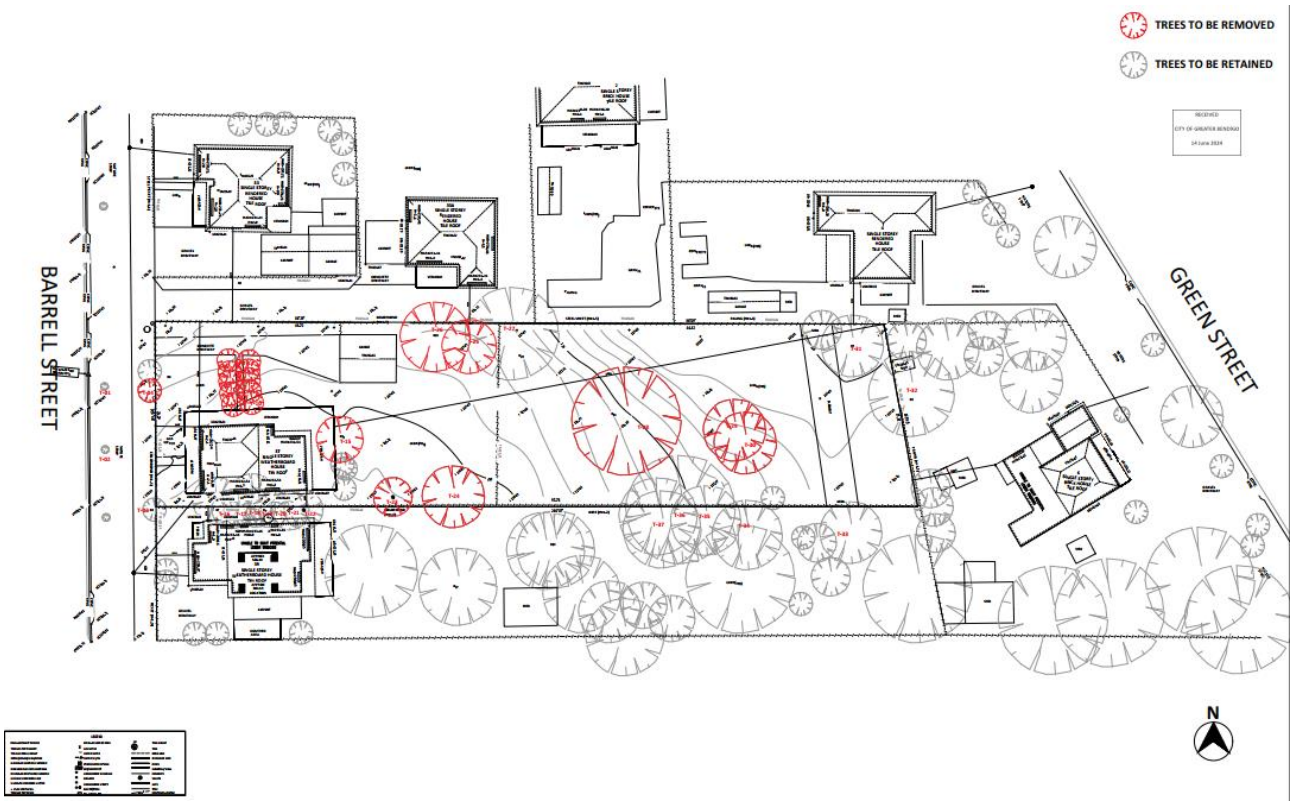


Figure 8. Plan to illustrate the extent of tree removal and retention under the proposal

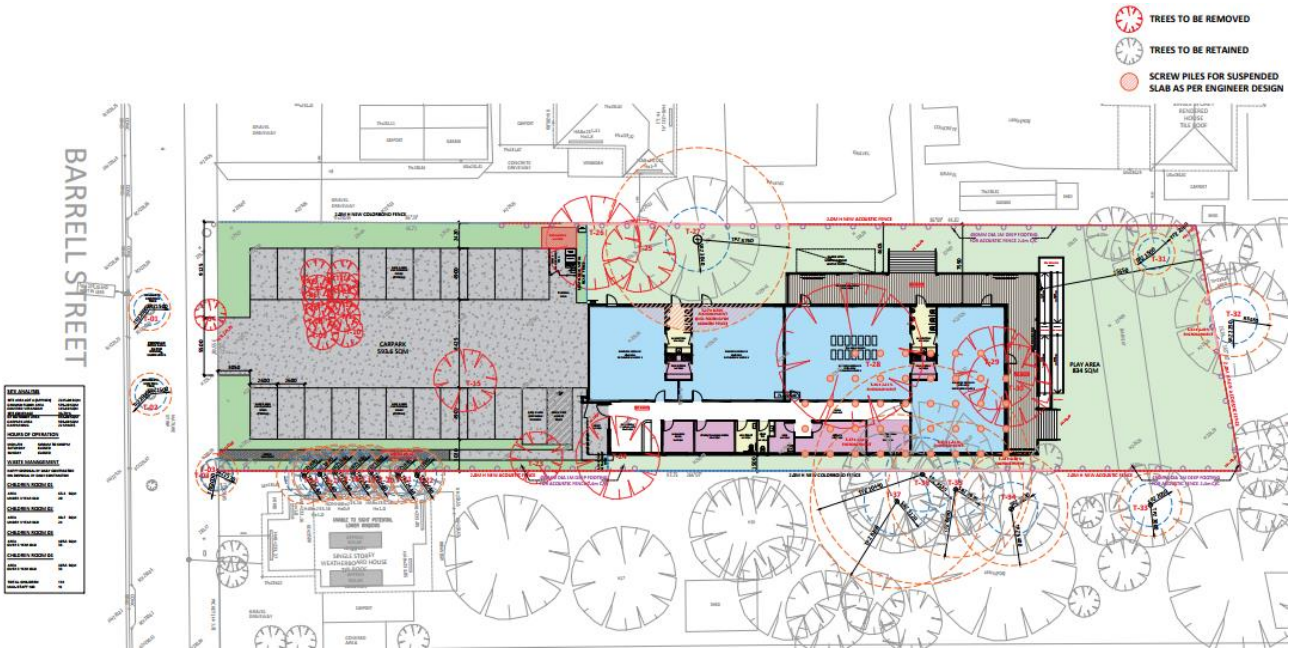


Figure 9. Plan to depict the location of retained and removed trees, and the layout of the proposal.

Planning Controls - Greater Bendigo Planning Scheme

Why is planning permission required?

Clause	Permit Trigger
32.08-2 General Residential Zone	A permit is required to use land for a childcare centre within the General Residential Zone.
32.08-10 General Residential Zone	A permit is required to construct a building or carry out works for a use in Section 2 of Clause 32.08-2.
52.06 Car Parking	A permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay

Note: as was set out earlier in this report; a permit is not required for Native Vegetation Removal under clause 52.17 of the Planning Scheme as the lot is under 4,000 square metres in size.

Vegetation removal was a factor in *Rankin Holdings Pty Ltd v Greater Bendigo CC* [2022] VCAT 194), not being approved as a ResCode standard (B-13 Landscaping) requires consideration of vegetation removal, retention, replacement and character in cases where multiple dwellings are proposed on the land. ResCode is not applicable to the development of a childcare centre.

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

Municipal Planning Strategy

- 02.03-1 – Settlement
- 02.03-2 – Environment and landscape values
- 02.03-3 – Environmental risks and amenity
- 02.03-5 – Built environment and heritage

Planning Policy Framework

- 11.01-1S – Settlement
- 11.01-1R – Settlement – Loddon Mallee South
- 11.01-1L-02 – 10 minute neighbourhoods – Greater Bendigo
- 12 – Environmental and landscape values
- 12.01-1S – Protection of biodiversity
- 12.01-1L - Protection of biodiversity – Greater Bendigo
- 13.05-1S – Noise management
- 13.07-1S – Land use compatibility
- 15 – Built environment and heritage
- 15.01-1 – Urban design
- 15.01-1L-01 – Landscaping – Greater Bendigo
- 15.01-2S – Building design
- 15.01-2L – Environmentally sustainable development - Greater Bendigo
- 15.01-5L-04 Eaglehawk Neighbourhood Character
- 18.01-1S – Land use and transport integration
- 18.02-4L-03 Car Parking – Greater Bendigo
- 19.02-2S – Education facilities

Other Provisions

- 32.08 – General Residential Zone
- 65.01 – Approval of an application or plan

Policy Context

Primary Council Plan Reference

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

Outcome 2 – Healthy, liveable spaces and places

Secondary Council Plan Reference(s)

Goal 7 – Sustainable population growth is planned for

Consultation/Communication

Referrals

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

Referral	Comment
Department of Transport and Planning	No objection
Environmentally Sustainable Design	No objection, subject to amended plans incorporating the initiatives committed to in the Sustainable Design Assessment (SDA) and Built Environment Sustainability Scorecard (BESS), along with the inclusion of a Sustainable Design Assessment condition. The proposed raingarden meets water quality standards; however, Engineering is open to considering alternative stormwater quality measures as part of the stormwater assessment for the site. The final raingarden design must be resolved in detail as part of the drainage plan.
Engineering – Drainage	No objection, subject to standard drainage and construction of works conditions being included on the permit.
Engineering - Traffic	No objection, subject to conditions requiring the driveway between the property boundary and the kerb to be constructed in accordance with the Infrastructure Design Manual, to be included in the permit.

Public Notification

The application was advertised through letters sent to adjoining and nearby property owners and occupiers, along with a sign displayed on the site. This process resulted in seven objections, including two from the same household. One objection was submitted by an individual who stated they neither own nor occupy land near the subject site (but has a similar surname or potential family connection to two of the other objectors).

No formal consultation meeting was held at the applicant's request; however, the applicant opted to directly engage with objectors. With the consent of two objectors, the applicant initiated discussions and subsequently provided all objectors with a written response and an opportunity for a right of reply.

Despite this informal consultation, no objections were withdrawn.

The grounds of objection to the application can be summarised as follows:

Amenity Impacts

- Noise & Privacy – Concerns over increased noise from children and traffic, ineffective acoustic fencing and loss of privacy due to the building's height and window placement. Light spill was also raised as a potential issue for residents and wildlife.
- Traffic & Parking – Insufficient on-site parking, traffic congestion and safety risks for pedestrians and cyclists along Barrell Street. Concerns about vehicles mistakenly entering private driveways.
- Odour Issues – Potential odour impacts from bin placement near residential properties.
- Construction Impacts – Concerns about dust, noise and potential damage to neighbouring properties.

Environmental & Infrastructure Concerns

- Vegetation Removal & Environmental Impact – Loss of mature trees affecting wildlife habitat and ecological corridors. The lack of large canopy trees raises concerns about heat and reduced shade.
- Flooding & Drainage – Increased flood risk due to an overburdened drainage easement, with additional hard surfaces exacerbating stormwater runoff.

Character & Heritage Considerations

- Neighbourhood Character & Built Form – The scale and design are seen as inconsistent with the low-rise character of the area and visually dominant within the streetscape.
- Heritage Concerns – The site has historical significance, with potential mine shafts that may be disturbed.
- Previous VCAT Rulings – References to past VCAT decisions rejecting similar developments due to vegetation loss and neighbourhood impact.

These grounds of objection are considered within the relevant sections of the policy and planning assessment below.

Planning Assessment

Is use of the land for a childcare centre appropriate with regard to the purpose, objectives, and decision guidelines of the General Residential Zone?

The purpose of the General Residential Zone includes encouraging development that respects ***neighbourhood character***, and allowing educational, recreational, religious, community and ***a limited range of other non-residential uses to serve local community needs in appropriate locations*** [author emphasis].

Key decision guidelines for non-residential uses within the Zone include the following:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback, and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency, and amenity effects of traffic to be generated by the proposal.

These decision guidelines are considered in turn below.

- *Is the use and development compatible with residential use?*

A childcare centre is not an unfamiliar element within a residential landscape. While the site presents some constraints due to existing trees, it remains generally capable of accommodating a typical childcare centre that considers tree retention while providing a reasonable amount of car parking and functional vehicle circulation.

The centre is proposed to operate during daytime hours on weekdays only. While the site has a residential interface, amenity impacts are expected to be managed through site operations and noise attenuation measures, such as acoustic fencing.

It is considered that the proposed childcare centre is compatible with residential use.

- *Does the use generally serve local community needs?*

Childcare centres are often in high demand, with supply frequently unable to meet local needs. Given this, the proposed centre has the potential to address a service gap in the area. The site's proximity to Loddon Valley Highway and Sandhurst Road

provides convenient access for both local families and those commuting through the area.

While local needs may include those within the immediate area of California Gully and those from suburbs beyond, it is fair to conclude that the use would serve community needs in some way.

The Victorian Civil and Administrative Tribunal has offered the following commentary on the issue of local need in *Trustees of the Ukrainian Catholic Church in Australia v Melbourne CC [2008] VCAT 2388*:

> *The issue of local need is one which has been the subject of consideration by this Tribunal over a long period of time. The Tribunal had consistently held that non-residential uses often serve a wider catchment than the immediate neighbourhood. The fulfilment of a local need test under the planning scheme does not require that every customer, patient or patron of that use, or a specified proportion of them, must reside within an area which could be defined as local.*

- *The scale and intensity of the development*

The proposed single-storey childcare centre seeks to accommodate 110 children, which is a typical capacity for a new facility. The total building area is proposed to be just over 500 square metres, with a modest outdoor play area.

Due to the slope of the site, the rear of the building needs to be raised in order to maintain a uniform building level across the development, resulting in an effective rear roof height of approximately 8 metres when measured from natural ground level. Despite this, the proposal remains single storey and the maximum height is consistent with the residential context. As noted above, childcare centres are not an unfamiliar element within a residential streetscape and the intensity of the proposed use is one that can be accommodated appropriately within a residential area.

- *The design, height, setback, and appearance of the proposed buildings and works*

When considering the design, height, and appearance of the proposal, it is important to assess how these key elements contribute to the neighbourhood character, which is one of the purposes of the General Residential Zone (GRZ). These elements directly influence how the proposal integrates with the existing streetscape and the distinctive identity of Eaglehawk. The site is located within Eaglehawk Neighbourhood Character Precinct 7 (EG7) and the relevant policy at Clause 15.0-5L-04 emphasizes the importance of maintaining the area's character that is drawn from:

- *An open bushland and spacious development with a mix of building eras, styles, materials, and block size representing the sporadic way many parts of Bendigo have developed.*

- *Mature trees, including native vegetation, in gardens and reserves with low or transparent fences*
- *Through modest scale, appropriate setbacks, and design that responds to the local context, where development should respect the open, bushland feel, the mix of building eras, and the mature vegetation that define the area's character.*

In the previous VCAT case relevant to the site, the Tribunal's analysis elaborated on how the neighbourhood character policy applied to the site, identifying three key elements that define the streetscape.

- *The first is the low scale, modest proportions of existing dwellings. These comprise mostly single-storey timber dwellings, many from the post-war era, interspersed with some cottages and villas dating from the area's early mining history.*
- *The second striking feature in this particular streetscape is the presence of large native trees, notably Ironbark trees. These are found on both private and public land, although not consistently so. In the private realm, these are concentrated in a group including six such trees on the review site and on neighbouring properties to the east in Green Street and to the south, including the abutting lot at No. 39 Barrell Street. They rise above existing buildings and are a dominant landscape feature in this particular streetscape in eastward views towards the subject land from both directions in Barrell Street, especially from the north. In terms of vegetation in the public realm, the row of Ironbark trees in the road reserve on the west side of Barrell Street further south also have an obvious presence.*
- *The third notable feature is the sense of spaciousness around buildings and in the streetscape despite the variable lot pattern and size.*

The proposal for a single-storey childcare centre generally respects the established neighbourhood character by maintaining a modest scale and providing appropriate setbacks from all boundaries.

