

COUNCIL MEETING MINUTES

CITY OF GREATER BENDIGO

6:00 pm on Monday March 27, 2023

Livestreaming at www.bendigo.vic.gov.au/councilmeeting
Broadcast live on Phoenix FM 106.7 ***

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

NEXT MEETING:

April 24, 2023 at 6:00 pm





COMMUNITY VISION 2021–2031

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

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

COUNCIL PLAN (MIR WIMBUL) – OUTCOMES

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

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

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

STAFF VALUES AND BEHAVIOURS

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



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

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

This Council Meeting is conducted in accordance with the

- Local Government Act 2020
- Governance Rules

ORDER OF BUSINESS

1. ACKNOWLEDGEMENT OF COUNTRY 5
2. TRADITIONAL LANGUAGE STATEMENT 5
3. OPENING STATEMENT 5
4. MOMENT OF SILENT REFLECTION 5
5. ATTENDANCE AND APOLOGIES 6
6. LEAVE OF ABSENCE 6
7. SUSPENSION OF STANDING ORDERS 6
8. COMMUNITY RECOGNITION 7
9. PUBLIC QUESTION TIME 8
9.1. Pre-Registered Questions 8
9.2. Gallery Questions 9
10. RESUMPTION OF STANDING ORDERS 10
11. WARD REPORTS 11
11.1. Eppalock Ward - Cr Evans 11
11.2. Lockwood Ward - Cr Williams 12
11.3. Whipstick Ward - Cr Fagg 14
12. DECLARATIONS OF CONFLICT OF INTEREST 15
13. CONFIRMATION OF PREVIOUS MINUTES 15
14. PETITIONS AND JOINT LETTERS 16
15. LEAD AND GOVERN FOR ALL 17
15.1. Q2 - Council Plan Highlights 17
15.2. Borrowing, Investment and Pricing Policies 22
15.3. Compensation for encumbrance to City Owned Land Saade Street, Epsom 50
15.4. Contracts Awarded under Delegation 128
15.5. Adoption of Local Law No. 11 - Protection of Public Assets and Control of Building Sites 130

16. HEALTHY, LIVEABLE SPACES AND PLACES 150
16.1. Greater Bendigo Planning Scheme Amendment C274Gben - Implementing the Heathcote Township Plan - Request to Consider Authorisation 150
16.2. Bendigo Foodshare and Bendigo Pony Club Relocation 316
17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY 325
18. ABORIGINAL RECONCILIATION 325
19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT 325
20. A VIBRANT, CREATIVE COMMUNITY 325
21. A SAFE, WELCOMING AND FAIR COMMUNITY 325
22. URGENT BUSINESS 325
23. NOTICES OF MOTION 325
24. MAYOR'S REPORT 326
25. CHIEF EXECUTIVE OFFICER'S REPORT 329
26. CONFIDENTIAL (SECTION 66) REPORTS 329
27. CLOSE OF MEETING 329

1. ACKNOWLEDGEMENT OF COUNTRY

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

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

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

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

2. TRADITIONAL LANGUAGE STATEMENT

Bangek Knoorarook Bunjil Dja Dja Wurrung
William Talle tallingingorak wirrmbool bunjil

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

3. OPENING STATEMENT

4. MOMENT OF SILENT REFLECTION

5. ATTENDANCE AND APOLOGIES

Attendance

- Mayor Cr Andrea Metcalf
- Deputy Mayor Cr Dr Jennifer Alden
- Cr Matthew Evans
- Cr David Fagg
- Cr Rod Fyffe OAM
- Cr Margaret O'Rourke
- Cr Greg Penna
- Cr Julie Sloan
- Cr Vaughan Williams

- Craig Niemann, Chief Executive Officer
- Andrew Cooney, Director Commonwealth Games
- Ross Douglas, Acting Director Strategy and Growth
- Brian Westley, Director Presentation and Assets
- Stacy Williams, Director Healthy Communities and Environments
- Jess Howard, Director Corporate Performance
- Jessica Clarke-Hong, Manager Governance

6. LEAVE OF ABSENCE

Nil

7. SUSPENSION OF STANDING ORDERS

RESOLUTION - Resolution No. 2023-33

Moved: Cr Fyffe
Seconded: Cr O'Rourke

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

CARRIED

8. COMMUNITY RECOGNITION

To our community section tonight… First, I would like to begin by congratulating the talented Tourism and Major Events team, which was recognised twice at the recent Australian Tourism Awards – taking home gold in the Best Tourism and Marketing Campaigns category for Viva Bendigo, which encouraged tourists to stay longer and enjoy more of our city and region during last year's *Elvis: Direct from Graceland* exhibition, and our Bendigo Visitor Centre won bronze in the Visitor Information Services category!

The exhibition was seen by 220,000 people and the Visitor Centre had its busiest year last year, helping more than 58,000 visitors. This national recognition is an outstanding effort and also celebrates the great work of our Bendigo Art Gallery and Bendigo Venues & Events units, and is also a win for our broader hospitality, retail, accommodation and tourism sectors that all contribute to the visitor experience.

Bendigo nurse, Jenna Sing, has been awarded the Fundraising Champion of the Year Award at the Fundraising Institute of Australia's National Awards for Excellence.

Jenna works in oncology and she was recognised for her work with the Cancer Wellness Program at Bendigo Health's Gobbe Wellness Centre. The program is run entirely through donations and we congratulate Jenna on her outstanding commitment to her patients and dedication to ensuring their cancer treatment is supportive of their needs.

Jess Widdicombe has been named Committee Member of the Year at the 16th International Toy Library Conference. She has served as Treasurer, Secretary and is now President of Bendigo Community Toy Library. The local library also came runner up in the Community at Play award. We know the early years of a child's life are the most important and we are fortunate to have Jess and the Bendigo Community Toy Library here in Bendigo encouraging positive play and experiences.

And local paediatrician Dr Anna Peterson has received the Dr Adele Callaghan Educator's Award. Anna works for Monash University as the Children's Health Discipline Lead and her win was voted on by local students, who valued her empathetic teaching style. Anna was born in the region, returned here as a medical student and came back as a doctor and teacher. Congratulations Anna.

To some sporting achievements now…Bendigo was well-represented at the recent National Track Cycling Championships in Brisbane, with local track stars riding their way to victory. Commonwealth Games athlete Alessia McCaig won two gold medals and a silver medal in the elite division, Belinda Bailey collected two gold, one silver and two bronze in the Under 19 women's competition, and Lillyth Jones won gold and bronze also in the Under 19 women's competition. Congratulations on these fantastic achievements!

And three talented Bendigo hockey players Jack Tamblyn, Zoe Ross and Luca Evans have booked themselves spots in Victorian representative sides and will head to Darwin next month to compete in the Hockey Australia Under-15 Championships. We wish them the best of luck!

That ends our Community Section for this month.

9. PUBLIC QUESTION TIME

9.1. Pre-Registered Questions

1. From Ian Magee of Bendigo:
    a. **Question** - Why would council issue a permit for a building extension at 2 Abel st when the purpose of that building extension is to house an industrial scale extraction fan to ventilate fume cabinets designed to protect technicians from exposure to heavy metals (including arsenic) cyanide and volatile organic compounds, those fume cabinets operated by a tenant advertising as an industrial laboratory to service the mining industry when that tenant does not hold a permit to operate an industrial laboratory and the gases vented by the extraction fan have immediate exposure to the air conditioning intake of co-sited tenants who operate highly subscribed retail premises and EPA has not provided any regulatory process to monitor the toxicity of the extracted fumes ?
    b. **Answer:** A permit was granted at 2-12 Abel Street, Golden Square on 18 March 2022 (VC/928/2021). The permit retrospectively allowed the *development*of an extension to the existing building of 29.83 square metres and houses a dust extraction plant. The site is operated by On Site Laboratory Services and is used to provides testing services of minerals for the mining industry.

    The question of land use is an important one, in terms of what planning permission is required, or in this case *not* required. Land use is different to development; and in this case the current use has operated for in excess of 15 years (since at least October 2004) so has the benefit of what is referred to as being an ‘existing use right’.

    The presence of the existing use right meant that the planning permit could only assess the development on that site, not the use.

    There appears to be a mistaken view as to what the current and lawful land use is. Statutory Planning has not advised that the site is operating under a retail premise for veterinary products.

    The application was a VicSmart permit. VicSmart is a streamlined assessment process for straightforward planning permit applications. Classes of application are identified in the planning scheme as being VicSmart and have specified requirements for information, assessment processes and decision guidelines. They are exempt from advertising and the Chief Executive Officer or delegate decides the application.

    The application met all the VicSmart requirements and was assessed favourably so a planning permit was issued.

    Whilst the City understands the resident concerns in this case, it was not the role of the City to assess the asserted environmental impacts as the use did not require planning approval having the benefit of a protected existing use.

9.2. Gallery Questions

1. From Kayleen O'Brien of Long Gully:

    a. **Question** - With regard the Agenda Item 16.7 from the last Council Meeting February 27, 2023 (C247gben Corrections and Planning Scheme Review Part 2 Implementation) - which was for amendments to correct zoning overlay and mapping errors identified over last 5 years. Does this mean there are errors over last five years that Council has just picked up?
    b. **Answer** - The Planning Scheme is a very complex document, and we often identify spelling, mapping and zone errors including historically from pre-amalgamation. This Amendment seeks to address those identified to date. Every Planning Scheme in the State encounters this issue and rectifies through the same process.
    c. **Question** - Why was Bendigo Showgrounds rezoned? Was this due to the Comm Games?
    d. **Answer** - Not sure exactly what you are referring to here. However, the amendment only fixed errors, so it would not have been with regard the Comm Games. But if you would like to send through the detail in writing the team will investigate and respond.

2. From James of Eaglehawk:

    a. **Question** - would like to congratulate council on pride - does this Council have a definition on what is a woman?
    b. **Answer** - Will take it on notice.

10. RESUMPTION OF STANDING ORDERS
RESOLUTION - Resolution No. 2023-34

Moved: Cr Fyffe
Seconded: Cr Williams

That Standing Orders be resumed.

CARRIED

11. WARD REPORTS

11.1. Eppalock Ward - Cr Evans

Eppalock Ward - Cr Evans presented a report on various issues and meeting/events, including:

All in attendance/ Attendance in Common

- Citizenship Ceremony
- Holi Festival at the Golden Square Pool
- Budget Workshops
- Commonwealth Games Regional Engagement Forum
- Bendigo Interfaith Council Dinner
- Advance Heathcote AGM
- Councillor and Youth Councillor Meeting - Walking Tour through Bendigo
- Bendigo Latin Festival
- First Iftar Dinner for Ramadan, hosted by the Pakistani and Indian Communities
- Listening Post at the Botanical Gardens

Cr Penna

- Goldfields World Heritage Workshop
- Judging Best Entry at Car and Bike meeting
- Attend trophy awarding at Epsom Huntly Reserve

Cr O'Rourke

- 150th Welcome Event for 150 Years of Tertiary Education
- BRMG March meeting
- SDCE Meeting
- Zonta – IWD Dinner
- GDM – Remuneration Committee Meeting
- Be. Bendigo IWD Breakfast – Stadium
- Women of Gold Launch
- Kamarooka Rec Reserve – District farming Families memorial unveiling

Cr Evans

- Bendigo Ford Fun Run 5km run/walk
- Australiana: Designing a Nation at the Bendigo Art Gallery
- Multicultural Moving Feast at the Long Gully Splash Park
- Opening of 'Serving in Silence' at the Bendigo Military Museum.

In Summary

There are plenty of events to look forward to, from the Bendigo Easter Festival to Wanger's Ring Cycle at the Ulumbarra Theatre. Summer seasons of sports will finish up and the winter season will commence. Many will be fortunate to enjoy the upcoming school holiday period as well as the Easter holidays. Over this time, please look after yourself and your loved ones, be generous where you can, stay safe on our roads and enjoy a restful break. Stay Classy Greater Bendigo and see you in the community.

11.2. Lockwood Ward - Cr Williams

Thank you Mayor,

- As you know, my councillor reports are on subjects that matter to me and not just on what events and meetings I attend.
- My last report was on homelessness, rental stress, financial stress and housing issues, affecting this city, state and country.
- Which led to more research into the overall mental health & suicide rates in Australia.
- So, this **brief** report is on Mental Health and Suicide rates that are, the real emergency and a lot of it caused by the issues I just mentioned.

Mental Health Statistics - 2020-21

- Over two in five Australians aged 16-85, so that's 8.6 million people had experienced a mental disorder at some time in their life.
- Anxiety was the most common group of 12-month mental disorders, so, 3.3 million people
- That is just the general population.

Farmer Suicide Rates

- In a ten-year study, between 2009 and 2018, there were 370 farmer suicides reported. So, this is old data.
- Each year, the average suicide rate in farmers was almost 59 per cent higher than non-farmers, and this rate increased to 94 per cent higher than non-farmers, when looking at the most recent year of data in 2018.
- So, I would hate to imagine what it is in 2022-23.

Deaths by suicide in Victoria

- Between August and December 2022, the average monthly frequency increased to 71 deaths, compared with a monthly average of 58 deaths.
- The highest increase was seen in the 65 years and older group from 118 deaths in 2021 to 156 deaths in 2022
- This was followed by the 45 to 54 age group, from 128 deaths in 2021 to 155 deaths in 2022.
- Alarming figures by anyone's standards.

And more alarming is:
Suicide is the leading cause of death among Australians aged 15–24
In 2021 alone:

- 322 Australian young people (aged 18–24) took their own lives
- 112 deaths by suicide occurred among children and adolescents (aged 17 and below) with the majority occurring in those aged 15–17 (71%)
- deaths by suicide represented 34% of all deaths in young people aged 15–17 and 35% of all deaths in those aged 18–24

And I have not even touched on the ex-veterans alarming Suicide rates or for Indigenous Australians, that ranged from 1.4 to 2.4 times higher than that of non-Indigenous Australians.

I urge people to read the cities -
Health & Wellbeing Plan 2021-2025 - Healthy Greater Bendigo.
With key points on, “Improving support and services for mental health, homelessness and financial stress.”

Also, the cities, **Supporting mental health in Greater Bendigo** document that can be found online, that gives you information on all the help organisations and their contact details.

This has just been the briefest of the overall statistics and I believe more needs to be done at the local, state & federal levels to tackle these issues.

11.3. Whipstick Ward - Cr Fagg

Bendigo has been alive the last few weeks in our festival season. It has been great to see so many events on in the wider Greater Bendigo area. As we continue to recover from the effects of the pandemic, these events are a great way to connect with others in a positive way.

For the Whipstick Ward particularly, there have been several worthy of special mention:

- The Lost Trades Fair at the Racecourse in Ascot, with about 20,000 people attending.
- The unveiling of a historic monument to the history of Kamarooka recreation reserve
- The return of the Moving Feast event in Long Gully, which coincided with Harmony Week, the International Day for the Elimination of Racial Discrimination, and Neighbour Day. As a Long Gully resident, I was particularly appreciative that Crs Evans and Metcalf attended that event.
- The Huntly Family Fun Day at Strauch Reserve
- Bendigo Sustainability Festival at the Gardens for the Future in White Hills
- And I am still recovering from 2 days in the sun watching immensely fit young people play soccer at the Boys and Girls FC. This event is put on by Football Victoria, and is one of Victoria's largest pre-season soccer tournaments. Congratulations to all the teams of the Bendigo Amateur Soccer League who participated in this amazing event.
- Last, the return of the Eaglehawk Dahlia and Arts Festival. I congratulate the organisers on this mammoth effort. I wish to draw attention to a special tribute during the Dahlia and Arts street procession to retiring school teacher John Pearce. John has spent over 5 decades serving the young people of Eaglehawk, California Gully and Long Gully through his career at Eaglehawk Secondary College. His positive impact is incalculable.

With all these positive events going on, it can be easy to forget the difficulties that many Bendigo residents are undergoing right now. No amount of fun-filled festivities can solve the housing crisis, or an income that simply won't stretch to cover everyday living costs. Please do what you can to support friends, family and neighbours who are doing it tough. I also encourage those who are able, to donate to organisations such as Bendigo Foodshare, Bendigo MADCOW homeless service, or any other organisation that is doing good work in our city.

I also want to encourage children and young people to contribute to the City's work on smoking and vaping. You can do this at the Lets Talk Greater Bendigo website. Also, many thanks to those who provided submissions to the draft Youth Action Plan.

For those who want to have a face to face conversation with your Whipstick councillors, please contact us and we are more than happy to organise a time. In addition, we will be holding a Coffee with Councillor event at Bennett Street Café in Long Gully, on Saturday April 22nd. Please come for a free coffee and a conversation about local issues.

12. DECLARATIONS OF CONFLICT OF INTEREST

No attendee declared a conflict of interest.

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

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

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

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

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

13. CONFIRMATION OF PREVIOUS MINUTES

13.1. Confirmation of Previous Minutes

RECOMMENDED MOTION

That the Minutes of the Council Meeting held on 27th February 2023, as circulated, be taken as read and confirmed.

Previous minute location:
https://www.bendigo.vic.gov.au/About/Council/Council-meetings/Past-Council-meetings

RESOLUTION - Resolution No. 2023-35

Moved: Cr O'Rourke
Seconded: Cr Sloan

That the recommended motion be adopted.

CARRIED

14. PETITIONS AND JOINT LETTERS

Nil

15. LEAD AND GOVERN FOR ALL

15.1. Q2 - Council Plan Highlights

Author:	Kathryn Loy, Corporate Planning and Reporting Officer
Responsible Director:	Jessica Howard, Director, Corporate Performance

Purpose

To report to Council progress on the implementation of the Annual Plan initiatives for the 2nd quarter of 2022 - 2023.

Recommended Motion

That Council note the progress of implementing Annual Plan initiatives for 2022-2023.
RESOLUTION - Resolution No. 2023-36

Moved: Cr Evans
Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

The City of Greater Bendigo Council Plan *Mir Wimbul* contains Council's vision, values and direction for 2021-2025, which underpin the way the City manages and conducts its operations. The Annual Action Plan 2022-2023 supports this and details initiatives for the financial year. This document provides the highlights from the 2nd quarter.

Background

The Council Plan is a critical document that guides the work of staff at the City of Greater Bendigo. The goals within this plan will help to deliver on the community vision to create a bright and happy future for us all as we prepare to support a population of 200,000 people by 2050. The Council Plan was adopted by Council on 18 October 2021.

Report

The Council Plan is based on seven outcomes, which are the main focus areas 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

Communications/Engagement

The community vision and values were developed by a dedicated community panel of 61 residents who were specifically chosen to complete this important work.

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

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

Conflict of Interest

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

Attachments

1. Council Plan update - December 2022 [**15.1.1** - 3 pages]



December 2022 Update

COUNCIL PLAN 2021-2025

Mir wimbul

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 Council Plan is based on seven outcomes, which are the main focus areas of the Council Plan:

Outcome 1: **Lead and govern for all**

A community that works together to achieve our shared vision.

Outcome 2: **Healthy, liveable spaces and places**

A community where all people can live healthy, safe, harmonious lives in affordable and accessible settings.

Outcome 3: **Strong, inclusive and sustainable economy**

An inclusive, sustainable and prosperous community where all people can thrive.

Outcome 4: **Aboriginal reconciliation**

A community that recognises and respects Aboriginal people and culture and enables the self-determination of Traditional Owners.

Outcome 5: **A climate resilient and healthy landscape**

A regional community that enjoys a restored and thriving natural environment.

Outcome 6: **A vibrant, creative community**

A community that inspires a culture of creativity, activates its spaces, nurtures and supports talent, champions inclusion and access, and shows the world.

Outcome 7: **A safe, welcoming and fair community**

A community where people are respected, safe to participate in all aspects of community life and have equitable access to the resources they need.

CITY OF GREATER BENDIGO

Outcome 1: **Lead and govern for all**

- Planning and preparation is underway to implement Organisation Management in TechOne software to improve processes in Human Resources
- Preparation of IT infrastructure for the move to Galkangu is continuing
- Procurement of the firewall has been completed to enhance cyber security
- The organisation continues to prepare new processes for customers and staff for the move to Galkangu

Outcome 2: **Healthy, liveable spaces and places**



- The site master plan for the Marong Kindergarten and Community Hub has been completed and the kindergarten design is complete
- The Community Gardens Policy was endorsed by Council in November
- Design for the Strathfieldsaye Green Spine was presented to the Executive Management Team and submitted to Council in December
- Construction of the Lake Weeroona Play Space (Stage 2) was completed in December
- Tenders have been received and are being evaluated for the Learn to Ride Park at Ewing Park

Outcome 3: **Strong, inclusive and sustainable economy**

- The planning scheme amendment to remove minimum car parking rates was endorsed in December
- Requests for quotes have closed and are being reviewed for the extension of the security fence at Bendigo Airport
- The business case brief for improving shelter at the Bendigo Livestock Exchange is ready to go to market in January

Outcome 4: **Aboriginal reconciliation**

- The key Aboriginal place naming sites for the next 18 months have been identified, including Rosalind Park and the Bendigo Athletics Track
- The Djaa Djuwima gallery featuring First Nations art was opened in the Bendigo Visitor Centre
- An agreement between Dja Dja Wurrung and the City was signed in December which provides a consistent approach of how the City will undertake community projects that trigger a Land Use Activity Agreement (LUAA) on Crown land





Outcome 5: **A climate resilient and healthy landscape**

- Consultants have been appointed to prepare the scope for a Gateway Study for Big Hill and Mandurang landscape preservation
- Functional design for instream works that improve the environmental values of Bendigo Creek are being developed
- The Biodiversity Strategy is being drafted after community input was completed in late 2022

Outcome 6: **A vibrant, creative community**

- A planning application has been submitted for the redevelopment of the Municipal Baths in Rosalind Park
- Additional places for the heritage study for the Former Shire of Huntly, Stage 2 have been added to ensure it is a complete study
- A pitch has been made to film an episode of Masterchef in Bendigo to build international recognition as a UNESCO Creative City – A City of Gastronomy



Outcome 7: **A safe, welcoming and fair community**

- The Community Safety Forum undertook community engagement to support the development of their two year action plan
- The design is in progress for the development of a levee bank for Bendigo Creek between Midland Highway and Leans Road, Huntly

Your Council

The City of Greater Bendigo is represented by nine Councillors, with three Councillors representing each ward.

Eppalock Ward

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E m.evans@bendigo.vic.gov.au

Cr Margaret O'Rourke
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Cr Greg Penna
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Lockwood Ward

Deputy Mayor Cr Dr Jennifer Alden
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Cr Rod Fyffe OAM
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Cr Vaughan Williams
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Whipstick Ward

Mayor Cr Andrea Metcalf
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Cr David Fagg
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Cr Julie Sloan
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CITY OF GREATER BENDIGO

15.2. Borrowing, Investment and Pricing Policies

Author:	Mark Eeles, Coordinator Financial Reporting and Operations
Responsible Director:	Jessica Howard, Director, Corporate Performance

Purpose

The purpose of this report is to update the City's Borrowing Policy, Investment Policy, and Pricing Policy.

Recommended Motion

That Council adopt the revised Borrowing Policy, Investment Policy, and Pricing Policy.

RESOLUTION - Resolution No. 2023-37

Moved: Cr O'Rourke
Seconded: Cr Penna

That Council adopt:

- the revised Borrowing Policy and Pricing Policy as presented
- the revised investment Policy as presented but amending the percentage point advantage for preferencing institutions which do not finance fossil fuels at section 6.3
    - from 0.1%
    - to 0.05 %

CARRIED

Executive Summary

Borrowing Policy

The Borrowing Policy seeks to set out clear guidelines for managing financial risk and the disclosure of financial information, whilst ensuring a reasonable degree of stability is maintained within our existing Borrowings portfolio and any additional future Borrowings.

Investment Policy

Council's current investment policy is conservative and protects initial capital, including only dealing with Authorised Deposit Taking Institutions (ADI's). These institutions are subject to controls enforced by the Australian Prudential Regulation Authority (APRA). The City currently has substantial cash holdings, most of which is invested in term deposits.

The Policy provides guidance for environmental and ethical considerations, including a 0.1% loading (preference) for institutions which do not fund fossil fuels. This is double the previous policy setting of 0.05%.

In recognition that the banking market, interest rates and other options continue to change – the timing of the review of the policy has been shortened to two years (normally four years).

Pricing Policy

Fees and charges represent an important source of income for the City.

The Pricing Policy provides guidance for the City's approach in setting appropriate levels of fees and charges and applies to all fees and charges that are listed in the Fees and Charges Schedule, published in the annual Budget. This policy also applies to any new fees and charges that the City is eligible to charge under the Act but has not previously been included in the Fees and Charges Schedule.

Report

As part of the City's Organisation Policy Framework and policy review cycles, the existing Borrowing, Investment and Pricing policies have been reviewed and updated.

Borrowing Policy

The review of the Borrowing Policy incorporates the access to borrowings mechanisms available to local government through the Treasury Corporation of Victoria (TCV).

The purpose of the policy is to provide parameters around which the City undertakes borrowings, without compromising sound fiscal management principals. The Policy seeks to enable flexibility to respond to funding requirements while minimising risk.

There is a specific requirement under the Act in relation to incorporating a borrowings strategy in the City's Financial Plan. The Act also states that the City cannot borrow funds unless the proposed borrowings were included in a budget or revised budget, which was approved by Council. In addition to the legislative requirements, for new borrowings the City will follow a public tender process or utilise TCV.

When considering borrowing as a funding source, the policy states that consideration will be given to the generation of ratepayers who will essentially benefit from capital investments resulting from related borrowings, compared to who will pay the cost of those borrowings.

Investment Policy

The Investment Policy provides guidance for managing, investing and redeeming funds for the City and to maximise returns, whilst managing risk and complying with the Act.

Council's current investment policy is conservative and protects initial capital, including only dealing with Authorised Deposit Taking Institutions (ADI's). These institutions are subject to controls enforced by the Australian Prudential Regulation Authority (APRA).

In an attempt to align the Investment Policy with the Climate Change & Environment Strategy, the draft policy factors a 0.1 percentage point weighting for Authorised Deposit Institutions (ADIs – which are predominantly banks and credit unions) that do not fund fossil fuel. This is an increase from 0.05 in the current Policy. In recognition that the banking market and climate change policy continues to change – the timing of the review of the policy has been shortened to two years. This policy will be due for review again in 2025.

The related Climate Change & Environment Strategy includes an aim for 60% of our portfolio to be invested in non-fossil fuel financial institutions by 30 June 2026 (as at 30 June 2022, the City had achieved 33%). The policy settings in this updated policy will support additional divestment, however the outcomes across the portfolio cannot be easily forecast – as they are heavily dependent on the Term Deposit market on any given month.

It is predicated that the change in policy will enable a greater proportion of the portfolio to be held with financial institutions that do not invest in fossil fuels but may also result in reduced interest earnings of approximately $30,000 per annum.

The policy also includes additional flexibility in section 6.3:

> Section 6.3 of Investment Policy: …some ADIs… may also be issuing complying assets such as 'Green' term deposits. These assets are generally certified by the Climate Bonds Standard and are associated with a defined pool of eligible assets and/or projects such as renewable energy, low carbon transport, low carbon buildings and water infrastructure. The City will undertake a positive screening approach and may invest in such complying products so long as it does not jeopardise the objectives or risk covenants in this Policy.

Pricing Policy

The Pricing Policy provides guidance for the City's approach in setting appropriate levels of fees and charges, taking into account community benefit, user groups and Community Plan objectives, and to provide for regular reviews of fees and charges within the overall service and financial planning process.

The policy identifies the five pricing types for the City's user fees and charges:

- **Accessible pricing** is where there is a discount on the full cost of providing the service. Council determines the discounted rate based on the community benefit or social good. The discounted rate can be set between 100 per cent discount up to full cost recovery.
- **Full cost pricing** applies where the goal is to achieve a financial return for the City.
- **Incentive pricing** is to encourage certain behaviours by pricing above full cost recovery.
- **Market pricing** applies to services considered discretionary. Generally these services do not have strong social benefit. Or they are ancillary to the social benefit of the service.
- **Statutory pricing** is pricing which is set by legislation. Council is not able to apply any discretion on the amount charged. This includes fees subject to a signed funding agreement.

The policy provides guidance as to when the different types of fees should be applied, along with details of the annual review process. It does not set individual fees – these are amended and updated annually as part of the City's budget.

Priority/Importance

These are key administrative policies supporting the City under s.101(1c) of the Local Government Act, which states "financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community".

Options considered

The investment policy has an optioned fossil fuel free weighting preference, which has been recommended at 0.1% for the purposes of this report.

Timelines

The policies are all due for renewal. The Borrowings and Pricing policy are drafted to be reviewed in four years, whereas the Investment Policy – noting there may be other changes in the market over coming years – will be reviewed again in two years.

Communications/Engagement

The City's Executive Management Team, Audit and Risk Committee, and relevant internal management has reviewed all three policies.

For the City's Pricing Policy, the website has been updated to include a dedicated page that details the process for setting and reviewing user fees and charges. The information is provided in easy English and includes the flowchart from the reviewed Pricing Policy.

Contact details are provided on the webpage to enable community members to provide feedback on the process at any time.

Risk Assessment

Financial sustainability remains a key City strategic risk, currently assessed as Medium. Having financial policies in place that are reviewed frequently assists in mitigating this risk.

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)

Section 103 (a) to (c) of the Local Government Act 2020 states:

s.103 - Investments
Council may invest any money—
(a) in Government securities of the Commonwealth; and
(b) in securities guaranteed by the Government of Victoria; and
(c) with an ADI;

Other key document references:
City of Greater Bendigo Financial Plan 2021-2031
City of Greater Bendigo Budget 2022/2023

Conflict of Interest

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

Attachments

1. Borrowing Policy [**15.2.1** - 6 pages]
2. Investment Policy [**15.2.2** - 9 pages]
3. Pricing Policy [**15.2.3** - 8 pages]

CITY OF GREATER BENDIGO

BORROWING POLICY

Approval Level:	Council
Policy Type:	Council
Approval Date:	TBC
Review cycle:	Four years
Review Date:	TBC
Responsible Officer:	Manager Financial Strategy
Owner:	Financial Strategy
Responsible Director:	Corporate Performance
Relevant Legislation/Authority:	*Local Government Act 2020 (Vic)*
DOCSETID:	2418314

DRAFT

1. PURPOSE

The Borrowing Policy provides the appropriate parameters for Council to undertake borrowings without compromising the application of sound fiscal management principals. The policy allows Council the flexibility to respond to funding requirements while minimising risk.

The Borrowing Policy ensures that Council has a sound financial framework on which to:

- undertake borrowings.
- manage its loan portfolio.
- and adhere to the provisions of the *Local Government Act 2020 (Vic) (Act).*

2. BACKGROUND

Councils must implement the principles of sound financial management. This includes managing financial risks; pursue spending and policies that are consistent with a reasonable degree of stability; and that decisions are made with future generations in mind and ensure the disclosure of financial information.

Borrowing activities will be undertaken in a manner that minimises risk to Council. Section 104 of the LGA outlines:

> *A Council cannot borrow money unless the proposed borrowings were included in the budget or revised budget.*

3. SCOPE

This policy applies to the City when considering and determining the annual budget or alongside another relevant Council decision.

City officers must consider the application of this policy when:

- considering new borrowings; and
- refinancing existing borrowings (where long-term benefits of refinancing are greater than the cost of the existing loan).
- As approved by Council resolution.

It does not apply to determining operating accounts or overdraft facilities.

4. DEFINITIONS

Act means the *Local Government Act 2020 (Vic)*

City means the Greater Bendigo City Council, being a body corporate constituted as a municipal Council under the *Local Government Act 2020 (Vic)*.

Council means all of the Councillors collectively.

TCV means the Treasury Corporation of Victoria.

DTF means the Department of Treasury & Finance.

LGPRF means Local Government Performance Reporting Framework

Loans and borrowings compared to rates is the percentage of interest-bearing loans and borrowings of total rate revenue.

Loans and borrowings repayments compared to rates is the percentage of interest and principal repayments on interest-bearing loans and borrowings of total rate revenue.

Indebtedness is the measure of Councils ability to cover non-current liabilities from revenues the entity generates itself.

5. PRINCIPLES

This Borrowing Policy will provide clear direction to management, staff and Council in relation to the treasury function, and establishes a decision framework with principles to ensure:

- Financial risks are monitored and managed prudently having regard to economic circumstances.
- Financial policies and strategic plans, including the Long Term Financial Plan and Revenue and Rating Plan, will provide stability and predictability in the financial impact on the municipal community.
- That City gives consideration to those financial institutions which demonstrate a positive commitment within the region and to the ethical criteria detailed in section 6.4.
- The appropriate level of funds are available at the appropriate time to support its strategic objectives.
- Consideration of optimum times to borrow, taking into account interest rates, construction cost inflation rates, and the need to provide economic stimulus.
- Seek to minimise costs of borrowings.

- Where applicable, that the structure of the borrowing is appropriate for the nature of the assets being funded.
- Consider inter-generational 'user pays' principles as part of determining the most appropriate way to fund activities.

6. POLICY

6.1 Legislative Requirements

Section 91 of the Act requires Council to develop a Financial Plan, which incorporates a borrowings strategy as per the Model Financial Plan.

Section 104 of the Act states that a Council cannot borrow money unless the proposed borrowings were included in the budget or a revised budget.

Council must approve all borrowings and Section 11(2)(l) stipulates that Council cannot delegate the power to borrow money.

The City must adhere to the financial management principles of the *Local Government Act 2020*, detailed here.

6.2 Inter-Generational Equity

The Council shall consider equity between generations of ratepayers (inter-generational equity) whereby the mechanisms to fund specific capital expenditure take into account the ratepayers who benefit for the expenditure and therefore, on a user pay basis, who should pay for the costs associated with such expenditure.

However, this principle shall not be applied where it would be to the detriment of sound financial management.

In general, debt levels should be minimised to allow future Councils the opportunity to borrow in future years for capital works arising in those future periods without being impeded by significant borrowings by an earlier Council.

6.3 Long Term Sustainability of the City

The level of borrowing shall be within acceptable limits identified in relevant ratios to ensure long-term sustainability. Council needs to ensure that the amount of borrowing does not exceed these limits, so that debt servicing costs can be met on an ongoing basis without undue impact on future Council terms.

Total borrowings may move to the upper parameter level when:

- a major project has caused borrowings to be temporarily maximised; and/or
- interest rates are lower making debt financially attractive; and/or
- construction costs are increasing at a rate significantly greater than interest rates, whereby delaying a crucial project may be economically detrimental to Council; and/or
- a material call to 'defined benefit' Superannuation fund is required.

It is expected that the total borrowings will be at the lower parameter level when the economic conditions are contrary to the above.

This factor will be assessed by Council's executive management team each year prior to the budget process.

Ratios reported and considered in decision making

The following key ratios will be considered:

Source	DESCRIPTION	Expected Range
LGPRF	**Loans and borrowings compared to rates** Interest bearing loans and borrowings as a percentage of rate revenue Calculation: interest bearing loans and borrowings / rate revenue	0% to 70%
LGPRF	**Loans and borrowings repayments compared to rates** Interest and principal repayments on interest bearing loans and borrowings as a percentage of rate revenue Calculation: Interest and principal repayments on interest bearing loans and borrowings / rate revenue	0% to 20%
VAGO	**Indebtedness** The higher the % the less the entity is able to cover non-current liabilities from revenues the entity generates itself. Own source revenue is used rather than total revenue because it does not include grants for contributions. Calculation: Total borrowings / own-sourced revenue	More than 60% - High 40 – 60% - Medium 40% or less – Low

The City will report on borrowings against the expected ranges as set by the LGPRF and VAGO annually.

Should a situation arise and Council is required to borrow funds for exceptional circumstances (e.g. natural disaster, emergency) Council's loans and borrowings repayments compared to rates ratio may exceed the higher level of the expected range (e.g. 20%).

The City will as soon as practically possible adjust future borrowings to ensure the loans and borrowings repayments compared to rates ratio returns within the expected range.

Details of borrowing ratios will be provided as part of the annual budget documentation together with the trend of these ratios for the City's financial plan.

6.4 Loan Approval Process & Environment, Sustainability and Governance goals

New borrowings will be identified as part of the annual budget or a revised budget (Council agenda) process, and will be subject to public tender or TCV process. The public tender process will be in accordance with the City's Procurement Policy and the Act.

When choosing providers of borrowings, consideration will be given to the practices and investment strategies of institutions, fund managers and schemes. In line with the City's procurement policy, criteria will include relevant Environmental, Social and Governance (ESG) goals and outcomes.

Where interest rates are equal a preference will be given to borrowings with institutions that do not invest or finance in a material in fossil fuels and their subsidiaries.

6.5 Borrowing Redemption

When surplus funds exist for flexible borrowings, the decision to repay borrowings shall be made by the Director Corporate Performance based on the facts available at the time giving due regard to minimising the overall cost to the Council.

7. ROLES AND RESPONSIBILITIES

All borrowings are to be approved by Council. Council are able to authorise the Chief Executive Officer, Director Corporate Performance, or Manager Financial Strategy to execute all documents necessary to give effect to council's resolution to borrow funds.

The Financial Strategy Unit will ensure the application of this policy is monitored through the annual review and update of the City's Long Term Financial Plan, annual budget document and annual financial statements. The documents report on the City's loan portfolio and identify current borrowings.

The City will report on financial sustainability metrics, loans and borrowing compared to rates and loans and borrowing repayments compared to rates ratios as part of the annual budget process and in the annual report.

8. RELATED DOCUMENTS

Readers are encouraged to access relevant documents and/or resources which are available as per the below.

These include:

- LGV's Local Government Performance Reporting Framework (LGPRF)
- LGV's framework guidelines for TCV loans
- City of Greater Bendigo Long Term Financial Plan 2021-2031

Further information or advice on this policy should be directed to Financial Strategy

9. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

10. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a City unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the

staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

11. DOCUMENT HISTORY

Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
June 2018	*NRM*	*Financial Strategy Unit*	*Review and Update*	*1*	*April 2022*
	NM & ME	*Financial Strategy Unit*	*Review*	*2*	*March 2027*

DRAFT

CITY OF GREATER BENDIGO

INVESTMENT POLICY

Approval Level:	Council
Policy Type:	Organsiation
Approval Date:	TBC
Review cycle:	Two years
Review Date:	TBC
Responsible Officer:	Manager Financial Strategy
Owner:	Financial Strategy
Responsible Director:	Corporate Performance
Relevant Legislation/Authority:	• *Local Government Act 2020 (Vic)* • Australian Accounting Standards – AASB 139: Financial Instruments – Recognition and Measurement • Australian Prudential Regulation Authority • *Banking Act 1959 (Cth)*
DOCSETID:	2418314

DRAFT

1. PURPOSE

The purpose of this policy is to provide guidance for managing, investing and redeeming funds for the City of Greater Bendigo (City) and to maximise returns, whilst managing risk and complying with the *Local Government Act 2020 (Vic)* (*Act*).

2. BACKGROUND

The Investment Policy balances the responsibility of maximising earnings whilst managing the security and risk over the City's funds, so funds are secure and available when required. Investment of the City's money is in accordance with the Act.

3. SCOPE

This policy covers the governance requirements for investing the City's funds to maximise returns while managing risk and being compliant with the Act.

4. DEFINITIONS

Act means the *Local Government Act 2020 (Vic)*.

ADI means Authorised Deposit-taking Institution's which are corporations authorised under the Banking Act 1959. ADIs include banks, building societies, and credit unions.

City means the Greater Bendigo City Council, being a body corporate constituted as a municipal Council under the *Local Government Act 2020 (Vic).*

Council means all of the Councillors collectively.

Credit Rating means an assessment of the creditworthiness of an investment in general terms or with respect to a particular debt or financial obligation.

EMT means the Executive Management Team within the City.

S&P means Standard & Poor's. This is the world's leading index provider and the foremost source of independent credit ratings.

The following details the S&P's investment ratings:

- **AAA** – Highest credit quality – This rating indicates the lowest expectation of credit risk. They are assigned only in the case of exceptionally strong capacity for payment of financial commitments. This capacity is highly unlikely to be adversely affected by foreseeable events.
- **AA** – Very high credit quality – This rating indicates expectations of very low credit risk. They indicate very strong capacity for payment of financial commitments. This capacity is not significantly vulnerable to foreseeable events.
- **A** – High credit quality – This rating indicates expectations of low credit risk. The capacity for payment of financial commitments is considered strong. The capacity may, nevertheless, be more vulnerable to changes in circumstances or in economic conditions than is the case for higher ratings.
- **BBB** – Good credit quality – this rating indicates that there is currently an expectation of low credit risk. The capacity for payment of financial commitments is considered adequate, but adverse changes in circumstances and in economic conditions is more likely to impair this capacity.

5. PRINCIPLES

5.1 Funds for Investment

To invest the City's funds not required for short term financial commitments in a manner that will provide the highest investment return with maximum security. Funds should, to the extent that the future can be forecast, be available for recurrent or capital expenditure where required and invested productively if not required.

Protection of principal is essential in the investment program. Investments of the City will be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. Investments will be made with good judgement and care, not for speculation, and considering the probable safety of the capital as well as the probable income to be derived. Where, all else being equal, the City gives consideration to those financial institutions which demonstrate a positive commitment within the region and to the ethical investment criteria detailed in section 6.6. The capital investment must not drop below face value.

5.2 Authority to Invest

Investments of the City's funds are to be in accordance with the City's power of investment under the Act – Section 103 Investments.

Investment decision making is the responsibility of the Manager Financial Strategy, Team Leader Financial Accounting and Treasury, Coordinator Financial Reporting and Operations, and Director Corporate Performance, who will act within the Act and other relevant regulations.

5.3 Authorised Investments

The City's funds must only be invested in those investments authorised under Section 103 of the Act. An excerpt of the current section is below:

A Council may invest any money:

(a) in Government securities of the Commonwealth; and
(b) in securities guaranteed by the Government of Victoria; and
(c) with an ADI; and
(d) with any financial institution guaranteed by the Government of Victoria; and
(e) on deposit with an eligible money market dealer within the meaning of the Corporations Act; and
(f) in any other manner approved by the Minister, either generally or specifically, to be an authorised manner of investment for the purposes of this section.

6. POLICY

6.1 Risk Management Guidelines

Investments obtained are to be considered in light of the following key criteria:

- **Preservation of Capital** – the requirement for minimising losses in an investment portfolio's total value.
- **Credit Risk** – The risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
- **Diversification** – the requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market;
- **Liquidity Risk (of Counterparty)** – the risk a financial institution runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby the City incurs additional costs (or in the worst case is unable to execute its spending plans);
- **Market Risk** – the risk that fair value or future cash flows will fluctuate due to changes in market prices, or benchmark returns will unexpectedly overtake the investment's return;
- **Maturity Risk** – the risk relating to the length of term to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatilities; and
- **Rollover Risk** – the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in future.

The City's investment portfolio is to comply with three key criteria:

(a) Portfolio Credit Framework: limit overall credit exposure of the portfolio.
(b) Counterparty Credit Framework: limit exposure to individual institutions.
(c) Term to Maturity Framework: limits based upon maturity of securities.

a) Portfolio Credit Framework

The portfolio credit guidelines to be adopted will reference the S&P ratings system criteria and format. However, the equivalent Moody's or Fitch Ratings may be applied when an

institution is not rated by S&P. The City notes that the primary control of credit quality is the prudential supervision and government support and explicit guarantees of the ADI sector, not ratings.

To control credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio, based upon Council's average annual balance, exposed to any particular S&P credit rating category:

Long-Term Ratings Range	Maximum Holding
AAA Category	100%
AA Category or Major Bank* (AA+ to AA-)	100%
A Category (A+ to A-)	90%
BBB Category (BBB+ to BBB-)	80%
Unrated ADI Category	0%

*For the purpose of this Policy, "Major Banks" are currently defined as the ADI deposits or senior guaranteed principal and interest ADI securities issued by the major Australian banking groups (including ADI subsidiaries whether or not explicitly guaranteed, and brands):

- Australia and New Zealand Banking Group Limited (ANZ)
- Commonwealth Bank of Australia (CBA)
- National Australia Bank Limited (NAB)
- Westpac Banking Corporation (WBC)

The City may ratify an alternative definition from time to time. S&P's ratings attributed to each individual institution will be used to determine maximum holdings. In the event of disagreement between agencies as to the rating band ("split ratings"), the City shall use the higher in assessing compliance with portfolio Policy limits, but for conservatism shall apply the lower in assessing new purchases.

Investments issued into following adoption of this policy are to be restricted to and subject to the prudential standards of, the Australian Prudential Regulation Authority (APRA). Refer https://www.apra.gov.au/register-of-authorised-deposit-taking-institutions for a listing of approved ADIs.

The City is not to invest with an Institution with a S&P's credit rating of lower than B, or non-rated Institutions.

b) Individual Institution Credit Framework

Exposure to an individual institution will be restricted by their S&P rating so that single entity exposure is limited, as detailed in the table below:

Long-Term Ratings Range	Maximum Holding (per institution)
AAA Category	40%
AA Category or Major Bank* (AA+ to AA-)	40%
A Category (A+ to A-)	35%
BBB Category (BBB+ to BBB-)	30%
Unrated ADI Category	0%

These limits do not apply to approved Managed Funds. It should be noted that the Federal government does not guarantee the capital value or unit price of any approved Managed Fund investments.

Percentage holdings in each security should be based on average investment holdings, excluding at-call amounts.

In the event that a credit rating of a security or of the company/body issuing the security falls below the required minimum, the City will make all necessary arrangements to withdraw deposits as soon as practical. The City may seek professional investment advice from an external advisor before making such a decision given the decision to withdraw a deposit prior to maturity may result in the substantial loss of income.

c) Term to Maturity Framework

The City's investment portfolio shall be structured around the time horizon of investment to ensure that liquidity and income requirements are met.

Once the primary aim of liquidity is met, the City will ordinarily diversify its maturity profile as this will ordinarily be a low-risk method of obtaining additional return as well as reducing the risks to the City's income. However, the City always retains the flexibility to invest as short as required by cashflow requirements or the economic outlook.

The factors and/or information used by the City to determine minimum allocations to the shorter durations include:

- It's liquidity requirements to cover both regular payments as well as sufficient buffer to cover reasonably foreseeable contingencies;
- Medium term financial plans and major capital expenditure forecasts;
- Known grants, asset sales or similar one-off inflows;
- Seasonal patterns to the City's surplus funds.

The investment portfolio is to be invested within the following terms to maturity constraints:

Description	Horizon	Min. Allocation	Max. Allocation
Working capital funds (cash/at-call)	0-3 months	20%	100%
Short-term funds	3-12 months	0%	100%
Short medium-term funds	1-2 years	0%	70%
Medium-term funds	2-5 years	0%	40%
Long-term funds	+5 years	0%	0%

6.2 Liquidity

The investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated, with investment maturities scheduled to coincide with projected cash flow needs.

6.3 Environmental and Ethical considerations

In making individual investment decisions, the City seeks to preference placing funds with ADIs identified as being environmentally and socially responsible, in line with the City's Council Plan vision, values and objectives.

As part of the City's Climate Change & Environment Strategy, the City has aimed to achieve more funds with financial institutions that do not lend to fossil fuel industries or invested in products that reduce carbon emissions[1].

Without compromising the risk profile of the investment portfolio, the City will preference fossil fuel free ADIs, provided they can transparently demonstrate:

- The rate of return on investment is greater than or equal to the rates of other ADIs, whilst taking into account a 0.1 percentage point advantage (all durations) and complying with the City's investment policy and availability.
- The avoidance of funding fossil fuel use in the investment product;
- That the ADI and product are otherwise compliant with the City's policy.

In addition, some ADIs that may be lending to the fossil fuel industry may also be issuing complying assets such as 'Green' term deposits. These assets are generally certified by the Climate Bonds Standard and are associated with a defined pool of eligible assets and/or projects such as renewable energy, low carbon transport, low carbon buildings and water infrastructure. The City will undertake a positive screening approach and may invest in such complying products so long as it does not jeopardise the objectives or risk covenants in this Policy.

6.4 Title

All funds invested will be invested under the name of the "City of Greater Bendigo" and no rights, powers or access to those funds is to operate in favour of any other party.

In the case of Restricted Funds, the funds may be invested under the name of "City of Greater Bendigo LSL Account" or "City of Greater Bendigo Waste Reserve Account". However generally all funds will be amalgamated and invested in line with this policy for the best return (rather than on a purpose by purpose basis).

6.5 Quotations

No less than three quotations shall be sought from ADIs when a new investment is proposed.

The best quote on the day will be successful after allowing for administrative and banking costs, as well as overall compliance with this Policy.

6.6 Reporting

Accounting for investments will comply with the Australian Accounting Standards and the Act.

The Financial Strategy Unit will continually monitor compliance with the Policy, and this will be formally reported to both the Manager Financial Strategy and Director Corporate Performance on a monthly basis, generally before month end.

A report on investments showing values of investments and returns will form part of the regular quarterly finance reporting to EMT and the City's Finance Committee. Breaches of the Investment Policy will be reported to EMT.

7. ROLES AND RESPONSIBILITIES

[1] In the short term, the Strategy aims for 60% to be invested in non-fossil fuel financial institutions by 30 June 2026.

Request for quotes and nomination of interest rates will generally be performed by the following, whilst ensuring compliance with this Policy:

- Team Leader Financial Accounting and Treasury
- Coordinator Financial Reporting and Operations

All new investments, defined as committing additional funds, are to be performed and jointly authorised by any two of the following, provided the investment will ensure compliance with this Policy:

- Team Leader Financial Accounting and Treasury
- Coordinator Financial Reporting and Operations
- Manager Financial Strategy
- Director Corporate Performance

The rollover of existing investments, regardless maturity duration or whether with the same ADI or not, are to be performed and jointly authorised by any two of the following, provided the rollover will ensure compliance with this Policy:

- Accountant (Financial Accounting)
- Team Leader Financial Accounting and Treasury
- Coordinator Financial Reporting and Operations
- Manager Financial Strategy
- Director Corporate Performance

Should the required above listed staff members not be available on the date of maturity (including Accounts Payable staff to facilitate payments), the invested funds will be redeemed and reinvested as a 'rollover' within a two-week period, provided this will ensure compliance with this Policy.

8. RELATED DOCUMENTS

Employees are encouraged to access the related internal documents which are available on the intranet and/or external resources which are available as per the below.

These include:
All investments are to be classified as held to maturity financial instruments in accordance with AASB 139: Financial Instruments – Recognition and Measurement, and to be recorded at their fair value.

9. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

10. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a City unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the

staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

11. DOCUMENT HISTORY

Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
June 2018	*NRM*	*Financial Strategy Unit*	*Review and Update*	*1*	*April 2022*
November 2022	*NM & NC*	*Financial Strategy Unit*	*Review*	*2*	*TBC*

Further information or advice on this policy should be directed to the Financial Strategy unit.

DRAFT

Investing Procedure

As a general procedure the following must be undertaken when investing funds in accordance with this policy.

(a) Calculate surplus funds to be invested on a given day, taking into account future cash flows. This as a minimum requires assessment of payroll periods, creditor payment runs, Financial Service Levy Payments to State Government, and revenue streams such as rates, Victorian Grants Commission grants and debtor payments.

(b) Review other upcoming investment maturity dates, along with items noted in Step (a). Gauge the current maturity dates, and if possible, plan to have new investments mature on the days before cash outflow will be high, such as payroll or creditor payment runs.

(c) Send out the request for quote (RFQ) as noted in section 6.4 – Quotations, using our current investment platform.

(d) Once the investment amount has been calculated, review the interest rates from various financial institutions attempting to maximise the return while ensuring compliance with part 6 – Ethical considerations.

(e) Upon receipt of quotes, you will nominate your selected ADI rate and maturity duration. If authorised to complete the rollover, finalise arrangements with the ADI through the current investment platform. If investment is new, forward to the authorised approver as appropriate for review and approval. This step must ensure compliance with section 7 – Roles and responsibilities.

(f) Once the investment is completed and authorised, proceed with having the EFT payment organised via Accounts Payable if this is a new investment.

(g) Place investment confirmation in investments folder. Complete the Investment Summary spreadsheet (Section 8 - Attachments) as well as ensure that our current investment platform reflects the new investment. Ensure a reason for the investment selection is included on both locations.

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CITY OF GREATER BENDIGO

PRICING POLICY

Approval Level:	Council
Policy Type:	Council
Approval Date:	TBC
Review cycle:	Four years
Review Date:	TBC
Responsible Officer:	Manager Financial Strategy
Owner:	Financial Strategy
Responsible Director:	Corporate Performance
Relevant Legislation/Authority:	*Local Government Act 2020*
DOCSETID:	Click here to enter text.

1. PURPOSE

Fees and Charges represent an important source of income for the City of Greater Bendigo (the City).

This policy provides guidance for the City's approach in setting appropriate levels of fees and charges, taking into account community benefit, user groups and Community Plan objectives, and to provide for regular reviews of fees and charges within the overall service and financial planning process.

It encourages pricing that is simple to administer, equitable, easily understood, and provides value for money.

2. BACKGROUND

Section 106 of the Local Government Act 2020 (Act) provides some guidance on the pricing of the City's services and facilities. In addressing the Act, the City must plan and deliver services to its community in accordance with the service principles. Services should be provided in an equitable manner, they should be accessible, and the quality and cost standards should provide good value to the community. Therefore, the City must minimise the burden on customers or service users by pricing services that are at a level which maximises return, but also recognises their ability to pay.

The City must also have regard to s.101 of the Act which sets out financial management principles, which include that "Financial risks must be monitored and managed prudently having regard to economic circumstances." With ever increasing costs for services and constrained rate revenue – fees and charges must be reviewed regularly.

The National Competition Policy (Federal Government) and Competitive Neutrality Policy (Victorian Government) also provide requirements regarding pricing.

The City is required to price services that compete in the open market on a 'level playing field' basis and to be transparent in regard to any decision to depart from a commercial basis for pricing. Competitive neutrality requires that significant government business activities should not enjoy net competitive advantages over their private sector competitors simply by virtue of public sector ownership.

Where there are significant competitors in the marketplace, the City must consider and justify any subsidy for significant services which compete with the private sector.

3. SCOPE

This policy applies to all fees and charges that are listed in the Fees and Charges Schedule which is published in the annual Budget. This policy also applies to any new fee and charges that the City is eligible to charge under the Act, but has not previously been included in the Fees and Charges Schedule.

4. DEFINITIONS

Act means the *Local Government Act 2020 (Vic).*

City means the Greater Bendigo City Council organisation.

Competitive Neutrality means maintaining a level playing field between public and private business.

Council means the Greater Bendigo City Council comprised of elected Councillors.

Social Justice Framework refers to the City's adopted Social Justice Framework – which may be helpful when assessing accessible or other pricing queries.

5. PRINCIPLES

This policy seeks to ensure that the following key objectives are met:

- Efficiency - the fees are simple to understand and administer.
- Equity - the fees are fairly applied across a range of users and consider users' capability to pay.
- Effectiveness - the fees provide appropriate signals to users, value for money and ensure that everyone contributes appropriately to the delivery of services, supporting Council's overall income for delivery of services.
- Transparency - the method of determining pricing is consistent.

6. POLICY

Pricing Methods

6.1 Statutory Pricing

Price at level set by legislation

For some fees and charges the City's role is to administer services and apply fees set or controlled under statute or funding agreement. These fees may only provide a partial recovery of the cost of providing the service.

Examples include specified Environmental Health and Statutory Planning Fees.

In addition, there are a range of conditions the City must consider when setting fees for certain purposes, for example under Funding and Service Agreements or Grant Agreements. In these cases, the City must comply with the relevant terms of the agreement, for example there may be an upper limit on the fee Council may charge.

Examples include Home and Community Care service charges.

6.2 Non-Statutory pricing

In determining fees and charges not regulated by statute, the City will consider the following factors in selecting the pricing method to meet its objectives for each service:

- Balancing individual and community benefit
- Users' ability to pay
- Market pricing (the pricing of comparable services offered by other providers)
- Competitive neutrality (where relevant)
- The most recent Consumer Price Index indicators and other City budget inputs.

The reason for the subsidy or return will assist in determining the method of pricing to select.

The City considers four types of non-statutory pricing. These are described below and in the flow chart in Appendix A which provides guidance in applying the underlying principles.

a) Full Cost pricing
Price to cover direct and overhead costs.

These are services provided by the City that benefit individual customers specifically, rather than the community as a whole. The aim is to recover the direct and overhead costs associated with providing these services. For example:

- Provision of Information: Involves the City giving access to information, subject to compliance with information privacy and freedom of information.
- Damage to the City's property.

b) Accessible pricing
Price set between full City subsidy (no charge) and full cost pricing (covering direct and overhead costs).

Accessible Pricing may be used where there are benefits to the community, including making a service accessible to low-income or disadvantaged users. As part of the annual review of pricing for these services, maintaining the overall net cost to the City for providing the service should be considered. The City's Social Justice Framework provides a range of considerations around equity which may need to be reviewed for specific prices.

Fees and charges are subsidised by the City and are set to recover only part of the direct cost (as defined above), for example a service may be provided with fees set to recover 75% of direct costs OR may be set at a level based on an assessment of 'ability to pay'.

Appropriate situations for partial pricing may be:

- Where the service benefits the community as a whole as well as the individual customer.
- Short term approach to stimulate demand for a service.
- Where charging prices at full cost may result in widespread evasion or inappropriate adoption.
- Where the service is targeted at those with an inability to pay. In this case, concession fees may be considered depending upon the type of service being provided and the needs of the customer.
- Where there are a low number of other service providers; or insufficient quantity to meet the need; or prices that would make the service accessible to the community.

Prices can be set from full City subsidy (no charge) to full cost recovery with various levels of subsidisation in between. Partial cost pricing will always be based on knowledge of the full cost of providing a service and subsidies will be based on a percentage of the full cost of the service.

Example: Recreation facilities fees and charges.

c) Incentive pricing
Price set above full cost recovery (covering direct and overhead costs as a minimum).

Fees and charges are set at a level to encourage certain behaviours, and to reflect the effort on the City's behalf to collect the fee.

Example: Charging more for late health premise registration.

d) Market pricing
Price set in line with benchmarked market prices.

This category includes services that provide discretionary activities without strong social policy objectives. These activities may provide revenue support and complement other social policy actions.

Fees and charges are set by benchmarking similar services offered by other service providers or based on current market pricing. This method of fee is selected when fees are out of alignment with the market and may result in a loss of patronage or sales, reducing the overall level of income for the service.

For certain fees and charges which are market based, additional pricing or benchmarking work may be required to ensure the City is:

- Complying with relevant Competitive Neutrality Policy;
- Still required to provide the service;
- Providing the service at a cost which is in line with other providers.

Examples: Sale of goods through retail outlets, e.g. Visitor Information Centre Art Gallery.

Process for adoption of fees and charges

6.3 Annual review

Fees and charges will be reviewed as part of the annual budget development process. The process for reviewing non-statutory fees and charges is outlined in the flowchart in Appendix B. This will include a 'starting point' for increases in the system set (but

amendable) across non-statutory fees. This increase will generally be in line with CPI or other relevant indicators.

6.4 Final review

Prices are subject to a final review by Managers and the Financial Strategy Unit as part of the budget process. This is to ensure that the prices determined are administratively practical as per the above factors and pricing method.

6.5 New fees and charges

Where new non-statutory fees and charges are being introduced to recover the cost of delivering a service, the flowchart in Appendix A is to be used to determine the most appropriate pricing type.

6.6 Publication

Once adopted, Council's fees and charges will be publicised via the City's website, and relevant fees will be publicised at points of charge or sale, for example Customer Service Centres, landfills and theatres.

7. ROLES AND RESPONSIBILITIES

Position	Responsibility
Council	To take into account the Policy when considering fees and charges set by Council.
Directors	Ensure that the Policy is used as part of the budget development process to review fees and charges within each Directorate, and support Manager review of relevant fees and charges.
Managers	Undertake with their teams an annual review of all fees and charges they are responsible for. This includes reviewing against this policy to confirm the current pricing type remains appropriate and identifying any new fees and charges (and pricing type) that should apply.
Manager Financial Strategy	Ensure that fees and charges are identified during the budget development process and to ensure implementation of this policy. Advise and support Managers in the application of Competitive Neutrality and determinations required around the full cost of services.
City Officers	Administer the fees and charges as contained in the Fees and Charges Schedule. Provide accurate information to facilitate an annual review of all fees and charges in accordance with this Policy.

8. RELATED DOCUMENTS

Readers are encouraged to access relevant documents and/or resources which are available as per the below.

These include:

- Appendix A - Pricing Policy Principles Flowchart
- Appendix B – Review Process of Non-Statutory Fees and Charges

- Revenue and Debt Collection Policy

Further information or advice on this policy should be directed to Financial Strategy

9. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

10. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a City unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

11. DOCUMENT HISTORY

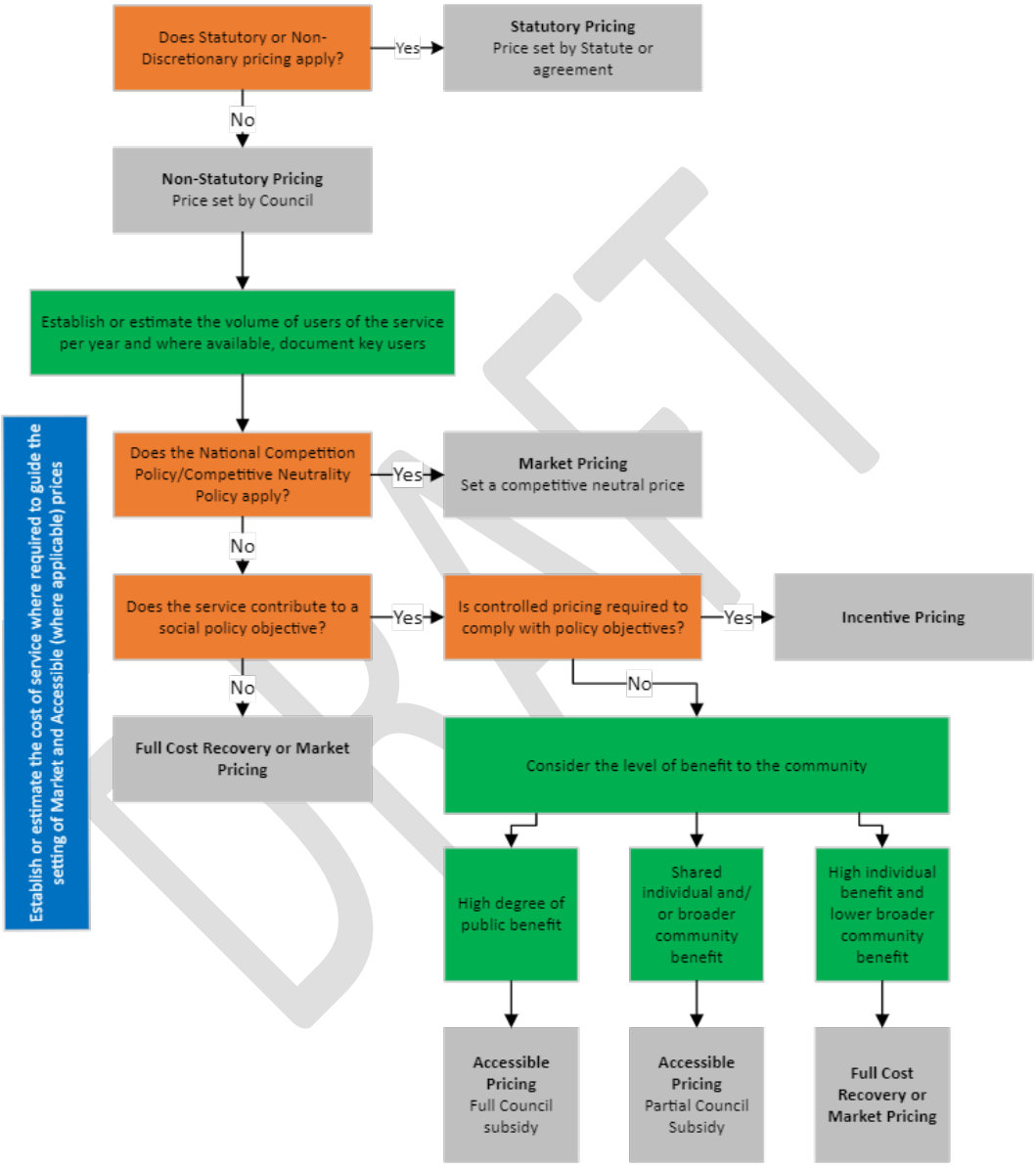
Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
Jan 2018	*LM / BP / NM*	*Rates and Valuations*	*Review and Update*	*1.2*	*Jun 2021*
Month, year	*Insert initials*	*Business Unit*	*Eg. Develop, Review (significant) Review (administrative), Update*	*Increase version number each time document is updated/changed*	*Month, year*

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CITY OF GREATER BENDIGO

Appendix A

Pricing Policy Principles - Flowchart

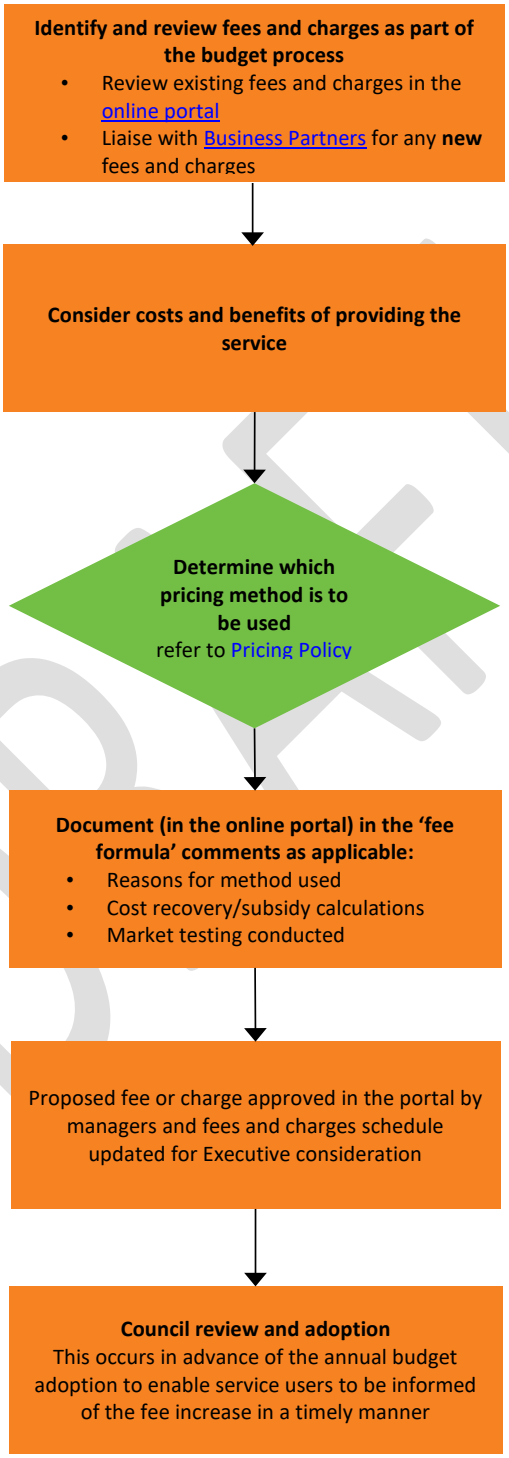


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CITY OF GREATER BENDIGO

Appendix B

Review Process of Non Statutory Fees and Charges



15.3. Compensation for encumbrance to City Owned Land Saade Street, Epsom

Author:	Daniella McClure, Manager, Property Services
Responsible Director:	Brian Westley, Director Presentation and Assets

Purpose

Approval and consent are being sought to the proposed encumbrance of Council's Freehold Reserve (the Reserve) by the private development south of the Reserve to satisfy the private development's drainage and retardation requirements, noting that the Reserve (for Municipal and Drainage Purposes) was not created for the benefit of the south adjoining parcel and hence the City is not obligated to allow the Reserve to be utilised by the private developer.

Under the Local Government Act 2020, when there will be significant detrimental impact upon the existing or future useability of the land vested in Council, the City is required to:

- Seek the view of the community through Community consultation in relation to the expansion of the drainage encumbrance on Councils Reserve; and;
- Obtain compensation, to be paid by the developer to the City for utilising (further encumbering) Council's Freehold Reserve.

The land requested to be utilised for the benefit of the private development, is the southern componentof Council's Freehold Reserve (known as Reserve 1 on LP210004M Saade Street, Epsom VIC 3551 - Legal Description: Reserve 1 on Plan of Subdivision LP210004M Certificate of Title Volume 9792 Folio 960) and is the area illustrated in green below:



Recommended Motion

That Councillors authorise the Strategic Property Analyst to:

1. **Publish a public notice** providing a minimum of 28 days' notice (under the Local Government Act 2020) noting:

a. A development seeks to encumber approximately 4,604 square metres of Council's Freehold Municipal Reserve (Reserve 1 on Plan of Subdivision LP210004M Certificate of Title Volume 9792 Folio 960) for drainage and retardation purposes.

2. **Commence public engagement** to seek the view of the community in relation to the expansion of the drainage encumbrance on Council's Reserve.

3. **After the period for public notice and community feedback has closed**:

a. **If any objections are received** to the proposed encumbrance of Council's Municipal Reserve:- the matter is to be referred to Council for a further review and final decision, noting that Council (at its sole discretion) may also resolve to conduct a public hearing if sufficient public concern/objections are raised, and that Council may nominate three Councillors to hear the submissions received in relation to the proposed creation of an encumbrance.

b.

b. If no objections are received, that Council authorise the Chief Executive Officer to:

- Obtain a current valuation that will set the amount of compensation to be paid to the Council for the use of the land for drainage.
- Prepare the legal documents.
- Sign and seal all relevant documents to facilitate the drainage encumbrance on Reserve 1 of Plan of Subdivision LM210004M Certificate of Title Volume 9792 Folio 960.

RESOLUTION - Resolution No. 2023-38

Moved: Cr Sloan
Seconded: Cr Williams

That the recommended motion be adopted.

CARRIED

Executive Summary

The City of Greater Bendigo **(the City)** has been approached in relation to a private development of the parcel south of Council's Reserve in Saade Street Epsom (Reserve 1 on Plan of Subdivision LP210004M Certificate of Title Volume 9792 Folio 960), to utilise approximately 4,604 square meters of Council's Freehold Reserve to satisfy the private development's drainage and retardation requirements.

Where an asset is to be encumbered, the Owner – Council / Ratepayers are in fact giving up an "interest" in the property which has a financial impact. Compensation is required to be paid by the developer to the City for utilising/encumbering Council's Freehold Reserve.

Approval and consent are therefore required to the proposed encumbrance of approximately 4,604 square metres of Council's Reserve by the development south of the Reserve.

The City has obtained a valuation of approximately $300,000, which is subject to revaluation if required and assesses the interest to be created for discussion purposes.

The effects on the Reserve (as identified by the City's independent Valuer) are:

- Expunges almost all alternate uses of the land by the City of Greater Bendigo within the easement area.
- Extends the encumbrance on the prime land within the parent title in perpetuity.
- Blot on Title.
- Significant benefit to the purchasing entity (private developer), i.e., storm water is retained off site allowing greater utility and yield lot of developable land.

Under the Local Government Act 2020, when there will be significant detrimental impact upon the existing or future useability of the land vested in Council, the City is required to seek the views of the community through community consultation in relation to the creation of the drainage encumbrance on Council's Reserve.

Council's approval is therefore required to both:

1. Seek the view of the community in relation to the creation of the drainage encumbrance on Council's Reserve; and
2. To further encumber Council's Freehold Reserve.

Background

City of Greater Bendigo **(the City)** has been approached by a private development of the parcel south of Council's Reserve in Saade Street Epsom (Reserve 1 on Plan of Subdivision LP210004M Certificate of Title Volume 9792 Folio 960) to utilise approximately 4,604 square meters of Council's Freehold Reserve to satisfy the private development's drainage and retardation requirements.

Documentation confirms that Council's Reserve (for Municipal and Drainage Purposes) was not created for the benefit of the **south** adjoining parcel[1] (The private development land) and hence the City is not obligated to allow the Reserve to be utilised by the private developer.

Previous correspondence (as attached) notes that this Councils Reserve together with the requirement for the proposed development pursuant to DS/207/2019 had been identified in previous applications by State Rivers / Rural Water Commission as flood prone and were not to be developed.

A combined planning scheme amendment/ planning permit application request has been submitted to the City for consideration. This request, under section 96A of the Planning and Environment Act 1987, seeks to rezone the adjacent land to General Residential Zone and subdivide land in to 78 residential lots, and has resulted in discussions and a request from the developer to further encumber Council's reserve for an expanded drainage basin.

By not having to create drainage and retardation on the private development's own land and utilising (encumbering) Council's Reserve, this will significantly enhance the developer's parcel through a higher lot yield. (Note: A valuation has been obtained by the City which has also considered the benefit to the private developer from encumbering the Council Municipal Reserve).

Under the Local Government Act 2020, where an asset is to be encumbered, the Owner – Council / Ratepayers are in fact giving up an "interest" in the property which has a financial impact. Compensation is required to be paid by the developer to the City for utilising/encumbering Council's Freehold Reserve.

Previous Council decision dates: N/A

Report

In this instance, by Council granting the developer permission to utilise approximately 4,604 square metres of Council's Freehold Reserve for drainage and retardation purposes, this will create an "interest" (and financial benefit) to the private developer and hence further encumber the Reserve triggering the requirement under the Local Government Act 2020 for compensation to paid by the developer to the City for utilising Council's Reserve.

The City has obtained a valuation assessing the interest to be created for discussion purposes.

