# Table of Contents

Executive summary ................................................................................................................................. 5  
Council’s land use vision and key strategic directions ........................................................................... 6  
Key strategic directions ............................................................................................................................. 7  
Planning policy changes and planning performance ............................................................................. 8  
Planning policy audit .................................................................................................................................. 8  
Consultation ........................................................................................................................................... 9  
Findings of the Planning Scheme Review ................................................................................................. 10  
  Formatting/Planning Scheme structure .................................................................................................... 10  
  Quality of planning policy ....................................................................................................................... 11  
  Local Planning Policies .......................................................................................................................... 11  
  Zones ..................................................................................................................................................... 12  
  Overlays ................................................................................................................................................ 12  
  New planning policy ............................................................................................................................... 13  
Key recommendations of the Greater Bendigo Planning Scheme Review, 2018: ............................ 14  
Recommended further strategic work........................................................................................................... 18  
Resourcing recommendations ................................................................................................................... 22  
  Environmental planner/Ecologist ........................................................................................................... 23  
  Urban Designer ....................................................................................................................................... 23  
  Planning Policy Planner ......................................................................................................................... 23  
List of abbreviations ................................................................................................................................. 24  
List of figures .......................................................................................................................................... 25  
1. Introduction ....................................................................................................................................... 26  
  1.1 What is a Planning Scheme? ............................................................................................................. 26  
  1.2 Why review the Planning Scheme? ................................................................................................. 26  
  1.3 What are the aims of the review? ..................................................................................................... 27  
2. Methodology ...................................................................................................................................... 27  
3. Previous Planning Scheme reviews ....................................................................................................... 28  
  3.1. 2003 Planning Scheme Review (Planning Scheme Amendment C60) ............................................. 28  
  3.2. 2008 Efficiency Review of the Greater Bendigo Planning Scheme (Planning Scheme Amendment C109) ........................................................................................................................... 28  
  3.3. 2010 Planning Scheme Review (Planning Scheme Amendment C170) .......................................... 29  
Section 3 recommendations ..................................................................................................................... 32  
4. Planning policy and performance review ............................................................................................. 34  
  4.1 Council policy context ....................................................................................................................... 34  
    4.1.1 Community Plan 2017 – 2021 ..................................................................................................... 34  
    4.1.2 Municipal Public Health and Wellbeing Plan (MPHWP) 2017-2021 .......................................... 35  
    4.1.3 One Planet Living Principles .................................................................................................... 36
4.1.4 Other Council policy ...................................................................................................... 37

4.2 Planning Policy context ......................................................................................................... 38
  4.2.1 State policy changes ...................................................................................................... 38
  4.2.2 Current local Planning Scheme Amendments .............................................................. 45
  4.2.3 Completed Council Planning Scheme Amendments ..................................................... 47
  4.2.4 Planning Panel reports review ...................................................................................... 47

4.3 Planning permits review ....................................................................................................... 48
  4.3.1 Planning permit performance and benchmarking ........................................................ 48
  4.3.2 VCAT cases review ........................................................................................................ 50

4.4 Statutory Planning Service improvements ........................................................................... 58
  4.4.1 Independent review ...................................................................................................... 58

Section 4 recommendations ........................................................................................................ 59

5. Planning Scheme Audit ............................................................................................................. 61
  5.1 Policy neutral review of the MSS ................................................................................................ 61
    5.1.1 Policy tracking methodology ......................................................................................... 61
    5.1.2 Drafting principles ......................................................................................................... 62
  5.2 Findings of the Planning Scheme audit ................................................................................. 62
    Formatting/Planning Scheme structure................................................................................ 63
    Quality of planning policy ..................................................................................................... 63
    Local Planning Policies .......................................................................................................... 64
    Zones ........................................................................................................................................ 64
    Overlays ..................................................................................................................................... 65
      5.2.1 MSS structure ............................................................................................................... 66
      5.2.2 Policy audit findings and recommendations ................................................................. 68
      5.2.3 Use of Local areas section ............................................................................................ 82
      5.2.4 Formatting and language ............................................................................................... 82
      5.2.5 Maps, frameworks and plans ........................................................................................ 86
      5.2.6 Audit of Incorporated documents ................................................................................... 87
      5.2.7 Audit of Reference documents ....................................................................................... 88
      5.2.8 Effectiveness of Local Planning Policies ...................................................................... 89
      5.2.9 Effectiveness of Zones, Overlays and Schedules ......................................................... 95
      5.2.10 Effectiveness of Schedules to particular provisions ................................................... 105
      5.2.11 Effectiveness of referral mechanisms ........................................................................ 108
      5.2.12 Recommended further strategic work .......................................................................... 110
      5.2.13 Review and prioritisation of further strategic work ................................................... 116
  Section 5 recommendations .................................................................................................... 119

6. Consultation ................................................................................................................................ 121
  6.1 Consultation methodology ................................................................................................... 121
## 6.2 Targeted consultation feedback

6.2.1 Consultation with Councillors and Executive Management Team ........................................ 122
6.2.2 Consultation with planning staff ...................................................................................... 128
6.2.3 Consultation with internal stakeholders .......................................................................... 131
6.2.4 Consultation with referral authorities ............................................................................. 132
6.2.5 Consultation with planning practitioners ......................................................................... 133
6.2.6 Consultation with other parties ....................................................................................... 135
6.2.7 Consultation on the draft Review report ......................................................................... 136

### Section 6 recommendations .................................................................................................. 144

## 7. New policy – review of recently adopted strategic work

7.1 Community Plan 2017-2021 ............................................................................................ 145
7.3 Plan Greater Bendigo (2018) ............................................................................................ 146
7.4 Greater Bendigo Housing Strategy (2018) ...................................................................... 146
7.5 City of Greater Bendigo Rural Communities Strategy (2016) ...................................... 147
7.6 City of Greater Bendigo Environment Strategy (2016-2021) ....................................... 147
7.8 Loddon Campaspe Integrated Transport Strategy (2015) ............................................. 149
7.9 Bendigo Freight Study (2017) .......................................................................................... 150
7.10 Greater Bendigo Public Space Plan (2018) ..................................................................... 150
7.11 Rural Areas Strategy (2009) ........................................................................................... 151
7.12 Greater CREATIVE Bendigo (2018) ............................................................................ 151

### Section 7 recommendations .................................................................................................. 152

## 8. Monitoring and review ......................................................................................................... 153

### Conclusion ................................................................................................................................ 154
Executive summary

The purpose of the Planning Scheme Review is to enhance the effectiveness and efficiency of the Greater Bendigo Planning Scheme in achieving the objectives of planning in Victoria, and to provide an audit of scheme performance. It will inform the continuous improvement of the Planning Scheme by addressing what has been achieved since the last review, where we are now and where to from here.