The front building setback of approximately 35 metres ensures the development is sufficiently distanced from the street, preventing it from dominating the large Ironbark trees along Barrell Street and maintaining the spacious feel of the area.

The side setbacks, measuring 1.5 metres from the south and 4.6 metres from the north, allow for adequate separation from neighbouring properties and provide opportunities for preserving the high-retention tree on the site, as well as the medium-retention value trees on adjacent properties, subject to appropriate protection measures. The rear setback of over 15 metres minimises the impact on adjacent properties and effectively avoids the intrusion into the tree protection zones of the mature trees located at the back.

The design of the proposal incorporates a contemporary aesthetic, featuring a rendered finish complemented by timber cladding on all elevations, which adds interesting texture while respecting the existing timber dwellings in the area. The building's overall height is generally in keeping with the streetscape, maintaining a single-storey appearance when viewed from the street.

With an effective rear roof height of close to 8 metres, there may be opportunities, should Council deem it necessary, to consider a stepdown at the rear or a reduction in overall height (without compromising the building's functionality) to better preserve the eastward views towards the subject site and enhance the Ironbark trees as a natural backdrop.

- *The proposed landscaping*

Proposed landscaping for the site is indicated earlier within this report at Figure 6. Whilst the existing high-retention value tree on site is proposed to be retained, new landscaping is proposed along the property boundaries and throughout the site. This landscaping will include a mix of trees, shrubs, groundcovers and grasses. The landscaping will have the effect of softening the impact of the development as well as providing for shade and cooling within the play area, and for amenity purposes. The landscaping will also go some way to offset the impacts of the loss of some of the existing vegetation on the site. The proposed landscaping is considered acceptable.

- *The provision of car and bicycle parking and associated accessways*

The proposal includes a car park within the front setback of the site, for the ease of drop-off and pick-up by parents. This arrangement is consistent with typical childcare centre designs.

Pursuant to Clause 52.06 of the Planning Scheme, the proposal requires 24 car parking spaces based on a rate of 0.22 spaces per child for 110 children. However, only 22 spaces are proposed, resulting in a shortfall of 2 spaces. Approval is therefore sought for this reduction under Clause 52.06 of the Planning Scheme.

A Traffic Impact Assessment (prepared by O'Brien Traffic, dated 15 March 2024) was submitted as part of the application, which justifies the reduction in car parking spaces. The assessment indicates that the peak parking demand occurs during the drop-off (7:30am-9:30am) and pick-up (4:00pm-6:00pm) periods, but the demand is generally brief, lasting no more than 15 minutes. During these periods, short-stay parking is required for parents, while long-stay parking is needed for staff.

The assessment also highlights that the site benefits from reasonable public transport access, with a bus stop located approximately 400-500 metres away, and pedestrian

access via the footpath on Barrell Street. Although there are no public bicycle parking facilities nearby, the site is well-connected for vehicular access.

The parking survey included in the Traffic Impact Assessment shows that within 100 metres of the site there are at least 13 vacant on-street spaces during peak periods. This suggests that there is sufficient off-site parking to accommodate the overflow demand of two spaces.

On the above basis, the shortfall of two parking spaces is justified and the reduction is considered acceptable given the availability of on-street parking and public spaces nearby.

In terms of access, a central, two-way driveway is proposed to provide ingress and egress to the site. The functionality of this access has been reviewed and deemed acceptable by the City's Engineers.

- *Any proposed loading and refuse collection facilities*

Childcare centres generally do not generate regular loading or unloading activities, except for food deliveries and waste collection. As submitted by the applicant, food deliveries will occur via vans, outside of peak drop-off and pick-up times, with these vans utilising a vacant space within the car park.

A Waste Management Plan, prepared by O'Brien Traffic and dated 15 March 2024, was submitted as part of the application. The plan outlines the expected waste generation, the dimensions of waste receptacles and enclosures, collection frequencies and the proposed method of collection. Specifically, it states that waste collection will be conducted by a private contractor using an 8.8m rigid vehicle during the day, but outside peak operating hours, when the car park is less likely to be fully occupied and pedestrian movement is minimal.

The bin storage area is proposed to be located within a designated, enclosed space approximately halfway into the site, adjacent to the car park, set back a minimum of 2.4m from the adjoining property at 35 Barrell Street.

On collection days, the waste vehicle will enter the site, reverse into two vacant spaces near the bin storage area and remove the bins from the service yard. After emptying, the bins will be returned to the service yard and the vehicle will exit the site in a forward direction. Swept path diagrams provided below in figures 11 and 12 show that the 8.8m medium rigid vehicle can easily access the site and maneuver to exit forward, provided that four spaces in the car park are available.

The proposed arrangements are deemed sufficient to accommodate the loading needs of the proposed childcare centre.

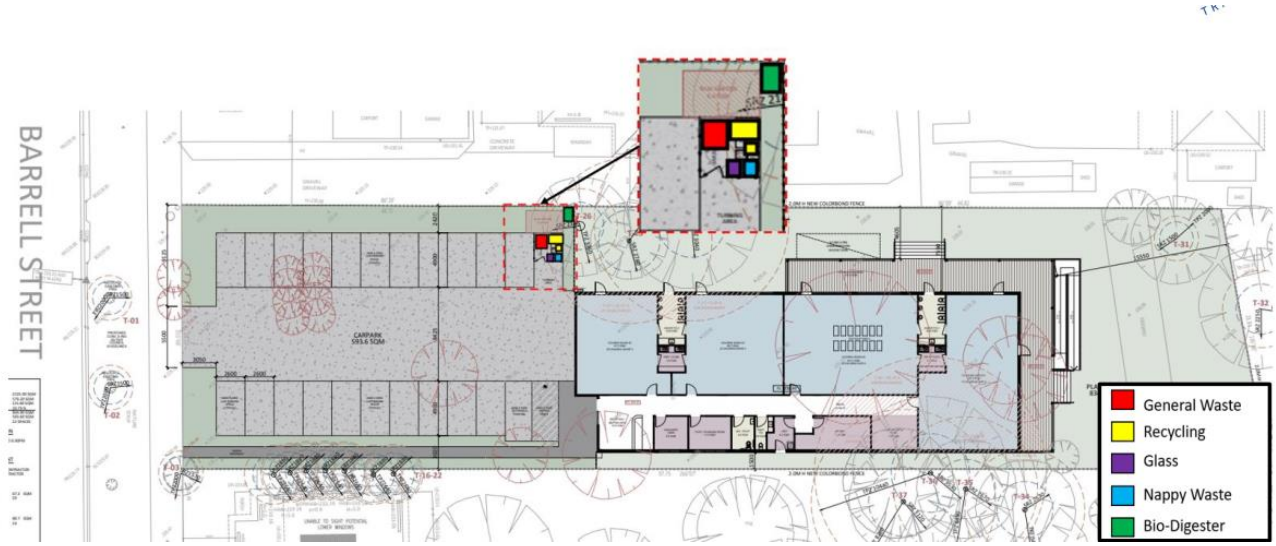


Figure 10. Proposed bin layout plan

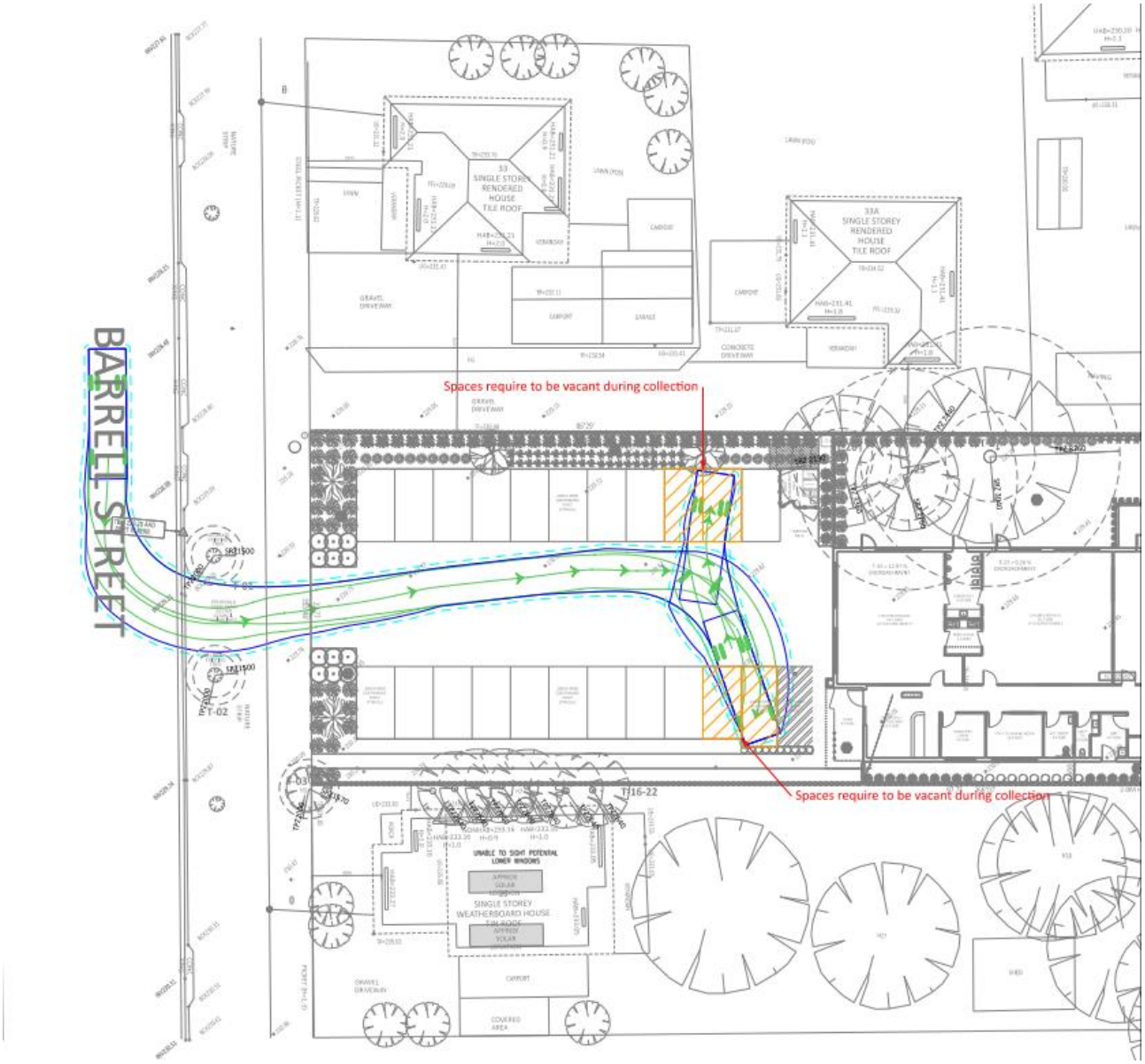


Figure 11. Swept path diagram for waste vehicles - entry

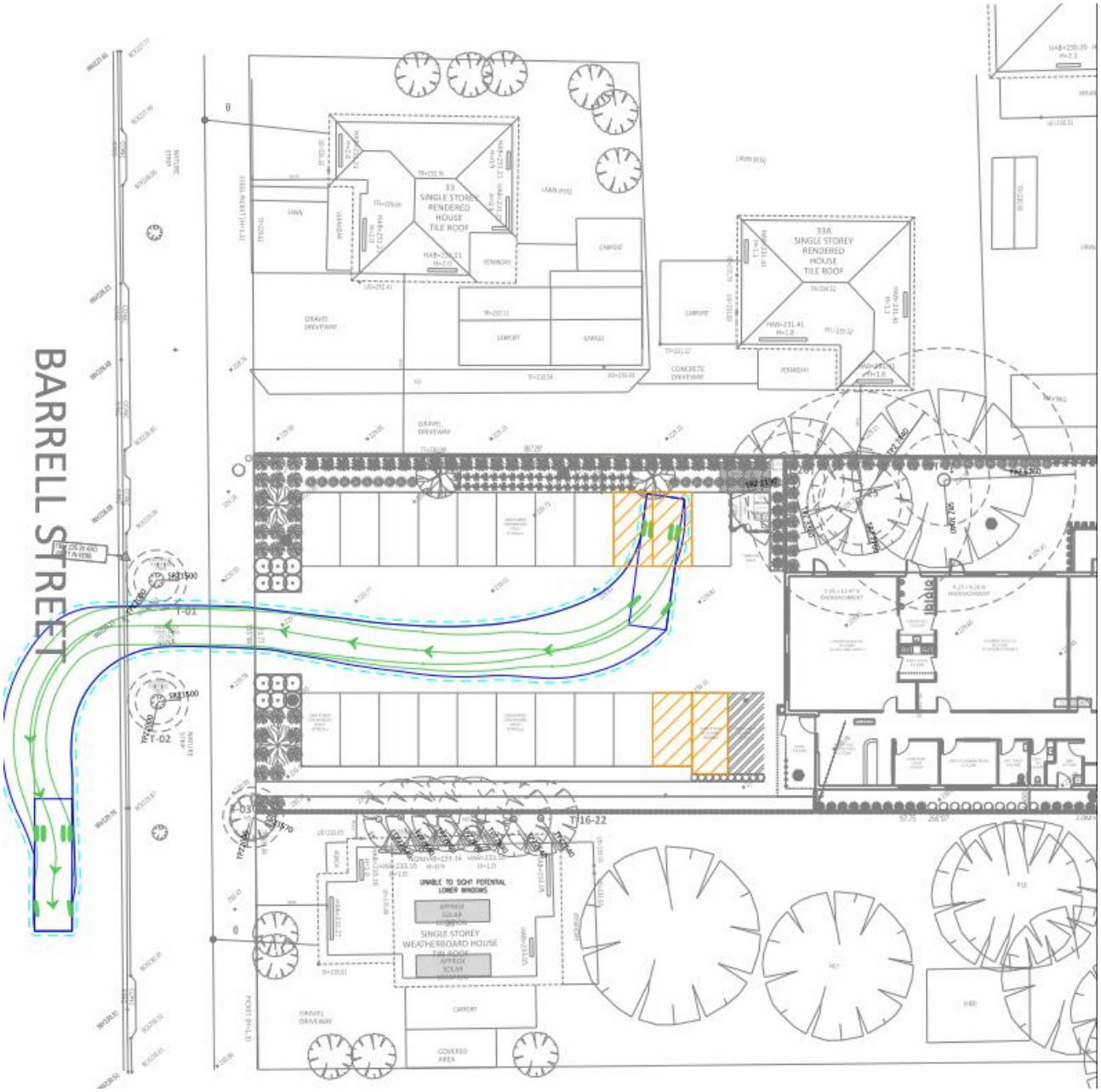


Figure 12. Swept path diagram for waste vehicles - exit

- *The safety, efficiency, and amenity effects of traffic to be generated by the proposal*

The proposed childcare centre will result in an increase in traffic to and from the site, particularly during the peak drop off and pick up times early and late in the day.

The Traffic Impact Assessment Report (prepared by O'Brien Traffic, dated 15 March 2024) submitted to support the application, states the childcare development has been assessed as likely to generate 44 trips to the site and 44 trips from the site during peak periods (based on 0.8 trips per child), which is relatively modest in the context of the site's location.

