

## Responses to Questions of Notice

### 1. From Julian of Bendigo:

- a) **Question** - What is Council's current position in allowing subdivisions in possible flood prone areas of the City of Greater Bendigo?
- b) **Answer:**
- There are a range of planning controls which relate to flooding including the Environmental Significance Overlay; Special Building Overlay; Land Subject to Inundation Overlay; and Urban Flood Zone.
  - Council's position is to assess each proposal on its individual merits in accordance with the performance based principles of the Victorian planning system. Under all the controls (excepting Urban Flood Zone which does prohibit subdivision and dwellings) a permit can be considered with input from relevant expert authorities including the City's engineers, North Central Catchment Management Authority, Goulburn Murray Water and the Department of Environment, Land, Water and Planning.
  - The City takes flooding very seriously and in recent years has completed and implemented flood studies for urban Bendigo (including surrounding suburbs), Heathcote and a study is underway in Marong. Having up to date studies means that the City as the decision maker is armed with the best and most current data which means informed decisions can be made on flooding matters both at a strategic (macro/ settlement level) of planning and statutory (micro/ site specific).

### 2. From Leigh of Eaglehawk:

- a) **Question** - Representing 13 residents who would like to know was there a planning application submitted and approved to Council for the removal of all vegetation and historical trees at number 12 Whipstick Rd?
- b) **Answer:**
- We understand the community concern about the vegetation removal, however the proponent has acted in accordance with the Planning Scheme and no breach of planning rules has occurred, due to the size of, and the planning controls that apply to, that specific lot.
  - The 12 Whipstick Road lot:
    - Does not have a Vegetation Protection Overlay, Significant Landscape Overlay or Environmental Significance Overlay.
    - The zones and overlays that do apply (General Residential Zone; the Bushfire Management Overlay; and Design and Development Overlay (Schedule 6)) do not impose a requirement for a permit to be sought.
    - The general state provision of the scheme (at clause 52.17) for vegetation control would only apply to a lot greater 4000 square metres. This lot is 1727 square metres.