The last review of the Greater Planning Scheme was undertaken in 2010 but it was not implemented into the Planning Scheme due to the large amount of strategic work underway at the time. The last review implemented into the Planning Scheme was in 2006. This means that Greater Bendigo Planning Scheme is well overdue for review.

This review has found that although the Greater Bendigo Planning Scheme is operating well, it has several fundamental policy gaps which are impinging upon Council’s ability to sufficiently guide the development of the municipality.

These fundamental policy gaps include:
- Lack of policy and strategic direction for rural areas of the municipality;
- Lack of a settlement network and hierarchy to appropriately guide future development in a coordinated and efficient way;
- Lack of policy and strategic direction for environmental management.
- Lack of infrastructure planning

There is a large amount of future strategic work recommended as part of this review to bring the Scheme up to par with comparable Councils. It is essential that this work be appropriately funded and resourced.

These factors show the importance of regular review of the Planning Scheme. It is essential that the Planning Scheme be reviewed every four years, in conjunction with the Community Plan and the Municipal Public Health and Wellbeing Plan, to ensure it remains on track and up to date.

The draft Planning Scheme Review report was put out for community comment in October and November 2018, and received a total of 203 survey responses and 15 written submissions.

Key issues identified by the community include the need for:
- Greater indication of where growth is encouraged, and where it is not;
- Better management of the tensions between the protection of environmental assets and settlement growth;
- Management of future transport needs;
- Coordinated delivery of housing and infrastructure;
- Connected open spaces and neighbourhoods;
- Better management of heritage and residential character;
- Encouraging sustainable design and managing the impact of climate change.

The community feedback received has enabled identification of key planning issues to be addressed in the Planning Scheme and has been incorporated into the final Review report.
Council’s land use vision and key strategic directions

A key objective of the Review is to assist in the development of a cohesive strategic vision for the land use planning of Greater Bendigo. This vision seeks to complement Council’s other key strategic documents - the Community Plan (Council Plan) and the Municipal Public Health and Wellbeing Plan.

Council has already adopted the vision of “Greater Bendigo- the world’s most liveable community” in the Community Plan, and it makes sense that this should also be the overall vision of the Greater Bendigo Planning Scheme.

In work with the Councillor’s it was agreed that an extract from page 7 of the Community Plan 2017-2021, developed by Council in conjunction with the community, provides a good setting to assist in developing the land use planning and development vision for the municipality. Key words from this extract are summarised below:

“Greater Bendigo- the world’s most liveable community”
Regional centre servicing a large area, increasingly urbanising, rich built and cultural heritage, natural setting of forests and farmed landscapes, small towns and settlements, sense of community, population to grow, welcoming of new population, same qualities and values, innovative and willing to try new things, climate change, new skills for jobs that don’t yet exist, more self-reliant, energy we generate and use, lighter touch on the planet, self-sufficiency, build memorable buildings and places, traditions and attachment to the landscape of Indigenous Australians, city of ideas and creativity.
Key strategic directions

The following key strategic directions should also be integrated into the Greater Bendigo Planning Scheme:

**Figure 1** - Key strategic directions to be integrated into the Planning Scheme

<table>
<thead>
<tr>
<th>Community Plan</th>
<th>Municipal Public Health and Wellbeing Plan</th>
<th>One Planet living</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Goal 1 - Lead and govern for all</strong></td>
<td><strong>Healthy and well</strong></td>
<td><strong>Health and happiness</strong></td>
</tr>
<tr>
<td>Effective community engagement will</td>
<td>The Greater Bendigo community has good physical and mental</td>
<td>Encouraging active, sociable, meaningful</td>
</tr>
<tr>
<td>guide well-informed, responsive</td>
<td>health supported by healthy lifestyles.</td>
<td>lives to promote good health and wellbeing</td>
</tr>
<tr>
<td>decision-making and financially</td>
<td><strong>Safe and secure</strong></td>
<td><strong>Equity and local economy</strong></td>
</tr>
<tr>
<td>responsible resource allocations,</td>
<td>The Greater Bendigo community lives free from violence and</td>
<td>Creating safe, equitable places to live</td>
</tr>
<tr>
<td>which are transparent and</td>
<td>abuse, is protected from environmental risks and is</td>
<td>and work which support local prosperity</td>
</tr>
<tr>
<td>accountable.</td>
<td>supported to live affordably.</td>
<td>and international fair trade</td>
</tr>
<tr>
<td><strong>Goal 2 - Wellbeing and fairness</strong></td>
<td><strong>Able to participate</strong></td>
<td><strong>Culture and community</strong></td>
</tr>
<tr>
<td>Inclusive policies, partnerships</td>
<td>The Greater Bendigo community has the capability to participate</td>
<td>Nurturing local identity and heritage,</td>
</tr>
<tr>
<td>and projects that increase access,</td>
<td>and contribute to the local economy and community life.</td>
<td>empowering communities and promoting a</td>
</tr>
<tr>
<td>improve health and learning</td>
<td><strong>Connected to culture and community</strong></td>
<td>culture of sustainable living</td>
</tr>
<tr>
<td>opportunities by building better</td>
<td>The Greater Bendigo community is socially engaged and inclusive</td>
<td><strong>Land use and wildlife</strong></td>
</tr>
<tr>
<td>connections, and quality of life for</td>
<td>and is a place where people can safely identify and connect</td>
<td>Protecting and restoring land for the</td>
</tr>
<tr>
<td>all.</td>
<td>with their culture and identity.</td>
<td>benefit of people and wildlife</td>
</tr>
<tr>
<td>**Goal 3 - Strengthening the</td>
<td><strong>Liveable</strong></td>
<td><strong>Sustainable water</strong></td>
</tr>
<tr>
<td>economy**</td>
<td>The Greater Bendigo community is adaptable and resilient and</td>
<td>Using water efficiently, protecting local</td>
</tr>
<tr>
<td>Advocacy, innovation and</td>
<td>has access to sustainable natural, built, social and economic</td>
<td>water sources and reducing flooding and</td>
</tr>
<tr>
<td>support to grow jobs, attract</td>
<td>environments that support and enhance health and wellbeing.</td>
<td>drought</td>
</tr>
<tr>
<td>visitors and diversify the local</td>
<td></td>
<td><strong>Local and sustainable food</strong></td>
</tr>
<tr>
<td>and regional economy.</td>
<td></td>
<td>Promoting sustainable humane farming and</td>
</tr>
<tr>
<td>**Goal 4 - Presentation and</td>
<td></td>
<td>healthy diets in local, seasonal organic</td>
</tr>
<tr>
<td>managing growth**</td>
<td></td>
<td>food and vegetable protein</td>
</tr>
<tr>
<td>Planning, developments and</td>
<td></td>
<td><strong>Sustainable materials</strong></td>
</tr>
<tr>
<td>infrastructure that increase our</td>
<td></td>
<td>Using materials from sustainable sources</td>
</tr>
<tr>
<td>liveability and pride in where we</td>
<td></td>
<td>and promoting products which help people</td>
</tr>
<tr>
<td>live.</td>
<td></td>
<td>reduce consumption</td>
</tr>
<tr>
<td>**Goal 5 - Environmental</td>
<td></td>
<td><strong>Sustainable transport</strong></td>
</tr>
<tr>
<td>sustainability**</td>
<td></td>
<td>Reducing the need to travel, and</td>
</tr>
<tr>
<td>Protect and enhance our</td>
<td></td>
<td>encouraging walking, cycling and low</td>
</tr>
<tr>
<td>environment, conserve our resources</td>
<td></td>
<td>carbon transport</td>
</tr>
<tr>
<td>and increase resilience to a</td>
<td></td>
<td><strong>Zero waste</strong></td>
</tr>
<tr>
<td>changing climate.</td>
<td></td>
<td>Reducing consumption, reusing and</td>
</tr>
<tr>
<td>**Goal 6 - Embracing our culture</td>
<td></td>
<td>recycling to achieve zero waste and zero</td>
</tr>
<tr>
<td>and heritage**</td>
<td></td>
<td>pollution</td>
</tr>
<tr>
<td>Recognise and celebrate our</td>
<td></td>
<td><strong>Zero carbon</strong></td>
</tr>
<tr>
<td>unique history and diverse cultures.</td>
<td></td>
<td>Making buildings and manufacturing energy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>efficient and supplying all energy with</td>
</tr>
<tr>
<td></td>
<td></td>
<td>renewables</td>
</tr>
</tbody>
</table>

Figure 1: Key strategic directions to be integrated into the Planning Scheme
Planning policy changes and planning performance

A key part of a Planning Scheme Review involved reviewing recent planning policy changes and Council’s planning performance.

Since the last Planning Scheme Review in 2010:

- **73 State Government VC amendments to the Greater Bendigo Planning Scheme have occurred.**
- **79 Council Planning Scheme Amendments to the Greater Bendigo Planning Scheme occurred. Of these 21 (27%) went to a planning panel, and 58 (73%) did not.**
- **The City processed over 9,500 planning permit applications, with only 131 permit refusals (1.4%).**
- **183 planning matters progressed to the Victorian Civil Administrative Tribunal (VCAT)***

A planning permit benchmarking exercise was undertaken to examine Council’s planning performance against the state average, and that of two other comparable Council’s.

This exercise showed that Greater Bendigo is generally performing above average, and often better than the two compared Council’s. This was particularly in regards to the time taken to process applications and applications with submissions.

Planning policy audit

After establishing the policy context of the Review, the next stage included an analysis of the status of the existing planning policy in the Greater Bendigo Planning Scheme.

As an initial step, a policy neutral review and audit of the existing Municipal Strategic Statement (MSS) was prepared. A policy neutral review is the process of updating and improving the content of the Planning Scheme without changing the policy intent.

This process reconfigured the existing MSS to align with the structure of the State Planning Policy Framework (SPPF), and enabled analysis of the existing local policy against State policy to identify repetition, gaps, and strengths.

The audit also included review of:

- All Zone, Overlay and Particular Provision Schedules (x119)
- Planning referrals mechanisms (which includes notice requirements and seeking feedback from authorities such as VicRoads and Coliban Water etc.)
- 30 Local Planning Policies
- Recent VCAT cases (x183) and Planning Panel reports (x21)
Consultation

Consultation has a very important role in a Planning Scheme review as it can help us gain an understanding of how the Planning Scheme is currently used and to identify room for improvement.

Consultation for the Planning Scheme review included a 2-stage process:
- Targeted consultation
- Broad community consultation on the draft review

Consultation included a large number of stakeholders, illustrated below:

Key matters raised in responses from consultation include:
- The need to undertake strategic work to manage residential/industrial interface and encroachment issues, and provide buffers;
- Need to provide greater planning policy direction for rural areas and to review the rural dwellings and subdivision policies;
- The need to update outdated references in policies, such as department names, or legislation references;
- The need to undertake a municipal wide audit of contaminated land and apply the Environmental Audit Overlay (EAO);
- The need to audit the list of reference documents and removed redundant documents;
- The need to update lengthy and disjointed policy in the MSS;

Figure 2 - Consultation stakeholders
• There is very dated and sparse information to assist with environmental management in the Planning Scheme. Need to review the application of environmental overlays such as the ESO, SLO and VPO;
• Heritage studies need to be completed as soon as possible;
• A tree register should be developed to protect significant trees;
• Identification and protection of waste infrastructure;
• A policy response to climate change should be developed; and
• How best to manage future settlement in response to bushfire risk

There will also be further consultation in the future Planning Scheme amendment to implement the recommendations of the Planning Scheme review into the Greater Bendigo Planning Scheme.