The data from the Traffic Impact Assessment Report indicates that Barrell Street, a local street with an indicative capacity of 3,000 vehicles per day (equivalent to 300 vehicles in both the AM and PM peak hours), currently experiences a low traffic volume of approximately 1,000 vehicles per day (or 100 vehicles in each peak hour). Given the surrounding road network and land uses, the additional traffic generated by the proposed childcare centre is not expected to have a significant adverse impact on the safety or operation of Barrell Street or the surrounding road network

The City's Traffic Engineer has raised no concerns regarding the anticipated traffic and its impact. Furthermore, in accordance with Clause 66.02-11 of the Scheme, the application was referred to the Department of Transport and Planning, which has reviewed the proposal and raised no objections. This indicates that the development is unlikely to have any negative impact on the overall road network.

In summary, the proposal is consistent with the objectives and decision guidelines of the General Residential Zone (GRZ). It serves local community needs, respects residential character and maintains compatibility with surrounding uses. The development is appropriately scaled, with suitable setbacks, landscaping, and provisions for parking, traffic, and loading.

Is the extent of vegetation removal proposed to facilitate the development acceptable?

Tree 27, identified as having high retention value, is proposed to be retained on-site, while all other existing trees on-site are to be removed. The adjoining trees (Trees 3, 16-22, 1, 2, and 32-37) are also proposed to be retained, although special construction methods and tree protection measures would be required where their Tree Protection Zones (TPZs) extend into building footprint of the proposed development.

As mentioned earlier, a planning permit is not required for the proposed removal of vegetation under Clause 52.17-7 exemptions of the Scheme, as the subject site is under 4,000 square metres.

However, it is important to note that the previous VCAT decision relevant to the site has established that there is policy direction for the retention of some vegetation on both the subject and adjoining sites. This is based on several factors, including the site's location not being identified for significant housing growth and change under as per the Urban Strategic Framework Plan of the Scheme (Clause 02.04), Greater Bendigo's position within the Box Ironbark region (Clause 02.03-2), and environmental policies (Clauses 12.01 and 12.05) that promote the protection of significant remnant vegetation for its habitat, biodiversity and landscape value.

Guiding policy to decision makers include consideration of Clause 15.01-5L-04, being the Eaglehawk Residential Character Policy (Precinct 7). Policy encourages, though cannot mandate the retention of large, established trees. Existing Ironbark trees

contribute significantly to the streetscape character, with some trees having long Useful Life Expectancy (ULE) and high retention value.

It is also important to note that the Tribunal acknowledged in its decision that while retaining all trees on-site may not be feasible, preserving some vegetation is practical and important. Achieving a reasonable development outcome while retaining some existing vegetation would require a design approach tailored to the site's specific features.

Based on the above, the issue of vegetation removal remains a key consideration for the current proposal.

In response to the previous VCAT decisions, efforts have been made to design a proposal that retains some vegetation, despite there not being a specific reason why vegetation removal needs a permit in in own right.

The building footprint for the proposed childcare centre is less intensive than the previous multi-unit development proposal, with a site coverage of just over 33%. The design also includes open space and a play area around the building, providing further opportunities for tree retention.

Discussions were held between the applicant, arborist and planning officer to identify strategies for retaining vegetation while facilitating the consideration of a childcare centre on-site. To ensure the retention of the high retention value Tree #27, the design of the proposal has been modified to keep the area north of the building free from any built form.

Permeable paving would be required along the proposed southern pedestrian path to protect the adjoining Trees 16–22 at 39 Barrell Street, and screw piles would be used for the footing in rear section of the building to avoid significant impacts on the tree protection zones of adjoining trees 34–37. These measures would limit development intrusion into the relevant tree protection zones to less than 10%, thereby ensuring the trees experience minimal impact and remain viable to be retained.

While the extensive protection measures and special construction methods required are not ideal, they can be effectively managed through permit conditions, through the preparation of both a tree protection plan and a tree management plan to the satisfaction of the responsible authority prior to the commencement of work on site.

Although only Tree #27, identified as having high retention value in the submitted arborist report (prepared by Howell Arboriculture, dated 17 October 2024), is proposed to be retained on-site, this is consistent with the general outcome sought in the previous VCAT decision, which anticipated some form of retention of significant vegetation on the site. The surrounding trees on adjoining land are proposed to be

retained, ensuring they continue to contribute to the neighbourhood character and potentially serve as a natural backdrop to the proposal.

It is important to note that discrepancies exist between the previous and current arborist assessments, leading to differing evaluations of tree health. While two trees were previously classified as having high retention value on site, only Tree #27 is now considered high retention value. Another mature tree located centrally at the rear of the site (Tree #28 as per the current assessment), once rated highly, is now assessed as being in 'very poor' health with a ULE of 7-10 years and is therefore categorised as medium retention value. This updated assessment, based on the current health of the trees, necessitates the retention of one high-retention value tree on-site, rather than two as anticipated in the previous VCAT decision.

Remaining objector concerns

Amenity Impacts

Potential amenity impacts from the development have been identified and considered through the design phase, as follows:

- Acoustic fencing to be provided along property boundaries where required to reduce potential adverse noise impacts.
- A noise management plan can be required as a condition to further address noise concerns, ensuring that the recommendations within the acoustic report are effectively implemented and maintained throughout the operation of the proposed childcare centre.
- Appropriate screening to be provided where necessary to prevent overlooking and ensure privacy for adjacent properties. For further clarifications, amended plans can be provided subject to conditions, requiring appropriate annotations to indicate details of the privacy screen and finishes of the window glazing or other treatments as necessary.
- A general lighting condition can be included to mitigate light spill to the satisfaction of the responsible authority.
- A condition requiring the provision of appropriate directional signage to the car park can be included to prevent vehicles from mistakenly entering private driveways.
- The submitted Waste Management Plan includes provisions for a graded and drained wash-down area within the bin store area, to be regularly cleaned by a waste contractor or bin washing company. The bin lids are required to be kept closed when not in use to prevent vermin and odours being released, and waste areas must be ventilated in accordance with Australian Standard AS1668. Should a planning permit be granted, the waste management plan will be endorsed to ensure its proper implementation.

- To address potential amenity impacts associated with construction, a condition can be included to ensure that construction activities are managed in a way that minimises impacts on adjoining properties.

Environmental & Infrastructure Concerns

- A condition can be included to ensure the incorporation of suitable landscaping, including the planting of large canopy trees, to address concerns regarding heat and provide adequate shade.
- The City's Engineer has raised no concerns relating to drainage. However, to address concerns about possible flooding or drainage overflow, further details can be provided subject to the submission of a detailed drainage plan. This plan will ensure that stormwater runoff is appropriately managed and that any potential impacts on the drainage easement are mitigated.

Character & Heritage Considerations

- As part of the previous multi-unit development application, a preliminary site and soil evaluation (prepared by Geotechnical Testing Services, dated 26 June 2020) was conducted and the findings remain relevant to the current proposal. The investigation identified arsenic concentrations above acceptable health limits in disturbed soils near grey mullock stone fragments, which is typical for the area given its mining history. While the arsenic levels pose minimal risk for sensitive land uses, a Soil Management Plan was recommended as a precaution. Accordingly, should a planning permit be issued for the proposed childcare centre, a condition will require the preparation and implementation of this plan to manage any future soil disturbance.

Conclusion

The proposal for the use and development of a childcare centre and reduction of car parking requirement at 37 Barrell Street, California Gully, is considered appropriate for the site, given the zoning, location, and context. The design addresses key considerations, including the compatibility with residential use, the scale of development and the retention of some vegetation, while acknowledging the challenges posed by the site's constraints. Despite the removal of some trees, efforts have been made to minimize vegetation loss and the retention of Tree #27 and surrounding trees on adjoining land will contribute to maintaining the neighbourhood character. The proposed childcare centre is compatible with the residential area, and the provision of adequate amenities, parking, and waste management ensures that the development will serve local community needs effectively. The proposed reduction of two car parking spaces is reasonable and is not expected to adversely impact the nearby road network.

While concerns regarding privacy, noise, drainage, heat and shading have been raised, appropriate conditions can be implemented to mitigate these impacts. These include the installation of acoustic fencing, privacy screening, the preparation of a detailed drainage plan and a landscape plan with a requirement for canopy trees. Additionally, should a planning permit be granted for the proposal, a Soil Management Plan will be required to manage potential risks associated with the site's mining history, ensuring environmental and health safety.

Overall, the proposal represents a balanced planning outcome, facilitating the use and development of a childcare centre while minimising environmental and amenity impacts. Therefore, it is recommended that Council issue a Notice of Decision to Grant a Permit for the proposed development, subject to the conditions outlined in this report.

Options

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

Conflict of Interest

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

Proposed Notice of Decision Conditions

1. MODIFIED PLAN REQUIRED
   Before the development commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
   (a) Appropriate annotations detailing the privacy screen specifications and the finishes of the window glazing or other necessary treatments (for example, screening on top of the acoustic fence). These measures must effectively restrict overlooking into the private open space of adjoining properties, to the satisfaction of the Responsible Authority.
   (b) In accordance with the *Preliminary Site and Soil Evaluation report* (Prepared by Geotechnical Testing Services Pty Ltd (26 June 2020)); a Soil Management Plan is required to be developed and implemented to outline:
      (i) The methods of stockpiling any excavated material (to be reused on site) to avoid dust or sediment exiting the site;

(ii) The methods in which any excavated materials will be removed from site in accordance with Environmental Protection Authority Guidelines; and

(iii) Any ongoing measures required to ensure the site remains suitable for the intended use and development as a Child Care Centre.

(c) A 15,000L water tank will be provided and is to be connected to toilets for flushing

(d) Water fixtures and fittings efficiency commitment: 6 star showerheads, 5 star taps, 4 star dishwashers, 4 star toilets (WELS ratings)

(e) A 6.6msqm raingarden will be provided to treat the 330sqm carpark area

(f) Ceiling fans will serve at least half of regular use areas

(g) A 7kW solar photovoltaic system will be provided for the development

(h) All exposed floors and ceilings (forming part of the envelope) to have a minimum 10% improvement in required NCC2019 insulation levels

(i) Heating and cooling systems to be within one star or at least 85% of the best CoP/EER available for the required capacity; and

(j) Water heating systems to be within one star of the best available, or 85% or better than the most efficient equivalent capacity unit.

(k) A 50% increase in outdoor air will be available to regular use areas compared to the minimum required by AS 1668.2:2012

(l) Mechanical ventilation systems to be designed and monitored to maintain a maximum absolute CO2 concentration of 800ppm.

(m) Recycling facilities will be at least as convenient for occupants as facilities for general waste, and supplied at the point of disposal (i.e. Kitchens)

(n) At least 40% of the site will be covered with vegetation

(o) At least 1 electric vehicle charging point will be provided to parking areas. Switchboards to be sized for a 7 kW (32 A) type 2 electric vehicle charger, at a minimum

(p) 20-35% partial cement replacement (geopolymer supplementary cement materials - slag and/or fly ash) will be incorporated in on-site on-ground poured structural and paving concrete mixes

2. NO LAYOUT ALTERATION

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

3. MAXIMUM NUMBER OF CHILDREN

No more than 110 children may be accommodated by the childcare facility.

4. HOURS OF OPERATION

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

(a) Monday to Friday 6:30am to 6:30pm

5. TREE MANAGEMENT PLAN AND TREE PROTECTION PLAN

Before the development starts, including demolition or removal of vegetation, a Tree Management Plan (drawing) and Tree Protection Plan (report) must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan and Tree Protection Plan must be in accordance with Australian Standard AS4970-2009 – Protection of Trees on Development Sites, prepared by a suitably qualified professional, and provide details of tree protection measures that will be utilised to ensure all trees to be protected remain viable post-construction. The Tree Protection Plan and Tree Management Plan must consist of:

(a) A Tree Protection Plan (drawing) for each stage of the development (Pre-Demolition, Construction and Post Construction, Landscape and Crossover Construction). The plans must be generally in accordance with the recommendations of the Arboricultural Impact Assessment Report prepared by Howell Arboriculture Consultants, dated 17 October 2024 drawn to scale, appropriately dimensioned, notated and reference the Tree Management Plan (report) and provide details of:
   i. The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ), calculated in accordance with AS4970-2009, for all trees to be protected on site, within the road reserve and on adjoining land.
   ii. Tree protection fencing around the retained tree on site, and to encompass the entire road reserve within the Tree Protection Zones to the edge of the kerb and channel and the footpath edge.
   iii. Any other specific measures such as site access points or material storage areas as required in the Tree Management Plan (report).

(b) The Tree Management Plan (report) must be prepared by a suitably qualified arborist, reference the staged Tree Protection Plans (drawings) and provide details of:
   i. Any non-destructive root investigation previously undertaken and provide an accurate diagram of the location of the roots discovered.
   ii. Proposed footings and construction methods for any buildings or structures (including but not limited to driveways, paths, retaining walls or other hard infrastructure) within the Tree Protection Zones (TPZs) nominated on the Tree Protection Plan.
   iii. Details of suitable driveway materials and construction methods (i.e. permeable paving above grade) and the timing of works within the Tree Protection Zones.

iv. How excavation impacts, including soil level changes, within the Tree Protection Zones of trees to be retained will be managed or minimised.
v. Stages of development and frequency at which inspections from the Project Arborist are required to ensure tree protection measures are adhered to must be specified.
vi. Appropriate methods of certification by a suitably qualified Arborist of the required tree protection measures during the development including details of site visits, actions and photographic evidence. A certification document must be provided to the City for each inspection undertaken.
vii. Appropriate signage on any tree protection fencing.
viii. Ongoing maintenance during construction of the tree protection measures.
ix. How the canopy of trees nominated on the Tree Protection Plan will be protected or managed.
x. Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.

The Tree Management Plan and Tree Protection Plan must be approved by the responsible authority and once endorsed will form part of the conditions of this permit.

6. LANDSCAPE PLAN

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

(a) A survey (including botanical names) of all existing vegetation to be retained and/or removed
(b) Details of surface finishes of pathways and driveways
(c) Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
(d) Canopy trees (minimum two metres tall when planted) within the open space play areas
(e) Indicative layout of the play equipment within the outdoor play areas
(f) Details and location of shade structures (if any) within the outdoor play areas

7. LANDSCAPING WORKS

Before the use commences or by such a later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed

plans must be carried out and completed to the satisfaction of the responsible authority.

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

9. GENERAL AMENITY
The use permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.

10. ACOUSTIC FENCING AND SCREENING
Prior to the commencement of use, the recommendations contained within the Acoustic Report prepared by Waveform Acoustics (Report #23579 Rev B, dated 20 March 2024) must be implemented to the satisfaction of the responsible authority.

11. ACOUSTIC CONTROL REPORT & MANAGEMENT PLAN
Three (3) months after the occupation of the development (i.e. commencement of use), an Acoustic Control report prepared by a suitably qualified professional and to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. If this report recommends a Noise Management Plan be prepared, then this plan must be to the satisfaction of the responsible authority and must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed plan.

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

13. BAFFLED LIGHTING
Outdoor lighting provided must be designed, baffled, and located to the satisfaction of the responsible authority such that no direct light is emitted outside the boundaries of the subject land.

14. CAR PARK CONSTRUCTION

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

(a) Properly formed to such levels that they can be used in accordance with the plans;
(b) Surfaced with an all-weather-seal coat;
(c) Drained;
(d) Line marked to indicate each car space and all access lanes;
(e) Clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the responsible authority;
(f) Provided with public lighting;
(g) Provided with disabled persons parking bays where required by the Building Code of Australia;
(h) Provided with appropriate signage for one-way traffic. e.g., one way; no entry; left only.

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

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

15. DIRECTIONAL SIGN

A sign/signs to the satisfaction of the responsible authority must be provided directing drivers to the area(s) set aside for car parking and must be located and maintained to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres.