The effect on the Reserve (as identified by the City's independent Valuer) are:

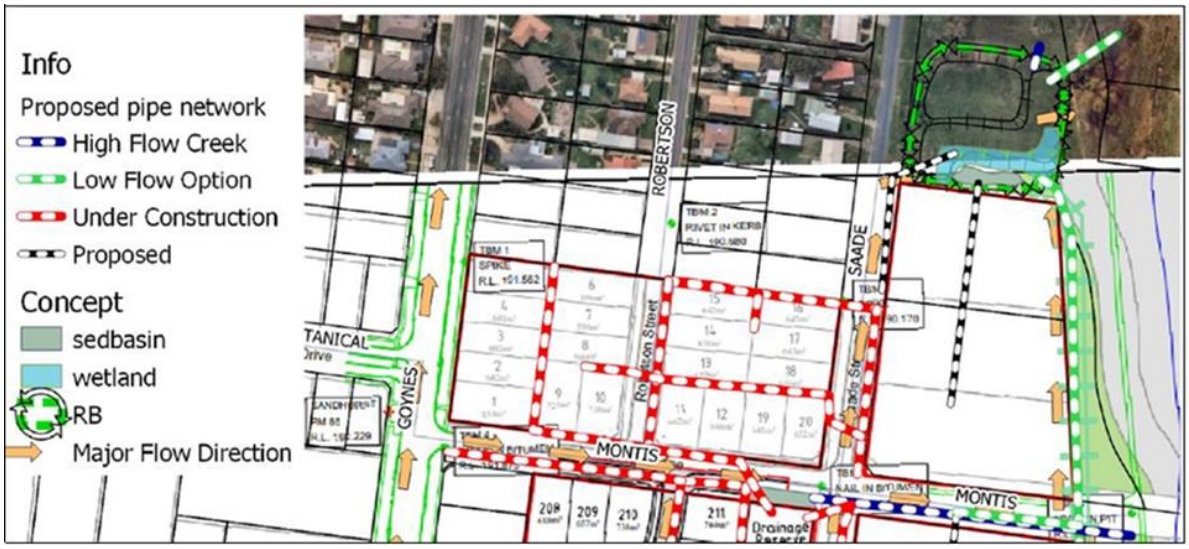
- Expunges almost all alternate uses of the land by the City of Greater Bendigo within the easement area.

- Extends the encumbrance on the prime land within the parent title in perpetuity.
- Blot on Title.
- Significant benefit to the purchasing entity (private developer), i.e., storm water is retained off site allowing greater utility and yield lot of developable land.

The proposed encumbrance will not change ownership of the land in question and the land will remain in the ownership of the City (not sold or leased). The compensation paid represents the impact on land value due to the blight imposed by the proposed expansion of the retention basin.

The proposal will not change the current use of the site and under this proposal the size of the existing basin would be increased to service the development. The expansion of the existing basin will mitigate the need for multiple basins in this precinct, with the consolidation of assets reducing the overall number of basins for the City to manage and associated ongoing operational costs, and will achieve a better aesthetic outcome for the community. It is important to note that in addition to the compensation, the developer would also be required to fund the expansion and embellishment of the existing basin.

If the proposal to further encumber City freehold land is supported, there will be unchanged public access to the site and a greater housing development with increased amenity and public space for the community subject to the review and approval of the combined planning scheme amendment/ planning permit application submitted to the City for consideration. A plan identifying the proposed encumbrance/development is shown below.



[1] (Refer to the City's letter dated 30/6/2021 Letter - Spiire - Saade Street Development.)

Priority/Importance

A combined planning scheme amendment/ planning permit application request has been submitted to the City for consideration. This request, under section 96A of the Planning

and Environment Act 1987, seeks to rezone the adjacent land to General Residential Zone and subdivide land in to 78 residential lots, and has resulted in discussions and a request from the developer to further encumber Council's reserve for an expanded drainage basin. The combined planning scheme amendment/ planning permit request will not be reported to Council for consideration prior to Council making a decision on the proposed encumbrance.

Options considered



Under the Local Government Act 2020, when there will be significant detrimental impact upon the existing or future useability of the land vested in Council, the City is required to seek the view of the community through community consultation in relation to the creation of the drainage encumbrance on Council's Reserve.

After seeking the community's feedback, Council can either:

1. **Refuse the request**: The developer could contain the development's drainage and retardation requirements within its own parcel.

Or:

2. **Approve the request**: The developer utilises Council's Reserve for the development's drainage and retardation requirements and compensation paid in accordance with required valuation.

Council's Reserve is currently zoned "Farming Zone" and should a combined planning scheme amendment/ planning request also be supported by Council in the future, a Public Park and Recreation Zone should be considered for this Reserve.

A valuation has been obtained which has considered not only the effect of the encumbrance on Council's freehold Municipal Reserve, but also as a supporting method of

valuation, the benefit to the purchasing entity by having land to manage stormwater off site, thus allowing for a greater lot yield or developable land within their site.

Timelines

The developer is desirous of obtaining a Council decision either for or against so that a development proposal for the property south of the reserve can be finalised either by utilising Council's freehold reserve and paying compensation or alternatively containing the drainage works within its own land.

As noted above, the combined planning scheme amendment/ planning permit request to rezone and subdivide the land for residential subdivision will not be reported to Council for consideration prior to Council making a decision on the proposed encumbrance.

Communications/Engagement

- **Internal Public Space Committee**: As to the remaining area of the public open space of the Reserve, the internal Public Space Committee have confirmed that the committee would not object to the Council allowing a developer to further encumber the Municipal Reserve (existing drainage basin) on the provision that it is strictly undertaken in accordance with negotiated conditions between the private developer and the City (which includes compensation to be paid by the developer to the City). The compensation funds received from the developer would be deposited into the Public Open Space Reserve.
- **Discussions with the private developer**
- **Internal Consultation:** Strategic Planning and Engineering Business Units**.**
- **Executive Management Team:** Tuesday 28 March 2023
- **Council Briefing:** Monday 6 March 2023

Future Engagement Communications Consultation Process.

- Council Meeting – Resolution
    - Council does not consent
        - Process Stops
    - Council resolves to proceed
        - Public Notice Advertisement
        - Seek community feedback
    - If objections are received from the community
        - Refer to Council to review feedback and make decision
            - Council Meeting – Final Decision
                - Council consents
                - Council does not consent
                    - Process Stops

OR

- Council decides to conduct a Public Hearing
  - Council Meeting – Final Decision
  - Council does not consent
    - Process Stops
  - Council Consents

- If no submissions or no objections received
  - Recommended motion as endorsed by Council implemented

Note: Process Stops – *Developer is advised of Council decision and advised to seek alternate solutions*

Financial Sustainability

One off Payment of Compensation: Compensation of $300,000 is required to be paid by the developer to the City for utilising Council's Freehold Reserve, subject to revaluation if required. The compensation paid will be deposited into the Public Open Space Reserve.

It has been proposed that the developer would be responsible for all proposed works and costs associated with the encumbrance being undertaken, to the satisfaction of Council.

Future Ongoing Annual Maintenance: The developer is responsible for the maintenance of the basin and surrounding landscaping for two years following completion of the development in its entirety, at which time the ongoing maintenance responsibility would then be transferred across to the City.

- **Estimated average cost $6,500 per annum**, (*basis annual maintenance cost of $4,500 and renewal/adaption cost of $2,000 assuming a 20-year renewal period*).

Risk Assessment

Planning Scheme Amendment C248gben and Planning Permit Application DS/207/2019

Reserve 1 on Plan of Subdivision LP210004M Certificate of Title Volume 9792 Folio 960 is for Municipal and Drainage Purposes was not created for the benefit of the south adjoining parcel[2].

- The City is not obligated to allow the Reserve to be utilised by the private developer.
- Planning Scheme Amendment C248gben and Planning Permit Application DS/207/2019 will need to provide an alternate drainage solution if Council does not provide its approval and consent for the use of the Reserve 1.

Risk / Benefit Analysis

The Developer:

The Developer is desirous of obtaining Council's consent to allow the Reserve to be utilised by the private development.

- **By allowing** the encumbrance of Council's Reserve:
  - Significant benefit to the purchasing entity, i.e., storm water is retained off site allowing greater utility of developable land and increased lot yield and profitability.
  - Developer pays compensation to the City.
  - Operational and amenity benefits to the City.

- **By not allowing** the encumbrance of Council's Reserve:
  - the developer will have to accommodate the works within their own development reducing the developable area and potential yield of their land.

The City:

The City is not obligated to allow the Reserve to be utilised by the private developer.

- **By allowing** the encumbrance:
  - The City retains ownership of land.
  - Expunges almost all future alternate uses of the land by the City of Greater Bendigo and the community within the easement area.
  - Extends the encumbrance on the prime land within the parent title in perpetuity.
  - Council receives compensation for loss and is deposited into the Public Open Space Reserve.
  - Retention basins are consolidated reducing ongoing operational costs to the City.
  - A greater housing development with increased amenity and public space will be achieved.

- **By not allowing** the encumbrance of Council's Reserve:
  - The prime land within the parent title remains unchanged

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)

Local Government Act 2020
Community Engagement Policy
Public Transparency policy
Charter of Human Rights (obligations)

Conflict of Interest

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

Attachments

1. Letter - Spiire Australia - Saade Street Development [**15.3.1** - 2 pages]
2. Stormwater Management Plan, Montis Lane [**15.3.2** - 34 pages]
3. Stormwater Management Plan, Saade St, Epsom [**15.3.3** - 22 pages]
4. Saade St / Montis Lane Site Overlay [**15.3.4** - 1 page]
5. Flooding, Various Issues - Proposed Subdivisions, Shire of Marong, Rural Water Commission, SRWSC [**15.3.5** - 9 pages]

CITY OF GREATER BENDIGO

Enquiries to: Vicky Matthews
Phone: 4408 6509
Email: v.matthews@bendigo.vic.gov.au
Your Ref: 305803

30th June 2021

Mr S Pole,
Spiire Australia Pty. Ltd.,
P.O. Box 1064
BENDIGO. VICTORIA. 3550

Dear Sir,

City of Greater Bendigo – Municipal Reserve
Property: – Saade Street & Montis Lane Epsom

We refer to previous correspondence and communications in regard to the above matter and in particular to your letter of 22nd April 2021.

We confirm that Council's Municipal Reserve described in Certificate of Title Volume 9792 Folio 960 was created pursuant to LP210004M in accordance with Shire of Marong Permit No. S870 and being requirements for drainage for the subdivision fronting Robertson Street and Saade Street. Plan of Subdivision LP210004M was registered on 4/2/1988.

We also note that the Walkway Reserve described in Certificate of Title Volume 9684 Folio 933 was created pursuant to LP149513 in accordance with Shire of Marong Permit No. S725 and registered on 20/6/1986.

Correspondence from the Shire of Marong over a period of time to the Developer urged the Developer to finalise the transfers of both the Municipal Reserve and Walkway Reserve described in Certificates of Title Volume 9792 Folio 960 and Volume 9684 Folio 933 which was eventually effected in 1991 in Dealing No. R418120P and referred to in copy of Transfer of Land provided by you in your aforesaid letter.

These Reserves were not created for any requirements of the current proposed development of DS/207/2019.

It is also noted in the Shire of Marong files that correspondence from the State Rivers & Water Supply Commission / Rural Water Commission of Victoria noted that Crown Allotments 13, 14 and 15, now known as Lot A, lies within the Bendigo Creek Flood Plain and the Commissions would object to the issue of any building approvals for that area, which is now the land proposed for development.

Hearing or speech impaired?
Call us via the National Relay Service on 133 677 or www.relayservice.com.au and ask for 03 5434 6000

Greater Bendigo City Council
Address: 15 Hopetoun Street, Bendigo
Postal Address: PO Box 733, Bendigo VIC 3552
T: 03 5434 6000
E: requests@bendigo.vic.gov.au
W: www.bendigo.vic.gov.au
ABN 74 149 638 164

The development pursuant to DS/207/2019 proposes to utilise the area of approximately 5,000sm of Council's Municipal Reserve calculated in accordance with the Afflux Consulting Stormwater Management Plan:--

- Retarding Basin – 1650m3
- Wetland – 1500m2
- Sed Basin – 500m2
- Affected batter surrounding area – approximately 1350m2

This area and requirement for the proposed development pursuant to DS/207/2019 cannot be assumed has been provided for in previous applications, as these parcels had been indicated by State Rivers / Rural Water Commission as flood prone and were not to be developed.

In accordance with the Local Government Act 2020, as Council's Reserve is proposing to be encumbered by approximately 5,000sm for the proposed development, following the required LGA statutory obligations being complied with by Council, payment will be required to utilise Council's Reserve for the proposed development, as this proposed encumbrance will have a significant or detrimental impact upon existing or future useability of Council land.

As previously indicated, an assessment of value for the proposed encumbrance on Council's Municipal Reserve has been provided and the Developer is in a position to obtain its own assessment for further discussions.

It is also to be noted that the requirements of the Local Government Act 2020 will be required to be completed, before any confirmation of commitment is provided with regard to the proposed encumbrance.

Should you have any queries in regard to this matter, please do not hesitate to contact this office.

Yours sincerely

Vicky Matthews
Conveyancing Services Officer
Property Services

TERRACO
Civil Engineers
Project Managers
Development Consultants

The Pines Estate – Goynes Road, Montis Lane and Buckland Street, Epsom

Stormwater Management Plan





September 2018

AFFLUX CONSULTING
STORMWATER MANAGEMENT SOLUTIONS

1. INTRODUCTION 1

BACKGROUND 1

2. CATCHMENT DESIGN OBJECTIVES 3

GENERAL CONSIDERATIONS 4
WATER QUALITY REQUIREMENTS 4
FLOOD STORAGE REQUIREMENTS 4
FLOOD PROTECTION REQUIREMENTS 4
ECOLOGICAL OBJECTIVES 4
SPECIFIC CONCERNS FOR THIS SITE 5

3. PROPOSED DRAINAGE CONCEPT 5

4. HYDROLOGY 7

CATCHMENT DELINEATION 7
MAJOR AND MINOR FLOW CALCULATIONS 7

5. HYDRAULIC ASSESSMENT 13

METHODOLOGY 13
Results – Existing Conditions 15
Results – Developed 15

6. ATTENUATION VOLUMES 20

FLOODPLAIN STORAGE 21

7. WATER QUALITY 22

RAIN TANKS 22
SEDIMENT CONTROL 24
NUTRIENT MODELLING 24

8. MINOR DRAINAGE ARRANGEMENTS 27

PIPE NETWORK 27
SWALE SIZING 28

9. HABITABLE FLOOR LEVELS 29

11. CONCLUSIONS 30

FIGURE 1: PROPOSED DEVELOPMENT – THE PINES ESTATE, EPSOM 2
FIGURE 2 EXISTING CONDITIONS SITE PHOTO'S 3
FIGURE 3: STORMWATER MANAGEMENT CONCEPT 6
FIGURE 4: CATCHMENT AREA FOR THE DEVELOPMENT 7
FIGURE 5: MAP OF TEMPORAL PATTERN REGIONS 8
FIGURE 6: ARR 2016 RECOMMENDED INITIAL LOSS 9
FIGURE 7: ARR 2016 RECOMMENDED CONTINUING LOSSES 9
FIGURE 8: 1% AEP STORM RANGE FOR EXTERNAL CATCHMENT 1 - 63.62HA 10
FIGURE 9: MEDIAN 1% AEP STORM HYDROGRAPH FOR EXTERNAL CATCHMENT 1 – 63.62HA 11
FIGURE 10: 1% AEP STORM RANGE FOR EXTERNAL CATCHMENT 2 – 15.1HA 11
FIGURE 11: MEDIAN 1% AEP STORM HYDROGRAPH FOR EXTERNAL CATCHMENT 2 – 15.1HA 11
FIGURE 12: 1% AEP STORM RANGE FOR EXTERNAL CATCHMENT 3 – 35.1HA 12

FIGURE 13: MEDIAN 1% AEP STORM HYDROGRAPH FOR EXTERNAL CATCHMENT 3 – 35.1HA 12
FIGURE 14: MEDIAN 1% AEP STORM HYDROGRAPH FOR SITE PRE-DEVELOPED SITE FLOWS – AREA OF 14.9HA – 10% IMPERVIOUSNESS 12
FIGURE 15: MEDIAN 1% AEP STORM HYDROGRAPH FOR SITE POST-DEVELOPED SITE FLOWS – AREA OF 14.9HA – 70% IMPERVIOUSNESS ASSUMED 13
FIGURE 16: DIGITAL ELEVATION MODEL WITH DEVELOPMENT LEVELS 14
FIGURE 17: MODEL SETUP WITH VARIOUS MANNING'S ROUGHNESS APPLIED 14
FIGURE 18: 1% AEP EXISTING CONDITIONS FLOOD DEPTH 15
FIGURE 19: 1% AEP FLOOD DEPTH (M) – DEVELOPED CASE 16
FIGURE 20: 1% AEP FLOOD WATER SURFACE ELEVATION (M AHD) – DEVELOPED CASE 17
FIGURE 21: 1% AEP FLOOD HAZARD (M^2/S) – DEVELOPED CASE 18
FIGURE 22: FLOOD LEVEL DIFFERENCE 19
FIGURE 23: 1D HYDRAULIC MODELLING SET UP 20
FIGURE 24: RANGE OF FLOWS FOR 1% AEP STORM – PRE-DEVELOPED CONDITIONS 20
FIGURE 25: RANGE OF FLOWS FOR 1% AEP STORM – POST-DEVELOPED CONDITIONS – NO STORAGE 21
FIGURE 26: RANGE OF FLOWS FOR 1% AEP STORM – POST-DEVELOPED CONDITIONS – WITH 1650M^3 STORAGE 21
FIGURE 27: MUSIC MODEL SETUP – ALL OPTIONS EXPLORED 22
FIGURE 28: ESTIMATED WATER DEMAND FROM GARDEN 23
FIGURE 29: SEDIMENT BASIN CHECKS 24
FIGURE 30: MUSIC MODELLING SETUP FOR PROPOSED TREATMENT SYSTEM 25
FIGURE 31: MUSIC MODELLING RESULTS 25
FIGURE 36: RESULTS WITHOUT SWALE AND RAINTANKS 26
FIGURE 32: PROPOSED WSUD SYSTEM WITH INACTIVE SIZES 26
FIGURE 33: PROPOSED PIPE LAYOUT 27
FIGURE 34: PROPOSED SWALE CROSS-SECTION – CAPABLE OF CONVEYING A FLOW OF UP TO 10M^3/S 28
FIGURE 35: MINIMUM FLOOR LEVELS 29

TABLE 1: SUMMARY OF CATCHMENT FLOWS FOR 1% AEP STORM EVENT 10
TABLE 2: MUSIC MODELLING AREAS 22

DOCUMENT VERIFICATION

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Client Contact	Scott Blair – Your Land Developments Pty Ltd
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Climate Change Statement

A wide range of sources, including but not limited to the IPCC, CSIRO and BoM, unanimously agree that the global climate is changing. Unless otherwise stated, the information provided in this report does not take into consideration the varying nature of climate change and its consequences on our current engineering practices. The results presented may be significantly underestimated; flood characteristics shown (e.g. flood depths, extents and hazards) are may be different once climate change is taken into account.

Disclaimer

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1. Introduction

Afflux Consulting was engaged by Your Land Developments through Terraco Pty Ltd to updated and revise the stormwater management plan suitable for several parcels - Goynes Road, Montis Lane and Buckland Street, Epsom. This report discusses the impact of development on flow regimes and outlines stormwater management strategies to reduce flood risk, manage stormwater quality and avoid environmental degradation to the region. It demonstrates that with careful attention to stormwater management, this development can meet North Central CMA requirements and proceed to the next stages. In addition, this report provides information to NCCMA as requested (CMA Ref: F-2018-0422):

> *"Further information is requested from the applicant and should include the following:*
>
> *1. 2D hydraulic modelling of the site must be undertaken to demonstrate how the overland flow will be conveyed through the site without adverse flood impacts on neighbouring properties.*
>
> *2. In addition to the flows considered in the Stormwater Management Strategy submitted, the flood model must incorporate local runoff from the southern catchment. Unless otherwise agreed in writing with North Central CMA the additional flowrate from this catchment must be taken as 4.3m/s.*
>
> *3. Engineering plans and computations must be submitted to North Central CMA and the Responsible Authority demonstrating that any flow along the road achieves the following safety criteria:*
> *a. Depth = 0.3 metres; and*
> *b. Velocity = 1.5 metres/second; and*
> *c. Depth x Velocity = 0.3 metres/second"*

Background

The subject site covers approximately 14.9ha and is to be developed into ~169 residential lots as shown in Figure 1. It is bounded by Goynes Rd to the west, Buckland Street to the south, Bendigo Creek to the east and existing properties to the north. The site generally grades from south-west to north-east at a top elevation of 193.1m AHD to 189.95m AHD before discharging to Bendigo Creek. Lot sizes average 600-700m^2 suggesting that post-development imperviousness (and as such stormwater runoff) will be significant compared to the current conditions.

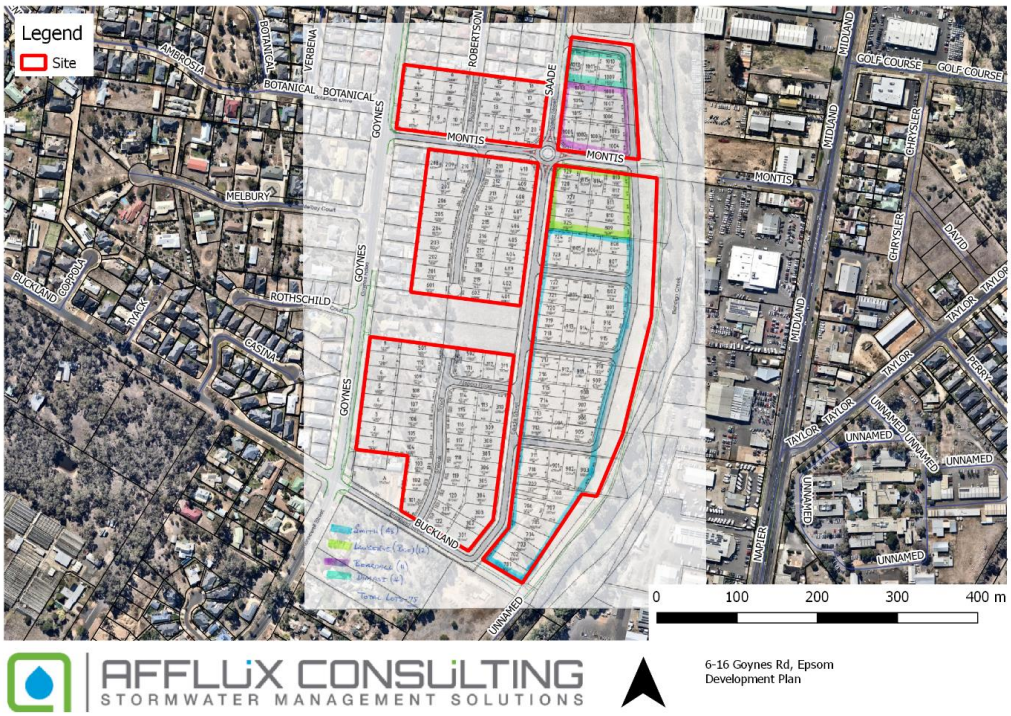


Figure 1: Proposed Development – The Pines Estate, Epsom

A site inspection was conducted in July 2018 to gain an understanding of the catchment and surrounds. The following site photos depict the major drainage features and landforms.



Robertson Street Looking East



Existing Main Drain Along Montis Lane



Existing Dams and Depressions at North end of Saade St

Figure 2 Existing conditions site photo's

2.Catchment Design Objectives

All development has the potential to adversely affect downstream environments through the effects of stormwater runoff. Increased impervious areas resulting in increased volumetric and peak flows have been extensively researched and linked to downstream environmental degradation. Contaminants contained in the runoff have also been linked with adverse changes to both water quality and stream ecology. Finally the contribution of increased runoff can be linked to downstream flooding and capacity constraints.

To combat these affects a range hydrological and water quality mitigation measures have been researched and legislated in Victorian planning schemes. The design objectives for this catchment are considered below.

General Considerations

The Victorian State Planning Policy Framework includes provisions incorporating the provisions for stormwater management in its integrated water management clauses. The Bendigo Council has incorporated Clause 56.07-4 into its planning scheme setting out objectives for stormwater runoff.

Water Quality Requirements

Current water quality requirements as listed by the Victorian EPA Best Practice Environmental Management (BPEM) Guidelines are:

- 80% Total Suspended Solids (TSS) reduction
- 45% Total Nitrogen reduction
- 45% Total Phosphorus reduction
- 70% Gross Pollutant capture

Flood Storage Requirements

The site shall be designed to ensure that flows are not to increase above the pre-development levels. Generally, this would be applied to the 1% AEP (Annual Exceedance Probability) storm only and checked at each of the site discharge points.

Flood Protection Requirements

All lots within the development will be provided at least 300mm freeboard above any predicted 1% AEP flood level. All retarding basins will be designed to be cut into the natural surface avoiding any potential dam wall construction issues.

Ecological Objectives

This site drains into Bendigo Creek, eventually discharging into Murray-Darling Basin. The proposed development should be developed in such a way as to minimise its impact on the surrounding environment and receiving waterway.

Particularly of note in this respect is the possibility of increased siltation and erosion capacity, of these systems if not built and maintained correctly. Sediment transport is a particular concern for development.

Specific Concerns for this Site

Based on the review of the catchment, and listed objectives and requirements the following stormwater elements should be considered for this site:

- Water quality should meet the BPEM requirements with specific attention to Suspended Solids and Total Phosphorus contributions. The Total Suspended Solids (TSS) contains much of the urban contaminants specifically below the ~90µm particle size, removing these particles will protect downstream farming pursuits. The TP requirements in freshwater systems are particularly important to limit algal blooms. Especially in episodic systems such as Bendigo Creek. As such the Total Nitrogen (TN) contributions will have less emphasis in this catchment.
- Discharge flow limits. The quantum of flow from the development should be limited to approximately the existing flow limits. In this portion of the catchment (mid to lower) the timing and size of flows should be assessed. Retarding to a later time period may in fact worsen downstream flow rates.
- Floodplain storage. Given the interaction with Bendigo Creek an assessment of floodplain storage should be made. Whilst not the most important parameter the development should maintain a floodplain storage from Bendigo creek of within 20% of existing.

3.Proposed Drainage Concept

A broad perspective was taken to create the stormwater management plan that best suited this site. The main challenge of the project is the proximity of the site to Bendigo Creek and its large external catchment area. The proposed drainage concept is mindful of the impact that catchments laying to the west and south has on potential flood risk and environmental degradation of Bendigo Creek.

The result of the investigation has found that the developed site should incorporate the following elements to meet best stormwater management practises:

- Stormwater treatment train incorporating -
    - A swale along the eastern boundary ~500m
    - Sedimentation basin ~500m^2
    - Wetland of 1500m^2
    - Retarding basin volume of 1650m^3 (note basin volume to be below NTS)
- Provision for external catchment flows to pass through the site safely
- No development through high flood hazard areas

- Proposed minor flow pipe network and swale as indicated in Figure 3 (note partially under construction – low flow options to swale provided
- Major flow conveyed by roadways, also shown in Figure 3
- Properties to be located 300mm above 1% Annual Exceedance Probability (AEP) Water Surface Elevation

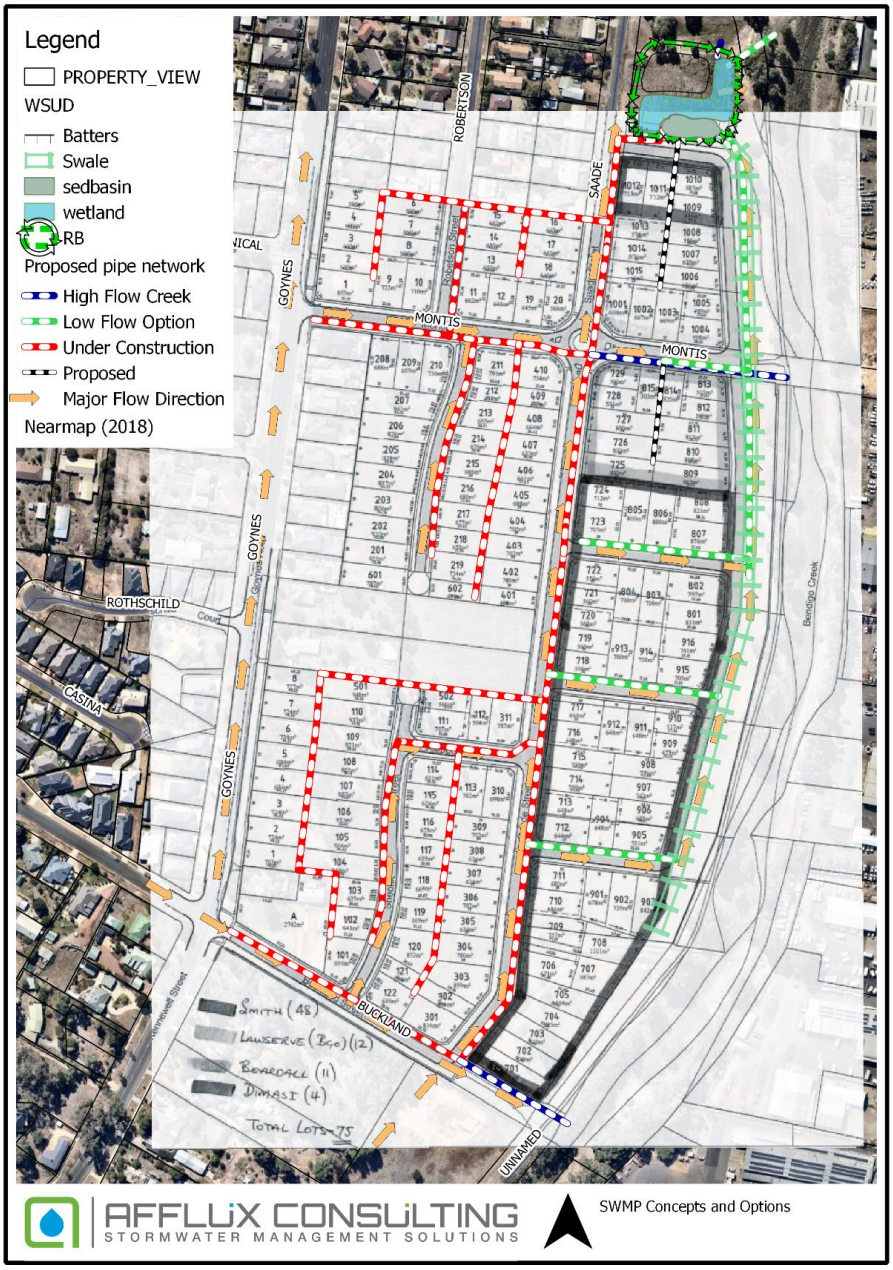


Figure 3: Stormwater Management Concept

4. Hydrology

This section highlights assumptions made when deriving estimated peak flows for the site.

Catchment delineation

The site is subject to flows from external catchment and will need to convey external flows through to the Bendigo Creek safely. The external catchments have been delineated into three large sub-catchments as shown in Figure 4 based on their general flow entry to the development area.

Approximately 63ha of catchment is draining to the existing reserve located south of Buckland. This catchment is expected to make its way to Bendigo Creek via Saade St once the site is fully developed. Two catchments of 15 ha and 35 ha are expected to drain via Goynes Rd. This is discussed in detail later on in the report.

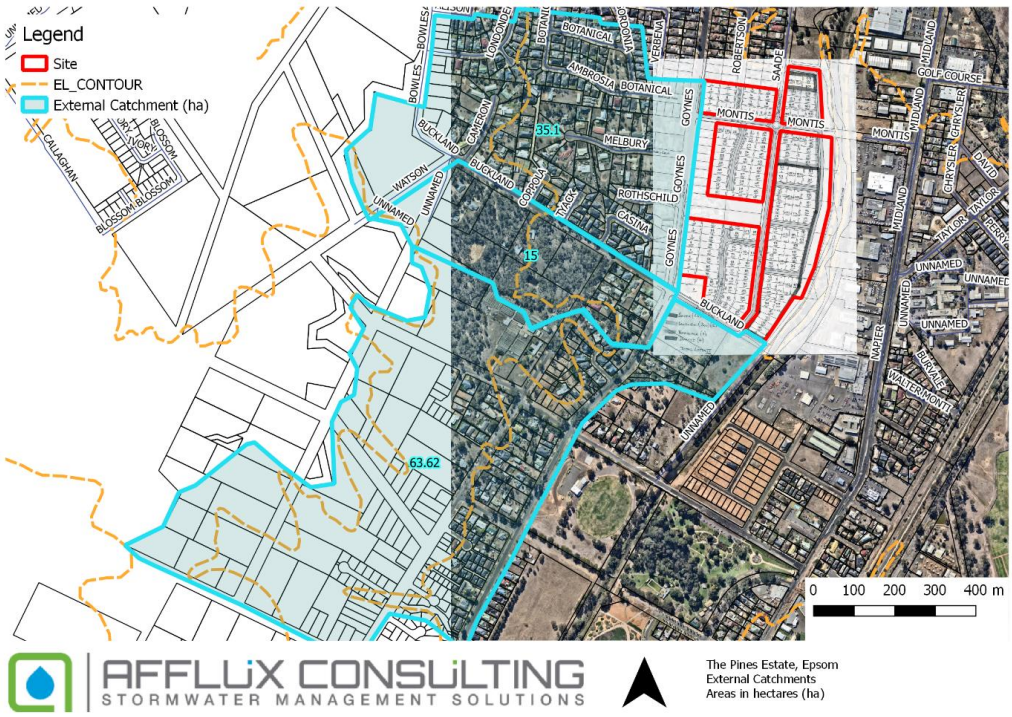


Figure 4: Catchment Area for the development

Major and minor flow calculations

The 1% AEP (Annual Exceedance Probability) flood discharge for the site was estimated following ARR 2016 (Australian Rainfall and Runoff, 2016) processes. The Ensemble Event approach was adopted involving the use of a set of 10 temporal rainfall patterns from gauged local catchments to derive a set of hydrographs for each event AEP and critical duration. Each hydrograph was run through the hydrologic model however, as recommended, only the median for the critical duration storm results are selected for

design. The temporal rainfall patterns were taken from the ARR Data Hub as per guidelines, and as shown in Figure 5 below, "Murray Basin" data set was applicable for this site in Epsom. This data set uses 356 separate gauges with a total of 20581 in order to derive the temporal patterns.

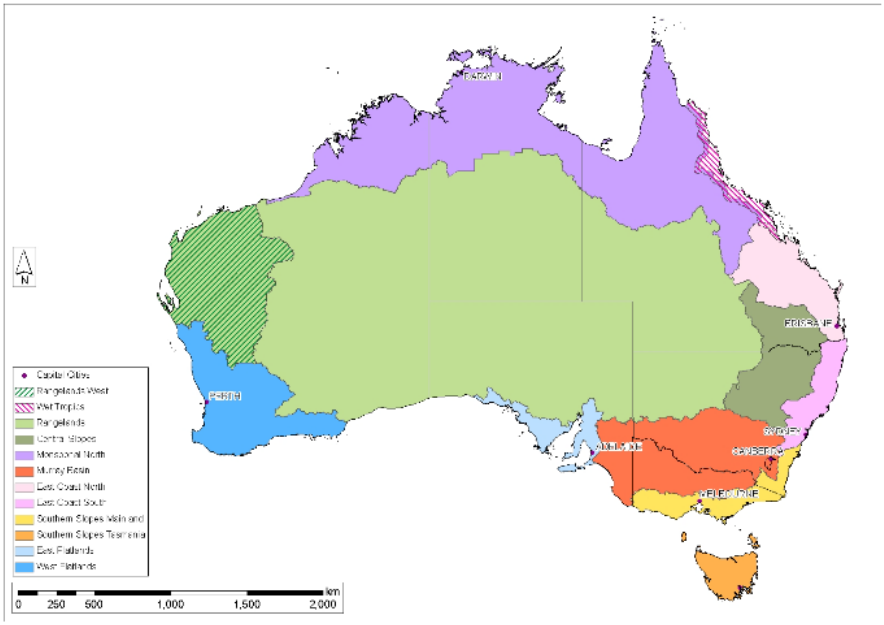


Figure 2.5.7. Temporal Pattern Regions

Figure 5: Map of temporal pattern regions

In addition, the ARR Data Hub provides recommendations for losses as shown below in Figure 6 and Figure 7. The recommended losses of 30mm for initial losses and 6mm/hr continuing loss for pervious areas were trailed however the model found that the losses were too high for this catchment and resulted in unrealistically low flowing hydrographs. As such, a sensitivity analysis was conducted, and it found that the following losses resulted in more realistic outflows:

- Pervious areas:
  - Initial loss = 15mm, continuing loss = 2mm/hr
- Impervious areas:
  - Initial loss = 1mm, continuing loss = 0mm/hr

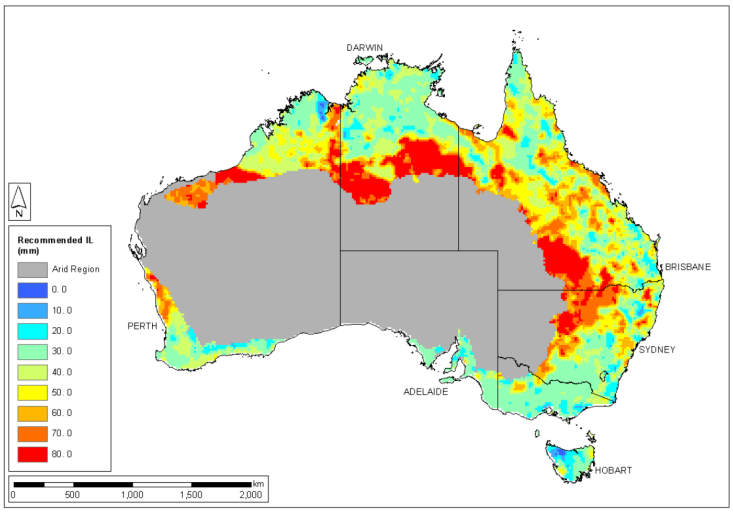


Figure 6: ARR 2016 recommended Initial Loss

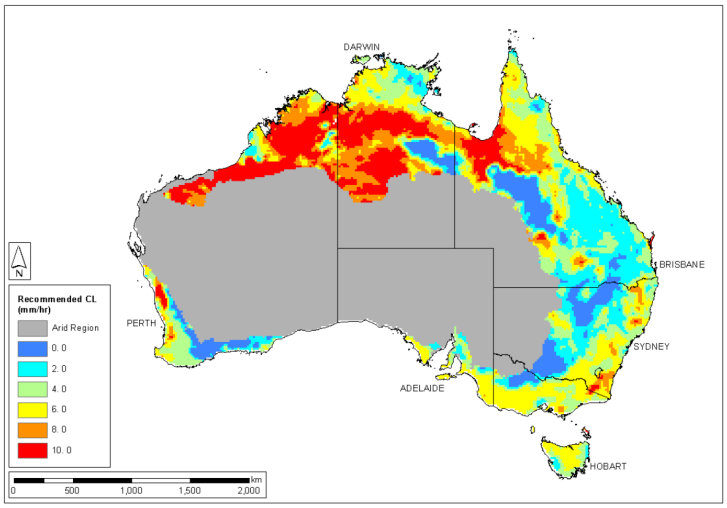


Figure 7: ARR 2016 recommended Continuing Losses

Current standards for major event flood estimation also discusses the use of Monte Carlo Event simulations. This differs from the preferred method in this investigation (Ensemble Method) in that many other input parameters, which are characterised by a high degree of natural variability are tested. This is similar to sensitivity testing where parameters such as losses, rainfall patterns, initial boundary conditions and other relevant inputs are treated as stochastically generated variables to understand their impact on the overall variation in peak estimates. For the purpose of this investigation, the Monte Carlo method for event simulation was deemed not necessary as it would not provide us with a better understanding of the flood mechanisms for this site. This intensive method for hydrology estimation is better suited to high risk and high variability areas where input properties are not well understood.

XPSWMM 2018 was used to process and derive expected flows for the 1% AEP. A summary of the hydrological modelling is shown in Table 1. These results where cross-

examined and adjusted with respect to catchment timing with the previously completed Bendigo Flood Study to ensure that the results of both studies were in a similar range.

Table 1: Summary of catchment flows for 1% AEP storm event

Catchment Area	Imperviousness assumed	Critical storm and median temporal pattern	Peak flow (m^3/s)	Relevant Figures
Ext 1 – 63.62 ha	20%	1hr – TP 4	4.3 (as per CMA guidance)	Figure 8 - Figure 9
Ext 2 - 15ha	10%	15min – TP 4	1.6	Figure 10 - Figure 11
Ext 3- 35.1ha	30%	1hr - TP 6	4.5	Figure 12 - Figure 13
Site Pre-developed – 14.9ha	10%	15min – TP 4	0.9	Figure 14
Site Post-Developed – 14.9ha	70%	15min – TP 9	5.6	Figure 15

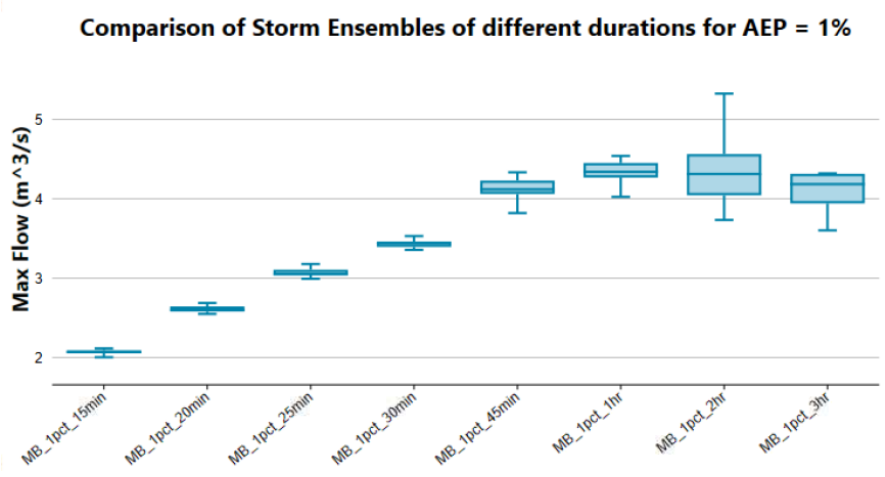


Figure 8: 1% AEP storm range for External Catchment 1 - 63.62ha

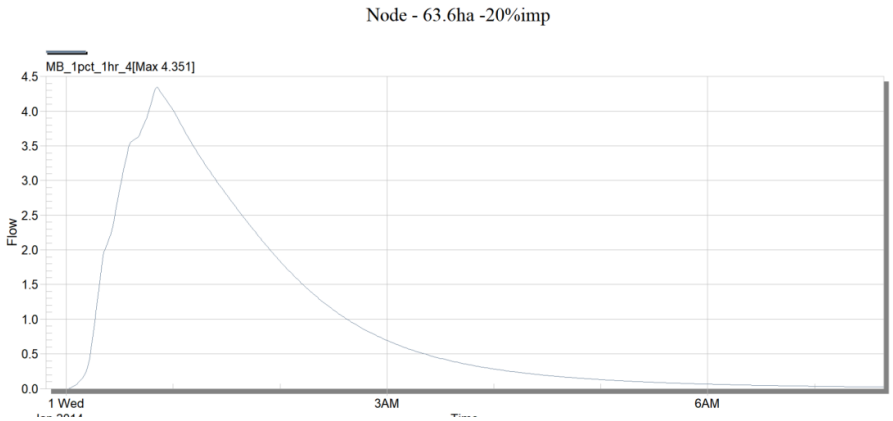


Figure 9: Median 1% AEP storm hydrograph for External Catchment 1 – 63.62ha

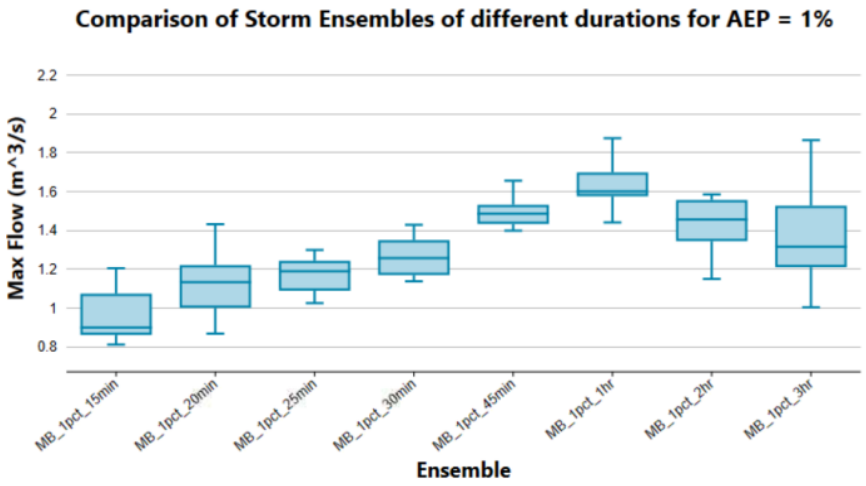


Figure 10: 1% AEP storm range for External Catchment 2 – 15.1ha

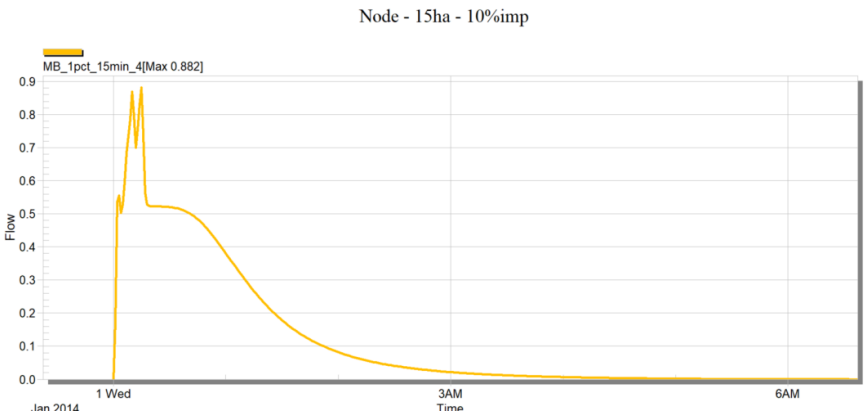


Figure 11: Median 1% AEP storm hydrograph for External Catchment 2 – 15.1ha

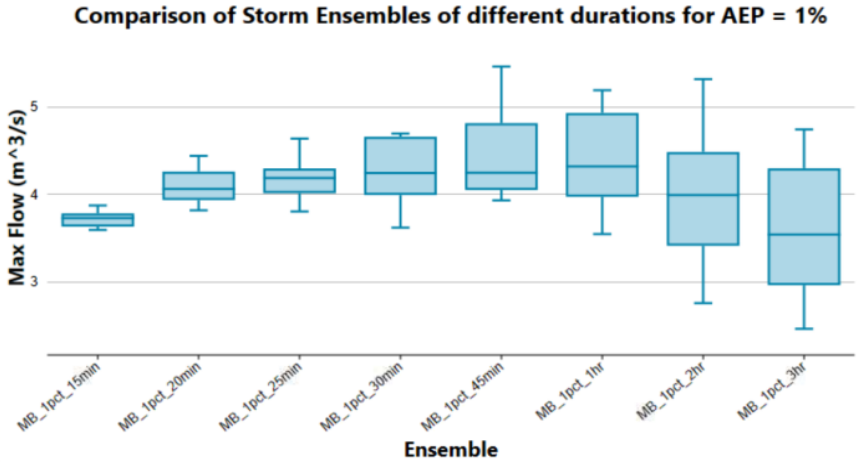


Figure 12: 1% AEP storm range for External Catchment 3 – 35.1ha

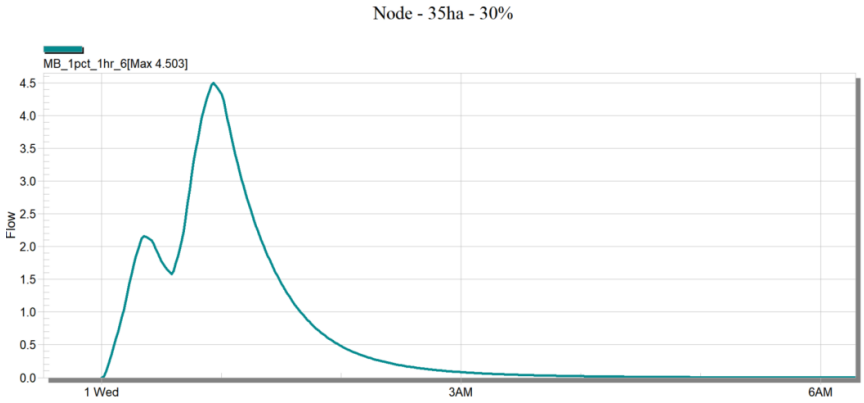


Figure 13: Median 1% AEP storm hydrograph for External Catchment 3 – 35.1ha

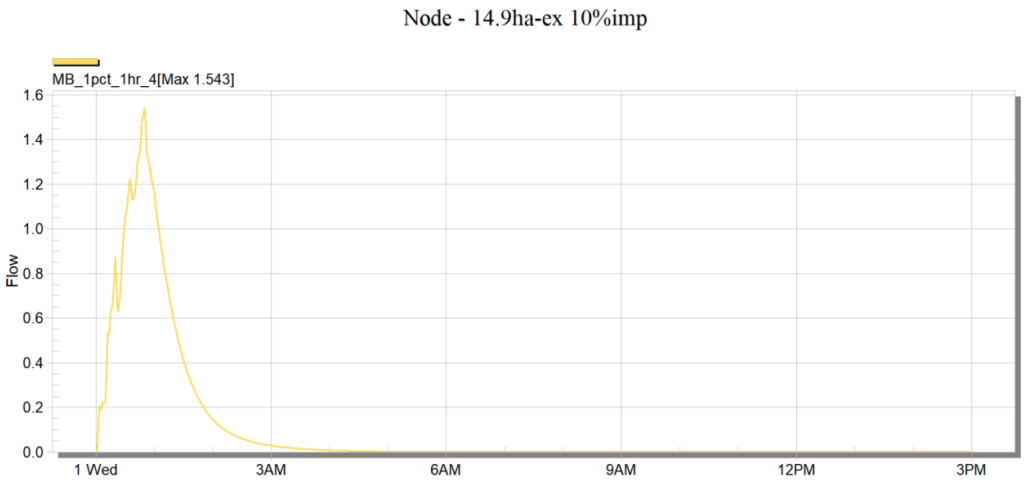


Figure 14: Median 1% AEP storm hydrograph for site pre-developed site flows – Area of 14.9ha – 10% imperviousness

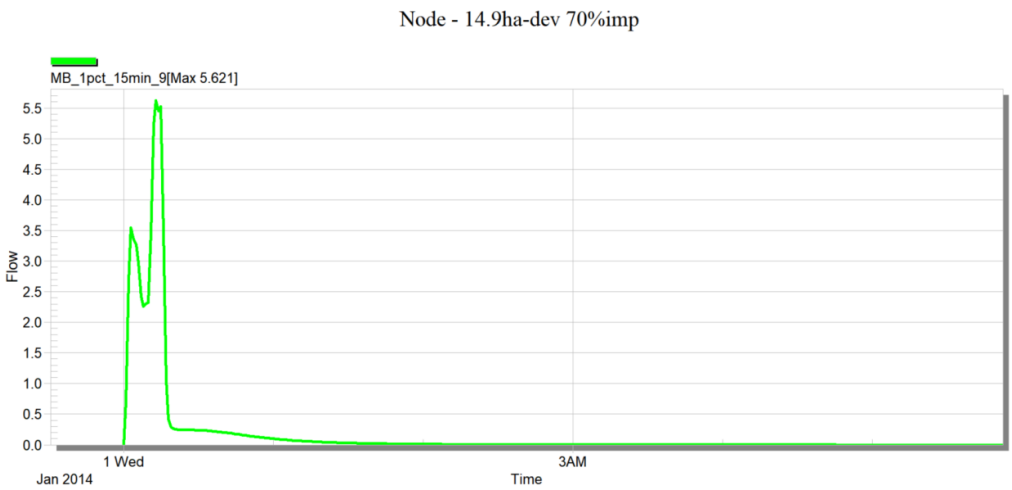


Figure 15: Median 1% AEP storm hydrograph for site post-developed site flows – Area of 14.9ha – 70% imperviousness assumed

5.Hydraulic Assessment

Methodology

A Tuflow model of the site was constructed to evaluate the proposed flood extent. The hydrology as discussed above was input into the model as constructed. The following assumptions were made to build the 2D flood model:

- An arbitrary tailwater was formed a significant distance downstream of the site
- A Manning's Roughness of 0.02 was set as default to represent road areas. A map of site roughness is shown in Figure 17
- The model was run for 3 hours to ensure the peak had passed. Peak occurs around 0.9hrs
- The site Digital Elevation Model (DEM) was derived from Lidar Data with a 1m grid resolution used (Figure 16). In Developed Cases, the development DEM was included
- Only the 1% Annual Exceedance Probability (AEP) storm presented
- Time step of 0.5 seconds
- Model Setup as per Figure 17
- Manning's Roughness applied to the model as shown in Figure 17

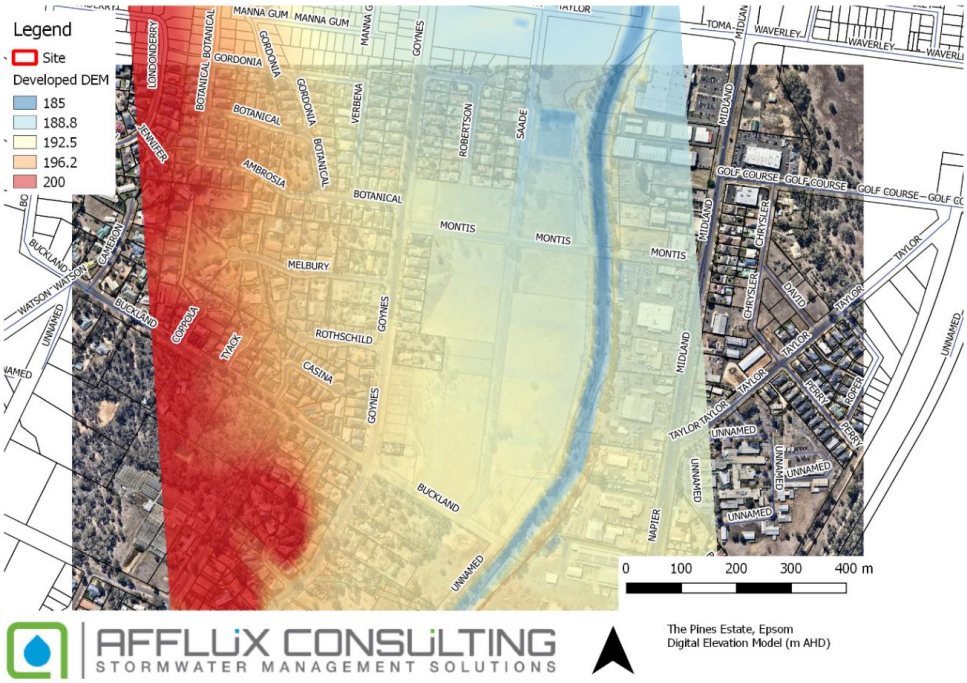


Figure 16: Digital Elevation Model with development levels

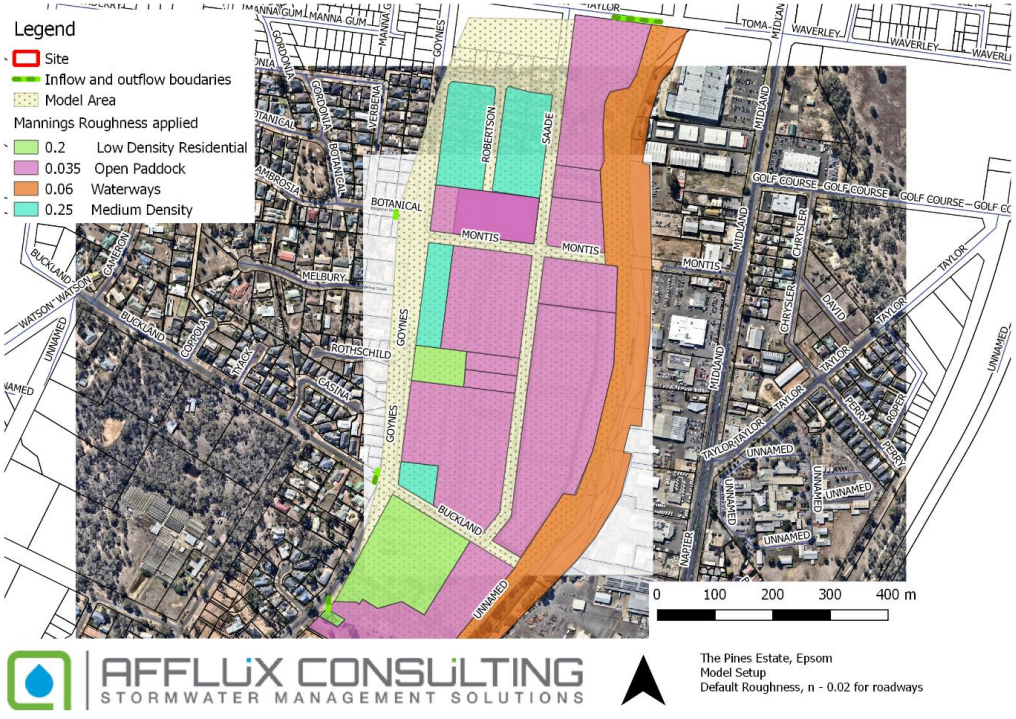


Figure 17: Model setup with various Manning's roughness applied

Results – Existing Conditions

The existing flood model found that there is significant flood flow through the site however flood depths are generally kept low (Figure 18).



Figure 18: 1% AEP Existing Conditions Flood Depth

Results – Developed

Figure 19 - Figure 21 show the expected flood results post-development. It suggests that the roads are able to safely carry the external and site 1% AEP flows through to Bendigo Creek. Several lots located in the northern section of the site will require their flood levels to be above the 1% AEP flood level (discussed later).

The flood difference plot between existing and developed cases found that the proposed roads significantly impact the flood shape of the site, and forces flood spread to be contained to roads. Localised medium flood hazard is expected along the developed Saade St however it is not a major concern and below contemporary requirements (Figure 21).

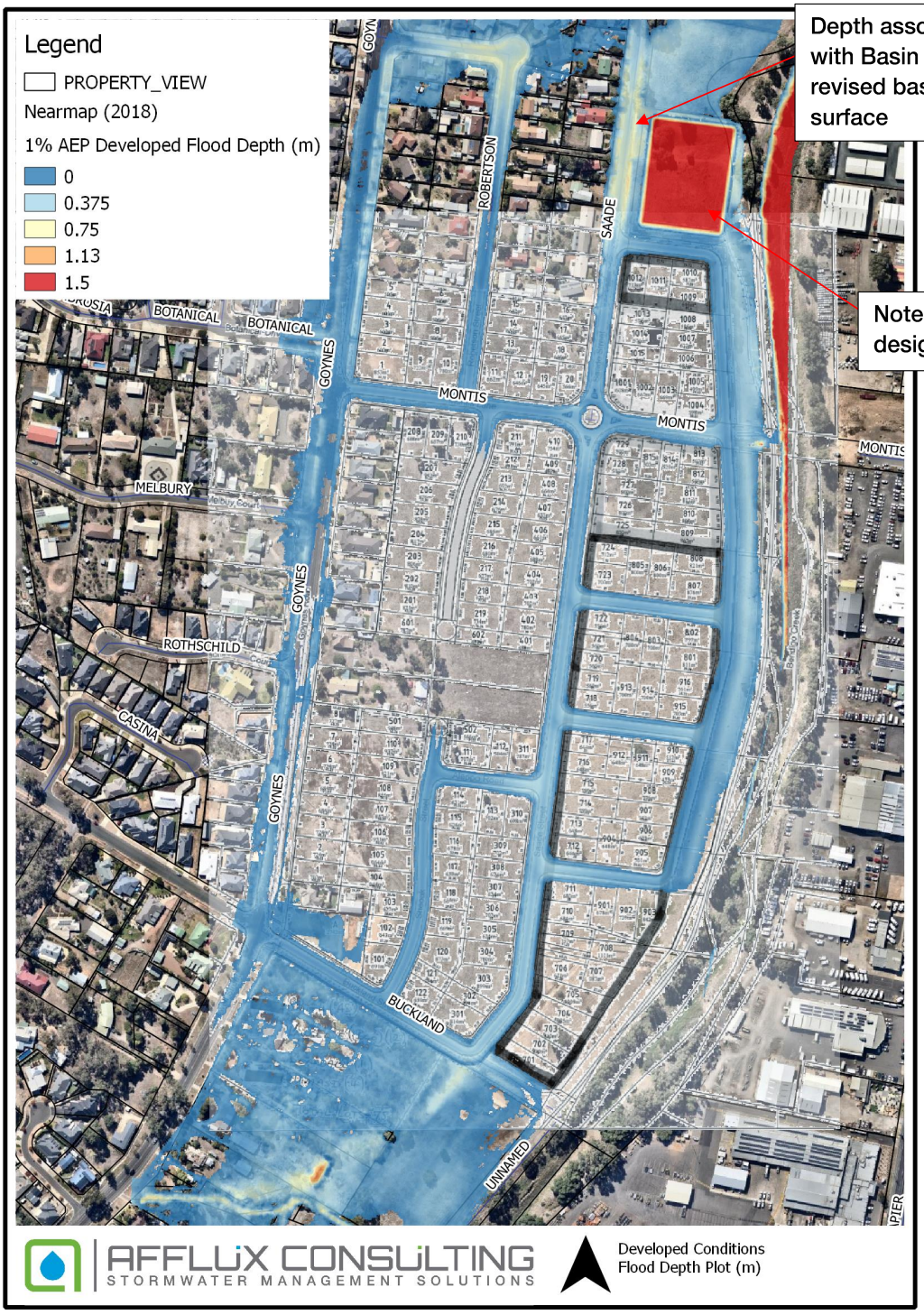


Figure 19: 1% AEP Flood Depth (m) – Developed Case

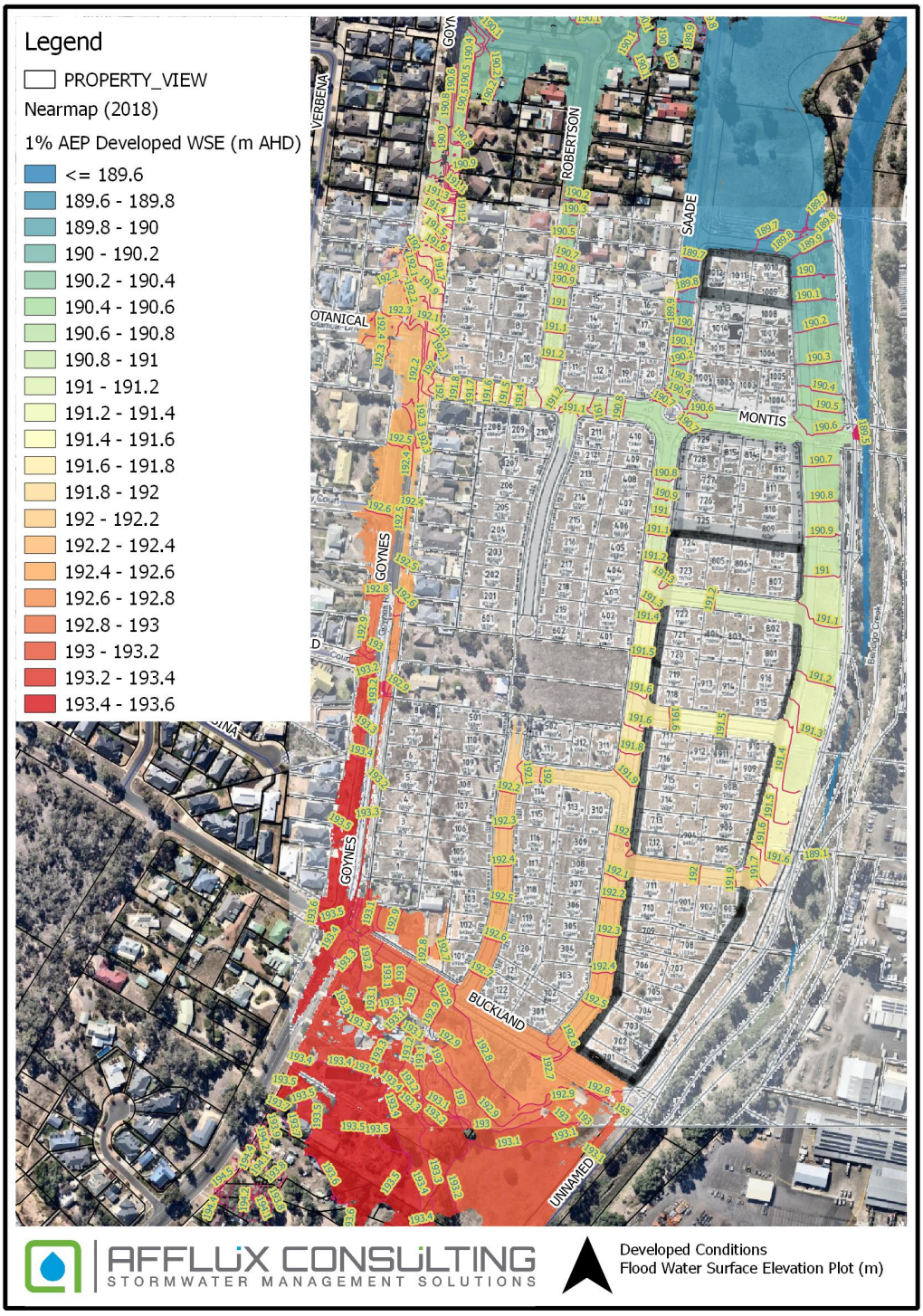


Figure 20: 1% AEP Flood Water Surface Elevation (m AHD) – Developed Case



Figure 21: 1% AEP Flood Hazard (m²/s) – Developed Case

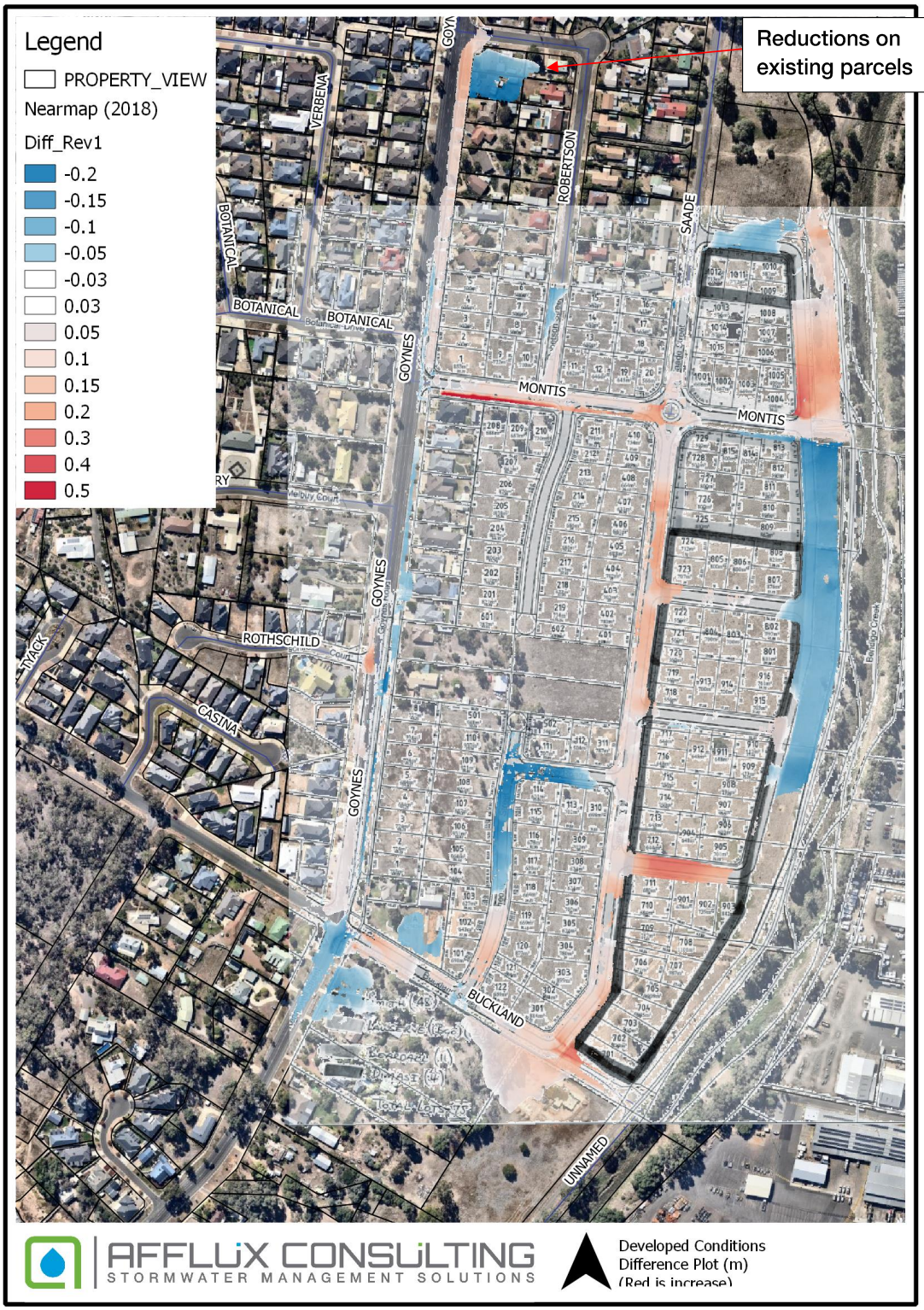


Figure 22: Flood Level Difference

6.Attenuation Volumes

XPSWMM was used to determine retarding volumes required for the development. The model setup is shown in Figure 23 with the Existing Case model on the left and Developed Case on the right. The results found that the retarding volume of 1,650m³ is necessary to retard post develop 1% AEP flow of 12.2m³/s back to the existing total flow of 11.6m³/s for the entire site, including external catchments.

The difference between peak flow of pre-developed and post developed conditions for the site itself is ~4.5m³/s, however due the size, characteristics of the wider external catchment and the timing of flows, the overall peak flow in the developed case is expected to be 12.2m³/s in the 1% AEP storm event. This is an important distinction, as it incorporates the timing expectations of the catchment to maintain downstream flow characteristics.

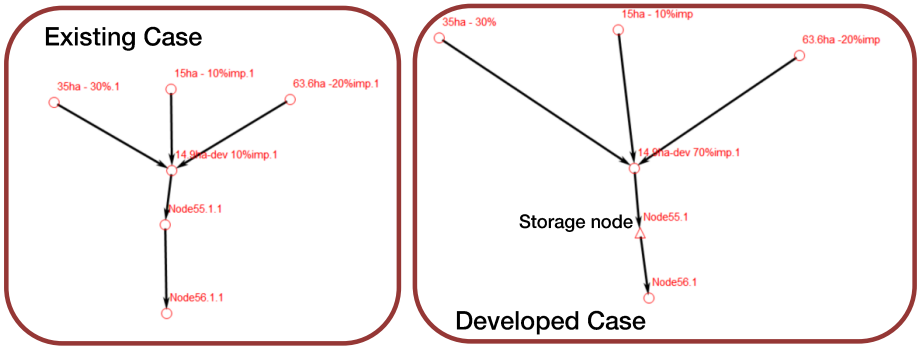


Figure 23: 1d hydraulic modelling set up

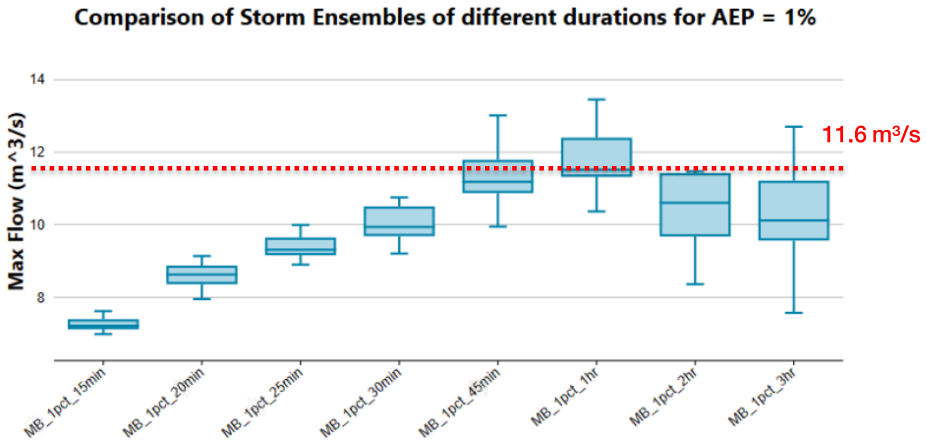


Figure 24: Range of flows for 1% AEP storm – Pre-developed conditions

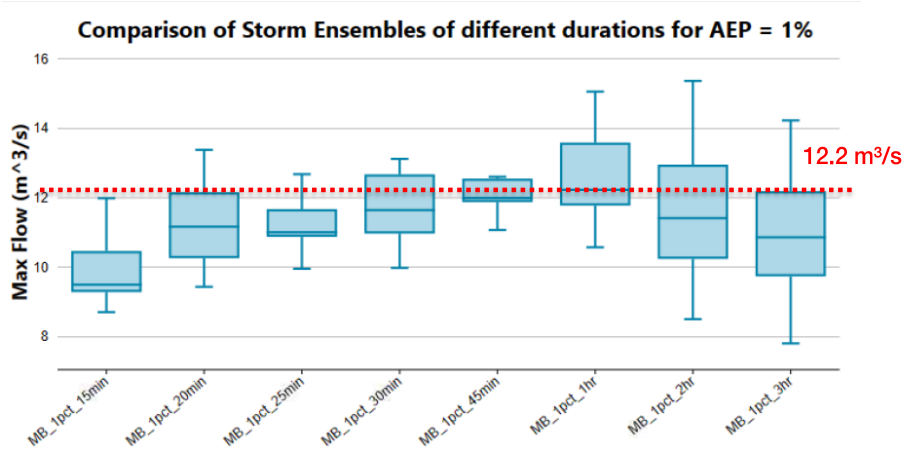


Figure 25: Range of flows for 1% AEP storm – Post-developed conditions – no storage

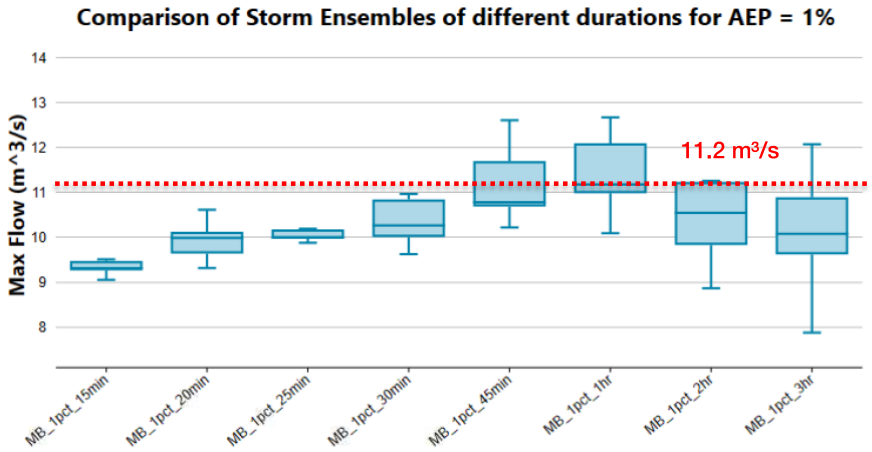


Figure 26: Range of flows for 1% AEP storm – Post-developed conditions – with 1650m³ storage

Floodplain Storage

As discussed, the floodplain storage in this location may influence the volume and timing of downstream flows. Comparing pre and post development storage volumes is a blunt assessment to ensure that no further volume is delivered downstream. As per the Terraco (April 2018) assessment an approximate floodplain volume of around 11,500m^3 is available, with the post development roads and reserves maintaining approximately 7,000m^3 of this volume.