Findings of the Planning Scheme Review

Formatting/Planning Scheme structure

The following list provides a summary of the formatting/structure findings of the Greater Bendigo Planning Scheme:

• The themes used to structure the MSS are not consistent with the State themes and can cause confusion navigating policy. State policy themes should be used to logically structure local policy.
• A number of drafting principles should be used to improve the quality of local policy:
  o Remove policy which repeats SPPF
  o Remove policy that does not relate to planning
  o Use local policy only when necessary
  o Use local areas in the MSS rather than Local Policies
  o Don’t rely on external documents
  o Use maps, plans and tables as much as possible
  o Use a consistent hierarchy of clause headings
  o Use clause numbering to assist with navigation
  o Ensure there is a clear link between objectives and strategies
  o Use a consistent suite of active verbs for strategies
  o Avoid strategies with multiple policies
  o Avoid any conflicting policies
  o Avoid listing unnecessary Zones and overlay implementation
  o Use a consistent format for reference documents
• The Local Areas section of the MSS should be utilised to better group area specific policy which is scattered throughout the MSS.
• All current and recommended strategic work should be prioritised using a strategic matrix to ensure work is undertaking in an orderly and strategic manner.
• Formatting and language of local policy should be improved through the use of a hierarchy of headings, numbering of objectives and strategies to assist with navigation, and the use of consistent language.
• Some policy themes do not have a framework plan to provide the spatial representation of the key strategic directions and issues. All MSS themes should include a comprehensive framework plan.

• All local mapping in the MSS, and Zone and Overlay Schedules should be updated to ensure it is legible and provides the necessary detail.

• All incorporated and reference documents should be reviewed to ensure they are still relevant, necessary, and sufficient policy has been extracted into the Planning Scheme.

Quality of planning policy

The following list provides a summary of the policy audit findings of the Greater Bendigo Planning Scheme:

• The strategic land use vision is dated and the Community Plan, MPHWP, and One Planet livening principles should be integrated.

• The section identifying the key issues and influences facing the municipality is far too long and should be more concise.

• Settlement and housing policy has high level policy direction from the Greater Bendigo Residential Strategy, however it is lacking suburb/area specific direction to sufficiently guide development in a strategic and coordinated way.

• Residential character policies have become very dated and have not kept pace with the development of urban Bendigo.

• There remains large areas of urban Bendigo and the wider municipality which are yet to be studied for heritage significance, putting important heritage assets at risk.

• Identification and management of environmental assets is sparse and dated. This includes biodiversity, native vegetation, flora and fauna, salinity and erosion etc.

• There is very minimal policy to guide the development of the rural areas of the municipality. This includes policy relating to the protection of prime agricultural areas, rural industries, and locations where dwellings should and shouldn’t be supported in rural areas.

• Open space policy is very dated and there’s minimal policy guidance for new open space requirements and contributions.

• A policy response to climate change, renewable energy and environmental sustainable design needs to be provided.

• Commercial development directions are up to date with the implementation of the Commercial Land and Activity Centre Strategy.

• Transport policy direction is also comprehensive and up to date with the implementation of the Integrated Transport and Land Use Strategy.

• There is insufficient policy direction in regards to development and community infrastructure requirements and contributions.

Local Planning Policies

There are currently 29 Local Planning Policies included within Clause 22 of the Greater Bendigo Planning Scheme.

The analysis of the policies reveals that:
• 1 is under review by a separate piece of strategic work (Gaming)
• 2 are quite good and require little change (Heritage and Signage)
• 2 should be merged and updated (Rural dwellings and subdivision)
• 3 should be retained albeit edited (Industrial, Animal keeping, and Licensed premises)
• 5 should be moved into the MSS (Urban-forest interface, Salinity & erosion, highway entrances, Hospital precinct medical centres, and Calder freeway environs)
• 16 should be deleted and replaced by a new residential infill policy (Residential character precincts)

Zones

In regards to the planning zones utilised in the Greater Bendigo Planning Scheme the following findings have been made:

• Future strategic work is recommended to review the application of further residential zones (Residential Growth Zone (RGZ) and Neighbourhood Residential Zone (NRZ)) or other methods to better direct infill residential development
• Existing Mixed Use Zone (MUZ) areas need to be reviewed to ensure they’re operating as intended, and separate schedules developed to provide more specific guidance for each area
• The use of the Township Zone (TZ) needs review to ensure it is achieving its intended outcome
• The Low Density Residential Zone (LDRZ) is operating well
• Industrial zones are operating well, however the Industrial Strategy is dated and requires review (which has now commenced). There is also conflict between industrial and residential areas that needs to be reviewed and managed
• The extent of Commercial 1 Zone (C1Z) in the City Centre should be reviewed as part of the CBD plan refresh
• The Rural Living Zone (RLZ) needs review to examine land supply levels and application
• Potential use of the Rural Activity Zone (RAZ) should be investigated
• The Rural Conservation Zone (RCZ) needs review as some areas may have lost conservation values and it may need to be expanded into other areas
• All public zones should be reviewed to address any land use changes since last review
• The Urban Growth Zone (UGZ) should be used for all new greenfield residential growth areas to promote orderly planning

Overlays

In regards to the planning overlays utilised in the Greater Bendigo Planning Scheme the following findings have been made:

• Additional planning permit exemptions should be considered to the Environmental Significance Overlays (ESO’s)
• All Vegetation Protection Overlays (VPO’s) require review as part of broader environment study to identify flora and fauna assets across municipality
• There are 26 active schedules to the Design and Development Overlay (DDO)
  o DDO2 (Lockwood South rural living area) and DDO6 (Urban forest interface) require strategic review
Consideration should be given to whether the requirements from DDO 7 (Ascot residential area), DDO9 (Axedale township), DDO10 (Maiden Gully structure plan) and DDO11 (Huntly transition area) can be incorporated into Zone Schedules.