16. VEHICLE CROSSINGS

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

17. DETAILED DRAINAGE

Prior to the commencement of works, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When

approved, the plans will be endorsed and then will form part of the permit. The plans must be drawn to scale with dimensions. The plans must include

(a) Stormwater detention
    i. Allowable Discharge:
    ii. Q10% = 14 l/s
(b) Stormwater quality

18. CONSTRUCTION OF WORKS

Prior to the commencement of use, road works, drainage and other civil works must be constructed in accordance with the City of Greater Bendigo Infrastructure Design Manual and plans and specifications approved by the responsible authority and must include:

(a) Drainage

19. PUBLIC ASSETS

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

20. CONSTRUCTION PHASE

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

21. SUSTAINABLE DESIGN ASSESSMENT

(a) All works must be undertaken in accordance with the endorsed SDA (including BESS and STORM report etc.) to the satisfaction of the responsible authority. No alterations to the SDA or associated documents may occur without the prior written consent of that authority.
(b) Prior to use or occupation of the development, a post construction report must be submitted to the responsible authority. The report must be to the satisfaction of the responsible authority and must confirm that all measures specified in the SDA have been implemented in accordance with the approved plan. The report must include the following documents and photographic evidence of:
    i. Building Users Guide

ii. Size and number of rainwater tanks installed pumps and connection to toilets
iii. Raingarden
iv. Final JV3 modelling assessment for offices, including calculations to establish that a 50% increase in outdoor air will be available to regular use areas, compared to the minimum required by AS 1668:2012
v. Solar PV installation
vi. EV charger
vii. Mechanical ventilation systems Co2 monitor

22. WASTE MANAGEMENT PLAN
Management of waste on the site must be in accordance with the recommendations set out within the Waste Management Plan (WMP) prepared by O'Brien Traffic, dated 15 March 2024.

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

24. EXPIRY OF PERMIT
This permit will expire if:
(a) The development permitted by this permit is not completed within 4 years from the date of this permit.
(b) The use does not commence within 4 years from the date of this permit or if the use is discontinued for a period of 2 years.

The time within which the development must be completed, and the use must commence may, on written request made before or within 12 months after the expiry of the permit, be extended by the responsible authority.

Notes
CONSENT FOR WORK ON ROAD RESERVES
The applicant must comply with;

- The Road Management Act 2004
- Road Management (Works and Infrastructure) Regulations 2005 and
- Road Management (General) Regulations 2005

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

Attachments

Nil

EOT

That an extension of time be granted for Cr Damien Hurrell.

Moved: Cr Thomas Prince
Seconded: Cr Owen Cosgriff

CARRIED

8.3. Stormwater Quality Offsets Policy

Author:	Adam Barber, Senior Water Strategy Officer
Responsible Director:	Stacy Williams, Director Healthy Communities and Environments

Purpose

The purpose of this report is to:

- Seek Council adoption of the Stormwater Quality Offsets Policy which formalises the opportunity for proponents of small scale developments to pay a cash contribution towards stormwater treatment elsewhere instead of treating all of their stormwater on site.
- Inform Council of the change to the stormwater quality offset contribution rate to a cost recovery model that aligns with the Victorian Government's draft guidelines and the approach adopted by other councils.

Recommended Motion

That Council:

- Adopts the Stormwater Quality Offsets Policy as attached.
- Notes the proposed change to the stormwater quality offset contribution rate which will come into effect on 1 July 2025.

MOTION

That the recommended motion be adopted.

Moved: Cr Owen Cosgriff
Seconded: Cr Thomas Prince

Resolution No. 2025-17

CARRIED

Executive Summary

If unmanaged, runoff from development contributes to the contamination of waterways and increases flood risk. As a result, all new development in Victoria is required to comply with regulations set out in the Victorian Planning Provisions requiring detention and treatment of runoff before it enters stormwater systems.

For proponents of small scale developments (e.g. 2 to 10 lots or homes), installing small scale water quality treatment systems on site can be costly, resulting in a maintenance burden for councils. As a result, Council provides proponents with the opportunity to instead pay the organisation a cash contribution to develop larger scale stormwater quality treatment systems elsewhere. This opportunity is valued by the development industry.

To date, no formal policy has been in place to guide how the cash contributions will be calculated or spent. The cash contribution rate applied to date has been very low and has not enabled Council to cover the costs associated with developing the necessary stormwater treatment assets.

To address these issues, a formal Stormwater Quality Offsets Policy has been developed which sets out a clear methodology for calculating the offset contribution. This methodology resulted in a higher contribution rate than currently in place, enabling Council to collect sufficient funds to meet its stormwater treatment obligation, while still resulting in a lower cost option for developers.

Under the Policy, the option to pay a stormwater offset contribution would be voluntary and would only apply to small scale developments. Proponents of larger scale developments (e.g. 10+ lots) would still need to meet their stormwater treatment obligations on site.

Background

Legislative requirements

The following legislation sets out Council and developer obligations to treat stormwater before it enters creeks and rivers:

1. The Environmental Protection Act 2017, General Environmental Duty
2. Obligations for Managers of Land and Infrastructure, 2024
3. Victorian Planning Scheme obligations under clauses 53.18, 55, 56 and 58

Why do we need to treat stormwater?

As land is developed the amount of rain absorbed into the ground decreases substantially and the amount of run-off increases. This is caused by the increase in hard, impervious surfaces from elements such as roofs, roads and paving. This results in:

- **Greater volumes of water** entering drainage systems and at higher velocities which can cause flooding and erosion.

- **Poor water quality** entering waterways as a result of contaminants, nutrients and sediments washing off urban environments – e.g. litter, oils and metals from roads, pesticides and nutrients from gardens and sediment from paths and driveways. This can result in algal blooms, fish deaths and impacts to native aquatic plants and animals.

To reduce these risks, all planning schemes in Victoria require developers to install treatment systems to remove contaminants before they enter waterways.

Common treatment systems

Common treatment systems include wetlands, rain gardens, bioretention systems and sediment basins. Examples of these systems are provided in **Attachment 1**.

Water quality treatment systems (generally referred to as “water sensitive urban design assets”) are required to treat runoff to a “best practice” standard which targets the key pollutants of:

1. Gross pollutants (leaves, rubbish, large sediment)
2. Suspended solids (fine sediments, oils, etc)
3. Nitrogen and Phosphate (dissolved in the water)

This is achieved by moving water through **primary**, **secondary** and **tertiary** treatment stages. In this way, water quality treatment systems behave like a series of sieves capturing the large down to the smallest pollutant types. To be effective, all three stages of treatment must be used and the systems need to be designed and constructed carefully with specific soil, sands and vegetation.

Rainwater tanks are also a commonly used and effective tool in addition to water quality treatment systems which divert rain from the stormwater system for use in homes and gardens.

What about flooding?

In addition to the requirement to treat the quality of stormwater, developers are also obligated to mitigate flood risk by ensuring flows from their development do not exceed their pre-development levels. To achieve this, developments can install:

- Detention basins – i.e. grassed depressions, small ponds or lakes which do not have a water quality treatment function.
- Rainwater tanks – i.e. which detain rainwater and divert it from the drainage system.

- Wetlands, sediment basins and similar – i.e. which have both a detention and a water quality treatment function.

The effectiveness of these systems differs under different rainfall events depending on their design and primary purpose. None of these systems are likely to eliminate flooding entirely from extreme rainfall events such as the storms experienced in January 2024.

Systems such as wetlands are like a sponge that absorb water until they are saturated. This reduces flooding to downstream areas by changing the timing of the flow of water for short rain events. In larger rain events the stormwater will bypass wetlands once they are full to protect the wetland from damage.

The role of stormwater offsets

In Bendigo, we require proponents of large developments and subdivisions to install the necessarily stormwater quality treatment systems within their development. These assets are then handed over to Council to manage like other infrastructure assets.

For smaller developments (e.g. 2 to 10 lot subdivisions or developments), the option exists to pay Council to treat stormwater elsewhere instead of installing on-site systems which are costly to construct and maintain long term. In most cases the developer will still install rainwater tanks to achieve part of their stormwater quality treatment obligation and then pay Council to offset the rest. This is a more cost effective solution for developers and results in the need for Council to maintain fewer large assets rather than many small ones. Paying the offset contribution is voluntary. Developers are still able to meet their treatment obligations on site if they prefer.

Council’s current stormwater offsets scheme

Council has been collecting stormwater offsets from developers for approximately 16 years from proponents of small scale developments (e.g. 2 to 10 lots) where on-site treatment was not practical and / or would be costly for Council to maintain.

The current contribution rate applied is **$1.80 per square metre of impervious surfaces**. All funds are stored in Council’s Stormwater Quality Reserve which has a current balance of approximately **$2.3 million**.

Few stormwater treatment assets have been developed since the introduction of the scheme. As a result, Council’s current stormwater treatment liability is approximately 804 kg Nitrogen. It is estimated that the full life cycle cost to develop the necessary stormwater assets to treat this amount of pollution would be approximately **$6 million**.

No policy or formal governance arrangements have been in place to guide decisions about the withdrawal or allocation of funds from the Stormwater Quality Reserve, which has meant an ad-hoc approach to expenditure.

Report

Proposed stormwater offsets scheme

Consultants, Marsden Jacobs, were engaged to assist Council to develop a contemporary stormwater offset contribution rate and policy for small scale developments consistent with current industry best practice and the Victorian Government's draft stormwater offset guidelines.

The proposed rate was determined with reference to the costs that developers in the City of Greater Bendigo may incur to meet best practice treatment on-site. This cost was compared to the likely cost Council would incur should we install and maintain stormwater treatment assets elsewhere to meet the treatment obligations from development.

The modelling assumed cost recovery for a 30 year asset life. This includes planning, project management, design, construction, maintenance and administration of the scheme itself.

Based on their modelling, Marsden Jacobs recommended a rate of between **$25 and $45 per square metre of impervious area**. This range was based on the cost to develop on-site assets by developers, taking into account the value of the land potentially encumbered by the asset. The higher rate ($45/m2) was based on the costs in residential areas only while the lower rate ($25/m2) was based on the average costs across residential, commercial and industrial land. The difference in the potential rate reflects the higher land values in residential areas compared to commercial and industrial areas.

Both of these rates would generate a developer payment that is less than they would incur to treat the stormwater on-site themselves (developer built), but more than Council would incur to develop a larger asset that treated the accumulated treatment obligation elsewhere.

Overall, the analysis indicated that Council assets can be built to deliver the same stormwater quality treatment at a lower cost compared to developers building assets on site. This is due to the economies of scale achieved in developing large scale, end of catchment assets compared to small scale assets on lots which encumber developable land. It also assumes Council does not have to buy land and can use existing land assets.

It was recommended that the in-lieu fee be set at the lower value of **$25 per square metre of impervious area** in the first instance given that this is a significant increase from Council's current rate of $1.80 per square metre of impervious area**.** It is noted that this is substantially lower than the rate applied by most other councils in Victoria (generally $30 to $55 per square metre of impervious area).

It is envisaged that Council will increase the rate incrementally over time using the Bureau of Statistics Table 17. *Output of the Construction industries, subdivision and class index numbers*, as the development industry adjusts to the increased cost.

The proposed scheme would still be voluntary. Developers would still have the option to meet their stormwater treatment obligation on site if they choose.

Application of the proposed scheme

If developers choose to offset their stormwater obligation, they can minimise their cash in-lieu contribution by:

- Minimising the area of impervious surfaces on site
- Install rainwater tanks.

In most cases, these two measures combined can reduce a developer's stormwater treatment obligation by about 70-80%.

Proposed Stormwater Quality Offset Contribution Scheme Policy

This Policy seeks to formalise Council's stormwater offset scheme, clearly setting out the pathways available to developers to meet their stormwater treatment obligations. It also aims to guide Council processes and decisions about the collection and allocation of cash in lieu contributions.

Key attributes of the proposed policy include:

- Establishes a clear framework for calculating cash in lieu contributions aligned to current industry standards utilised by Marsden Jacobs.
- Establishes parameters and governance arrangements for the expenditure of the Stormwater Quality Reserve, including decision making by an internal Committee and alignment of expenditure to the Integrated Water Management Plan currently in development.
- Establishes internal roles and responsibilities.

Note that the specific contribution rate proposed - $25 per square metre of impervious area - is currently proposed to be specified in Stormwater Quality In-lieu Contribution

Guidelines rather than in the Policy itself. This will enable the rate to be updated as needed to reflect increases for CPI without the need for a Council resolution.

The draft policy is provided at **Attachment 2**.

Allocation of the stormwater offset contributions

Under the proposed Stormwater Quality Policy, all cash in lieu contributions will be allocated to the development of stormwater quality treatment systems such as wetlands, rain gardens and bioretention systems.

Officers are also currently developing an Integrated Water Management Plan for the City which will:

- Include a prioritised program of stormwater treatment projects needed to meet Council's offset obligations.
- Identify ongoing maintenance needs for existing stormwater treatment assets to ensure they are functioning as intended.

A draft Plan is likely to be finalised in mid 2025.

Priority/Importance

High – introduction of the updated stormwater contributions rates is proposed for 1 July 2025.

Options Considered

The following options are available to Council:

1. **Do nothing** – Do not introduce a policy or an increase to the contribution rate. This would involve:

    - Covering a substantial proportion of the cost of installing and maintaining the stormwater treatment assets required to meet Council's existing and future stormwater treatment obligation with rate payer funds; and
    - Maintaining the current ad hoc approach to expenditure of the Stormwater Quality Reserve.

2. **Abandon stormwater offsets** – Remove the option for proponents of small scale developments to offset their stormwater treatment liability and require all treatment to occur on site. This option would increase development costs for proponents while also increasing maintenance costs to Council.

3. **Update the scheme** - Adopt the Stormwater Quality Policy and update the contributions rate as proposed. This option will ensure good governance for the Stormwater Quality Reserve and introduces a cost recovery model for stormwater offsets.

It is recommended that Council resolve to update the scheme for the reasons outlined in this report.

Timelines

The updated stormwater contributions scheme is proposed to take effect from 1 July 205

Communications/Engagement

External engagement

Council has already flagged that an increase to the cash in lieu contribution rate is imminent with development consultants they engage with regularly.

An overview of the project and the proposed contribution rate was also presented at the Development and Planning Industry Forum on 21 August 2024. No concerns were raised about the updated contribution rate proposed.

Additional engagement with the local development industry is also proposed before 1 July 2025 and will include the offer for individual discussions about the change proposed on an as needs basis.

Implementation and take-up of the contributions scheme will be monitored and reviewed after 24 months to evaluate whether the new contribution rate and Policy are achieving their goals.

Financial Sustainability

There are direct positive financial implications to Council associated with the proposed contribution rate and the proposed policy.

Direct benefits include:

- Ensuring Council's stormwater quality liability can be fully funded from the offset contributions collected taking into account the lifecycle costs of the assets.
- Improved transparency and oversight associated with the collection of offset contributions and the allocation of the Stormwater Quality Reserve.

Risk Assessment

The Policy will help mitigate the following risks to Council:

- Risk of not being able to meet its stormwater management obligations under the Environment Protection Act 2017 and Planning and Environment Act 1987.
- Risk of poor financial management of the Stormwater Quality Reserve due to lack of decision making processes and transparent record keeping.

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

Goal 4 - Water Sensitive Bendigo

Other Reference(s)

N/A

Conflict of Interest

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

Attachments

1. Attachment 1 Common treatment systems [**8.3.1** - 3 pages]
2. Attachment 2 Council Policy Stormwater Quality Offset Policy for Council adoption [**8.3.2** - 6 pages]

8.4. Quarterly Finance and Capital Report Q2 - December 2024

Author:	Tori Smith, Management Accountant
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

The purpose of this report is to update Council on the financial position and capital program of the City of Greater Bendigo for the 2024/2025 financial year, as at December 31, 2024, in accordance with the requirements of the *Local Government Act 2020* (Vic).