To maintain the flow characteristics from the entire catchment, a storage of approximately 1,600m^3 is required. In theory this storage is all that is required to maintain downstream conditions and has been shown through a sophisticated analysis. However, understanding the regulatory environment, the final storage design may want to add an extra ~1,000m^3 to bring the total storage to within the stated ±20% of existing conditions. Much of this may be provided in the proposed swale as discussed below.

7. Water Quality

Runoff from the developed catchment will be treated by a treatment train system to ensure the development does not result in significant degradation of Bendigo Creek and downstream waterways.

Four treatment options were explored with varying combination and sizing of rain tanks, swale, rain gardens, sedimentation basins and wetlands (Figure 27). A swale-sedimentation basin-wetland-system was deemed the best option deemed for the site. This was predominantly based on site layout, use of open space and maintenance requirements of each option. For brevity, this report only includes the modelling and discussions related to the proposed treatment system.

The breakdown of areas using for the MUSIC modelling are as follows in Table 2. Note, a total area of 19.3ha was used to include roads adjacent to site areas.

Table 2: MUSIC modelling areas

	Impervious Area (ha)	Pervious Area (ha)	Total Areas (ha)	Total Imperviousness (%)
Non-roof areas (roads, driveways etc)	9	6.9	15.9	57%
Roof	3.4	-	3.4	100%

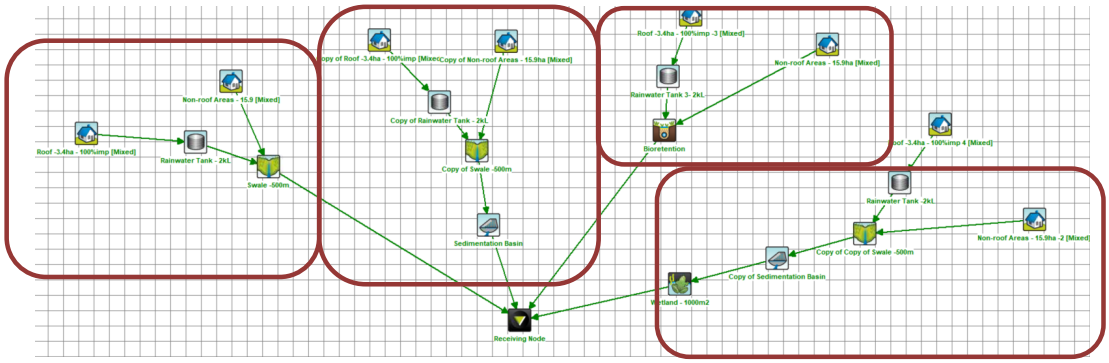


Figure 27: MUSIC model Setup – All options explored

Rain Tanks

Rain tanks have been tested as part of the treatment train for each new dwelling as a way to reduce site runoff along with additional Integrated Water Management (IWM) benefits. For practical purposes, the model tested is a portion of lots were fitted with 2kL rain tanks for watering gardens. Harvesting for toilet flushing has not been included in the modelling but can be a useful option for runoff reduction. Using the Smart Garden Watering calculator (http://www2.smartgardenwatering.org.au/), an estimated watering demand of 31kL/lot/year was determined and employed in MUSIC modelling.

It is noted that as this is freehold land, and no proposed planning instrument is available, the adoption of the rainwater tanks is uncontrolled. As such we have assumed an adoption rate of 90%, for the smallest practical rainwater tank (2kL), and no connection to toilet or other indoor uses. In reality, in this type of environment we would expect a high adoption rate, including a much larger range of tank sizes with some connection to indoor uses through the 6-star building requirements. As such we believe the adoption of the tank option a conservative measure, that can be included as reasonable assumption in the model.

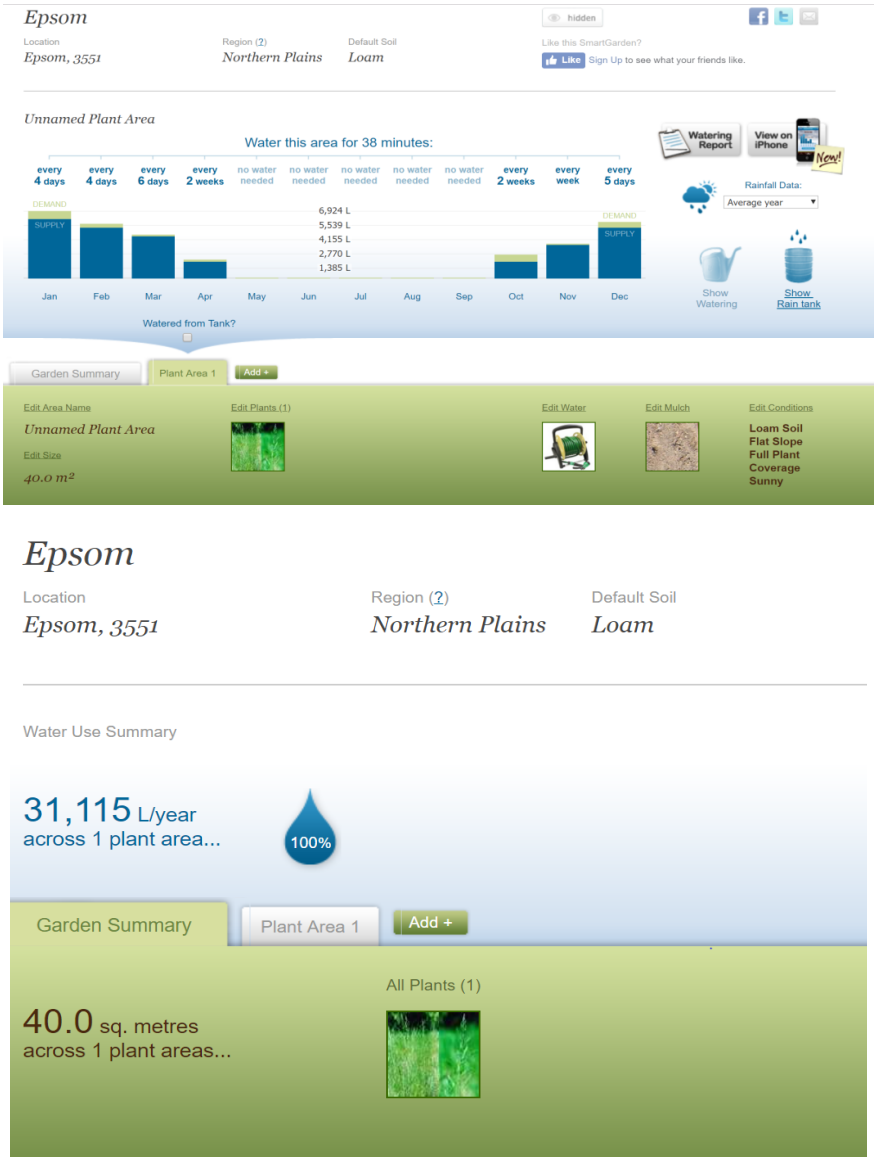


Figure 28: Estimated water demand from garden

Sediment Control

Given the general principal that any development should not directly discharge into a creek system, a number of sedimentation basins have been recommended at each of the pipe outfalls along with high flow direct connections at existing pipe interfaces. Ideally all low flows are directed through these sediment ponds, with high-flow connections available at a number of locations.

The site sedimentation basins were sized using the Fair and Geyer equations, with the results summarised below in Figure 29. The 3-month recurring flow is expected to be approximately 0.7m³/s. The volume of sediment expected from the developed catchment to the basin in 5 years is 116m³. It is likely that this basin will be 97% (highly) efficient if the area of the basin is 500m². At the typical 5-year clean-out mark, it is expected that the sediment basin will be 51% filled.

Calculating Required Sedimentation Basin Area

Settling Velocity of Target Sediment	11	mm/s			
Hydraulic Efficiency (λ)	0.4		n =	1.67	
Permanent Pool Depth	2	m			
Extended detention depth	0.5	m	d* =	1.00	m
Design Discharge (m^3/s) - 3 month flow	Area of Basin	Capture Efficiency			
0.7	500	97%			

Volume of accumulated sediments

R (fraction of target sediment removed)	0.97	
Catchment area	14.9	ha
Sediment Loading rate	1.6	m3/ha per year
Desired Clean-out frequency	5	years
Storage volume required - volume of accumulated sediments	116.05621	m3

Volume of accumlated sediments / Total Volume	51.09%

Figure 29: Sediment basin checks

Nutrient Modelling

The MUSIC model has been built to model the pollution removal efficiency expected from the treatment train system. Sediment basins and rain tanks were included into the model with parameters as discussed above (See Figure 30).

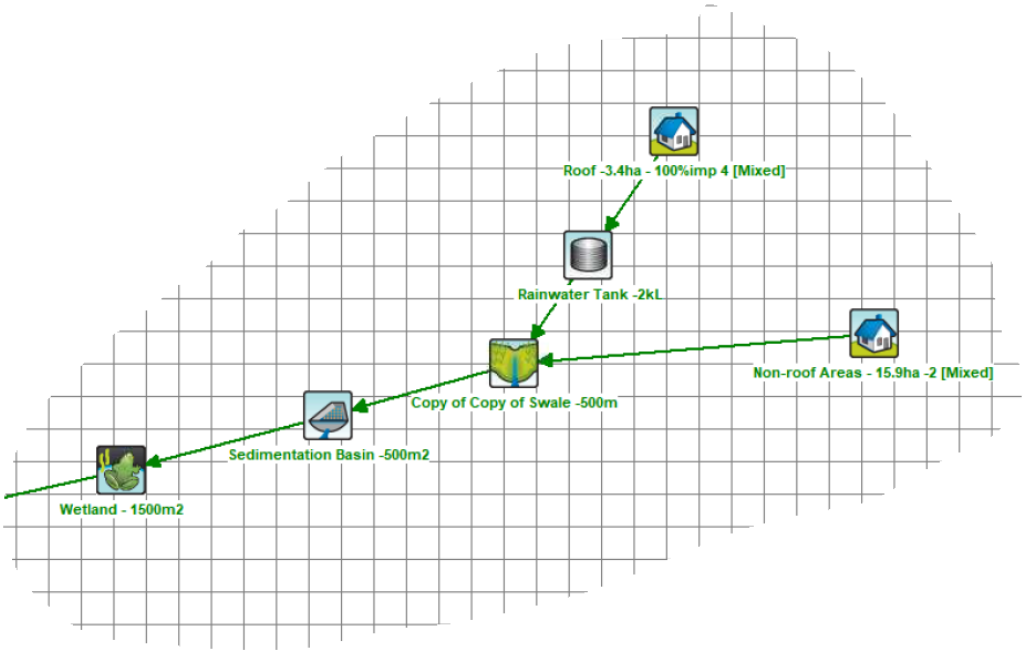


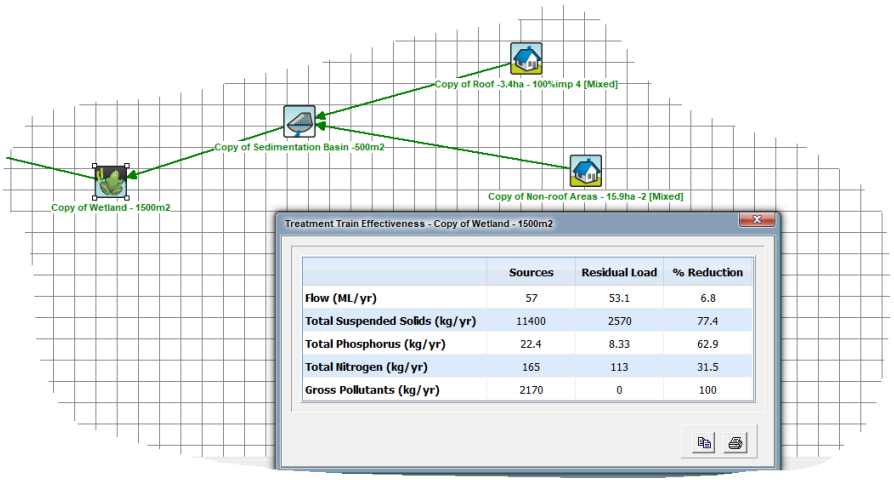
Figure 30: MUSIC Modelling Setup for proposed treatment system

The results found that the proposed treatment system works well to meet the development objectives. The use of the swale along the eastern boundary helps to reduce the footprint of the wetland whilst not compromising on treatment efficiency. Consequently, the wetland should be at least 1500m² with general layout and sizes shown in Figure 33.

	Sources	Residual Load	% Reduction
Flow (ML/yr)	57	49.3	13.4
Total Suspended Solids (kg/yr)	11500	771	93.3
Total Phosphorus (kg/yr)	23.2	5.11	77.9
Total Nitrogen (kg/yr)	163	86.7	46.9
Gross Pollutants (kg/yr)	2170	0	100

Figure 31: MUSIC modelling results

To test the sensitivity of these assumptions, a model was created to exclude the proposed rain tanks and swales. Both the rainwater tanks and swales are viewed as “nice to have” additions to the treatment train whilst acknowledging their implementation as difficult with the existing subdivision. Final design may preclude the full connection to the swale, and as acknowledged above no formal rainwater tanks provision is to be included. The results are shown below in Figure 32.



	Sources	Residual Load	% Reduction
Flow (ML/yr)	57	53.1	6.8
Total Suspended Solids (kg/yr)	11400	2570	77.4
Total Phosphorus (kg/yr)	22.4	8.33	62.9
Total Nitrogen (kg/yr)	165	113	31.5
Gross Pollutants (kg/yr)	2170	0	100

Figure 32: Results without swale and raintanks

As can be seen the final results approximate BPEM requirements with TP and TSS meeting, and almost meeting the respective targets. The TN in this case is lower than expectations, but not as significant in this particular catchment.

Given that some rainwater tanks will almost certainly be included in many of the freehold lots without permit requirements, and the swale will be connected to a portion of the catchment (subject to detailed design), it can be expected that this catchment will meet BPEM requirements for at least TSS and TP.

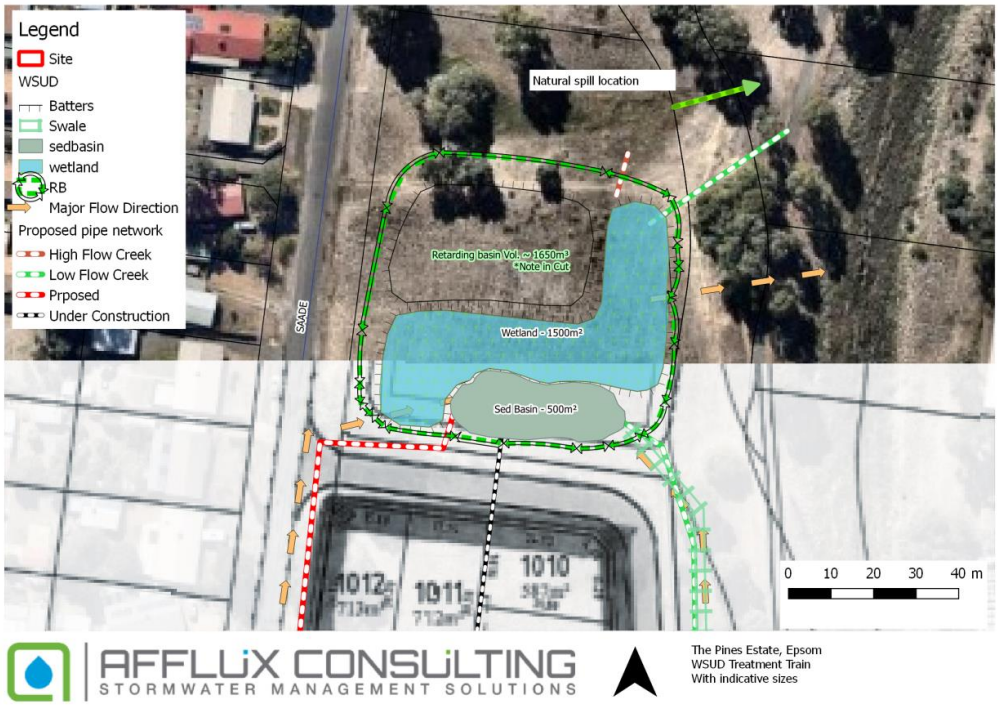


Figure 33: Proposed WSUD system with inactive sizes

8. Minor drainage arrangements

The minor drainage network will need to convey external flows from the western catchments to the WSUD system, and finally discharge to Bendigo Creek. It is envisioned that the drainage swale along the eastern boundary will link the pipe network together.

Pipe network

The pipe network should be designed to cater for the ~20% AEP storm event. The layout below (Figure 34) shows that the development will take external catchment flows arriving to south of Buckland St and along Goynes Road to the swale drain in the minor storm event.

Minor flows will eventually be piped to the sedimentation and wetland system where they will be treated. Only minor flows will be treated; major flows will be attenuated in the retarding basin or discharged directly to the creek as shown and do not require water quality treatment.

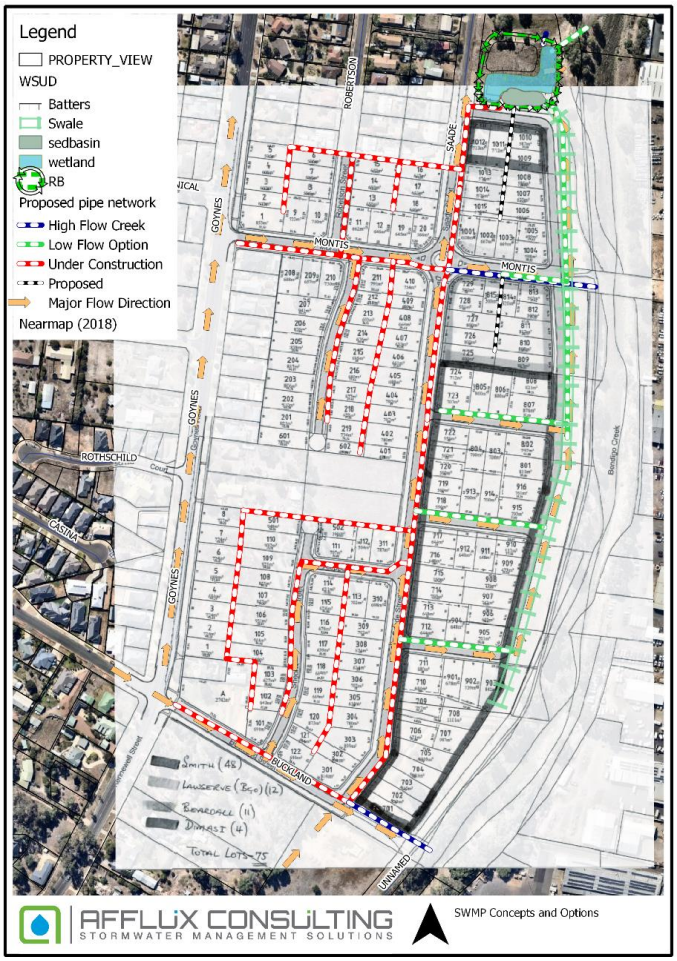


Figure 34: Proposed Pipe layout

Swale sizing

The proposed swale along the eastern boundary increases both the tertiary treatment of flows, and aids in the conveyance through to the proposed wetland system. It is expected that the swale will be at least 8 meters wide with a bottom width of 4m, and approximate ~500m long as shown in Figure 34. This gives a flow capacity well over the expected catchment that could be directed to the system. Final depth and extent will be dominated by both the pipe inlet connections, but also the width available within the reserve. As discussed ideally the swale is connected as shown in the concept, but it is acknowledged that with partial construction already underway some connections to this swale will not be possible.

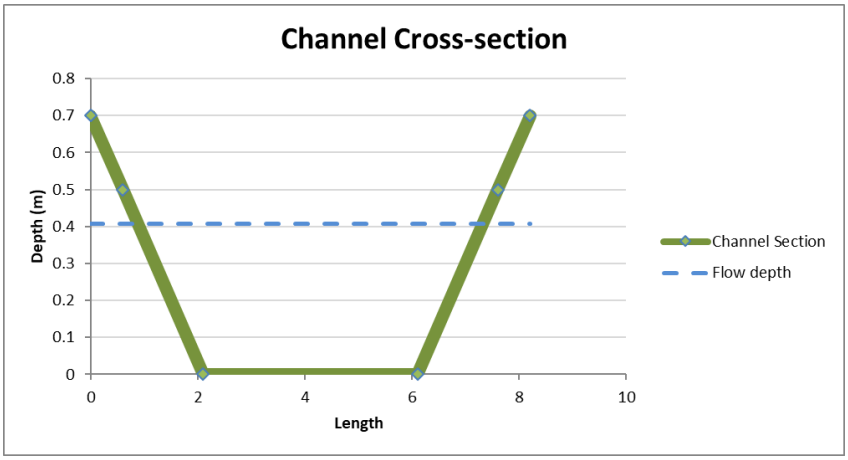


Figure 35: Proposed swale cross-section – capable of conveying a flow of up to 10m³/s

9.Habitable Floor Levels

Several lots located north of the site are subject to flood flow through without engineering interventions. Figure 36 shows the lots affected, with a maximum depth of 70mm during a 1% AEP storm event. It is recommended these parcels be filled in a way that directs water towards the roads. In addition with the finished level of these lots 300mm above the 1% AEP storm water surface elevation, as described for each parcel below. Safe egress from the site will be maintained as shown in Figure 21.

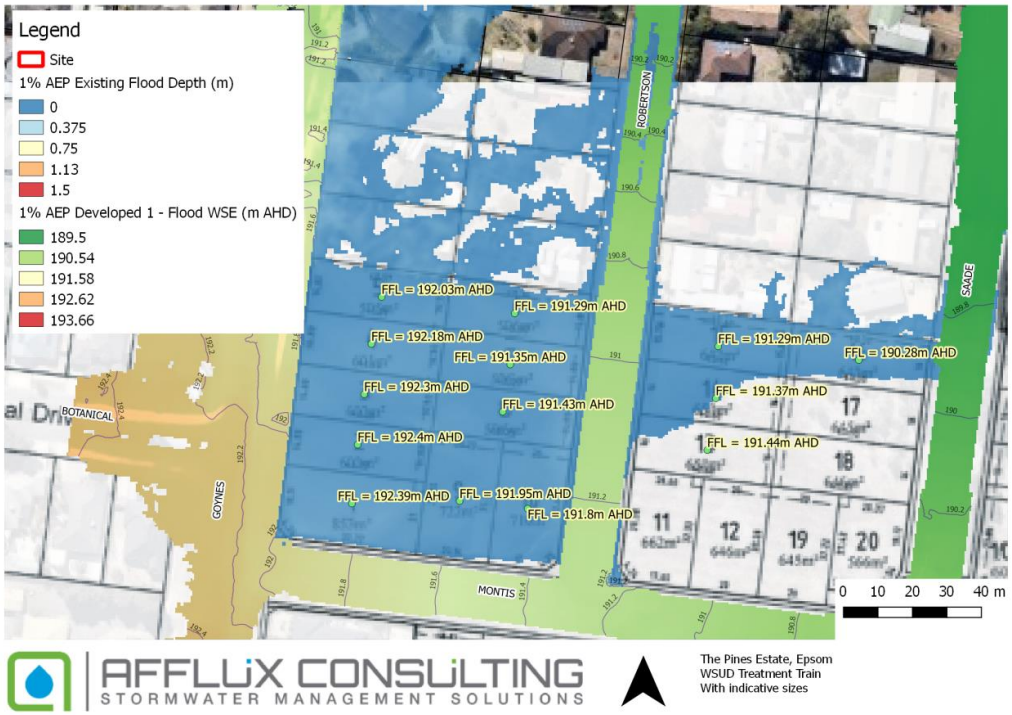


Figure 36: Minimum floor levels

11. Conclusions

This report has investigated the development of land at The Pines Estate, Epsom. In order for the site to achieve best stormwater management practices, the following engineering items are recommended:

- The development to allow external flows to pass through the site
- A minor pipe network be installed similar to the alignment as shown in this report
- Swale for drainage and nutrient treatment. To be located along the eastern boundary and as long as possible for drainage. This will convey flows through to the basin and wetland system
- Sedimentation basins of 500m² and located as recommended in this report. This will further protect the waterways from sedimentation and some nutrient pollution.
- Wetland covering a minimum of 1,500m² located north of the subject site
- Retarding basin with a volume of 1,650m³, as shown in report in cut to avoid local afflux
- Residencies be placed 300mm above the flood levels as defined in this report

These works will meet the design catchment objectives as analysed in this report and should be endorsed by the relevant authorities.

TERRACO

Civil Engineers
Project Managers
Development Consultants

Reference 15056-R

Version 1

Stormwater Management Plan



Saade Street, Epsom – Re-Zoning Proposal

Proposed 78 Lot (Approx) Residential Subdivision

October 2022

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Ref: 15056-R

Ref: 15056-R

Contents

1. INTRODUCTION 1
1.1 Background 1
1.2 The Site 1

2. STORMWATER DETENTION 3
2.1 Existing Network 3
2.2 Onsite Detention 3
2.2.1 Pre-Developed and Post-Developed Discharge 3
2.2.2 Coefficient of Runoff (Existing State – Catchments 1+2) 4
2.2.3 Coefficient of Runoff (Pre-Developed State – Catchment 3) 4
2.2.4 Coefficient of Runoff (Post-Developed State – Catchment 3) 4
2.2.5 Detention Basin and Volume 5
2.2.6 Outlet Control 6

3. WATER SENSITIVE URBAN DESIGN 6
3.1 Meteorological Data 6
3.1.1 Rainfall 6
3.1.2 Evapotranspiration 6
3.2 Model Setup 6
3.2.1 Timestep 6
3.2.2 Soils 6
3.2.3 Fraction Impervious 7
3.3 Treatment Nodes 7
3.3.1 Sediment Pond 7
3.3.2 Detention Basin 8
3.4 Overall Treatment Train Effectiveness 9

4. CONCLUSION 10

APPENDIX 1 – MUSIC TREATMENT TRAIN 11

APPENDIX 2 – COMPUTATIONS 12
20% AEP Existing Conditions Discharge – Catchments 1 + 2 12
20% AEP Pre-Developed Discharge – Catchment 3 12
20% AEP Post-Developed Discharge – Catchment 3 12
20% AEP Site Discharges 13
63.2% AEP Post-Developed Discharge – Catchment 3 13
10% AEP Post-Developed Discharge – Catchment 3 13
Sediment Pond – Fraction of Initial Solids Removed 14
Sediment Pond – Annual Cleanout Frequency 14
Emergency Overflow Swale Sizing 15

APPENDIX 3 – CATCHMENT PLAN 16

APPENDIX 4 – PROPOSED COUNCIL RESERVE WORKS 17

APPENDIX 5 – EXPECTED RESERVE INUNDATION (20% AEP) 18

APPENDIX 6 – EXPECTED RESERVE INUNDATION (10% AEP) 19

Ref: 15056-R

Project Details

Project Name	Stormwater Management Plan
Clients	Dimasi – 28-34 Saade Street *Beardall* – 36-46 Saade Street *Goggin* and *Law Serve (Bendigo) Pty Ltd* – 20 Montis Lane S*mith* and *Harper* – 1 Buckland Street
Terraco Reference Number	15056-R
City of Greater Bendigo Reference	-
Report Version	V1 (October 2022)
Document Name	15056-R Stormwater Management Plan.docx

1. Introduction

1.1 Background

Terraco Pty Ltd was engaged by landowners of 1 Buckland Street, 20 Montis Lane, 36-46 Saade Street and 28-34 Saade Street, Epsom to undertake a Stormwater Management Plan for their land.

The Stormwater Management Plan is to form part of the submission to City of Greater Bendigo Councils engineering department to provide a proof of concept for stormwater detention and treatment solutions, to assist in the application for re-zoning of this land to a residential zone.

1.2 The Site

The 7 hectare development site is located in Epsom, and is bordered by residential development to the west (Elmwood Estate and Robertson Street), Buckland Street (unmade) to the south, an existing Council reserve to the north and the Bendigo Creek to the west.

The site generally falls to the north, and is currently captured via an existing detention basin within the Council reserve mentioned above, before discharging to the Bendigo Creek. Any flow that falls east towards the creek is obstructed via the existing bicycle path which has been constructed along a levy approximately 600mm high. There is one existing culvert under the bike path, however that is located at the far southern end of the site, and therefore diverts almost no runoff from the development site. The remainder of flows falling east pool slightly before falling north to the existing basin.

The site is vacant and has generally been used for grazing. All parcels are currently zoned Farming Zone (FZ) and are subject to an Environmental Significance Overlay (ESO1) and Land Subject to Inundation Overlay (LSIO1), with 28-34 Saade Street subject to a LSIO2 in addition. The clients propose to develop the land into approximately 78 allotments upon it's re-zoning to residential land.

It is expected that the existing detention basin within the Council reserve may be utilised to satisfy detention requirements for the development, however additional water sensitive urban design (WSUD) nodes would be required in order to satisfy WSUD requirements.

Ref: 15056-R

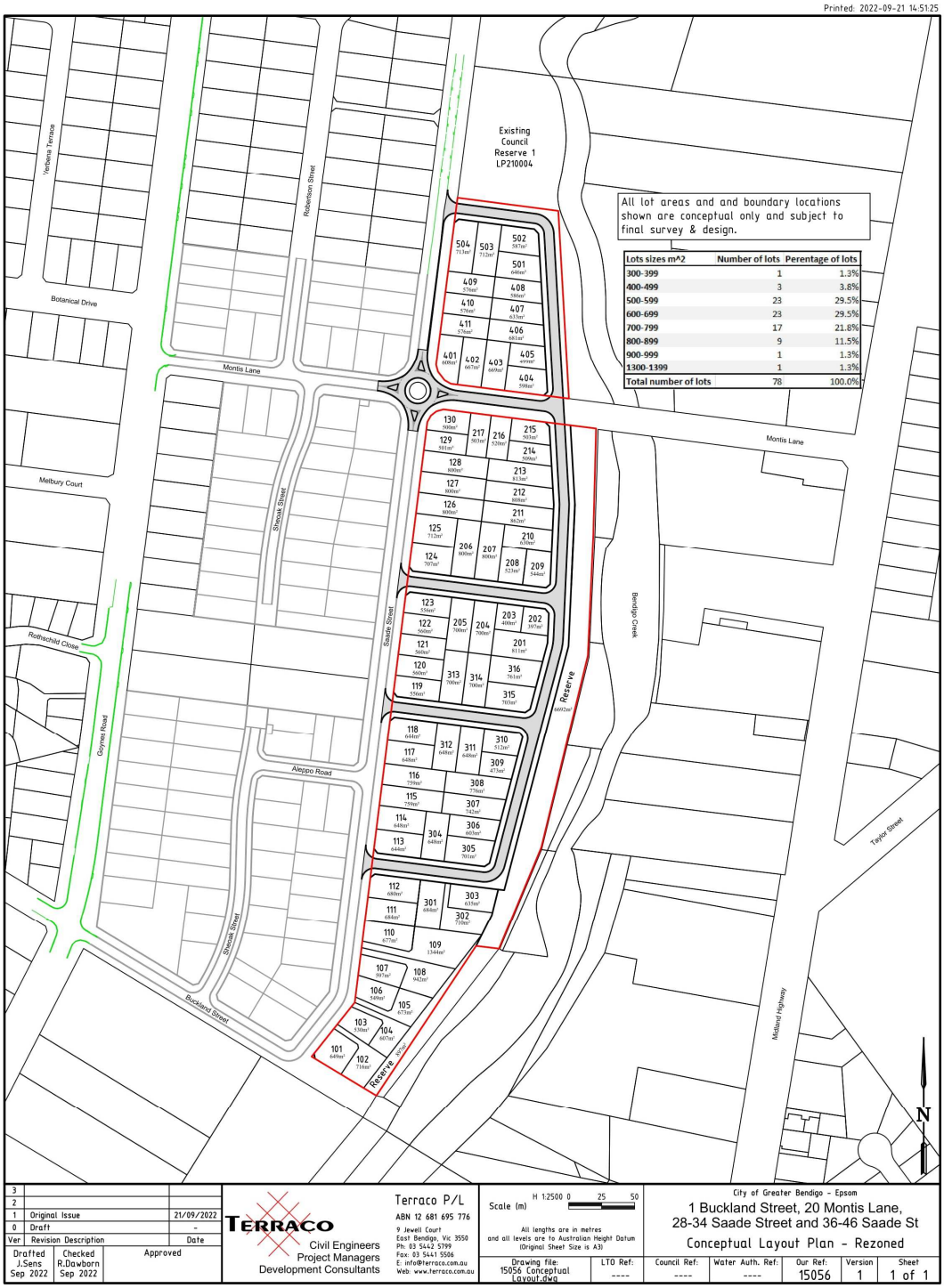


Figure 1: Conceptual Layout Plan - Rezoned (Source: Nearmap)

2. Stormwater Detention

This report outlines on-site stormwater detention solutions to be provided sufficient to restrict the 20% AEP rainfall event to pre-developed levels for the development site, as confirmed via preliminary advice offered by Peter Brasier of City of Greater Bendigo on 09/09/2022.

As such, the frequency used as a baseline for this analysis is the 20% Annual Exceedance Probability (20% AEP) for minor flows. This is in accordance with Clause 18.4 of the Infrastructure Design Manual (V5.30). Some comment is also provided to the 10% AEP event in this report, to outline a wider scope.

2.1 Existing Network

There is an existing detention basin located within the Council reserve at 18-26 Saade Street, Epsom (identified as Reserve 1, LP210004).

Runoff from an external catchment is piped to the basin via two separate 525mm RCP inlet pipes, one at each western corner of the basin. The existing catchment is comprised of the residential development to the immediate west, and a small portion of this development site (in it's undeveloped state). The entirety of Elmwood Estate to the south-west is treated via it's own detention basin and piped to the Bendigo Creek. Goynes Road and it's associated catchment to the west is piped through Montis Lane and Taylor Street to the Bendigo Creek, and therefore does not form part of the basin catchment either.

The basin outlet structure consists of a concrete headwall with 2x 525mm RCP outlet pipes, discharging to the Bendigo Creek. There is no outlet control via orifices, baffles etc. As such, the basin acts as a temporary storage area however flows from all rainfall events are permitted to discharge to the creek with the capacity of the outlet pipes being the only limitation on existing discharge rate.

An analysis of the 3d site model based on feature survey of the basin has provided the following information;

Existing detention basin capacity = **1,444m^3** *(to 300mm freeboard limit)*

Existing detention basin capacity = **2,085m^3** *(to true top of basin)*

Existing permissible discharge rate = **774L/s** *(existing twin 525mm pipes flowing full)*

It is expected that the existing detention basin may be utilised for stormwater detention for this site, given its excessive capacity for the 20% AEP rainfall event.

2.2 Onsite Detention

2.2.1 Pre-Developed and Post-Developed Discharge

The 20% AEP pre-developed discharge was calculated in order to determine a permissible post-developed discharge rate. See *Appendix 2*.

The 20% AEP post-developed discharge was also calculated in order that it may be compared to the pre-developed discharge rate, and a storage volume determined. This was achieved by referring to Bureau of Meteorology (BOM) data and ARR2019. See *Appendix 2*.

Three catchments were identified in this analysis, as follows.

Catchment 1 (External) – Existing development to the west, consisting of Robertson Street (considered in its current developed state for the purposes of both "pre-developed and post-developed" computations). This catchment is already piped to the existing detention basin.

Catchment 2 (External) – Undeveloped reserve land east of the basin, north of Montis Lane. This catchment already discharges overland to the existing detention basin.

Catchment 3 (Internal) – Development site, including portions of existing road reserves to be upgraded. This catchment is to be piped to the proposed WSUD nodes before reaching the basin.

2.2.2 Coefficient of Runoff (Existing State – Catchments 1+2)

Description	Area (m^2)	Coefficient of Runoff (20% AEP)
Landscaped Areas	5,031	0.25 *(IDM Table 10)*
Road Reserves	10,097	0.75 *(IDM Table 10)*
Lots (450 - 600m^2)	0	0.60 *(IDM Table 10)*
Lots (600 - 1,000m^2)	38,128	0.55 *(IDM Table 10)*
Lots (1,000 - 2,000m^2)	0	0.40 *(IDM Table 10)*
Lots (2,000m^2 - 4,000m^2)	0	0.35 *(IDM Table 10)*
Lots (4,000m^2 - 1ha)	0	0.35 *(IDM Table 10)*
TOTAL/AVERAGE	**53,256**	**0.56**

Table 1: Coefficient of Runoff (Existing State – Catchments 1+2)

2.2.3 Coefficient of Runoff (Pre-Developed State – Catchment 3)

Description	Area (m^2)	Coefficient of Runoff (20% AEP)
Landscaped Areas	72,931	0.25 *(IDM Table 10)*
Road Reserves	0	0.75 *(IDM Table 10)*
Lots (450 - 600m^2)	0	0.60 *(IDM Table 10)*
Lots (600 - 1,000m^2)	0	0.55 *(IDM Table 10)*
Lots (1,000 - 2,000m^2)	0	0.40 *(IDM Table 10)*
Lots (2,000m^2 - 4,000m^2)	0	0.35 *(IDM Table 10)*
Lots (4,000m^2 - 1ha)	0	0.35 *(IDM Table 10)*
TOTAL/AVERAGE	**72,931**	**0.25**

Table 2: Coefficient of Runoff (Pre-Developed State - Catchment 3)

2.2.4 Coefficient of Runoff (Post-Developed State – Catchment 3)

Description	Area (m^2)	Coefficient of Runoff (20% AEP)	Coefficient of Runoff (All other AEP's)
Landscaped Areas	6,702	0.25 *(IDM Table 10)*	0.25 *(IDM Table 10)*
Road Reserves	15,076	0.75 *(IDM Table 10)*	0.75 *(IDM Table 10)*
Lots (450 - 600m^2)	14,994	0.60 *(IDM Table 10)*	0.75 *(IDM Table 10)*
Lots (600 - 1,000m^2)	34,815	0.55 *(IDM Table 10)*	0.70 *(IDM Table 10)*
Lots (1,000 - 2,000m^2)	1,344	0.40 *(IDM Table 10)*	0.50 *(IDM Table 10)*
Lots (2,000m^2 - 4,000m^2)	0	0.35 *(IDM Table 10)*	0.45 *(IDM Table 10)*
Lots (4,000m^2 - 1ha)	0	0.35 *(IDM Table 10)*	0.40 *(IDM Table 10)*
TOTAL/AVERAGE	**72,931**	**0.57**	**0.68**

Table 3: Coefficient of Runoff – (Post-Developed State - Catchment 3)

Ref: 15056-R

2.2.5 Detention Basin and Volume

The below parameters were calculated as shown in the appended computations (*Appendix 2*). Both the pre-developed and post-developed discharge rates shown below include external catchment 1 in it's existing developed state, and external catchment 2 in its undeveloped state. The varying number is simply the difference occurring on the development site (catchment 3).

Total Pre-Developed Discharge	762	L/s
Total Post-Developed Discharge	1,117	L/s
Increase in Discharge	**356**	**L/s**

Table 4: Discharge Rates – 20% AEP

Using the following figures in a stormwater detention spreadsheet, the maximum detention volume for the 20% AEP rainfall event was established as seen in Figure 2.

$C5_{developed}$	0.566		*Overall volumetric runoff coefficient*
Catchment	12.619	ha	*(Total catchment area to basin)*
Allowable Discharge	762	L/s	*(Controlled outlet capacity – Q_{out})*
t_c	21	min	*(Time of concentration for total catchment)*

Table 5: Detention Volume Parameters – 20% AEP

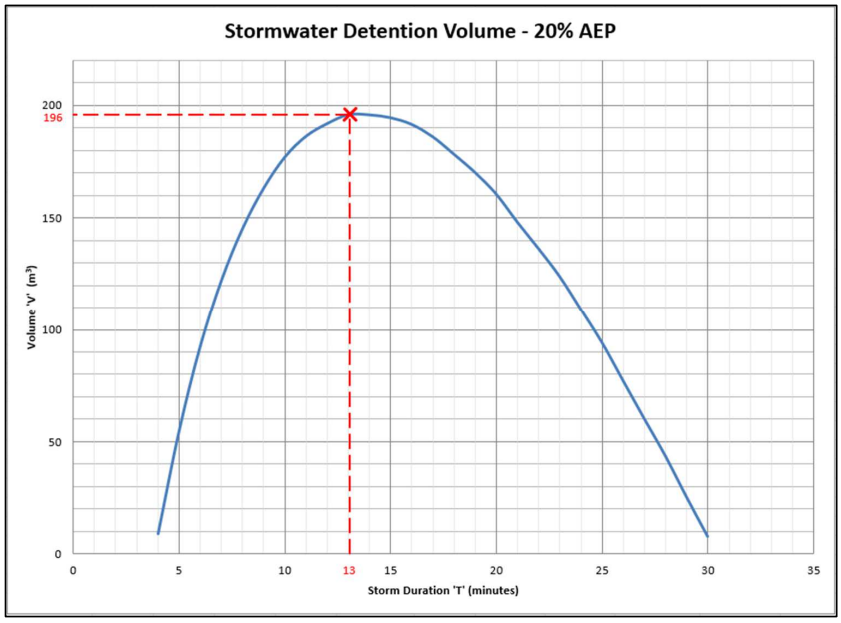


Figure 2: Stormwater Detention Volume Graph – 20% AEP

As can be seen in Figure 2 above, the peak 20% AEP detention volume was found to be 196m^3 which corresponds with a detention time of approximately 13 minutes. The detention volume of 196m^3 equates to a pool depth of approximately 0.32m across the footprint of the existing basin.

2.2.6 Outlet Control

The existing twin 525mm outlet pipes have a total capacity of 774L/s at full flow. As the existing discharge from all three catchments sums to 762L/s, it is proposed that the existing outlet remains in it's current state, with no modifications required.

As the storage volume required is approximately 320mm deep and therefore will only fill the outlet pipes by less than two thirds, it can be determined that the 20% AEP rainfall event will be naturally over-detained and utilise additional basin storage (of which there is a significant excess).

The basin would only discharge to pre-developed levels if the pipe was flowing full and storage depth reached 575mm.

Additionally, any larger rainfall events would naturally be detained to the 20% AEP existing conditions (approximately), given the discharge limit of the existing pipes. Additional head may have minor impacts on this. Storage computations (not provided) for the 10% AEP rainfall event indicate that the basin has ample capacity for this scenario as well.

3. Water Sensitive Urban Design

In keeping with the recommendations of the *Urban Stormwater Best Practice Management Guidelines*, CSIRO 1999, stormwater run-off should achieve an 80% reduction of Total Suspended Solids (TSS), 45% reduction of Total Phosphorus (TP), 45% reduction in Total Nitrogen (TN) and 70% reduction in Litter of a typical urban annual load.

MUSIC by eWater is a highly powerful conceptual tool used to model the performance of stormwater quality systems within a catchment. MUSIC is the industry standard for modelling Water Sensitive Urban Design (WSUD). As such, MUSIC has been used to model the stormwater management of this site.

3.1 Meteorological Data

3.1.1 Rainfall

Rainfall data was adopted from Bendigo Prison, in accordance with the City of Greater Bendigo Council MUSIC Guidelines.

3.1.2 Evapotranspiration

Evapotranspiration distribution data was adopted from the City of Greater Bendigo Council MUSIC Guidelines.

3.2 Model Setup

3.2.1 Timestep

The timestep represents the time of concentration of the smallest catchment being modelled. In this case the roofed areas represented the shortest detention time. A 6 minute time of concentration was adopted as the analysis, in accordance with the City of Greater Bendigo Council MUSIC Guidelines.

3.2.2 Soils

The soil store capacity of 30mm and a field capacity of 20mm were adopted, in accordance with the City of Greater Bendigo Council MUSIC Guidelines.

Ref: 15056-R

3.2.3 Fraction Impervious

Typical values of fraction impervious have been adopted in this model as per the City of Greater Bendigo Council MUSIC Guidelines. These values are as follows:

Description	Fraction Impervious
Lots (>4,000m^2)	20% impervious
Lots (800m^2 – 4,000m^2)	45% impervious
Lots (500m^2 – 800m^2)	60% impervious
Lots (350m^2 – 500m^2)	75% impervious
Lots (<350m^2)	85% impervious
Road Reserves	60% impervious
Landscaped Areas	10% impervious

Table 6: Fractions Impervious

3.3 Treatment Nodes

3.3.1 Sediment Pond

A sediment pond will provide primary treatment within the treatment train and will be sited within the existing Council reserve, at the end of the internal piped drainage network. This will enable the sediment pond to capture the site discharge prior to reaching the existing detention basin. The pond shall be located immediately adjacent to one of the new internal roads to assist in maintenance accessibility. The pond has been sized in accordance with the requirements of Clause 20.3.7 of the Infrastructure Design Manual.

For the purpose of MUSIC modelling, the sediment pond has the following parameters:

Plan Area = 366m^2
Permanent Pool Depth = 1m
Permanent Pool Volume = 200m^3
Extended Detention Depth = 0.00m (modelled as 0.01)

The treated water from the sediment pond will be captured via an outlet pipe and transferred to the detention basin via a pipe sized to carry 20% AEP post-developed flows. In larger AEP rainfall events, additional flows will continue to fill the basin before overtopping into a wide and shallow overland flowpath directed to the detention basin. This flowpath is only expected to see rainfall in major storms, and therefore may be grassed and still of use for recreation purposes.

The following attributes of the sediment pond were calculated by hand, using the Fair and Geyer Equation. See *Appendix 2* for computations.

Fraction of Initial Solids Removed = 95.8% (1EY event)
Cleanout Frequency Required = Once every 14 years

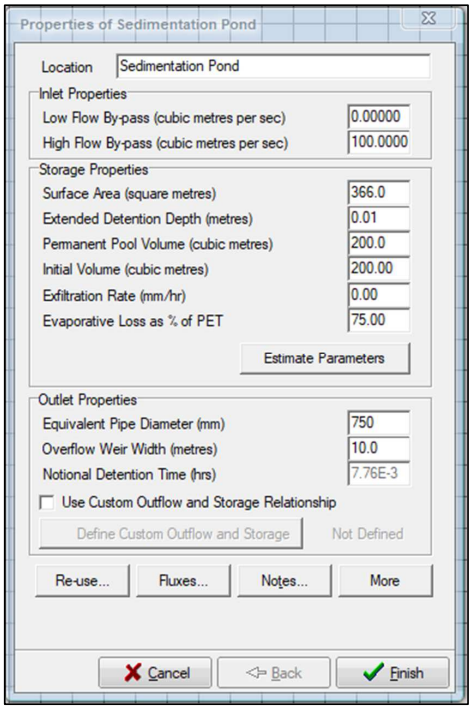


Figure 3: Sediment Pond MUSIC Input

Ref: 15056-R

3.3.2 Detention Basin

The existing detention basin shall be retained in its current state as it appears to perform well. No litter or erosion issues were observed during a site inspection.

The basin is fully grassed, with soft embankments of approximately 1 in 6 grade and large native trees located both within the base and surrounds. As such, no modification works are proposed with the exception of construction of a piped inlet, and the installation of a very shallow emergency flowpath swale.

The existing basin does not have a formal overflow weir. Rather, an analysis of the 3d surface model obtained via feature survey indicates that in the event the basin fills entirely, the entire council reserve will fill, as well as some of Saade Street and the proposed internal roads, before overtopping to the northern side of the reserve and flowing further north.

It is proposed that the piped outlet from the sediment pond be directed into the far western end of the detention basin, such that the entire length of the detention basin floor may be considered as a grassed swale for the purposes of runoff treatment.

As such, for the purposes of the MUSIC modelling, the existing detention basin was modelled as a swale. The following properties were used:

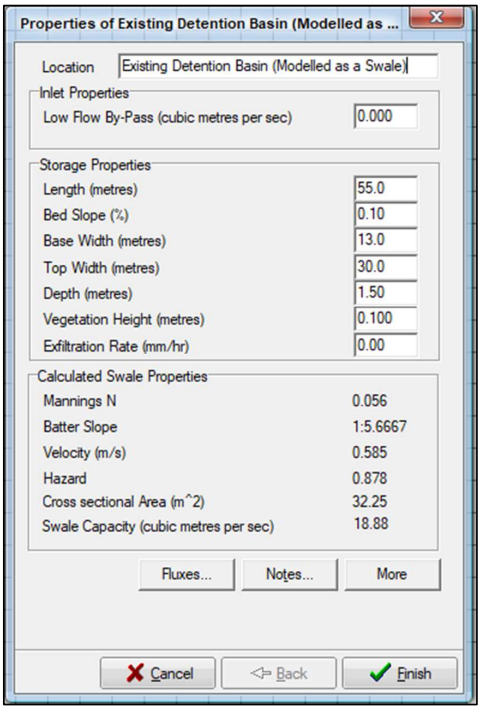
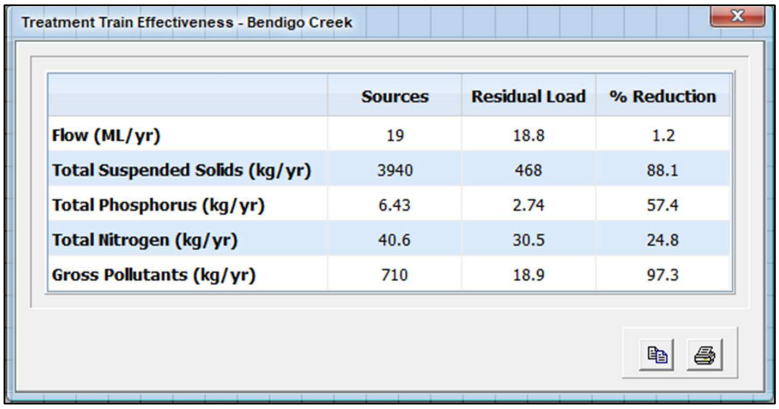


Figure 5: Detention Basin MUSIC Input

Ref: 15056-R

3.4 Overall Treatment Train Effectiveness

Based on the treatment train outlined above, the following statistics can be randomly generated using MUSIC.



	Sources	Residual Load	% Reduction
Flow (ML/yr)	19	18.8	1.2
Total Suspended Solids (kg/yr)	3940	468	88.1
Total Phosphorus (kg/yr)	6.43	2.74	57.4
Total Nitrogen (kg/yr)	40.6	30.5	24.8
Gross Pollutants (kg/yr)	710	18.9	97.3

Figure 6: Treatment Train Effectiveness

As can be seen in *Figure 6* above, the Treatment Train Effectiveness is very close to meeting recommendations of the *Urban Stormwater Best Practice Management Guidelines*, CSIRO 1999, whereby stormwater run-off should achieve an 80% reduction of Total Suspended Solids (TSS), 45% reduction of Total Phosphorus (TP), 45% reduction in Total Nitrogen (TN) and 70% reduction in Litter of a typical urban annual load.

Total Suspended Solids	88.1% reduction of recommended 80% = 110% achieved
Total Phosphorus	57.4% reduction of recommended 45% = 127% achieved
Total Nitrogen	24.8% reduction of recommended 45% = 55% achieved
Total Litter	97.3% reduction of recommended 70% = 139% achieved

The shortfall in Total Nitrogen reduction identified above is not considered critical as Nitrogen levels are not a key concern in freshwater watercourses such as Bendigo Creek. Therefore it is suggested that the above results are satisfactory.

Ref: 15056-R

4. Conclusion

Given the information presented above, it is our professional opinion that the variations to stormwater discharge and quality from the site can be managed in a way that provides a positive outcome for all stake holders.

Please contact the undersigned for further information.

Yours faithfully,



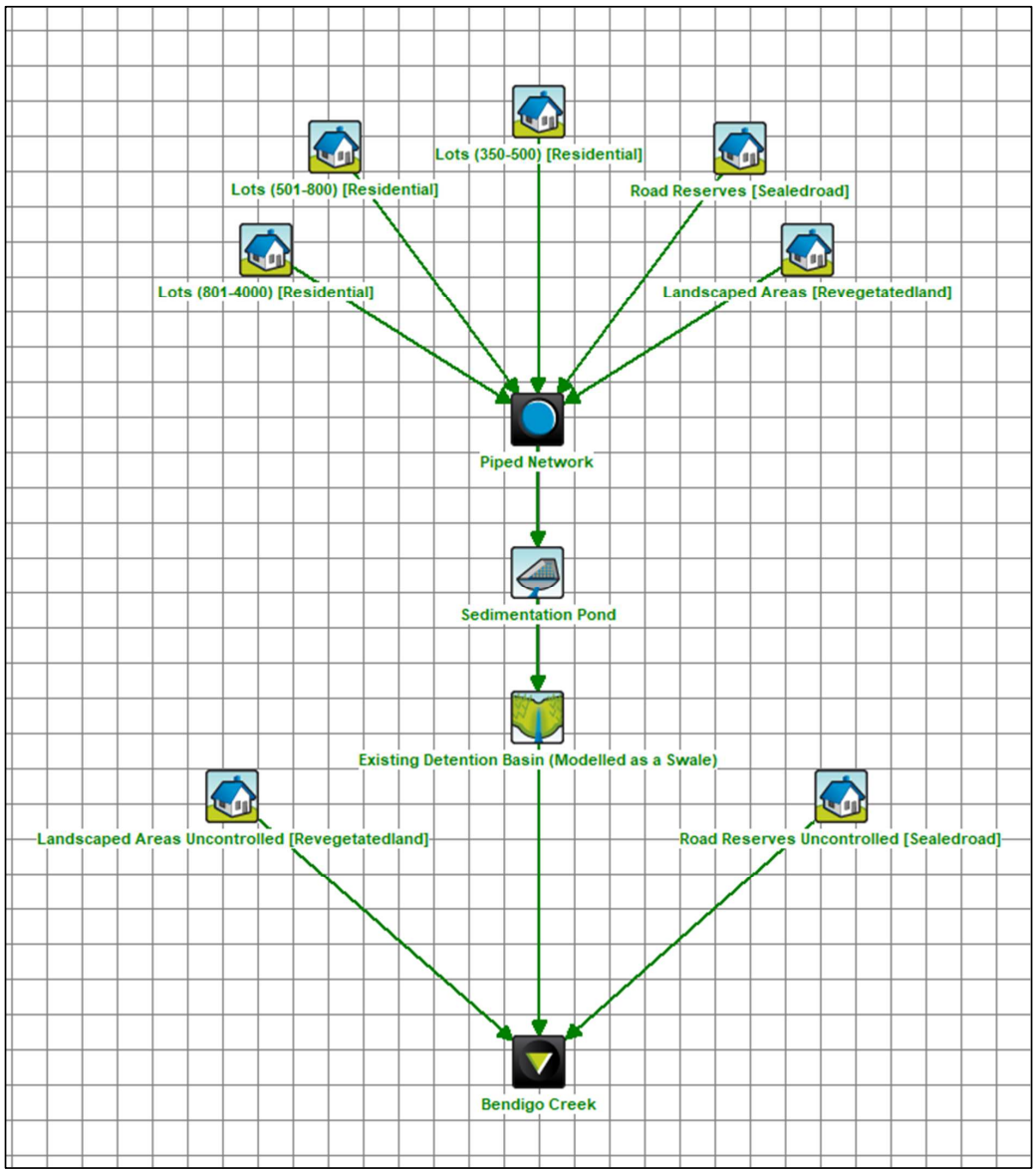
Jordan Sens
Director and Project Engineer



Rurik Dawborn
Director and Project Engineer

Ref: 15056-R

Appendix 1 – MUSIC Treatment Train



Ref: 15056-R

Appendix 2 – Computations

20% AEP Existing Conditions Discharge – Catchments 1 + 2

- Area (A) = 53,256 m^2 = 5.3256 ha *(as per Table 1)*
- Runoff Coefficient (C) = 0.56 *(as per Table 1)*

i. Time of Concentration (tc):

$$tc = 0.76 * A^{0.38} = 0.76 * 0.053256^{0.38} = 0.25\ hours = 15\ minutes$$

i. Rainfall Intensity:

From BOM IFD Design Rainfall Intensity Chart for Epsom – $I_{15min,20\%AEP}$ = 58.6mm/h

ii. Existing Catchment Discharge:

$$Q20_{ex} = \frac{CIA}{360} = \frac{0.56 * 58.6 * 5.3256}{360} = 0.485\ m^3/s\ = 485\ L/s$$

20% AEP Pre-Developed Discharge – Catchment 3

- Area (A) = 72,931 m^2 = 7.2931 ha *(as per Table 2)*
- Runoff Coefficient (C) = 0.25 *(as per Table 2, entire site assumed as "Landscaped Area")*

ii. Time of Concentration (tc):

$$tc = 0.76 * A^{0.38} = 0.76 * 0.072931^{0.38} = 0.28\ hours = 17\ minutes$$

iii. Rainfall Intensity:

From BOM IFD Design Rainfall Intensity Chart for Epsom – $I_{17min,20\%AEP}$ = 54.7mm/h

iv. Pre-Developed Discharge:

$$Q20_{pre} = \frac{CIA}{360} = \frac{0.25 * 54.7 * 7.2931}{360} = 0.277\ m^3/s\ = 277\ L/s$$

20% AEP Post-Developed Discharge – Catchment 3

- Area (A) = 72,931 m^2 = 7.2931 ha *(as per Table 3)*
- Runoff Coefficient (C) = 0.57 *(as per Table 3)*

i. Time of Concentration (tc):

$$tc = 0.76 * A^{0.38} = 0.76 * 0.072931^{0.38} = 0.28\ hours = 17\ minutes$$

ii. Rainfall Intensity:

From BOM IFD Design Rainfall Intensity Chart for Epsom – $I_{17min,20\%AEP}$ = 54.7mm/h

iii. Post-Developed Discharge:

$$Q20_{post} = \frac{CIA}{360} = \frac{0.57 * 54.7 * 7.2931}{360} = 0.634\ m^3/s\ = 632\ L/s$$

Ref: 15056-R

20% AEP Site Discharges

i. Total Pre-Developed Discharge

$= Catchments\ 1 + 2\ _{existing} + Catchment\ 3\ _{pre-developed}$

$= 485L/s\ + 277L/s$

$Total\ _{pre-developed} = 762L/s$

ii. Total Post-Developed Discharge

$= Catchments\ 1 + 2\ _{existing} + Catchment\ 3\ _{post-developed}$

$= 485L/s\ + 632L/s$

$Total\ _{post-devleoped} = 1117L/s$

iii. Increase in Discharge *(Table 4)*

$= Total\ _{post-devleoped} - Total\ _{pre-developed}$

$= 1117L/s\ - 762L/s$

$\Delta = 355L/s$

63.2% AEP Post-Developed Discharge – Catchment 3

- Area (A) = 72,931 m^2 = 7.2931 ha *(as per Table 3)*
- Runoff Coefficient (C) = 0.68 *(as per Table 3)*

iv. Time of Concentration (tc):

$tc = 0.76 * A^{0.38} = 0.76 * 0.072931^{0.38} = 0.28\ hours = 17\ minutes$

v. Rainfall Intensity:

From BOM IFD Design Rainfall Intensity Chart for Epsom – $I_{17min,63.2\%AEP}$ = 31.4mm/h

vi. Post-Developed Discharge:

$$Q63.2_{post} = \frac{CIA}{360} = \frac{0.68 * 31.4 *\ 7.2931}{360} = 0.430\ m^3/s\ =\ 433\ L/s$$

10% AEP Post-Developed Discharge – Catchment 3

- Area (A) = 72,931 m^2 = 7.2931 ha *(as per Table 3)*
- Runoff Coefficient (C) = 0.68 *(as per Table 3)*

vii. Time of Concentration (tc):

$tc = 0.76 * A^{0.38} = 0.76 * 0.072931^{0.38} = 0.28\ hours = 17\ minutes$

viii. Rainfall Intensity:

From BOM IFD Design Rainfall Intensity Chart for Epsom – $I_{17min,63.2\%AEP}$ = 68mm/h

ix. Post-Developed Discharge:

$$Q10_{post} = \frac{CIA}{360} = \frac{0.68 * 68 *\ 7.2931}{360} = 0.937\ m^3/s\ =\ 937\ L/s$$

Ref: 15056-R

Sediment Pond – Fraction of Initial Solids Removed

- Hydraulic Efficiency (λ) = Arrangement "I" = 0.41
- Particle Size = Very Fine Sand
- Particle Diameter = 125μm
- Settling Velocity (v_s) = 0.011mm/s
- Design Flow = $Q63.2_{post}$ = 0.433m^3/s
- Basin Surface Area (A) = 366m^2
- Extended Detention Depth (d_e) = 0m
- Permanent Pool Depth (d_p) = 1.0m
- Depth Below Permanent Pool Sufficient to Retain Particles (d^*) = Lower of 1.0 or d_p = 1.0m

i. ***Turbulence Parameter***

$$n = \frac{1}{1-\lambda} = \frac{1}{1-0.41} = 1.69$$

ii. ***Fraction of Initial Solids Removed***

$$R = 1 - (1 + \frac{1}{n} * \frac{v_s}{Q/A} * \frac{d_e + d_p}{d_e + d^*})^{-n} = 1 - (1 + \frac{1}{1.69} * \frac{0.011}{0.433/366} * \frac{0 + 1.0}{0 + 1.0})^{-1.69}$$

$$R = 0.958 = 95.8\%\ initial\ solids\ removed$$

Sediment Pond – Annual Cleanout Frequency

- Catchment Area (A_{catch}) = 7.29ha
- Sediment Load (SL) = 1.6m^3/ha/yr
- Gross Pollutant Load (GPL) = 0.4m^3/ha/yr
- Basin Depth (d_{basin}) = 1.0m
- Basin Area (A_{basin}) = 366m^2

i. ***Available Sump Volume***

$$V_{sump} = 200m^3\ (as\ taken\ from\ 12D\ Model\ analysis)$$

ii. ***Annual Cleanout Frequency***

$$F = \frac{R * (SL + GPL) * A_{catch}}{V_{sump}} = \frac{0.958 * (1.6 + 0.4) * 7.29}{200} = 0.057\ times\ per\ year$$

$$F = 0.057$$

$$Therefore, the\ Sediment\ Pond\ requires\ cleanout\ every\ 14\ years$$

Ref: 15056-R

Emergency Overflow Swale Sizing

The emergency overflow swale shall be sized sufficient to transmit the 10% AEP rainfall event, assuming that the primary outlet pipe for the sediment pond is blocked.

- Flow Rate Required (Q_{req}) = 10% AEP Discharge (Catchment 3 only) = 937 L/s
- Batter Slope (s_s) = 1 in 8
- Mannings Roughness Coefficient (n) = 0.030
- Base Width (b_w) = 6.0m
- Longitudinal Grade (s) = 1 in 200
- Swale Depth (d) = 250mm *(iterative trial)*

i. ***Batter Width***
$s_w = d * s_s = 0.25 * 8 = 2.0m$

ii. ***Total Swale Width***
$w = b_w + (2 * s_w) = 6.0 + (2 * 2.0) = 10.0m$

iii. ***Cross Sectional Area***
$A = b_w + s_w * d = (6.0 + 2.0) * 0.25 = 2.00m^2$

iv. ***Wetted Perimeter***
$w_p = \left(2 * \sqrt{d^2 + {s_w}^2}\right) + b_w = \left(2 * \sqrt{0.25^2 + 2.0^2}\right) + 6.0 = 10.03m$

v. ***Hydraulic Radius***
$R = \frac{A}{w_p} = \frac{2.00}{10.03} = 0.20m$

vi. ***Flow Velocity***
$v = \frac{1}{n} * R^{0.67} * s^{0.5} = \frac{1}{0.030} * 0.20^{0.67} * \frac{1}{200}^{0.5} = 0.80m/s$

vii. ***Velocity Depth Ratio***
$vd = d * v = 0.25 * 0.80 = 0.20$

viii. ***Swale Capacity***
$Q_c = v * A = 0.80 * 2.00 = 1.600m^3/s = 1600L/s$

$Q_c = 1600L/s \quad > \quad Q_{req} = 937L/s$

As such, a nominal overflow swale constructed from the sediment pond across to the detention basin with the above profile will have ample capacity to carry the entire 10% AEP rainfall event, with additional capacity. An arbitrary profile of 250mm deep with a 6m wide grassed base allows for the overflow chute to be near indistinguishable by eye and allow for maximum recreational use of the area.

It is noteworthy that this swale is only required to keep the remainder of the reserve floor free from inundation, however even if the swale and sediment pond were to overtop it would cause flows to sheet across the reserve floor to the detention basin, and as such would not be expected to cause impact on surrounding roads or lots.

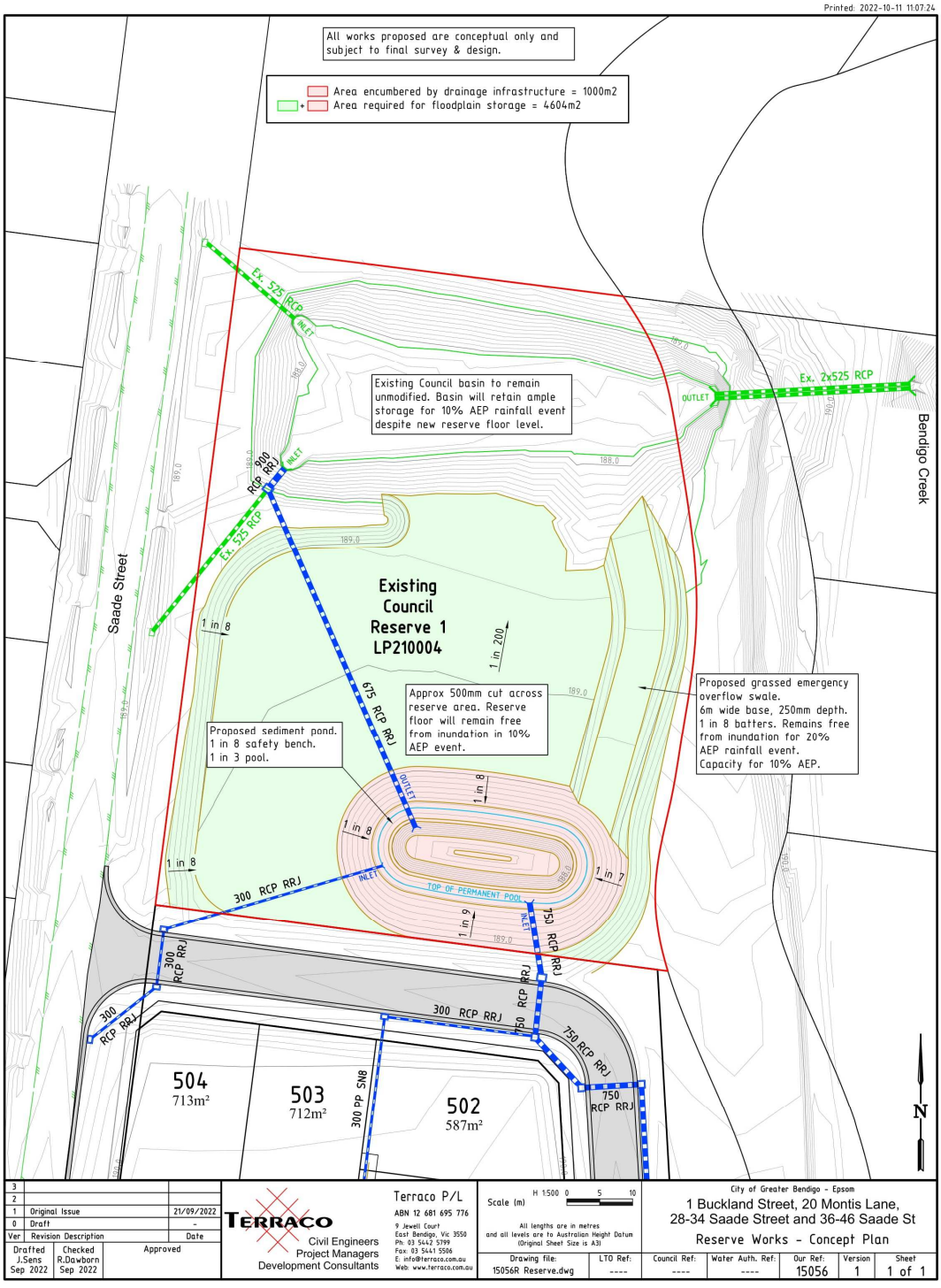
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Appendix 3 – Catchment Plan



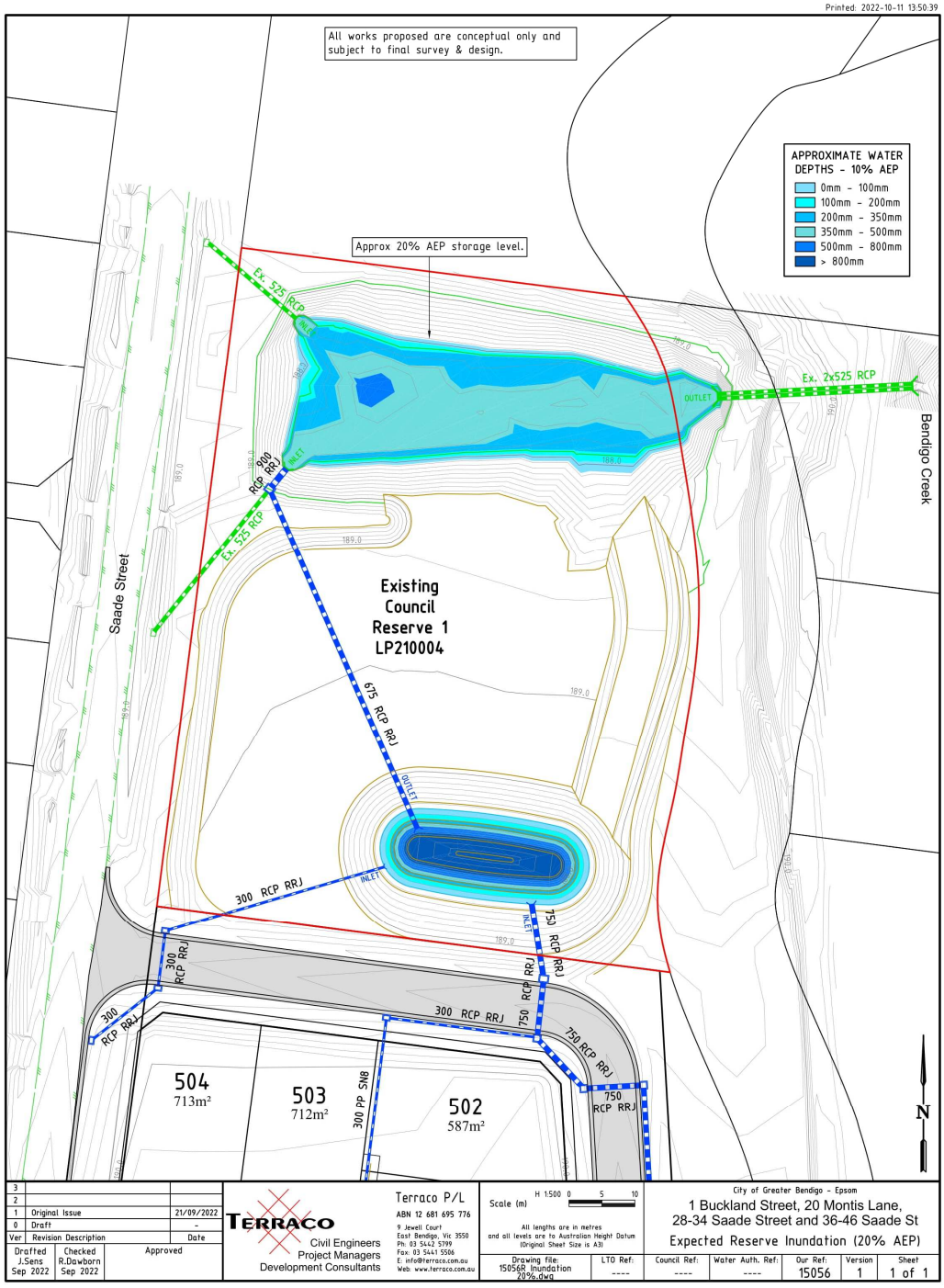
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Appendix 4 – Proposed Council Reserve Works



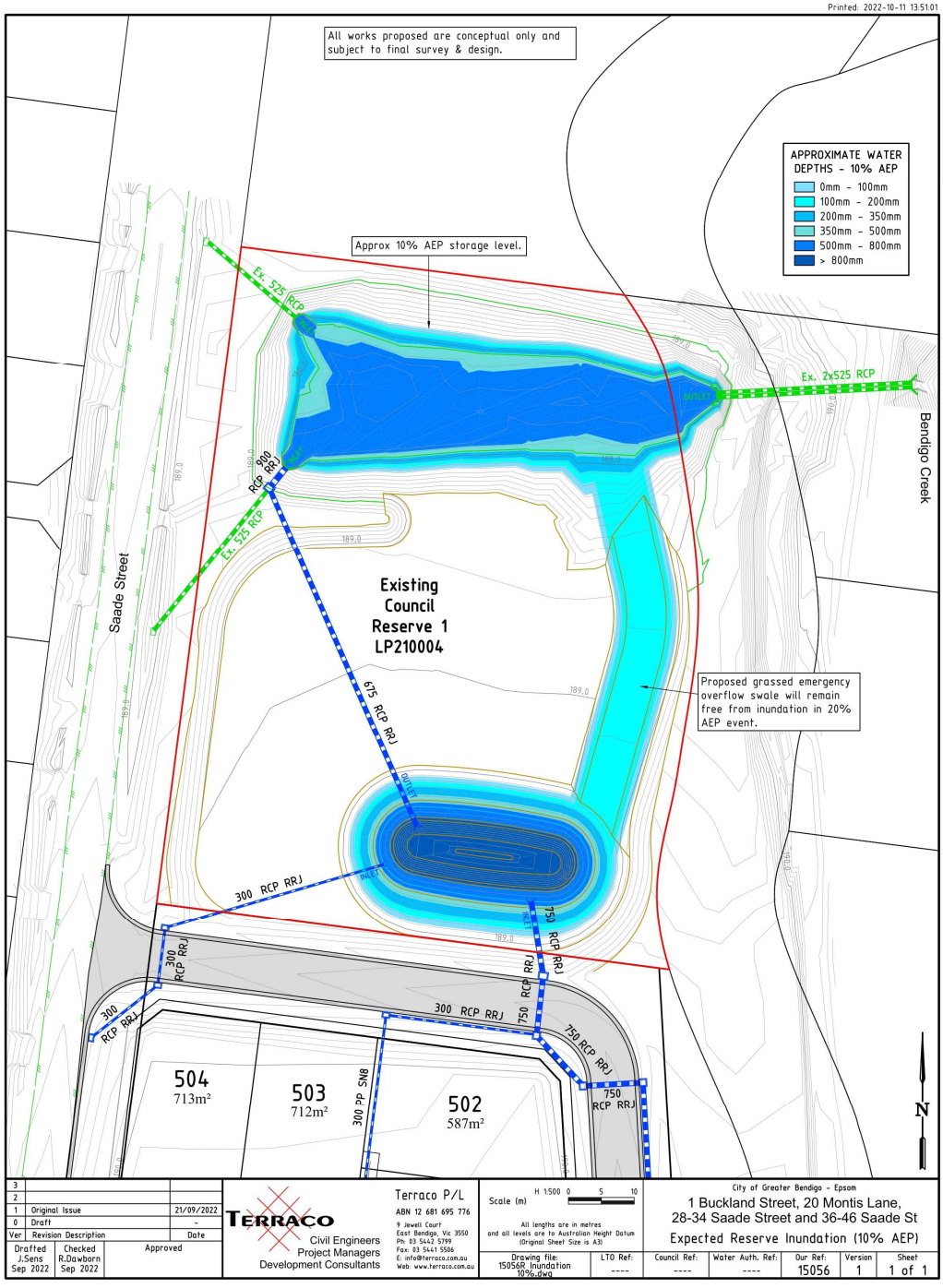
Ref: 15056-R

Appendix 5 – Expected Reserve Inundation (20% AEP)



Ref: 15056-R

Appendix 6 – Expected Reserve Inundation (10% AEP)



Compensation for encumbrance to City-owned land:

Saade Street / Montis Lane, Epsom

Existing detention basin and proposed expansion area



I spoke to Ian Cauntlett regarding the current status of the advice given in letter dated 9-5-91 concerning the "floodway" and inappropriateness of constructing a residence on the land.