- DDO5 (CBD) needs updating and will be reviewed in CBD review.
- VC148 changes now allow Councils to specify application requirements in DDO Schedules. An appropriate policy response should be developed.

- There are 17 active schedules to the Development Plan Overlay (DPO):
  - DPO2 (Epsom and Ascot), DPO3 (GRZ density management), DPO14 (Scott Street White Hills), DPO15 (Burgoyne Street Huntly), and DPO23 (Botheras Court Epsom) have been completed or are no longer considered necessary and should be deleted.
  - DPO4 (LDRZ density management) is complex and requires review through a separate piece of strategic work.
  - DPO6 (Townships) is considered no longer necessary and can be deleted. Better objectives should be developed for Zone Schedules.
  - DPO17 (Former Rocklea Mills Kangaroo Flat) is being deleted through separate piece of work.
  - DPO26 (Strathfieldsaye township) will be amended through separate piece of strategic work.
  - Due to so many changes and completion of development, all DPO Schedules should be renumbered to erase number gaps.

- A strategic review of the 2 Neighbourhood Character Overlays (NCO’s) needs to occur to assess if they’re operating appropriately and address overlaps with the Heritage Overlay. This should be undertaken in conjunction with heritage studies if in the vicinity, or follow after.

- The extent of the Erosion Management Overlay (EMO) and the Salinity Management Overlay (SMO) require examination.

- The Parking Overlay (PO) needs review and should be addressed in CBD plan refresh.

- A municipal wide audit of potentially contaminated sites needs to be undertaken and the Environmental Audit Overlay (EAO) applied where warranted.

**New planning policy**

The following recently completed strategic work is recommended to be included in the Planning Scheme as part of the Review:

- **Community Plan 2017-2021**
- **Plan Greater Bendigo (2018)**
- **Greater Bendigo Housing Strategy (2018)**
- **City of Greater Bendigo Rural Communities Strategy (2016)**
- **City of Greater Bendigo Environment Strategy (2016-2021)**
- **Loddon Campaspe Integrated Transport Strategy (2015)**
- **Bendigo Freight Study (2017)**
- **Greater Bendigo Public Space Plan (2018)**
- **Rural Areas Strategy (2009)**
- **Greater CREATIVE Bendigo (2018)**
The implementation of the above strategic work will include high level contextual and strategic directions. Detailed planning controls or land rezonings are beyond the scope of the Planning Scheme Review and will require separate implementation.

**Key recommendations of the Greater Bendigo Planning Scheme Review, 2018:**

The 2018 Planning Scheme Review has made the following key recommendations:

1. **Action the following outstanding recommendations from the 2010 Planning Scheme Review:**
   - Undertake future strategic work to review/update the following documents and then implement into the Planning Scheme:
     - Rural Areas Strategy, 2009
     - North Central Biolinks Report, 2009
     - Urban Salinity Guidelines
   - Include a policy response to climate change, renewable energy etc. in the MSS
   - Include a policy response to the North Central Regional Catchment Strategy in the Planning Scheme
   - Undertake further strategic work to investigate a planning policy response to the following matters:
     - Housing affordability
     - Intergenerational equity
     - Urban-forest interface tensions
     - Management of residential character
     - Intensive animal industries
     - Use of the Rural Activity Zone (RAZ)
   - Work with DELWP to address Crown land zoning anomalies
   - Identify the following as further strategic work required:
     - Huntly heritage study
     - Review and expansion of Vegetation Protection Overlay (VPO) mapping
     - A municipal wide Significant Landscape Overlay (SLO) study
   - Establish a program to educate the community on the role and function of the Greater Bendigo Planning Scheme, and the services offered by the Statutory Planning Department.
2. Integrate the vision and goals (below) of the Community Plan 2017-2021, the Municipal Public Health and Wellbeing Plan 2017-2021, and One Planet Living into the Greater Bendigo Planning Scheme.

3. Include a local policy response to the following State Government reforms:
   - Melbourne Metropolitan Plan (‘Plan Melbourne’)
   - Loddon Mallee South Regional Growth Plan
   - Planning policy for Healthy Neighbourhoods
   - Planning requirements for racing dog keeping and training facilities
   - Protecting Victoria’s environment – Biodiversity 2037 and the new native vegetation management framework
   - VC140 and settlement planning for bushfire

4. Undertake future strategic work recommended in the review of Planning Panel reports:
   - Consider consistent application of DDO6 Urban – forest interface
   - Review the non-urban breaks around Bendigo
   - Consider heritage values of character policies
   - Review old airport controls
   - Review Strathfieldsaye density and character controls
   - Review zoning of 91 Howard Street following buffer work
   - Prepare an overall strategic framework plan and review the UGB.
   - Review the Significant Landscape Overlays for Big Hill and Mandurang
   - Review the flooding overlays as more information becomes available and mitigation is undertaken.

5. Review planning permit referral and notice requirements following the planning permit benchmarking exercise to determine if any requirements are unnecessary and could be removed.

6. Undertake the following actions to address the issues identified in the VCAT cases review:
   - Undertake further strategic work to better manage residential character and residential growth. Specifically:
     - A review of the Residential Character Study, 2001 is required as the policies are very dated
     - Strategic work should investigate the use of the full suite of residential zones and schedules
   - Undertake a review of the Eaglehawk and Bendigo Heritage Study, 1993, which covers much of urban Bendigo and provides insufficient information
   - Undertake a review of the Rural Areas Strategy, 2009 or similar rural land use strategy
   - Review the Gaming Policy (currently underway through a separate project)
   - Review the Highway Entrances and Boulevards Study, 1994 and ensure there is sufficient policy translation into the Planning Scheme
• Ensure appropriate translation of reference documents into the Planning Scheme. Specifically:
  o Northern Corridor and Huntly Local Structure Plan, 2005
  o Strathfieldsaye Township Plan, 2012 (currently underway through a separate project)
• Develop urban design guidelines to ensure the appropriate design of commercial developments (such as shopping centres)
• Delete the “Cultural Heritage Report, August 2010” from the list of reference documents as it is no longer relied upon

7. Adopt the ‘Policy Neutral review of the Greater Bendigo Planning Scheme LPPF, April 2018’ as the base version for the MSS re-write. To which new policy will be added and redundant policy deleted in the subsequent Planning Scheme Amendment.