Recommended Motion

That Council:

> Receive the report comparing budget and actual revenues and expenses to December 31, 2024, in accordance with the requirements of the *Local Government Act 2020* (Vic).

MOTION

That the recommended motion be adopted.

Moved: Cr Thomas Prince
Seconded: Cr John McIlrath

Resolution No. 2025-18

CARRIED

Executive Summary

The Quarter 2 (Q2) Financial and Capital Management Report provides an update on financial performance for the 2024/2025 financial year.

Background

Council adopted the 2024/2025 Budget in May 2024. In accordance with Section 97 of the *Local Government Act 2020* (Vic) (the Act), as soon as practicable after the end of each quarter of the financial year, a quarterly budget report is to be presented to the Council at a Council meeting which is open to the public.

Report

The City's operating result as at December 31, is $113.8M surplus, $5.7M (5%) favourable to budget. The operating surplus forecast to the end of the financial year is $46.3M ($3.4M negative variance to budget). The forecast result is largely due to unbudgeted contributions for community sports to Bendigo Stadium Limited (BSL) of $1.9M, additional $1.5M staff costs attributable to unbudgeted grant funding, additional Workcover costs and out of budget cycle positions and a $1.7M projection for additional materials & consumable expenditure. There is approximately $1M of additional expenditure offset by carried forward grant revenue.

The City's key year-to-date results include $2.1M additional operating grants income. There were several grants carried forward from last financial year which partly offset additional expenditure, and $1.6M additional user fees, due to a combination of higher user pay services across the City including parking, outdoor dining registrations, animal registrations, tip charges and additional commissions for accommodation booked through the Visitors Information Centre.

The City's profit and loss statement for the 6 months ended December 31, 2023 is provided below:

	YTD as at 31-Dec-24				Full Year			
	Actual $'000	Budget $'000	Variance $'000	%	Forecast $'000	Budget $'000	Variance $'000	%
REVENUE								
Rates and Charges	123,200	124,112	(912)	(1%)	123,622	124,639	(1,018)	(1%)
Waste Management Charge	30,855	30,237	617	2%	30,788	30,237	551	2%
Statutory Fees and Fines	2,627	2,555	72	3%	5,587	6,466	(879)	(14%)
User Fees	10,794	9,163	1,631	18%	23,910	22,613	1,297	6%
Government Grants - Operating	26,565	24,504	2,061	8%	32,505	28,684	3,821	13%
Contributions - Monetary	1,611	1,099	512	47%	2,932	2,245	687	31%
Other Income	3,479	2,412	1,067	44%	6,079	5,079	1,000	20%
Total Revenue	**199,130**	**194,083**	**5,048**	**3%**	**225,423**	**219,964**	**5,459**	**2%**
EXPENSES								
Employee Benefits	42,285	41,061	(1,224)	(3%)	82,363	80,787	(1,576)	(2%)
Materials and Services								
Administration expenses	2,265	2,656	390	15%	7,159	6,635	(525)	(8%)
Contractors and services	14,823	15,258	435	3%	32,960	32,569	(391)	(1%)
Contributions and donations	2,905	1,881	(1,024)	(54%)	4,803	2,911	(1,892)	(65%)
Employee costs (outside payroll)	717	876	159	18%	1,814	1,706	(108)	(6%)
Insurance	2,471	2,669	198	7%	2,444	2,669	225	8%
IT cost	2,652	2,971	318	11%	6,522	5,764	(758)	(13%)
Materials, consumables & equip	3,997	4,266	269	6%	10,737	8,166	(2,571)	(31%)
Plant and fleet	2,188	2,308	120	5%	4,418	4,231	(187)	(4%)
Professional services	2,694	2,533	(160)	(6%)	6,520	5,377	(1,144)	(21%)
Property, trades & maintenance	4,079	4,151	72	2%	9,065	8,828	(238)	(3%)
Utilities, rates & charges	3,898	4,891	992	20%	9,334	9,606	272	3%
Borrowing Costs	308	400	92	23%	800	800	-	-
Other Expenses	52	76	24	32%	166	160	(6)	(4%)
Total Expenses	**85,336**	**85,997**	**661**	**1%**	**179,107**	**170,208**	**(8,899)**	**(5%)**
Operational Surplus/(Deficit)	**113,795**	**108,086**	**5,709**	**5%**	**46,316**	**49,756**	**(3,440)**	**(7%)**

Note this financial year to date profit and loss statement focuses on operations, and excludes capital grants, depreciation, non-monetary contributions and certain (non-material) statutory reporting lines.

A sector rate cap for 2025/2026 of 3.00% was announced by the Minister for Local Government in December. The Minister's decision was informed by advice from the Essential Services Commission (ESC) to set the rate cap at the level included in the 2024/25 State Budget Update forecast of the consumer price index (CPI) for 2025/26, which is 3.00%.

Cash holdings currently remain above the minimum level and the City's investment portfolio remains in line with policy. Competition between the banks has continued, however, some banks predicted a Reserve Bank cash rate reduction, resulting in decreased term deposit rates. The average interest rates across investments are approximately 5.01% in December, resulting in sustained revenue from interest. As at December 31, 46.1% of investments are with institutions without fossil fuel interests. The City's Climate Change and Environment Strategy lists a target of 60% for Council funds to be invested with financial institutions that do not lend to fossil fuel industries (or similar) by 2026. This is proving to be challenging with ANZ acquiring Suncorp in July 2024, therefore Suncorp is no longer considered 'Fossil Fuel Free'.

The State Government has announced that from July 1, 2025, its Fire Services Property Levy (FSPL) will be replaced by the Emergency Services and Volunteers Fund (ESVF). The State Government has stated that the changes will help support a broader range of emergency services and bring Victoria's funding arrangements for emergency services in line with other states. The local government sector is awaiting further information on the implementation and administration of this change.

Priority/Importance

In accordance with s97 of the Act: "As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public."

Timelines

A report on finances must be presented to Council quarterly as required by the Act.

Communications/Engagement

Officers reviewed the financial results and provided commentary and forecasting to information the Q2 Quarterly Report. The Executive Leadership Team considered this report in February.

Financial Sustainability

The Q2 Quarterly Report and related briefings are a key tool in assessing and managing the City's ongoing financial sustainability.

Risk Assessment

Financial sustainability remains a key City strategic risk, currently assessed as High.

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

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

Other Reference(s)

Other key documents:

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

Conflict of Interest

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

Attachments

Nil

8.5. Greater Bendigo Industrial Land Strategy - Amendment C282gben

Author:	Richie Dean, Strategic Planner
Responsible Director:	Rachel Lee, Director Strategy and Growth

Purpose

This report seeks consideration of submissions received to Planning Scheme Amendment C282gben and recommends that Council request the Minister for Planning appoint a Planning Panel to consider the submissions received.

Recommended Motion

That Council:

1. Having formally considered all written submissions received to Amendment C282gben, notes the issues raised in the submissions and the officer's response to those issues outlined in this report.
2. Having formally considered the late submissions received to Amendment C282gben, notes the issues raised in the submissions and the officer's response to those issues outlined in this report.
3. Requests the Minister for Planning appoint a Planning Panel to consider submissions received for Amendment C282gben, in accordance with Part 8 of the *Planning and Environment Act 1987*.
4. Refers all submissions identified in this report to the Independent Panel appointed by the Minister for Planning.
5. Endorses the officer's response to the issues raised by submissions and the recommended changes to Amendment C282gben as the basis for Council's submission to the Planning Panel.
6. Advises those persons who made written submissions to Amendment C282gben of Council's decision.

MOTION

That the recommended motion be adopted.

Moved: Cr Damien Hurrell
Seconded: Cr Thomas Prince

Resolution No. 2025-19

CARRIED

Executive Summary

Amendment C282gben proposes to partially implement and give effect to the Greater Bendigo Industrial Land Development Strategy 2024 (GBILDS) by:

- Rezoning 1029 Calder Highway, Maiden Gully from Industrial 1 Zone to Public Conservation and Resource Zone;
- Introducing the draft Greater Bendigo Industrial Development Guidelines;
- Making changes to the Municipal Planning Strategy, Planning Policy Framework and Operational Provisions of the Greater Bendigo Planning Scheme.

The Amendment was publicly exhibited for five (5) weeks from 31 October to 5 December 2024.

A total of thirteen (13) submissions were received, of which four were late submissions. Of the submissions received, seven submissions were in support of the Amendment and six submissions, although largely in support of the principle of the Amendment, requested changes. One submission can be resolved with five submissions outstanding.

Background

GBILDS provides a strategic framework and roadmap to identify a 30-year pipeline of future industrial land supply to meet industry needs, reduce land use conflicts and to plan for the future of Greater Bendigo's industrial precincts. The implementation of this Strategy will provide more certainty to existing and future industries in Greater Bendigo. GBILDS was informed by the *Bendigo Industrial Land Review – Strategic Economic Inputs* (REMPLAN 2019) which identified a significant shortfall of industrial land, particularly in larger industrial lots.

GBILDS and the associated background report were originally prepared, with the support of the Victorian Planning Authority (VPA), in 2018. Public consultation on the draft Strategy was undertaken between June and August 2019. During that consultation period 16 submissions were received from businesses, landowners and consultants acting for landowners, as well as State Government agencies. Changes were made to the Strategy in response to submissions. GBILDS and the Background Report were originally adopted by Council in June 2020.

While GBILDS 2020 identified criteria for future industrial land supply, it did not go as far as identifying a site for additional industrial land supply. The City subsequently undertook detailed investigations and identified a 294ha site south of the Marong township for a future employment precinct, now known as the Bendigo Regional Employment Precinct (BREP). Detailed planning for the future precinct is currently

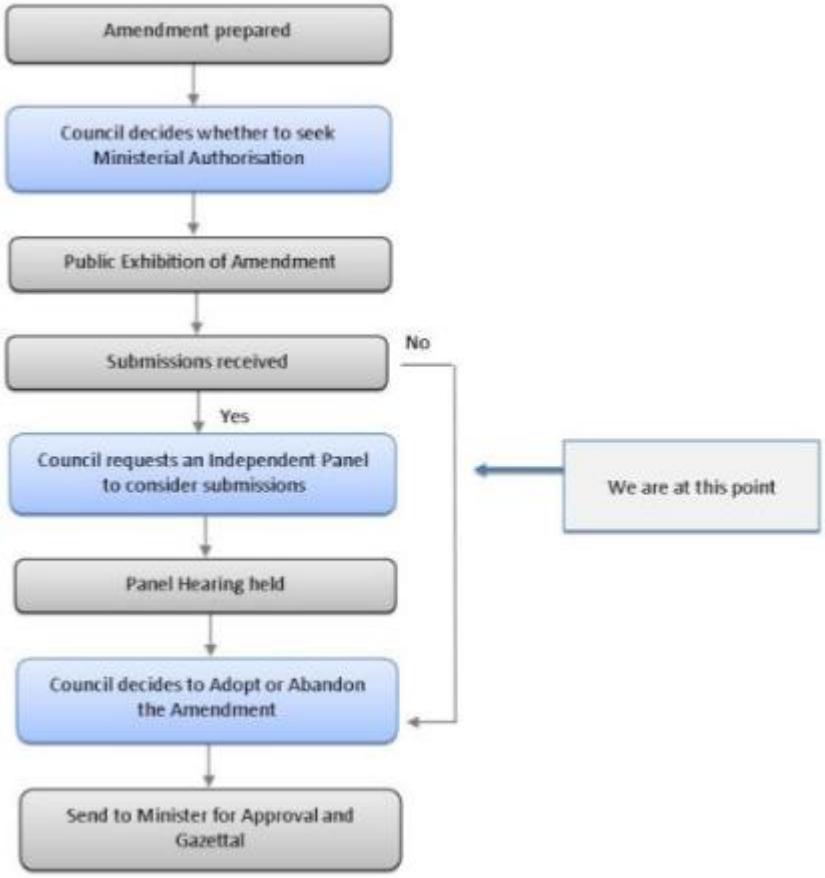
being led by the VPA and the delivery of the project will be undertaken via a separate planning scheme amendment.

A number of updates were made to GBILDS in 2024 to include the details of BREP and to ensure the strategy reflected the current state of industrial land supply in Greater Bendigo. The City also commissioned an independent strategic assessment of future industrial land supply, *Review of Future Industrial Land Supply in Bendigo* (SGS Economic and Planning, 2023) to affirm the need for both BREP and Marong Business Park (MBP). The revised GBILDS was adopted by Council in June 2024.

A recommended action under GBILDS is to review and update the *City of Greater Bendigo Good Design Guide for Industry 1997*. An extensive review of the guide was undertaken and the draft Greater Bendigo Industrial Development Guidelines (the Guidelines) have subsequently been prepared. The Guidelines provide direction to industrial landowners and developers, outlining how future industrial areas should look, function and perform relative to the surrounding context and environment through a series of objectives and guidelines. These guidelines are designed to be considered and addressed in future planning permit applications for industrial areas. The draft Guidelines have undergone public consultation through the exhibition of Planning Scheme Amendment C282gben.

Amendment C282gben proposes to make the following changes to the Greater Bendigo Planning Scheme:

- Rezone 1029 Calder Highway, Maiden Gully from Industrial 1 Zone to Public Conservation and Resource Zone;
- Rezone land in the road reserves adjacent to 1029 Calder Highway, Maiden Gully from Industrial 1 Zone to Farming Zone;
- Amend Clause 02.03-7 and Clause 02.04 of the Municipal Planning Strategy to insert new strategic directions for economic development and to amend and insert new strategic framework plans;
- Amend Clause 14.01-1L and Clause 17.03-1L of the Planning Policy Framework to insert new strategies to give effect to the Greater Bendigo Industrial Land Development Strategy 2024;
- Amend Clause 15.01-1L-02 of the Planning Policy Framework to insert new strategies to give effect to the Greater Bendigo Industrial Development Guidelines 2024;
- Amend Clause 72.08 of the Operational Provisions to insert two new background documents and delete two superseded background documents;
- Amend Clause 74.02 of the Operational Provisions to delete completed strategic work.



Previous Council decision dates:

- 19 June 2019 - Council endorsed the draft GBILDS and Background Report for community consultation.
- 17 June 2020 – Council adopted GBILDS and the Background Report.
- 15 November 2021 – Council resolved to fast track the delivery of the BREP and request the Minister for Planning to appoint the VPA as Planning Authority for the proposed BREP.
- 24 June 2024 – Council adopted the revised GBILDS 2024 and agreed to request authorisation from the Minister to Planning to prepare and exhibit C282gben to the Greater Bendigo Planning Scheme.

Report

Authorisation

The Amendment was submitted to the Minister for Planning on 27 June 2024. Authorisation to proceed with the Amendment was granted by the Minister, with conditions, on 18 July 2024. Authorisation conditions consisted of minor changes and edits to various amendment documents and planning scheme policy, a full list of which

is tabled below, with a summary of agreed changes with the Department of Transport and Planning (Loddon Mallee) (DTP) that were made to Amendment C282gben prior to exhibition.