Ian advised that there has been no change of circumstances and that this advice is still valid.

DES 2/8/94.

File S 871

Rural Water Commission of Victoria
590 Orrong Road Armadale Victoria Australia 3143
Direct Dial (03) 508 2327 Telephone (03) 508 2222
Contact: E. Evans

RURAL CITY OF MARONG
File No. 70 / 100 / 002
Corres. No. 002444
Date: 13 MAY 1991
Action Officer: Mgr oper
Action Taken:
FOR LIBRARY USE ONLY

Your Reference:
Our Reference : 87/08690

Mrs. Maree Gitsham
9 Robertson Street
EPSOM. 3551

-9 MAY 1991

Dear Madam,

FLOOD LEVEL ENQUIRY
LOTS 2, 3 & 4 SAADE STREET, EPSOM.

I refer to your letter of 29th April, 1991 requesting flood level information on the above land and in particular your proposal to erect a dwelling should purchase of the property proceed.

The Commission's best estimate of 1% flood levels for Lot 4 are 190.78m AHD at the northern boundary and 190.88m AHD at the southern boundary. During a 1% flood event the subject land would be flooded to depths in the range of 0.6 to 0.8 metres.

The nature of flooding, high velocities and severed access during major floods indicates the land to be within the "floodway" component of the floodplain.

Therefore Council's zoning of "flood Prone" is considered correct and the Commission is of the view that based on flooding grounds the proposal to erect a residence on the subject land is inappropriate.

Yours faithfully

Eva Evans

D.M. HANRAHAN
Manager
Land/Water Planning

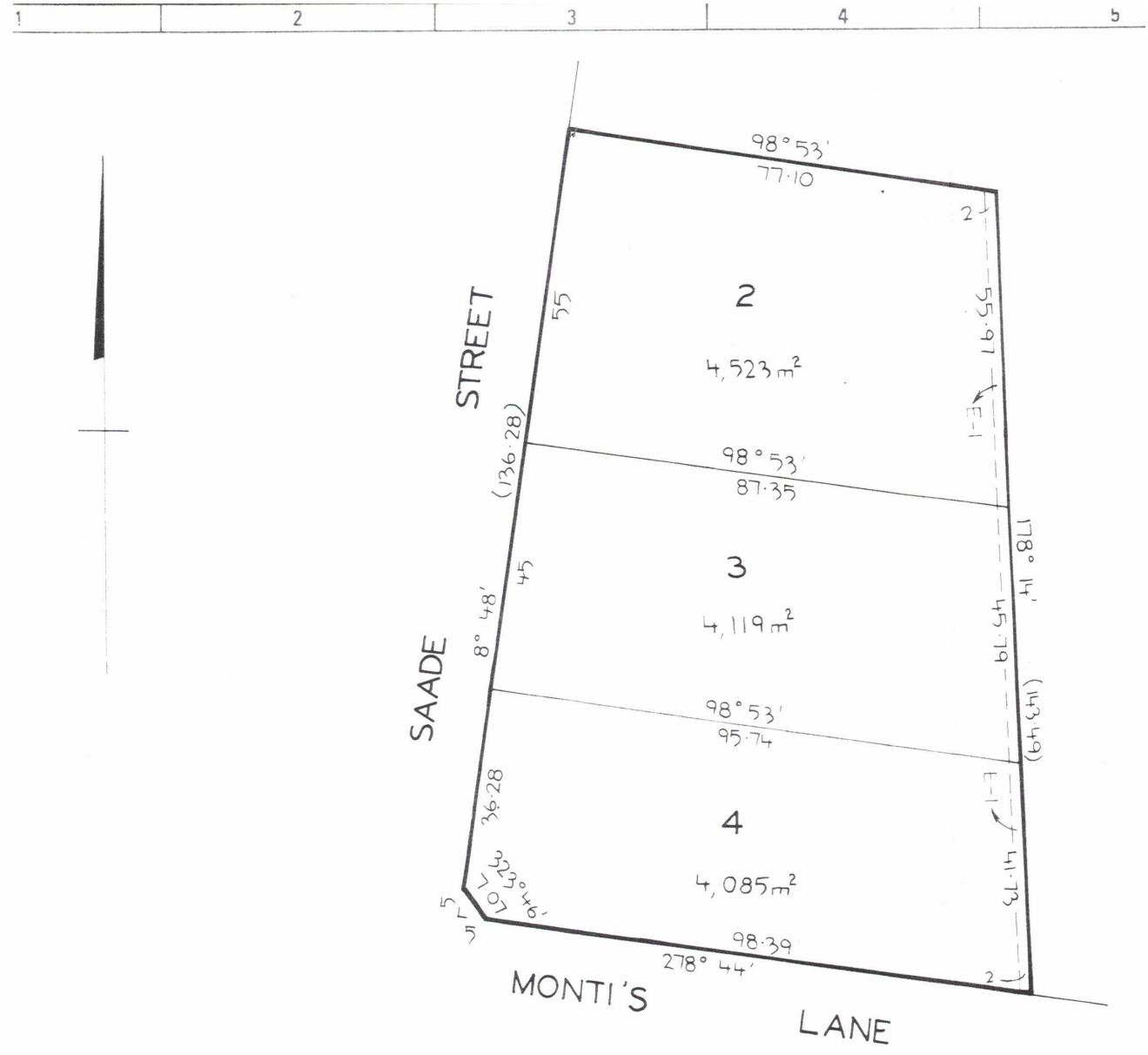
c.c. The City Engineer
Rural City of Maro
Municipal Offices
Marong. 3515

jcb17xcl

M.F/M.L/D.R.

Please note & keep on your file if this is a matter that you are dealing with

SA
15/5



CERTIFICATION BY SURVEYOR

I, THOMAS TOMKINSON of 107 BAXTER ST., BENDIGO, 3550 certify that this plan has been prepared from a survey made under my immediate direction and supervision, in accordance with the *Surveyors Act* 1978 and completed on 13th January 1986. This plan is accurate and correctly represents the adopted boundaries and the location of the survey is C-3.

15th January 1986

Licensed Surveyor
Surveyors Act 1978

CERTIFICATE OF MUNICIPAL CLERK

MUNICIPALITY SHIRE OF MARONG COUNCIL REF S871

THIS PLAN ACCORDS WITH A PLAN EXEMPTED FROM SUBDIVISION UNDER THE LOCAL GOVERNMENT ACT 1958 ON 18/6/86

DATE MUNICIPAL CLERK

MENTS

THIS PLAN ACCORDS WITH A PLAN EXEMPTED FROM SUBDIVISION UNDER DIVISION 8 OF PART XIX OF THE LOCAL GOVERNMENT ACT 1958 BY:

- THE COUNCIL ON
- THE PLANNING APPEALS BOARD ON

ISON & ASSOCIATES. SURVEYORS.
TER ST., BENDIGO. PH.(054)42 1033.
EN ST., WEST MELB. PH.(03)328 2807.

SURVEYORS REF 2676/2

DATE MUNICIPAL CLERK

SAADE
MONTI'S
LANE
3
4,119m²
4
4,085m²
98°53'
87.35
98°53'
95.74
98.39
278°44'
323°46'
7.07
36.28
8°48'
(136.28)
178°14'
(143.49)
45.79
41.73
E-1
CERTIFICATE OF MUNICIPAL CLERK
MUNICIPALITY SHIRE OF MARONG COUNCIL REF S871
CERTIFICATE A
THIS PLAN ACCORDS WITH A PLAN
SEALED BY THE COUNCIL UNDER SECTION 569 OF THE LOCAL GOVERNMENT ACT 1958 ON 18/6/86
CONTAINS BY THE PLANNING APPEALS BOARD ON
AND REQUIREMENT NO REQUIREMENT PURSUANT TO SECTION 569E OF THE LOCAL GOVERNMENT ACT 1958 HAS BEEN MADE
DATE
MUNICIPAL CLERK
CERTIFICATE B
THIS PLAN ACCORDS WITH A PLAN EXEMPTED FROM SUBDIVISION (3) OF DIVISION (9) OF PART XIX OF THE LOCAL GOVERNMENT ACT 1958 BY
THE COUNCIL ON
THE PLANNING APPEALS BOARD ON
OFFICE USE ONLY
PLAN APPROVED
AT
ON
(ASSISTANT) REGISTRAR
CERTIFICATION BY SURVEYOR
I, PAUL THOMAS TOMKINSON of 107 BAXTER ST, BENDIGO, 3550 certify that this plan has been prepared from a survey made under my immediate direction and supervision, in accordance with the Surveyors Act 1978 and completed on 13th January 1986 that this plan is accurate and correctly represents the adopted boundaries and the classification of the survey is C-3
Date: 15th January 1986
Licensed Surveyor,
Surveyors Act 1978.
AMENDMENTS
TOMKINSON & ASSOCIATES. SURVEYORS.
107 BAXTER ST., BENDIGO. PH.054421033.
SURVEYORS REF
2676/2

SHIRE OF MARONG

SHIRE OFFICE MARONG, 3515

TELEPHONE: 35 2
AREA CODE 05

WHEN ENQUIRING RE ANY MATTER
IN THIS LETTER PLEASE REFER
TO: R.C. Graham

YOUR REF:
OUR REF: RCG/jc

10th February 1986.

P.T.Tomkinson & Associates,
107 Baxter Street,
BENDIGO. 3550.

Dear Mr. Tomkinson,

Proposed subdivisions S870 & S871:

Saade Developments:

It has been drawn to my attention that planning permits have not been sought for the subdivision of C.A's 13,14 and 15, Township of Epsom, Parish of Sandhurst, east of Saade Street, Epsom however the plans are in accordance with the agreement reached with the Council and no planning permit will be issued provided the following is clearly understood by the developer.

1. No buildings will be permitted to be erected on lots 2,3 & 4 of S871 - Your Ref: 2676/2.
2. The reserve for municipal and drainage purposes shown on S870 - Your Ref: 2676/1, shall be transferred to the Council at no cost to the Council after its boundary with lot A has been fenced to the Council's satisfaction. Please advise me whether the north-eastern corner of lot A encroaches onto the borrow pit used for the building up of the lots on the western side of Saade Street. If lot A is affected by this work, I consider that it should be filled from the old levy bank along the Bendigo Creek to facilitate the erection of the above fencing.

In connection with plan of subdivision S141 and S159, would you please advise me whether the works previously specified have been completed, namely levelling of the floor of the retarding basin, levelling of nature strips in Robertson Street and Saade Street as previously discussed, construction of footway between Robertson Street and Saade Street as previously specified.

If this work has not yet been completed, would you please ask your client to expedite the work.

Yours faithfully,

RCG

R.C.GRAHAM.
SHIRE ENGINEER.

Rural Water Commission of Victoria
590 Orrong Road,
Armadale, Victoria 3143
Tel: (03) 508 2222
Direct: (03) 508 2329 P. Parker

Your Reference:

Our Reference: 76/2240

23 NOV 1984

Mr. R.J. Brown,
Managing Director,
Peta Services Pty. Ltd.,
40 Sydare Avenue,
CHADSTONE, VIC., 3148.

Dear Mr. Brown,

RE: SAADE DEVELOPMENTS PTY. LTD.

I refer to your letter of 6th September and to previous discussions concerning the proposed residential subdivision in the Goynes Road area at Epsom.

As you are aware, the Commission has for some time recognised that the subject land is liable to inundation from the Bendigo Creek. Following your recent visit to the Commission's office and discussions with Messrs. Hansen and Sarmed concerning that portion of the development east of Saade Street and adjacent to the Bendigo Creek, it was agreed to assess the impact of the total development on the existing flooding characteristics.

Subsequent computer analysis has revealed that the residential development of land west of Saade Street will have the affect of increasing the 1% flood level by 0.27m. Development of the area east of Saade Street will increase the flood level by a further 0.19m.

Both the individual increases are regarded as undesirable and the tota increase of 0.46m unacceptable.

In view of the subdivision approvals already given, and your commitments for development of the area west of Saade Street, the Commission reluctantly accepts that this component of the proposal must proceed.

With respect to the land east of Saade Street, the Commission is firmly of the view that the additional increase in flood level which would result from the proposed residential development is totally unacceptable. The Commission would therefore object to the issue of any building approvals for this area.

Yours sincerely,

T.J. CHANDLER,
Assistant Director,
Property & Legal Services.

c.c.
Mr. R.C. Graham,
Shire Engineer,
Shire of Marong,
Shire Offices,
MARONG, VIC., 3515.

Telex: Waterco AA 30739 Facsimile: (03) 508 2686 Ausdoc: DX 21

State Rivers and Water Supply
Commission of Victoria

590 Orrong Road Armadale 3143 Australia

Telex:
WATERCO
A A 30739
Telephone: 509 9511
Extension: 367

Our Reference: 76/2240

11 March 1981

Mr R. C. Graham,
Shire Engineer,
Shire of Marong,
Shire Offices,
MARONG, Vic. 3515.

Dear Sir,

Bendigo Flood Study
Subdivisions - Saade Developments Pty Ltd.

Reference is made to your recent letter regarding the appropriate 1% probability flood levels to be adopted for land off Goynes Road proposed for subdivision by Saade Developments Pty Ltd.

As you are aware, the hydrologic component of investigations for the Bendigo Flood Study have involved preparation of flood estimates at many locations within the Study Area. Because no stream flow data were available for flood estimation purposes, parameters for a runoff routing model used for the Study had to be estimated based on parameter values obtained for models of catchments located elsewhere. Not until the hydrologic component of the Study was completed could any inconsistencies in model results be found and rectified.

Such a review has now been undertaken and resulted in the adopted design flow for the Bendigo Creek adjacent to the subject land being increased from 210 m^3/sec to 280 m^3/sec. In addition, based on experience obtained during other studies, the loss coefficient was increased from 0.04 to 0.05. These refinements explain the differences between the flood levels shown on the plans given to you by Mr Duncan and those on the plan attached to the Commission's letter of 12 July, 1978. Based on level information provided by the developer, the area subject to inundation would be approximately as shown on the plan attached.

As you suggest the change in levels does affect the Commission's view with regard to development in the area.

The land to the west of the government road, described by your subdivision numbers S141, S158, and S159, can be defined as fringe areas in which development could proceed provided adequate freeboard is adopted above flood level.

2/...

S 050

The land to the east of the government road, described by your subdivision number S173, cannot be regarded as flood fringe and, therefore, the Commission considers that it should not be developed,

If you so desire, further discussions could be arranged my contacting Mr W. Morris (telephone 5080 367).

Yours ~~faith~~fully,

R. BIRD,
Secretary.

Encl:


ROAD
TAYLOR ST
GOMES
MONTIS
Bendigo Ck. (OLD COURSE)
X-SEC 25
S141
S169
S158
S159
S157
1% Probability Flood Level = 191.2 m (AHD)
Proposed Subdivision
Lots outside subdivision that will be fronted by proposed mains.
Mains to be installed by subdivider.
Fireplugs to be installed by subdivider.
Valves to be installed by subdivider.
Estimated extent of flooding by 1% probability flood
NOTE: The locations for mains shown on this plan are not
100 80 60 40 20 0 50 100 metres

15.4. Contracts Awarded under Delegation

Author:	Chelsea Wearne, Procurement Officer
Responsible Director:	Jessica Howard, Director Corporate Performance

Purpose

To inform Council of contracts signed under Delegation.

Recommended Motion

That Council note the contracts awarded under delegation during the previous reporting period.

RESOLUTION - Resolution No. 2023-39

Moved: Cr O'Rourke
Seconded: Cr Fyffe

That the recommended motion be adopted.

CARRIED

Policy Context

Primary Council Plan Reference

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

Secondary Council Plan Reference(s)

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

Conflict of Interest

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

Attachments

1. Contracts Awarded Under Delegation Report [**15.4.1** - 1 page]

Capital Contracts							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Practical Completion	Budget
Service Contracts							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Contract Term & Options	Budget
CT000650	Provision of Maintenance Cleaning Services for Council Libraries & Archive Centres	Central Vic Cleaning Pty Ltd	Brian Westley	15/02/2023	Schedule of Rates	3 Years with additional period of two by 1 years (2x1)	$150,000 per annum
CT000658	Provision of Gutter (Spouting) Maintenance Cleaning Services for Nominated Council Building	Central Vic. Property Maintenance Services Pty Ltd	Brian Westley	24/02/2023	Schedule of Rates	3 Years with additional period of one by 2 years (1x2)	$130,000 per annum
CT000653	Provision of Service 2023 Bendigo Easter Festival – Small Carnival Rides and amusements	Ashley's Kids Rides	Steve Hamilton	26/02/2023	The successful provider will pay the City a licence fee of $1,000 + GST	1 Year with the option of further two by 1 year (2x1)	$0.00
Contracts Awarded at Council							
Contract No	Project	Successful Contractor	Delegated Officer	Date Signed	Price (ex GST)	Practical Completion / Contract Term & Options	Budget

15.5. Adoption of Local Law No. 11 - Protection of Public Assets and Control of Building Sites.

Author:	Ian McLauchlan, Manager Engineering
Responsible Director:	Brian Westley, Director Presentation and Assets Stacy Williams, Director, Healthy Communities and Environments

Purpose

To seek Council adoption of Local Law No. 11 – Protection of Public Assets & Control of Building Sites for an operational period of 12 months.

Recommended Motion

That Council, pursuant to Part 3 Division 3 of the Local Government Act 2020, adopt Local Law No. 11 – Protection of Public Assets and Control of Building Sites.
RESOLUTION - Resolution No. 2023-40

Moved: Cr Evans
Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

The previous version of Local Law No. 11 – Protection of Public Assets and Control of Building Sites (the Local Law) came into effect on 21 February 2013 and expired on 28 February 2023.

Adoption of the un-amended Local Law is being sought for a further operational period of 12 months to maintain the associated asset protection and building site control provisions in place while a comprehensive review of the Local Law is undertaken.

The Local Law aids in the protection of public assets, interests and safety through the management of potential risks associated with building works within the municipality and specifically:

- Provides for the peace, order and good Government of the Municipal District.
- Protects public assets and amenities vested in Council from damage, accelerated deterioration or abuse during the building process.
- Helps to maintain health and safety of persons attending building sites and those adjacent, opposite or passing building sites.

- Prohibits, regulate and/or controls the presence and disposal of refuse, rubbish and soil on and from building sites.
- Defines standards to which persons engaged in building work should adhere.
- Educates and incentivises persons involved in building work to act responsibly to reduce the extent and cost of public infrastructure damage.

A review of the Local Law will be completed over the next 12 months in accordance with the requirements outlined within the Local Government Act 2020 and the Guidelines for Local Laws Manual (the Guidelines). This Review will include opportunity for community engagement, assessment against other statutory instruments, identification of required amendments and consideration of potential consolidation with the City of Greater Bendigo Community Local Law.

Background

Local laws are a form of local regulation that enable Councils to put in place legislative controls that reflect the different circumstances of each municipality and enforce matters which require regulation.

The authority for Council to make Local Laws was previously detailed within Part 5 of the Local Government Act 1989 however is now stipulated within Part 3 Division 3 of the Local Government Act 2020 (the Act). The procedures, requirements and considerations which need to be adhered to with respect to both adoption and renewal/review of the Local Law are quite prescriptive.

Before making a local law a council must:

- Comply with its community engagement policy.
- Publish a notice stating the purpose, effect and availability of the local law and the applicable community engagement process in respect of its adoption.
- Obtain a certificate from a suitably qualified lawyer confirming that the local law is consistent with the local law requirements.

Once a local law is adopted a further notice must be issued stating its purpose, effect and availability. It is also noted that under the Act, the only way to renew a local law is to make a new one, hence administrative extension of the existing local law is not an option.

<u>Legislative context:</u>

Local Laws are developed within the context of other existing legislation. Some of this legislation, such as the Infringements Act 2006 will impact on specific provisions of a Local Law. Other legislation, such as the Charter of Human Rights and Responsibilities Act 2006 applies to the Local Law as a whole and potentially to each substantive provision.

While developing or reviewing a local law, a considerable body of legislation needs to be considered to comply with the requirement that Local Laws shall not overlap, duplicate, conflict with or be inconsistent with existing legislative provisions (e.g. Road Management Act, Environment Protection Act, Litter Act etc.).

By following this comprehensive approach, a review is more likely to confirm the validity of the proposed Local Law rather than expose a need in the latter stages to re-write provisions in the light of related legislation.

Local Law No. 11:

The previous version of the Local Law was adopted by Council on 21 February 2013 and has not been amended since that time. The Local Law expired/ceased to operate on 28 February 2023.

The purpose of the Local Law is to:

- Provide for the peace, order and good Government of the Municipal District.
- Protect public assets and amenities vested in Council from damage, accelerated deterioration or abuse during the building process.
- Maintain a physical environment with minimal hazards to health and safety of persons attending building sites and those adjacent, opposite or passing building sites.
- Prohibit, regulate and/or control the presence and disposal of refuse, rubbish and soil on and from building sites within the municipal district to reduce hazards to the environment and promote an environment where residents can enjoy a quality of life that meets the general expectation of the community.
- Define the standards to which persons engaged in building work should adhere.
- Educate and incentivise persons involved in building work to act responsibly to reduce the extent and cost of infrastructure damage for the benefit of the wider community.

In consideration of the objectives, the Local Law contains eight 8 parts which specify various provisions relating to:

- Protection of public assets (e.g. kerb, pathways, trees, drains, roads etc)
- Inspection regimes and authority of City officers
- Protection of stormwater quality
- Sanitary facilities
- Control of refuse
- Storage of materials and equipment
- Penalties for non-compliance

Permits are issued under the Local Law which enable the provision of the City's consent for proposed activities/impacts as well as the opportunity to stipulate required mitigation or control measures to protect the publics interests/safety.

Previous Council decision dates:

- The Local Law was adopted by Council on 21 February 2013.

Report

Adoption of the Local Law for a 12-month period is proposed to maintain the relevant asset protection and building control provisions in effect while a comprehensive review is undertaken.

The Local Law presented for Council adoption (see attachment 1) is un-amended, other than required administrative references (e.g. update of operating period and references to the Act), from the version which has been in effect since 2013.

Prior to presenting the Local Law for Council adoption, officers have undertaken the following actions as prescribed under the Act:

- Review and administrative amendment of the Local Law.
- Evaluation of procedural compliance against the City's community engagement policy.
- Issuing of public notice of proposal to adopt the Local Law (see attachment 2).
- Confirmed availability of Local Law for inspection on Council website and at municipal office.
- Obtained a certificate confirming consistency of Local Law with legislative requirements from a qualified lawyer (see attachment 3)

In consideration of the above, the Local Law is presented for Council adoption. If adopted, further public notice shall be required pursuant to section 74 of the Act.

<u>Further Review:</u>

Subsequent to the adoption and continuation of the Local Law for a further 12-month operational period, a comprehensive review will be undertaken. This review will include comprehensive community engagement which may lead to future recommendations regarding re-adoption, amendment, consolidation or abandonment of the Local Law.

This review will comply with both the statutory requirements outlined within the Act and the procedures outlined within the Guidelines.

A review in accordance the Guidelines typically takes between 6 to 12 months to complete. This allows for a thorough review of the provisions within the Local Law to ensure that they remain relevant and avoid duplication with other existing statutory provisions or powers as well as provide adequate opportunity to seek community input.

Priority/Importance

The adoption of the Local Law is a high priority in order to maintain the effect of the associated provision for protection of public assets, community safety and local amenity as well as the validity and enforceability of current asset protection permits.

Options considered

Following expiry of the previous Local Law the following response options were identified:

- Adopt the un-amended Local Law for a further 12 months and undertake a comprehensive review.

- Allow the Local Law to remain expired while the review is completed, with a subsequent recommendation to re-adopt, amend, abandon or consolidate likely to be forthcoming in approximately 6 to 12 months.

- Re-adopt current version of local law for further 10 years: Re-adoption for a period greater than 12 months without formal review and community engagement is not considered to be consistent with the Guidelines or the Act.

Given potential operational and community risks if the provisions within the Local Law do not remain in effect, it is being recommended that an un-amended Local Law be adopted for a 12-month operating period.

Given the public's familiarity with the existing provisions within the Local Law, re-adoption of the current document for a further 12 months without conducting formal community engagement is acceptable, providing that a comprehensive review includes such engagement over the next 6 to 12 months.

Timelines

If adopted by Council per the above recommendation, the Local Law will be in effect for a 12-month period effective 27 March 2023.

The subsequent review of the Local Law will be anticipated to take between 6 to 12 months subject to the level of community interest and extent of required amendments identified for consideration.

Communications/Engagement

Internal consultation regarding adoption of the Local Law has occurred with Engineering, Local Laws and Governance units.

Public notice of the proposed adoption of the Local Law was published in the local paper and posted on Councils website on 11 March 2023 in accordance with section 73 of the Act.

Further community engagement will be undertaken during the formal review.

If adopted further public notice shall be required in accordance with the Act.

Financial Sustainability

If the Local Law is not adopted there will be a minor financial impact to the City through loss of fee income associated with the issuing of Asset Protection Permits (APP). These fees partially offset the cost of operational resources required for administration, surveillance and enforcement of the Local Law.
Additional remediation or asset rectification costs as well as increased legal fees may also be incurred in responding to assets impacted by private development works or through enforcement action using alternate legislative instruments (e.g. Environment Protection Act, Litter Act etc.).

No financial or resource implications beyond current operational provisions are anticipated in association with the conduct of the Local Law review (i.e. will be undertaken using existing resources and operational budgets).

Risk Assessment

The primary risk identified with the expiry of the Local Law and a failure to implement a replacement instrument, relates to a reduced ability for the City to effectively control, regulate and enforce building practices which may adversely impact upon public assets, community safety or local amenity.

The proposed 12-month adoption of the Local Law will address the above risk and enable the review to be completed in accordance with the Guidelines and Act.

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
Goal 1 - Strengthened community health and wellbeing

Other Reference(s)

The statutory process for adoption of the Local Law is outlined within Part 3 Division 3 of the Local Government Act 2020.

There are several legislative instruments and guidelines which are applicable with respect to both the adoption, application and review of the Local Law. These include but are not limited to:

- Local Government Act 1989 & 2020 (the Act) and associated regulations
- Road Management Act 2004
- Environment Protection Act
- Water Act
- Building Act
- Litter Act
- Occupational Health and Safety Act
- Guidelines for Local Laws
- Charter of Human Rights

Conflict of Interest

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

Attachments

1. Local Law No 11-_ Protection of Public Assets and Control of Building Sites [**15.5.1** - 10 pages]
2. Published Notice of intent to make Local Law No. 11 [**15.5.2** - 1 page]
3. Solicitors Certificate - Local Law No. 11 [**15.5.3** - 2 pages]

CITY OF GREATER BENDIGO

PROTECTION OF PUBLIC ASSETS & CONTROL OF BUILDING SITES

LOCAL LAW NO.11

CONTENTS:

Clause No.	DESCRIPTION	Page No.
PART 1	**INTRODUCTION**	
11.1	Title	1
11.2	Purpose of Local Law	1
11.3	Authorising Provision	1
11.4	Commencement And Revocation	1
11.5	Area of Operation	1
11.6	Cessation Date	1
11.7	Definitions	2
PART 2	ASSET PROTECTION	
11.8	Asset Protection	4
PART 3	INSPECTION	
11.9	Inspection	5
PART 4	STORMWATER PROTECTION	
11.10	Stormwater Protection	5
PART 5	CONTROL OF BUILDERS' REFUSE	
11.11	Containment Of Refuse	5
11.12	Disposal Of Builders' Refuse	6
11.13	Removal Of Builders' Refuse	6
PART 6	PART 6 –SANITARY FACILITIES - BUILDING SITES	
11.14	Sanitary Facilities	6
PART 7	STORAGE OF MATERIALS AND EQUIPMENT	
11.15	Storage Of Materials And Equipment	6
PART 8	PENALTIES	
11.16	Penalties	7
	APPLICATION FORM A	11

PART 1 – INTRODUCTION

1. Title

This is Local Law Number Eleven of the Greater Bendigo City Council and shall be titled "Protection of Public Assets and Control of Building Sites"

2. Purpose of Local Law

This Local Law is made for the purposes of:-

(a) Providing for the peace, order and good Government of the Municipal District;

(b) Protecting public assets and amenities vested in Council from damage, accelerated deterioration or abuse during the building process;

(c) Providing a physical environment which aim to minimise hazards to health and safety of persons attending building sites and those adjacent, opposite or passing building sites;

(d) Prohibiting, regulating and controlling the presence and disposal of refuse, rubbish and soil on and from building sites within the municipal district to reduce hazards to the environment and promote an environment where residents can enjoy a quality of life that meets the general expectation of the community;

(e) Defining the standards to which persons engaged in building work should adhere;

(f) And educating and inducing persons involved in building work to act responsibly to reduce the extent and cost of infrastructure damage for the benefit of the wider community.

3. Authorising Provision

This Local Law is made under Section 71 of the Local Government Act 2020.

4. Commencement and Revocation

This Local Law comes into operation on 27 March 2023.

5. Area Of Operation

This Local Law shall apply and have operation throughout the whole of the Municipal district.

6. Cessation Date

Unless earlier revoked, this Local law ceases to operate on 27 March 2024.

7. Definitions

Where inconsistencies exist between any definition in this Local Law and those contained within other relevant legislation, the definition in the relevant legislation will prevail.

'Administration and Enforcement of this Local Law' Notices to Comply, Notices of Impounding, Fees and Permits for this Local Law may be issued by an Authorised Officer pursuant to the Administration Local Law No. 10.

'Appointed agent' means the person authorised in writing by an owner of a building or land to make an application, appeal, referral or representation on their behalf.

'Asset Protection Permit' means a written permit issued by Council for the protection of public assets and infrastructure during building work.

'Authorised Officer' means a person appointed by Council under Section 224 of the Local Government Act 1989.

'Builder' a person who has applied to the Council (or any other person to whom such an application may be made) for a building permit or, if no such application has been made, the person in charge of any building work being carried out.

'Builders' refuse' includes any solid or liquid domestic or commercial waste, debris or rubbish, and without limiting the generality of the above, includes any glass, metal, plastic, paper, fabric, wood, food, vegetation, soil, sand, concrete, rocks and any other waste material, substance or thing generated by or in connection with building work.

'Building' includes any structure or building, whether temporary or permanent, or any part of such building or structure.

'Building work' means work over the value of $10,000 for, or in connection with, the construction, renovation and alteration of buildings. This also includes the relocation or removal of a building and/or structure regardless of the value.

'Construction period' means the period in which building work is carried out.

'**Construction works'** means building or earthworks for which no Building Permit may be required

'Council' means the Greater Bendigo City Council.

'Control of building sites' provision to maintain original site amenity, including site toilets and control of builders refuse.

'Facility' means any device capable of restricting debris and other waste from leaving the building site.

'Land' means any land or building in separate ownership or separate occupation.

'Municipal district' means the municipal district of the Council.

'Owner' means the person who is entitled to receive the rent for the land.

'Public asset' means public infrastructure including footpaths, naturestrips and street trees, kerbs and channels, roads, signs, stormwater drains and pits, table drains and

crossovers.

'Road' means and includes a street, right-of-way, bridge, ford, footpath, bicycle path, nature strip, culvert or kerbing.

'Security bond' means a payment made to Council for the purposes of securing public assets and infrastructure from the cost of damage during building work.

'Stormwater system' means stormwater system which provide for the conveyance of stormwater run-off including kerb and channel, open channels, underground pipe systems and natural waterways.

'Temporary vehicle crossing' is constructed from of a series of wooden panels or other approved materials over a bed of sand, that emends from the boundary or a property over any public assets such as footpaths, nature strips, kerbs and channels to the road, and is designed to minimise damage to the assets, caused by motor vehicles and materials entering and leaving the property, during the currency of building work.

'Vehicle crossing' is a bridge or crossing constructed to council specifications, not within a rural area, over any footpath or channel next to a road to enable a person using the road to have access to land on the other side of the footpath or channel.

'Footpath' – concrete, pressed, patterned, concrete, brick or concrete pavers, asphalt or other purpose made paving

'Kerb and channel' – formed roll over curve, concrete/stone up stand kerb, brick lined drains that is formed to catch water runoff

'Stormwater drain and pit' – concrete or brick lined pipe, side entry pit or junction pit, elements of a piped drainage system

'Table drain' – earthen drain formed to catch stormwater runoff

'Street signage' - including street identification, hydrant markers and any warning/regulatory signs

PART 2 - ASSET PROTECTION

8. Asset Protection

1. For the protection of public assets vested in Council and for the safety of persons on, adjacent to , opposite, or passing a building site, Council require the owner, builder or appointed agent to obtain an Asset Protection Permit where major building work is to be carried out.

   (a) An Asset Protection Permit must be obtained by an owner, builder or appointed agent, where construction works occur, or a Building Permit has been issued for any building work to be carried out, primarily in the urban areas of the Municipality where the following asset categories exist:
   - Constructed footpath or walkways
   - Kerb and channel
   - Storm water drains and pits
   - Formed and or constructed vehicle crossings
   - Formed urban nature strips including street trees and street signage

   (b) An application for an Asset Protection Permit in accordance with Form A needs to be made.

   (c) An Asset Protection Permit is valid for 3 years from the date of issue and will need to be renewed if an Occupancy Permit or Final Certificate for the building works has not been issued within this time.

   (d) An application for an Asset Protection Permit must detail if any damage already exists to any of the asset categories listed in Part 1 (a) as well as any obvious damage to assets on land directly adjacent to the subject property.

   (e) If the holder of the Building Permit or owner of the property does not give notice in accordance with sub clause 1 (d) it is deemed that there was no existing damage to the asset categories listed in part 1 (a) nor the assets directly adjacent to the subject site.

   (f) The person responsible for the building and/or construction works must repair any damage to the existing road, kerb, drains or footpaths to the satisfaction of the Council.

   (g) The permit holder must, within 7 days of completion of the building works to Occupancy Permit or Final Certificate stage, arrange with the Council for an inspection of the site.

PART 3 –INSPECTIONS

9. Inspection

(1) Council may determine if and when inspections of building sites may be conducted. Inspections may be conducted at any reasonable time.

(2) If Council identifies any infrastructure damage which appears to result from non compliance with this Local Law, council officers may direct the responsible party to reinstate the damage within a specified time. Council officers will provide the responsible party with written confirmation either at the time of the inspection or within a reasonable timeframe.

(3) This includes work sites where damage has occurred regardless of whether a formal application under this Local Law has been received.

PART 4 - STORMWATER PROTECTION

10. Stormwater Protection

(1) Where any building work is being carried out on any land, the owner, builder or appointed agent must ensure that the site is developed and managed to minimise the risks of stormwater pollution, through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants in accordance with currently accepted best practice. This includes adoption of measures to:

(a) Minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting roads or washed into the stormwater system; and
(b) Prevent building clean up, wash down or other wastes being discharged offsite or allowed to enter the stormwater system.

(2) Council from time to time may provide guidelines to assist owners, builders or their appointed agents in complying with subclause (1)

PART 5 - CONTROL OF BUILDERS' REFUSE

11. Containment of Refuse

(1) Where any building work is being carried out on any land, the owner, builder or appointed agent must:

(a) Provide a facility for the purpose of disposal of builders' refuse and provided the facility contains all builders' refuse on the land to the satisfaction of Council, its size, design and construction will be at the discretion of the builder;

(b) Place the facility on the land and keep it in place (except for such periods as are necessary to empty the facility) for the duration of the building work;

(c) Do not place the facility on any Council land, road, street or nature strip without a Local Law Permit from Council;

(d) Empty the facility whenever full and if necessary, a replacement facility should be provided during the emptying process.

(2) The requirement to provide a facility may be waived at the discretion of an

Authorised Officer.

12. Disposal of Builders' Refuse

During building work: -

(a) The owner, builder or appointed agent must ensure that all builders' refuse, other than sand and soil, is placed in the facility referred to in Clause 11 (1) (a); and

(b) The owner, builder or appointed agent must ensure that builders' refuse is not deposited in, or on any land or part of the stormwater system other than in accordance with clause 11.

13. Removal of Builders' Refuse

(1) On any land where building work is being, or has been carried out, the owner, builder or appointed agent must remove and lawfully dispose of all refuse including, without limiting the generality of the above, the builders' refuse in the facility referred to in Clause 11, within 7 days of completion of the building work or issue of an occupancy permit, whichever occurs last.

(2) The driver of any vehicle involved in placing or removing builders' refuse facilities must access the building site by way of a temporary vehicle crossing unless otherwise permitted by Council and in accordance with that permission.

PART 6 - SANITARY FACILITIES - BUILDING SITES

14. Sanitary Facilities

(1) The owner, builder or appointed agent must not undertake or carry out any building, engineering or other work necessitating the employment of persons on a site unless a sewered toilet or a portable toilet (closet) system is provided for the use of the persons on that site to the satisfaction of council officers.

(2) Notwithstanding sub clause (1) where buildings are being constructed on adjacent sites simultaneously by the same person and Council allows one sewered toilet or one portable toilet (closet) system for every three adjoining sites, no offence will arise.

(3) Authorised officers may enter into or upon any premises, yards or lands at any time for the purpose of inspecting any sewered toilet, portable toilet (closet) systems, urinals, pans, receptacles, vehicles, plant and any other things and places therein and thereon and for the purpose of carrying out the provisions of this Part.

PART 7 – STORAGE OF MATERIALS AND EQUIPMENT

15. Building Material and Equipment

(1) All building materials and equipment to be kept/stored on building sites in a manner to ensure that no damage is caused to adjoining properties.

(2) No building materials or equipment to be placed or stored on Council land, road, street or nature strip without a Local Law Permit from Council.

PART 8 - PENALTIES

16. Penalties

Any person who contravenes or fails to comply with any provision of this Local Law or contravenes or fails to comply with a Notice to Comply shall be guilty of an offence and shall be liable to a penalty of five penalty units for a first offence and to a further one penalty unit for each day after conviction during which the contravention continues; and upon conviction for the second or subsequent offence, shall be liable to a penalty of ten penalty units; and as an alternative to prosecution for the offences, may be served with an infringement notice.

Form A

CITY OF GREATER BENDIGO
PO. BOX 733 *Phone (03) 54346 347*
BENDIGO 3552 *Fax (03) 54346 334*

APPLICATION FOR AN ASSET PROTECTION PERMIT
LOCAL LAW No11

To: Municipal Building Surveyor, CITY OF GREATER BENDIGO.

From (Applicant, to whom the permit is to be issued to)

Owner/Agent of owner*.....

Postal address.....Postcode.....

Contact Person.....….....Telephone.....Mobile.....

Ownership Details (only if agent of owner listed above)

Owner.....

Postal address....….....….Post code….....

Telephone..... Mobile.....

Builders details (if not applicant)

Name.....

Postal address.....……Post code.....

Telephone..... Mobile.....

Property address:……

Building Permit No:……..

Proposal: .....……
(Brief written description of proposal to be provided.)

Please provide details of any existing damage to the roadway, gutter, kerb, footpath, nature strip including trees and footpath or required removal or alterations required; (you may attach plans or photographs if required)
Note: if no details are given it is assumed that there is currently no damage to the existing assets adjacent to the property. Any removal of alteration to the above requires Council consent prior to carrying out works.

_____

_____

_____

PTO if applicable

Signed: ..... Dated:.....

Council Reference No:…… Fee $110.00 Receipt No. ……

Notice of Intention to Make Local Law

PROPOSED PROTECTION OF PUBLIC ASSETS & CONTOL OF BUILDING SITES LOCAL LAW NO.11 (2023)

The *Local Government Act 2020* provides for Council to make local laws which remain in effect for a period of up to ten years, unless revoked sooner by Council. The Protection of Public Assets & Control of Building Sites Local Law No. 11 (2013) ceased to operate on 28 February 2023 and must be replaced.

Notice is hereby given pursuant to Section 73 of the Local Government Act 2020 that Council is considering re-adoption of the Protection of Public Assets & Control of Building Sites Local Law No. 11 (2023) (the Local Law) for a period of 12 months while a comprehensive review of the Local Law is undertaken.

The objectives of this Local Law are to:

(a) Provide for the peace, order and good Government of the Municipal District;

(b) Protect public assets and amenities vested in Council from damage, accelerated deterioration or abuse during the building process;

(c) Provide a physical environment which aims to minimise hazards to health and safety of persons attending building sites and those adjacent, opposite or passing building sites;

(d) Prohibit, regulate and/or control the presence and disposal of refuse, rubbish and soil on and from building sites within the municipal district to reduce hazards to the environment and promote an environment where residents can enjoy a quality of life that meets the general expectation of the community;

(e) Define the standards to which persons engaged in building work should adhere;

(f) Educate and prompt persons involved in building work to act responsibly to reduce the extent and cost of infrastructure damage for the benefit of the wider community.

A copy of the proposed Local Law can be inspected at the City of Greater Bendigo office at 15 Hopetoun Street, Bendigo or accessed on Council's website at www.bendigo.vic.gov.au.

The Local Law remains un-changed from the previous 2013 version. No submissions relating to the adoption of the Local Law are being received. A comprehensive review of the Local Law will occur over the next 12 months during which will involve community engagement and provide the opportunity for public submissions.

Any person requiring further information concerning the proposed Local Law may contact Council's Local Laws Unit on 1300 002 642 or via email at locallawsadmin@bendigo.vic.gov.au.

Solicitor's Certificate

Pursuant to Section 74(1) *Local Government Act 2020*

Greater Bendigo City Council
Protection of Public Assets and Control of Building Sites Local Law

The Greater Bendigo City Council (the "City") is proposing to make the Protection of Public Assets and Control of Building Sites Local Law (the "proposed Local Law").

I have been asked to provide a certificate under Section 74(1) of the *Local Government Act 2020* (the "Act") in respect of the proposed Local Law.

In accordance with Section 74(1) of the Act, I have assessed the proposed Local Law for consistency with the Local Law requirements pursuant to Section 72 of the Act (the "Local Law requirements"). My assessment of such consistencies is outlined in the following table:

Local Law requirements	**Consistent with Local Law requirements**
Section 72(a): *A local law must not be inconsistent with any Act (including the Charter of Human Rights and Responsibilities Act 2006) or regulations.*	Yes. The writer has a comprehensive but not exhaustive knowledge of Victorian Acts and, in that context, it is the opinion of the writer that the proposed Local Law is not inconsistent with any Act.
Section 72(b): *A local law must not duplicate or be inconsistent with a planning scheme that is in force in the municipal district.*	Yes. Nothing in the proposed Local Law concerns or otherwise engages the Greater Bendigo Planning Scheme.
Section 72(c): *A local law for or with respect to the issuing of film permits must not be inconsistent with the film friendly principles.*	Yes. Not applicable.
Section 72(d): *A local law must not exceed the power to make local laws conferred by this Act or any other authorising Act.*	Yes. The proposed Local Law is consistent with, and does not exceed, the scope of Council's powers to make Local Laws under the Act.
Section 72(e): *A local law must be consistent with the objectives of this Act or any other authorising Act.*	Yes. The proposed Local Law is consistent with the objectives of the Act.
Section 72(f): *A local law must be expressed as clearly and unambiguously as is reasonably possible.*	Yes. The proposed Local Law is clear and unambiguous.
Section 72(g):	Yes.

Unless there is clear and express power to do so under this Act or any other authorising Act, a local law must not: *(i) seek to have a retrospective effect; or* *(ii) impose any tax, fee, fine, imprisonment or other penalty; or* *(iii) authorise the subdelegation of powers delegated under the local law.*	The proposed Local Law: • does not seek to have retrospective effect; • makes provision of fees in accordance with section 77 of the Act. • makes provision for the imposition of penalties in respect of offences that are created, which penalties are: o consistent with Section 79 of the Act; o sufficient to act as a deterrent for most offences while also reflecting the seriousness of those offences; • otherwise does not impose any tax, fee, fine, imprisonment or other penalty; and • does not authorise the sub-delegation of any powers.
Section 72(h): *A local law must comply with any details prescribed in the regulations relating to the preparation and content of local laws.*	Yes. No regulations relating to the preparation and content of local laws have, at the time of preparing this certification, been made.

I, RYAN PETER MILLARD, certify that I:

1. am an Australian Lawyer who has been admitted to the legal profession for at least 5 years;
2. am not a Councillor of Council;
3. have reviewed the proposed Local Law against the Local Law requirements; and
4. am of the opinion that the proposed Local Law is consistent with the Local Law requirements.

Signed by Ryan Peter Millard on 15 March 2023	

16. HEALTHY, LIVEABLE SPACES AND PLACES

16.1. Greater Bendigo Planning Scheme Amendment C274Gben - Implementing the Heathcote Township Plan - Request to Consider Authorisation

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

Purpose

Planning Scheme Amendment C274gben proposes to implement the recommendations of the *Heathcote Township Plan July 2019* (Attachment 1).

The Heathcote Township Plan was originally adopted by Council on 17 July 2019 with a resolution to prepare an Amendment to the Greater Bendigo Planning Scheme. Given the time which has elapsed since the previous resolution and the additional detail now available on Amendment C274gben, it is important to provide a report back to Council prior to requesting authorisation from the Minister for Planning.

Recommended Motion

That Council:

- Note the Council resolution passed on 17 July 2019 to request the Minister for Planning to authorise and exhibit an Amendment to implement the *Heathcote Township Plan 2019,* the Amendment has subsequently been prepared in draft and is known as C274gben;
- Endorse the revised Amendment documents for Amendment C274gben*,* as provided in Attachment 2.
- Once endorsed, per the 17 July 2019 resolution:
  - Request the Minister for Planning to authorise Council to prepare an Amendment to the Greater Bendigo Planning Scheme;
  - When authorised by the Minister, exhibit the Amendment to the Greater Bendigo Planning Scheme.
- Authorise the Director Strategy and Growth to make minor changes to Amendment C274gben if they do not change the overall intent of the planning scheme amendment, or if changes are requested by the Department of Transport and Planning.

RESOLUTION - Resolution No. 2023-41

Moved: Cr Evans
Seconded: Cr O'Rourke

That the recommended motion be adopted.

CARRIED

Executive Summary

Planning Scheme Amendment C274gben proposes to implement the relevant recommendations contained in the *Heathcote Township Plan July 2019*, into the Greater Bendigo Planning Scheme. The *Heathcote Township Plan July 2019* recommends the introduction of a Local Area Plan (included in Attachment 2) to guide land use and development in the Heathcote town centre and surrounds. It also recommends the rezoning or the correction of zoning anomalies of several properties, the application or deletion of an overlay from properties throughout the township, and the application of appropriate planning controls to land subject to environmental risk.

There was extensive consultation involving the local community and public authorities prior to the finalisation and adoption of the *Heathcote Township Plan July 2019*. The comments and advice received during this engagement process were considered through the preparation of the proposed planning scheme amendment.

As the Heathcote Township Plan and subsequent amendment documentation was prepared internally by City officers, it was considered important that this documentation be peer reviewed. The rationale for this was to ensure that the documentation was robust to strategically justify the translation of the planning recommendations and to provide any recommendations on the draft planning scheme amendment documents. Therefore, in 2022, City officers engaged *Plan2Place* to undertake this peer review. *Plan2Place* submitted its recommendations in a report (Attachment 3) which supports what Amendment C274gben seeks to achieve. *Plan2Place* did provide some recommendations in relation to Amendment C274gben, which City officers have subsequently implemented.

Following this peer review process, City officers have also sought and obtained updated advice from the relevant internal departments and external authorities with the consistent advice in support of the Amendment.

Background

The key steps in the Amendment process are summarised below:

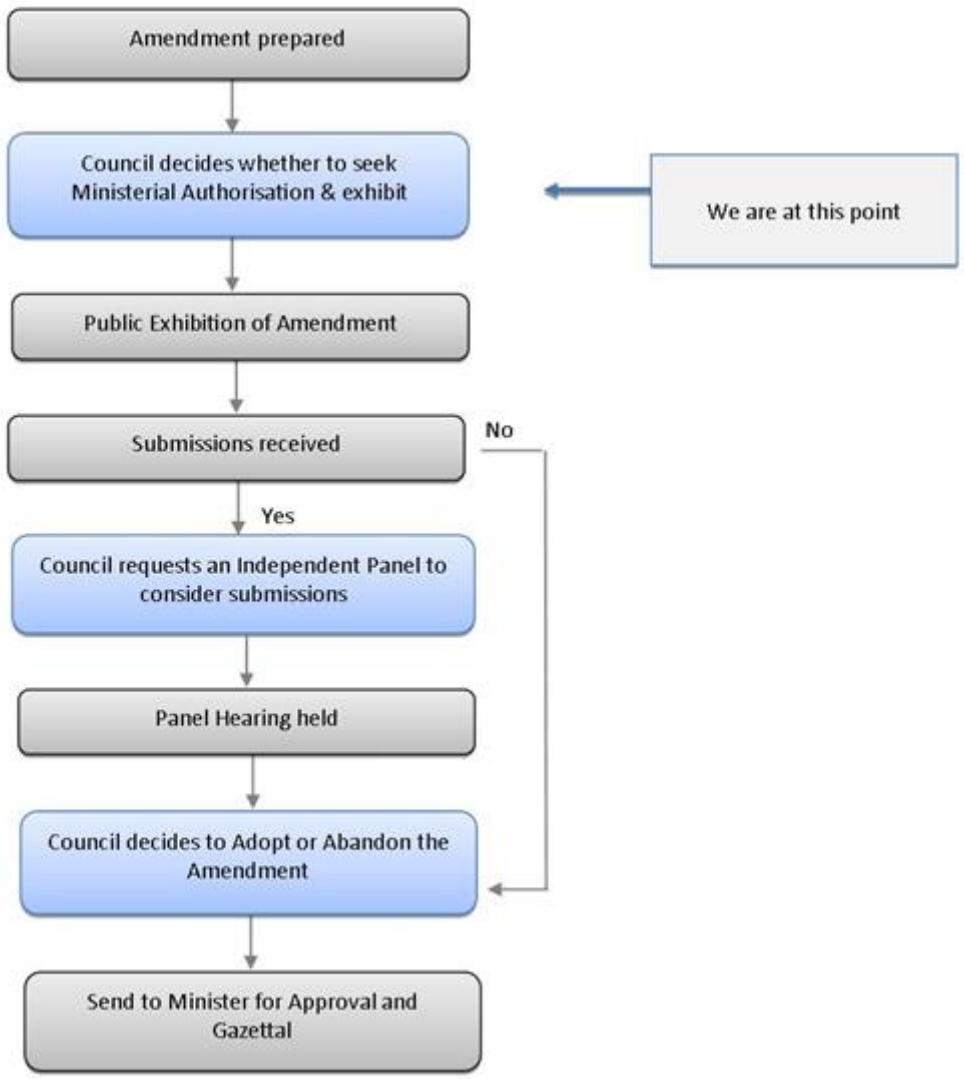


Figure 1: The Planning Scheme Amendment Process

On 15 March 2017, Council endorsed a brief for the commencement of the Heathcote Township Plan project. The project was developed over 2017 and 2018 and on 17 July 2019, Council adopted the *Heathcote Township Plan*. When adopting the *Heathcote Township Plan July 2019*, Council also resolved to request the Minister for Planning to authorise the preparation and public exhibition of an amendment to the Greater Bendigo Planning Scheme. This amendment was to implement the recommendations contained in the adopted Heathcote Township Plan that have implications for the Greater Bendigo Planning Scheme.

Prior to its adoption, the *Heathcote Township Plan July 2019* went through an extensive community and stakeholder engagement process. Specifically, an Issues and Opportunities Paper was presented to the local community and other stakeholders for

engagement in 2018. Following this, a first draft of the Heathcote Township Plan was prepared for consultation which included numerous listening posts, community workshops and information sessions, all held in Heathcote.

Based on community feedback received during this community consultation process, the Heathcote Township Plan was refined and finalised prior to its adoption.

In April 2022, City officers engaged *Plan2Place* to peer review the adopted *Heathcote Township Plan July 2019* and the proposed planning scheme amendment documents to implement the *Heathcote Township Plan July 2019*. The peer review suggested minor changes to the draft amendment documents but supported the overall intent of the amendment.

Previous Council decision dates:

15 March 2017 Endorsement of brief and commencement of the development of the Heathcote Township Plan.

17 July 2019 Council adopted the Heathcote Township Plan.

Report

Section 4B of the *Planning and Environment Act*, 1987 (the Act) allows for a planning scheme amendment to be initiated by a municipal Council, or a Council can respond to a request for an Amendment by any person or body.

When requesting authorisation from the Minister for Planning to prepare and exhibit an amendment, an explanatory report must be submitted that lists all the changes proposed and discusses the purpose, effects and strategic justification for the amendment. A copy of the explanatory report is provided with the Amendment documents in Attachment 2.

Land Affected by the Amendment

The land affected by the Amendment is land within the Heathcote local area map as shown on the map below.

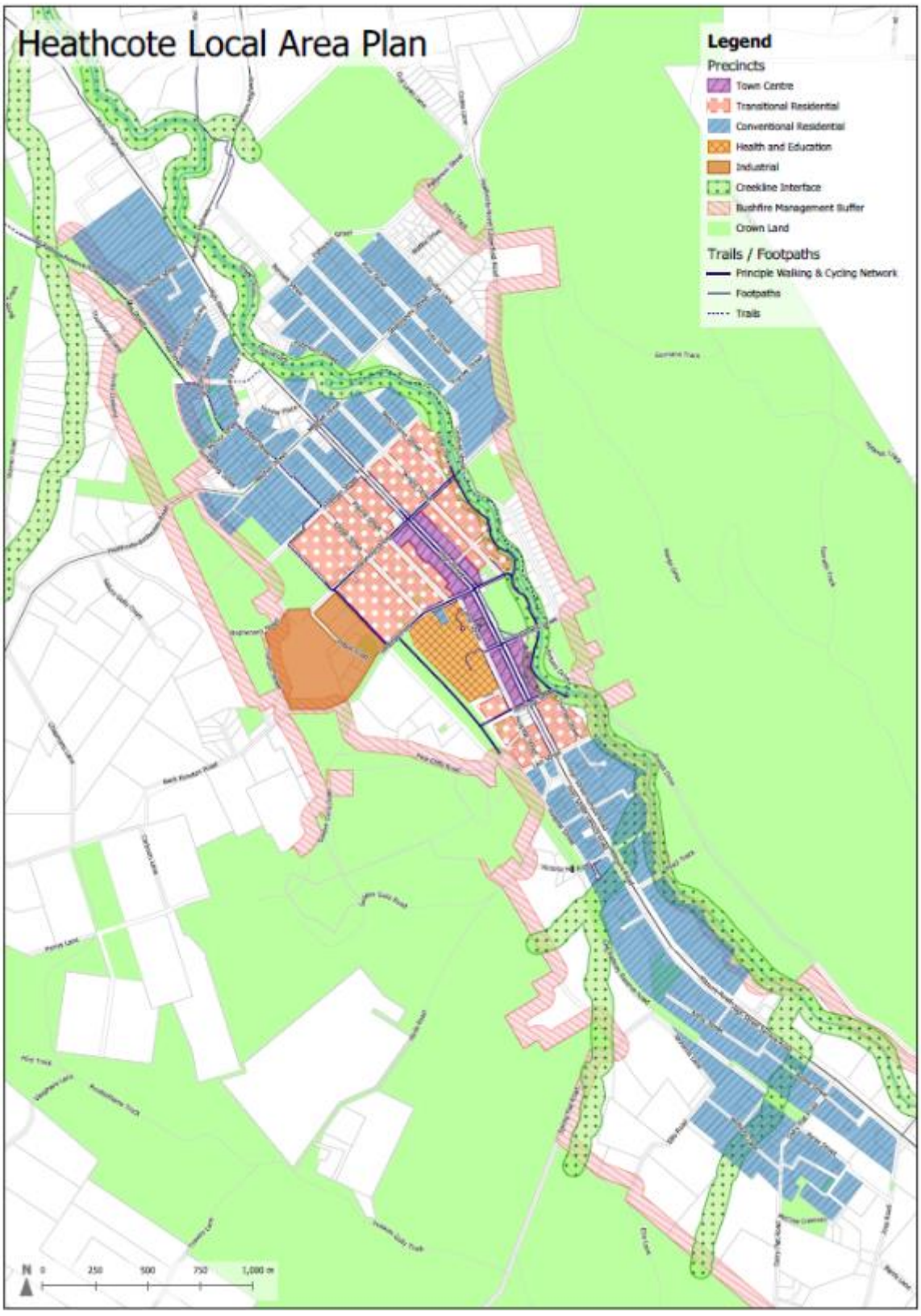


Figure 2: The Heathcote local area map

The Amendment also individually affects 30 properties through rezoning, one property by amending the extent of an overlay, 90 properties by deleting an overlay and 107 properties by applying an overlay. The land individually affected by the Amendment is listed in the explanatory report included in Attachment 2.

What the Amendment Does

The Amendment implements the recommendations of the *Heathcote Township Plan*, 2019 which have implications for the Greater Bendigo Planning Scheme. Proposed changes are included in Attachment 2, and are summarised below:

- Introducing a Local Area clause into the Planning Policy Framework to guide land use and development in the Heathcote town centre and immediate surrounds.
- Making zone changes which include the correction of zoning anomalies, to 30 properties.
- Applying the DDO6 to 106 properties to help manage bushfire risk.
- Applying the EAO to the land at 2-24 Back-Kyneton Road, Heathcote.
- Amending the extent of the Heritage Overlay (HO778, Presentation Convent) to the land at 18 Pohlman Street, Heathcote which is part of the Holy Rosary Primary School.
- Deleting the NCO1 from 90 properties where this overlay overlaps with a Heritage Overlay (HO723, Heathcote Precinct).

Environmental, Social and Economic Effects

The Amendment will have positive environmental benefits by encouraging the planting and retention of native vegetation which will support a healthy ecosystem and improve biodiversity. Improving cycling and walking infrastructure will promote personal mobility, thereby decreasing the reliance on private vehicles. The Amendment will also not create any use or development that will have a negative impact on air, land or water quality. The longer term expansion of the industrial precinct is separated from existing residential areas and is buffered by an existing industrial area.

The Amendment will have positive social effects by encouraging a consolidated and strengthened town centre that will be the focus of activities for Heathcote. The improvements to the walking and cycling network will support health and wellbeing as well as social interaction. The proposed improvements to the public realm will also have a positive impact on the amenity of the town centre.

This Amendment will deliver on a variety of economic benefits. This includes the consolidation of future commercial activities within the town centre which will have positive economic impacts for the existing businesses and the community. In addition, public realm improvements to the town centre will also make it more attractive for prospective businesses looking to establish in the area as well as encourage and support existing businesses. A longer-term industrial area has been identified that will provide for the future growth of industry and employment within Heathcote.

Priority/Importance

It is important to progress Amendment C274gben given the time which has elapsed since the Heathcote Township Plan was adopted in July 2019.

Options considered

Council has the option to:

- To endorse the Amendment documentation as presented;
- To request changes or;
- To progress or to not progress the Amendment.

Timelines

The City will need to adhere to Statutory timeframes as per Ministerial Direction 15 (the Planning Scheme Amendment Process).

Communications/Engagement

As previously stated, extensive community was undertaken when the Heathcote Township Plan was being developed in 2017 and 2018. Relevant City internal departments and external authorities were also included in this engagement process. Their advice was sought and obtained on the Heathcote Township Plan in general as well as on the proposed rezoning, overlay changes and other matters with planning implications. The advice and comments received from the various parties to this engagement process were considered during the finalisation of the *Heathcote Township Plan July 2019.*

City officers have again consulted with internal City departments and external authorities to ensure that their comments are still up to date. The internal departments that have been consulted include the Engineering Unit (Drainage and Traffic), and the Parks and Open Space Unit who support the Amendment in its current form.

The Country Fire Authority, the Department of Transport and Planning, North Central Catchment Management Authority, the Department of Energy, Environment and Climate Action, the Environment Protection Authority, Goulburn Murray Water and Coliban Water are the external authorities which have updated their comments and maintain their support for the Amendment.

<u>Future Engagement</u>

Once authorised, the Amendment documents will be publicly exhibited for a minimum of one month, as required under the Act. The City must give notice of the Amendment to all affected landowners and occupiers who may be materially affected by the amendment, together with the prescribed Ministers and public authorities. The Amendment will also be

exhibited in the Government Gazette, the Bendigo Advertiser and McIvor Times newspapers and on the City of Greater Bendigo and the Department of Transport and Planning websites.

All landowners and occupiers who will be affected by a zoning change or the application or the deletion of an overlay will be notified in writing of the Amendment and of the proposed changes to the planning controls to their properties with the advice that they will have the opportunity to provide a submission to the Amendment as part of the public exhibition process. A community information session will also be held during the exhibition period for local community members to drop in and to ask questions. One-on-one meetings will be held with individuals as needed.

Financial Sustainability

Officer time will be required to prepare the Amendment documentation for authorisation, exhibition, manage the exhibition process and liaise with the Minister for Planning's office.

In terms of permit activity, the Amendment is not expected to have a significant impact on the future resources of the municipality as it is not greatly increasing the need for planning approvals. Developments in the town centre would already generally require planning approval. The amendment will provide more guidance for these applications.

The City is also responsible for the payment of all statutory fees and costs incurred in the processing of the Amendment, and costs associated with the holding a Panel hearing if one is required following public exhibition.

Risk Assessment

Council has previously supported and adopted the *Heathcote Township Plan July 2019*. Some of the recommendations of the *Heathcote Township Plan July 2019* have planning implications which require an amendment to the Greater Bendigo Planning Scheme. It is important for this planning scheme amendment to progress to provide a transparent and clear process.

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

Policy Context

Primary Council Plan Reference

City of Greater Bendigo Council Plan *Mir wimbul* 2021-2025
Outcome 2 - Healthy, liveable spaces and places

Secondary Council Plan Reference(s)

Goal 7 - Sustainable population growth is planned for

Other Reference(s)

Heathcote Township Plan, 2019

Conflict of Interest

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

Attachments

1. Heathcote Township Plan July 2019 [**16.1.1** - 70 pages]
2. C274gben Combined [**16.1.2** - 25 pages]
3. Peer Review Plan 2 Place [**16.1.3** - 62 pages]



Heathcote Township Plan

July 2019

CITY OF GREATER BENDIGO

About this document

The Heathcote Township Plan establishes a framework to guide what services, facilities and Infrastructure are required to support a growing and changing population over the next 30 years.

It considers a range of issues including the environment, community facilities, transport, economic development and being an age friendly community.

This document establishes a vision for Heathcote. It sets out seven guiding objectives that will direct the future growth of the town as well as addressing a range of specific issues and projects.

Acknowledgements

Community Reference Group

Government and Service Agencies:

- Country Fire Authority
- Coliban Water
- Transport for Victoria
- Regional Roads Victoria
- Heathcote Health
- Department of Environment, Land, Water and Planning

Business and Community Groups:

- Advance Heathcote Inc.
- Heathcote Community House
- Heathcote Lions Club
- Heathcote Bowling Club
- Heathcote Community Capacity Builders
- Heathcote Tourism and Development

	Name	Role	Date
Prepared by	Andrew Cockerall	Senior Strategic Planner, CoGB	Xx
Supported by	Bridget Maplestone	Coordinator Growth & Liveability, CoGB	Xx
Authorised by	Trevor Budge	Manager Regional Sustainable Development, CoGB	Xx
Endorsed by	Councillors	Greater Bendigo City Council	xx



Acknowledgement of Country

The City of Greater Bendigo respectfully acknowledges the traditional custodians of the land on which Heathcote lies, the Taungurung Peoples.

The City acknowledges and extends our appreciation to the Traditional Owners, and we pay respects to Leaders Elders past, present and emerging for they hold the memories, the traditions, the culture and the hopes of all Taungurung 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.

Table of Contents

Summary

Executive Summary 6
Township Context 9
Vision 10
Guiding Objectives 11
Summary of Recommendations 12
Planning Scheme changes 12
Infrastructure 12
Advocacy 12

General

Study Area 14
Demographic Change 15
Policy Context 17
Greater Bendigo Planning Scheme 19
Heathcote and District Community Plan 20
Study process 21
Consultation 22

The Report

Report Structure 25
Community Facilities and Services 26
Overview 26
Objective 26
Strategies 26
- Health and Education Precinct 26
- Dog Park 27
- Secondary School 27
- Toilet at playground 27
- Emergency Services 27
- Showgrounds 28

Transport & Infrastructure 30
Overview 30
Objective 30
Strategies 30
- Walking and Cycling 30
- High Street 32
- Public transport 35
- Infrastructure 35

Public Domain 36
Overview 36
Objective 36
Strategies 36
- Public Space 36
- Streetscape and street trees 37
- Town Centre 38

Land Use and Built Environment 40
Overview 40
Objective 40
Strategies 40
- Commercial Land Supply 40
- Industrial Land Supply 41
- Residential Land Supply 42
- Dwelling Stock 42
- Heritage and Character 44
- Rural Living Land Supply 45
- Flooding 46
- Bushfire 46

Economic Development 50
Overview 50
Objective 50
Strategies 50
- Tourism 50
- Business and Employment 51
- Investment Prospectus 51

Welcoming Place 52
Overview 52
Objective 52
Strategies 52
- Dementia Village 52
- Age Friendly Environment 53
- Young People 53

Sustainability 54
Overview 54
Objective 54
Strategies 54
- Energy Efficiency 54

Implementation

Implementation Plan 56
Advocacy 61

Appendix

Appendix 1 – Proposed Planning Scheme Changes 62
Appendix 2 – Rural Living Land Supply 66
Appendix 3 – Heathcote Investment Prospectus 68

Executive Summary

There is a buzz in Heathcote.

While the town has experienced its highs and lows over time, in recent years Heathcote has experienced a level of growth not known since the discovery of gold in the district in the 1850's. This growth is forecast to continue into the future.

Growth in population, in the commercial and tourism sector, health care, the dementia village proposal and significant public and private sector investment is creating an environment that sees strong levels of optimism in Heathcote's future. There is also a strong community desire for Heathcote to become more self-contained and not rely on larger centres like Bendigo for facilities, goods and services.

The key challenge for the community, Council and other stakeholders is to make sure that the benefits of this future growth are maximised and shared. This is where the Heathcote Township Plan has a role to play.

The Heathcote Township Plan identifies what are the important elements in town that the community value and want protected and sets out what needs to be done to support and facilitate the future growth of Heathcote.

The Township Plan also establishes a Vision for Heathcote to be "a vibrant, progressive and inclusive town that embraces its natural setting and has all the facilities and services allowing residents of all ages to be healthy, happy, connected and proud."

The Township Plan is firmly focussed on the future needs of Heathcote. Projects already underway or budgeted for are not discussed in detail in this document, these include:

- New toilets off Barrack Street near the Visitor Information Centre
- New footbridge over the McIvor Creek near Chauncey Street
- The Bunbunarik Children's Hub at 165 High Street
- Upgrades to the pool including new wet deck, solar heating and shade structures
- Heathcote Integrated Civic Precinct Project

Included in the key recommendations in this Township Plan are:

- Upgrades to public space areas, in particular to the skate park/BMX track in Camp Street.
- Support for a dog park with the final location to be determined.
- A network of cycling and walking paths that connect key destinations to the town centre.
- Improvements to High Street to address issues around public safety, amenity, street furniture and the like.
- Changes to the fencing around Barrack Reserve.
- An ongoing program of street tree plantings in line with Greening Greater Bendigo.
- Identification of a future industrial area adjacent to the Depot Road precinct.
- Various zone and overlay changes, including rationalisation of the Heritage Overlay and Neighbourhood Character Overlay.
- Improving wayfinding signage and supporting tourism.
- Preparation on an investment prospectus for new and emerging businesses.
- Supporting the proposed Dementia Village and making Heathcote a dementia friendly town.

There are also recommendations where the City can play an advocacy role. These include:

- Support for Heathcote Health's proposed Community Health Hub.
- Supporting the Heathcote Show Society in preparing a Masterplan for the Heathcote Showgrounds.
- Continued improvements to the public transport connections within Heathcote and connections to the broader region.

What will the Heathcote Township Plan be used for?

The Heathcote Township Plan will be used for a number of purposes:

- Provide guidance and direction on how Heathcote will grow into the future.
- It provides the strategic justification for a number of planning scheme changes outlined in the document.
- It guides Council decisions on infrastructure investment and service provision.
- Provides direction to other agencies (such as Regional Roads Victoria) in relation to infrastructure investment.
- It is an advocacy document that can be used in funding applications.
- Assist business and industry to understand the development opportunities in Heathcote.

The Township Plan will need to be monitored and reviewed over time.


HEATHCOTE
WINE HUB
CELLAR & STORE
Wine
KERY

Township Context

Heathcote lies on Taungurung Country. The town is located on the eastern side of the City of Greater Bendigo, approximately 45km from Bendigo and 120km north of Melbourne.

The town was established on the back of the discovery of gold in the McIvor Creek in 1851, although by 1855 the alluvial gold was running out and reef mining commenced. Gold continues to be an important part of the Heathcote and District economy. There are still numerous examples of historic buildings that date back to these early days.