8. Adopt the recommendations of the audit of the Greater Bendigo Planning Scheme as identified in Section 5 of this report, including those relating to:
  • Formatting and language
  • Planning policy audit
  • Recommended further strategic work
  • Maps and plans
  • Incorporated and reference documents
  • Local planning policies
  • Zones, Overlay and Schedules
  • Schedules to the particular provisions
  • Referral and notice requirements

9. Develop comprehensive strategic framework plans for both urban and rural Greater Bendigo to provide the ‘big picture’ or vision of the municipality and should show:
  • Main features and land uses
  • Areas that are of significant environmental value
  • Areas where environmental risk are to be managed
  • Growth opportunities or constraints
  • Strategic redevelopment sites
  • Transport connections
  • Existing and future infrastructure
  • Heritage features

10. Adopt the recommendations for further strategic work listed at section 5.2.12 and prioritise the recommendations using the proposed strategic work matrix, which assists in identifying need, risk, benefits, costs, and timeframes to complete each piece of work and enable an overall prioritisation of work.
• Councils adopted strategic work program should be reviewed in light of the recommendations of this review and included in the strategic matrix assessment to ensure all work is prioritised

11. Identify further strategic work to be included in the MSS using the following principles:
   • It will aid a user in making a decision or recommendation
   • It demonstrates a link to achieving the objectives of planning
   • It has been clearly scoped and identifies the issue or issues to be addressed
   • It responds to a relevant local planning need

12. Include a policy response to the issues identified by stakeholders in the LPPF re-write where appropriate or identify further strategic work to be undertaken.

13. Integrate the community survey responses received to the following questions as part of the high level planning vision of the Planning Scheme (the municipal strategic statement):
   • What three words come to mind when you think about Greater Bendigo in 10 to 20 years’ time?
   • What do you value about where you live?
   • What do you see as the major planning issues and/or pressures facing Greater Bendigo?
   • How do you want your neighbourhood to develop into the future?

14. Implement the identified new strategic work into the Planning Scheme as recommended. This includes:
   • Community Plan 2017-2021
   • Greater Bendigo Municipal Public Health and Wellbeing Plan (2017-2021)
   • Plan Greater Bendigo (2018)
   • City of Greater Bendigo Rural Communities Strategy (2016)
   • City of Greater Bendigo Environment Strategy (2016-2021)
   • Loddon Campaspe Integrated Transport Strategy (2015)
   • Bendigo Freight Study (2017)
   • Greater Bendigo Public Space Plan (2018)
   • City of Greater Bendigo Rural Areas Strategy (2009)

15. That Council:
   • Adopt this report as the review required pursuant to section 12B (1) of the Planning and Environment Act 1987
   • Forward the report to the Minister for Planning as required by section 12B (5) of the Planning & Environment Act 1987
   • Prepare and implement an Amendment to the Greater Bendigo Planning Scheme to implement the recommendations of the Planning Scheme Review
Recommended further strategic work

The 2018 Planning Scheme Review has identified the need to undertake the following strategic work:

<table>
<thead>
<tr>
<th>Recommended further strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Undertake a Bushfire risk to settlement study</strong></td>
</tr>
<tr>
<td>Given the recent State policy changes brought about via VC140 <em>(prioritise the risk to life from bushfire)</em> a review of our local policy response to bushfire risk needs to be undertaken to ensure Council can meet its requirements under Clause 13.02-1S of the Planning Scheme.</td>
</tr>
<tr>
<td>Given the bushfire risk in the municipality, strategic work should be undertaken to determine how best to manage the issue. Local policy guidance should be provided in relation to settlement growth, i.e. where growth should be directed, whether any new buffers are required for towns, whether there is safe access to places of last resort and how development at the settlement edge could more effectively manage bushfire risk (i.e. lot sizes, design treatments etc.).</td>
</tr>
<tr>
<td>This work should include an examination of the Bendigo urban-forest interface, including current planning mechanisms to manage the issue. It should identify appropriate planning mechanisms to manage this sensitive interface into the future.</td>
</tr>
</tbody>
</table>

| **Undertake a Municipal Settlement strategy** |
| The Planning Scheme currently lacks a coordinated and detailed approach to sufficiently guide the settlement of urban and rural areas. |
| It is recommended that a settlement strategy be undertaken to understand how Council will manage the future of its suburbs, towns, and settlements. This will include the provision of a growth framework identifying what is possible, efficient, and justifiable. The goal should be to create a vision, supported by a strategic planning analysis that creates a growth management framework. |
| It should clearly outline our settlement network and establish a settlement hierarchy which can comprehensively guide development for the next 20 to 30 years. This would be the fundamental framework supporting the MSS and guiding our decisions. |
| The strategy should include: |
| • Profile/role of the suburb/township/settlement |
| • Summary of zoning and overlays |
| • Main features and character |
| • Infrastructure analysis |
| • Key policy/strategy references |
| • Strategic influences: |
| o E.g., review of planning policy and provisions, land supply and demand analysis, servicing and infrastructure, public transport, social influences, community capacity building, population trends, economic influences, employment, farming and high value agricultural land, retail, tourism, industry, heritage and character, environmental influences, biodiversity, water availability, septic systems, flooding |
Recommended further strategic work

and inundation, bushfire risk, climate change.

The Strategy should be undertaken in two parts:

1. **Rural areas study (outside UGB)**
   
   Strategic work should include:
   
   - Review of the Rural Areas Strategy (2009)
   - Identify productive agricultural land and how it should be protected
   - Investigate the use of the Rural Activity Zone, and review the application of all rural zones
   - Role of the township/settlement
   - Use of Township zone
   - Appropriate areas for rural residential development
   - Policy guidance for rural industry
   - Policy guidance for intensive animal industries
   - Identification of significant landscapes to be protected

2. **Urban settlement study**
   
   This study should take the adopted strategic directions from the Greater Bendigo Residential Strategy (2014) and the Greater Bendigo Housing Strategy (2018) and undertake the next level of analysis to implement their recommendations at the suburb level.