Document/Clause	Change
Explanatory report	Amended descriptions relating to headings 'What the amendment does' and 'Land affected by the amendment' to include land within road reserve adjoining 1029 Calder Highway, Maiden Gully as also being rezoned from INZ1 to FZ. Amended response to *Ministerial Direction 1 – Potentially contaminated land* to state that the planning authority has determined that 1029 Calder Highway, Maiden Gully is not potentially contaminated land. Amended response to *Ministerial Direction 18 – Victorian Planning Authority advice on planning scheme amendments* to discuss advice provided by the VPA and the planning authority's response. Amended response to *Ministerial Direction 19 – Amendments that may result in impacts on the environment, amenity and human health*, to insert views of the EPA and how those views have been addressed in the amendment.
Instruction sheet	Amended to insert references to changes to relevant planning scheme maps for consistency with the amendment.
Clause 02.04 - Strategic Framework Plans	Relocate the Industrial Strategic Plan from Clause 17.03-1L to Clause 02-04 Strategic Framework Plans. Existing INZ3 area in Marong deleted from the Industrial Strategic Framework Plan in consistency with the Marong Township Structure Plan and Amendment C263gben.

Document/Clause	Change
Clause 17.03-1L – Industrial land supply Greater Bendigo	The minor changes to the wording of various strategies amended in response to DTP's comments. Policy application amended in response to DTP's comments. Policy documents amended to delete reference to the Golden Square Structure Plan.
Clause 02.03-7 Economic development	Industrial context amended to reflect the most important issues for planning for industrial land and industry in the municipality. Strategic directions amended to include reference to land for BREP and to reinforce the need to provide an adequate supply of industrial land to meet industry needs.
Clause 15.01-1L-02 Urban design in industrial areas Greater Bendigo	Proposed objective deleted. Minor wording of various strategies amended in response to DTP's comments.

The Planning Scheme documents to be amended are attached.

Exhibition

The Amendment was placed on public exhibition for a period of five weeks from 31 October to 5 December 2024, with approximately 3,900 letters sent to landowners and occupiers within and adjoining industrial and future proposed industrial areas.

Submissions

Thirteen (13) submissions were received in total, including four late submissions. Of the submissions received, seven had no objections and/or supported the amendment and six requested changes to the exhibited amendment or raised questions for consideration. One submission was able to be resolved, leaving five submissions outstanding. The submissions are summarised below.

Submission	Summary of Submission	Officer Response and Outcome
1. EPA	Does not object to the amendment	Acknowledged.
2. NCCMA	Supports the amendment	Acknowledged.
3. YourLand – land identified for BREP	GBILDS Questions the data and analysis underpinning the statements that there is the need for an additional 170-270ha supply of industrial land over the next 30 years, over and above the existing 100ha supply.	Officers agree that this has led to some confusion and there is a need to clarify the total land supply requirement. Agree to amend GBILDS to reflect this.
	Opposes the statement that both BREP and MBP are needed to meet future industrial land demands and would instead create excess of what is needed.	Officers acknowledge that BREP and MBP would create more industrial land than required in the short-medium term, but having a longer-term supply pipeline is still justified.
	Submits that BREP would provide enough land to explore transitional uses (residential or other complementary employment uses) within the precinct to act as a buffer between industry and sensitive uses.	This is not considered relevant to the scope of this amendment. The detailed planning of BREP is being undertaken through a separate process by the VPA. That process would address such considerations.
	Submits that there needs to be careful consideration of an appropriate transition of land uses in the Marong area to ensure the objectives of the Marong Township Structure Plan are met and industrial interface conflicts managed.	See above response.
	Requests that the planning scheme could provide more certainty on the need for future industrial areas to accommodate transitional land uses and buffers and in	It would be premature to include planning scheme policy relating to precinct level planning of BREP in relation to transitional

Submission	Summary of Submission	Officer Response and Outcome
	particular to accommodate these areas within the BREP precinct. <u>Industrial Development Guidelines</u> Request that the Guidelines do not exclude BREP.	land uses and buffers given detail planning of BREP is yet to be undertaken and will occur under a separate planning process. Agree that the Guidelines should not exclude BREP entirely. Change proposed in the guidelines in response to this. Outcome: Refer to panel for consideration
4. DEECA	Does not object to the amendment	Acknowledged.
5. 44-52 Holdsworth Road, Long Gully & 13, 15-35 Fairview Road, Kangaroo Flat	Seeks changes to GBILDS to address the following: • The presence of long-standing manufacturing uses with existing use rights in the Long Gully Precinct • The potential for land use conflicts noting abuttal of GRZ and INZ3 land with no buffer in the Long Gully Precinct. • Potential expansion of the Long Gully Precinct. • Explore alternative and more suitable land uses for residential zoned land immediately adjacent to the precinct. • To recognise the potential for future strategic land use decisions on land to the west to impact 13 & 15-35 Fairview Road, Kangaroo Flat (in reference to Amendment C116gben).	In relation to 44-52 Holdworth Road in Long Gully, GBILDS already contains an objective to 'provide protection of viable industrial employment precincts from non-industrial uses'. Given the abuttal of GRZ and INZ3 land, particularly in the north and west of the precinct, officers agree to address this in the precinct recommendation (P13) in GBILDS. The proposed changes are discussed later in this report. Concerns in relation to future strategic land use decisions on land to the west of 13 & 15-35

Submission	Summary of Submission	Officer Response and Outcome
		Fairview Road, Kangaroo Flat are based on previous amendment C116 (abandoned) that proposed to rezone nearby Farming Zone to residential. It is now highly unlikely that the land would be subject to rezoning given the newly recognised bushfire risk of the Lockwood Road area. Officers do not support changes to planning scheme policy as requested by the submission, given insufficient justification. Outcome: Refer to panel for consideration.
	Seeks changes to the planning scheme to support the rezoning of land to industrial where: • Residential land is fragmented; or • The underlying zone is industrial or commercial; or • The rezoning would assist in addressing legacy issues or complaints about long established or important industries; and Key planning issues such as traffic and access, interfaces and amenity can be adequately addressed.	
6. 16 Manallacks Road, Kangaroo Flat	Seeks changes to the amendment to rezone 16 Manallacks Road, Kangaroo Flat from Farming Zone to an Industrial Zone as an extension of the Kangaroo Flat West industrial area.	Officers do not support this rezoning on the basis of newly recognised bushfire risk of the area. Recent bushfire assessment work undertaken for the Manage Growth Strategy identified the Lockwood Road area as a high-risk location and is therefore

Submission	Summary of Submission	Officer Response and Outcome
		not appropriate to direct population growth and development, including industrial development to this area. Outcome: Refer to panel for consideration
7. Heritage Victoria	Provides comments recommending the undertaking of an Historical Archaeology Assessment to identify currently unrecorded historical archaeological sites in the industrial precincts and facilitate their inclusion in the Victorian Heritage Inventory.	The City officer discussed the submission with Heritage Victoria who clarified that the submission does not intend to request any changes to the exhibited amendment or object. Instead they were providing more general commentary of the importance of heritage places within Greater Bendigo's industrial areas and potential future heritage work to record these sites. Outcome: Acknowledged
8. Djaara	Does not object to the amendment	Acknowledged
9. 155 Victa Estate, East Bendigo	<u>GBILDS</u> Disagrees with the modelling and assumptions underpinning GBILDS industrial land consumption rates and the demand for large lots. Also raising that they are not accurate of reflective of current local market conditions.	The City maintains that the modelling and assumptions underpinning the GBILDS are sound and represent the likely demand for industrial land into the future.

Submission	Summary of Submission	Officer Response and Outcome
	Submits that GBILDS will contradict historic assumptions around lot sizing and result in creating fixed outcomes that do not move with market demand.	GBILDS' generally refers to larger lot sizes as being in the order of 1-5ha. The GBILDS maintains consistency with what is currently considered and generally understood to be a large industrial lot in the range of 1-5ha. Officers disagree that this would inadvertently result in the categorisation of industrial lot sizing and contradict historic assumptions around lot sizing.
	<u>Clause 15.01-1L-02 (Urban design in industrial areas – Greater Bendigo)</u> Requests changes to Clause 15.01-1L-02 (Urban design in industrial areas – Greater Bendigo) to move the strategy 'design landscape buffers in industrial areas to include screen planting and noise attenuation measures such as mounding.' from Subdivision Strategies to Landscaping Strategies and amend with appendage 'where required to protect surrounding uses'.	Officers support this request.
	<u>Clause 17.03-1L (Industrial land supply – Greater Bendigo)</u> Requests changes to Clause 17.03-1L (Industrial land supply – Greater Bendigo) to amend language to only reference the hierarchy areas listed on the industrial strategic framework plans. Or alternatively amend the Industrial Strategic Framework Plan at Clause 02.04 with an additional	Officers maintain that the proposed Industrial Strategic Framework plan provides an appropriate level of detail but agree to prepare an additional plan based on Figure 2 of GBILDS and propose to insert this into Clause 17.03-1L to show

Submission	Summary of Submission	Officer Response and Outcome
	legend identifying all specific employment precincts.	the locations of all 23 precincts.
	Requests the relocation of the proposed strategy ‘Retain land to the north west of Marong zone Comprehensive Development Zone...’ out of the Municipal Area strategies and into a separate section dedicated to Marong Business Park as it is not part of Municipal Area category.	The GBILDS and the Industrial Strategic Framework Plan classify Marong Business Park (MBP) as a Municipal Area, noting the only reason it is labelled separately in the Framework Plan is because it is a Comprehensive Development Zone, not an industrial zone. Officers maintain that the appropriate location for the strategy relating to the MBP is in the Municipal section.
	Requests that the strategy ‘Avoid fragmentation of land in undeveloped industrial areas...’ be amended to ‘Avoid subdivision of large and very large vacant industrial landholdings until it is required for use and development or unless it is demonstrated the land is not suitable to service the needs of large industrial landholdings.’	Officers support this request to improve clarity.
	Recommends that Council obtain an independent peer review of the economic analysis that underpins the Amendment to ensure policy is responsive to current market conditions and trends.	Officers do not support this request.
	Requests that Clause 74.02 (Further strategic work) be amended to add the following action: ‘A further review of industrial land markets and consumption rates in Greater Bendigo; and an update to	City officers do not support the addition of the suggested further strategic work. Primarily, this clause is updated

Submission	Summary of Submission	Officer Response and Outcome
	the GBILDS as required to reflect findings of this review'.	following legislated planning scheme reviews that occur every four years. The City's strategic work program is also regularly reviewed and when a need is identified it is prioritised against other identified work, and if appropriate, added to the further strategic work program at that time. Clause 74.02 is not an exhaustive list of all future work that will be required to be carried out by the City. Outcome: Refer to panel for consideration.
Late Submissions		
10. 2-10 Howard Street, Epsom	Seeks changes to the amendment to rezone 2-10 Howard Street, Epsom from INZ1 to C1Z to allow for warehousing and larger retail uses within the Epsom Activity Centre.	There is insufficient justification to rezone 2-10 Howard Street from INZ1 to C1Z, largely on the basis of the shortage of industrial land. Disagree to change, however note that this can be reviewed as part of a future structure plan project for Epsom.
	Alternatively, requests that Clause 17.03-1L (Industrial land supply – Greater Bendigo) be amended to support the rezoning of 2-10 Howard Street, Epsom.	Disagree to change, see above.
	Also seeks the following change to Clause 17.03-1L (Industrial land supply – Greater	Agree in part to this change.

Submission	Summary of Submission	Officer Response and Outcome
	Bendigo) “Encourage additional warehouses and larger format retail uses in the Epsom Industrial Area”.	Outcome: Refer to Panel for consideration.
11. DTP	Does not object to the amendment	Acknowledged.
12. VPA	Requests that the regional significance and potential regional freight and employment hub of BREP be clarified in GBILDS, particularly in Section 4.2.	Agree to change.
	Also to amend the executive summary to clarify the role of BREP.	Agree to change.
	Requests changes to the proposed strategic direction for BREP and add new strategic direction for MBP (Marong Business Park) under Clause 02.03-7. The VPA later revised their submission to withdraw the insertion of a new strategic direction for MBP.	Agree to change.
	Requests changes to amend Industrial Strategic Framework Plan under Clause 02.04 to ensure BREP is prioritised and MBP identified as ‘Marong Business Park Review Area’.	Agree to change.
	Requests changes to Clause 15.01-1L-02 to add a policy application section.	Agree to change.
	Requests changes to Clause 17.03-1L to add a strategy for BREP and to edit the proposed strategy for MBP. The VPA later revised their submission to withdraw both requests.	No response required.
	Suggests that Council seeks advice from Development Victoria (DV) to ensure the draft Industrial Development Guidelines are	DV were consulted on the Guidelines. Follow up referral advice from DV on the revised Guidelines

Submission	Summary of Submission	Officer Response and Outcome
	aligned with market needs and will allow for delivery.	is discussed in the section below. Outcome: Submission resolved.
13. GMW	Does not object to the amendment subject to the following: *Any future development should also ensure that appropriate buildings and works buffers are maintained from any waterways in accordance* (with) *the relevant provisions of the VPPs.*	Acknowledged.

Proposed changes to Amendment C282gben in response to submissions are discussed and outlined below:

Greater Bendigo Industrial Land Development Strategy

City officers commissioned a Review of Future Industrial Land Supply in Bendigo in late 2022 to conduct an independent review of industrial land supply in the municipality and the relevance of MBP and BREP as part of the release of industrial land supply. The Review affirmed the need for an additional 170-270ha of industrial land for a 30 year supply pipeline. Furthermore, it concluded that BREP is critical for Greater Bendigo's industrial land supply needs in the short-term and that MBP will be necessary to maintain industrial land supply in the long term. The 170-270ha land supply need is stated as the amount required in addition to the existing 100ha supply of industrial land. This statement was carried across into GBILDS 2024 and was questioned in submission 3, in terms of the data and analysis that underpinned this number. In response to this, it needs to be clarified that the 170-270ha supply need is the total supply pipeline and is inclusive of the existing 100ha supply. Both the Review of Future Industrial Land Supply (SGS 2023) in Bendigo and GBILDS should be amended to reflect this.

In submission 12, the VPA requests that the regional significance and potential regional freight and employment hub of BREP be clarified in Section 4.2 of GBILDS. The VPA also recommended that the executive summary be amended to clarify the role of BREP. These recommendations and requested changes are supported given the continuing progress of BREP planning and its more recently recognised status as a key regional employment precinct for the State.

The landowner of industrial land at 9-11 Wood Street, Long Gully previously purchased five abutting residential zoned properties along Holdsworth road (44-52) largely to alleviate historical land use conflicts. The partial expansion of the precinct to the north up to Holdsworth Road could potentially reduce some of the interface conflicts with sensitive uses. This particular interface does have a history of complaints from previous occupiers of those residential properties. In response to part of submission 5, officers recommend amending the Long Gully Precinct (P13) recommendations and action on page 34 of GBILDS as follows:

- Insert new recommendation: “Investigate potential zoning changes and planning controls both within the precinct and to residential zoned land immediately adjoining the precinct, to reduce land use conflicts”
- Insert new action: “Consider potential changes to zoning and planning controls through Council-led and private planning scheme amendments, as appropriate.”
- Amend implementation timeframe: “1-4 years”.

Greater Bendigo Industrial Development Guidelines

The draft exhibited Guidelines contain a footnote on page 5 indicating that they do not apply to the BREP precinct as the planning and design of that precinct will be subject to a separate process. Submission 3 questions why the guidelines would exempt BREP altogether. In the post-exhibition follow up referral of Amendment C282gben to Development Victoria, they requested that the Guidelines do not fully exempt BREP and instead apply as default unless a subsequent set of specific guidelines is prepared. Officers recommend the following footnote replace the existing one on page 5 of the Guidelines:

- "The Industrial Design Guidelines apply to BREP, unless a subsequent and a site-specific set of design guidelines is prepared for any part or of all of BREP to the satisfaction of the City of Greater Bendigo.”