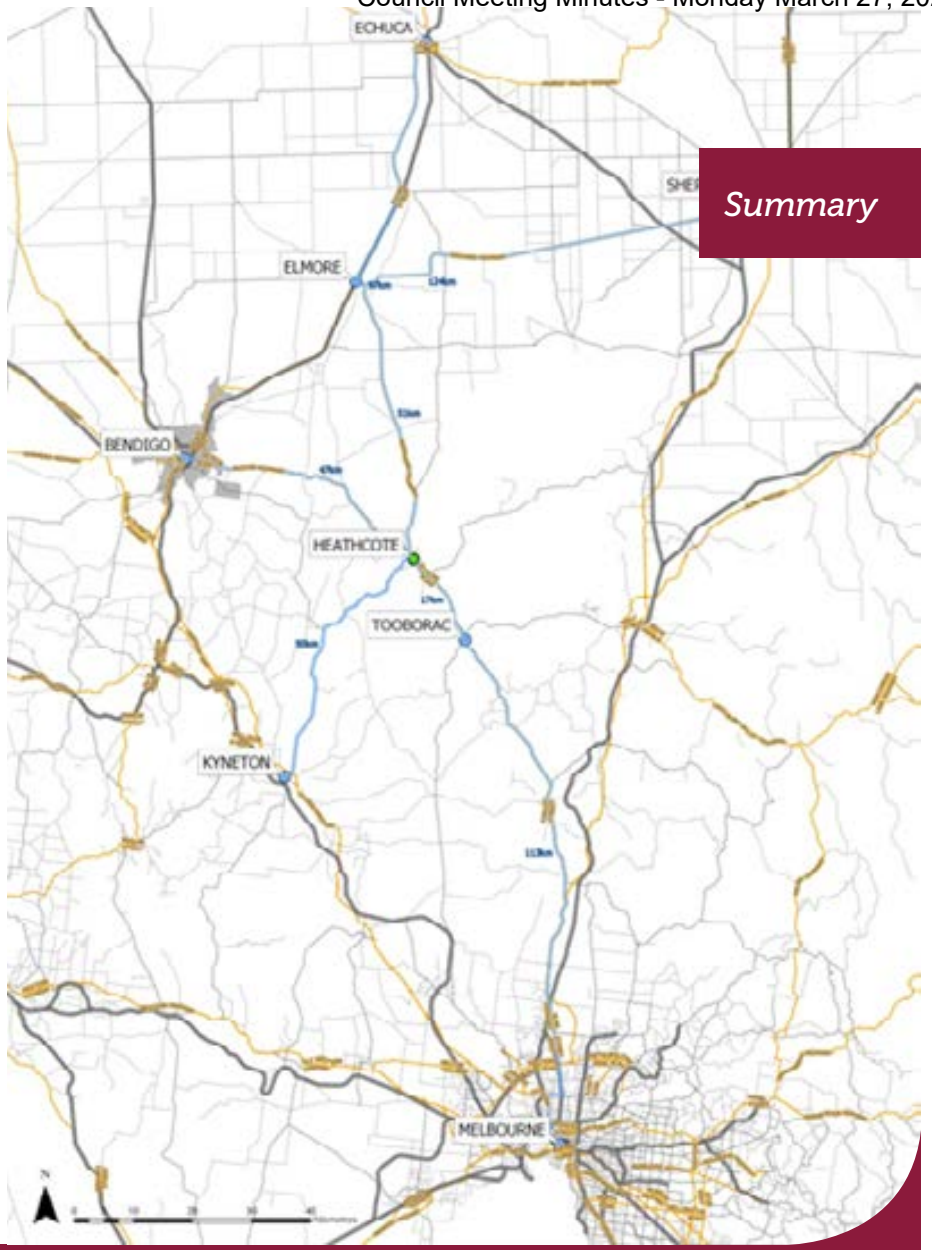
Agriculture has played an important role in Heathcote's development and this continues today. In more recent times Heathcote has performed a service centre role for the surrounding district by providing commercial, health, civic and other functions.

The Northern Highway runs through the town and there is also access via the McIvor Highway that connects Heathcote to Bendigo. The main street of Heathcote is possibly the longest small town main street in Australia with a length of nearly 6km.

Heathcote was also serviced by rail but this service ceased in 1968 and the rail line was removed in 1976. The rail reserve is now the O'Keefe Rail Trail that connects Heathcote to Bendigo.

The environmental setting of Heathcote is distinctive with the Mt Camel range providing the backdrop to the town. The McIvor Creek bisects the town and has the potential to be further enhanced.

In terms of the economy of Heathcote tourism, wineries, mining and health play important roles.



Summary

Vision

During the first stage of community consultation, the community were asked what their ideal vision for Heathcote would be. A number of common themes emerged from the community responses around protecting the look and feel of the town, making it more self-contained and less reliant on Bendigo for services, being a happy and healthy place to live and to be a welcoming place for people of all ages.

The following vision was derived directly from the feedback received and picks up the recurring themes from the community and has guided the preparation of the Heathcote Township Plan.



Heathcote - A vibrant, progressive and inclusive town that embraces its natural setting and has the facilities and services allowing residents of all ages to be healthy, happy, connected and proud.

Guiding Objectives

Summary

During the initial stages of developing the Heathcote Township Plan the community where asked what matters did they think were important for the future growth of Heathcote.

A broad range of matters were identified that can generally be summarised into seven categories:

Community Facilities and Services



To ensure that there is the right mix of community facilities and services that responds to the changing needs of the Heathcote community.

Transport and Infrastructure



To provide for a variety of safe, sustainable transport modes, to improve public transport connections to Bendigo and Melbourne and to ensure that the right infrastructure is provided in a timely and efficient way to meet community needs.

Public Domain



To improve Heathcote's public domain, open space areas and streetscapes.

Land Use and Built Environment



To provide for the orderly use and development of land and improve the built form standards in Heathcote.

Economic Development



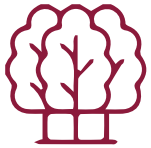
To better define the extent of the town centre and improve its connections to the town, to support new and existing businesses and promote tourism opportunities.

A Welcoming Town



To be a friendly, welcoming and accessible town for people of all ages and backgrounds and provide opportunities for all residents to engage with the community.

Sustainability



To protect and enhance Heathcote's unique natural setting and promote environmentally sustainable development.

Summary of Recommendations

The following are the recommendations from the draft Heathcote Township Plan. The recommendations broadly fall within three categories: planning scheme changes, infrastructure projects and advocacy.

A key recommendation is the establishment of an Implementation Committee that will oversee and provide local knowledge for implementing the Heathcote Township Plan.

Planning Scheme changes

A number of rezonings are being recommended:

- Prepare a local area plan specific to Heathcote.
- Correcting anomalies with existing zonings.
- Addressing issues of the oversupply of Commercial 1 Zone.
- Rationalising the extent of the Neighbourhood Character Overlay where it overlaps with the Heritage Overlay.
- Application of the Design and Development Overlay to help manage bushfire risk.
- Expansion to the Depot Road industrial area

Infrastructure

- Upgrades to public space areas, in particular to the skate park/BMX track in Camp Street.
- A new informal public park on the McIvor Creek near Jennings Street.
- Establishment of Principal Walking and Cycling Network and associated off road paths, footpaths and protected bicycle lanes that will connect key destinations.
- Support for a dog park with the final location to be determined.
- Improvements to High Street to address issues around speed limits, public safety, amenity, landscaping, street furniture and the like. The area between Barrack Street and Herriot Street has been identified as the priority location for improvements
- Changes to the fencing around Barrack Reserve.
- An ongoing program of street tree plantings.
- Improving wayfinding signage and supporting tourism.
- Preparation on an investment prospectus for new and emerging businesses.
- Supporting the Heathcote Health Dementia Village proposal and making Heathcote a dementia friendly town, in making infrastructure decisions.

Advocacy

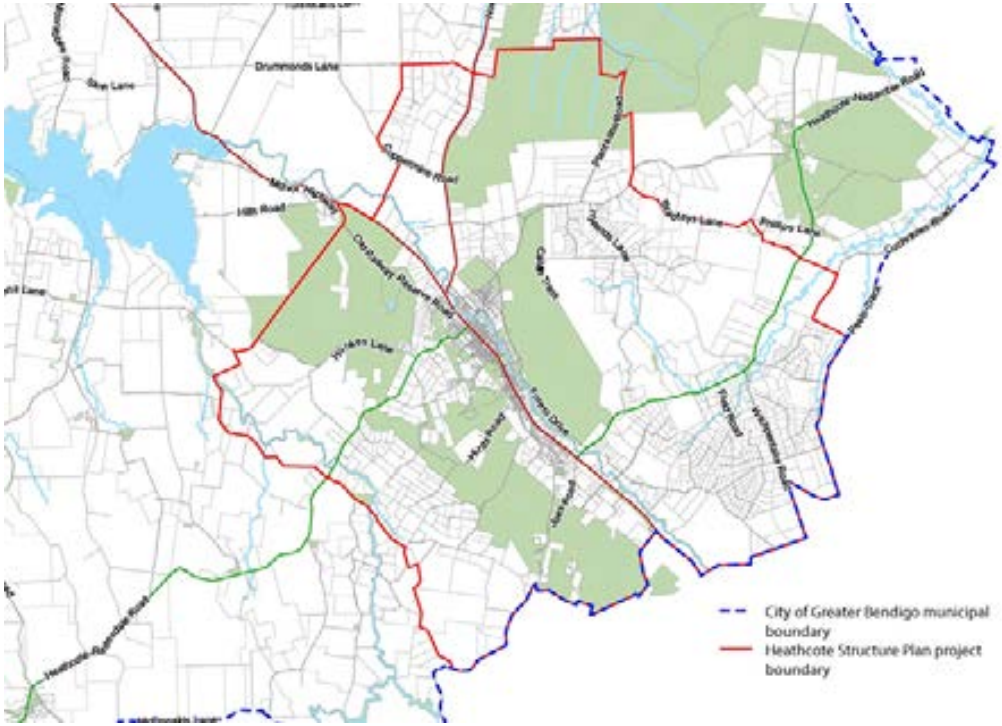
- Investigate tourism opportunities associated with the Heathcote Golf Course.
- Support for Heathcote Health's proposed Community Health Hub.
- Supporting the Heathcote Show Society in preparing a Masterplan for the Heathcote Showgrounds.
- Continued improvements to the public transport connections within Heathcote and to the broader region.
- Support for a business hub to support new and existing businesses.



Summary

Study Area

The study area for the township plan includes the state suburb boundaries of Heathcote and Argyle. While this includes the farming and rural living area around Heathcote, the primary focus of the Township Plan is on the urban area of Heathcote.



Demographic Change

General

According the 2016 Census, Heathcote and District had a population of 3,951.

The City of Greater Bendigo has small area population forecasting that can be found at http://forecast.id.com.au/bendigo. This data also relates to the broader district surrounding Heathcote.

According to the 2016 Census there were 2,276 private dwellings in Heathcote and District. By 2036 this is forecast to increase to 2,500, a total increase of 224 dwellings. The population is forecast to increase by 272 in this time.

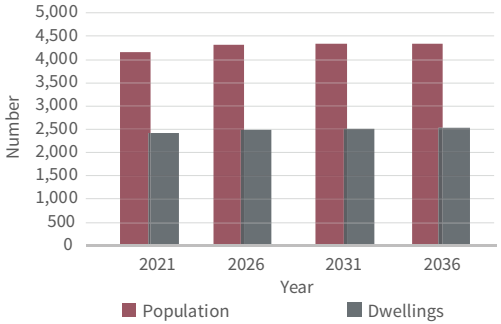
The following graph compares the forecast age profile of Heathcote and District against that of Greater Bendigo. There is a clear difference in the representation of younger and older people.

This comparison is further supported by the 2016 Census which indicates that the average age for a Heathcote resident is 57 which compares to the average for the City of Greater Bendigo as a whole of 39 years of age.

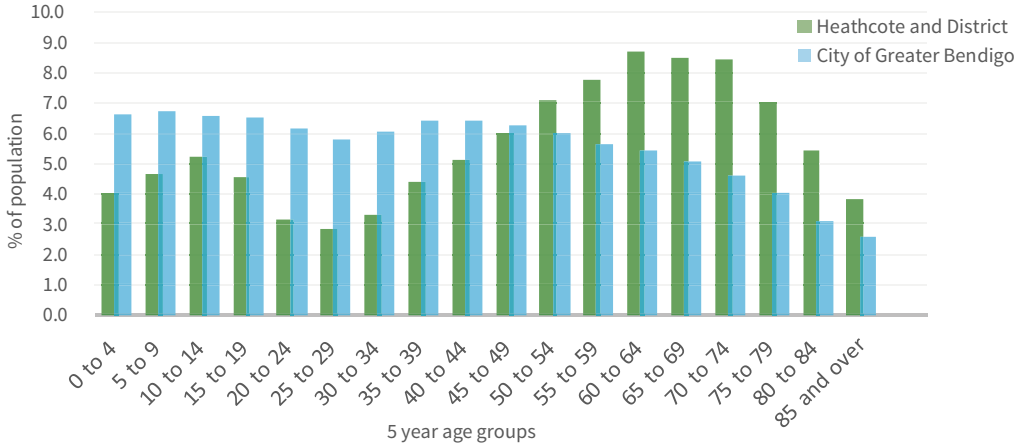
In 2036 approximately 41% of the population in Heathcote and District is forecast to be 60 years old or above compared to 24% in Greater Bendigo. Conversely in 2036, 25% of Heathcote and District is forecast to be less than 30 years of age compared to 38% for Greater Bendigo.

This age profile will have implications for the provision of services for Council, the community and service providers.

Heathcote and District Forecast Growth



2036 Forecast Age Profile

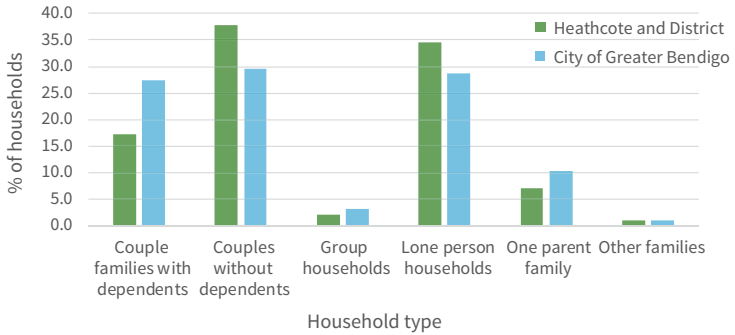


The current trend of single and two person households being over represented compared to Greater Bendigo is forecast to continue. In 2036 these households are forecast to account for 72% of all households compared to 58% for Greater Bendigo.

It is recognised that the reliability of forecast data decreases as the time horizon increases and it is for this reason that the forecast data is reviewed regularly to take account of growth trends, improvements to infrastructure and the like.

It is also important to note that Heathcote is in the highest 20% of suburbs in Victoria in terms of relative socio-economic disadvantage. This is based low income, low educational attainment, unemployment and skills.

2036 Forecast Household Structure



Policy Context

There is strong policy support for the future growth of Heathcote and the preparation of the Heathcote Township Plan to guide that growth.

Greater Bendigo Community Plan (2017-2021)

The Community Plan (formerly known as the Council Plan) sets out Council's Vision for Greater Bendigo to be the world's most liveable community.

All of the goal areas are relevant to the preparation of the Heathcote Township Plan including wellbeing and fairness, strengthening the economy, presentation and managing growth, environmental sustainability and embracing culture and heritage.

Loddon Mallee South Regional Growth Plan (2014)

The Regional Growth Plan identifies Heathcote as having a range of local services that supports the township and outlying areas and the potential to accommodate future growth. It does note that infrastructure, environmental and bushfire issues would need to be addressed and this should be done as part of future strategic/structure planning work for the town.

Greater Bendigo Residential Strategy (2014)

The Residential Strategy and its 2004 predecessor both recognised that small towns like Heathcote have important roles to play in the Municipality's future growth. Heathcote in particular was recognised due to a good existing level of services and facilities, the lifestyle choice it offers and its proximity to Bendigo.

Economic Development Strategy (2014)

The Economic Development Strategy recognises the important role that tourism and events such as the Wine and Food Festival make to the economy of the region and that a Tourism and Development Action Plan should be prepared. The Strategy also notes that Heathcote would benefit from further accommodation options.

The importance of the Heathcote Hospital is also highlighted.

Connecting Greater Bendigo – Integrated Transport and Land Use Strategy (ITLUS) (2015)

ITLUS examined at how Greater Bendigo can grow into the future as well as how people and goods will move. The Strategy has a focus on encouraging more walking and cycling and making better use of public transport to connect people with where they want to go. It recognised the importance of strong linkages between Bendigo and Heathcote as well encouraging walking and cycling with the town.

Commercial Land and Activity Centre Strategy (CLACS) (2015)

CLACS identifies Heathcote as being an "Activity Centre" in the commercial hierarchy. This recognises that Heathcote provides a range of commercial goods and services that meets the daily and weekly shopping needs of residents. CLACS recommends the preparation of an Urban Design Framework to help attract investment and guide future commercial development.

Rural Communities Strategy (2016)

The Rural Communities Strategy discusses the need to improve public transport services, supporting employment growth and the need to prepare a strategic plan to guide the growth and development of small towns including Heathcote.

Greater Bendigo Housing Strategy (2017)

The Housing Strategy built upon and reinforced the recommendations of the Residential Strategy. The Strategy recognised the importance of preparing Township Plans to guide the future development of the small towns and identified that Heathcote should be the first of these Township Plans to be prepared.

Greater Bendigo Environment Strategy (2016)

The Environment Strategy is framed around the 10 principles of One Planet Living - https://www.bioregional.com/oneplanetliving/. There is a strong relationship between the 10 Principles and guiding principles that emerged as part of the community consultation and address issues such as sustainable transport, healthy ecosystems, the economy and health.



Greater Bendigo Health and Wellbeing Plan (2017-2021)

The Health and Wellbeing Plan sets out how Council and its partner organisations will improve the health and wellbeing of the community. All of the goal areas are relevant to Heathcote including safety, community connections, participation and the like.

Plan Greater Bendigo (2017)

Plan Greater Bendigo is a strategic infrastructure plan that is used an advocacy tool to attract government infrastructure funding. The document recognises that the proposed dementia village will have significant regional economic benefits.

Improving connectivity for small towns was one of eighteen projects identified and makes specific reference to improving the bus connection between Bendigo and Heathcote.

Greater Bendigo Public Space Plan (2018)

The Public Space Plan is a long term strategy that looks at how the public spaces in Greater Bendigo can be managed and developed so as to serve future generations.

In relation to Heathcote, the plan discusses the role and importance of the town centre, Barrack Reserve and other public space areas including the Showgrounds. Recommendations are then made as to the future direction of these areas and this has been carried forward into the Township Plan, such as better defining the entry into the town centre.

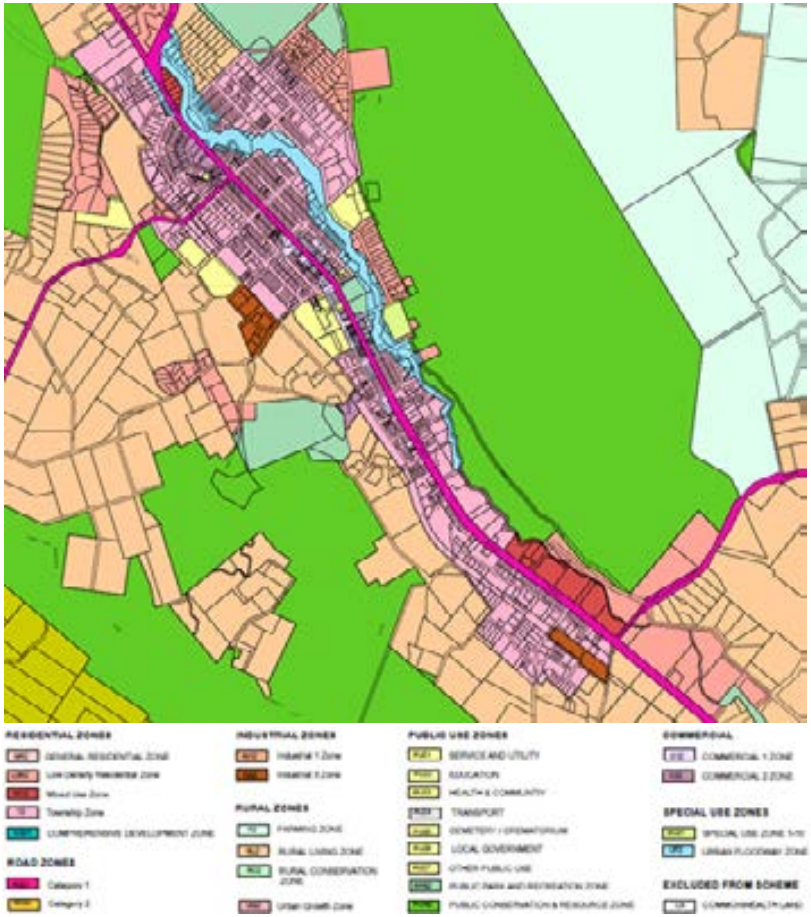
Greater Bendigo Planning Scheme

The planning scheme controls that apply in Heathcote have not been substantially reviewed since the introduction of the Greater Bendigo Planning Scheme in 1998, other than the introduction of heritage and neighbourhood character controls.

The zoning that exists in Heathcote generally reflects the use of the land, i.e. the town centre is zoned Commercial 1 and residential areas zoned General Residential. There are some examples of zoning anomalies which date back to McIvor Planning Scheme and these are referred later in the document, such as crown land that is incorrectly zoned.

The hinterland around Heathcote is generally zoned Rural Living which also reflects the use of the land.

It is recommended that a local area plan specific to Heathcote be developed that would address key issues, preferred land uses, transport and the like.



Heathcote and District Community Plan

The Heathcote and District Community Plan (2017-2021) was prepared by Advance Heathcote Inc. and sets out the community's priorities for the future growth and development of Heathcote.

While it aligns closely with the Township Plan it is a separate document and implementation of the Community Plan is driven by the Heathcote Community with the support of the City of Greater Bendigo and other partner organisations.

A number of the strategies and actions from the Community Plan also appear in this document. These include:

- The need for more activities for young people
- Improvements to public transport
- More accessible public domain
- Support for the Dementia Village proposal
- Supporting new and existing businesses
- Streetscape improvements in High Street
- Improvements to pedestrian safety



Study process

The development of the Heathcote Township Plan has involved establishing the project, research and information gathering, identifying issues and opportunities and developing a draft Heathcote Township Plan.

An important role has been played by the Heathcote community and the Community Reference Group who provided the local knowledge that has underpinned the township plan.



Consultation

It is the local community that knows Heathcote the best and what the community has told Council has been crucial in preparing the Heathcote Township Plan.

The community has told the Council what they like about Heathcote, what they don't like and what the town needs to grow into the future. This advice is invaluable.

The following section provides an overview of the consultation activities that have taken place in the development of the Heathcote Township Plan.

Project Launch

Prior to the formal commencement of the project there were a number of community priorities beginning to emerge through various conversations that were held with community members.

At the project launch this "first cut" of developing priorities was tested with approximately 60 people present. Issues that received strong support at the outset included the need for new toilets at Barrack Reserve, childcare services, a hydrotherapy pool and support for the dementia village proposal.

Infrastructure items such as footpaths, kerb and channel and road markings were also raised.

Community Reference Group

A Community Reference Group has also been established at the commencement of the project. This group is made up of 25 community representatives from a broad range of backgrounds and experience. This group has helped to guide the project and provide local knowledge.

Social Media

A webpage was established at the outset of the project to keep the community informed about the project: www.bendigo.vic.gov.au/heathcotetp.

Since the webpage was established there have been nearly 2,400 hits most of which have come via Facebook.

The Township Plan has also been promoted through the Heathcote Town Crier Facebook page on a number of occasions.

It was recognised early in the project that more traditional methods of communication were needed, so there have also been mail outs.

Community Survey #1

At the early stage of the project a community survey was undertaken that received 200 responses.

Respondents were asked a range of questions around where they lived and shopped, traffic, what services and facilities they thought Heathcote needed, what they liked about Heathcote and what their vision for Heathcote was.

There were some very clear take home messages from the survey results. These included:

- The need for better public transport linkages with Bendigo
- Need for childcare services
- More shopping, accommodation and dining options
- Greater range of activities for young people
- Protect the character of the town
- To be a connected and caring community
- To support existing and new businesses and promote tourism

One on one meetings and other meetings

Since the commencement of the project there have been more than 50 meetings with individual community members and with groups such as Advance Heathcote and the Heathcote Community Capacity Builders.

These meetings have proven to be a valuable source of information and insight into the Heathcote community and its workings and have helped inform the Township Plan.

Preliminary Listening Posts

Two listening posts have been held in the initial stages of the project. The first was as part of the Heathcote Lions Club Bush Market on 1 July 2017 and the second was on 16 February 2018 as part of the Heathcote Family Fun Day.

Both listening posts provided the community with the opportunity to ask questions about the Township Plan and raise issues they felt were important for Heathcote's future growth.

Issues and Opportunities Paper

The Issues and Opportunities Paper was on exhibition for 4 weeks that was extended to 6 weeks to allow the community to have additional time to consider the paper.

During this period there were 2 listening posts, 2 community information sessions, numerous meetings with community groups and committees, media coverage and social media updates.

A second community survey was also conducted that was completed by over 120 people and a targeted youth survey with 23 respondents.

Again the advice received from the community has been invaluable in informing the Township Plan.


ANCIENT SOILS
AMAZING WINES
HEATHCOTE

Report Structure

The Report

The following sections are the "nuts and bolts" of the Heathcote Township Plan. They contain the discussion around the infrastructure, facilities and services that are needed to guide Heathcote's growth into the future.

The structure is based around the Guiding Objectives referred to on page 11 and each section has the same structure:

- A brief overview of what the issue is that needs to be addressed and why it is important
- The objective that is being pursued
- The strategies to deliver the objective
- Then there is discussion around each particular issue



Community Facilities and Services



Transport & Infrastructure



Public Domain



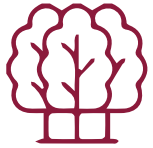
Land Use and Built Environment



Economic Development



Welcoming Place



Sustainability

Community Facilities and Services

Overview

Compared to other small towns Heathcote is reasonably well served in terms of community facilities and services, however as the population grows and ages it is important that services be maintained and enhanced to respond to these changes.

Objective

To ensure that there is the right mix of community facilities and services that responds to the changing needs of the Heathcote community.

Strategies

- To support proposals that promotes the health and wellbeing of the Heathcote community.

Health and Education Precinct

The Heathcote Hospital and Primary School are both located on the original Government Camp and are both close to the town centre. Also within this area is the Community House which provides a wide range of services to the local community, a skate park and proposed Men's Shed.

The Hospital serves a large catchment that extends well beyond the town and its immediate environs and with an aging population there will continue to be a growing demand for health facilities and services.

Heathcote Health has aspirations to establish a Community Health Hub on their campus. The hub would include a hydrotherapy pool, rehabilitation gym and consulting rooms. A concept plan for the development is indicated on this page. Heathcote Health is also the driving force behind the dementia village proposal that is discussed in more detail on page 52.

The City of Greater Bendigo does play a role in healthcare through the provision of Maternal and Child Health Services, Meals on Wheels and Home Help. A further way to support health or educational services can be through the provision of infrastructure external to the precinct.

An obvious way that infrastructure can support is by providing footpaths and protected bike paths to the area – at present there is little in the way of this infrastructure. This has been confirmed as a key issue by Heathcote Health, the Community House and the Primary School.

Council is also Committee of Management for the skate park and BMX track in the precinct. There is an opportunity to further activate this space. Suggestions put forward include the construction of a basketball ring, additional seating, landscaping, improved lighting and potentially BBQ facilities, although there are BBQ facilities at the rear of the Council office on the other side of Camp Street.

It is recommended that these suggestions be explored.





Dog Park

There is growing community support for the establishment of an off the leash dog park. The potential site nominated by the community is a Council drainage reserve off Depot Road.

For this project to progress a number of steps need to be followed. The first is to establish that there is sufficient demand for a dog park in Heathcote, then a thorough assessment to ensure that the Depot Road site is suitable for an off leash dog park.

Once the demand is established and a suitable location identified, the project will require Council approval of the construction and lifetime costs of the project through the annual budget approval process.

There was a specific question asked as part of the community survey during the exhibition of the Issues and Opportunities paper. Of the 121 responses 55% supported the proposal, 31% weren't concerned one way or the other and only 14% did not support the dog park.

A petition was also circulated by the community in support of the dog park and this petition was reported to November 2018 Council meeting following further investigations.

The Council Report noted that demand for a dog park has been established however further site assessments are required to determine whether the Depot Road site is the most appropriate.

The resolution of Council was for a budget bid to be put forward to the 2019/20 budget for the installation, fit out and ongoing servicing of an off the leash dog park in Heathcote with consideration given to the Depot Road site. Council also resolved to identify suitable locations for additional dog parks in rural communities as part of the review of the Domestic Animal Management Plan (2016-2021)

Secondary School

The community have indicated that a secondary school is needed in Heathcote.

However, according to the 2016 Census there were only 195 secondary school aged people in Heathcote and preliminary advice from the Department of Education and Training is that this is not sufficient to justify the creation of a new secondary school in Heathcote.

What may be an option is to establish a campus from another school within Heathcote, however this is a State Government matter and would be subject to a detailed investigation and feasibility assessment.

Toilet at playground

A number of the survey responses have indicated the need for a toilet at the playground in Barrack Reserve. The nearest toilets are at the rear of the Visitor Information Centre approximately 200 metres from the playground.

Given the existing toilets are being rebuilt in approximately their current location there are no plans at this stage to provide additional toilets at the playground.

Emergency Services

The Country Fire Authority (CFA) and State Emergency Service (SES) have both expressed a need to relocate from their existing sites as they are no longer fit for purpose. This provides the opportunity for the colocation of both emergency services. While the selection of a new site is ultimately a decision for both agencies, Council would be willing to assist where possible.

The relocation of these two services also creates opportunities to reuse their existing sites. Any redevelopment of these sites would be subject to further consultation with the community; however the use of the CFA site on the corner of High and Herriot Streets for car parking is not supported.

Showgrounds

The Heathcote Show Society is one of the oldest show societies in Victoria and the showgrounds are a significant asset to the Heathcote community. Annual events at the site include the Heathcote Show and Heathcote Food and Wine Festival.

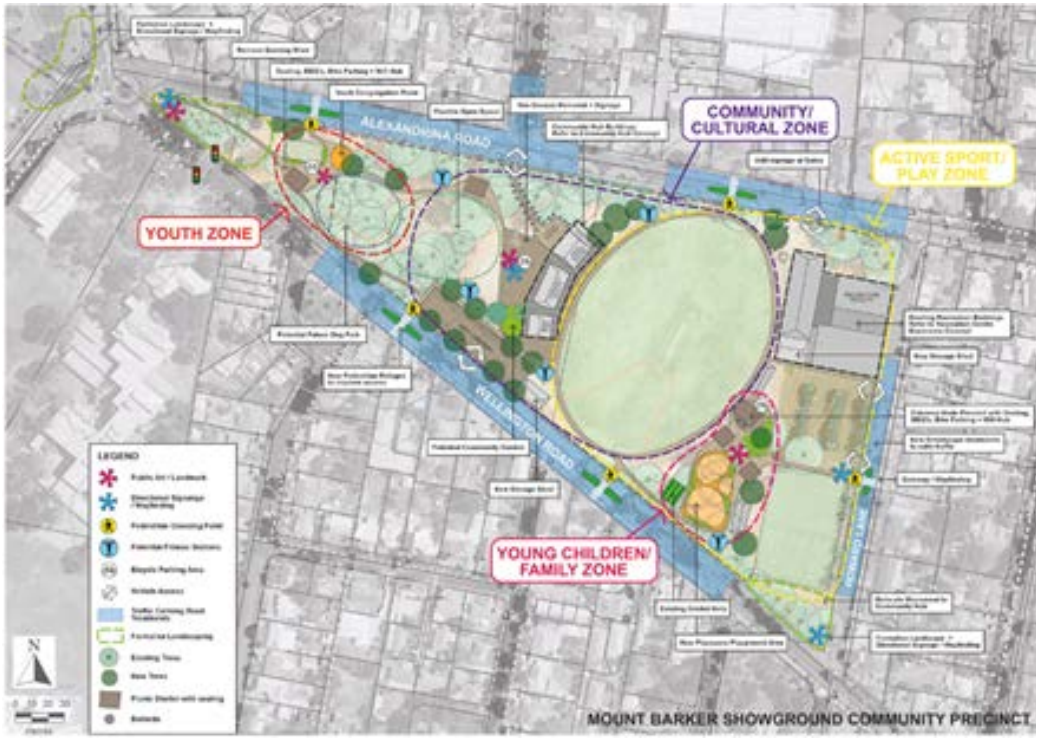
The facilities at the showgrounds are ageing and in need of significant investment to improve facilities and infrastructure. With better facilities there would be greater opportunities to host more events at the site.

There is currently no masterplan for the showgrounds. A masterplan would establish a framework to guide the future development of the site. It would set out what works need to be undertaken and what future facilities and infrastructure is required. The masterplan would also assist when applying for grants to undertake these projects.

The image on the right is taken from the Mount Barker Showgrounds Masterplan and is an indication of what could be planned for the Heathcote Showgrounds.

While the City does not have any involvement on the site, it is supportive of the preparation of a masterplan and will advocate on behalf of the Showgrounds Committee of Management.

In 2018/19 financial year the City will be constructing a footbridge over the McIvor Creek adjacent to Chauncey Street which will improve pedestrian safety and access between the showgrounds and the town centre.



(Source: https://www.jensenplus.com.au/mount-barker-showground-masterplan/)


The Report
ANTIQUES
ANTIQUES
BAKERY
BAKERY
SANDWICHES FISH & CHIPS
KEBABS CHICKENS PIZZAS

Transport & Infrastructure

Overview

Transport infrastructure needs to connect people to places they want to go and it needs to be safe and accessible. This is particularly important for those under 18 years of age and with Heathcote's aging population. It is equally important that other infrastructure be provided to the needs of a growing community.

Objective

To provide for a variety of safe, sustainable transport modes, to improve public transport connections to Bendigo and Melbourne and to ensure that the right infrastructure is provided in a timely and efficient way to meet community needs.

Strategies

- Prioritise the use of cycling and walking as means of moving around Heathcote.
- Ensure public safety
- Support improvements to the public transport network.
- Provide infrastructure in a timely manner that meets community needs.

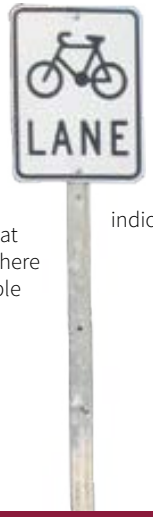
Walking and Cycling

It is important to provide people with transport choice rather than relying on the car. The health, economic, environment and social benefits of walking and cycling are well documented.

For walking and cycling to be a viable option there are several things that need to happen. There needs to be the infrastructure in place – footpaths, protected cycle lanes, safe crossing points and the like. The infrastructure needs to be safe, accessible and convenient. Importantly, it needs to connect people to places they want to go.

Transport for Victoria has advised that a cycle lane behind angle parked cars is a safety issue and that cycle lanes should be protected or separated. High Street had a protected bike lane in the past with a cycle lane between the kerb and parked cars but was removed some years ago. This arrangement is now considered to be best practice.

Given the width of the High Street road reserve (40m) scope exists to provide greater protection for cyclists and evidence suggests that where safe cycling infrastructure is introduced there is an immediate increase in the number of people cycling.[1]



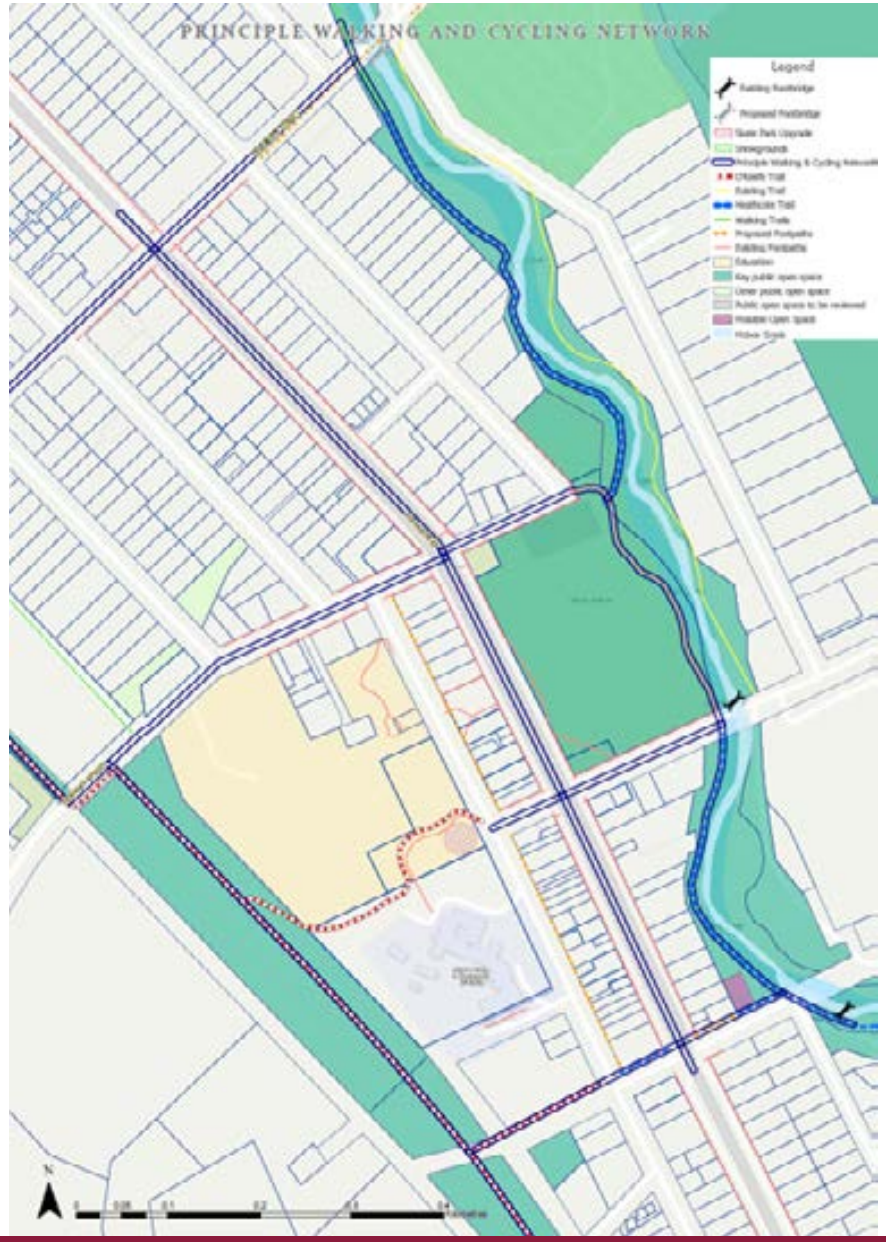
At present footpaths in Heathcote are largely limited to High Street and some side streets. The Issues and Opportunities Paper highlighted the need to extend the footpath network.

The Heathcote Township Plan is advocating for the establishment of a "Principal Walking and Cycling Network" that essentially forms a loop around that connects key destinations (Health and Education Precinct and Holy Rosary primary school) to the Town Centre, the O'Keefe Trail and McIovr Creek. Providing continuous and safe walking and cycling infrastructure will encourage more people to use active transport.

This network helps prioritise decisions on the location for new footpaths and cycle paths in Heathcote.

The extension of the McIvor Creek trail on the western side of the creek between Jennings and Caldwell Streets is particularly important but issues around the management of the creek reserve would need to be resolved first. Longer term extensions to the network are also indicated.

1 https://nacto.org/2016/07/20/high-quality-bike-facilities-increase-ridership-make-biking-safer/



The Report





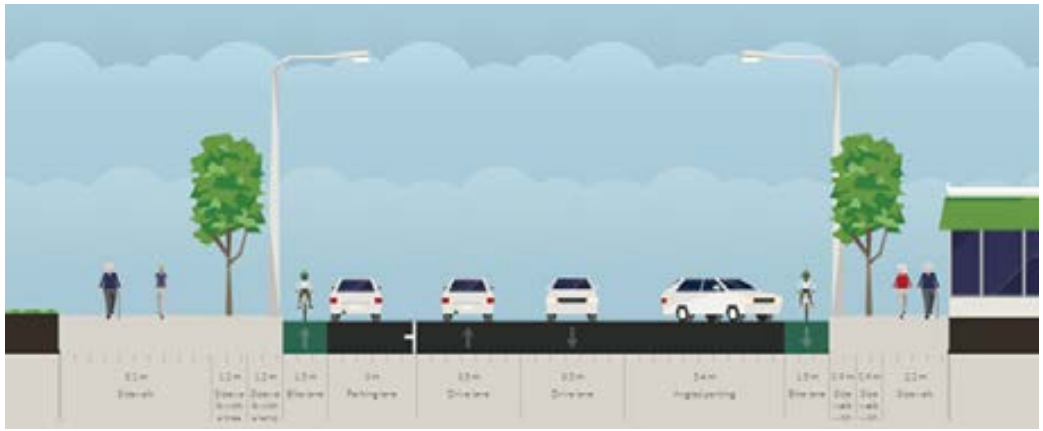
Examples of walking and cycling infrastructure

Heathcote's wide streets offer the opportunity to provide safe on road cycling lanes at a relatively low cost. The following is an example of what Camp Street could look like.

These changes are all accommodated within the existing sealed road surface and all traffic lanes more than meet minimum engineering standards. In the case of Camp Street it also provides a safe cycling route for children to get to school.

A further improvement would be the installation of wayfinding signs at key locations in Heathcote to assist residents and visitors moving around town. Heathcote Tourism and Development are undertaking a project to investigate the provision of wayfinding signage.





High Street

High Street is a very wide street with a road reserve width of 40 metres (in comparison to the High Street in Bendigo which is 30m wide). Much of this road reserve is given over to vehicles and parking, with approximately 7 metres of the reserve being footpath and nature strip.

The community has raised a number of concerns with High Street, and in particular with the town centre, as the Township Plan has developed. These concerns include vehicle speeds, turning vehicles, pedestrian and cyclist safety, the use of mobility scooters and the general lack of amenity.

A community workshop was held to reimagine what High Street and the town centre could look and feel like. The 40+ participants in the workshop included the community, traders, City of Greater Bendigo staff and Regional Roads Victoria (formerly known as VicRoads).

A range of opportunities were discussed to address the issues referred to above. Among these opportunities were traffic calming, timed car parking, additional landscaping, street furniture, potential for roundabouts (in preference to traffic lights), improving safety and access for an aging population and the preferred scale/footprint of new buildings.

The concept plan resulting from this workshop can be found on the following page. This concept plan will inform future works in town and will be implemented progressively over time.

There is a range of measures that could be introduced to help calm traffic without necessarily relying on speed limits. Some of these measures include landscaping, road pavement treatments, changing the colour of the road and use of centre median strips.



Landscaping can also play a role in calming traffic as it is well documented that wide, clear roads sends a message to drivers that it is safe to drive at higher speeds.

The example below is of two local streets in America and the bottom example is the street where a driver would naturally slow down regardless of the posted speed limit.

There is also strong community support to extend the 50km/h zone in the town centre to include the IGA supermarket. VicRoads Speed Zoning Guidelines 2017 provides direction on when a 50km/h speed zone can be considered. The guidelines include having retail development run continuously on both sides of the road, frequent movement of pedestrians, frequent parking movements and support from Council and the community.

In this instance there have been a number of developments that have increased the density of retail development including a brewery, childcare centre and children's hub and cafes that have resulted in increased pedestrian and parking manoeuvres.

As part of the exhibition of the Issues and Opportunities Paper the community were asked if they supported the extension of the 50km/h zone in this area and 72% were supportive of the proposition.

It is recommended that Council seek the support of key stakeholders including local businesses, Victoria Police, Heathcote Health and the like and formerly apply to Regional Roads Victoria to seek an extension of the 50km/h speed zone.



Public transport

The lack of public transport emerged as a key community priority in the early stages of developing the Township Plan.



A revised bus timetable between Heathcote and Bendigo has recently been introduced and includes five daily return services during the week and three return services on Saturday and Sunday. The fares between Bendigo and Heathcote were also halved. This will make public transport a more viable form of transport between Heathcote and Bendigo.

The community is also advocating for better public transport between Heathcote and Melbourne. At present Public Transport Victoria (PTV) have four public transport services between Heathcote and Melbourne that can take between 1 hour 38 minutes and 3 hours and 14 minutes depending on transport mode and route. There are also 4 return services that can take between 1 hour 34 minutes and 3 hours and 22 minutes.

The need for additional shelters and seating at bus stops has been raised. Given the ageing population in Heathcote this type of supporting infrastructure is important.

There are no plans at this stage by PTV to provide additional services between Heathcote and Melbourne.

In 2017/18 there were 3,032 V-line tickets sold from the Heathcote Visitor Information Centre. The majority of which were return tickets to Melbourne.

Infrastructure

Heathcote is reasonably well serviced in terms of reticulated infrastructure.

Natural gas has recently been rolled out in town – this is particularly important in relation to attracting new industries to Heathcote, as having a gas supply is a critical piece of infrastructure.

Coliban Water is also in the process of extending sewerage infrastructure in three locations – in and around Redleaf Court, Peterson/Bennett Streets and the Spring Flat Road area. Once this infrastructure is in place it will open up more land for residential development. There is also an upgrade of the waste water treatment plant underway.

National Broadband has also been rolled out in Heathcote.

Public Domain

Overview

The public spaces and landscape in and around Heathcote play an important role in defining the character of the town. It is important that these areas be protected and enhanced as they play contribute significantly to the town's liveability.

Objective

To improve Heathcote's public domain, open space areas and streetscapes.

Strategies

- To implement the recommendations of the Greater Bendigo Public Space Plan as they relate to Heathcote.
- To support the redevelopment of the public space in High Street.
- Prepare and implement a street tree planting program.

Public Space

The City of Greater Bendigo adopted the Greater Bendigo Public Space Plan in July 2018. The Plan examines at how the extensive public space network can be managed now and into the future.

Many of the strategic directions from the Public Space Plan have emerged during the development of the Heathcote Township Plan. Areas of commonality include:

- Need to define the extent of the town centre
- Improvements to High Street
- The importance of the McIvor Creek for its environmental and recreational values
- Safe access to the primary schools

The Public Space Plan also discusses opening up Barrack Reserve. Ideally this would be done by removing the fencing around the oval. However, it is recognised that there are paid events such as football games where fencing is required, but for the majority of the year the fence does not serve a useful purpose.

The Issues and Opportunities Paper suggested that retractable fencing might be an option so the space could be enclosed on the day of a paid event and opened for the remainder of the year. This idea was presented to the community and 75% of survey respondents supported the idea, 13% did not support it and 12% weren't sure. This option would be subject to a future budget bid.

An alternative would be to trial free access (potentially with a gold coin donation) to an event and determine if more people attend and there is an increase in takings from catering, fundraising and the like. This would be subject to further discussion with the relevant user group(s). If successful and with the agreement of the relevant parties the fencing could be remove completely.

At the design workshop for the Town Centre (page 38) a new informal open space area was suggested along the McIvor Creek just off Jennings Street and opposite the Valley of Liquid Ambers. This would provide a picnic area for the local community and visitors that is close to the new Gaffney's Bakery that is likely to generate demand for such a facility. Resolution of the management responsibility along the McIvor Creek would be required.



Streetscape and street trees

Trees play an important role in defining the character of areas, they have positive health benefits, they increase property values and reduce energy costs.

Urban areas are also subject to the "heat island effect" where built up areas are hotter than the surrounding rural areas because of changes to the land surface (roads, buildings, etc.). It is also worth noting that extreme heat events are Australia's deadliest natural hazard[2] (more than all other natural hazards combined).

A key to addressing the heat island effect is to plant more trees in urban areas. The City is preparing the Greening Greater Bendigo Strategy that is aimed at increasing the tree coverage across the Bendigo urban area and small towns. The strategy will identify priority areas for additional tree planting.

As part of Greening Greater Bendigo mapping has been prepared that identifies areas vulnerability to heat. The mapping was created by considering the proportion of impervious surfaces (roads, roofs, etc.), existing tree cover, socio-economic disadvantage, number of older people (who are more susceptible to the impacts of heat) and pedestrian intensity.

Two areas within Heathcote are in the top ten areas vulnerable to heat within the City of Greater Bendigo. This makes Heathcote a priority for additional tree planting.

In addition to addressing issues around the heat island effect there are other well document benefits from increasing tree coverage. Trees absorb carbon dioxide, improve water quality, have a positive impact on people's wellbeing and have positive economic effects.



2 https://www.sciencedirect.com/science/article/pii/S1462901114000999

Town Centre

The need to make improvements to the Town Centre and High Street was a consistent theme during the development of the Township Plan. A map indicating the extent of the town centre is on the right. This map also indicates the Health and Education precinct.

Issues raised included having an improved range of shops so that residents were less reliant on Bendigo for services, improve local employment and making the existing shops more accessible.

High Street was also an issue of importance to the community and matters raised included speed limits, the need to better define the extent of the town centre, pedestrian and cyclist safety and general issues around the amenity of the area such as landscaping, lighting and seating.

A further challenge for Heathcote is the length of the town centre – Chauncey Street to Jennings Street is approximately 1km. This makes any changes proposed to be implemented a challenge from a scale perspective. What is proposed is to prioritise the redevelopment of High Street, with the first stage being between Herriot Street and Barrack Street as indicated below.

The recommendation is to prepare a landscape plan for this section of High Street in consultation with Regional Roads Victoria and the community. The landscape plan would consider additional tree planting, street furniture, community safety and the like.

An important consideration in the preparation of the landscaping plan will be the Safer Design Guidelines for Victoria which are focussed on how clever design can be used reduced crime in urban areas and improve community safety. Potential measures include promoting natural surveillance, making sure there are no hidden spaces and that public spaces have unimpeded views, maximising the location of public transport stops and maintenance of public spaces.

There is also discussion on improving the safety and amenity of High Street on page 32 and promoting business development and employment opportunities on page 51 that are relevant to the town centre.




Legend:
Traffic calming treatments (Raised road level and/or change in road texture)
Long Vehicle Parking
Footpath
Existing Trail
Proposed Trail
Major scope of works
Pedestrian Priority Connections
To Axedale & Bendigo
Okeefe Rail Trail
To Kilmore
Strengthen connection to town center
Heathcote Primary School
Improve facilities at BMX track and skate park
Improve pedestrian connection
New footpath
Heathcote Health
Raised crossing point
New footpath
Priority area for improvement
Barrack Reserve
Creek Reserve Development
New informal open space
IGA
Formalise existing pathway (medium term priority)
Extend 50km/h zone
new footpath to Creek Bridge
New pedestrian refuge
Extent of new road arrangement
View to Mt Camel Range
View to Mt Camel Range

Land Use and Built Environment

Overview

The physical extent of Heathcote is largely defined by the surrounding landscape and other natural features. Generally speaking there is sufficient supply of residential and commercial land to satisfy the town's medium term growth prospects. It is important however to ensure that new development respects the existing character of the town and avoids areas subject to environmental risk.

Objective

To provide for the orderly use and development of land and improve the built form standards in Heathcote.

Strategies

- Ensure there is an adequate supply of land for commercial, industrial and residential purposes.
- Consolidate commercial activity in the town centre and discourage out of centre development.
- Direct development away from areas subject to flooding and bushfire risk.

Commercial Land Supply

The Commercial Land and Activity Centre Strategy (2015) identifies the Heathcote commercial area as being an "Activity Centre" within the retail hierarchy which means it provides "a range of economic, social and some civic activities, together with goods and services to meet the daily and weekly needs of their suburban catchment".

The Strategy then goes on to make forecasts about how much future floor space is needed in these activity centres. It does not make any such forecast for Heathcote however. The reason for this is that because Heathcote is isolated from the other centres it is not "competing" with them for floor space. In the case of Heathcote any proposal for new commercial floor space will be market driven and considered on its merits.

Heathcote currently has 107,500m2 of zoned Commercial 1 Zone land with approximately 27,000m2 of floor space – the floor space includes shops, hotels and houses that are all in the Commercial 1 Zone.

The "rule of thumb" for additional retail floor space is at rate of 2.2 square metres per person[3]. Therefore with Heathcote and Districts population projected to increase by 417 people from its current population by 2036 this equates to an addition 917m2 of retail floor space being required.

There is currently over 9,000 square metres of vacant or under developed land in the town centre, including one site of 5,800m2 as well as a number houses and other buildings that could be converted to a commercial use. There is no need to create additional commercial land in the short to medium term however this will be monitored on a regular basis.

There are a number of recommended rezonings and these can be found at Appendix 1. These rezonings are largely to correct zoning anomalies or to ensure the zoning reflects the current use of the land. The only exception to this is land in Wright Street that is proposed to be rezoned from Commercial 1 to General Residential.

3 More retail floorspace or less? http://macroplan.com.au/retail-floorspace/

Industrial Land Supply

There is a limited supply of industrial zoned land within Heathcote. There is the Depot Road area and an isolated area on Dairy Flat Road, Argyle. A number of industrial uses/buildings also exist within the Commercial 2 Zone predominately in the northern end of town.

There are sites within the Industrial 3 or Commercial 2 Zone that are either vacant, under-developed or have unoccupied buildings so there is some scope for additional development for small to medium industrial businesses.

One thing that has been difficult to quantify is the demand for additional industrial land. Discussions with local real estate agents suggest that there is some unmet demand. A further issue is that should a potential business come to town looking for a large site there is not any zoned land available.

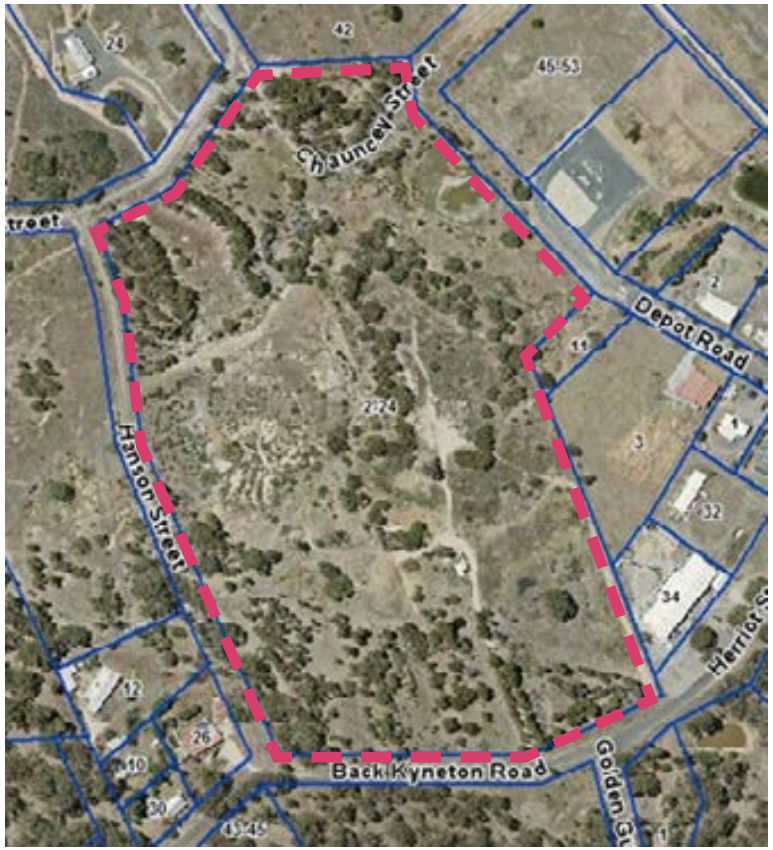
In the future there is likely to be an increase in demand for additional industrial land as the town continues to grow, especially given the rollout of natural gas.

The Issues and Opportunities Paper identified a potential expansion to the west of Depot Road on land known as 2-24 Back Kyneton Road. That site is currently zoned Rural Living with the ESO3 (Eppalock Declared Water Supply Catchment Overlay), part DDO25 (Hospital Emergency Medical Services Helicopter Flight Path Protection Overlay) and part Bushfire Management Overlay.

This land offers a number of positive attributes as a potential industrial site. It is adjacent to an existing industrial area and is separated from the residential areas of Heathcote and therefore minimises the potential for land use conflict. The site is also buffered by crown land to the north, west and south.

The site is a former landfill site and is likely to be contaminated and therefore sensitive uses such as residential development are inappropriate. It is also understood that there were past mining activities on the site as well. It is recommended that the site be rezoned to Industrial 3.

There is vegetation on the corner of Hansen Street and Back Kyneton Road that should be maintained to provide a buffer to the residences on the opposite corner.





Residential Land Supply

In 2017 the Department of Environment, Land, Water and Planning completed an assessment of residential land supply across the City of Greater Bendigo, including Heathcote.

The land supply assessment determined that there were potentially up to 380 lots available for development in Heathcote and Argyle. The areas identified for growth are indicated on the following page. A copy of this report can be found at: https://www.planning.vic.gov.au/land-use-and-population-research/urban-development-program/bendigo

The projected growth rate for Heathcote and District (which includes the rural areas surrounding Heathcote and the small towns of Redesdale and Mia Mia) is for an additional 264[4] dwellings until 2036. It is noted that actual growth in housing is exceeding forecast growth and it is for this reason that forecasts are regularly reviewed.

Given the forecast demand for housing and the level of land supply there is no need at this stage to create additional residential land in Heathcote. That said if there is land within the township that is suitable for residential development but is inappropriately zoned then from a strategic planning perspective the rezoning of that land is supported in principle.

It is important to monitor the supply of land to ensure that there is an adequate supply, especially if projects such as the Dementia Village create a surge in demand.

A number of such sites have been identified within Heathcote and can be found at Appendix 1 with the rationale for their rezoning.

Dwelling Stock

According to the 2016 Census detached houses represented 94.5% (2,151 houses) of all the housing stock in Heathcote and District and only 1.1% of housing was medium density.

Of this total housing stock in Heathcote 24% had one or two bedrooms and 66% of households were one or two person (this is forecast to increase to 73% of all households by 2036).

Research suggests that older people generally prefer to remain in the same house (or “age in place”) with outside help when required. It is also important that there are opportunities for people to downsize into smaller, less expensive houses that require less maintenance and upkeep that better suits their needs.

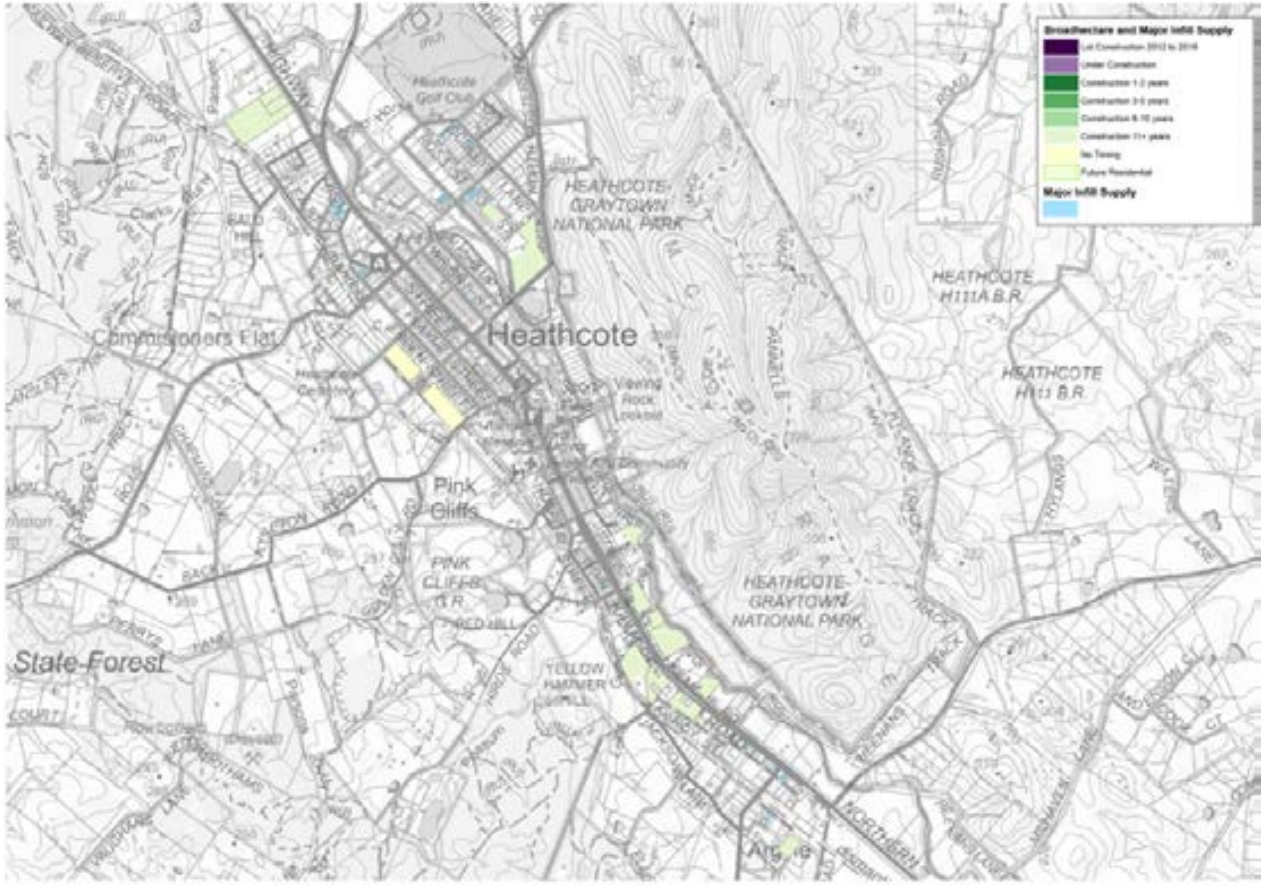
At present these smaller houses are not being catered for in Heathcote at a scale that would meet demand. A greater diversity in housing types is needed.

From a planning perspective the preference would be for new housing (regardless of whether it is for older people of not) is for it to be located close to services and shops and where residents would have greater transport choice.

There may also be the need for additional aged care services in Heathcote into the future.

4 https://forecast.id.com.au/bendigo/population-households-dwellings?WebID=170

The Report


Broadhectare and Major Infill Supply
Major Infill Supply
HEATHCOTE-GRAYTOWN NATIONAL PARK
HEATHCOTE H111A.B.R.
HEATHCOTE H111 B.R.
Commissioners Flat
Heathcote
Pink Cliffs
PINK CLIFFS I.R.
HEATHCOTE-GRAYTOWN NATIONAL PARK
State Forest

Heritage and Character

The traditional owners of the area are the Taungurung People of the Kulin Nation. Heathcote area has significant areas of Aboriginal Cultural Significance, including the McIvor Creek, McIvor Range and the Heathcote-Graytown National Park.

At present there is little acknowledgement of the traditional owners in Heathcote. This is an issue that should be addressed in consultation with the Taungurung People.

Heathcote has a strong history dating back to when Major Thomas Mitchell passed through the district in 1836, but it was the discovery of gold in 1851 that really triggered the rapid development of Heathcote. These early days of the town's history is well represented in the building stock that still exists.

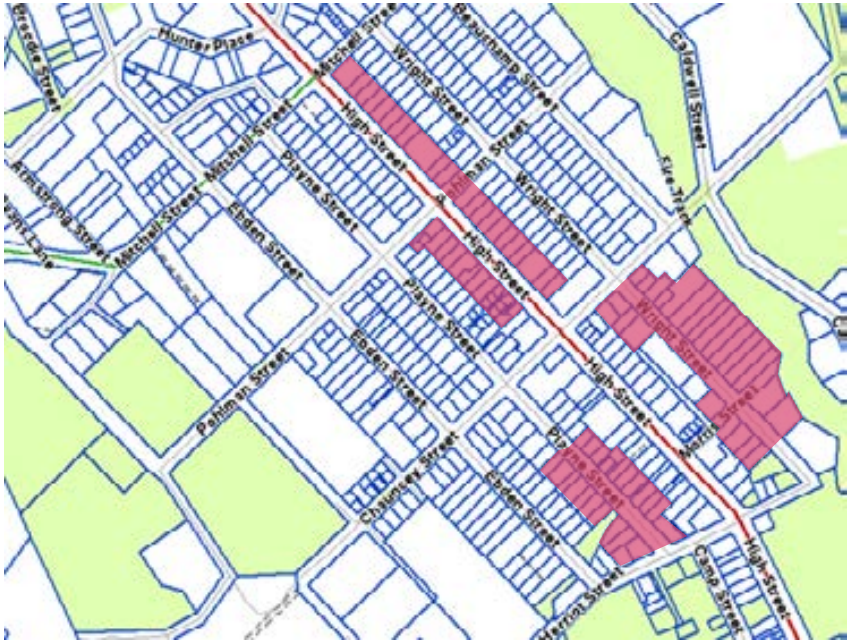
The City of Greater Bendigo Residential Character Study (2001) resulted in the introduction of the Neighbourhood Character Overlay (NCO) to parts of Heathcote. The areas included are largely along High Street and close to the town centre.

Subsequent to this a heritage study was undertaken for the former Shires of McIvor and Strathfieldsaye that was completed in 2009. This study applied the Heritage Overlay (HO) to a heritage precinct and numerous individually significant heritage properties.

What has occurred as a result is that there are areas that are include in both the NCO and HO. Planning Practice Note 28 – Using the Neighbourhood Character Provisions provides some guidance in this instance. The Practice Note acknowledges that while the NCO and HO have different objectives heritage values often contribute to the neighbourhood character values of an area as well.

The Practice Note states that the joint application of both the NCO and HO should be avoided but will depend on the particular circumstances and provides an example that represents the situation in Heathcote:

> Where an existing HO covers a large heritage precinct, the neighbourhood character considerations will most likely be directly related to the heritage values of the area and would not need the use of an NCO to give effect to the preferred neighbourhood character objectives for the area.



This map indicates where there is overlap between the NCO and HO and the areas recommended for removal from the Neighbourhood Character Overlay. The HO will continue to apply.

Rural Living Land Supply

Rural living is a popular lifestyle choice in Heathcote and there are a number of Rural Living Zone areas around the township, some of which have a 2 hectare minimum lot size and others have an 8 hectare minimum.

In determining the land supply the approach taken was to filter the list of properties by land size. For lots subject to the 2 hectare minimum, the land size was divided by 2.2 hectares (to allow for roads, etc.). For example:

Land size / 2.2 = lot yield

21.8ha / 2.2 = 9 lots (rounded down from 9.9 lots)

Using this methodology it was determined that there are a total of 353 potential lots available in Heathcote and Argyle. Lots less than 10 hectares in area were not considered which may add to this figure and it is acknowledged that not all land would be developed.

Even if it is assumed that 70% of this land is subdivided over time this still equates to a 247 potential lots available. There is no need to create additional rural living land in Heathcote. It is noted that the CFA have indicated they would not support additional land being created from a bushfire risk perspective (please refer to page 48).

A list of the properties assessed, including potential lot yield is included in Appendix 2.



Flooding

The North Central Catchment Management Authority has undertaken updated flood modelling for Heathcote.

This new flood information will be implemented in the Greater Bendigo Planning Scheme following a program of community engagement. This is being dealt with separate to the Township Plan.

Bushfire

The nature of the landscape around Heathcote means that managing bushfire risk will be a significant issue in planning for the town's future growth.

Victorian Bushfires Royal Commission

The 2009 Victorian Bushfires Royal Commission (VBRC) recognised the importance of considering bushfire related issues at all levels and stages of the planning process, in particular as part of strategic planning.

The recommendations of the VBRC were far reaching and have impacted on the planning process at a State, Regional and Local level.

State Planning Policy

The objective of the State policy (Clause 13.2-1S of the Greater Bendigo Planning Scheme) in relation to bushfire is "To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life".

State Policy then states that population growth should be directed to low risk locations where people can be better protected from bushfire. It is also a requirement of State policy to identify bushfire hazards and undertake a risk assessment.

There are also specific requirements on Councils to ensure that strategic documents such as the Heathcote Township Plan "properly assess bushfire risk and include appropriate bushfire protection measures".

Regional Bushfire Planning Assessment

The Regional Bushfire Planning Assessment (RBPA) – Loddon Mallee (2012) was one of the early VBRC recommendations to be responded to by the State Government.

What the RBPA's essentially do is identify areas where land use planning matters and bushfire hazards combine to create a level of risk to life and property.

The RBPA notes that there are a number of factors contributing to bushfire risk including the mix of lots sizes that exist, rural living areas, existing Crown Land, the high conservation significance of vegetation in the area and grass lands surrounding the town.

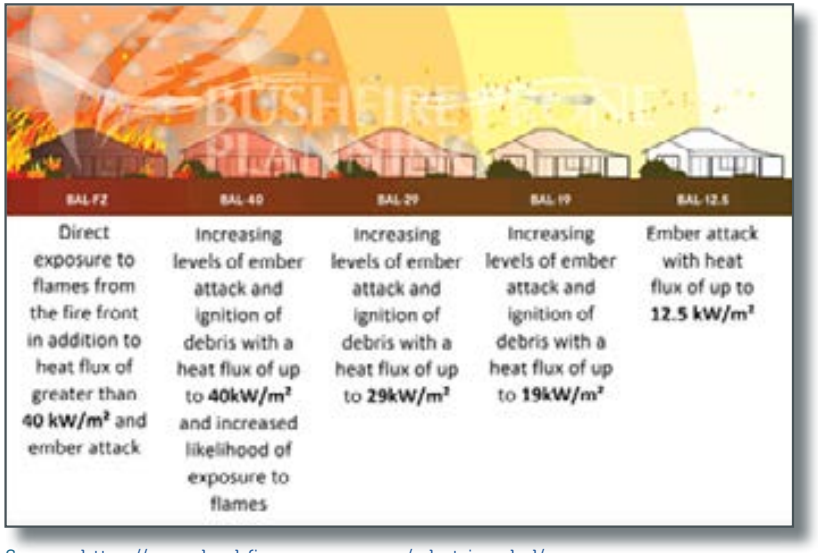
The RBPA's are not a statutory document and are intended to provide high level strategic advice that will inform planning decisions.

Bushfire Attack Levels

Underpinning the planning controls that relate to bushfire are Bushfire Attack Level's (BAL) which are based on an Australian Standard and are a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact.

There are five levels of BAL rating and the higher the BAL rating the more severe is the potential impact on a building. As the BAL rating increases there are more stringent requirements in relation to construction standards, "defendable space" around a building and a range of other matters.

In addition to the 5 BAL ratings in the graphic above there is also a BAL-Low, which as the name suggests is a low risk location and there are no specific construction requirements or the like.



Source: https://www.bushfireprone.com.au/what-is-a-bal/

Bushfire Management Overlay

The Bushfire management Overlay (BMO) has been extensively applied in and around Heathcote.

The purpose of the BMO includes prioritising the protection of human life, strengthening community resilience to bushfire, identifying areas where bushfire hazard exists and managing the risk associated with bushfire.

It applies to areas of vegetation that are greater than 4ha in area and to land within 150m of this vegetation. Within the overlay a planning permit is required for most new buildings and works although some exemptions do exist.

The overlay then sets application requirements for a bushfire hazard assessment and preparation of a bushfire management statement.

Heathcote Bushfire Risk Assessment

Fire Authorities have identified Heathcote as being a community at extreme risk from bushfire so careful consideration of bushfire risk is critical. This risk comes from the vegetation in the Heathcote – Graytown National Park, Rushworth Heathcote State Forest, the McIvor Creek and privately owned forested land.

In order to satisfy the State Planning Policy referred to above a Bushfire Hazard Landscape Assessment has been prepared. The Assessment considers issues such vegetation, topography, fire history, major



roads and planned burns. A copy of the landscape assessment is on the following page.

Using Planning Practice Note 65: Preparing and Assessing a Planning Application Under the Bushfire Provisions in Planning Scheme, the township area has been identified as a Landscape Type 3 which means the township area is susceptible to fire travelling from the north west and south west with a change in wind direction. There is also risk associated with spot fires caused by ember attack.

The CFA have advised that the farming and rural living areas are Landscape Type 4 where the broader landscape presents an extreme bushfire risk and where evacuation options are limited or not available. Rezonings of these areas would not be supported and would be contrary to Clause 13.02-1S. This means for example that rezoning land from Farming to Rural Living would not be supported.

To address this risk a “settlement boundary” needs to be established particularly along the north west and south west boundaries of the town. A settlement boundary is essentially a road at the interface between residential development and bushfire risk and looks similar to the image opposite.

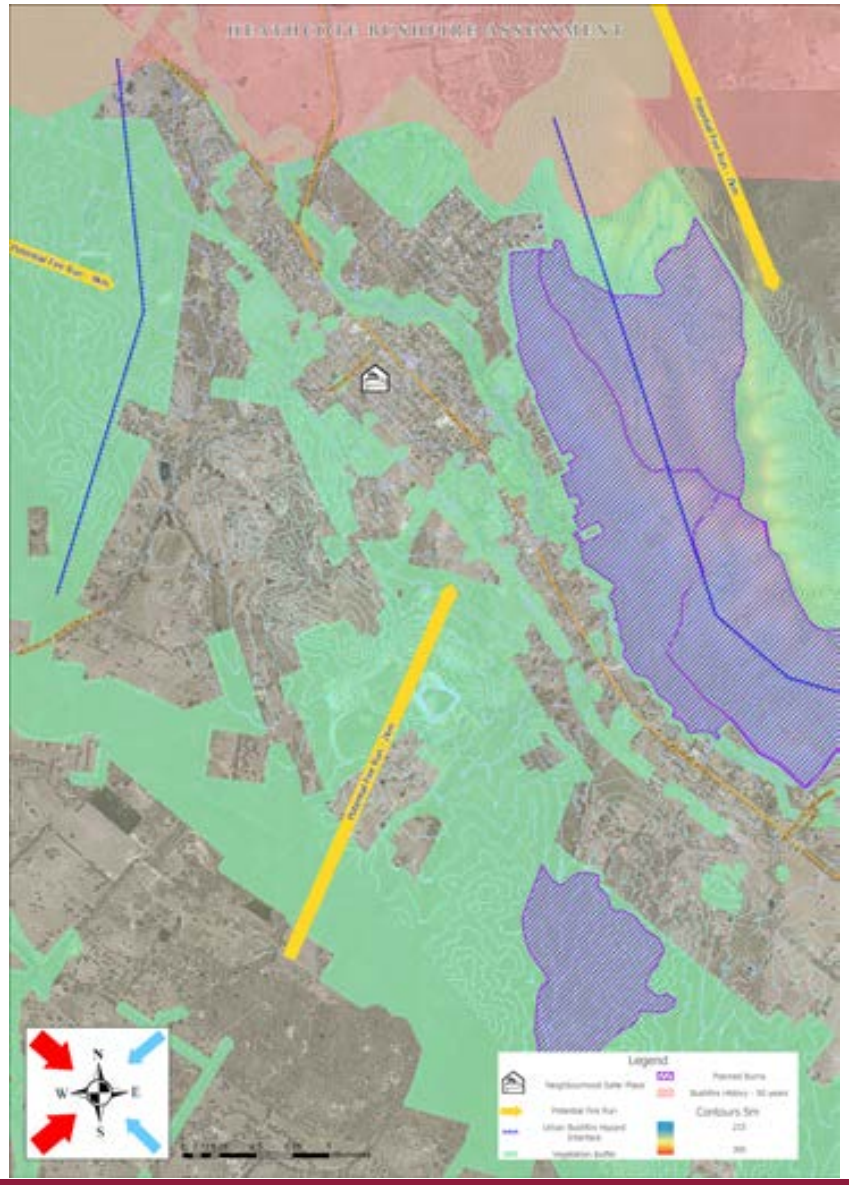
A setback of housing from the vegetation of 33m meets the defendable space requirements in Clause 53.02-5 of the Planning Scheme. The vegetation within this 33m needs to be maintained so as to minimise its risk of fire.