   Strategic work should include:
   
   - Identify areas for residential infill development, expected level of change, application of residential zones (Residential Growth Zone and Neighbourhood Residential Zone)
   - Areas of transport oriented development
   - Review of residential character provisions (removal, revision, and or deletion). The purpose of undertaking a neighbourhood character analysis is to identify the existing characteristics within Bendigo that need to be retained within the context of pressure for infill development. This may mean protecting existing character in some locations and identifying a preferred character in others where change is anticipated to occur.
   - Analysis of activity centres should be undertaken to define their roles, boundaries and review their current commercial focus. The SPPF direction for activity centres seeks to ensure that they are a focus of high-quality development, activity, and living for the whole community, and not just centres for commercial development. Content should then be included under the Settlement clause of the MSS. Specific commercial direction should remain under the Economic Development clause.
   - Examination of the strategic underpinning of the Urban Growth Boundary. It should be examined if it should be set in the context of all urban land uses (not just residential land), taking into account environmental constraints, transport links, activity centres, access to
### Recommended further strategic work

- Transport and services and land use.
  - Sequencing of development such as key development sites and greenfield areas to better facilitate the coordinated delivery of housing and infrastructure.
  - Investigate the application of the Urban Growth Zone to new development areas to facilitate their orderly development through Precinct Structure Plans and DCP’s.

### Audit of contaminated land

A municipal wide audit of contaminated and potentially contaminated sites should be undertaken with identified sites to be included in the Environmental Audit Overlay where appropriate to ensure they’re appropriately identified and managed into the future.

### Environmental Significance Study

Identification and protection of environmental assets is underrepresented in the Planning Scheme. A comprehensive study to identify elements of environmental significance and how they should be protected needs to be undertaken.

The study should be undertaken in two stages:

- **Stage 1** - A high-level study should be undertaken in the first instance to review the existing situation and gather all the various information sources to form a high-level picture. This could then be implemented into the MSS.
- **Stage 2** - Should involve detailed area investigation and application of appropriate planning controls.

The study should include:

- A comprehensive review and analysis of native vegetation management in the municipality.
- A review of the existing VPO mapping and whether it should be replaced with an ESO using new mapping undertaken by the Rural Roadside Management Plan.
- Investigate a policy response to state that native vegetation offsets must be sourced from within Bendigo. It should discourage native vegetation net loss through offsets sourced outside of Bendigo.
- Identification and protection of Biolinks.

This study will help ensure the Planning Scheme has a stronger focus on protecting flora & fauna species found within the municipality.

### Urban vegetation management strategy

Strategic work should be undertaken in conjunction with the Greening Greater Bendigo Strategy to improve the management of urban vegetation in the private realm.

This work should:

- Assess and determine the best way to protect non-native significant urban trees.
- Investigate ways urban trees and landscaping can be used to manage climate change and
Recommended further strategic work

- heat island effects in developments.
- Include the development of landscape guidelines for development and subdivision.

Update the Industrial Strategy

A review and update of the Industrial Strategy is required, along with an update to supporting documents (Good Design Guide for Industry) and the Local Planning Policy.

The review should include the following:

- An analysis of industrial land supply and location
- Some industrial areas are suffering from residential encroachment which is causing amenity issues and complaints. Strategic work should be undertaken to determine how best to manage these interface areas.
- An investigation of appropriate planning mechanisms to provide buffers to protect infrastructure such as landfills, transfer stations, and sewerage plants should be included.

Urban Design program

There are a number of critical gaps in regards to urban design, this is an issue as good urban design is fundamental to make communities more liveable and attractive.

A number of projects should be grouped and appropriately resourced to address these gaps.

- The Urban Design Framework (UDF) program needs to be improved, as it’s currently ad-hoc. The program needs to be reviewed, coordinated, and resourced. A budget bid should be prepared and a priority list of UDF’s to be undertaken developed and adopted by Council.
- Commercial and residential Urban Design Guidelines should be developed to improve the quality of urban design and development in the municipality.
- The Highway Entrances and Boulevards Study (1994) requires urgent review as it’s very dated. This study applies to important entry points and corridors in Bendigo and it’s important to ensure that policy guidance for these areas is up to date and achieving good quality development.

Open Space Contributions Strategy

A policy response should be investigated and developed to provide guidance on the management of open space contributions in the Planning Scheme. This should include guidance on when a monetary or land contribution is required, and the amount required.

Currently Council is relying on the Subdivision Act requirements which allows for contributions of up to 5% but needs to be negotiated on an application by application basis. Other Councils collect greater amounts based on the strategic justification that underpins an open space strategy – for example a standard 8% in new development areas and 5% in infill areas.

Implementing the Municipal Public Health and Wellbeing Plan into the Planning Scheme (MPHWHP)

Further strategic work should be undertaken to investigate a policy response to health and
### Recommended further strategic work

**wellbeing directions of the MPHWP in the Planning Scheme.**

**Buffers/protection for freight corridors**
Strategic work should be undertaken to investigate appropriate planning mechanisms to protect key freight routes from encroachment of development.

**Climate change adaptation and Integrated water management study**
Strategic work should be undertaken to provide an appropriate response to climate change, Water Sensitive Urban Design, and Integrated Water Management Planning in the Planning Scheme to support sustainable water management and build climate change resilience in the municipality.

**Heritage management**
There are a number of outstanding heritage studies which must be completed as a priority to ensure valuable heritage assets are protected. The Heritage Strategy also needs to be completed and implemented into the Planning Scheme.

**Review of public zones**
An audit of sites included within public zones such as the Public Use Zone (PUZ), Public Park and Recreation Zone (PPRZ), Public Conservation and Resource Zone (PCRZ) etc. should be undertaken in conjunction with DELWP to ensure sites are in the correct zone.