Clause 15.01-1L-02 Urban design in Industrial areas – Greater Bendigo

The VPA’s recommendation in submission 12 that the following policy application be applied to this clause is agreed to on the basis that it improves clarification.

This policy applies to all industrial subdivision and development that requires a permit under the Greater Bendigo Planning Scheme

The recommendation made in submission 9 to move the strategy ‘design landscape buffers in industrial areas to include screen planting and noise attenuation measures such as mounding’ from the Subdivision section to the Landscaping section is agreed to on the basis that it is more appropriate to address this consideration at the stage of

landscape design. The added proposed statement ‘where required to protect surrounding uses’ would ensure that landscape buffers are not applied unnecessarily.

Clause 17.03-1L Industrial land supply – Greater Bendigo

Submission 10 notes the exhibited wording of draft Clause 17.03-1L does not fully incorporate the precinct level recommendations of the GBILDS for the Epsom area (P4). More specifically that reference is only made to encouraging ‘additional warehouses’ and not extending to ‘larger retail’ uses. The submission seeks the following change to the strategy under Clause 17.03-1L: “Encourage additional warehouses and larger format retail uses in the Epsom Industrial Area”.

Although there is merit in amending the strategy to add reference to the potential for ‘larger retail’ in consistency with GBILDS, officers advise that the term ‘larger format’ is not suitable and not a defined planning scheme term. Instead, Officers recommend the strategy is amended as follows:

- Encourage additional warehouses and restricted retail premises in the Epsom industrial area.

Summary

The proposed changes to GBILDS are summarised in the table below. All changes are also drafted in each of the documents in Attachment 1 to this report.

Section	Change
Executive Summary - Final paragraph on page 8	Amend the following statement to clarify that a total pipeline of at least 170-270 hectares of industrial land supply over the next 30 years, including the current supply of less than 100 hectares (exact wording to be confirmed with the City’s consultants)
Executive Summary	Clarify the role of BREP in response to VPA’s recommendation (exact wording to be confirmed)
4.2 Summary of precinct recommendations and actions - P13 Long Gully (page 32)	Insert new recommendation: *Investigate potential zoning changes and planning controls both within the precinct and to residential zoned land immediately adjoining the precinct, to reduce land use conflicts*

Section	Change
	Insert new action: *Consider potential changes to zoning and planning controls through Council-led and private planning scheme amendments, as appropriate.* Insert new implementation timeframe: *1-4 years*
4.2 Summary of precinct recommendations and actions – P23 BREP (page 36)	Amend 'Role and function in hierarchy' to include the following: *Regionally significant future freight and employment hub.*

Proposed change to Greater Bendigo Industrial Development Guidelines

Section	Change
Part A – Introduction Industrial Land Precincts Map – Page 5	Amend map footnote to the following: *The Industrial Development Guidelines apply to BREP, unless a subsequent and a site-specific set of design guidelines is prepared for any part or of all of BREP to the satisfaction of the City of Greater Bendigo.*

Proposed changes to the Greater Bendigo Planning Scheme

Clause	Change
02.03-7 Strategic Directions – Economic development	Exhibited strategic direction: *Plan for large scale industrial employment land to the south of the Marong township.* Proposed amended strategic direction: *Plan for large scale industrial land and regional employment opportunities in Bendigo Regional Employment Precinct in short-medium term.*

Clause	Change
02.04 Strategic framework plans – Industrial strategic framework plan	Amend map legend to the following:
15.01-1L-02 - Urban design in industrial areas - Greater Bendigo	Insert policy application heading with the following corresponding statement: *This policy applies to all industrial subdivision and development that requires a permit under the Greater Bendigo Planning Scheme* Relocate the strategy *Design landscape buffers in industrial areas to include screen planting and noise attenuation measures such as mounding* from Subdivision strategies to Landscaping strategies and insert the words '*where required to protect the amenity of surrounding uses'.*

Clause	Change
17.03-1L – Industrial land supply – Greater Bendigo	Exhibited strategy: *Encourage additional warehouses in the Epsom industrial area.* Proposed amended strategy: *Encourage additional warehouses and restricted retail premises in the Epsom industrial area.* Exhibited strategy: *Avoid fragmentation of land in undeveloped industrial areas and retain land in large lots until it is required for development.* Proposed amended strategy *Avoid subdivision of large and very large vacant industrial landholdings until it is required for use and development or unless it is demonstrated the land is not suitable to service the needs of large industrial landholdings.*

Priority/Importance

Timely progression of the amendment is required as per Ministerial Direction No.15 (The Planning Scheme amendment process).

The completion of the project is required to facilitate industrial land supply and support the continuation and growth of industry and manufacturing. Furthermore, the amendment supports the facilitation and planning of BREP.

Options Considered

Following formal exhibition of a Planning Scheme Amendment where submissions are received, the Planning Authority under Section 23(1) of the Planning and Environment Act 1987 must either:

1. Refer the submissions to an independent planning panel appointed by the Minister.

2. Change the Amendment in the manner requested by the submitters and adopt the Amendment with changes.
3. Abandon the Amendment or part of the Amendment.

Timelines

If the recommendation to request the Minister of Planning to appoint an Independent Planning Panel is supported, the request will be made by the end of March.

The following pre-set panel hearing dates have been secured (please note that these have updated from those exhibited to allow for submissions to be considered):

- A directions hearing in the week starting **31 March 2025**
- A panel hearing in the week starting **5 May 2025**

The Planning Panel has set timeframes (20-40 business days), dependant on the number of Panel members, to provide its report and recommendations from the Panel hearing process. This Panel Report is made public ten days after receipt.

The Panel Report and recommendations will then be considered at a Council meeting.

Communications/Engagement

As required under Section 19 of the Planning and Environment Act 1987, Amendment C282gben was exhibited for five (5) weeks from 31 October to 5 December 2024.
The exhibition included:

- Notice to owners, occupiers and those adjoining all industrial zoned land and proposed future industrial areas (BREP and MBP). Approximately 3,900 letters were sent out.
- Notice of the Amendment in the Government Gazette on Thursday, 31 October 2024.
- Notice given to Prescribed Ministers.
- Notice to relevant authorities and organisations, including those directed by the Minister for Planning.
- Public notice in the Bendigo Advertiser on Wednesday, 30 October 2024 and Saturday, 2 November 2024.
- Public Notice in the McIvor Times on Friday, 1 November 2024.
- A media release on Thursday, 25 May 2023.
- Access to the Amendment documentation via the City's website and Department of Transport and Planning's website.

Financial Sustainability

Amendment C282gben is covered by the Strategic Planning Unit operational budget, including any costs associated with a Planning Panel Hearing.

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 3 - Strong, inclusive and sustainable economy

Secondary Council Plan Reference(s)

Goal 4 - Employment land available for industry expansion and attraction

Conflict of Interest

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

Attachments

1. Amended Planning Scheme Clauses, GBILDS and Guidelines [**8.5.1** - 155 pages]

8.6. Councillor Appointments to Committees 2024/25

Author:	Tiffany O'Connell, Executive Assistant to the Mayor
Responsible Director:	Andrew Cooney, Chief Executive Officer

Purpose

This report is for Council to endorse representatives on various Council and community committees for the 2024/2025 Mayoral term.

Recommended Motion

That Council endorse appointments to committees as outlined in this report, effective from March 17, 2025.

MOTION

That the recommended motion be adopted.

Moved: Cr Karen Corr
Seconded: Cr Damien Hurrell

Resolution No. 2025-20

CARRIED

Executive Summary

Councillor representation on various Council and community committees is an important community engagement process.

Background

The appointment of Councillor representatives on Council and community committees is reviewed annually.

The committees and groups have been classified into one of the six following types:

1. Strategic Planning Governance
   - These are developing or implementing a key Council strategy.
   - Inclusive of advisory and working groups supporting the development or implementation of a key Council strategy.
   - Example: Arts and Creative Industries Advisory Committee.

2. Legislated Committee
   - These are required for Local Government under legislation.
   - Examples: Community Asset Committees, Audit and Risk Committee, Municipal Emergency Management Planning Committee.

3. Independent Community Group / Organisation
   - These are independent of Council however have requested a Councillor join their group to provide support.
   - Example: Bendigo Agricultural Show Society.

4. Integrated Community Group / Organisation
   - These are independent boards or committees that are operationally integrated with, or reliant on support from, the City of Greater Bendigo.
   - Examples: Bendigo Stadium Limited, Bendigo Easter Festival Committee, Bendigo Tourism.

5. Community Advisory or Reference Group to Council
   - These are administered by the City and provide advice or support to Council on a specific matter or service.
   - Examples: Disability Inclusion Reference Group, Heritage Advisory Committee, Farming Advisory Committee.

6. Delegated Committee of Council
   - These are established by Council (pursuant to Section 63 of the *Local Government Act 2020*).

Council endorsed the following appointments to committees at the December 16, 2024 Council Meeting.

Name of Committee	Type of Committee	2024 / 25 Appointment/s
Audit and Risk Committee	Legislated Committee	Mayor Cr Metcalf Cr Chatley Cr Prince (Cr McIlrath – observer)
Bendigo Agricultural Show Society CoM	Independent Community Group/Organisation	Cr Prince
Bendigo Art Gallery Board	Integrated Community Group/Organisation	Cr Corr
Bendigo Livestock Exchange Stakeholders Group	Community Advisory or Reference Group	Mayor Cr Metcalf
Bendigo Tourism Board Incorporated (Inc)	Integrated Community Group/Organisation	Deputy Mayor Cr Awasthi
Bendigo Trust (Bendigo Heritage Attractions)	Integrated Community Group/Organisation	Cr Cosgriff

		Ryan Millard, Manager Governance and Performance (or delegate)
Central Victorian Greenhouse Alliance (CVGA) Board	Independent Community Group/Organisation	Mayor Cr Metcalf
Creative City of Gastronomy Advisory Committee	Strategic Planning Governance	Mayor Cr Metcalf Deputy Mayor Cr Awasthi
Finance Committee	Legislated Committee	All Councillors
Goldfields Library Corporation Ordinary Library Board Meeting	Integrated Community Group/Organisation	Cr Hurrell
Heritage Advisory Committee	Community Advisory or Reference Group	Cr Hurrell
Integrated Municipal Emergency Management Planning Committee	Legislated Committee	Cr McIlrath
Municipal Association of Victoria	Independent Community Group/Organisation	**Rep:** Cr Spong **Sub Rep:** Cr Corr
National Chinese Museum of Australia Limited, trading as Golden Dragon Museum	Independent Community Group/Organisation	Cr Prince

Previous Council decision dates: December 16, 2024

Report

Councillor representatives for 2024/2025 are:

Name of Committee	Type of Committee	2024 / 25 Appointment/s
Arts and Creative Industries Advisory Committee	Strategic Planning Governance	Cr Prince
Bendigo Writers Festival	Integrated Community Group/Organisation	Cr Hurrell
Calder Highway Improvement Committee	Independent Community Group/Organisation	Cr Chatley
Disability Inclusion Reference Committee (DIRC)	Community Advisory or Reference Group	Deputy Mayor Cr Awasthi

Fosterville Gold Mine Environmental Review Committee	Independent Community Group/Organisation	Mayor Cr Metcalf Cr Chatley
Greater Bendigo Climate Collaboration	Strategic Planning Governance	Cr Corr
Greater Bendigo Coalition for Gender Equity	Strategic Planning Governance	Cr Corr Cr Cosgriff
Healthy Greater Bendigo Partnership Group	Strategic Planning Governance	Mayor Cr Metcalf

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

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

Conflict of Interest

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

Attachments

Nil

8.7. Councillor Led Motion for ALGA National General Assembly (Deputy Mayor Cr Awasthi)

Author:	Tiffany O'Connell, Executive Assistant to the Mayor
Responsible Director:	Andrew Cooney, Chief Executive Officer

Purpose

The purpose of this Report is for Council to endorse the attached Motion, drafted by Deputy Mayor Cr Abhishek Awasthi, for submission to the Australia Local Government Association (ALGA) National General Assembly.

Recommended Motion

That Council:

1. Endorse the attached motion for submission to the ALGA National General Assembly.

2. Authorise the Chief Executive Officer to make any minor changes to improve the wording of the motion and/or to update the motion relative to any changes to the issue that may have occurred between the Council Meeting and the date of lodgment with ALGA.

MOTION

That the recommended motion be adopted.

Moved: Cr Abhishek Awasthi
Seconded: Cr Thomas Prince

Resolution No. 2025-21

CARRIED

Background

The Australian Local Government Association (ALGA) is the national voice of local government, representing 537 councils across the country. In structure, they are a federation of state and territory local government associations.

Motions for the National General Assembly should:

- Consider how all levels of government in Australia can build trust in each other and earn greater trust from the community.
- Consider practical opportunities for the Australian Government to leverage the trust that local communities have in their local council.
- Focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities.
- Focus on new program ideas that would help the local government sector to deliver the Australian Government's objectives.
- Be concise, practical and implementable.

The resolutions passed by the 2024 National General Assembly can be found on the ALGA website.

Report

The 2025 National General Assembly will be held in Canberra June 24 - 27, 2025 with the theme of "National Priorities Need Local Solutions" highlights the unique role Australia's 537 councils can play delivering local, placed-based solutions that meet the needs of their communities, while addressing broader national priorities.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment;
- Circular economy

Deputy Mayor Cr Abhishek Awasthi has prepared the attached submission regarding:

ALGA – Food security motion – City of Greater Bendigo

Motion Subject

This motion submits to the Australian Government that, nation-wide, there are growing food security challenges and a need for greater discourse and resourcing towards food security solutions.

Some resources should be directed to the development, implementation and evaluation of a National Food Systems Plan.

Resources should also be directed to local governments in acknowledgement they are uniquely placed to understand local community contexts and lead the participatory development of community food system strategies.

Regular monitoring against the six dimensions of food security in Australia is also required to boost capacity to identify and respond to changing needs and emerging issues that may impact food security, such as the rising cost of living and poverty rates.
Motion

This National General Assembly calls on the Australian Government to:

1) *Legislate the right to food in Australia and embed this right into all relevant national, state and local government policies, budgeting processes and activities.*
2) *Develop a National Food System Plan and appoint a Minister of Food to lead its development, implementation and evaluation. Such a Plan should provide for food security, including nutritional security of the nation and its people. It should have clear objectives and measurable targets set out in action plans and be subject to regular review. It should apply a food systems approach to account for the complex relationships involved from farm to fork, and foster relationships and synergies between government, relevant industries and civil society, and the community.*
3) *Facilitate resources to enable local governments to complete their own place-based food security data collection and evaluation, and to lead the participatory development of community food system strategies.*
4) *Increase income support payments, including Jobseeker, to above the poverty line and index them to wage growth, consistent with a rights-based and income-first approach to food security.*
5) *Recognise that whilst essential, emergency food relief is not the single solution to food insecurity. Instead, work with state and local governments and the food relief sector to develop new coordinated and collaborative approaches to improve dignified, affordable access to fresh and healthy food.*
6) *Support the development and implementation of regular (at least every two years) and comprehensive monitoring against the 6 dimensions of food security in Australia. This will assist active responses to changing needs and emerging issues that may impact food security, such as the rising cost of living and poverty rates. It should account for food security measures for both adults and children.*

National Objective

The right to food is a universal human right.

Food insecurity presents both challenges and opportunities for positive change.

The national objective should be for all adults and children to have access to adequate, affordable food that is fresh and healthy.

Victorian local governments have obligations under the Victorian Public Health and Wellbeing Act (2008) to protect, improve and promote public health and wellbeing within their municipalities. They are also responsible for representing the views of their communities, many of whom are concerned about increased cost of living pressures contributing to increased food insecurity and demand for food relief services, particularly since the COVID-19 pandemic.
If supported by appropriate resources, local governments are uniquely placed to complete place-based food security data collection and evaluation, and to lead the participatory development of community food system strategies.