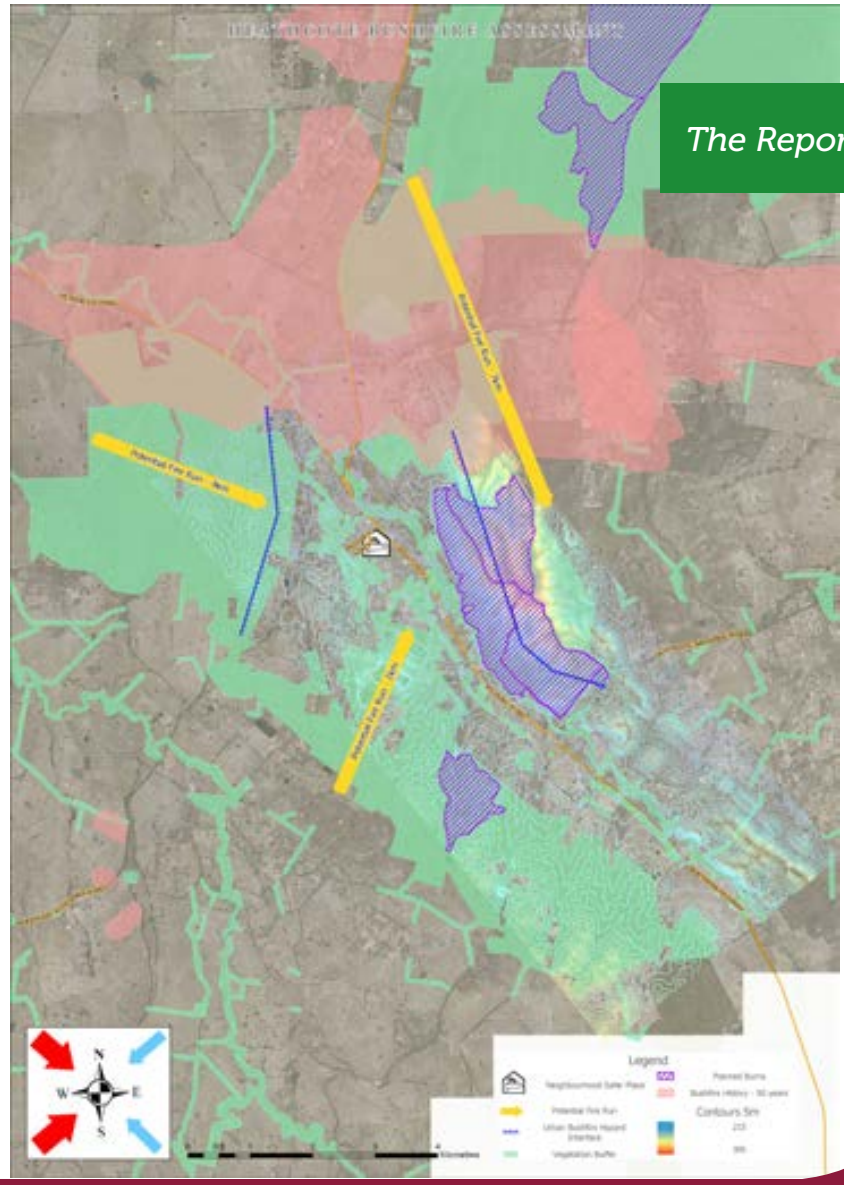
There exists within the Greater Bendigo Planning Scheme a Design and Development Overlay 6 that seeks to manage development at the urban – forest interface.

This overlay specifies the 33m setback for dwellings and has requirements around fencing, road works, access to public land and earthworks.

It is recommended that this overlay be applied to land on the fringe of town that abuts crown land. This will mean that over time, as this land develops a settlement break will be established. It is noted however that the Design and Development Overlay only becomes a consideration when a planning permit application is lodged. If no permit is lodged then there is no change.







Economic Development



Overview

Heathcote plays an important economic role in the region. It has a strong tourism sector largely built around the wineries in the area and provides for the day to day commercial needs of the town and surrounding district. Heathcote does rely on larger centres like Bendigo for some goods and services.

Objective

To better define the extent of the town centre and improve its connections to the town, to support new and existing businesses and promote tourism opportunities.

Strategies

- To support proposals that will enhance the tourism opportunities in the Heathcote district.
- To consolidate commercial activity in the town centre and make Heathcote less reliant on other centres for goods and services
- Support new and existing businesses to grow.
- Promote the benefits of doing business in Heathcote.
- Capitalise on the spending opportunities provided by the high volume of traffic passing through the town.

Tourism

Tourism plays an important role for the Heathcote economy and this is focussed around the wine industry. Such is the importance of the wine industry that Heathcote is recognised as a separate tourism subregion from the City of Greater Bendigo.

The Bendigo Region Destination Management Plan (2015) notes the average annual overnight visitation between 2009-2014 was 48,380 and the daytrip visitation for this same period was 131,196.

The Destination Management Plan identifies a number of development opportunities to help grow the tourism market. These include:

- Town centre and streetscape improvements integrating elements of the wine brand.
- Grow cycling tourism.
- Improve the food and dining offer.
- Promote the development of tourism within wineries, such as restaurants, accommodation and function space.
- Grow nature based tourism around the National Park and Lake Eppalock.

Another opportunity that has emerged during the development of the Township Plan is around golf tourism which could include accommodation, conference facilities and the like. The Heathcote Golf Course is quite picturesque but has limited ability to grow within its site and access to the course is not easy. A separate piece of work is needed to examine what development opportunities exist in and around the golf course and to establish a business case for future development.

Heathcote would also benefit from improved wayfinding signage to help visitors find key points of interest and this would be subject to a future budget bid.

Business and Employment

Supporting businesses and promoting employment are key steps in making Heathcote more self-contained and less reliant on other centres such as Bendigo.

One option to support businesses would be the establishment of a "business hub". The hub could support new and existing businesses by providing a range of services and facilities including office space, meeting rooms, conference facilities, mentoring, marketing and sales assistance.

Such a facility would need to be privately run and should be located within the town centre.

The City also runs a business help desk to assist new and existing businesses work through the approvals process. The Help Desk can provide advice on the approvals process, has information about meeting spaces, health and safety, employing staff and general business advice. More information about the Help Desk can be found at: http://www.bendigo.vic.gov.au/Services/Business/Business-Help-Desk

The Township Plan is also recommending the creation of additional industrial land on the Back Kyneton Road, adjacent to the Depot Road industrial area (refer to page 41) which would have positive economic benefits when it is developed.

Investment Prospectus

An idea that was suggested during the development of the Township Plan was the preparation of an investment prospectus for Heathcote. The purpose of the prospectus would be to provide some basic information about Heathcote that a business looking to relocate/establish in Heathcote and other information that demonstrates that Heathcote is a good place to do business.

Matters that the prospectus could include are future growth, transport, employment, tourism, health, education, environment and the community.

An unformatted draft version of the prospectus can found at Appendix 2.

Welcoming Place



Overview

There is a strong sense of community in Heathcote and the town has experienced strong inward migration, particularly with retirees. Anecdotal evidence also suggests that young families are also moving into Heathcote. There is a strong community desire to make sure that all residents and visitors feel welcomed to Heathcote.

Objective

To be a friendly, welcoming and accessible town for people of all ages and backgrounds and provide opportunities for all residents to engage with the town.

Strategies

- Support proposals that promote community development.
- Ensure that new infrastructure and upgrades are dementia and age friendly.

Dementia Village

The Heathcote Dementia Village proposal has the potential to be a game changer for the town that could contribute $15M to the local economy annually and be a significant employer.

The proposal has three elements:

- Development of the actual dementia village that will care for people with dementia and also be a research and training facility.
- For the Heathcote township to be dementia friendly and have the infrastructure and services that are supportive of the needs of people with dementia.
- To have “green care” infrastructure in the broader region that allows for people with dementia to have access to green spaces.

It is in relation to this second point that the Township Plan has a significant role to play.

In terms of the public realm there are a number of things that can be done:

- Seating should be of a simple design and obviously look like seating.
- In public toilets use contrasting colours (for example the toilet seat is a contrasting colour to the bowl).
- Keep light levels constant and avoid shadows.
- Signage should use words and pictures and contrasting colours.
- Provide acoustic barriers to reduce noise.
- Have quiet spaces in public buildings.
- Use universal design principles.

The key is to consult with people with dementia and their carers on the design of new spaces.

Businesses can be encouraged to adopt dementia friendly standards such as training for staff, having contrasting wall and floor colours, plain linoleum or carpets (no patterns), signage and appropriate font sizes on menus and the like.

If the proposal proceeds it will be important to monitor commercial and housing growth to ensure that there is an adequate supply of land to meet needs.

Age Friendly Environment

Given Heathcote's ageing population there are actions that can be taken in the public realm to make it more responsive to the needs of older people. According to the World Health Organisation[5] the following are important components of the public realm for older people:

- Streets and parks need to be pleasant and clean
- Generous provision of green spaces
- Plenty of seating
- Pedestrian crossings, pavements, crossovers, etc. need to be safe, accessible and smooth
- Good lighting and natural surveillance to improve safety
- Well located and accessible toilets
- Public transport needs to be accessible, affordable and reliable

In relation to housing there are also specific matters that need to be considered/addressed to cater to the needs of older people. These include:

- It should be located close to retail, health services and the like and be serviced by public transport.
- There needs to be housing choice to enable people to downsize while remaining in their community.
- Housing needs to be affordable in terms of purchase and running costs.
- Safety is a key consideration.

Another important aspect of an age friendly community is making sure there is a range of activities available to promote and encourage participation. With the broad range of community groups that exist in Heathcote this is already provided for but will be further enhanced with the Men's Shed proposal at the hospital campus.

Young People

Concern has been raised that there is not enough activities in Heathcote to keep young people engaged. This situation is not unique to Heathcote.

While sports clubs and other organisations play an important role, it is recognised that not all young people will participate in these organisations. A further challenge for Heathcote is that all secondary school aged young people go to Bendigo or other centres for school. They establish social networks and the like in these centres and this further disengages them.

The City does run a number of youth focused activities in Heathcote as part of Summer in the Parks and the like. The Community House and other groups are also active.

The people best placed to ask about what would help engage young people better with Heathcote is the young people. There are a number of ways this could happen. It could be referred to the new Youth Council for guidance and advice or there could be targeted consultation directly with the youth of Heathcote.

This should be investigated further with the youth services team.

5 Global Age-friendly Cities: A Guide (2007) World Health Organisation

Sustainability

Overview

The need for Heathcote to be an environmentally sustainable community has been a consistent theme throughout the development of the Heathcote Township Plan.

A number of sustainability issues have already been addressed in the plan including active transport, revegetation and managing environmental risks.

Objective

To protect and enhance Heathcote's unique natural setting and promote environmentally sustainable development.

Strategies

- Support proposals that promote environmentally sustainable development.
- Have regard to the One Planet Living principles.

Energy Efficiency

Other opportunities exist to improve Heathcote's level of sustainability. These opportunities would be largely driven by the community as they are beyond Council's sphere of influence.

Opportunities include the increased use of renewable energy with the use of private roof top solar and the potential for the establishment of a solar farm.

There are State Government rebates and incentives for the installation of roof top solar and the Bendigo Sustainability Group can provide assistance and advice for solar installations on community buildings.




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Implementation Plan

The implementation of the Township Plan will occur progressively over a 10-15 year period. An important component of the implementation will be the ongoing engagement with the community and other stakeholders.

Given the amount of infrastructure and activity proposed for Heathcote it is recommended that an Implementation Committee be established. This committee would oversee the implementation actions in the Township Plan but would also provide assistance with the coordination of other projects, the sharing of information and the like. The Committee would comprise of Councillors, Council Officers and representatives from other agencies such as Coliban Water, DELWP and Regional Roads Victoria and community representatives. Terms of Reference for the Committee will need to be developed.

Implementation

No.	Action	Lead Responsibility	Internal Partners	External Partners	Time Frame	Notes
1	Prepare and implement an amendment to the Greater Bendigo Planning Scheme which will: • Introduce the Heathcote Township Plan as a Reference Document • Applies various zone and overlay changes	City of Greater Bendigo Planning Department	• Regional Sustainable Development • Active and Healthy Lifestyles • Building and Property • Engineering • Parks and Open Space • Community Partnerships	• DELWP • CFA • Coliban Water • Regional Roads Victoria • Transport for Victoria • Advance Heathcote Inc. • Taungurung Aboriginal Corporation • NCCMA	2019-20	
2	Continue to progress the construction of the new toilets at Barrack Reserve and the new footbridge over the McIvor Creek near Chauncey Street	City of Greater Bendigo Engineering Department and Building and Property Department		• DELWP • NCCMA	2018-19	Both projects budgeted for in the 2018/19 financial year.
3	Apply to Regional Roads Victoria to extend the 50km/h north west along High Street to past the Chauncey Street intersection	City of Greater Bendigo Engineering Department	• Regional Sustainable Development	• Regional Roads Victoria • Transport for Victoria • Advance Heathcote Inc.	2018-19	

No.	Action	Lead Responsibility	Internal Partners	External Partners	Time Frame	Notes
4	Investigate a location for an "off the leash" dog park in Heathcote	City of Greater Bendigo Parks and Open Space	• Regional Sustainable Development • Active and Healthy Lifestyles • Parks and Open Space	• Advance Heathcote Inc.	2018-19	Budget allocation has been set aside in the 2018-19 financial year
5	Implement the Heathcote Flood Study into the Greater Bendigo Planning Scheme.	City of Greater Bendigo Planning Department	• Regional Sustainable Development	• NCCMA • DELWP	2019-20	
6	Design and upgrade facilities at the Skate Park at 5-7 Camp Street to potentially include additional seating, lighting and a basketball ring	City of Greater Bendigo Parks and Open Space	• Regional Sustainable Development • Active and Healthy Lifestyles • Parks and Open Space	• DELWP • Heathcote Community House • Users of the facility	2020-21	
7	Develop an Investment Prospectus that provides basic economic information to assist businesses wanting to establish or relocate to Heathcote.	City of Greater Bendigo Regional Sustainable Development	• Tourism and Major Events • Community Partnerships	• Heathcote Tourism and Development • Advance Heathcote Inc. • Regional Development Victoria	2019-20	
8	Continue to support Heathcote Health in the planning for the Dementia Village proposal	City of Greater Bendigo Community Partnerships	• Planning Department	• Heathcote Health • Advance Heathcote Inc.	On going	

Implementation

No.	Action	Lead Responsibility	Internal Partners	External Partners	Time Frame	Notes
9	Plan and implement over time the Principal Walking and Cycling Network.	City of Greater Bendigo Active and Healthy Lifestyles	• Parks and Open Space	• Regional Roads Victoria • Transport for Victoria • Bike Bendigo • Primary schools • Heathcote Health	On going	Issues around the management of the McIvor Creek will need to be resolved.
10	Prepare a landscape plan for the Heathcote Town Centre	City of Greater Bendigo Parks and Open Space	• Parks and Open Space • Regional Sustainable Development		2020-21	The plan would be implemented over time, be subject to budget and reaching agreement with VicRoads.
11	Progressively construct new footpaths in accordance with the Principal Walking and Cycling network	City of Greater Bendigo Parks and Open Space	• Active and Healthy Lifestyles • Regional Sustainable Development	• DELWP • Advance Heathcote Inc	On going	Will be subject to budget and resolution of issues around the management of the McIvor Creek
12	Plan and implement a program to install wayfinding signage.		• Tourism and Major Events • Engineering • Active and Healthy Lifestyles	• Heathcote Tourism and Development • Department of Jobs Precincts and Regions	2021-22	

No.	Action	Lead Responsibility	Internal Partners	External Partners	Time Frame	Notes
13	Investigate opportunities to promote tourist related development associated with the Heathcote golf course.	City of Greater Bendigo Tourism and Major Events	• Regional Sustainable Development	• Regional Development Victoria • Heathcote Tourism and Development		Timing will depend on the availability of external funding
14	To develop and implement a program of street tree plantings based on the findings of Greening Greater Bendigo	City of Greater Bendigo Parks and Open Space	• Engineering	• Regional Roads Victoria	On going	
15	Investigate opportunities to open up Barrack Reserve through modification or removal of fencing around the oval.	City of Greater Bendigo Active and Healthy Lifestyles	• Parks and Open Space	• User Groups	2021-22	Will be subject to budget.

Advocacy

There is also an advocacy component to implementing the Township Plan for actions where the City of Greater Bendigo does not have an active role but where actions would have a positive impact on Heathcote. These include:

- Supporting the Heathcote Show Society in the preparation of a Masterplan for the Heathcote Showgrounds
- Support Heathcote Health in advocating for funding to establish the Heathcote Community Health Hub
- Support Advance Heath Inc. in establishing a business hub that would support new and existing small businesses in Heathcote
- Support additional upgrades to public transport services and other transport opportunities to better connect Heathcote to Bendigo and the broader region.

Appendix 1 – Proposed Planning Scheme Changes

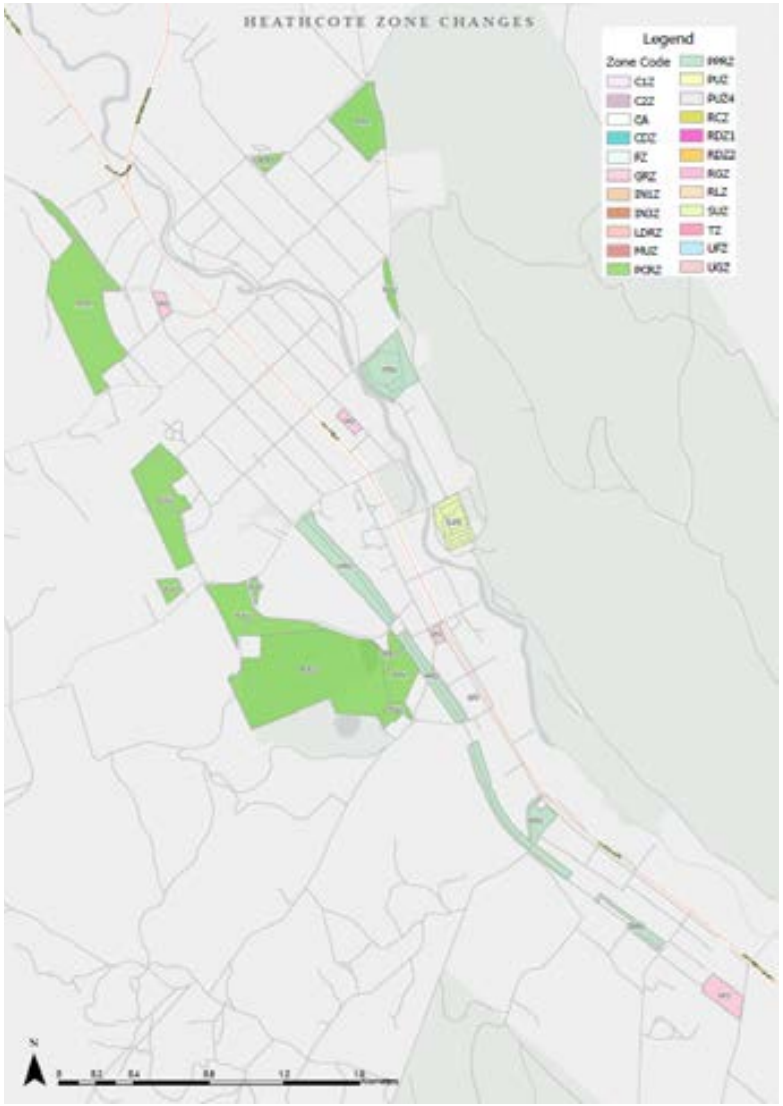
In addition to the preparation of a Local Area Plan for Heathcote, the following zone and overlay changes are recommended.

Address	Current Control	Proposed Control	Reason
Units 1 and 2, 7 High Street	Commercial 1	General Residential	This reflects the use of land as a dwelling. The property is isolated from the town centre and not in an area where commercial activity is being promoted.
9-11 High Street	Commercial 1	Commercial 2	Proposed zone better reflects the existing use of the land for motor vehicle sales. It is also outside of the town centre and a commercial one type use in discouraged.
33 High Street	Commercial 1	Commercial 2	Proposed zone better reflects the existing use of the land for motor vehicle wreckers. It is also outside of the town centre and a commercial one type use in discouraged
35-39 High Street	Commercial 1	General Residential	Proposed zone better reflects the use of the land as a dwelling. The site is not within the town centre and not in an area where commercial development is encouraged. The proximity of the site to the town centre and hospital precinct lends itself to medium density housing.
51A – 53 High Street	Commercial 1	General Residential	This reflects the use of land as a dwelling. The site is proximate to the town centre, but not within it. The commercial use of this site would further expand the town centre and this should be discouraged and there was nothing obvious from a site inspection.
54 – 56 Hospital Street	Commercial 1	General Residential	This reflects the use of land as a dwelling. The site is proximate to the town centre, but not within it. The commercial use of this site would further expand the town centre and this should be discouraged and there was nothing obvious from a site inspection.
21-25 Wright Street	Commercial 1	General Residential	The site does not have main road frontage and not in a location where commercial development is encouraged. There is already a potential oversupply of commercial land. The owner of the land is supportive of the rezoning and there was nothing obvious from a site inspection.
31 Ayres Street	Industrial 3	General Residential	The site is not in an area where industrial development should be encouraged. There is no known history of industrial activity on this land. Access to the site is also difficult for heavy vehicles. The owner of the land is supportive of the rezoning.

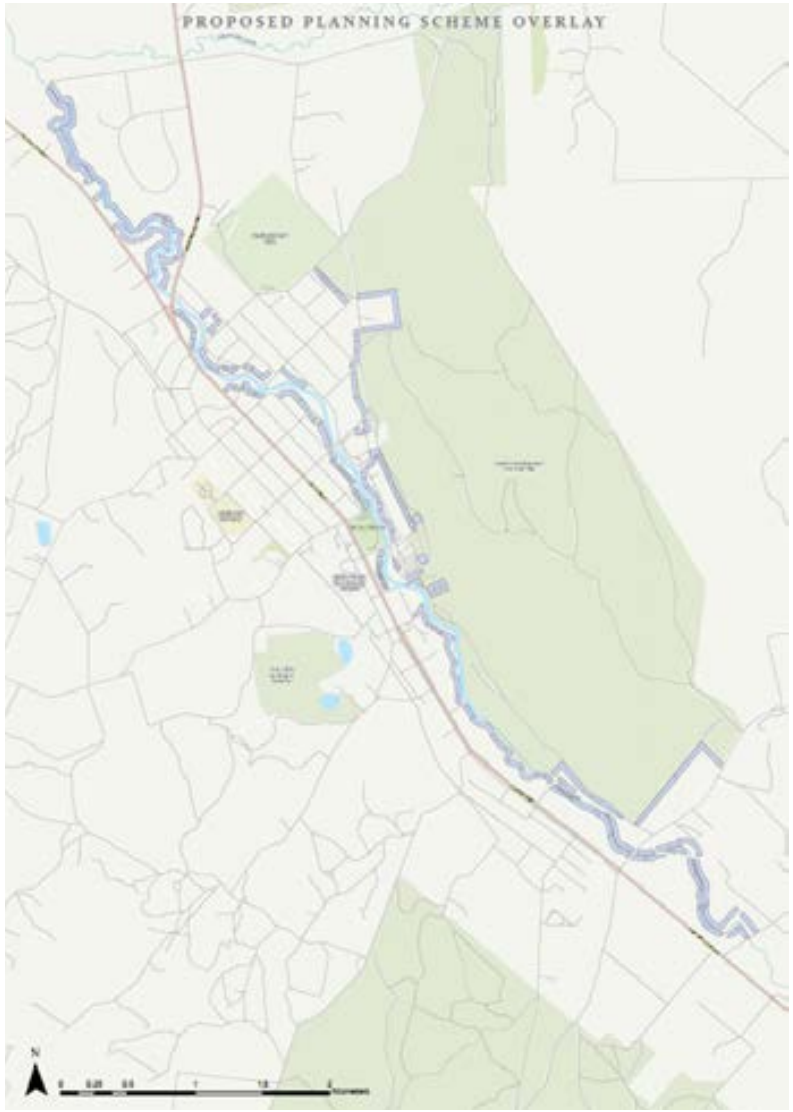
Appendix

Address	Current Control	Proposed Control	Reason
21 Hunter Place	Commercial 2	General Residential	This site is not in an area where commercial or light industrial uses are encouraged. Access to the site is via residential streets. The site adjoins residential development on 3 sides. A residential zoning is also consistent with the surrounding development.
2-24 Back Kyneton Road	Rural Living	Environmental Audit Overlay	Refer to page 41.
Various	Various	Public Park and Recreation Zone/ Public Conservation and Resource Zone	There are various parcels of land in town that are crown land that are incorrectly zoned. These include sections of the O'Keefe Trail, National and Regional Park.
3 Barrack Street (Caravan Park)	Special Use 8	Special Use 6	Corrects a zoning anomaly. The site is in the same zone as the Bendigo Showgrounds and will be included in the schedule that picks up tourism facilities including caravan parks.
Various	HO & NCO	HO	There are a number of areas were the NCO and HO both apply. This results in planning controls are considered onerous and potentially conflicted and the NCO should be deleted.
Various	Various	Design and Development Overlay 6	Applies the Design and Development Overlay 6 to areas that adjoin Crown Land in order to manage the bushfire risk in accordance with the Bushfire Hazard Landscape Assessment.
18 Pohlman Street	General Residential, HO778, ES03	Special Use Zone 1 (Private Educational or Religious Institution) , reduce extent of HO778	Subject land is occupied by Holy Rosary Primary School and is incorrectly zoned. The SUZ1 has been applied to other private schools in the municipality. The HO applies to the entire Primary School site, but the citation only relates to the convent building.

The maps on the following page indicates the proposed zone changes.


HEATHCOTE ZONE CHANGES
Legend
Zone Code


HEATHCOTE ZONE CHANGES
Legend
Zone Code



Appendix

Appendix 2 – Rural Living Land Supply

Address	Current lot size (ha)	Min. lot size (ha)	Potential Yield
CA 60A Warrowitue-Forest Road	73.0	2	33
36 Peters Gully Road	72.0	2	32
358 Heathcote-Nagambie Road	62.6	2	28
42 Harris Lane	34.5	8	4
182 Redburns Lane	48.1	2	26
220 Bradleys Lane	45.7	8	5
192 Hirds Road	40.2	8	5
40 Harris Lane	38.4	8	4
98 Heathcote-Nagambie Road	29.0	2	13
440 Heathcote-North Costerfield Road	28.6	8	3
124 Morrison Court	25.0	8	3
CA D4 Peels Lane	24.1	2	10
Lot 1 Rushall Road	24.0	8	3
5960 Northern Highway	21.8	2	9
41 Victoria Hill Road	21.5	8	2
50 Newlans Lane	21.2	2	9
601 Warrowitue-Forest Road	20.8	2	9
627 Warrowitue-Forest Road	19.1	2	8
CA D6A Wappentake Road	19.1	2	8
45 Hamilton Court	18.9	8	2
Lot 4 Heathcote-North Costerfield Road	17.8	8	2
4406 McIvor Highway	17.7	8	2
118 Biggins Lane	17.4	2	7
90 Biggins Lane	17.2	2	7

Appendix

85 Milhaven Lane	17.1	2	7
100 Heathcote-Nagambie Road	16.7	2	7
80 Biggins Lane	16.7	2	7
311 Heathcote-Nagambie Road	16.4	8	2
173 Redburns Lane	16.3	2	7
Lot 6 Warrowitue-Forest Road	16.2	2	7
156 Bradleys Lane	16.2	8	2
148 Morrison Court	16.1	8	2
Part Lot 1 Heathcote-Nagambie Road	16.0	8	2
437 Heathcote-Nagambie Road	16.0	8	2
333 Heathcote-Nagambie Road	16.0	8	2
78 Dairy Flat Road	15.0	2	6
6359 Northern Highway	13.7	2	6
Lot 25 Doolan Crescent	12.7	2	6
CA D6D Wappentake Road	12.4	2	6
95 Bates Court	12.7	2	6
Lot 1 Meadows Lane	12.7	2	6
CA Barris Road	12.1	2	5
43 Meadows Lane	11.7	2	5
Lot 13 Commins Lane	11.9	2	5
118 Warrowitue-Forest Road	11.0	2	5
22 Peters Gully Road	10.9	2	4
CA13A Joes Road	10.5	2	4
78 Greens Lane	10.3	2	4
Lot 12 Commins Lane	10.1	2	4
TOTAL POTENTIAL SUPPLY	**353**		

Appendix 3 – Heathcote Investment Prospectus

A session is scheduled with a Working Group from Advance Heathcote Inc on 6 February to work on the prospectus. An example of what has been discussed can be found at https://s3-ap-southeast-2.amazonaws.com/tog-public-assets/docs/Communications/2018-Gawler-Invest-Brochure-low-res.pdf

Why Invest in Heathcote?

Location, Location, Location

- Access to Melbourne, Bendigo and Echuca
- Transport

Future Growth

- Heathcote Township Plan
- Housing
- Land Values
- Infrastructure

Tourism

- Heathcote Wine Region
- Festivals and Events

Employment

- Health
- Industry
- Retail
- Hospitality
- Mining

Health

- A leading hospital campus
- Dementia Village
- Bendigo Health
- Health services – Primary Care, Telehealth, RFDS Patient Transport
- Fitness Centre

Education

- Primary Schools
- Children's Hub
- Secondary schools and La Trobe University in Bendigo

Environment

- Unique environmental setting

Sense of Community

- Community House
- Art Scene
- Community Groups
- Sports and recreation (including the O'Keefe Trail)
- Golf Club

Appendix

CITY OF GREATER BENDIGO

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C274GBEN

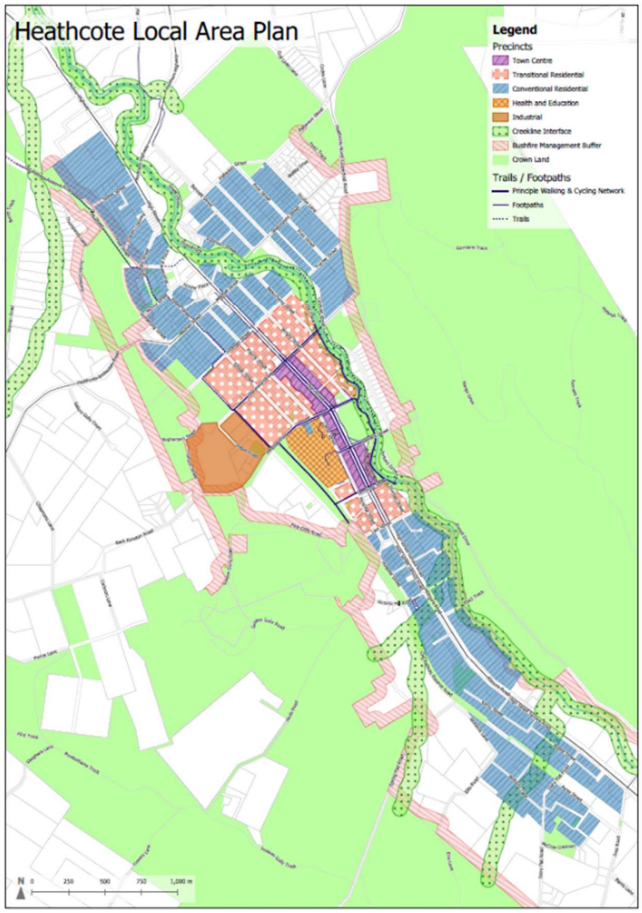
EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the Amendment

The land affected by the amendment is all land in the township of Heathcote as shown on the map below:



Map 1: The land affected by the Amendment

The amendment individually affects approximately 22 properties through rezoning, 1 property by amending an overlay, 91 properties by removing overlay controls and 93 properties by adding an overlay.

A mapping reference table with the specific properties affected is included at Attachment 1 to this Explanatory Report.

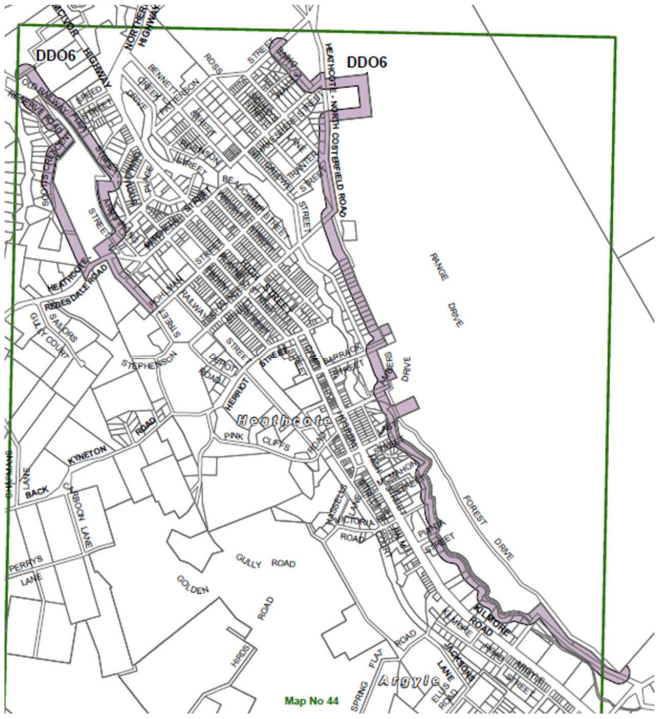
What the amendment does

The Amendment implements the recommendations of the *Heathcote Township Plan* (2019) by introducing a Local Areas clause into the Planning Policy Framework, making various zone changes, correcting anomalies and removing the Neighbourhood Character Overlay (NCO) from areas where it overlaps with the Heritage Overlay (HO723, Heathcote Precinct).

The Amendment proposes to:

- Introduce a local policy for the Heathcote Township at Clause 11.03-6L-4 of the Planning Policy Framework.
- Rezone the following properties from Commercial 1 Zone to General Residential Zone:
    - 1/7 2/7, 35-39, 51A and 53 High Street, Heathcote
    - 54 and 56 Hospital Street, Heathcote
    - 21, 23, 25, 27 and 29 Wright Street, Heathcote
- Rezone the land at 9-11 and 33 High Street, Heathcote from Commercial 1 Zone to Commercial 2 Zone.
- Rezone the land at 21 Hunter Place, Heathcote from Commercial 2 Zone to General Residential Zone.
- Rezone land at 3 Barrack Street, Heathcote from Special Use Zone 8 (Showgrounds) to Special Use Zone 6 (Tourism Facility).
- Rezone land at 40 Caldwell Street, Heathcote from Public Use Zone 7 (Other Public Use) to Special Use Zone 8 (Showgrounds).
- Rezone land at 18 Pohlman Street, Heathcote from General Residential Zone to Special Use Zone 1 (Private Educational or Religious Institution).
- Rezone land at CA28B and CA28C Heathcote-North Costerfield Road, Heathcote from Public Park and Recreation Zone to Public Conservation and Resource Zone.
- Rezone 21 Pink Cliffs Road, Heathcote from Commercial 2 Zone to Public Conservation and Resource Zone.
- Rezone land at 41 Pink Cliffs Road, Heathcote Public Park and Recreation Zone to Public Conservation and Resource Zone.
- Rezone 32 Heathcote-North Costerfield Road, Heathcote from General Residential Zone to Public Conservation and Resource Zone.
- Rezone the following properties from Rural Living Zone to Public Conservation and Resource Zone
    - CA 8A Sec 28 Scott Crescent, Heathcote
    - CA 8C Sec 7A Pohlman Street, Heathcote
    - CA 9 Sec 7A Pohlman Street, Heathcote
    - CA 8B Sec 7A Hanson Street, Heathcote
    - CA 2D Sec 4B Golden Gully Road, Heathcote
    - Part CA 5A Sec 4B Hassells Lane, Heathcote
    - CA3A Sec 42A Hassells Lane, Heathcote
- Apply the Environmental Audit Overlay to 2-24 Back Kyneton Road, Heathcote.

- Apply the Design and Development Overlay 6 to various parcels as indicated on **Map 2** below:
  - 39 and 51 Ambers Drive, Heathcote
  - 31 Armstrong Street Heathcote
  - 2 and 3 Barrack Street, Heathcote
  - 20, 26 and 40 Broodie Street Heathcote
  - 2, 4, 8,10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34 and 36 Caldwell Street
  - 9 Campbells Lane, Heathcote
  - 26, 27, 28, 30 and 31 Craven Crescent, Heathcote
  - 4, 5, 6, 7 and 8 Fairy Dell Court Heathcote
  - 3, 9, 13, 15, 17, 19, 21, 23 Flea Street Heathcote
  - 20, 81, 250 and CA 6E Forest Drive Heathcote.
  - 107, 117, 121, 131, 135 and 139 Heathcote-North Costerfield Road Heathcote
  - 2 High Street, Heathcote
  - 31 Heathcote-Nagambie Road, Heathcote
  - 88, 90-108, 114-120, 122, 122-132, 134, 138-158 and 160-164 Kilmore Road, Heathcote
  - 1 Last Street, Heathcote
  - 4536 and 4550-4552 McIvor Highway, Heathcote
  - 25 McIvor Street, Heathcote
  - 3 and 4-6 McMahon Street Heathcote
  - 74 and 76 Patterson Street
  - 8 and 13 Ryans Lane, Heathcote
  - 20, 24, 25, 26, 27, 28 and 29 Scotts Crescent, Heathcote
  - 2 and 4 Shakespere Street
  - 25-27, 29-31 and 32-38 Speed Street
  - 6 and 11 Stewart Lane, Heathcote
  - 2 and 4-6 Thomas Street Heathcote
  - 1, 2, 3, 4, 5, 6, 7, 8 and 9 Thompsons Lane, Heathcote
  - 3, 5, 7, 9 and 11 Wattle Drive Heathcote



Map 2: Land to be affected by the DDO6

- Delete the Neighbourhood Character Overlay from the following properties and as shown on **Map 3** below:

  - 9 and 41-43 Chauncey Street Heathcote
  - 12, 14, 16, 18 and 20 Herriot Street, Heathcote
  - 182, 184,186-188, 189, 1/189, 2/189, 190, 191, 1/191, 2/191, 3/191, 192, 1/193, 2/193, 3/193, 194, 195, 196, 197, 198, 199, 200, 2/201, 202, 203, 204, 205, 206, 207, 208, 209, 210-214, 216, 218, 220, 222, 224, 226, 228 and 230-232 High Street, Heathcote.
  - 1, 2,3,4,5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 1/18, 2/18 and 20 Playne Street, Heathcote.
  - 11A and 1/11A Pohlman Street
  - 9, 11, 12, 13, 15, 16, 17, 18, 20, 22, 24, 26, 28, 30, 32, 34, 35-37, 36, 38, 39, 41-43, 42 and 44 Wright Street, Heathcote.



Map 3: Land where the NCO is proposed to be deleted

- Amend the extent of Heritage Overlay (HO778, Presentation Convent) to the land at 18 Pohlman Street, Heathcote.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to implement the planning outcomes of the *Heathcote Township Plan* (2019). The *Heathcote Township Plan* (2019) results from the *Greater Bendigo Residential Strategy* (2014) which recognised the potential of small towns like Heathcote to offer a lifestyle alternative to living in Bendigo while having the convenience of being near a major regional city. The *Greater Bendigo Housing Strategy* (2018) which builds upon the *Greater Bendigo Residential Strategy* 2014, acknowledges that a planning scheme amendment will be required to the Greater Bendigo planning scheme to implement the relevant recommendations of the Heathcote Township Plan.

The *Heathcote Township Plan* (2019) was adopted by Council in July 2019. It considers how Heathcote can grow into the future and what services, facilities and infrastructure are required to support that growth. While some recommendations such as upgrades of public spaces and improvements to traffic and movement sit outside of the planning scheme there are a variety of recommendations that this Amendment now seeks to implement.

- Various zone and overlay changes that fix existing anomalies or are required to reinforce the role of the town centre.
- Identification of a future industrial area.
- In principle support for the proposed Heathcote Dementia Village.
- The creation of a network of walking and cycling paths.
- Improving the resilience of the township to bushfire by applying the DDO6 to various parcels of land which have interface with bushland
- A number of environmental improvements by applying the EAO to land which are potentially contaminated.

The Amendment introduces a Local Area Plan for Heathcote which is one of the recommendations of the *Heathcote Township Plan* (2019), that sets out the future land use directions.

The Local Area Plan proposes seven precincts as follows:

1. Town Centre: A compact and vibrant town centre that provides for a range of commercial, business and civic functions that meet the daily needs of the community.
2. Health and Education Precinct: An area where health and education uses are encouraged.
3. Transitional Residential: A transition area between the town centre and the general residential area where medium density that respects the character of the area is encouraged.
4. Conventional Residential: The remaining residential areas where a range of lot sizes are encouraged and new housing respect the character of the area.
5. Bushfire Interface Area: generally adjoins crown land and is subject to bushfire risk where bushfire issues must be carefully considered and rezoning that will provide for an intensification of development is strongly discouraged.
6. Industrial Area: Industrial uses are encouraged and a longer-term extension has been identified that provides for future growth of industrial uses.
7. Creekline Interface: An area that adjoins the McIvor Creek where fencing backing on to the creek is strongly discouraged.

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

The amendment implements the following objectives of planning in Victoria under Section 4 of the *Planning and Environment Act 1987*:

a) Provide for the fair, orderly, economic and sustainable use and development of land;

b) Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

c) Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

d) Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value;

e) Balance the present and future interests of all Victorians.

The Amendment is consistent with these objectives by providing a framework for the future growth of Heathcote. This includes introducing the Heathcote Local Area Plan into the Planning Policy Framework. This identifies a range of measures that will allow Heathcote to grow sustainably into the future, create a healthy and vibrant community, and make environmental improvements.

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

Environmental Effects

The Amendment will have positive environmental benefits by encouraging the planting and retention of native vegetation which will support a healthy ecosystem and improve biodiversity. Improving cycling and walking infrastructure will promote personal mobility thereby decreasing the reliance on private vehicles.

The amendment is not creating any use or development that will have a negative impact on air, land or water quality.

The longer term expansion of the industrial precinct is separated from existing residential areas and is buffered by an existing industrial area.

Social Effects

The amendment will have positive social effects by encouraging a consolidated and strengthened town centre that will be the focus of activity for Heathcote. The improvements to the walking and cycling network will health and wellbeing as well as social interaction.

Proposed public realm improvements will also have a positive impact on the amenity of the town centre.

Economic Effects

This amendment will deliver on a variety of economic benefits. This includes through the consolidation of future commercial activities within the town centre which will have positive economic impacts for the existing traders and the community. In addition, public realm improvements to the town centre will also make it more attractive for prospective businesses looking to establish in the area as well as encourage and support existing businesses.

A longer-term industrial area has been identified that will provide for the future growth of industry and employment within Heathcote.

Does the Amendment address relevant bushfire risk?

Landscape considerations

A bushfire landscape assessment has been prepared for the Heathcote township. The assessment found that the town was susceptible to a fire front approaching from the north west and south west. Ember attack would likely occur within the town from a fire approaching from either aspect and that this would likely cause localised fire events. The assessment gave the areas within the township that are proposed to be rezoned a low hazard rating based on fuel loads within the township area (i.e. any fire that impacts the low hazard areas will likely be from the surrounding land).

Alternative locations for development

The sites being rezoned are all well within the settled areas of Heathcote, which is preferred in terms of bushfire risk as they are isolated for bushfire threat and proximate to safer areas.

There are no preferred alternative locations for development in Heathcote.

Availability of safe areas

The Heathcote Neighbourhood Safer Place (Place of Last Resort) is at the Holy Rosary Primary School oval located at 18 Pohlman Street, Heathcote. This site is endorsed by the CFA and is centrally located within Heathcote.

Site based exposure

A number of the rezonings proposed for urban development are fixing zoning anomalies on fully developed land and all sites are subject to the Bushfire Prone Area mapping but not the Bushfire Management Overlay. There is no increase in the level of risk from bushfire associated with these sites.

There are a further two sites - 35 High Street and 21 Hunter Place, Heathcote that have the potential for intensification of development sites are subject to the Bushfire Prone Area mapping but not the

Bushfire Management Overlay. Land at 21-25 Wright Street, Heathcote is also being rezoned and is not subject to bushfire provisions.

Of these three sites where there is potential to intensify development:

- 35-39 High Street is approximately 250m from the nearest classifiable vegetation
- 21 Hunter Place is approximately 150m from the nearest classifiable vegetation
- 21, 23, 25, 27 and 29 Wright Street are approximately 120m from the nearest classifiable vegetation.

In all three cases the sites are separated from a hazard (vegetation) and more than satisfy any defendable space requirements.

It is noted that the Heathcote Township Plan did recommend rezoning 31 Ayres Street, Argyle from Industrial 3 Zone to General Residential Zone however this site was subsequently identified as having a high risk to bushfire and is not proposed to be rezoned as part of this amendment.

Risk change

The amendment will not result in increased risk from bushfire for existing and future residents, property, community infrastructure or the natural environment as the sites to be rezoned with the exception of 35-39 High Street, 21 Hunter Place and 21, 23, 25, 27 and 29 Wright Street which are already fully developed. The bushfire report notes that the area proximate to all three sites are in an area that is "primarily managed residential and urban areas with no classifiable vegetation observed and plenty of access present" and that it "poses minimal hazard to other areas".

Mitigation measures

The amendment includes the application of the DDO6 (Design and Development Overlay, Urban-forest Interface) to land adjoining the Heathcote-Graytown National Park and the Rushworth-Heathcote State Forest which will help provide a further buffer between development and areas subject to bushfire risk (Note that a number of these sites are either fully or partially developed).

The Heathcote Local Area Plan also contains an objective to support a compact township that is well integrated with open space and active transport, providing for a range of uses that consider the heritage, neighbourhood character, natural hazards and environmental features of the area. This objective is to settlement boundary and encourage development within boundary and where practical to construct a road at the interface and ensuring that new development is responsive to the bushfire risk.

Views from the relevant authority

The amendment was referred to the CFA for comments. In their response, the CFA states that they support the Amendment in its current form. However, the CFA has also advised that it must also be considered that Heathcote is within a high bushfire risk location because of the bushland ranges which surround it and advises that careful planning must be undertaken which focus on limiting the impact of fire onto the township. This careful planning should include the following mitigating measures:

- Appropriate clear separation between the rural areas and the urbanized areas by appropriate land use.
- Encouraged Infill development
- Adequate water supply
- Appropriately planned limitations of Increased Native Vegetation into the Township.

The Amendment is consistent with the above CFA advice because a bushfire risk assessment has been undertaken for all the sites proposed to be rezoned to ensure their rezoning prioritises the protection of human life as required under Clause 13.02-1S.

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

The Amendment is consistent with the *Form and Content of Planning Scheme* Ministerial Direction under Section 7(5) of the Planning and Environment Act.

The Amendment is also consistent with the following Ministerial Directions:

- Ministerial Direction 1 – Potentially Contaminated Land as it is applying the Environmental Audit Overlay to land at 2-24 Back Kyneton Road that was previously used as a landfill. Currently a dwelling could be erected on site without a planning permit.

- Ministerial Direction 11 Strategic Assessment of Amendments as the Explanatory Report addresses the requirements of this direction.

- Ministerial Direction 19 Ministerial Direction of the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health. The EPA were consulted in relation to the future industrial land at 2-24 Back Kyneton Road, Heathcote.

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

The Amendment supports the following aspects of the Planning Policy Framework:

Clause 11.03-6S (Regional and local places) has an objective to facilitate integrated place-based planning. The Amendment is consistent with this clause because the proposed Local Area Plan will provide for specific directions and guidance for the planning of Heathcote.

Clause 13.02-1S (Bushfire planning) has an objective to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. The Amendment is consistent with this clause because it will increase the resilience of the township to bushfire through the application of the DDO6 which among other matters, requires the construction of roads at the interface with forested areas that will assist in the separation of new housing from a potential bushfire risk. A bushfire risk assessment has also been prepared for the Amendment and it was not concluded that the Amendment will not cause human life or properties to put at risks of bushfire.

Clause 13.04- 1S (Contaminated and potentially contaminated land) has an objective to ensure that contaminated and potentially contaminated land is used and developed safely. The Amendment is consistent with this clause because it proposes to apply the Environment Audit Overlay to a property which is known to be potentially contaminated so there is more certainty in the future on how it can safely be used and developed.

Clause 15.03-1S (Heritage conservation) has an objective to ensure the conservation of places of heritage significance. The Amendment is rationalising the overlap between the Heritage Overlay and Neighbourhood Character Overlay so that it is clear that the heritage considerations take precedence.

Clause 17.03-1S (Industrial Land Supply) has an objective to ensure availability of land for industry. The Amendment is consistent with this clause because the Local Area Plan provides for an Industrial area where industrial uses will be encouraged.

Clause 18.02-1S (Walking) has an objective to facilitate an efficient and safe walking network and increase the proportion of trips made by walking. The Amendment is consistent with this clause because it will facilitate the creation of a network of walking and cycling paths as recommended in the Heathcote Township Plan.

Clause 19.02-1S (Health facilities) has an objective to assist the integration of health facilities with local and regional communities. The Amendment is consistent with the objective set by this clause because the Local Area Plan proposes an area where health uses are encouraged. The Heathcote Township Plan also specifically, gives in principle support for the proposed Heathcote Dementia Village.

Clause 19.02-2S (Education facilities) has an objective to assist the integration of education and early childhood facilities with local and regional communities. The Amendment is consistent with the objective set by this clause because as for health facilities, the Local Area Plan proposes an area where education uses will be encouraged.

How does the Amendment support the Municipal Planning Strategy?

The amendment supports the following clauses of the Municipal Planning Strategy:

Clause 02.03-1 Settlement

One of the strategic directions set out under this clause is to facilitate 10-minute neighbourhood that:

- Enable people to spend less income on the combined cost of housing and transport.
- Minimise environmental impacts associated with transport.
- Promote a healthy lifestyle through active transport choices.
- Increase neighbourhood safety through activation of the public realm.
- Increase community interaction.
- Support the local economy.

Because of its size and historical development patterns Heathcote largely functions as a 10-minute neighbourhood. The amendment encourages a diversity of housing types, especially within easy walking distance of the town centre and improvements to the walking and cycling network.

The Local Area Plan identifies an area close to the town centre where greater diversity of housing stock is encouraged that respects the heritage and neighbourhood character values of the area.

Clause 02.03-3 Environmental risks and amenity

This clause states that the key environmental risks for Greater Bendigo are climate change, bushfire, flooding, soil degradation and land use compatibility. The strategic directions for natural environmental risks are:

- Strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.
- Manage flooding risks that have the potential to cause harm to people and property and damage environmental values.
- Minimise processes that contribute to salinity which occurs across the whole municipality.
- Ensure new development manages the risks from legacy mining contamination.

Heathcote is a township at risk from bushfire, flooding from the McIvor Creek or from overland flow and contamination soil from historic land uses. The amendment is introducing the DDO6 control that will provide for a better interface between existing residential areas and vegetated areas. No new residential areas are proposed to be created. Amendment C243Gben has recently updated the flood planning controls along the McIvor Creek. Other environmental risks relate to historical land uses like the former Heathcote Landfill site or other commercial zoned sites which have the potential of containing contaminated soil.

Clause 02.03-5 Built environment and heritage

This clause states that the key built environment and heritage issues for Greater Bendigo are:

- Creating healthy environments.
- Protecting neighbourhood character and heritage assets while encouraging infill development.
- Supporting environmentally sustainable development.

The strategic directions for built environment are:

- Balance the protection of neighbourhood character with the development of a more environmentally sustainable urban area based upon the principles of 10-minute neighbourhoods.
- Facilitate a built environment that allows for active transport and healthy lifestyle choices.
- Facilitate environmentally sustainable development to create a compact and sustainable urban form at the planning stage.

- Facilitate a safe, pleasant, comfortable and visually appealing urban environment.

The Amendment supports the strategic directions set by this clause. This is because the Local Area Plan includes an objective for the need to well integrate land use and development with open space and active transport whilst recognising the heritage, neighbourhood character, natural hazard and natural hazard and environmental features of the area. The town centre strategies, the active transport and infrastructure strategies and the environment strategies contained in the Local Plan are particularly relevant to the strategic directions set by this clause.

Clause 02.03-6 Housing

This clause states that the key housing issues for Greater Bendigo are the location of residential development, housing diversity, housing affordability and the management of rural residential development. The strategic directions for housing are:

- Facilitate a wide diversity of housing typologies to suit all household types, needs and incomes and make best use of land and environmental resources.
- Increase the residential population of Bendigo City Centre and its immediate surrounds to create a more dynamic area, maximise the use of existing infrastructure and provide different housing choices for people.
- Avoid rezoning of additional land to Rural Living Zone while there is an adequate supply of rural living land around the south east side of Bendigo and near Heathcote.

The Amendment is consistent with this clause because whilst it also proposes to rezone land in the town centre from C1Z to GRZ to facilitate the development of additional dwellings within the town centre, it does not propose to rezone any additional RLZ land in the township.

Clause 02.03-7 Economic development

The strategic directions for economic development in the municipality are:

- Develop and expand employment generating industries.
- Make well located affordable employment land available.
- Direct commercial growth to activity centres.
- Plan for the future growth of the industrial sector by providing zoned land in appropriate locations and lot configurations.

The Amendment is consistent with this clause and the strategic directions it sets. This is because one of the precincts proposed in the Local Area Plan is for an industrial area where industrial uses and development will be encouraged and a longer-term extension has been identified that will provide for future growth of industrial uses.

Clause 02.03-8 Transport

This clause has several strategic directions which include the following:

- Maximise access to goods, services and facilities for all people throughout the municipality by supporting a compact Greater Bendigo and 10-minute neighbourhoods.
- Move away from private motor vehicles as the dominant form of transport and prioritising active transport.
- Improve connections between walking and cycling paths, open spaces, activity centres and the city centre to enable safer and more comfortable travel through the municipality by walking or cycling.

The Amendment is consistent with the strategic directions set by this clause because the Local Area Plan has strategies to promote active transport and infrastructure in Heathcote. These strategies include the creation of high quality, well connected and an attractive network of shared footpaths along waterways and the implementation of measures to calm traffic through the town centre. This

Amendment will therefore provide for transport choice and improved access to the town centre which is in line with this clause.

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

The amendment makes proper use of the Victoria Planning Provisions by implementing changes which seek to clarify and strengthen the role of the provisions in the Greater Bendigo Planning Scheme.

Planning Practice Note 91 (Using the residential zones) would suggest that the 9 sites proposed to be rezoned to General Residential Zone should be in a Neighbourhood Residential Zone (NRZ) given the nature of development in Heathcote.

Currently the General Residential Zone is the only residential zone that exists in Heathcote and to introduce isolated NRZ sites would not represent logical or sound planning. The Practice Note places emphasis on the importance of having solid strategic justification for implementing the new zones, and that a neighbourhood character assessment should be undertaken in the first instance.

The City of Greater Bendigo has commenced this study, and this is the most appropriate means for consideration of the new zones. As an interim step the GRZ will be used.

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

There has been extensive consultation with the relevant external agencies and internal departments during the development of the Heathcote Township Plan. Advice and recommendations from these agencies and internal departments were considered and included in the Township Plan.

The following external departments and internal departments have again been consulted during the preparation of the Amendment.

As previously stated, the CFA has been consulted and they support the Amendment in its current form.

The Environment Protection Authority (EPA) has also submitted that they do not object to the Amendment. In their response, the EPA has specifically stated that the application of the Environment Audit Overlay (EAO) to the land at 2-24 Back Kyneton Road appears to be reasonable subject that the assessment deferral via the EAO be adequately justified. In their response, the EPA has also suggested that the City ensures that it reviews the updated *EPA Publication 1518: Recommended separation distances for industrial air emissions* (EPA, 2013) and Ministerial Direction 1 in assessing land that is proposed to be rezoned in this amendment.

The Department of Environment, Land Water and Planning advised in their response that the preparation of the Heathcote Township Plan had identified a number of zoning anomalies on crown land which are being addressed through the Amendment and therefore, they support it in its current form.

North Central Catchment Management Authority, the Department of Transport, Coliban Water and Goulburn-Murray Water are the external agencies which were consulted but which responded with no specific advice that should be considered in the assessment of this Amendment.

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

The requirements of the *Transport Integration Act* 2010 apply where a planning scheme amendment is likely to have a significant impact on the transport system.

This amendment is unlikely to have a significant impact on the transport system as it is not significantly increasing the capacity for development. The proposed rezoning that are being undertaken are largely to correct zoning anomalies.

Resource and administrative costs

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

The amendment is not expected to have a significant impact on the future resources of the municipality as it is not greatly increasing the need for planning approvals. Developments in the town centre would already generally require planning approval. The amendment will provide more guidance for these applications.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

City of Greater Bendigo Planning Department, Hopetoun Mill, 15 Hopetoun Street, Bendigo

or

http://www.bendigo.vic.gov.au/residentsandservices/planningservices/Planningschemeamendments.

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection

The Amendment is available for public inspection on request, free of charge, during office hours at the following places:

City of Greater Bendigo Office
15 Hopetoun Street, Bendigo

and at:

Heathcote Office
123 High Street, Heathcote

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by [insert submissions due date].

A submission must be sent to:

Strategic Planning Unit
City of Greater Bendigo
PO 733
Bendigo 3552

or via email to psamendments@bendigo.vic.gov.au

Panel hearing dates

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

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]]

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Heathcote	19 Wright Street 21 Hunter Place 18 Pohlman Street CA 8A Sec 28 Scott Crescent CA 2D Sec 4B Golden Gully Road CA 28B Sec 38 Heathcote – North Costerfield Road 32 Heathcote – North Costerfield Road 40 Caldwell Street	Greater Bendigo C274 001znMap44 Exhibition
Heathcote	1/7, 2/7, 9-11, 33, 35-39, 51A and 53 High Street 3 Barrack Street 54 and 56 Hospital Street 21 and 41 Pink Cliffs Road CA 8C Sec 7A Pohlman Street CA 8B Sec 7A Hansen Street	Greater Bendigo C274 002znMap44 Exhibition
Heathcote	9 & 41-43 Chauncey Street 12, 14, 16, 18 and 20 Herriot Street 1,2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 1/18, 2/18 and 20 Playne Street 182, 184, 186-188, 189, 1/189, 2/189, , 190, 191, 1/191, 2/191, 3/191, 192, 1/193, 2/193, 3/193, 194, 195, 196, 197, 198, 199, 200, 2/201, 202, 203, 204, 205, 206, 207, 208, 209, 210-2014, 216, 218, 220, 222, 224, 226, 228 and 230-232 High Street. 11A and 1/11A Pohlman Street 9, 11, 12, 13, 15, 16, 17, 18, 20, 22, 24, 26, 28, 30, 32, 34, 35-37, 36, 38, 39, 10, 41-43, 42 and 44 Wright Street	Greater Bendigo C274 005D-NCOMap44 Exhibition
Heathcote	74 and 76 Patterson Street 3, 5, 7, 9, 11 Wattle Drive 2 and 4 Shakespere Street 107, 117, 121, 131, 135, 139 and 140 Heathcote-North Costerfield Road	Greater Bendigo C274 007DDOMap44 Exhibition

	2, 4, 8,10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36 and 60Caldwell Street 2 and 3 Barrack Street 39 and 51 Ambers Drive 250 Forest Drive 2 and 4-6 Thomas Street 1 Last Street 4, 5, 6, 7 and 8 Fairy Dell Court 3 and 4-6 McMahon Street 2 High Street 88, 90-108, 114-120, 120, 122-132, 134-136, 138 and 160-164 Kilmore Road 9 Campbells Lane 31 Heathcote-Nagambie Road 6 and 11 Stewart Lane 8 and 13 Ryans Lane 25 McIvor Street 31 Armstrong Street 5 Baynton Street 26 and 40 Broodie Street 26, 27, 28, 30 and 31 Craven Crescent 3,9, 13, 15, 17, 19, 21 and 23 Flea Street 25-27, 29-31 and 32-38 Speed Street 4536 and 4550-4552 McIvor Highway 1, 2, 3, 4, 5, 6, 7, 8 and 9 Thompsons Lane 20, 24, 25, 26, 27, 28, and 29 Scotts Crescent	
Heathcote	18 Pohlman Street	Greater Bendigo C274 004D-HOMap44 Exhibition
Heathcote	2-24 Back Kyneton Road	Greater Bendigo C274 006EAOMap44 Exhibition

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C274

INSTRUCTION SHEET

The planning authority for this amendment is the Greater Bendigo City Council.

The Greater Bendigo Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 7 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map Nos 44 and 45 in the manner shown on the 3 attached maps marked "Greater Bendigo Planning Scheme, Amendment C274gben".

Overlay Maps

2. Amend Planning Scheme Map No 44NCO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274gben".

3. Amend Planning Scheme Map No 44HO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274gben".

4. Insert new Planning Scheme Map No 44EAO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274gben".

5. Insert new Planning Scheme Map Nos. 44 and 45DDO in the manner shown on the 1 attached map marked "Greater Bendigo Planning Scheme, Amendment C274gben".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

6. In the **Local Planning Policy Framework** – Insert Clause 11.03-6L-04 in the form of the attached documents.

7. In **Operational Provisions** – insert a new schedule to Clause 72.03 in the form of the attached document.

8. In **Operational Provisions –** insert a new schedule to Clause 72.08 in the form of the attached document.

End of document

11.03-6L-04 Heathcote

- **Policy application**

  This policy applies to all land within the Heathcote township identified within the Heathcote Local Area Plan.

- **Objective**

  To support a well integrated, compact township that provides for a range of uses that considers the heritage, neighbourhood character, flooding and bushfire hazards and environmental features of the area.

- **Strategies**

  Encourage a range of retail, office, entertainment and civic activities in the town centre.

  Support development that provides smaller lots and higher densities within the Transitional Residential Area within the Heathcote Local Area Plan.

  Encourage residential aged care and retirement villages to be located near the Health and Education Precinct or Town Centre.

  Encourage new development to locate within the Heathcote Local Area Plan boundary.

  Provide a buffer from the Heathcote Local Area Plan boundary to areas of bushfire risk and the creekline interface through construction of a road, where practical.

  Co-locate new community facilities and healthcare with existing services or be proximate to the town centre.

  Support healthcare facilities, such as a dementia village proposal subject to assessment of the final location.

  Encourage the revegetation and restoration of the McIvor Creek.

  Support the longer term industrial development of land at 2-24 Back Kyneton Road, subject to an environmental audit being undertaken.

  Encourage tourism uses associated with the Heathcote Golf Course.

  Encourage new buildings in the town centre with a zero setback and an active frontage to High Street.

  Create high quality and well connected public spaces and improve connections to paths along waterways and connecting to the O'Keefe Trail.

  Heathcote Township Plan C274

Create active frontages by fronting development to open space, waterways, walking and cycling paths and roads.

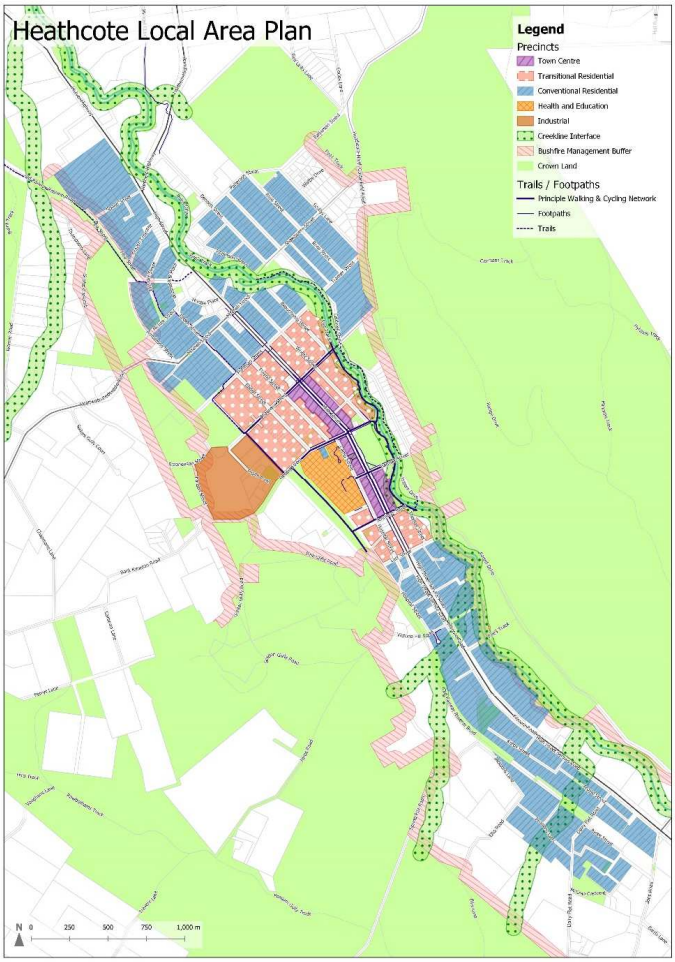
Retain native vegetation where possible and require new native vegetation plantings.

Provide safe pedestrian crossing points across High Street at the Jennings Street, Herriot Street and Chauncey Street intersections.

Implement measures to calm traffic through the town centre.

Integrate medium density housing into the street system and avoid gated communities.

- **Heathcote Local Area Plan**



Heathcote Township Plan C274

Policy document

Consider as relevant:

- *Heathcote Township Plan* (City of Greater Bendigo 2019)

GREATER BENDIGO PLANNING SCHEME

16/08/2018
C236

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

~~10/09/2021~~ ~~--/--/----~~
~~C243gben~~Proposed C274gben

- 1, 1BMO, 1HO, 1LSIO, 1SMO, 1VPO
- 2, 2BMO, 2ESO, 2HO, 2RO, 2SCO, 2VPO
- 3, 3ESO, 3HO, 3SCO, 3VPO
- 4, 4ESO, 4HO, 4VPO
- 5, 5BMO, 5DCPO, 5DPO, 5ESO, 5HO, 5LSIO, 5PAO, 5VPO
- 6, 6BMO, 6DPO, 6ESO, 6HO, 6LSIO, 6VPO
- 7, 7HO
- 8, 8BMO, 8ESO, 8HO, 8LSIO, 8RO, 8SBO, 8VPO
- 9, 9BMO, 9DCPO, 9DPO, 9ESO, 9HO, 9LSIO, 9RO, 9SMO, 9VPO
- 10,10BMO, 10ESO, 10HO, 10VPO
- 11, 11BMO, 11DPO, 11EAO, 11ESO, 11SMO
- 12, 12BMO, 12DCPO, 12DDO, 12DPO, 12EAO, 12ESO, 12HO, 12LSIO, 12SBO, 12VPO
- 13, 13BMO, 13DDO, 13ESO, 13HO, 13LSIO, 13SCO, 13VPO
- 14, 114BMO, 4DDO, 14EAO, 14ESO, 14HO, 14NCO, 14LSIO, 14SBO, 14SCO, 14SMO, 14VPO
- 15, 15BMO, 15DDO, 15DPO, 15ESO, 15HO, 15LSIO, 15SBO, 15SLO, 15VPO
- 16, 16BMO, 16AEO, 16DDO, 16DPO, 16ESO, 16HO, 16LSIO, 16SBO, 16SCO, 16VPO
- 17, 17BMO, 17DDO, 17DPO, 17ESO, 17HO, 17LSIO, 17VPO
- 18, 18BMO, 18DDO, 18DPO, 18EAO, 18ESO, 18HO, 18HO1, 18LSIO, 18NCO, 18SBO, 18SCO, 18SLO, 18SMO, 18VPO
- 19, 19BMO, 19DDO, 19DPO, 19EAO, 19HO, 19HO1, 19LSIO, 19NCO, 19PO, 19SCO, 19SBO, 19SMO, 19SLO, 19VPO
- 20, 20BMO, 20AEO, 20DDO, 20DPO, 20HO, 20LSIO, 20SCO, 20SMO, 20VPO
- 21, 21BMO, 21DPO, 21ESO, 21LSIO, 21VPO
- 22, 22BMO, 22DDO, 22DPO, 22EAO, 22ESO, 22HO, 22LSIO, 22NCO, 22PAO, 22SBO, 22SLO, 22SMO, 22VPO
- 23, 23BMO, 23DDO, 23DPO, 23EAO, 23ESO, 23HO, 23LSIO, 23NCO, 23PO, 23SBO, 23SCO, 23SLO, 23VPO
- 24, 24BMO, 24DDO, 24DPO, 24ESO, 24HO, 24LSIO, 24SMO, 24VPO
- 25, 25BMO, 25DDO, 25DPO, 25EAO, 25ESO, 25HO, 25LSIO, 25PAO, 25SMO, 25VPO
- 26, 26BMO, 26DDO, 26DPO, 26EAO, 26ESO, 26HO, 26LSIO, 26SBO, 26SLO, 26SMO, 26VPO
- 27, 27BMO, 27DPO, 27ESO, 27HO, 27VPO
- 28, 28BMO, 28DPO, 28ESO, 28HO, 28LSIO, 28SMO, 28VPO
- 29, 29BMO, 29DPO, 29EMO, 29ESO, 29HO, 29VPO
- 30, 30BMO, 30DDO, 30ESO, 30LSIO, 30SMO, 30VPO

GREATER BENDIGO PLANNING SCHEME

- 31, 31BMO, 31DDO, 31DPO, 31EMO, 31ESO, 31HO, 31LSIO, 31PAO, 31SMO, 31VPO
- 32, 32BMO, 32DPO, 32EMO, 32ESO, 32HO, 32SMO, 32VPO
- 33, 33BMO, 33DDO, 33DPO, 33ESO, 33HO, 33LSIO, 33SMO, 33VPO
- 34, 34BMO, 34DDO, 34ESO, 34HO, 34SLO, 34SMO, 34VPO
- 35, 35BMO, 35ESO, 35HO, 35LSIO, 35SMO, 35VPO
- 36, 36ESO, 36HO, 36SMO, 36VPO
- 37, 37BMO, 37ESO, 37HO, 37LSIO, 37SMO, 37VPO
- 38, 38BMO, 38ESO, 38HO, 38VPO
- 39, 39BMO, 39DDO, 39EMO, 39ESO, 39HO, 39LSIO, 39PAO, 39RO, 39SMO, 39VPO
- 40, 40BMO, 40EMO, 40ESO, 40HO, 40SMO, 40VPO
- 41, 41BMO, 41ESO, 41HO, 41SMO, 41VPO
- 42, 42BMO, 42ESO, 42HO
- 43, 43ESO, 43HO, 43SMO
- 44, 44BMO, 44DDO; 44DPO, 44EAO; 44ESO, 44HO, 44LSIO, 44NCO, 44SCO, 44SLO, 44VPO
- 45, 45BMO, 45DDO; 45DPO, 45ESO, 45HO, 45LSIO, 45SLO, 45VPO

GREATER BENDIGO PLANNING SCHEME

13/05/2022
C261gben

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

~~13/05/2022~~ ~~-/-/----~~
~~C261gben~~ Proposed C274gben

Name of background document	Amendment number - clause reference
2013-2019 North Central Regional Catchment Strategy (North Central Catchment Management Authority, 2013)	C256gben - Clause 12.01-1L
2014-2022 North Central Waterway Strategy (North Central Catchment Management Authority, 2014)	C256gben - Clause 12.01-1L
A Land Capability Study of the City of Greater Bendigo, Huntly District (Bluml, M et al, November 1995)	NFPS - Clause 14.01-1L, Clause 14.01-2L-01, Clause 16.01-3L
A Land Capability Study of the City of Greater Bendigo, Strathfieldsaye District (Bluml, M et al, October 1995)	NFPS - Clause 14.01-1L, Clause 14.01-2L-01, Clause 16.01-3L
A Land Capability Study of the Rural City of Marong (Bryant, E and Lorimer, M, April 1993)	NFPS - Clause 14.01-1L, Clause 14.01-2L-01, Clause 16.01-3L
All Saints' Anglican Church, School and Master's Residence Conservation Management Plan (City of Greater Bendigo, August 2012)	C197 - Clause 15.03-1L
Axedale Community Plan 2018-2022 (Greater Bendigo City Council, December 2017)	C256gben - Clause 42.03s02
Axedale Township Structure Plan (Greater Bendigo City Council, March 2009)	C108 - Clause 42.03s02, Clause 43.02s09
Bendigo Aerodrome Master Plan 2007-2022 (Airport Plus Pty Ltd, July 2007)	C175 - Clause 18.04-1L
Bendigo Airport Australian Noise Exposure Forecast for 2032 (ANEF 2032) (Kneebone Planning, November 2012)	C175 - Clause 18.04-1L
Bendigo Airport Strategic Plan (City of Greater Bendigo, June 2009)	C175 - Clause 18.04-1L
Bendigo and Eaglehawk Heritage Study (Butler, G and Associates, 1993)	NFPS - Clause 15.03-1L
Bendigo CBD Parking Precinct Plan (City of Greater Bendigo, 2009)	C169 - Clause 45.09s01
Bendigo CBD Parking Strategy (GTA Consultants, October 2008)	C169 - Clause 45.09s01
Bendigo CBD Plan: New Visions, New Opportunities (Planisphere, December 2005)	C86 - Clause 43.02s05, Clause 43.04s20
Bendigo City Centre Heritage Study Stage 1, Volume 2: Individually Significant Places (GML Heritage Victoria Pty Ltd trading as Context, June 2021)	C235gben - Clause 43.01s
Bendigo Highway Entrances and Boulevard Study (TBA Planners et al, 1994)	NFPS - Clause 18.02-3L-01
Bendigo Industrial Land Strategy (GHD, June 2002)	C41 - Clause 17.03-1L
Bendigo Liquor Accord (Victorian Commission for Gaming and Liquor Regulation, September 2019)	C256gben - Clause 13.07-1L
Bendigo Region Destination Management Plan (Urban Enterprises, November 2015)	C256gben - Clause 17.04-1L
Bendigo Urban Flood Study (Water Technology, November 2013)	C221 - Clause 13.03-1L, Clause 44.04s01, Clause 44.04s02

GREATER BENDIGO PLANNING SCHEME

Name of background document	Amendment number - clause reference
Big Hill Enterprise Park Landscape Development Report (Spiire, 2014)	C200 - Clause 43.02s19
Certificate of Environmental Audit, part 47 Lansell Street, East Bendigo (Golder Associates Pty Ltd, January 2016)	C220 - Clause 43.04s16
City of Greater Bendigo Annual Report 2018-2019 (City of Greater Bendigo, October 2019)	C256gben - Clause 02.01
City of Greater Bendigo Community Plan 2017-2021 (City of Greater Bendigo, June 2019)	C256gben - Clause 02.02, Clause 02.03-9, Clause 19.02-4L
City of Greater Bendigo Domestic Wastewater Management Strategy 2014-15 (City of Greater Bendigo, 2014)	C214 - Clause 16.01-3L, Clause 19.03-3L, Clause 42.01s02, Clause 42.01s03
City of Greater Bendigo Gaming Policy Framework – "Accessible but not convenient" (Coombes Consulting Group, October 2007)	C110 - Clause 52.28s
City of Greater Bendigo Good Design Guide for Industry (City of Greater Bendigo, 1997)	NFPS - Clause 15.01-1L-02
City of Greater Bendigo Heritage Study Stage 2: Former Shires of McIvor and Strathfieldsaye. Volume 1 Key Findings and Recommendations (City of Greater Bendigo, 2009)	C139 Pt 1 - Clause 15.03-1L
City of Greater Bendigo Heritage Study Stage 2: Former Shires of McIvor and Strathfieldsaye. Volume 2 Heritage Place and Precinct Citations (City of Greater Bendigo, 2009)	C139 Pt 1 - Clause 15.03-1L
City of Greater Bendigo (Marong District) Heritage Study, Stage 1 Report (Andrew Ward, 1994)	C256gben - Clause 15.03-1L
City of Greater Bendigo Residential Character Study (Planisphere, 2001)	C29 - Clause 15.01-5L
City of Greater Bendigo Rural Communities Strategy (City of Greater Bendigo, August 2016)	C256gben - Clause 02.03-2, Clause 02.03-4
Code of Practice for the Operation of Boarding Establishments (Department of Economic Development, Jobs, Transport and Resources, August 2018)	C256gben - Clause 14.01-2L-02
Code of Practice for the Keeping of Racing Greyhounds (Department of Economic Development, Jobs, Transport and Resources, April 2018)	C256gben - Clause 14.01-2L-02
Code of Practice for the Operation of Dog Training Establishments (Department of Economic Development, Jobs, Transport and Resources, August 2018)	C256gben - Clause 14.01-2L-02
Commercial Land and Activity Centre Strategy (City of Greater Bendigo, November 2015 (updated January 2017))	C224 - Clause 11.03-1L, Clause 17.02-1L, Clause 42.02s08, Clause 43.02s04
Connecting Greater Bendigo Integrated Transport and Land Use Strategy (City of Greater Bendigo, August 2015)	C227 - Clause 18.01-1L, Clause 18.02-1L, Clause 18.02-2L, Clause 18.02-3L-01
Eaglehawk Structure Plan (Hansen Partnership, July 2013)	C213 - Clause 43.02s23
East Bendigo Local Structure Plan (Maunsell Australia, July 2006 (amended 2013))	C191 - Clause 17.03-1L
Forest Park Master Plan (Roberts Day, December 2013)	C190 - Clause 43.04s28
Fortuna Villa Environmental Audit Report (Coffey Environments, October 2012)	C204 - Clause 37.02s01
Greater Bendigo Environment Strategy 2016-2021 (City of Greater Bendigo, 2016)	GC110 - Clause 15.02-1L

GREATER BENDIGO PLANNING SCHEME

Name of background document	Amendment number - clause reference
Greater Bendigo Health and Wellbeing Plan 2017-2021 (City of Greater Bendigo, October 2017)	C256gben - Clause 02.03-9, Clause 11.03-1L, Clause 19.02-4L
Greater Bendigo Heritage Policy Citations Review, Revision 2 (City of Greater Bendigo, 2011)	C162 Pt 2 - Clause 15.03-1L
Greater Bendigo Housing Strategy (City of Greater Bendigo, January 2018)	C256gben - Clause 02.03-1, Clause 11.01-1L-01
Greater Bendigo Public Space Plan (City of Greater Bendigo, June 2019)	C256gben - Clause 02.03-2, Clause 02.03-9, Clause 12.01-1L, Clause 12.05-2L, Clause 15.01-1L-01, Clause 15.01-3L, Clause 15.03-1L, Clause 18.01-1L, Clause 18.02-1L, Clause 18.02-2L, Clause 18.02-3L-01, Clause 19.02-6L-01, Clause 19.02-6L-02
Greater Bendigo Residential Strategy (City of Greater Bendigo, October 2014 (amended March 2016))	C215 - Clause 11.01-1L-01
Greater Bendigo Thematic Environmental History (City of Greater Bendigo, 2013)	C201 - Clause 15.03-1L
Greater CREATIVE Bendigo (City of Greater Bendigo, November 2018)	C256gben - Clause 02.03-9, Clause 17.04-1L
Heathcote Flood Study (BMT WBM Pty Ltd, March 2016)	C243gben - Clause 13.03-1L, Clause 44.04s01, Clause 44.04s02, Clause 44.04s03
Heathcote-Strathfieldsaye Heritage Study Thematic Environmental History (City of Greater Bendigo, 2002)	C139 Pt 1 - Clause 15.03-1L
Heathcote Township Plan (2019)	C274gben - Clause 11.03-6L-04
Heritage Assessment, Former City of Bendigo Abbattoir (Anthemion Consultancies, August 2014)	C220 - Clause 43.04s16
Hospital Precinct Structure Plan (City of Greater Bendigo, September 2014)	C216 - Clause 11.03-6L-02, Clause 43.02s21, Clause 43.02s22, Clause 45.09s02
Huntly Township Plan (Parsons Brinckerhoff, revised December 2009)	C136 - Clause 43.04s25
Infrastructure Design Manual (Local Government Infrastructure Design Association, March 2020)	GC112 - Clause 19.03-2L
Ironbark Heritage Study 2010: volume 1 (City of Greater Bendigo, 2010)	C129 - Clause 15.03-1L
Ironbark Heritage Study 2010: volume 2 citations (City of Greater Bendigo, revised July 2011)	C129 - Clause 15.03-1L
Jackass Flat Local Structure Plan (Hansen Partnership, April 2007 (amended October 2009))	C133 - Clause 43.04s21
Kangaroo Flat South Regional Centre Structure Plan (Hansen Partnership, May 2006)	C87 - Clause 43.04s17
Land Capability Mapping and Assessment Tools for Wastewater Management (City of Greater Bendigo, 2015)	C214 - Clause 14.01-1L, Clause 16.01-3L, Clause 19.03-3L
Maiden Gully Structure Plan (TBA Planners and Planning Australia Consultants, October 1996)	C128 Pt 2 - Clause 43.02s10
North Central Biolinks Principles and Approaches (RMCG, December 2009)	C256gben - Clause 12.01-1L
North Central Native Vegetation Plan (North Central Catchment Authority, 2005)	C60 - Clause 12.01-1L

GREATER BENDIGO PLANNING SCHEME

Name of background document	Amendment number - clause reference
Northern Corridor and Huntly Local Structure Plan (Conceptz et al, February 2005)	C69 - Clause 43.02s04, Clause 43.02s08
Plan Greater Bendigo Action Plan (City of Greater Bendigo et al, January 2018)	C256gben - Clause 02.02
Review of Demand and Supply for Industrial Land in Greater Bendigo (SGS Economics and Planning, February 2012)	C161 Pt 1 - Clause 17.03-1L
Rural Areas Strategy (City of Greater Bendigo, September 2009)	C256gben - Clause 14.01-1L, Clause 16.01-3L
Site Environmental Management Plan, Former VicRoads Depot Buildings, 47 Lansell Street, Bendigo East (Beveridge Williams, January 2016)	C220 - Clause 43.04s16
Statement of Environmental Audit 47 Lansell Street East Bendigo (Golder Associates, December 2005)	C34 - Clause 43.04s16
Strategic Directions Rural Roadside Conservation (City of Greater Bendigo, 2011)	C256gben - Clause 12.01-1L
Strathfieldsaye Township Plan (Centrum Town Planning, amended March 2012)	C232gben - Clause 11.03-6L-03, Clause 43.04s26
Strathfieldsaye Urban Design Framework (City of Greater Bendigo, February 2017)	C232gben - Clause 11.03-6L-03, Clause 43.02s27, Clause 43.02s28, Clause 43.02s29
Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, May 2006)	C161 Pt 1 - Clause 43.04s29
Vision and Transition Strategy for a Water Sensitive Bendigo (Cooperative Research Centre for Water Sensitive Cities Ltd, July 2018)	C256gben - Clause 02.03-9, Clause 19.03-3L
Walk, Cycle Greater Bendigo (City of Greater Bendigo, September 2019)	Clause 256gben - Clause 02.03-8, Clause 11.01-1L-01, Clause 18.01-1L, Clause 18.02-1L, Clause 18.02-2L

Peer Review
Heathcote Township Plan
and Amendment documentation



Final Report

For: Greater Bendigo City Council

23 June 2022

PLAN2PLACE

TABLE OF CONTENTS

EXECUTIVE SUMMARY ***5***

1. INTRODUCTION ***8***

1.1 Reports and Information Reviewed *8*

2. VICTORIAN PLANNING SYSTEM AND THE AMENDMENT ***11***

2.1 Overview *11*

2.2 Planning and Environment Act 1987 and Planning Schemes *11*

2.3 Summary *14*

3. TOWNSHIP PLAN ***16***

3.1 Plan Overview *16*

3.2 Planning Implications *17*

3.3 Correct Anomalies with Existing Zones *17*

3.4 Addressing Issues of Oversupply of Commercial 1 Zone *19*

3.5 Rationalising the Extent of the NCO and Where it Overlaps with the HO *22*

3.6 Application of the Design and Development Overlay to Help Manage Bushfire Risk *23*

3.7 Expansion to the Depot Road industrial area. *24*

4. PROPOSED AMENDMENT ***27***

4.1 Overview *27*

4.2 Explanatory Report *27*

4.3 Instruction Sheet *27*

4.4 Proposed Local Policy at 11.03-6L-04 ..... *28*

4.5 Other Components of the Amendment to be Completed *28*

5. CONCLUSION ***30***

Appendix 1 – Relevant Extracts for Heathcote from GBILS ***31***

Appendix 2 – Draft Amendment Explanatory Report and track changes version ***32***

Appendix 3 – Draft Amendment Instruction Sheet and track changes version ***56***

Appendix 4 – Draft Amendment Local Places Policy and track changes version ***58***

6. CONTACT ***62***

LIST OF FIGURES AND TABLES

Figure 1: Process to Prepare the Draft Heathcote Township Plan 16
Figure 2: Units 1 and 2, 7 High Street, Heathcote 19
Figure 3: 35-39 High Street, Heathcote 19
Figure 4: 51A and 53 High Street, Heathcote 20
Figure 5: 54 and 56 Hospital Street, Heathcote 20
Figure 6: 21-25 Wright Street, Heathcote 20
Figure 7: 21 Hunter Place Heathcote 21

Table 1: Relevant Planning Practice Note or Guideline 12
Table 2: Assessment Against the Planning Scheme Rules 18
Table 3: Heathcote Commercial Land and Floor Space 22

ABBREVIATIONS AND LEGISLATION

Abbreviations

Amendment	Planning Scheme Amendment, Amendment C274
BAO	Buffer Area Overlay
BMO	Bushfire Management Overlay
C1Z	Commercial 1 Zone
C2Z	Commercial 2 Zone
C	Council Amendment
DELWP	Department of Environment, Land, Water and Planning
DDO	Design and Development Overlay
EAO	Environmental Audit Overlay
EPA	Environment Protection Authority
ESO	Environmental Significance Overlay
ESD	Environmentally Sustainable Development
GRZ	General Residential Zone
GBILS	Greater Bendigo Industrial Land Development Strategy, 2020
GBPS	Greater Bendigo Planning Scheme
HO	Heritage Overlay
IN3Z	Industrial 3 Zone
MPS	Municipal Planning Strategy
NCO	Neighbourhood Character Overlay
PPN	Planning Practice Note
PPF	Planning Policy Framework
PCRZ	Public Conservation and Resource Zone
PPRZ	Public Park and Recreation Zone
RLZ	Rural Living Zone
SUZ	Special Use Zone
The Plan	Heathcote Township Plan
UFZ	Urban Floodway Zone
VPP	Victoria Planning Provisions

Numeric Abbreviations

m	metres
%	percent
sqm	square metres

Related Legislation

Planning and Environment Act 1987 (P&E Act)

EXECUTIVE SUMMARY



EXECUTIVE SUMMARY

The Heathcote Township Plan was developed over 2017/18 and adopted by Council in July 2019. A Background Report was released in February 2017 providing a baseline of existing information covering a range of topics including census and population data, bushfire and flooding risks, along with transport, economics, residential development and community services and facilities data.

The Heathcote Township Plan adopted by Council includes a range of recommendations. Some of these recommendations have implications from a planning perspective with implications for the Greater Bendigo Planning Scheme (GBPS). Council is proposing to implement the Plan through Amendment C274 to the GBPS.

A range of state-led legislative requirements, regulations, guidelines, planning practice notes and other initiatives influence how the Heathcote Township Plan will be implemented into the GBPS through a planning scheme amendment.

An amendment needs to be mindful of these aspects so that it is more likely to be effective and to succeed.

This peer review report has analysed and assessed the Heathcote Township Plan and its proposed implementation through Amendment C274 and the following recommendations are provided about the amendment.

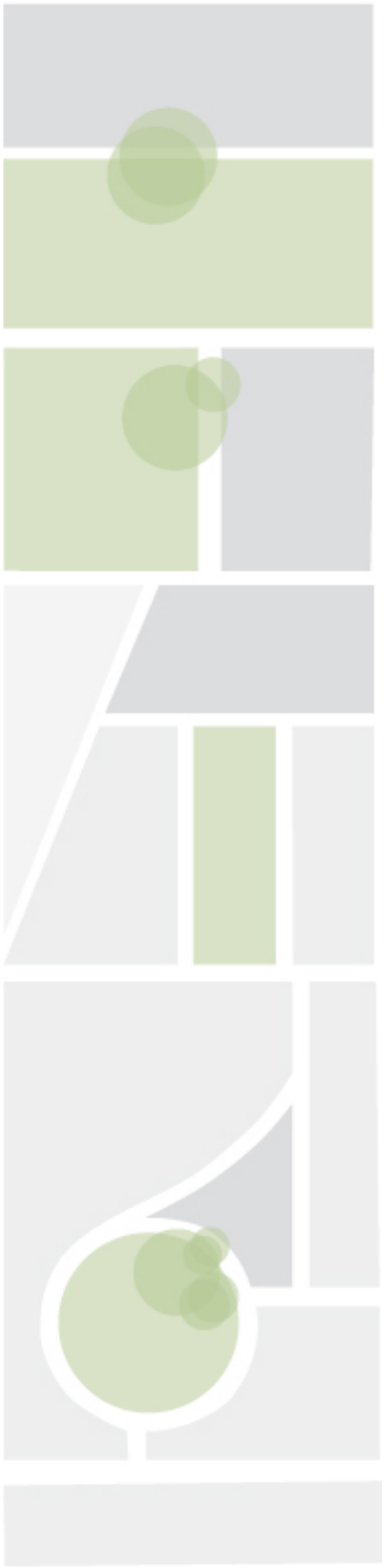
Recommendations

1. The changes proposed to correct zoning anomalies on Crown land within the town makes proper use of the VPP and the GBPS and are strategically justified for inclusion in the proposed amendment.
2. As the amendment applies to Crown land, a letter needs to be obtained from DELWP as the land manager, agreeing to the change of zone over the land they manage.
3. There is a reasonable argument established in the Township Plan for an over-supply of commercial land in the township, particularly C1Z land, based on historical circumstances and zonings. There is also a reasonable estimate about the future commercial floor space needs to 2036 for the town based on forecast population growth.
4. A valid argument is made to rezone existing commercial land that is occupied by existing dwellings, many of them built in the last two decades with little opportunity for redevelopment in the foreseeable future, and to rezone that land to a residential zone.
5. The argument for commercial rezonings would be strengthened if a letter of support can be obtained from an urban economist providing an opinion that justifies the statement that Heathcote is serving a local community and that the 'rule of thumb' used in the Plan is according to an industry accepted rate.
6. The removal of the NCO over sites included in the HO (as shown on page 44 of the Township Plan) is supported in order to meet the requirements of PPN01: Applying the Heritage Overlay and PPN91.
7. The use of the DDO6 to establish a settlement break at the fringe of town on land that abuts Crown land, provides an established tool used and understood by the Greater Bendigo City Council planners and in the Bendigo development community. The 33m setback for dwellings appears to be supported by the Practical Ecology Report and we assume this proposed control works in conjunction with the BMO that surrounds the town.
8. It is unclear if there is enough evidence to justify the application of an EAO to the site at 2-24 Back Kyneton Road, Heathcote, although Council and the EPA's cautious approach is understood. Council could prepare a short report outlining the site history, activities, any photos or plans showing that the land was a previous landfill site and the potential risks that are posed to sensitive uses and the community. Further vegetation assessments on the land could also be undertaken.

9. In the longer term, the application of the BAO may be a more appropriate tool to mitigate and manage risk posed to the community by the former landfill site and potential landfill gas, no matter what the underlying zone is for the site.
10. The proposed Explanatory Report for the amendment has been redrafted and is recommended to form part of the amendment.
11. The proposed Instruction Sheet for the amendment has been redrafted and is recommended to form part of the amendment.
12. The proposed local planning policy for the Heathcote township at Clause 11.03-6L-04 has been redrafted and is recommended to form part of the amendment.
13. There are several other elements of the Amendment that are still to be completed to finalise the amendment documentation. These are:
    - A revised schedule to Clause 72.03 to include maps 44DDO and 45DDO.
    - A revised schedule to Clause 72.08 to include the Heathcote Township Plan as a background document.
14. Both the EPA and DELWP should be consulted further in terms of their roles with Ministerial Direction 19 and Crown land.



INTRODUCTION



1. INTRODUCTION

Plan2Place Consulting has been engaged by Greater Bendigo City Council to peer review the Heathcote Township Plan and proposed amendment documentation prepared by Council to implement the Plan.

The objectives of this project are to:

- Provide a peer review of the draft Township Plan to ensure it is robust enough to strategically justify translation into the Greater Bendigo Planning Scheme (GBPS) and if not what recommendations for further work are recommended.
- Review the draft planning scheme controls to introduce a new planning framework that will support the delivery of the Township Plan.

The Township Plan was prepared and consulted on over 2018 and 2019 with an Issues and Opportunities Paper and a Draft Township Plan consulted on before Council adoption in July 2019.

The review considers the documents from two perspectives:

- Is there sufficient strategic justification for the proposed amendment and if not what additional tasks does Council need to undertake.
- Is the proposed amendment documentation consistent with the *Ministerial Direction on Form and Content of Planning Schemes* and have the right tools from the *Victoria Planning Provisions* (VPP) been applied.

The Heathcote Township Plan establishes a framework to guide the services, facilities and infrastructure required to support the growth of the town over the next 30 years. It considers a range of issues including the environment, community facilities, transport, economic development and being an age friendly community. The Township Plan establishes a vision for Heathcote and sets out seven guiding objectives that will direct the future growth of the town as well as addressing a range of specific issues and projects.

The Township Plan includes a range of recommendations under the themes of planning scheme changes, infrastructure provision by Council and an advocacy role for Council to support other initiatives. This review is focused on the planning scheme change recommendations.

1.1 Reports and Information Reviewed

The following reports and information have been analysed and assessed in this peer review:

- *A Practitioners Guide to Victorian Planning Schemes version 1.4, April 2020.*
- *Advisory Note 48: Ministerial Direction 15, September 2012.*
- *Greater Bendigo Planning Scheme dated 30 May 2022.*
- *Heathcote Township Plan, July 2019.*
- *Heathcote Issues and Opportunities Paper, May 2018.*
- *Heathcote Township Plan, Background Paper.*
- *Ministerial Direction 1 – Potentially Contaminated Land.*
- *Ministerial Direction 11 – Strategic Assessment of Amendments.*
- *Ministerial Direction 15 – The Planning Scheme Amendment Process.*
- *Ministerial Direction 19 – Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health.*
- *Ministerial Direction on the Form and Content of Planning Schemes – 25 October 2021.*
- *Planning and Environment Act 1987.*
- *Planning Practice Note 01: Applying the Heritage Overlay.*
- *Planning Practice Note 43: Understanding Neighbourhood Character.*
- *Planning Practice Note 46: Strategic Assessment Guidelines.*
- *Planning Practice Note 77: Pre-Setting Panel Hearing Dates.*

- *Planning Practice Note 91: Using the Residential Zones*
- *Preliminary Ecological and Bushfire Risk Assessment for 12 Potential Growth Areas within the City of Greater Bendigo, 2021*
- *Urban Design Guidelines for Victoria.*
- *Using Victoria's Planning System.*

These documents form an important context for the assessment of the proposed amendment to implement the Heathcote Township Plan and will be further examined below.

VICTORIAN PLANNING SYSTEM AND THE AMENDMENT



2. VICTORIAN PLANNING SYSTEM AND THE AMENDMENT

2.1 Overview

There are a range of mechanisms and planning frameworks available in the Victorian planning system that help to guide and implement planning and development responses and their expression through a planning scheme amendment. Relevant mechanisms, frameworks, guidelines, and other initiatives of relevance are detailed below.

2.2 Planning and Environment Act 1987 and Planning Schemes

The Planning and Environment Act 1987 (P&E Act) establishes a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians. The Act provides for a single instrument of planning control for each municipality called a planning scheme, derived from the VPP, which set out the way land may be used or developed. Planning schemes contain state, regional and local planning policies, zones and overlays and other provisions that affect how land can be used and developed. Zones and overlays are mapped and those maps form part of local planning schemes.

The P&E Act sets out procedures for preparing and amending planning schemes, the need to conduct regular strategic reviews to inform planning policy and provisions, obtaining a permit under the planning scheme, settling disputes, enforcing compliance and other administrative procedures. This includes the planning authority being authorised by the Minister to prepare an amendment to the planning scheme in its municipal district.[1] The authorisation process is outlined in section 8 of the P&E Act and includes that on application by a municipal council as the planning authority, the Minister may decide one of the following:

- To authorise the municipal council to prepare the amendment.
- That the application requires further review.
- To refuse to authorise the municipal council to prepare the amendment.[2]

This decision by the Minister must be notified to the municipal council in writing. An application for the authorisation of the preparation of an amendment may be subject to conditions imposed by the Minister. The “authorisation application” may be prepared by the planning authority (i.e. it is deemed to be consented to) unless within 10 business days of its receipt of the application the Minister notifies the municipal council of his or her decision about the application.[3]

The duties of a planning authority are established through section 12 of the P&E Act with a range of mandatory and discretionary requirements. The P&E Act sets out the broad process for considering a planning scheme amendment which is supplemented by regulations and various Ministerial Directions. Section 12(1A) of the P&E Act enables the Minister to issue directions in relation to the preparation of an amendment to a planning scheme and these Directions must be given regard by the planning authority.[4]

Planning scheme reviews are to be conducted every four years following the adoption of a Council Plan and evaluation and continuous improvements of specific planning controls are proposed from time to time so that planning tools are efficient, effective and provide net community benefits.[5]

In section 35 of the P&E Act, the Minister may approve an amendment or a part of an amendment with or without changes and subject to any conditions or refuse the amendment or part of the amendment.

[1] *Planning and Environment Act 1987, s. 8*

[2] *Planning and Environment Act 1987, s. 8(4)*

[3] *Planning and Environment Act 1987, s. 8(7)*

[4] *Planning and Environment Act 1987, s. 12, 12A*

[5] *Planning and Environment Act 1987, s. 12B*

Planning Policy Framework

The Planning Policy Framework (PPF) forms part of the VPP and all Victorian planning schemes. The PPF provides an integrated policy framework for state, regional and local planning policies and their expression at the municipal level. A Municipal Planning Strategy (MPS) articulates the context, vision and strategic directions for land use and development at the municipal level with supporting strategic framework plans. The GBPS was translated into this framework through Amendment C256gben on 11 March 2022.

Ministerial Directions and Related Guidance

Ministerial Directions influence the preparation of any planning controls proposed as part of a planning scheme amendment and the amendment process. As for any amendment, a planning authority must have regard to the Ministerial Directions. Key directions are:

- *Ministerial Direction 1 – Potentially Contaminated Land*, which requires planning authorities and responsible authorities to take a cautious and risk based approach to assessing contaminated land or potentially contaminated land.
- *Ministerial Direction 11 – Strategic Assessment of Amendments*, which requires a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.
- *Ministerial Direction 15 – The Planning Scheme Amendment Process*, which establishes set times for completing steps in the planning scheme amendment process.
- *Ministerial Direction 19 - Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health*, which requires planning authorities to seek the views of the Environment Protection Authority (EPA) in the preparation of planning scheme reviews and amendments that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste. The Direction applies to any strategic plan or its review that forms the basis of a planning scheme amendment relating to the use or development of land within a buffer area or separation distance of industry and specified industrial uses.
- *Ministerial Direction on the Form and Content of Planning Schemes*, which provides the schedule template for zone and overlay schedules and how local planning schemes are to be prepared based on the VPP. It includes requirements and parameters about how State provisions can be applied at the local level and how local provisions can be given effect.

These directions need to be carefully considered in the preparation, authorisation, exhibition and approval of any amendment that implements the Heathcote Township Plan and any new planning controls.

Guidelines and Other Documents

There are a range of documents and information that give direction to planning authorities on how to manage an amendment through Planning Practice Notes (PPNs) and guidelines as shown in **Table 1**.

Table 1: Relevant Planning Practice Note or Guideline

Planning Practice Note/Guideline	Summary of Document
A Practitioner's Guide to Victorian Planning Schemes, April 2020 (Version 1.4) https://www.planning.vic.gov.au/guide-home/a-practitioners-guide-to-victorian-planning-schemes	The guide applies to the preparation and application of a planning scheme provision in Victoria. It is primarily intended for use by practitioners considering or preparing a new or revised provision for a planning scheme. The guide sets out and explains: • The principles that should underpin the creation, selection and application of a planning scheme provision. • How a planning scheme relates to the VPP. • Rules and advice about how the various components of a planning scheme operate. • How to select, write and apply various elements of a planning scheme.
Strategic Assessment Guidelines (Planning Practice Note 46) https://www.planning.vic.gov.au/resource-	Planning Practice Note 46 – *Strategic Assessment Guidelines*, requires a planning authority to evaluate and determine how an amendment addresses strategic considerations and what should be considered as

Planning Practice Note/Guideline	Summary of Document
library/planning-practice-notes	part of the Ministerial Direction 11. The PPN outlines a consistent framework for preparing and evaluating a proposed planning scheme amendment and its outcomes. The appropriate application of these outcomes is a requirement of the authorisation process for a planning scheme amendment.
Advisory Note 48: Ministerial Direction 15, September 2012 https://www.planning.vic.gov.au/resource-library/planning-advisory-notes	This Advisory Note further explains Ministerial Direction 15 and provides guidance on when an exemption from the Direction may be granted for extra time by the Minister. A range of appropriate circumstances for exemption include: • Where the public interest or a more just and fair process would be served by providing more time. • To properly address an unforeseen significant issue raised during the amendment process. • Where the amendment is significant, no specific parties would be disadvantaged by longer processing
Planning Practice Note 77: Pre-Setting Panel Hearing Dates, July 2015 https://www.planning.vic.gov.au/resource-library/planning-practice-notes	This Practice Note sets out the process to enable a planning authority to pre-set Panel hearing dates before notice of an amendment is given. The Practice Note provides further guidance to Ministerial Direction 15 which sets out the timelines for Panel appointment and the commencement of the Panel.
Using Victoria's Planning System (UVPS) https://www.planning.vic.gov.au/resource-library/search-resource-library	This online and printable guide provides a technical guide to the Victorian Planning System in plain English with links identified to relevant parts of the Act and Regulations, enabling documents to be sourced if required. Chapter 2 deals with planning scheme amendments. It provides a useful overview and guide to the entire amendment process but does not contain electronic links to relevant supporting documentation such as Ministerial Directions or amendment templates.
Urban Design Guidelines for Victoria https://www.planning.vic.gov.au/policy-and-strategy/urban-design/urban-design-guidelines	The Urban Design Guidelines for Victoria provide state-wide advice for: • The design of public spaces. • Building design in relation to a building's interface with public spaces. • The layout of cities, towns and neighbourhoods. The Urban Design Guidelines for Victoria are a reference document in all planning schemes through the Planning Policy Framework. They support state agencies, local councils, and the development sector to deliver liveable, safe places such as in activity centres.

VPP Principles

Through the Smart Planning Program, the Victorian Government undertook extensive changes to the Victorian planning system in terms of VPP tools and schedule templates, an integrated planning policy framework and new Municipal Planning Strategies.

The six VPP principles underpinning these reforms are:

- Digital first.
- User focused.
- Consistent.
- Proportional.
- Land use focused.
- Policy and outcome focused.

A Practitioners Guide to Victorian Planning Schemes, version 1.4, April 2020, provides the methodology for the day-to-day formulation and drafting of planning scheme provisions. Importantly, this guide sets out key rules for practitioners when preparing a planning scheme provision. These rules complement existing

directions and guidance (such as the *Ministerial Direction on Form and Content of Planning Schemes,* other Directions and PPNs) and seek to ensure:

- That the intended strategic outcome has a sound basis in strategic planning and policy.
- Proportionality to the intended strategic outcome, applying the VPP in a proper manner.
- Clear, unambiguous and effective provisions for the intended strategic outcome.

The six VPP principles require that implementation of any strategic report or plan into planning schemes provides clear and consistent planning policy and controls which are easy to understand and interpret, with no duplication, leading to effective and consistent decision making. The majority of planning schemes state-wide now include a new MPS and an integrated PPF based on this new structure, including the GBPS.

2.3 Summary

A range of state-led legislative requirements, regulations, guidelines, planning practice notes and other initiatives influence how the Heathcote Township Plan will be implemented into the Greater Bendigo Planning Scheme through a planning scheme amendment.

An amendment needs to be mindful of these aspects so that it is more likely to be effective and to succeed. The next chapters provide some recommendations on how that success can be maximised.

TOWNSHIP PLAN



3. TOWNSHIP PLAN

3.1 Plan Overview

The Heathcote Township Plan was developed over 2017/18 and adopted by Council in July 2019. A Background Report was released in February 2017 providing a baseline of existing information covering a range of topics including census and population data, bushfire and flooding risks, along with transport, economics, residential development and community services and facilities data. The results of a survey into community attitudes were also provided.

An Issues and Options Paper was presented for engagement in June 2018, following the establishment of a community reference group and a number of workshops. The Issues and Opportunities Paper outlined:

- What the Heathcote Township Plan sets out to do.
- The process for developing the Township Plan.
- The results of the community consultation undertaken to date.
- What the emerging issues, opportunities and ideas are for Heathcote's future growth and development.
- Next steps.

Following community consultation and the reporting of a proposed vision and conceptual framework to the community (See Bulletin 2), the Draft Township Plan was drafted for consultation.

The process to develop the Plan, broadly followed the following process:

Figure 1: Process to Prepare the Draft Heathcote Township Plan



3.2 Planning Implications

The Heathcote Township Plan includes a range of recommendations. Some of these recommendations have implications from a planning perspective with implications for the GBPS. Others relate to infrastructure provision by Council and Council playing an advocacy role to support other initiatives. This peer review relates to those recommendations that can be implemented through the GBPS.

Key elements of the plan that could be introduced are:

- A range of objectives and strategies with implications for land use and development through a local policy (local area plan or regional and local places plan).
- A range of rezonings to:
  - Correct anomalies with existing zones.
  - Address issues of oversupply of the Commercial 1 Zone.
  - Rationalise the extent of the Neighbourhood Character Overlay where it overlaps with the Heritage Overlay.
  - Apply the Design and Development Overlay to help manage bushfire risk.
  - Expand the Depot Road industrial area.

The next stage of this report examines the evidence to support the range of rezonings.

3.3 Correct Anomalies with Existing Zones

The Plan identifies several zoning anomalies and proposes to remedy these through the implementation of the Plan.

The Plan identified that most of the zoning in the town accurately reflects the use of the land. Several zoning anomalies are identified in the Plan that date back to the previous McIvor Planning Scheme.[6] These are further outlined in the Plan's Appendix 1 – Planning scheme changes. These relate to crown land sites which are currently public open spaces but are incorrectly zoned. These are proposed to be rezoned to Public Park and Recreation Zone (PPRZ) or Public Conservation and Resource Zone (PCRZ).

A Practitioners Guide to Victorian Planning Schemes version 1.4, April 2020 states that zones are the primary tool for guiding the fair and orderly use and development of land. A zone sets expectations about what land use and development activity is or may be acceptable. Each zone broadly deals with a particular predominant land use theme, such as residential, commercial, industrial or public land uses. Zones are applied spatially and all land must be included in a zone, except Commonwealth land. The zone selected for any land is determined by the historic land use and the planning strategies set out in the planning scheme and how best to achieve them. Each zone contains purposes that describe the planning outcome sought by the zone and are achieved through the application of the controls on use and development in the zone.

Ministerial Direction No. 11 – Strategic Assessment of Amendments requires a planning authority to consider how an amendment will implement the objectives of planning in Victoria and make proper use of the VPP. An evidence-based planning policy development process and an evaluation of strategic considerations should precede any decision to change the planning scheme and the drafting of provisions. *Planning Practice Note (PPN) 46: Strategic Assessment Guidelines* provides the framework for preparing and evaluating a proposed planning scheme amendment and its intended outcomes.

The Ministerial Direction on the Form and Content of Planning Schemes specifies that a planning scheme may only include land in a public land zone if the land is Crown land or is owned, vested in or controlled by a Minister, government department, public authority or a municipal council. Public land zones are not intended to identify the legal status of the land or indicate the existing land use. They are intended to set out appropriate statutory requirements that apply to the use and development of the land in addition to

[6] *City of Greater Bendigo, Heathcote Township Plan, p. 19*

the relevant land management legislation. Land should not be automatically included in a public land zone just because it is public land. There will be situations where a public land zone is not the most appropriate zone, such as a road or remnant parcel of public land in a rural area. In such cases the use of other zones and overlays can appropriately recognise the purpose for which the land is reserved.[7]

A public land zone can be applied to public land where the surrounding zoning is inappropriate or where there is a special reason to separately identify the public land for planning purposes. This will commonly be where land management arrangements apply under legislation other than the P&E Act.

The application rules included in *A Practitioners Guide to Victorian Planning Schemes version 1.4, April 2020* seek to ensure that an amendment to a planning scheme is necessary and proportional to the intended outcomes and applies the VPP in a proper manner. An assessment of the proposed amendment has been undertaken in **Table 2** below.

Table 2: Assessment Against the Planning Scheme Rules

Entry Rules	Assessment
A provision must be within the scope of the objectives and power of the Act.	The proposed rezonings and applications of overlays are provided for within the VPP and the P&E Act and determined through the Township Plan's strategic directions and implementation.
A provision must implement the objectives of planning and be supported by a sound strategic planning and policy basis.	The rezonings will allow for the fair and orderly use and development of land. The Township Plan provides the strategic planning and policy basis.
A provision must not conflict with or duplicate other legislation, instruments or planning scheme provisions.	The provision will not conflict with or duplicate other legislation, instruments or planning scheme provisions.
Application Rules	**Assessment**
The application of a provision must be necessary and proportional to the intended planning outcome.	The application of the correct zone as proposed in the amendment will ensure the intended planning outcome for these sites.
A provision must be consistent with the operational provisions of the scheme, any parent provision and any relevant Ministerial Direction.	The application of a zone that more appropriately reflects the underlying use will ensure these sites meet the operational provisions of the scheme, Ministerial Direction 11 and the Ministerial Direction on the Form and Content of Planning Schemes, and will apply an appropriate parent provision (i.e. zone).
The application of a provision must be clear.	The rezonings and proposed overlays will be mapped in the planning scheme and therefore clear for users to identify. The proposed local planning policy will be clearly applied to the Heathcote township.
Drafting Rules	**Assessment**
The requirements of a provision must be clear and unambiguous.	Standard zones and existing special purpose zones and overlays will be applied from the Greater Bendigo Planning Scheme and therefore the provisions will be clear and unambiguous.
A provision must be structured to be clear and unambiguous.	Standard zones and existing special purpose zones and overlays will be applied from the Greater Bendigo Planning Scheme and therefore the provisions will be clear and unambiguous.
A provision must be written to be clear and unambiguous.	Standard zones and existing special purpose zones and overlays will be applied from the Greater Bendigo Planning Scheme and therefore the provisions will be clear and unambiguous.

[7] *DELWP, A Practitioners Guide to Victorian Planning Schemes version 1.4, April 2020, p. 31*

Recommendation

The changes proposed to correct zoning anomalies on Crown land within the town makes proper use of the VPP and the GBPS and are strategically justified for inclusion in the proposed amendment.

As the amendment applies to Crown land, a letter needs to be obtained from DELWP as the land manager, agreeing to the change of zone over the land they manage.

3.4 Addressing Issues of Oversupply of Commercial 1 Zone

The Township Plan proposes to rezone several sites from the Commercial 1 Zone (C1Z) to General Residential Zone (GRZ) in order to meet the strategies of ensuring an adequate supply of commercial land, consolidating commercial activity in the town centre and discouraging out of centre development.

The following properties are proposed to be rezoned from the C1Z to the GRZ:

- Units 1 and 2, 7 High Street, Heathcote.
- 35-39 High Street, Heathcote.
- 51A High Street, Heathcote.
- 53 High Street, Heathcote.
- 54 Hospital Street, Heathcote.
- 56 Hospital Street, Heathcote.
- 21 Wright Street, Heathcote.
- 25 Wright Street, Heathcote.

The justification for the rezoning of these properties relates to the zone better reflecting the use of the land as a dwelling and the properties not being located within the town centre or where commercial development is proposed. Photos and aerials of these properties are shown in **Figures 2 - 6**.



Figure 2: Units 1 and 2, 7 High Street, Heathcote
(Image Sources: ozhouseprice.com; ratemyagent.com.au)



Figure 3: 35-39 High Street, Heathcote
(Image Source: Domain.com.au; NearMap)





Figure 4: 51A and 53 High Street, Heathcote
(Image Source: ozhouseprice.com; Domain.com.au; NearMap)

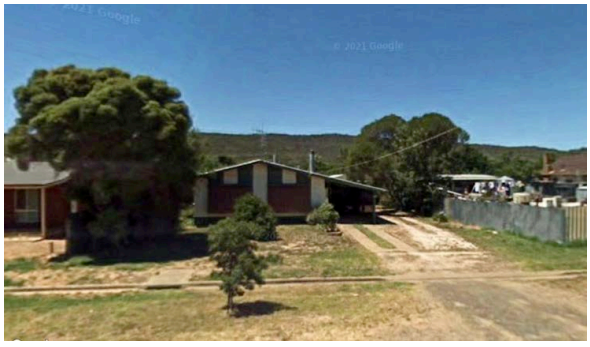




Figure 5: 54 and 56 Hospital Street, Heathcote
(Image Source: realestate.com.au; domain.com.au)



Figure 6: 21-25 Wright Street, Heathcote
(Image Source: NearMap)

The following properties are proposed to be rezoned from a C1Z to a Commercial 2 Zone (C2Z):

- 9-11 High Street, Heathcote.
- 33 High Street, Heathcote.

The justification given for the proposed rezoning of these properties relates to the C2Z better reflecting the existing use of the land and potential core retailing land uses in a C1Z not being encouraged outside of the town centre.

The following property is proposed to be rezoned from a C2Z to a GRZ.

- 21 Hunter Place, Heathcote.

The justification given for the rezoning of this property relates to the area not being located in an area where commercial or light industrial uses are encouraged and the site being surrounded by residential development with access via residential streets. The land is shown in **Figure 7**.



Figure 7: 21 Hunter Place Heathcote
(Image Source: NearMap)

It is noted that as instructed by Council, the land at 31 Ayres Street, Argyle has now been removed from the amendment and is not proposed to be rezoned from an Industrial 3 Zone (IN3Z) to a GRZ due to issues of high bushfire risk.

The key question for the amendment posed by these proposed commercial rezonings is, will there be enough commercial land in the township to provide for the community's future needs and to justify the reduction of commercial land?

Council's Commercial Land and Activity Centre Strategy (2015) identifies the Heathcote commercial area as being an "Activity Centre" within the retail hierarchy. Its role is to provide a range of economic, social and some civic activities, together with goods and services to meet the daily and weekly needs of their suburban catchment. Unfortunately, this strategy does not make forecasts for future growth of commercial land for Heathcote as it is a township not seen as competing with other centres for floor space.

The Township Plan sets out an argument that any proposal for new commercial floor space will be market driven and needs to be considered on its merits. Council has identified that Heathcote currently has 107,500 sqm of zoned C1Z land with approximately 27,000 sqm of existing floor space – this existing floor space includes shops, hotels and dwellings that are all in the C1Z. There is currently over 9,000 sqm of vacant or under-developed land in the town centre, including one site of 5,800 sqm as well as several dwellings and other buildings that could be converted to a commercial use.

The Plan further states that the "rule of thumb" for additional retail floor space is at a rate of 2.2 sqm per person. A source for this rule of thumb is provided however the weblink does not exist anymore. With the Heathcote and District's population projected to increase by 417 people from its current population by 2036, this equates to the requirement for an addition 917 sqm of retail floor space to 2036.

The Plan concludes there is no need to create additional commercial land in the short to medium term however this will be monitored on a regular basis. Floor space attributes in Heathcote are shown in **Table 2**.

Table 3: Heathcote Commercial Land and Floor Space

Commercial Issue or Attribute	Land or Floorspace
Existing Commercial 1 Zoned Floorspace	27,000 sqm
Existing Commercial 1 Zoned Land	107,500 sqm
Vacant or Under-Developed Land in Town Centre	9,000 sqm
Available Land	18,000 sqm (Existing Floorspace minus Vacant/U-Dev)
Additional Retail Floor Space Needs to 2036	917 sqm
Floorspace Still Available Above Needs to 2036	8,083 sqm

Consolidation of the commercial land in the town centre is consistent with state planning policy including clauses such as:

- To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community (see Clause 11.03-1S of the GBPS).
- Locate commercial facilities in existing or planned activity centres (see Clause 17.02-1S of the GBPS).

Recommendation

There is a reasonable argument established in the Township Plan for an over-supply of commercial land in the township, particularly C1Z land, based on historical circumstances and zonings. There is also a reasonable estimate about the future commercial floor space needs to 2036 for the town based on forecast population growth.

A valid argument is made to rezone existing commercial land that is occupied by existing dwellings, many of them built in the last two decades with little opportunity for redevelopment in the foreseeable future, and to rezone that land to a residential zone.

The argument for commercial rezonings would be strengthened if a letter of support can be obtained from an urban economist providing an opinion that justifies the statement that Heathcote is serving a local community and that the 'rule of thumb' used in the Plan is according to an industry accepted rate.

3.5 Rationalising the Extent of the NCO and Where it Overlaps with the HO

The City of Greater Bendigo Residential Character Study (2001) introduced the Neighbourhood Character Overlay (NCO) to parts of Heathcote resulting in four character precincts being identified within the township through a township vision. Subsequent to that Study and introduction of the NCO into the GBPS, Council commissioned and implemented the Shires of McIvor and Strathfieldsaye Heritage Study (2009). The Heritage Overlay (HO) was then applied to a heritage precinct and several individually significant heritage properties. This resulted in the NCO and HO being applied to a number of properties in Precinct 1. The sites impacted have been mapped and are clearly identified in the Township Plan.[8]

The Township Plan outlines that the joint application of both the NCO and HO should be avoided but will depend on the particular circumstances. It quotes PPN28 (which has since been removed and superseded by PPN90) providing an example and represents the situation in Heathcote as follows:

[8] *City of Greater Bendigo, Heathcote Township Plan, p. 44*

"Where an existing HO covers a large heritage precinct, the neighbourhood character considerations will most likely be directly related to the heritage values of the area and would not need the use of an NCO to give effect to the preferred neighbourhood character objectives for the area."[9]

Since that time, DELWP has released further guidance on the application of the NCO. PPN43: 'Understanding Neighbourhood Character' (January 2018) outlines what is meant by neighbourhood character and how to prepare or assess a permit application for residential development to meet neighbourhood character objectives and standards in the planning scheme. PPN91: Using the Residential Zones (December 2019), provides stronger guidance stating that the NCO and HO should not be applied to the same areas. The *Practitioners Guide* outlines that there are very rare occurrences when multiple overlays can be applied where different outcomes are to be achieved.

Removing the NCO from these sites where the HO applies, will not diminish the intent of the existing NCO and policy guidance. In these areas the HO requires a permit for demolition and buildings and works and other aspects that are considered in a neighbourhood character assessment. The proposed local policy for Heathcote along with the neighbourhood character policy and brochure will continue to provide direction on the planting of native species and other character considerations.

Recommendation

The removal of the NCO over sites included in the HO (as shown on page 44 of the Township Plan) is supported in order to meet the requirements of PPN01: Applying the Heritage Overlay and PPN91.

3.6 Application of the Design and Development Overlay to Help Manage Bushfire Risk

Managing the risk of bushfire is identified as a significant issue in developing the Heathcote Township Plan. The Bushfire Management Overlay (BMO) has been extensively applied in and around Heathcote along with the identification of Bushfire Prone Areas based on data and evidence prepared and implemented by the Victorian Government.

Within the GBPS, a Design and Development Overlay – Schedule 6 (DDO6) seeks to manage development at the urban – forest interface. This overlay specifies the 33m setback for dwellings and has requirements around fencing, road works, access to public land and earthworks.

The Plan recommends that DDO6 be applied to land on the fringe of town that abuts Crown land. This will mean that over time, as this land develops, a settlement break will be established. DDO6 includes permit requirements for development to be constructed over a certain distance from the forest edge and for fences to be above 1.8m in height. These requirements can be varied with a permit but the intent is to create defensible space from bushfire hazard and a meaningful fire break.

Subsequent to the development of the Township Plan, Council commissioned Practical Ecology to provide further advice about bushfire (titled *Preliminary Ecological and Bushfire Risk Assessment for 12 Potential Growth Areas within the City of Greater Bendigo, 2021*). This confirms the data used to underpin the justification in the Plan including that a fire will most likely approach the township from the northwest and southwest. The report assessed preliminary ecological and bushfire risk assessment for 12 potential growth areas within the municipality, including Heathcote. It recommended that new dwellings should be sited and constructed to attain a radiant heat flux of less than 12.5 kW/sqm which can potentially be attained through the standard BAL-12.5 separation from upslope woodland (with a separation distance of 33m). The report notes significant bushfire hazard to the town from embers, smoke and potential for a wind driven fire front.

Recommendation

The use of the DDO6 to establish a settlement break at the fringe of town on land that abuts Crown land, provides an established tool used and understood by the Greater Bendigo City Council planners and in the Bendigo development community. The 33m setback for dwellings appears to be supported by the Practical

[9] *City of Greater Bendigo, Heathcote Township Plan, p. 44*

Ecology Report and we assume this proposed control works in conjunction with the BMO that surrounds the town.

3.7 Expansion to the Depot Road industrial area.

The Township Plan outlines an expansion to the west of Depot Road for industrial uses. This land known as 2-24 Back Kyneton Road is currently affected by a Rural Living Zone (RLZ) along with the Environmental Significance Overlay – Schedule 3 for the Eppalock Declared Water Supply Catchment Overlay (ESO3), part DDO25 (Hospital Emergency Medical Services Helicopter Flight Path Protection Overlay) and part Bushfire Management Overlay (BMO).

The justification for rezoning of this land is the limited supply of industrial zoned land within Heathcote. Currently there is land in the Depot Road area and an isolated area on Dairy Flat Road, Argyle. Several industrial uses/buildings also exist within the C2Z predominately in the northern end of town. There are sites within the IN3Z or C2Z that are either vacant, under-developed or have unoccupied buildings providing some scope for additional development for small to medium industrial businesses.

The Plan has acknowledged the difficulty in quantifying the demand for additional industrial land in Heathcote. Anecdotal evidence suggests local real estate agents believe there is some unmet demand and the lack of large sites means there is no available zoned land. The Plan predicts a likely increase in demand for additional industrial land as the town continues to grow, especially given the rollout of natural gas infrastructure.

The Issues and Opportunities Paper identified a potential expansion of the IN3Z to the west of Depot Road on land known as 2-24 Back Kyneton Road. This land offers many positive attributes as a potential industrial site. It is adjacent to an existing industrial area and is separated from the residential areas of Heathcote and therefore minimises the potential for land use conflict. The site is also buffered by Crown land to the north, west and south. The site is a former landfill site and is likely to be contaminated and therefore sensitive uses such as residential development are inappropriate. It is also understood that there were past mining activities on the site. It was recommended in the Plan that the site be rezoned to IN3Z.

The Environment Protection Authority Victoria (EPA) raised concerns with the rezoning of the land to IN3Z and the application of the Environmental Audit Overlay (EAO) noting that further environmental assessment is required as the site is a former landfill. As a result, Council have determined a two pronged approach as funds are not currently available to undertake the necessary audit prior to rezoning to an industrial zone. The first stage will apply the EAO to ensure that an environmental assessment is triggered for a sensitive use on the existing RLZ land. The second component will highlight through the local policy the future desire to rezone the land to industrial following the land owner completing an environmental audit. This ensures that the responsibility is on the land owner to ensure that the site is suitable for a sensitive use (going forward) and for industrial uses if a change of land use is envisaged.

There is a clear link from population growth and the need for additional industrial land in the township. The Greater Bendigo Industrial Land Development Strategy, 2020 (GBILS) was developed concurrently to the Township Plan. It seeks to provide a 30 year supply of industrial land and future direction to existing industrial precincts minimising land use conflicts, improving sustainability, amenity and competitiveness of precincts. GBILS identified that Heathcote's industrial areas provided a local centre, servicing the needs of the local population and relevant extracts are included in **Appendix 1**.

The Buffer Area Overlay (BAO) was prepared after the adoption of the Plan and is now included at Clause 44.08 of the VPP as an available planning tool. Application of the BAO is intended to demonstrate the types of potential land use impacts, the spatial extent of those impacts (the buffer area) and land use and development requirements providing clearer direction to landowners within the buffer area. It works in conjunction with environmental legislation and regulations and Clause 53.10 (Uses with Potential Amenity Impacts) which provides recommended buffer distances that can be varied. The BAO provides a greater level of certainty to landowners and stakeholders based on the licenced requirements and level of risk to be mitigated such as from landfills and landfill gas. The BAO can ensure that use and development within

buffer areas is compatible with potential off-site impacts. The BAO can also be used to prevent future encroachment and intensification of incompatible use and development within the buffer areas of industry, warehouse, infrastructure or other uses with potential off-site impacts.

Further examination of any significant vegetation on the corner of Hansen Street and Back Kyneton Road could also be undertaken to both protect this vegetation and to maintained to a buffer to residences on the opposite corner of the land.

Recommendation

It is unclear if there is enough evidence to justify the application of an EAO to the site at 2-24 Back Kyneton Road, Heathcote, although Council and the EPA's cautious approach is understood. Council could prepare a short report outlining the site history, activities, any photos or plans showing that the land was a previous landfill site and the potential risks that are posed to sensitive uses and the community. Further vegetation assessments on the land could also be undertaken.

In the longer term, the application of the BAO may be a more appropriate tool to mitigate and manage risk posed to the community by the former landfill site and potential landfill gas, no matter what the underlying zone is for the site.

PROPOSED AMENDMENT



4. PROPOSED AMENDMENT

4.1 Overview

Council has prepared a draft Planning Scheme Amendment to implement the Heathcote Township Plan. The next stage of this report examines the proposed amendment and considers whether the documentation is consistent with the *Ministerial Direction on Form and Content of Planning Schemes* and if the correct VPP tools have been applied.

The documents reviewed comprising the proposed Amendment are the:

- Explanatory Report.
- Instruction Sheet.
- Proposed local policy at Clause 11.03-6L-04.
- Other components.

4.2 Explanatory Report

Council has prepared an Explanatory Report to accompany the Amendment. This draft document can be found in **Appendix 2**.

The Explanatory Report is considered satisfactory subject to minor changes as included in the track changes version. Some grammatical and stylistic matters have been added and minor formatting issues made throughout.

There are still gaps in the referral agency comments and it is not clear that all comments have been satisfactorily addressed in the amendment. Some of the property addresses subject to the amendment also need to be checked and their totals included at the beginning of the Explanatory Report and checked for accuracy. A new DDO map 45DDO appears to be required but was not included and has now been added into the Explanatory Report.

As a result of the revision of the GBPS through Amendment C256gben in March 2022, an update to the section of the Explanatory Report detailing how the amendment implements the PPF and MPS will need to be significantly revised and added to by Council.

A redrafted version of the Explanatory Report can be found at **Appendix 2** for Council's consideration.

Recommendations

The proposed Explanatory Report for the amendment has been redrafted and is recommended to form part of the amendment.

4.3 Instruction Sheet

Council has prepared an Instruction Sheet to accompany the Amendment. This draft can be found in **Appendix 3**.

The instruction sheet has been revised to include updated instructions that result from the changes to the GBPS and the gazettal of Amendment C256gben. This includes a new local planning policy at Clause 11.03-6L-04, Clause 72.03 which will need to include maps 44DDO and 45DDO and Clause 72.08 which will need to be revised to include the Heathcote Township Plan as a background document.

A redrafted version of the Instruction Sheet can be found at **Appendix 3** for Council's consideration.

Recommendations

The proposed Instruction Sheet for the amendment has been redrafted and is recommended to form part of the amendment.

4.4 Proposed Local Policy at 11.03-6L-04

Council has prepared a draft new local policy to be inserted into the planning scheme at Clause 11.03-6L-04. This draft local policy be found in **Appendix 4**.

This policy was prepared prior to the gazettal of Amendment C256gben which introduced the new PPF into the Greater Bendigo Planning Scheme on the 11 March 2022. The proposed local policy needs to be drafted with the new provisions of the MPS and PPF, including new local policies, in mind.

The local policy has been significantly revised to be consistent with the new PPF structure and to sit under the state policy for regional and local places. With the translation of local policies into the new PPF format, directions for policy content have disaggregated policy components into thematic parts, objectives have been rationalised and condensed, and strategies grouped into thematic subheadings.

The track changes version of the revised local policy has used that approach in the redrafting of the local policy. The policy now includes only one objective that consolidates the seven objectives from the previous policy but retains strategies under thematic sub-headings.

A policy map that shows the township settlement boundary and the key initiatives in a framework plan could be further considered for inclusion in the policy. The policy could be exhibited without a policy map but its effectiveness would be strengthened through a policy map. A policy application section has also been added to make it clear where the policy applies.

Some policy content has been removed where its translation from the Township Plan is unable to be implemented through the planning scheme. Some buildings and works and landscaping requirements remain tenuous in the local policy but have been retained due to permit triggers in the Urban Floodway Zone (UFZ) and the HO. Some minor typographical and grammatical changes have also been made to the policy content.

A redrafted version of the local policy can be found at **Appendix 4** for Council's consideration.

Recommendations

The proposed local planning policy for the Heathcote township at Clause 11.03-6L-04 has been redrafted and is recommended to form part of the amendment.

4.5 Other Components of the Amendment to be Completed

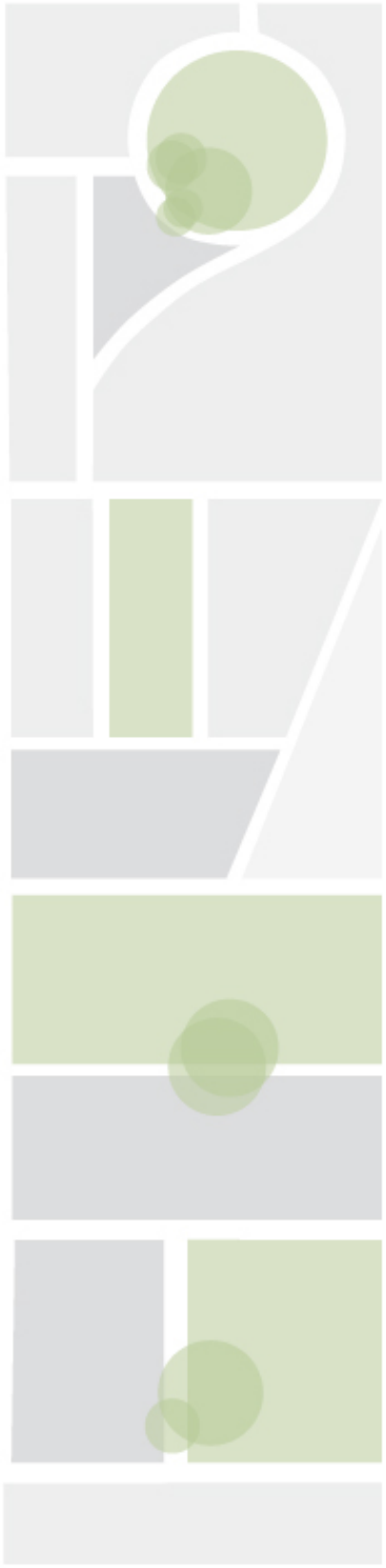
There are several other elements of the Amendment that are still to be completed to finalise the amendment documentation. These are:

- A revised schedule to Clause 72.03 to include maps 44DDO and 45DDO.
- A revised schedule to Clause 72.08 to include the Heathcote Township Plan as a background document.

Prior to lodging the amendment, Council will need to formally refer the Amendment to the EPA under Ministerial Direction 19 (if this has not already occurred). *Ministerial Direction 19 – Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health* requires that the views of the EPA must be sought in the preparation of planning scheme reviews and amendments that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste. As the amendment is changing zones to allow sensitive land uses and applying the EAO, the amendment must be referred and the views of the EPA addressed and outlined in the Explanatory Report.

The views of DELWP should also be sought (if this has not already occurred) on the new application of public use zones to Crown land or other land in its ownership.

CONCLUSION



5. CONCLUSION

Plan2Place Consulting was engaged by Greater Bendigo City Council to peer review the Heathcote Township Plan and proposed amendment documentation prepared by Council to implement the Plan.

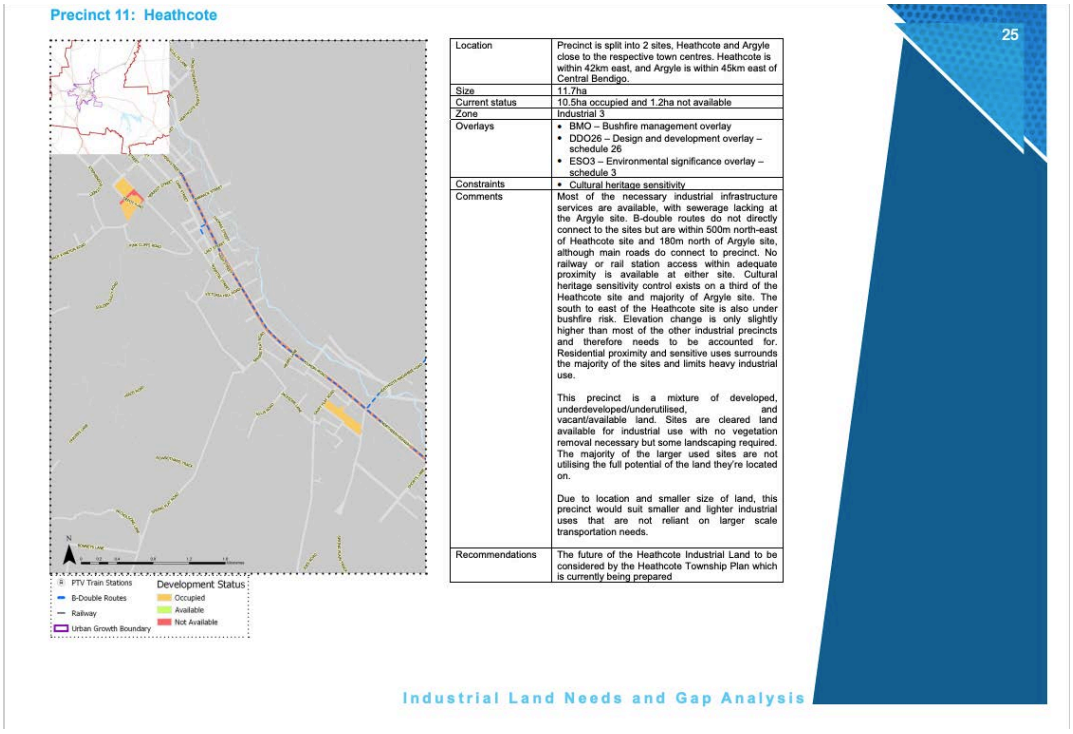
The objectives of this project were to:

- Provide a peer review of the draft Township Plan to ensure it is robust enough to strategically justify translation into the GBPS and if not what recommendations for further work are recommended.
- Review the draft planning scheme controls to introduce a new planning framework that will support the delivery of the Township Plan.

This peer review was focused on the planning scheme change aspects and has made a series of 14 recommendations to strengthen the planning scheme response to implement the Heathcote Township Plan.

Many of these recommendations have been addressed and included in revised amendment documentation attached to this peer review report. Other recommendations require further investigation and expertise or advice before Amendment C274 to the GBPS should be finalised and lodged with DELWP for authorisation.

Appendix 1 – Relevant Extracts for Heathcote from GBILS



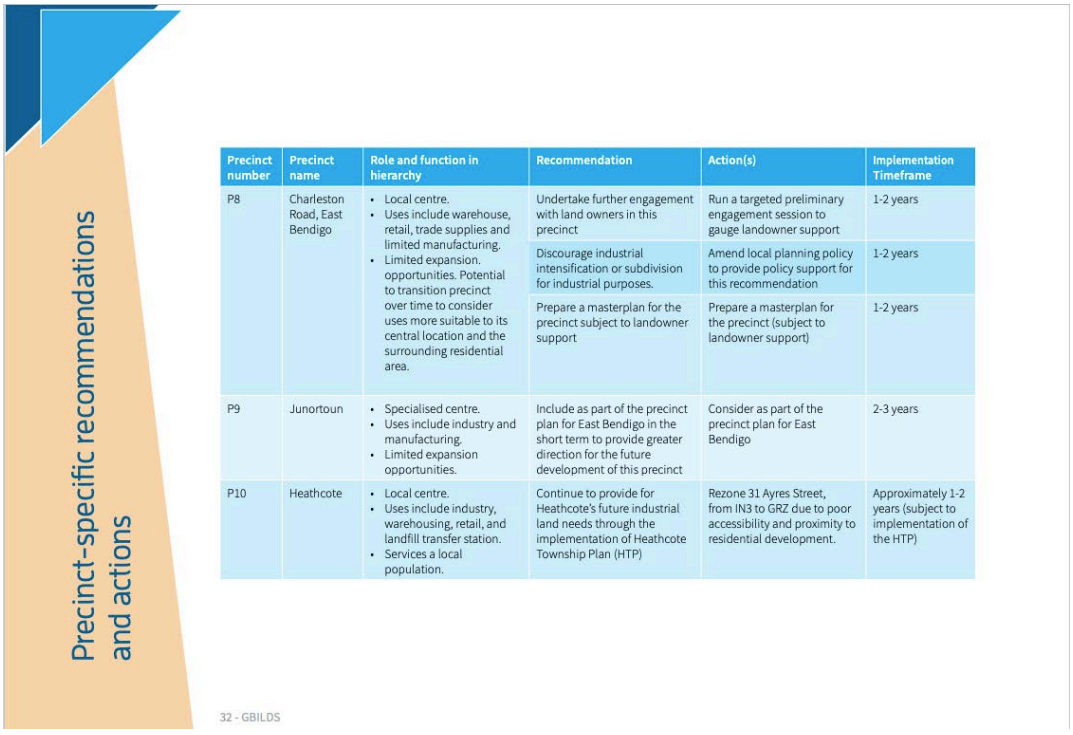
Precinct 11: Heathcote

25

Location	Precinct is split into 2 sites, Heathcote and Argyle close to the respective town centres. Heathcote is within 42km east, and Argyle is within 45km east of Central Bendigo.
Size	11.7ha
Current status	10.5ha occupied and 1.2ha not available
Zone	Industrial 3
Overlays	• BMO – Bushfire management overlay • DDO26 – Design and development overlay – schedule 26 • ESO3 – Environmental significance overlay – schedule 3
Constraints	• Cultural heritage sensitivity
Comments	Most of the necessary industrial infrastructure services are available, with sewerage lacking at the Argyle site. B-double routes do not directly connect to the sites but are within 500m north-east of Heathcote site and 180m north of Argyle site, although main roads do connect to precinct. No railway or rail station access within adequate proximity is available at either site. Cultural heritage sensitivity control exists on a third of the Heathcote site and majority of Argyle site. The south to east of the Heathcote site is also under bushfire risk. Elevation change is only slightly higher than most of the other industrial precincts and therefore needs to be accounted for. Residential proximity and sensitive uses surrounds the majority of the sites and limits heavy industrial use. This precinct is a mixture of developed, underdeveloped/underutilised, and vacant/available land. Sites are cleared land available for industrial use with no vegetation removal necessary but some landscaping required. The majority of the larger used sites are not utilising the full potential of the land they're located on. Due to location and smaller size of land, this precinct would suit smaller and lighter industrial uses that are not reliant on larger scale transportation needs.
Recommendations	The future of the Heathcote Industrial Land to be considered by the Heathcote Township Plan which is currently being prepared

Industrial Land Needs and Gap Analysis

Source: City of Greater Bendigo; Industrial Land Needs and Gaps Analysis



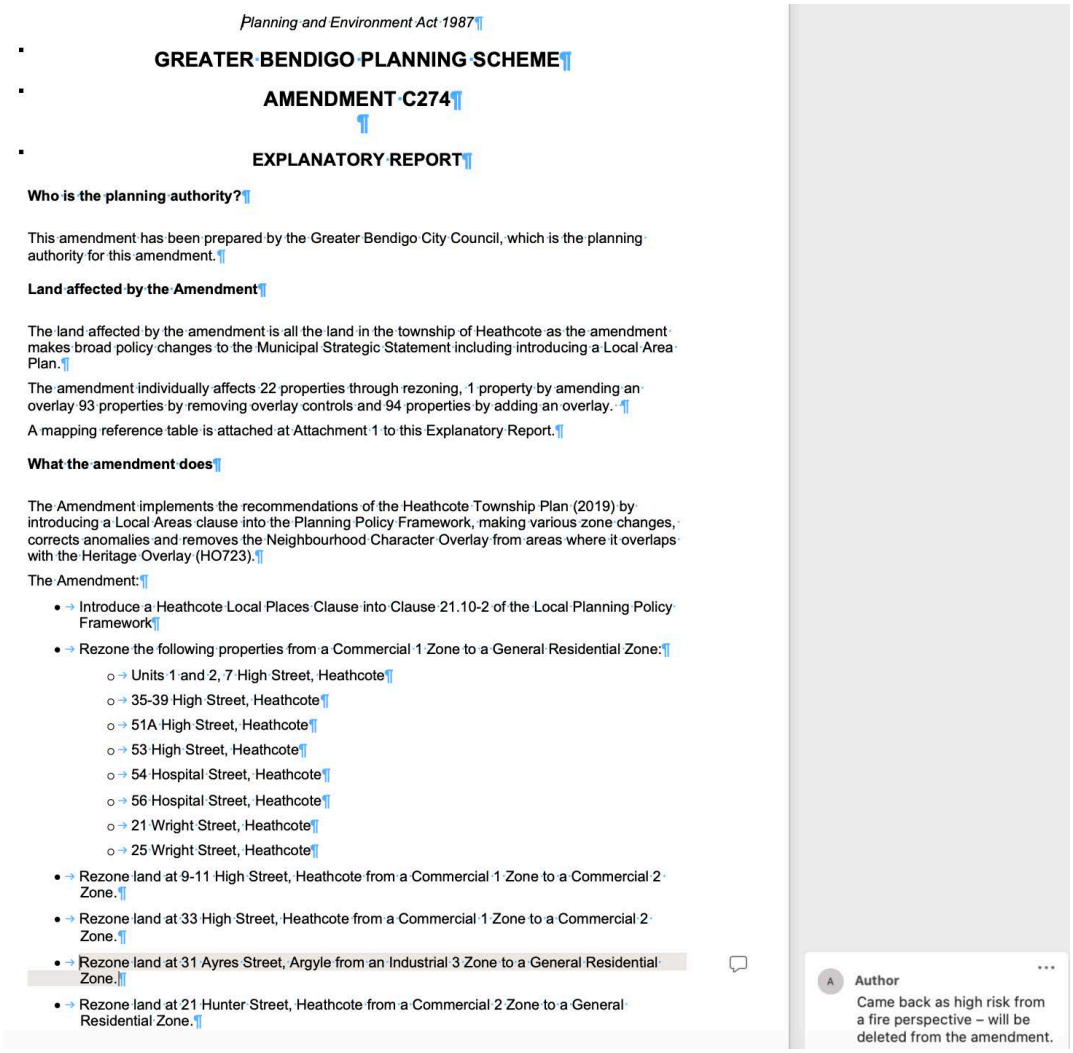
Precinct-specific recommendations and actions

Precinct number	Precinct name	Role and function in hierarchy	Recommendation	Action(s)	Implementation Timeframe
P8	Charleston Road, East Bendigo	• Local centre. • Uses include warehouse, retail, trade supplies and limited manufacturing. • Limited expansion. opportunities. Potential to transition precinct over time to consider uses more suitable to its central location and the surrounding residential area.	Undertake further engagement with land owners in this precinct	Run a targeted preliminary engagement session to gauge landowner support	1-2 years
			Discourage industrial intensification or subdivision for industrial purposes.	Amend local planning policy to provide policy support for this recommendation	1-2 years
			Prepare a masterplan for the precinct subject to landowner support	Prepare a masterplan for the precinct (subject to landowner support)	1-2 years
P9	Junortoun	• Specialised centre. • Uses include industry and manufacturing. • Limited expansion opportunities.	Include as part of the precinct plan for East Bendigo in the short term to provide greater direction for the future development of this precinct	Consider as part of the precinct plan for East Bendigo	2-3 years
P10	Heathcote	• Local centre. • Uses include industry, warehousing, retail, and landfill transfer station. • Services a local population.	Continue to provide for Heathcote's future industrial land needs through the implementation of Heathcote Township Plan (HTP)	Rezone 31 Ayres Street, from IN3 to GRZ due to poor accessibility and proximity to residential development.	Approximately 1-2 years (subject to implementation of the HTP)

32 - GBILDS

Source: Greater Bendigo Industrial Land Development Strategy

Appendix 2 – Draft Amendment Explanatory Report and track changes version



Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C274

EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the Amendment

The land affected by the amendment is all the land in the township of Heathcote as the amendment makes broad policy changes to the Municipal Strategic Statement including introducing a Local Area Plan.

The amendment individually affects 22 properties through rezoning, 1 property by amending an overlay 93 properties by removing overlay controls and 94 properties by adding an overlay.

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

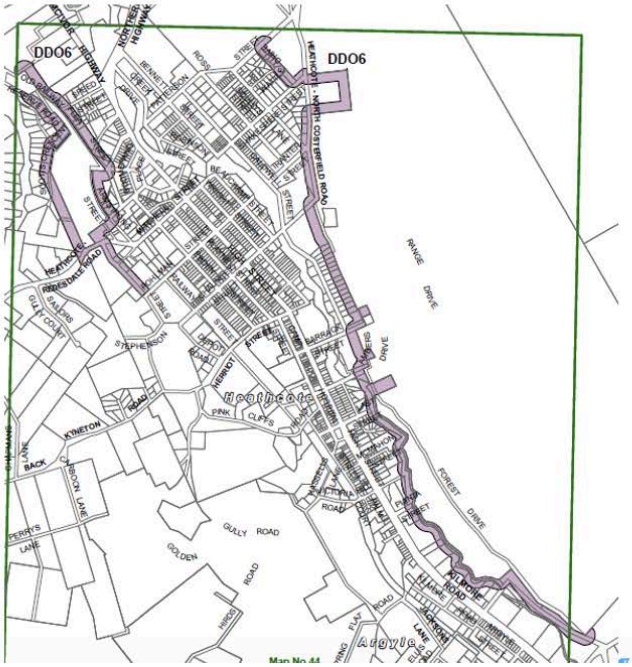
What the amendment does

The Amendment implements the recommendations of the Heathcote Township Plan (2019) by introducing a Local Areas clause into the Planning Policy Framework, making various zone changes, corrects anomalies and removes the Neighbourhood Character Overlay from areas where it overlaps with the Heritage Overlay (HO723).

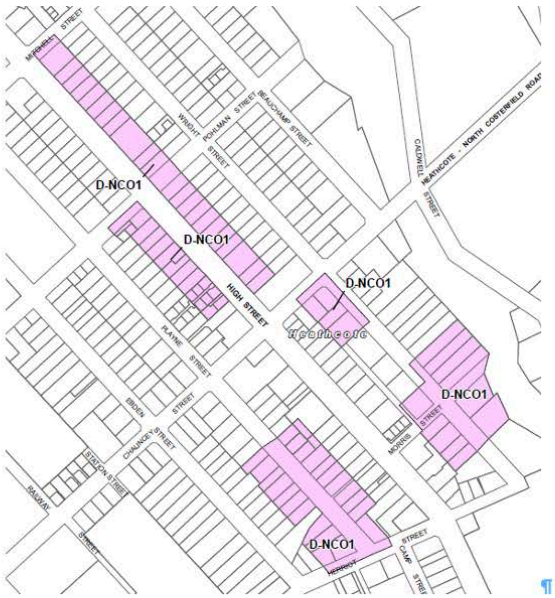
The Amendment:

- Introduce a Heathcote Local Places Clause into Clause 21.10-2 of the Local Planning Policy Framework
- Rezone the following properties from a Commercial 1 Zone to a General Residential Zone:
  - Units 1 and 2, 7 High Street, Heathcote
  - 35-39 High Street, Heathcote
  - 51A High Street, Heathcote
  - 53 High Street, Heathcote
  - 54 Hospital Street, Heathcote
  - 56 Hospital Street, Heathcote
  - 21 Wright Street, Heathcote
  - 25 Wright Street, Heathcote
- Rezone land at 9-11 High Street, Heathcote from a Commercial 1 Zone to a Commercial 2 Zone.
- Rezone land at 33 High Street, Heathcote from a Commercial 1 Zone to a Commercial 2 Zone.
- Rezone land at 31 Ayres Street, Argyle from an Industrial 3 Zone to a General Residential Zone.
- Rezone land at 21 Hunter Street, Heathcote from a Commercial 2 Zone to a General Residential Zone.