The current lack of a National Food Systems Plan (including food security), appropriate resourcing and monitoring compromises the ability of the different levels of government plus other stakeholders to work effectively together:

- *to improve food security (and food systems), and*
- *to measure and report on progress and impact.*

Summary of Key Arguments

The recent Foodbank Hunger Report 2024 revealed that 3.4 million households in Australia ran out of food in the last year.

Rates of food insecurity in Greater Bendigo are higher than the Victorian average. In 2019, the City conducted the Active Living Census and found that 9.6% of the population was food insecure, almost double the Victorian average at the time. 1 in 10 households did not have enough food to eat and, in some areas, this increased to 1 in 5. A local food relief agency, Bendigo Foodshare found that their partner organisations experienced an increase of 40-60% more people seeking assistance in 2023, compared to 2022. Agencies are also supporting people for the first time, including families with two income households.

The dominant response to food insecurity in Australia is via food relief. In Greater Bendigo, there are 25 organisations that offer food relief services as well as a Food Relief Network. Traditional food relief is designed to fulfill short term food needs. In Greater Bendigo many people have become dependent on food relief services for

long-term food security for reasons including lower than Victorian average household incomes.

Traditional food relief services can have several limitations. Services may not have resources or capacity to meet nutritional needs of people and donations are often shelf stable, ultra processed foods. Providers may also require the collection of personal information to access their service and often do not provide choice in what food people receive. Lack of agency, as well as societal stigma associated with food insecurity, can fuel shame and embarrassment for those seeking assistance. While traditional food relief may promote food access, it does not fulfill the dimensions of agency or sustainability and cannot address the underlying systemic drivers of food insecurity that lie primarily in poverty.

Overall, it is difficult to fully understand the food security context in not only local government areas, but across the state and nation as current food security measures only include questions related to severe food insecurity (rather than questions related to the 6 dimensions of food security). Additionally, without a National Food Systems Plan there is no framework to guide federal, state and local governments work to support food security. Finally, with income support payments below the poverty line and the continuation of the 'cost of living crisis', food insecurity will likely continue to rise nation-wide.

Priority/Importance

All Motions must be submitted by March 31, 2025 after endorsement by Council.

Timelines

Task	Due Date
Motion submissions close (midnight)	March 31, 2025
NGA	June 24 - 27, 2025

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

Goal 4 - Leadership that sets a standard for good governance and integrity in action, working in partnership with regional Councils

Other Reference(s)

About ALGA
2025 NGA Discussion Paper

Conflict of Interest

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

Attachments

Nil

8.8. Councillor Led Motion for MAV State Council Meeting (Deputy Mayor Cr Awasthi)

Author:	Tiffany O'Connell, Executive Assistant to the Mayor
Responsible Director:	Andrew Cooney, Chief Executive Officer

Purpose

The purpose of this report is for Council to endorse the Motion, drafted by Deputy Mayor Cr Abhishek Awasthi, for submission to the Municipal Association of Victoria (MAV) State Council Meeting.

Recommended Motion

That Council:

1. Endorse the Motion prepared by Deputy Mayor Cr Abhishek Awasthi for submission to the Municipal Association of Victoria State Council Meeting on May 16, 2025; and

2. Authorise the Chief Executive Officer to make any minor changes to improve the wording of the motion and/or to update the motion relative to any changes to the issue that may have occurred between the Council Meeting and the date of lodgment with the MAV.

MOTION

That the recommended motion be adopted.

Moved: Cr Abhishek Awasthi
Seconded: Cr Damien Hurrell

Resolution No. 2025-22

CARRIED

Background

The Municipal Association of Victoria (MAV) is a membership association and the legislated peak body for local government in Victoria.

The MAV Rules 2022 (the Rules) require motions to be of strategic relevance to the MAV or of such significance to local government that they should be considered by State Council. It is encouraged that motions be aligned with the 10 enabling priorities in the new MAV Strategic Plan 2024-2027.

Motions received and initially assessed as **not** of strategic relevance or of significance to local government in line with the Rules will be the subject of follow-up communication with the submitting council's designated representative, then reviewed by the MAV CEO, and finally by the MAV Board, who will determine whether the motion is submitted for State Council consideration.

Motions or items which relate to the same subject may be consolidated into a single matter, with such amendments as the Board in its discretion determines are warranted, prior to inclusion in the business papers and circulation to delegates.

The resolutions passed at previous MAV State Council meetings can be found on the MAV State Council website.

Report

The MAV State Council Meeting will be held in Melbourne May 16, 2025. Motions for the May meeting must be submitted online using the State Council Motion Submission Form.

The form requires the submitting Council to confirm:

- the motion has been the subject of a council resolution (and the date of the council meeting);
- whether the motion or item is of strategic relevance to the Association or of such significance to local government that it ought to be considered at the meeting;
- the motion is not repetitive in form or substance of a motion or item considered at the most recently held meeting of the State Council; and
- a primary and secondary contact details for each motion to enable MAV communication on the motion prior to the State Council meeting.

Deputy Mayor Cr Awasthi has prepared the following submission:

Motion Title:
Food Security

Motion Text:
That the MAV advocates to the State Government for greater investment in food systems (including food security) that should involve:

- *Developing a comprehensive Victorian Food System Plan and advocacy to the Federal Government to develop a National Food System Plan. Such Plans should provide for food security, including nutritional security. They should have clear objectives and measurable targets set out in action plans and be subject to regular review. They should apply a food systems approach to account for*

the complex relationships involved from farm to fork, and foster relationships and synergies between government, relevant industries and civil society, and the community.

- *Appointing a Victorian Minister for Food and advocating for the appointment of a Federal Minister for Food. These roles should be responsible for leading the development, implementation and evaluation of State and National Food System Plans.*
- *Supporting the development and implementation of regular monitoring of food security in Victoria against the six dimensions of food security.*
- *Empowering and resourcing local councils to lead the participatory development of community food system strategies by amending the Public Health and Wellbeing Act 2008.*
- *Legislating food as a human right and working towards its progressive realisation.*
- *Improving dignified and affordable access to fresh and healthy food by resourcing local councils to work with State Government and the food relief sector to develop a new collaborative approach to food security grounded in the human right to food*
- *Advocating to increase income support payments, including Jobseeker, to above the poverty line and indexed to wage growth.*

Motion Rationale:
The right to food is a universal human right, yet food insecurity is increasing across Victoria and Australia.

Food insecurity presents both challenges and opportunities for positive change.

The 2024 Foodbank Hunger Report found that 48% of Australian with income under $30,000 a year were experiencing food security. This had increased 5% since 2022. There are many local examples where Local Governments have taken action to better understand and try to address these issues. For examples, rates of food insecurity in Greater Bendigo have been consistently higher than the Victorian average. In 2019, the City conducted the Active Living Census and found that 9.6% of the population was food insecure, almost double the Victorian average at the time. However these actions have had to be undertaken in isolation as currently, there is no Federal or State Plan that guides or coordinates local food systems work, including efforts to support food security. Additionally, it is difficult to fully understand the food security context in not only local government areas, but across the state and nation as current food security measures only include questions related to severe food insecurity (rather than questions related to the six dimensions of food security).

The dominant response to food insecurity in Australia is currently via food relief. However, traditional food relief services can have limitations. Services may not have resources or capacity to meet nutritional needs of people and donations are often shelf stable, ultra processed foods. Food relief recipients often do not get a choice in what

food they receive. Lack of agency, as well as societal stigma associated with food insecurity, can fuel shame and embarrassment for those seeking assistance. Finally, with income support payments below the poverty line and the continuation of the 'cost of living crisis' food insecurity may continue to rise across the nation.

Councils, as the closest level of government to community, are uniquely placed to understand local community contexts and lead the participatory development of community food system strategies. Achieving this would require an enabling environment and appropriate resourcing.

Priority/Importance

All motions must be submitted by midnight March 17, 2025 after endorsement by Council.

Timelines

Task	Due Date
Motion submissions close (midnight)	March 17, 2025
Amend motions by (5:00pm)	March 24, 2025
MAV State Council Meeting	May 16, 2025

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

Goal 4 - Leadership that sets a standard for good governance and integrity in action, working in partnership with regional Councils

Other Reference(s)

About MAV
MAV Strategic Plan 2024-2027

Conflict of Interest

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

Attachments

Nil

9. URGENT BUSINESS

Nil

10. NOTICES OF MOTION

Nil

11. MAYOR'S REPORT

The Mayor, Cr Andrea Metcalf, tabled a report on attendance at the following meetings and events:

- State of the Economic Market 2025 - Breakfast with David Robertson.
- Onsite meeting with South Bendigo Tennis Club representatives.
- Officiated at the Youth Council Special Meeting to elect the Youth Mayor and Deputy Youth Mayors'.
- Official Opening of the Reservoir Wing Strath-Haven Community.
- Spoke at the Rural Workforce Agency Victoria (RWAV) conference.
- Attended meeting to explore the future of the Bendigo Chinese Kiln Project.
- Elmore Community Meeting (combines with rural areas strategy session).
- Chaired the Loddon Campaspe Group of Councils regional forum held in Bendigo.
- Book Launch Saving Dragons: The Life and Times of Russell Goldfield (Louey Yeung Man) Jack by Dianne Dempsey.
- Spoke at the Maha Shivaratri 2025 hosted by the Hindu Society of Bendigo.
- Spoke at the Huntly Family Fun Day held at Strauch Reserve, Huntly.
- Premier Screening of 'Roots so Deep' held at the Bendigo La Trobe Arts Institute.
- Bendigo Spirit v Sydney Flames Semi-Final held at Red Energy Arena.
- Spoke at the 2025 La Trobe University Campus Welcome Festival.
- Met with representatives from Zoe Belle Gender Collective and Rural Pride Australia.
- Official opening of the Bendigo Legacy by Federal Member for Bendigo, Lisa Chesters.
- 2025 Treaty Forum + Bendigo Reconciliation & Allyship Action Plan Launch.
- Regional Cities Victoria meeting.
- Opening of Changing Times: Posters from the Stuart Fraser Collection held at the Golden Dragon Museum.
- Spoke at the St John of God official unveiling of the da Vinci XI Robot.
- Federal Member for Bendigo Lisa Chesters funding announcement to resurface taxiways and part of the second runway at the Bendigo Airport.
- Met with La Trobe University Vice Chancellor, Professor Theo Farrell.

- Preview evening of Illuminate: How Science Comes To Light at Discovery Science and Technology Centre.
- Presented at the Sports Star of the Year Gala Event held at the All Seasons.
- Huntly North Cricket Club Pink Stumps Day held at Strauch Reserve.
- Clean Up Australia Day in Ascot.
- Visit to the Bendigo Theatre Company along with Crs Prince and Hurrell.
- Spoke at the Launch of Sandhurst Caritas Australia's Project Compassion held in Hargreaves Mall.
- Welcomed visitors from Nepal at The Great Stupa.
- Presented participation medals to the Skyhawks team as part of the India Local T20 Cricket Championship held at Ewing Park Oval.
- Zonta Club of Bendigo International Women's Day Dinner.
- City of Greater Bendigo Audit and Risk Committee meeting.
- Met with the City of Greater Bendigo Youth Mayor.
- WNBL Grand Final Bendigo Spirit v Townsville Fire held at Red Energy Arena.
- Spoke at the Greater Bendigo's Cultural Diversity Celebrations Launch Event held in Hargreaves Mall.
- Met with Bendigo Primary Care GP Registrars.
- Glimmers Community Art Exhibition Opening Night held at Dudley House.
- International Women's Day Breakfast with Women's Health Loddon Mallee held at the Bendigo Town Hall.
- Assisted with presentations at the Bendigo Golden Gift held at Tom Flood Sports Centre.
- Chaired the Eaglehawk Badminton and Table Tennis Centre committee meeting.
- Recognition Reception Rotary Club of Bendigo 100 Year Anniversary held at the Bendigo Town Hall.
- City of Greater Bendigo Budget workshop.
- Presided at the Citizenship Ceremony attended by 80 new citizens held at the Bendigo Town Hall.
- Performance by the Arena Theatre - War of the Worlds held in The Engine Room.
- Bendigo Obedience Dog Club meeting with COGB staff held at Finn Street Reserve.
- The Wands Exhibition Launch held at the Beehive Building.
- Met with the Victorian Local Government Grants Commission.
- Blessing & Unveiling of the Mary MacKillop Statue at Peace Park in the Great Stupa.
- Hosted Civic Reception in honour of the Bendigo Spirit 24/25 Cygnett WNBL Champions held at the Bendigo Town Hall.
- Be.Bendigo International Women's Day event 'March Forward' held at The Capital.

- Welcomed participants to the City of Greater Bendigo Council Plan Deliberative Panel held 14 – 16 March and attended sessions over the weekend. Participants presented to Councillors and CEO during their final session on Sunday.
- Spoke at the Festival of Friendships held in Canterbury Park Gardens.
- Spoke at the Holi Festival of Colours held at the Golden Square Pool.
- Official Opening of Frida Kahlo In Her Own Image Exhibition at the Bendigo Art Gallery.
- The Salvation Army Melbourne Staff Band held at The Capital Theatre.
- Spoke at the Suicide Prevention Awareness Network Annual Walk at Dai Gum San Precinct.
- International Women's Day Celebration 2025 – "DIVINE GRACE".
- Spoken with residents, businesses and community groups regarding a wide range of issues.
- Participated in numerous radio, newspaper, television media interviews and photo opportunities.

12. CHIEF EXECUTIVE OFFICER'S REPORT

Community Panel

- Thank you to the members of the community that were part of our deliberative panel over the weekend
- The community members put their hand up to be involved and have provide Councillors and Officers with excellent feedback that can be used to help inform our decision-making
- We look forward to seeing the outcome of the panel's work and how this will inform our next Council plan

Youth Council Special Meeting - 18 February.

- I attended the Youth Council Special Meeting on 18 February. At this meeting, the Youth Council elected:
    - Levity Camilleri as the Youth Mayor, Alyssa Beaton and Bailey Dolan as Deputy Youth Mayors
    - Mollie Hartje, Rose Norton, Lucas Thredgold as Chairpersons for the three working groups - Equity and Diversity, Access and Participation and Environment and Public Infrastructure
- I look forward to working with the new Youth Mayor and the Youth Councillors across the coming year

Bendigo Spriit

- Congratulations to **Bendigo Spirit** who claimed their third WNBL championship after defeating Townsville Fire 63-55
- In recognition of the team's success through the season, the Council hosted a Civic Reception for the players, coaches, sponsors and supporters on 14 March 2025

Frida Kahlo: In her own image

- *Frida Kahlo: In her own image* has opened over the weekend. This exhibition features Freda’s clothing, make up and personal belongings on load from the Museo Frida Kahlo in Mexico and is in Australia for the first time
- Its great to see businesses around Bendigo get involved, and the *Fiesta Bendigo* campaign will run simultaneously to ensure we provide a wonderful experience for our community and visitors.
- Thanks to all our teams that have worked on the exhibition and the campaign – we get better outcomes when we work together!

13. CONFIDENTIAL (SECTION 66) REPORTS

RECOMMENDED MOTION

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

(e) legal privileged information, information to which legal professional privilege or client privilege applies

MOTION

That the recommended motion be adopted.

Moved: Cr Damien Hurrell
Seconded: Cr Abhishek Awasthi

Resolution No. 2025-23

CARRIED

14. CLOSE OF MEETING

There being no further business, this Council Meeting closed at 8:17 pm.