- Rezone land at 3 Barrack Street, Heathcote from a Special Use Zone 8 (Showgrounds) to a Special Use Zone 6 (Tourism Facility)
- Rezone land at 40 Caldwell Street, Heathcote from a Public Use Zone 7 (Other Public Use) to a Special Use Zone 8 (Showgrounds)
- Rezone land at 18 Pohlman Street, Heathcote from a General Residential Zone to a Special Use Zone 1 (Private Educational or Religious Institution)
- Rezone land at CA28B Heathcote-North Costerfield Road, Heathcote from a Public Park and Recreation Zone to a Public Conservation and Resource Zone.
- Rezone 21 Pink Cliffs Road, Heathcote from a Commercial 2 Zone to a Public Conservation and Resource Zone
- Rezone land at 41 Pink Cliffs Road, Heathcote Public Park and Recreation Zone to a Public Conservation and Resource Zone
- Rezone 32 North Costerfield Road, Heathcote from a General Residential Zone to a Public Conservation and Resource Zone.
- Rezone the following properties from a Rural Living Zone to a Public Conservation and Resource Zone
    - CA 8A Sec 28 Scott Crescent, Heathcote
    - CA 8C Sec 7A Pohlman Street, Heathcote
    - CA 8B Sec 7A Hansen Street, Heathcote
    - CA 2D Sec 4B Golden Gully Road, Heathcote
    - Part CA 5A Sec 4B Hassells Lane, Heathcote
    - CA3A Sec 42A Hassells Lane, Heathcote
- Apply the Environmental Audit Overlay to 2-24 Back Kyneton Road, Heathcote
- Apply the Design and Development Overlay 6 to various parcels as indicated on the following map:



- Delete the Neighbourhood Character Overlay from 12-16 Herriot Street, 1-17 Playne Street, 2-20 Playne Street, 182-230 High Street, Units 1-3 189 High Street, Units 1-3 191 High Street, Units 1 to 3 193 High Street, 195-209 High Street, Units 1 to 2 11 Pohlman Street, 9-17 Wright Street, 12-24 Wright Street, 35-43 Wright Street and 9 Chauncey Street, Heathcote as indicated on the following map:



- Amend the extent of Heritage Overlay (HO778) to land at 18 Pohlman Street, Heathcote.

Strategic assessment of the Amendment

Why is the Amendment required?

The Greater Bendigo Residential Strategy (2014) recognised the potential of the small towns within Greater Bendigo to offer a lifestyle alternative to living in Bendigo while having the convenience of being near a major regional city. In order to provide a framework for this future growth it was recommended that structure plans for the small towns.

The Heathcote Township Plan (2019) considers how Heathcote can grow into the future and what services, facilities and infrastructure is required to support that growth. A number of the recommendations relate to upgrades of public spaces, improvements to traffic and movement and sit outside of what the planning scheme can influence and there are other recommendations that have a planning focus.

Amendment C274 will give affect to the planning outcomes of the Heathcote Township Plan (2019).

Recommendations that relate to the planning scheme:

- Various zone and overlay changes that fix existing anomalies or are required to reinforce the role of the town centre.
- Identification of a future industrial area.
- In principle support for the proposed Heathcote Dementia Village.

- Creating a network of walking and cycling paths.
- Improving the resilience of the township to bushfire.
- A number of environmental improvements.

The primary goal of the Amendment is to introduce a Local Area Plan for Heathcote that sets out the future land use directions.

The Local Area Plan proposes seven precincts:

1. Town Centre: a compact and vibrant town centre that provides for a range of commercial, business and civic functions that meets the daily needs of the community.
2. Health and Education Precinct: an area where health and education uses are encouraged.
3. Transitional Residential: a transition area between the town centre and the general residential area where medium density that respects the character of the area is encouraged.
4. Conventional Residential: the remaining residential areas where a range of lot sizes are encouraged and new housing respect the character of the area.
5. Bushfire Interface Area: generally adjoins crown land and is subject to bushfire risk where bushfire issues must be carefully considered and rezonings that will provide for an intensification of development is strongly discouraged.
6. Industrial Area: industrial uses are encouraged and a longer term extension has been identified that provides for future growth of industrial uses.
7. Creekline Interface: an area that adjoins the McIvor Creek where fencing backing on to the creek is strongly discouraged.

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

The amendment implements the following objectives of planning in Victoria under Section 4 of the *Planning and Environment Act 1987*:

a) Provide for the fair, orderly, economic and sustainable use and development of land;

b) Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

c) Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

d) Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value;

e) Balance the present and future interests of all Victorians.

The amendment is consistent with these objectives as it is providing a framework for the future growth of Heathcote by including the Heathcote Local Area Plan in the Planning Policy Framework that provides for a range of measures that will allow Heathcote to grow sustainably into the future, create a healthy and vibrant community and make improvements to the environment.

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

Environmental Effects

The Amendment will have positive environmental benefits by encouraging the planting and retention of native vegetation which will support a healthy ecosystem and improve biodiversity. Improving cycling and walking infrastructure will promote personal mobility decrease the reliance on the motor vehicle.

The amendment is not creating any use or development that will have a negative impact on air, land or water quality.¶

The longer term expansion of the industrial precinct is separated from existing residential areas and is buffered by an existing industrial area.¶

Social Effects¶

The amendment will have positive social effects by encouraging a consolidated and strengthened town centre that will be the focus of activity for Heathcote. The improvements to the walking and cycling network will health and wellbeing as well as social interaction.¶

Proposed public realm improvements will also have a positive impact on the amenity of the town centre.¶

Economic Effects¶

The amendment is seeking to consolidate future commercial activities within the town centre which will have positive economic impacts for the existing traders and the community.¶

Public realm improvements to the town centre will also make it more attractive for prospective businesses looking to establish in the area as well as encourage and support existing businesses.¶

A longer term industrial area has been identified that will provide for the future growth of industry and employment within Heathcote.¶

Does the Amendment address relevant bushfire risk?¶

Landscape considerations¶

A bushfire landscape assessment has been prepared for the Heathcote township. The assessment found that the town was susceptible to a fire front approaching from the north west and south west. Ember attacked would likely occur within the town from a fire approaching from either aspect and that this would likely cause localised fire events. The assessment gave the areas within the township that are proposed to be rezoned a low hazard rating based on fuel loads and the like within the township area (i.e. any fire that impacts the low hazard areas will likely be from the surrounding land).¶

Alternative locations for development¶

The sites being rezoned are all well within the settled areas of Heathcote, which is preferred in terms of bushfire risk as they are isolated for bushfire threat and proximate to safer areas.¶

If these sites are unable to be developed, then there would be no alternative locations in Heathcote and development would need to be directed to Bendigo and this is not an option.¶

Availability of safe areas¶

The Heathcote Neighbourhood Safer Place (Place of Last Resort) is at the Holy Rosary Primary School oval. This site is endorsed by the CFA and is centrally located within Heathcote.¶

Site based exposure¶

A number of the rezonings proposed for urban development are fixing zoning anomalies on fully developed land and all sites are subject to the Bushfire Prone Area mapping but not the Bushfire Management Overlay. There is no increase in the level of risk from bushfire associated with these sites.¶

There are a further two sites - 35 High Street and 21 Hunter Street, Heathcote that have the potential for intensification of development sites are subject to the Bushfire Prone Area mapping but not the Bushfire Management Overlay. Land at 21-25 Wright Street, Heathcote is also being rezoned and is not subject to bushfire provisions.¶

Of these thee sites were there is potential to intensify development:¶

- 35 High Street is approximately 250m from the nearest classifiable vegetation¶
- 21 Hunter Street is approximately 150m from the nearest classifiable vegetation¶
- 21-25 Wright Street is approximately 120m from the nearest classifiable vegetation¶

In all three cases the sites are separated from a hazard (vegetation) and more than satisfy any defendable space requirements.

It is noted that the Heathcote Township Plan did recommend rezoning 31 Ayres Street, Argyle from an Industrial 3 Zone to a General Residential Zone however this site was subsequently identified as having a high risk to bushfire and is not be rezoned as part of this amendment.

Risk change

The amendment will not result in increased risk from bushfire for existing and future residents, property, community infrastructure or the natural environment as the sites to be rezoned with the exception of 35 High Street, 21 Hunter Street and 21-25 Wright Street are fully developed. The bushfire report notes that the area proximate to all three sites are in an area that is "primarily managed residential and urban areas with no classifiable vegetation observed and plenty of access present" and that it "poses minimal hazard to other areas".

Mitigation measures

The amendment includes application of the DDO6 to land adjoining the Heathcote-Graytown National Park and Rushworth-Heathcote State Forest which will help provide a further buffer between development and areas subject to bushfire risk (NB – a number of these sites are either fully or partially developed).

The Heathcote Local Plan also contains the objective "To ensure that the risks associated with bushfire are appropriately managed" and strategies to implement this objective is to provide a settlement boundary and encourage development within that boundary, where practical to construct a road at the interface and ensuring that new development is responsive to the bushfire risk.

Views from the relevant authority

Add comments from MFPO and CFA.

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

The Amendment is consistent with the *Form and Content of Planning Scheme* Ministerial Direction under Section 7(5) of the Planning and Environment Act.

The Amendment is also consistent with the following Ministerial Directions:

- Ministerial Direction 1 – Potentially Contaminated Land as it is applying the Environmental Audit Overlay to land at 2-24 Back Kyneton Road that was previously used as a landfill. Currently a dwelling could be erected on site without a planning permit.
- Ministerial Direction 11 Strategic Assessment of Amendments as the Explanatory Report addresses the requirements of this direction.
- Ministerial Direction 19 Ministerial Direction of the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health. The EPS were consulted in relation to the future industrial land at 2-24 Back Kyneton Road, Heathcote.

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

The Amendment supports the following aspects of the Planning Policy Framework:

Clause 11.03-6S (Regional and local places): The Local Area Plan is providing specific direction and guidance for the planning of Heathcote.

Clause 13.02-1S (Bushfire planning): The amendment is increasing the resilience of the township to bushfire through the application of the DDO6 which among other things requires the construction of roads at the interface with forested areas that will assist in the separation of new housing from a potential bushfire risk.

Clause 15.03-1S (Heritage conservation): The amendment is rationalising the overlap between the Heritage Overlay and Neighbourhood Character Overlay so that it is clear that the heritage considerations take precedence.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports the following clauses of the Local Planning Policy Framework:

Clause 21.05-3 *10 minute neighbourhoods* with the objective: *To create attractive neighbourhoods that feature well designed residential and mixed use developments, offer a range of housing choices, convenient access to public transport and activity centres, and have community and commercial facilities that are highly accessible by a variety of transport modes in particular walking and cycling.*

Because of its size and historical development patterns Heathcote largely functions as a 10 minute neighbourhood The amendment encourages a diversity of housing types, especially within easy walking distance of the town centre and improvements to the walking and cycling network.

Clause 21.05-4 *Housing density* and diversity with the objective "*To provide a greater choice in housing types and densities that responds to community needs.*"

The Local Area Plan identifies an area close to the town centre where greater diversity of housing stock is encouraged that respects the heritage and neighbourhood character values of the area.

Clause 21.05-9 *Managing risk* with the objective "*To manage development in areas of risk from bushfire and flooding*"

Heathcote is a township at risk from bushfire. The amendment is introducing the DDO6 control that will provide for a better interface between existing residential areas and vegetated areas. No new residential areas are proposed to be created. It is noted the flooding controls in Heathcote have been recently updated.

Clause 21.05-10 *Urban forest interface* with the objective "*To ensure residential development protects and maintains the environmental values of adjoining forested areas surrounding Bendigo.*"

The amendment supports this objective by applying the DDO6 to the urban forest interface on undeveloped and underdeveloped land that adjoins forested public land.

Clause 21.05-11 *Small towns* with the objectives "*To encourage attractive lifestyle options and a sense of plan in small towns*" and "*To provide an alternative residential option to those offered in the urban areas of Bendigo.*"

The amendment supports this objective through the introduction of the Local Area Plan and making the Heathcote Township Plan a Reference Document. Both documents are seeking to make infrastructure, urban design and landscaping improvements to promote the liveability of Heathcote.

Clause 21.07-2 *Activity centres* with the objectives "*To support the development of a network of activity centres which satisfy a range of retail, commercial, community and residential needs*", "*To ensure the development of centres in accordance with the municipality's activity centre hierarchy*" and "*To establish Greater Bendigo's activity centres as thriving, attractive and well-connected places for people and for doing business*".

The Heathcote town centre is an "activity centre" in the hierarchy. There is no projected future floorspace for Heathcote as it will largely be determined by market forces. The Local Area Plan defines the physical extent of the town centre and there is ample vacant land and floorspace to provide for the long term needs of the community. There are a number of recommendations within the Heathcote Township Plan to improve accessibility to the town centre.

Clause 21.07-6 *Industrial* with the objectives "*To encourage diversification and expansion of the municipality's industrial base" and "To promote the expansion of existing industries".*

At present there is little demand for additional industrial land within Heathcote, however with the installation of natural gas this may change. A longer term expansion to the Depot Road precinct has been identified on land previously (at least in part) used a landfill. It has not been rezoned at this stage until the issues around potential contamination have been resolved. It is proposed to apply the Environmental Audit Overlay to this land and for its future use to be recognised in the Local Area Plan.

Clause 21.08-1 *Natural resource management* with the objectives "*To protect the environmental assets of the municipality including the national parks, regional parks and areas for flora and fauna significance*" and "*To protect the values of forested land and waterways*".

The amendment supports these objectives through the introduction of the Design and Development Overlay 6 which seeks to provide a buffer between residential development and forested land. The overlay also has benefits in terms managing bushfire risk.

Clause 21.08-4 *Heritage* with the objective "*To identify and protect and the municipality's heritage for future generations*".

There areas that are subject to both the Heritage Overlay (HO) and Neighbourhood Character Overlay (NCO). In these instances it is proposed to remove the NCO so that it is clear that the heritage values take precedence.

Clause 21.09-1 *Integrated transport and land use planning* with the objective "*To increase the number of residents and visitors who walk or cycle*".

The amendment supports these objectives through the Local Area Plan identifying a Principle Walking and Cycling Network that seeks to provide transport choice and improve access to the town centre.

Clause 21.10 *Local Areas* is implemented through the introduction of *Heathcote Local Area Plan* which provides guidance on the key issues for Heathcote's future growth.

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

The amendment makes proper use of the Victoria Planning Provisions by implementing changes which seek to clarify and strengthen the role of the provisions in the Greater Bendigo Planning Scheme.

Planning Practice Note 91 (Using the residential zones) would suggest that the 9 sites proposed to be rezoned to a General Residential Zone should be in a Neighbourhood Residential Zone (NRZ) given the nature of development in Heathcote.

Currently the General Residential Zone is the only residential zone that exists in Heathcote and to introduce isolated NRZ sites would not represent logical or sound planning. The Practice Note places emphasis on the importance of having solid strategic justification for implementing the new zone, and that a neighbourhood character assessment should be undertaken in the first instance.

The City of Greater Bendigo is about to commence such a study, and this is the most appropriate means for consideration of the new zones. As an interim step the GRZ will be used.

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

- →Have the views of any relevant agency been addressed?

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

The requirements of the Transport Integration Act 2010 apply where a planning scheme amendment is likely to have a significant impact on the transport system.

This amendment is unlikely to have a significant impact on the transport system as it is not significantly increasing the capacity for development. The rezonings being undertaken are largely correcting zoning anomalies.

Resource and administrative costs

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

The amendment is not expected to have a significant impact on the future resources of the municipality as it is not greatly increasing the need for planning approvals. Developments in the town

¶
centre would already generally require planning approval. The amendment will provide more guidance for these applications.¶

Where you may inspect this Amendment¶

The Amendment is available for public inspection, free of charge, during office hours at the following places:¶

The Statutory Planning Department Office¶
Hopetoun Mill¶
15 Hopetoun Street, Bendigo ¶

and¶

Heathcote Office¶
123 High Street, Heathcote¶

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.¶

Submissions¶

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by [insert submissions due date].¶

A submission must be sent to:¶

Strategic Planning Unit¶
City of Greater Bendigo¶
PO 733¶
Bendigo 3552¶

or via email to psamendments@bendigo.vic.gov.au¶

Panel hearing dates¶

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

- directions hearing: [insert directions hearing date]¶
- panel hearing: [insert panel hearing date]]¶

Page Break

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Heathcote	19 Wright Street 21 Hunter Place 18 Pohlman Street CA 8A Sec 28 Scott Crescent CA 2D Sec 4B Golden Gully Road CA 28B Sec 38 Heathcote – North Costerfield Road 32 Heathcote – North Costerfield Road 40 Caldwell Street	Greater Bendigo C274 001znMap44 Exhibition
Heathcote	1/7, 2/7, 9-11, 33, 35-39, 51A and 53 High Street 3 Barrack Street 54 and 56 Hospital Street 21 and 41 Pink Cliffs Road CA 8C Sec 7A Pohlman Street CA 8B Sec 7A Hansen Street	Greater Bendigo C274 002znMap44 Exhibition
Argyle	31 Ayres Street	Greater Bendigo C274 003znMap44 Exhibition
Heathcote	12, 14, 16, 18 and 20 Herriot Street 1,2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14A, 15, 16, 17, 2/18 and Playne Street 182, 184, 186-188, 1/189,2/189, 3/189, 190, 1/191, 2/191, 3/191, 192, 1/193, 2/193, 3/193, 194, 195, 196, 197, 199, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210-2014, 216, 218, 220, 222, 224, 226, 228 and 230-232 High Street Units 1-2, 11A Pohlman Street 9, 11, 12, 13, 15, 16, 17, 18, 20, 22, 24, 26, 28, 30, 32, 34, 35-37, 36, 38, 39, 10, 41-43, 42 and 44 Wright Street 9 Chauncey Street	Greater Bendigo C274 005D-NCOMap44 Exhibition
Heathcote	74 and 76 Patterson Street 3, 5, 7, 9, 11 Wattle Drive 2 and 4 Shakespere Street 107, 117, 121, 131, 135, 139 Heathcote-North Costerfield Road 2, 4, 6, 8,10, 12, 14, 16, 18, 20, 22	Greater Bendigo C274 007DDOMap44 Exhibition

Author
Removed from amendment based on bushfire risk

Reply

	24, 26, 28, 30, 32, 34 and 36 Caldwell Street 3 Barrack Street 39 and 51 Ambers Drive 250 Forest Drive 2 and 4-6 Thomas Street 1 Last Street 4, 5, 6, 7 and 8 Fairy Dell Court 3 and 4-6 McMahon Street 2 High Street 88, 90, 114-120, 122, 134, 138 and 160-164 Kilmore Road 9 Cambells Land 31 Heathcote-Nagambie Road 6 and 11 Stewart Lane 8 and 13 Ryans Lane 25 McIvor Street 31 Armstrong Street 26 and 40 Broodie Street 26, 27 and 31 Craven Crescent 3 and 9 Flea Street 25-27, 29-31 and 32-38 Speed Street 4536 and 4550-4552 McIvor Highway 1, 2, 3, 4, 5, 6, 7, 8 and 9 Thompsons Lane 20, 24, 25, 26, 27, 28, and 29 Scotts Crescent	
Heathcote	18 Pohlman Street	Greater Bendigo C274 004D-HOMap44 Exhibition
Heathcote	2-24 Back Kyneton Road	Greater Bendigo C274 006EAOMap44 Exhibition

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C274

EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the Amendment

The land affected by the amendment is all ~~the~~ land in the township of Heathcote ~~as the amendment makes broad policy changes to the Municipal Strategic Statement including introducing a Local Area Plan~~included in the township settlement boundary and shown in the attached plan.

[insert Heathcote township settlement boundary plan]

The amendment individually affects 22 properties through rezoning, 1 property by amending an overlay, ~~93~~ 91 properties by removing overlay controls and ~~94~~ 93 properties by adding an overlay.

A mapping reference table with the specific properties affected is ~~attached~~ included at **Attachment 1** to this Explanatory Report.

What the amendment does

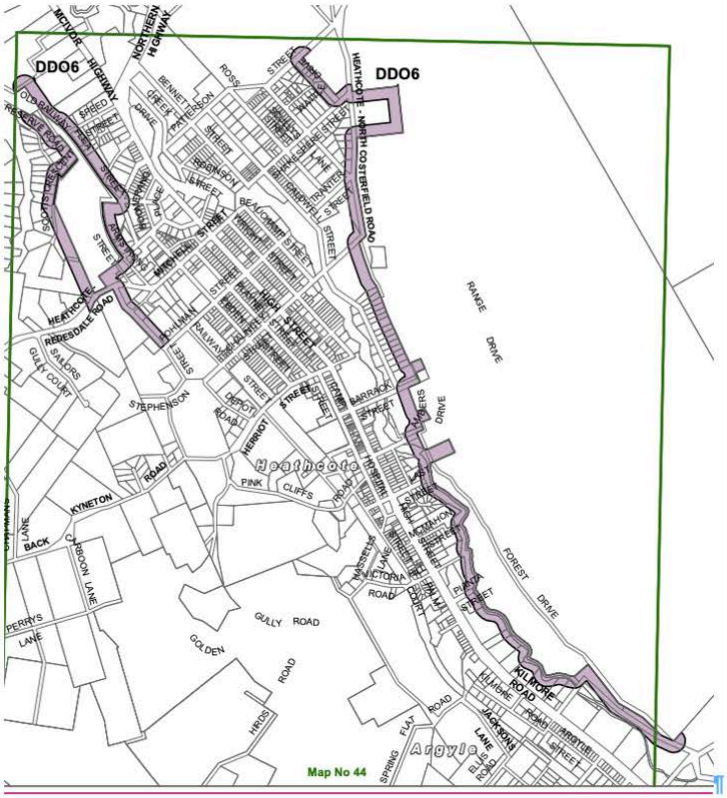
The Amendment implements the recommendations of the Heathcote Township Plan (2019) by introducing a new regional and local places ~~Local Areas~~ clause into the Planning Policy Framework, making various zone changes, corrects anomalies and removes the Neighbourhood Character Overlay from areas where it overlaps with the Heritage Overlay (HO723).

The Amendment will:

- Introduce a local policy for the Heathcote ~~Local Places~~Township at~~Clause into~~ Clause 11.03-6L-04 of the ~~21.10-2 of the Local~~ Planning Policy Framework.
- Rezone the following properties from a Commercial 1 Zone to a General Residential Zone:
  - Units 1 and 2, 7 High Street, Heathcote.
  - 35-39 High Street, Heathcote.
  - 51A High Street, Heathcote.
  - 53 High Street, Heathcote.
  - 54 Hospital Street, Heathcote.
  - 56 Hospital Street, Heathcote.
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- Rezone land at 9-11 High Street, Heathcote from a Commercial 1 Zone to a Commercial 2 Zone.
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- ~~Rezone land at 31 Ayres Street, Argyle from an Industrial 3 Zone to a General Residential Zone.~~
- Rezone land at 21 Hunter Street, Heathcote from a Commercial 2 Zone to a General Residential Zone.
- Rezone land at 3 Barrack Street, Heathcote from a Special Use Zone 8 (Showgrounds) to a Special Use Zone 6 (Tourism Facility).

¶

- Rezone land at 40 Caldwell Street, Heathcote from a Public Use Zone 7 (Other Public Use) to a Special Use Zone 8 (Showgrounds).¶
- Rezone land at 18 Pohlman Street, Heathcote from a General Residential Zone to a Special Use Zone 1 (Private Educational or Religious Institution).¶
- Rezone land at CA28B Heathcote-North Costerfield Road, Heathcote from a Public Park and Recreation Zone to a Public Conservation and Resource Zone.¶
- Rezone 21 Pink Cliffs Road, Heathcote from a Commercial 2 Zone to a Public Conservation and Resource Zone.¶
- Rezone land at 41 Pink Cliffs Road, Heathcote from a Public Park and Recreation Zone to a Public Conservation and Resource Zone.¶
- Rezone 32 North Costerfield Road, Heathcote from a General Residential Zone to a Public Conservation and Resource Zone.¶
- Rezone the following properties from a Rural Living Zone to a Public Conservation and Resource Zone:¶
  - CA 8A Sec 28 Scott Crescent, Heathcote.¶
  - CA 8C Sec 7A Pohlman Street, Heathcote.¶
  - CA 8B Sec 7A Hansen Street, Heathcote.¶
  - CA 2D Sec 4B Golden Gully Road, Heathcote.¶
  - Part CA 5A Sec 4B Hassells Lane, Heathcote.¶
  - CA3A Sec 42A Hassells Lane, Heathcote.¶
- Apply the Environmental Audit Overlay to 2-24 Back Kyneton Road, Heathcote.¶
- Apply the Design and Development Overlay 6 to ~~various parcels~~92 properties as ~~indicated~~ detailed in Attachment 1 and on the following map:¶



- Delete the Neighbourhood Character Overlay from the land shown on the following map:
  - 12-16 Herriot Street, Heathcote.
  - 1-17 Playne Street, Heathcote.
  - 2-20 Playne Street, Heathcote.
  - 182-230 High Street, Heathcote.
  - Units 1-3, 189 High Street, Heathcote.
  - Units 1-3, 191 High Street, Heathcote.
  - Units 1 to 3, 193 High Street, Heathcote.
  - 195-209 High Street, Heathcote.
  - Units 1 to 2, 11 Pohlman Street, Heathcote.
  - 9-17 Wright Street, Heathcote.
  - 12-24 Wright Street, Heathcote.
  - 35-43 Wright Street Heathcote.
  - ~~and~~ 9 Chauncey Street, Heathcote, ~~as indicated on the following map:~~

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- → Amend the extent of Heritage Overlay (HO778) to land at 18 Pohlman Street, Heathcote.¶

Page Break

Strategic assessment of the Amendment

Why is the Amendment required?

The Greater Bendigo Residential Strategy (2014) recognised the potential of the small towns within Greater Bendigo to offer a lifestyle alternative to living in Bendigo while having the convenience of being near a major regional city. In order to provide a framework for this future growth it was recommended that structure plans be prepared for ~~the~~ small towns.

The Heathcote Township Plan (2019) considers how Heathcote can grow into the future and what services, facilities and infrastructure is required to support that growth. ~~A number~~Several of the recommendations relate to upgrades of public spaces, improvements to traffic and movement and sit outside of what the planning scheme can influence and there are other recommendations that have a planning focus.

Amendment C274 will give affect to the planning outcomes of the Heathcote Township Plan (2019).

Recommendations that relate to the planning scheme include:

- → Various zone and overlay changes that ~~fix~~ correct existing anomalies or are required to reinforce the role of the town centre.
- → ~~Identification~~ Identify ~~of~~ a future industrial area.
- → Provide i~~n~~ principle support for the proposed Heathcote Dementia Village.
- → ~~Creating~~ Create a network of walking and cycling paths.
- → ~~Improving~~ Improve the resilience of the township to bushfire.
- → ~~A number of~~Several environmental improvements.

The ~~primary goal~~aim of the Amendment is to introduce a Local ~~Area~~ Places Plan for Heathcote that sets out the future land use directions.

The Local ~~Area~~ Places Plan proposes seven precincts including the:

1. →Town Centre: a compact and vibrant town centre that provides for a range of commercial, business and civic functions that meets the daily needs of the community.
2. →Health and Education Precinct: an area where health and education uses are encouraged.
3. →Transitional Residential: a transition area between the town centre and the general residential area where medium density that respects the character of the area is encouraged.
4. →Conventional Residential: the remaining residential areas where a range of lot sizes are encouraged and new housing respect the character of the area.
5. →Bushfire Interface Area: generally adjoins crown land and is subject to bushfire risk where bushfire issues must be carefully considered and rezonings that will provide for an intensification of development ~~is~~ are strongly discouraged.
6. →Industrial Area: industrial uses are encouraged and a longer term extension has been identified that provides for future growth of industrial uses.
7. →Creekline Interface: an area that adjoins the McIvor Creek where fencing backing on to the creek is strongly discouraged.

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

The amendment implements the following objectives of planning in Victoria under Section 4 of the *Planning and Environment Act 1987*:

a) Provide for the fair, orderly, economic and sustainable use and development of land;

b) Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

c) Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

d) Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value;

e) Balance the present and future interests of all Victorians.

The amendment is consistent with these objectives as it is providing a framework for the future growth of Heathcote by including the Heathcote Local ~~Area~~ Places Plan in the Planning Policy Framework that provides for a range of measures that will allow Heathcote to grow sustainably into the future, create a healthy and vibrant community and make improvements to the local environment.

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

Environmental Effects

The Amendment will have positive environmental benefits by encouraging the planting, ~~and~~ retention and restoration of native vegetation which will support a healthy ecosystem and improve biodiversity. Improving cycling and walking infrastructure will promote personal mobility decrease the reliance on the motor vehicle.

The amendment is not creating any use or development that will have a negative impact on air, land or water quality.

The longer term expansion of the industrial precinct is separated from existing residential areas and is buffered by an existing industrial area.

Social Effects

The amendment will have positive social effects by encouraging a consolidated and strengthened town centre that will be the focus of activity for Heathcote. ~~-~~The improvements to the walking and cycling network will positively impact health and wellbeing ~~as well~~and create improved ~~as~~ social interaction.

Proposed public realm improvements will also have a positive impact on the amenity of the town centre.

Economic Effects

The amendment is seeking to consolidate future commercial activities within the town centre which will have positive economic impacts for the existing traders and the community.

Public realm improvements to the town centre will also make it more attractive for prospective businesses looking to establish in the area as well as encourage and support existing businesses.

A longer term industrial area has been identified that will provide for the future growth of industry and employment within Heathcote.

Does the Amendment address relevant bushfire risk?

Landscape considerations

A bushfire landscape assessment has been prepared for the Heathcote township. =The assessment found that the town was susceptible to a fire front approaching from the north-~~-~~west and south-~~-~~west. Ember attacked would likely occur within the town from a fire approaching ~~from~~ either aspect and that ~~this~~ would likely cause localised fire events. ~~-~~The assessment gave the areas within the township that are proposed to be rezoned a low hazard rating based on fuel loads and the like within the township area (i.e. any fire that impacts the low hazard areas will likely be from the surrounding land).

Alternative locations for development¶

The sites being rezoned are all well within the settled areas of Heathcote, which is preferred in terms of bushfire risk as they are isolated for bushfire threat and proximate to safer areas. ¶

If these sites are unable to be developed, then there would be no alternative locations in Heathcote and development would need to be directed to Bendigo and this is not a suitablen option for the town. ¶

Availability of safe areas¶

The Heathcote Neighbourhood Safer Place (Place of Last Resort) is at the Holy Rosary Primary School oval. This site is endorsed by the CFA and is centrally located within Heathcote.¶

Site based exposure¶

~~A number of the~~Several proposed rezonings ~~proposed~~ for urban development are ~~fixing~~ correcting zoning anomalies on fully developed land and all sites are subject to the Bushfire Prone Area mapping but not the Bushfire Management Overlay. There is no increase in the level of risk from bushfire associated with these sites.¶

There are a further two sites ~~–~~ at 35 High Street and 21 Hunter Street, Heathcote that have the potential for intensification of development as the sites are subject to the Bushfire Prone Area mapping but not the Bushfire Management Overlay. Land at 21-25 Wright Street, Heathcote is also being rezoned and is not subject to bushfire provisions. ¶

Of these three sites were there is potential to intensify development:¶

- → 35 High Street is approximately 250m from the nearest classifiable vegetation. ¶
- → 21 Hunter Street is approximately 150m from the nearest classifiable vegetation.¶
- → 21-25 Wright Street is approximately 120m from the nearest classifiable vegetation.¶

In all three cases the sites are separated from a hazard (vegetation) and more than satisfy any defendable space requirements.¶

It is noted that the Heathcote Township Plan did recommend rezoning 31 Ayres Street, Argyle from an Industrial 3 Zone to a General Residential Zone however this site was subsequently identified as having a high risk to bushfire and is not ~~be rezoned as~~ part of this amendment.¶

Risk change¶

The amendment will not result in increased risk from bushfire for existing and future residents, property, community infrastructure or the natural environment as the sites to be rezoned with the exception of 35 High Street, 21 Hunter Street and 21-25 Wright Street are fully developed. The bushfire report notes that the area proximate to all three sites are in an area that is "primarily managed residential and urban areas with no classifiable vegetation observed and plenty of access present" and that it "poses minimal hazard to other areas".¶

Mitigation measures¶

The amendment includes application of the DDO6 to land adjoining the Heathcote-Graytown National Park and Rushworth-Heathcote State Forest which will help provide a further buffer between development and areas subject to bushfire risk (~~NB~~ Note that – a number of these sites are either fully or partially developed). ¶

The Heathcote Local Places policy proposes ~~Plan also contains the objective "To ensure that the risks associated with bushfire are appropriately managed" and~~to manage development according to natural hazard risks with supporting strategies to implement ~~this objective is to provide~~ a settlement boundary and encourage development within that boundary, where practical to construct a road at the interface and ~~ensuring~~ ensure that new development is responsive to the bushfire risk.¶

Views from the relevant authority¶

Add comments from MFPO and CFA.¶

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

The Amendment is consistent with the *Form and Content of Planning Scheme* Ministerial Direction under Section 7(5) of the Planning and Environment Act.¶

The Amendment is also consistent with the following Ministerial Directions:¶

- Ministerial Direction 1 – Potentially Contaminated Land as it is applying the Environmental Audit Overlay to land at 2-24 Back Kyneton Road that was previously used as a landfill. Currently a dwelling could be erected on the site without a planning permit. The proposed EAO will help to manage the risks posed from potential contamination to a sensitive use.
- Ministerial Direction 11 - Strategic Assessment of Amendments as the Explanatory Report addresses the requirements of this direction.
- Ministerial Direction 19 Ministerial Direction of the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health. The ~~EPS~~ EPA were consulted in relation to the future industrial land at 2-24 Back Kyneton Road, Heathcote.

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

The Amendment supports the following aspects of the Planning Policy Framework:

- Clause 11.03-6S (Regional and local places): The Local ~~Area~~ Places Plan is providing specific direction and guidance for the planning of Heathcote.
- Clause 13.02-1S (Bushfire planning): The amendment is increasing the resilience of the township to bushfire through the application of the DDO6 which among other things requires the construction of roads at the interface with forested areas that will assist in the separation of new housing from a potential bushfire risk.
- Clause 15.03-1S (Heritage conservation): The amendment is rationalising the overlap between the Heritage Overlay and Neighbourhood Character Overlay so that it is clear that ~~the~~ heritage considerations take precedence.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

This section needs to be revised based on the new MPS and PPF changes resulting from C256gben.

The amendment supports the following clauses of the Local Planning Policy Framework:

Clause 21.05-3 *10 minute neighbourhoods* with the objective: *To create attractive neighbourhoods that feature well designed residential and mixed use developments, offer a range of housing choices, convenient access to public transport and activity centres, and have community and commercial facilities that are highly accessible by a variety of transport modes in particular walking and cycling.*

Because of its size and historical development patterns Heathcote largely functions as a 10 minute neighbourhood The amendment encourages a diversity of housing types, especially within easy walking distance of the town centre and improvements to the walking and cycling network.

Clause 21.05-4 *Housing density* and diversity with the objective "*To provide a greater choice in housing types and densities that responds to community needs.*"

The Local Area Plan identifies an area close to the town centre where greater diversity of housing stock is encouraged that respects the heritage and neighbourhood character values of the area.

Clause 21.05-9 *Managing risk* with the objective "*To manage development in areas of risk from bushfire and flooding*"

Heathcote is a township at risk from bushfire. The amendment is introducing the DDO6 control that will provide for a better interface between existing residential areas and vegetated areas. No new residential areas are proposed to be created. It is noted the flooding controls in Heathcote have been recently updated.

Clause 21.05-10 *Urban forest interface* with the objective "*To ensure residential development protects and maintains the environmental values of adjoining forested areas surrounding Bendigo.*"

The amendment supports this objective by applying the DDO6 to the urban forest interface on undeveloped and underdeveloped land that adjoins forested public land.

Clause 21.05-11 *Small towns* with the objectives "*To encourage attractive lifestyle options and a sense of plan in small towns*" and "*To provide an alternative residential option to those offered in the urban areas of Bendigo.*"

The amendment supports this objective through the introduction of the Local Area Plan and making the Heathcote Township Plan a Reference Document. Both documents are seeking to make infrastructure, urban design and landscaping improvements to promote the liveability of Heathcote.

Clause 21.07-2 *Activity centres* with the objectives "*To support the development of a network of activity centres which satisfy a range of retail, commercial, community and residential needs*", "*To ensure the development of centres in accordance with the municipality's activity centre hierarchy*" and "*To establish Greater Bendigo's activity centres as thriving, attractive and well-connected places for people and for doing business*".

The Heathcote town centre is an "activity centre" in the hierarchy. There is no projected future floorspace for Heathcote as it will largely be determined by market forces. The Local Area Plan defines the physical extent of the town centre and there is ample vacant land and floorspace to provide for the long term needs of the community. There are a number of recommendations within the Heathcote Township Plan to improve accessibility to the town centre.

Clause 21.07-6 *Industrial* with the objectives "*To encourage diversification and expansion of the municipality's industrial base*" *and "To promote the expansion of existing industries".*

At present there is little demand for additional industrial land within Heathcote, however with the installation of natural gas this may change. A longer term expansion to the Depot Road precinct has been identified on land previously (at least in part) used a landfill. It has not been rezoned at this stage until the issues around potential contamination have been resolved. It is proposed to apply the Environmental Audit Overlay to this land and for its future use to be recognised in the Local Area Plan.

Clause 21.08-1 *Natural resource management* with the objectives "*To protect the environmental assets of the municipality including the national parks, regional parks and areas for flora and fauna significance*" and "*To protect the values of forested land and waterways*".

The amendment supports these objectives through the introduction of the Design and Development Overlay 6 which seeks to provide a buffer between residential development and forested land. The overlay also has benefits in terms managing bushfire risk.

Clause 21.08-4 *Heritage* with the objective "*To identify and protect and the municipality's heritage for future generations".*

There areas that are subject to both the Heritage Overlay (HO) and Neighbourhood Character Overlay (NCO). In these instances it is proposed to remove the NCO so that it is clear that the heritage values take precedence.

Clause 21.09-1 *Integrated transport and land use planning* with the objective "*To increase the number of residents and visitors who walk or cycle".*

The amendment supports these objectives through the Local Area Plan identifying a Principalle Walking and Cycling Network that seeks to provide transport choice and improve access to the town centre.

Clause 21.10 *Local Areas* is implemented through the introduction of *Heathcote Local Area Plan* which provides guidance on the key issues for Heathcote's future growth.

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

The amendment makes proper use of the Victoria Planning Provisions by implementing changes which seek to clarify and strengthen the role of the provisions in the Greater Bendigo Planning Scheme.

Planning Practice Note 91 (Using the residential zones) ~~would~~ suggests that the 9 sites proposed to be rezoned to a General Residential Zone should be in a Neighbourhood Residential Zone (NRZ) given the nature of development in Heathcote.

Note places emphasis on the importance of having solid strategic justification for implementing the new zone, and that a neighbourhood character assessment should be undertaken in the first instance.

The City of Greater Bendigo is ~~about to~~has commenced such a Housing and Neighbourhood Character S~~s~~tudy, and this is the most appropriate means for consideration of the ~~new~~ any new residential zones based on the categorisation of different residential change areas. ~~-~~As an interim step the GRZ will be used for the proposed rezoning of land to a residential zone in the township.

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

- ~~Have the views of any relevant agency been addressed?~~Views from the EPA, DoT, CFA and DELWP need to be included here – responses from the Council report from July 2019 have been included below but need to be reviewed further.

The Department of Transport (DoT) supported the establishment of a Principal Walking and Cycling Network and was willing to assist in the future planning of the network. DoT also supported the preparation of a landscape plan for High Street. This has been reflected in the final adopted township plan.

The Environment Protection Authority (EPA) raised concerns with the proposed rezoning of 2-24 Back Kyneton Road from the Rural Living Zone to the Industrial 3 Zone. The submission noted that further environmental assessment was required due to the site being a former landfill. The submission noted that further detail was required on the other recommended rezonings in order to satisfy the requirements of the General Practice Note for Potentially Contaminated Land (MD1). Council considered the issues raised in the submission and determined that further environmental assessment required for 2-24 Back Kyneton Road was likely to be expensive and revised the Township Plan to indicate this area as "future industrial land" with a notation that further work is required. The Township Plan was also amended to include the additional detail required to satisfy the MD1 requirements.

The Country Fire Authority ~~A~~ indicated they were happy with the section relating to bushfire and highlighted the importance of making sure that Heathcote is planned is such a way to reduce the bushfire risk to future residents. The CFA then highlighted a number of specific considerations that should be taken into account in planning for future growth. The amendment proposes to prioritise the protection of human life through maintenance of the Bushfire Management Overlay controls and the Design and Development – Schedule 6 controls to assist in the mitigation of bushfire risk.

DELWP Land/Environment?? Is there more detail about what they stated and what changes were made?

DELWP provided a detailed submission that largely sought clarification and further information on a number of aspects of the draft Township Plan and the Township Plan was amended where practicable and their views given effect through the amendment.

-

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

The requirements of the Transport Integration Act 2010 apply where a planning scheme amendment is likely to have a significant impact on the transport system.

This amendment is unlikely to have a significant impact on the transport system as it is not significantly increasing the capacity for development. The rezonings being undertaken are largely correcting zoning anomalies.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?
The amendment is not expected to have a significant impact on the future resources of the municipality as it is not greatly increasing the need for planning approvals. Developments in the town centre ~~would~~ already generally require planning approval. ~~-~~The amendment will provide more guidance for these applications.

¶

Where you may inspect this Amendment¶

The Amendment is available for public inspection, free of charge, during office hours at the following places:¶

The Statutory Planning Department Office¶
Hopetoun Mill¶
15 Hopetoun Street, Bendigo ¶

and¶

Heathcote Office¶
123 High Street, Heathcote¶

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.¶

Submissions¶

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by [insert submissions due date].¶

A submission must be sent to:¶

Strategic Planning Unit¶
City of Greater Bendigo¶
PO 733¶
Bendigo 3552¶

or via email to psamendments@bendigo.vic.gov.au¶

Panel hearing dates¶

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

- directions hearing: [insert directions hearing date]¶
- panel hearing: [insert panel hearing date]¶

Page Break

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Heathcote	19 Wright Street 21 Hunter Place 18 Pohlman Street CA 8A Sec 28 Scott Crescent CA 2D Sec 4B Golden Gully Road CA 28B Sec 38 Heathcote – North Costerfield Road 32 Heathcote – North Costerfield Road 40 Caldwell Street	Greater Bendigo C274 001znMap44 Exhibition
Heathcote	1/7, 2/7, 9-11, 33, 35-39, 51A and 53 High Street 3 Barrack Street 54 and 56 Hospital Street 21 and 41 Pink Cliffs Road CA 8C Sec 7A Pohlman Street CA 8B Sec 7A Hansen Street	Greater Bendigo C274 002znMap44 Exhibition
~~Argyle~~	~~31 Ayres Street~~	~~Greater Bendigo C274 003znMap44 Exhibition~~
Heathcote	12, 14, 16, 18 and 20 Herriot Street 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14A, 15, 16, 17, 2/18 and 20 Playne Street 182, 184, 186-188, 1/189, 2/189, 3/189, 190, 1/191, 2/191, 3/191, 192, 1/193, 2/193, 3/193, 194, 195, 196, 197, 199, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210-2~~0~~14, 216, 218, 220, 222, 224, 226, 228 and 230-232 High Street Units 1-2, 11A Pohlman Street 9, 11, 12, 13, 15, 16, 17, 18, 20, 22, 24, 26, 28, 30, 32, 34, 35-37, 36, 38, 39, 10, 41-43, 42 and 44 Wright Street 9 Chauncey Street	Greater Bendigo C274 005D-NCOMap44 Exhibition
Heathcote	74 and 76 Patterson Street 3, 5, 7, 9, 11 Wattle Drive 2 and 4 Shakespere Street 107, 117, 121, 131, 135, 139 Heathcote-North Costerfield Road 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34 and 36 Caldwell Street	Greater Bendigo C274 007DDOMap44 Exhibition

	3 Barrack Street 39 and 51 Ambers Drive 250 Forest Drive 2 and 4-6 Thomas Street 1 Last Street 4, 5, 6, 7 and 8 Fairy Dell Court 3 and 4-6 McMahon Street 2 High Street 88, 90, 114-120, 122, 134, 138 and 160-164 Kilmore Road 9 Cambells Land ~~31 Heathcote-Nagambie Road~~ 6 and 11 Stewart Lane 8 and 13 Ryans Lane 25 McIvor Street 31 Armstrong Street 26 and 40 Broodie Street 26, 27 and 31 Craven Crescent 3 and 9 Flea Street 25-27, 29-31 and 32-38 Speed Street 4536 and 4550-4552 McIvor Highway 1, 2, 3, 4, 5, 6, 7, 8 and 9 Thompsons Lane 20, 24, 25, 26, 27, 28, and 29 Scotts Crescent	
Heathcote	20 Forest Drive 31 Heathcote-Nagambie Road	Greater Bendigo C274 007DDOMap45 Exhibition
Heathcote	18 Pohlman Street	Greater Bendigo C274 004D-HOMap44 Exhibition
Heathcote	2-24 Back Kyneton Road	Greater Bendigo C274 006EAOMap44 Exhibition

Appendix 3 – Draft Amendment Instruction Sheet and track changes version

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C274

INSTRUCTION SHEET

The planning authority for this amendment is the Greater Bendigo City Council.

The Greater Bendigo Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 6 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map Nos 44 and 45 in the manner shown on the 3 attached maps marked "Greater Bendigo Planning Scheme, Amendment C274".

Overlay Maps

2. Amend Planning Scheme Map No 44NCO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274".

3. Amend Planning Scheme Map No 44HO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274".

4. Amend Planning Scheme Map No 44DDO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274".

5. Insert new Planning Scheme Map No45DDO in the manner shown on the 1 attached map marked "Greater Bendigo Planning Scheme, Amendment C274". Make sure to amend Schedule to Clause 61.03.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

6. In **Local Planning Policy Framework** – replace Clause 21.10 with a new Clause 21.10 in the form of the attached document.

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

AMENDMENT C274

INSTRUCTION SHEET

The planning authority for this amendment is the Greater Bendigo City Council.

The Greater Bendigo Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of ~~6~~ 7 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map Nos 44 and 45 in the manner shown on the 3 attached maps marked "Greater Bendigo Planning Scheme, Amendment C274".

Overlay Maps

2. Amend Planning Scheme Map No 44NCO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274".

3. Amend Planning Scheme Map No 44HO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274".

4. ~~Amend~~ Insert new Planning Scheme Map No 44DDO in the manner shown on the 1 attached map marked Greater Bendigo Planning Scheme, Amendment C274".

5. Insert new Planning Scheme Map No 45DDO in the manner shown on the 1 attached map marked "Greater Bendigo Planning Scheme, Amendment C274". ~~Make sure to amend Schedule to Clause 61.03.~~

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

6. In ~~**Local**~~ the **Planning Policy Framework** – ~~replace Clause 21.10 with a new Clause 21.10~~insert Clause 11.03-6L-04 in the form of the attached document.

7. In **Operational Provisions** – insert a new schedule to Clause 72.03 in the form of the attached document.

~~6.~~8. In **Operational Provisions** – insert a new schedule to Clause 72.08 in the form of the attached document.

Appendix 4 – Draft Amendment Local Places Policy and track changes version

Clause 11.03-6L-04 Heathcote

Objective

1. To support a compact and attractive town centre that provides a wide range of commercial, employment and civic functions that service the local community.

Strategies

1.1. Consolidate retail, office, entertainment and civic activities in the town centre.
1.2. New buildings are to be constructed with a zero setback and an active frontage to the High Street.
1.3. Encourage a mixed-use development that incorporates medium density housing.

Objective

2. To promote active transport and ensure that infrastructure is age friendly.

Strategies

2.1. Create high quality, well connected and safe public spaces including a safe and attractive network of shared paths along waterways and the O'Keefe Trail.
2.2. Create active frontages by fronting residential development to open space, waterways, walking and cycling paths and roads.
2.3. Provide safe pedestrian crossing points across High Street at the Jennings Street, Barrack Street, Herriot Street and Chauncey Street intersections.
2.4. Implement measures to calm traffic through the town centre.

Objective

3. To provide a range of dwelling types and lot densities that is responsive to the changing needs of the community.

Strategies

3.1. Support development that provides smaller lots and higher densities.
3.2. Integrate medium density housing into the street system and avoid gated communities.
3.3. Encourage residential aged care and retirement villages to be located near the Health and Education Research Precinct and/or Town Centre.

Objective

4. To ensure that the risks associated with bushfire are appropriately managed.

Strategies

4.1. Provide a settlement boundary around the township and encourage development within that boundary

4.2. Where practical to require a road to be constructed at the settlement boundary to provide a buffer to any bushfire risk.

4.3. Ensuring new development is responsive to the bushfire risk.

Objective

5. To ensure that the natural environment is protected and managed.

Strategies

5.1. Retain native vegetation in new developments where possible, and require new plantings

5.2. Provide for the revegetation of the McIvor Creek

5.3. Establish and implement a street tree planting program.

Objective

6. To ensure that there is an appropriate level of service of community facilities and health care to meet the current and future needs of Heathcote.

Strategies

6.1. New community facilities and healthcare are to co-locate with existing services or be proximate to the town centre.

6.2. Support Heathcote Health's Dementia Village proposal subject to assessment of the final location.

Objective

7. To support the economic development and tourism opportunities in Heathcote that delivers a net community benefit.

Strategies

7.1. Supporting the longer term industrial development of land at 2-24 Back Kyneton Road subject to an environmental audit being undertaken

7.2. Encourage tourism uses associated with the Heathcote Golf Course

- ~~Clause~~ 11.03-6L-04 → ~~-~~Heathcote township~~→~~¶
- ~~-/-/-~~ XX/XX/202X¶ Proposed¶ **Policy application**¶

  This policy applies to all land within the Heathcote township identified by the settlement boundary.¶

- → **Objective**¶

  To support a compact and attractive township ~~centre that provides~~with a wide range of commercial, employment, ~~and~~ civic, health and residential uses that are well integrated with open space and active transport ~~functions that service the local community~~and recognise the heritage, neighbourhood character, natural hazard and environmental features of the area.¶

- → **Settlement strategies**¶

  Provide a settlement boundary around the township and encourage development within that boundary.¶

  Provide a buffer from the settlement boundary to areas of bushfire risk through construction of a road, where practical.¶

  Ensure new development is responsive to the bushfire risk.¶

- → **Town centre ~~S~~strategies**¶

  Consolidate retail, office, entertainment and civic activities in the town centre.¶

  ~~New buildings are to be c~~Constructed new buildings with a zero setback and an active frontage to ~~the~~ High Street.¶

  Encourage ~~a~~ mixed-use development that incorporates medium density housing.¶

- ~~**Objective**~~¶

  ~~To promote active transport and ensure that infrastructure is age friendly.~~¶

- → **~~S~~Active transport and infrastructure strategies**¶

  Create high quality, well connected and safe public spaces including a safe and attractive network of shared paths along waterways and the O'Keefe Trail.¶

  Create active frontages by fronting residential development to open space, waterways, walking and cycling paths and roads.¶

  Provide safe pedestrian crossing points across High Street at the Jennings Street, Barrack Street, Herriot Street and Chauncey Street intersections.¶

  Implement measures to calm traffic through the town centre.¶

- ~~**Objective**~~¶

  ~~To provide a range of dwelling types and lot densities that is responsive to the changing needs of the community.~~¶

- → **Dwelling ~~S~~strategies**¶

  Support development that provides smaller lots and higher densities.¶

  Integrate medium density housing into the street system and avoid gated communities.¶

  Encourage residential aged care and retirement villages to be located near the Health and Education Research Precinct and/or Town Centre.¶

- ~~Objective~~

  ~~To ensure that the risks associated with bushfire are appropriately managed.~~

- → ~~Strategies~~

- ~~Provide a settlement boundary around the township and encourage development within that boundary~~

- ~~Where practical to require a road to be constructed at the settlement boundary to provide a buffer to any bushfire risk.~~

- ~~Ensuring new development is responsive to the bushfire risk.~~

- ~~Objective~~

  ~~To ensure that the natural environment is protected and managed.~~

- ~~S~~Environment ~~s~~trategies

  Retain native vegetation in ~~new~~ developments ~~where possible~~, and require new native vegetation plantings.

  Provide for the revegetation and restoration of the McIvor Creek.

  ~~Establish and implement a street tree planting program.~~

- ~~Objective~~

  ~~To ensure that there is an appropriate level of service of community facilities and health care to meet the current and future needs of Heathcote.~~

- → Community facilities ~~S~~s~~trategies~~

  Co-locate ~~N~~new community facilities and healthcare ~~are to co-locate~~ with existing services or be proximate to the town centre.

  Support Heathcote Health's Dementia Village proposal subject to assessment of the final location.

- ~~Objective~~

  ~~To support the economic development and tourism opportunities in Heathcote that delivers a net community benefit.~~

- → ~~S~~Economic and tourism ~~s~~trategies

  Support~~ing~~ the longer term industrial development of land at 2-24 Back Kyneton Road subject to an environmental audit being undertaken.

  Encourage tourism uses associated with the Heathcote Golf Course.

-

- Heathcote township map

  [Should include a map of the township settlement boundary and a framework plan emanating from the township plan.]

6. CONTACT

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16.2. Bendigo Foodshare and Bendigo Pony Club Relocation

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

Purpose

To provide Councillors with an update on the Bendigo Foodshare and Bendigo Pony Club relocation project and seek approval to progress next steps.

Recommended Motion

That Council

1. Note the update related to the Bendigo Foodshare and Bendigo Pony Club relocation project.
2. Rescind the resolution from the April 2021 Council meeting where Council resolved to:
   "conclude further planning and design of the Food Hub at Belle Vue Road, Golden Square and reallocate $140,000 from that project to provide a grant to Bendigo Foodshare for development of the Garsed Street site."
3. Approve the allocation of $140,000 to Foodshare to the Breen Street site.
4. Acknowledge financial project support is required for Bendigo Pony Club to relocate to Goornong Recreation Reserve.

RESOLUTION - Resolution No. 2023-42

Moved: Cr Alden
Seconded: Cr O'Rourke

That Council:

1. Note the update related to the Bendigo Foodshare and Bendigo Pony Club relocation project.
2. Rescind the resolution from the April 2021 Council meeting where Council resolved to:“conclude further planning and design of the Food Hub at Belle Vue Road, Golden Square and reallocate $140,000 from that project to provide a grant to Bendigo Foodshare for development of the Garsed Street site.”
3. Approve the allocation of $140,000 to Foodshare to the Breen Street site.
4. Commit to financial project support for the Bendigo Pony Club to relocate to Goornong Recreation Reserve
5. Authorise the CEO to commence works to facilitate the relocation of the Bendigo Pony Club to the Goornong Recreation Reserve as soon as practical
6. Commit to paying the hire fees for an alternative venue for the Bendigo Pony Club rallies until such time as Goornong Recreation Reserve is ready to support Bendigo Pony Club events

CARRIED

Executive Summary

Planning permit DC/102/2022 was issued on 12 May 2022 for the construction of a building at Breen Street (Belle Vue Road), Golden Square, for the Bendigo Foodshare distribution warehouse.

The current tenant of the Breen Street (Belle Vue Road) site is Bendigo Pony Club who have agreed to relocate to Goornong Recreation Reserve.

Goornong Recreation Reserve Committee of Management have now voted to accept the Bendigo Pony Club as a user of the reserve.

Background

Investigating feasibility of a Greater Bendigo Food Hub was first identified as a key recommendation in the 2014 Food Security Report. A Greater Bendigo Food Hub Feasibility Study was then developed in 2015 and endorsed by Council in 2016. The 2015 Greater Bendigo Food Hub Feasibility Study outlined the needs and interests within Greater Bendigo that would allow for the establishment of an expandable base for emergency food relief agencies (such as Bendigo Foodshare), self-supported by a number of complementary commercial and non-commercial activities.

Since completion of the Feasibility Study the City supported Bendigo Foodshare through work to identify a preferred site for a food hub, the development of a business case and a masterplan report and concept drawing for a potential Community Food Hub. Bendigo Foodshare has funding for Stage 1 – the food distribution warehouse with Stage 2 being the Community Food Hub which is currently not costed or budgeted.

Early in 2021 Bendigo Foodshare informed the City that they had secured a long-term lease at the Garsed Street former Crystal Iceworks site and requested support to fund the fitout of this site. With this new information Council were asked to support Bendigo Foodshare with funding of $140,000 and support the cessation of planning for a future Food Hub at the Belle Vue Road site.

In June 2021 Bendigo Foodshare returned to the City to advise that they had not been able to secure the long-term lease at Garsed Street and wished to proceed with a Community Food Hub at Belle Vue Road. The two key issues that officers have been working to resolve since this date are the challenges with relocating the Bendigo Pony Club and challenges with providing a formal lease for Bendigo Foodshare at Belle Vue Road.

Bendigo Foodshare continue to play an important role in supporting the Greater Bendigo community with the pandemic, floods and rising cost of living pressures seeing demand for food relief continue to grow, with food relief organisations estimating a 30-40% increase in demand.

<u>Previous Council decision dates.</u>

May 2014 – Council adopted the Bendigo Food Security Report

October 2015 – Council resolved to:

1.Release the draft Food Hub Feasibility Study for public review and comment period of 4 weeks.

2.Receive a further report summarising community feedback and seeking Council adoption of a proposed Food Hub model in order to support any Federal and State funding opportunities as required.

May 2016 – Council resolved to:

1. Endorse the Greater Bendigo Food Hub Feasibility Study; and
2. Authorise officers to facilitate site investigations, funding opportunities and creation of a governance structure for a Greater Bendigo Food Hub.

April 2021 – Council resolved to:

“conclude further planning and design of the Food Hub at Belle Vue Road, Golden Square and reallocate $140,000 from that project to provide a grant to Bendigo Foodshare for development of the Garsed Street site.”

December 2022 – Council resolved to:

1. Acknowledge the importance of supporting Bendigo Foodshare in the work they do in distributing food to vulnerable community members in Central Victoria.
2. That planning permit DC/102/2022 was issued on 12 May 2022 for the construction of a building at 1 Belle Vue Road, Golden Square, in relation to Bendigo Foodshare.
3. Acknowledge the work being done to improve public space outcomes in Golden Square.
4. Respond to all submitters and the lead petitioner advising of the outcome of this report.

Bendigo Pony Club

Officers have been in discussion with the Bendigo Pony Club regarding their current facilities on the corner of Breen Street and Belle Vue Road Golden Square being the preferred location of the Greater Bendigo Community Food Hub since 2018.

Discussion with the Bendigo Pony Club regarding relocation and/or site sharing stopped in mid 2021 when Foodshare decided to pursue a warehouse in Garsed Street before recommencing in late 2021, as the site was now required for Bendigo Foodshare.

The Bendigo Pony Club have provided the City with details regarding facility needs in line with like for like and current best practice and have worked with the Goornong Recreation Reserve to establish details of being a user of the reserve.

Goornong Recreation Reserve Committee of Management as a Crown Land Committee supported by the Department of Environment, Energy and Climate Action (DEECA) have completed community engagement activities and voted for the pony club to be a user of the facility.

Report

Bendigo Foodshare’s opportunity to pursue a food distribution warehouse in Garsed Street in 2021 resulted in a Council resolution to conclude planning and design of the Greater Bendigo Community Food Hub in Golden Square and reallocate $140,000 as a grant for the Garsed Street site.

A change in circumstances resulted in Bendigo Foodshare returning to Breen Street, with Foodshare having an approved planning permit for construction of a Food Warehouse at the site. The City have completed DEECA’s request to advertise the site lease as part of a public notice period and are finalising details of the lease that will allow Bendigo Foodshare to build the food warehouse, scope for development of a community food hub in the future, while ensuring that public use of the undeveloped open space on the site is guaranteed.

The Bendigo Pony Club provided the City with in-principle support to relocate in March 2022 acknowledging the importance of Foodshare in the community however with a request for Council to support the relocation of the club and ensure its ongoing success, continue the club's history and demonstrate commitment to members.

The Bendigo Pony Club have provided to officers the minimum infrastructure requirements to operate at Goornong Recreation Reserve in line with like for like and current best practice facilities. The club has also indicated that temporary facilities could be provided to expedite the relocation with confirmation of the infrastructure project. Officers are working with the club to finalise scope and request Council's commitment to future project funding through the budget process.

This approach will ensure Foodshare's project can proceed and not risk grant funding losses while also ensuring ongoing equine activities to Bendigo Pony Club members at Goornong while the like for like infrastructure project is facilitated.

Priority/Importance

Expansion of a food distribution warehouse is critical for Bendigo Foodshare's operations with the pandemic and rise in cost of living further increasing our communities need for support to access food relief.

The funding provided to Bendigo Foodshare for their food distribution warehouse similar to other regions within Victoria was COVID related and pressure remains to spend the funding as continued carry forward is not an option.

Goornong Recreation Reserve Committee of Management voting to accept the Bendigo Pony Club as a user group allows the relocation to occur acknowledging the Bendigo Pony Club will require confirmation from Council for relocation support for their club.

Options considered

<u>Foodshare</u>

1. Reallocate $140,000 to Bendigo Foodshare distribution warehouse at Breen Street Golden Square (recommended)
2. Advise Bendigo Foodshare that Council can no longer support the food distribution warehouse with the funding of $140,000.
3. Advise Bendigo Foodshare that Council cannot assist with funding or a location for the food distribution warehouse

<u>Bendigo Pony Club</u>

1. Financially support the Bendigo Pony Club with a relocation to Goornong Recreation Reserve with short-term temporary facilities before allocating future

Council budget for like for like in accordance with current equestrian/pony club practice facility service levels. (recommended)
2. Relocate Bendigo Pony Club with only short-term support and request the club seek other funding sources for their facilities.
3. Provide no financial support to the Bendigo Pony Club to relocate to Goornong.
4. Retain the Bendigo Pony Club site in Golden Square.

Timelines

High level summary

May 2014 – Council adopted the Bendigo Food Security Report

October 2015 – Council resolved to release the draft Food Hub Feasibility Study for public review and comment period of 4 weeks and receive a further report summarising community feedback.

May 2016 – Council resolved to endorse the Greater Bendigo Food Hub Feasibility Study and authorise officers to facilitate site investigations, funding opportunities and creation of a governance structure for a Greater Bendigo Food Hub.

September 2018, September 2019 & May 2020 - Officers met with representatives of the Bendigo Pony Club (in person and virtually) to initially discuss that the site was under consideration along with others for the potential future Food Hub and a commitment that we would keep them informed as the project progressed.

August 2020 – Council received a briefing to endorse the Golden Square site as the preferred location for the Greater Bendigo Community Food Hub and work with DELWP and the Bendigo Pony Club to relocate to a new site. This report did not proceed to Council meeting as requested by Council at the time.

April 2021 – Council resolved to conclude further planning and design of the Food Hub at Belle Vue Road, Golden Square and reallocate $140,000 from that project to provide a grant to Bendigo Foodshare for development of the Garsed Street site. To coincide with a Council Report supporting Foodshare’s decision to invest at Garsed Street the Pony Club were contacted to advise that if the report was endorsed then the City would not be pursuing investigations of the Belle Vue Road site for a future Greater Bendigo Community Food Hub and thanking them for their patience with the project.

June 2021 - Bendigo Foodshare returned to the City to advise that they had not been able to secure the long-term lease at Garsed Street and wished to proceed with a Community Food Hub at the Golden Square site.

June – November 2021: Site visit and subsequent contact with the Bendigo Pony Club to determine options for next steps.

November 2021: Goornong Recreation Reserve approached about equine activities on site.

January 2022: Bendigo Pony Club confirmation that co-location with Bendigo Foodshare is not an option and relocation would be supported by the City for like for like facilities.

March 2022: Discussion with Goornong Recreation Reserve regarding potential pony club relocation, including community survey to residents.

May 2022: Joint onsite discussion with Goornong Recreation Reserve Committee of Management, DELWP, Bendigo Pony Club and the City.

August 2022: Meeting with Goornong Recreation Reserve Committee of Management, DELWP and City to discuss information requests in relation to relocation and the option for further community consultation on the pony club licence. Meeting with Bendigo Foodshare on their critical path requirements for the food distribution warehouse.

September 2022: Bendigo Foodshare present to Councillors on the food warehouse project and relevant time and financial pressures that they are under.

November 2022: Goornong Recreation Reserve Committee of Management undertake community consultation on proposed relocation of Bendigo Pony Club to the reserve, as a means of activating the reserve and community.

November 2022: The City places a public notice advertising its intention to lease 1-5 Belle Vue Road, Golden Square (the site) to Bendigo Foodshare for a Community Food Hub including a Food Relief Warehouse and activities to raise funds for this purpose.

December 2022: The Council responds to a petition that received with 41 signatories seeking to “retain our historical community park with NO building development”.

February 2022: Goornong Recreation Reserve Committee of Management votes to have Bendigo Pony Club as a user of the reserve and finalise a formal agreement.

Communications/Engagement

Goornong Recreation Reserve Committee of Management have completed two rounds of community engagement regarding the Bendigo Pony Club relocation.

On Saturday the 19th of November the City, in line with DEECA requirements, placed a public notice of its intention to lease 1-5 Belle Vue Road, Golden Square (the site) to Bendigo Foodshare for construction of a food warehouse. In response to the public notice the City received 17 letters in support of the proposed lease and one letter in objection to the proposed lease to Foodshare. In addition to this a petition was received with 41 signatories seeking to “retain our historical community park with NO building development”.

A planning permit DC/102/2022 was issued on 12 May 2022 for the construction of a building at 1 Belle Vue Road, Golden Square, in relation to Bendigo Foodshare.

Financial Sustainability

The construction and operations of the food distribution warehouse will be the responsibility of Bendigo Foodshare.

The allocation of $140,000 previously allocated to Bendigo Foodshare operations and fit out at Garsed Street would be allocated to Breen Street as part of a funding agreement with the City for the same purpose.

The relocation of the Bendigo Pony Club to Goornong will require Council investment in like for like in accordance with current equestrian/pony club practice facility service levels at Goornong Recreation Reserve. This project would be considered a capital improvement on DEECA managed Crown Land with rent to be provided to the Committee of Management. Officers are currently scoping and estimating costs of the required investment by Council.

Officers will establish a short-term relocation plan suitable for Bendigo Pony Club operations in the immediate future prior to relocation of existing facilities and establishment of new facilities can be achieved through future Council budgets.

Risk Assessment

Bendigo Foodshare’s project is heavily funded by State Government with the need to commence construction on site as soon as possible. Updates have been regularly provided to funders however there is a risk that any further delays will put funding in jeopardy.

Goornong Recreation Reserve is DEECA facility therefore a committee of management to the Crown. A licence agreement in place between the pony club and the committee will ensure suitable user group agreements are in place.

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 2 - A healthy, equitable and sustainable food system.
Goal 8 - Targeted investment in services, facilities, and programs to communities most in need

Conflict of Interest

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

Attachments

Nil

17. STRONG, INCLUSIVE AND SUSTAINABLE ECONOMY

Nil

18. ABORIGINAL RECONCILIATION

Nil

19. A CLIMATE-RESILIENT BUILT AND NATURAL ENVIRONMENT

Nil

20. A VIBRANT, CREATIVE COMMUNITY

Nil

21. A SAFE, WELCOMING AND FAIR COMMUNITY

Nil

22. URGENT BUSINESS

Nil

23. NOTICES OF MOTION

Nil

24. MAYOR'S REPORT

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

- Victorian Local Government Grants Commission Statewide Information online session.
- Met with Rikkie-Lee Tyrrell, Member for Northern Victoria.
- Chaired the Regional Cities Victorian – Executive Management Team online meeting.
- Participated in media opportunity for the Commonwealth Games Athlete's Village.
- Met with students at St Joseph's Primary School, Quarry Hill.
- Welcomed new arrival to the Bendigo Community Health Services Graduation Orientation program.
- Officiated at the Citizenship Ceremony held at the Bendigo Town Hall attended by 65 new citizens.
- Attended the Economic Development Implementation Steering Committee – Transform and Revitalise working group.
- Attended planning consultation meeting for 87 High Street, Bendigo.
- Attended the 150 Years of Tertiary Education Welcome Event held at La Trobe University Bendigo.
- Participated in the Goldfields World Heritage :: Bid and master plan update and workshop.
- Met with Wendy Lovell MP, Member for Northern Victoria.
- Bendigo City Football Club Season Launch.
- Spoke at the Woodvale Community Hub Opening.
- Spoke at the 2023 Holi event held at Golden Square Pool.
- Attended the Swoop - Frankie O exhibition opening at the Living Arts Space, Post Office Gallery.
- Spoke and laid wreath at the Sandakan Commemorative Service.
- Attended the Huntly Family Fun Day at Strauch Reserve.
- Attended as Chair of Regional Cities Victoria, the 2nd annual Geelong Outlook 2023 event hosted by the Property Council.
- Participated online – Planning application consultation meeting for 32 Myers Street, Bendigo.
- Attended the Victoria 2026 Regional Hub meeting.
- Participated in the City of Greater Bendigo Budget workshop #1.
- Attended the Economic Development Implementation Steering Committee – Capitalise on the Opportunities Presented by our Gold Rush working group.
- Attended Anglicare Victoria's re-launch of the Keep In Touch (KiT) Van.
- Attended the site construction launch event for Vital Communities Epsom.
- Bendigo TAFE's Industry Excellence Awards 2023.
- Be.Bendigo's International Women's Day Breakfast held at Red Energy Arena.
- Joint meeting of Loddon Campaspe Group of Councils with the Hon. Jacinta Allan MP to discuss the October 2022 flood event.
- Participated in media launch for the Golden Square Pool Dog Weekend.
- Chaired the Economic Development Implementation Steering Committee Quarterly meeting.
- Met with a representative from the Bendigo Baseball Association.

- Attended a Bendigo Symphony Orchestra concert.
- Met with Grade 3/4 students at Axedale Primary School.
- Met with Lisa Chesters, Federal Member for Bendigo.
- Chaired the Eaglehawk Table Tennis and Badminton meeting.
- Chaired the Regional Cities Victorian – Executive Management Team online meeting.
- Participated in the City of Greater Bendigo Budget workshop #2.
- Commonwealth Games Regional Engagement Forum.
- Reducing Racism and Human Rights Advocates Course
- Bendigo Interfaith Council Annual Interfaith Dinner, held at The Conservatory, All Seasons.
- Participated in media opportunity for the Commonwealth Games attended by the Hon. Jacinta Allan MP, Minister for Commonwealth Games Delivery.
- Spoke at the Launch of the Bendigo Pride Festival and Flag Raising event.
- Met with the Hon. Jacinta Allan MP, Member for Bendigo East.
- Australiana: Designing a Nation, Bendigo Art Gallery.
- Spoke at the Harmony Fair event held at Dai Gum San Precinct.
- Participated in the Eaglehawk UFS Dispensary Parade.
- Spoke at the Suicide Prevention Awareness Network Annual Walk.
- Woodvale Memorial Avenue – Jubilee Trees Launch, held at Woodvale Community Hall.
- Greater Bendigo Climate Collaboration Governance Group.
- We Are Untold launch event ‘Women of Gold’ held at Bendigo TAFE Campus.
- Attended the Economic Development Implementation Steering Committee – Unlock Land & Build New Key Infrastructure working group.
- Met with representatives from Bendigo Islamic Association.
- Spoke at the Amicus Open Day.
- Councillors & Youth Councillors participated in the JAARA Cultural Immersion Walking Tour around City centre.
- Spoke at the 'Are We Drought Ready' held at La Trobe University.
- Djaara launch of its new signage in the Greater Bendigo National Park, One Tree Hill Reserve.
- Spoke at the UNESCO Creative Cities Sub Network Meeting held at PepperGreen Farm.
- Attended the Economic Development Implementation Steering Committee – Invest working group.
- UNESCO Creative Cities Network event.
- Spoke at the Municipal Works & Engineering Conference held at the Bendigo Showground Pavilion.
- Met with representatives from the Bendigo Historical Society and Eureka Group Ballarat.
- Spoke at the Second Annual Harmony Week Moving Feast held at Long Gully Splash Park.
- Das Rheingold - Melbourne Opera’s Der Ring des Nigelungen, Ulumbarra Theatre.
- Spoke at the Bendigo Latin Festival held at Garden for the Future, Bendigo Botanic Gardens.
- Celebration Iftar Ramadan, Dinner and Gathering with Muslim Community held at Strathdale Community Hall.

- Councillors joint listening post held at the Bendigo Sustainability Festival, Garden for the Future, Bendigo Botanic Gardens.
- Spoke at the Bendigo Sustainability Festival.
- Whipstick Ward Councillor Engagement activity at the Kamarooka Recreation Reserve to coincide with a community event (see details next item)
- Spoke at the community event to unveil the new Kamarooka Tractor Memorial at the Kamarooka Recreation Reserve.

25. CHIEF EXECUTIVE OFFICER'S REPORT

The CEO tabled the following report:

- Welcome to Jess Howard, Director Corporate Performance.
- Congrats to the City team for National Tourism Awards.
- Early indications are that Australiana Art Gallery and Ring Cycle at Ulumburra are popular.
- Interfaith Dinner was well attended.
- Easter coming quick.
- Lots of State Government announcements for Comm Games.
- Big shout to all our community groups.

26. CONFIDENTIAL (SECTION 66) REPORTS

RECOMMENDED MOTION

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

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
(g) Private commercial information, being information provided by a business, commercial or financial undertaking that –
(i) relates to trade secrets; or
(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
(h) confidential meeting information, being the records of meetings closed to the public under section 66(2)

RESOLUTION - Resolution No. 2023-43

Moved: Cr Fyffe
Seconded: Cr Williams

That the recommended motion be adopted.

CARRIED

27. CLOSE OF MEETING

There being no further business, this Council Meeting closed at 7:42 pm.