**Review of historic planning controls**
A review of two dated planning mechanisms should occur to understand if they’re still required, and if so, what’s the most appropriate planning mechanism to manage them.

The two planning mechanisms are:

- DDO2 (Lockwood South rural living area) is very old and requires a strategic review and whether a better tool is available, such as a Zone Schedule
- DPO4 (Low density residential zone – density management area) is complex and requires a strategic review. The DPO is not the appropriate tool to manage this issue. Consideration should be given to the utilisation of Zone Schedules. Mapping also needs to be improved

**Junortoun Structure Plan**
It is recommended that a structure plan be undertaken to determine the future development directions of this suburb.

### Resourcing recommendations

The 2018 Planning Scheme Review has identified the need to investigate the procurement of the following resources:
• **Environmental planner/Ecologist**
  
  Given the number of recommendations for future environmental projects and the increasing relevance of environmental issues in planning applications, the resourcing of an Environmental Planner/Ecologist would be beneficial. A business case and budget bid should be developed.

• **Urban Designer**
  
  The former Urban Designer position should be reinstated to drive the recommended number of urban design projects and to give quality urban design advice on planning applications and Council projects. A business case and budget bid should be developed.

• **Planning Policy Planner**
  
  Given the large number of recommendations for future planning work required it is suggested that an additional planning resource will be required to develop and implement the new planning policy. A business case and budget bid should be developed.
## List of abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Phrase</th>
</tr>
</thead>
<tbody>
<tr>
<td>DELWP</td>
<td>Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td>DPIF</td>
<td>Development and Planning Industry Forum</td>
</tr>
<tr>
<td>EMT</td>
<td>Executive Management Team</td>
</tr>
<tr>
<td>ESD</td>
<td>Environmentally Sustainable Development</td>
</tr>
<tr>
<td>IDM</td>
<td>Infrastructure Design Manual</td>
</tr>
<tr>
<td>LPP</td>
<td>Local Planning Policy</td>
</tr>
<tr>
<td>LPPF</td>
<td>Local Planning Policy Framework</td>
</tr>
<tr>
<td>MAV</td>
<td>Municipal Association of Victoria</td>
</tr>
<tr>
<td>MPHWP</td>
<td>Municipal Public Health and Wellbeing Plan</td>
</tr>
<tr>
<td>MPS</td>
<td>Municipal Planning Strategy</td>
</tr>
<tr>
<td>MSS</td>
<td>Municipal Strategic Statement</td>
</tr>
<tr>
<td>OLT</td>
<td>Organisational Leadership Team</td>
</tr>
<tr>
<td>PPF</td>
<td>Planning Policy Framework</td>
</tr>
<tr>
<td>PPN</td>
<td>Planning Practice Note</td>
</tr>
<tr>
<td>SEPP</td>
<td>State Environment Protection Policy</td>
</tr>
<tr>
<td>SPPF</td>
<td>State Planning Policy Framework</td>
</tr>
<tr>
<td>VCAT</td>
<td>Victorian Civil and Administrative Tribunal</td>
</tr>
<tr>
<td>WSUD</td>
<td>Water Sensitive Urban Design</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zones</th>
<th>Overlays</th>
</tr>
</thead>
<tbody>
<tr>
<td>GRZ – General Residential Zone</td>
<td>AEO – Airport Environ Overlay</td>
</tr>
<tr>
<td>NRZ – Neighbourhood Residential Zone</td>
<td>BMO – Bushfire management Overlay</td>
</tr>
<tr>
<td>TZ - Township Zone</td>
<td>DDO – Design and Development Overlay</td>
</tr>
<tr>
<td>LDRZ – Low Density Residential Zone</td>
<td>DPO – Development Plan Overlay</td>
</tr>
<tr>
<td>IN1Z – Industrial 1 Zone</td>
<td>EMO – Erosion Management Overlay</td>
</tr>
<tr>
<td>C1Z - Commercial 1 Zone</td>
<td>ESO – Environmental Significance Overlay</td>
</tr>
<tr>
<td>C2Z - Commercial 2 Zone</td>
<td>HO – Heritage Overlay</td>
</tr>
<tr>
<td>RLZ - Rural Living Zone</td>
<td>LSIO – Land Subject to Inundation Overlay</td>
</tr>
<tr>
<td>RCZ - Rural Conservation Zone</td>
<td>NCO – Neighbourhood Character Overlay</td>
</tr>
<tr>
<td>FZ - Farming Zone</td>
<td>PAO – Public Acquisition Overlay</td>
</tr>
<tr>
<td>RAZ - Rural Activity Zone</td>
<td>PO – Parking Overlay</td>
</tr>
<tr>
<td>PUZ - Public Use Zone</td>
<td>SLO – Significant Landscape Overlay</td>
</tr>
<tr>
<td>PPRZ – Public Park and Recreation Zone</td>
<td>SMO - Salinity Management Overlay</td>
</tr>
<tr>
<td>PCRZ – Public Conservation and Resource Zone</td>
<td>VPO – Vegetation Protection Overlay</td>
</tr>
<tr>
<td>RZ - Road Zone</td>
<td>SCO – Specific Controls Overlay</td>
</tr>
<tr>
<td>SUZ - Special Use Zone</td>
<td></td>
</tr>
</tbody>
</table>
List of figures

Figure 1 - Key strategic directions to be integrated into the Planning Scheme ........................................... 7
Figure 2 - Consultation stakeholders ........................................................................................................... 9
Figure 3 - Planning Scheme review process ............................................................................................ 27
Figure 4 - 2010 Planning Scheme Review recommendations .................................................................. 29
Figure 5 - Council’s Legislated plans ...................................................................................................... 34
Figure 6 - One Planet Living principles ................................................................................................... 36
Figure 7 - Integrated strategic framework (draft) ..................................................................................... 37
Figure 8 - New planning scheme structure following VC148 ................................................................. 41
Figure 9 - Planning Scheme structure changes from VC148 ................................................................. 43
Figure 10 - Expanded local schedule capacity from VC148 .................................................................. 45
Figure 11 - Current local Planning Scheme amendments ........................................................................ 45
Figure 12 - Analysis of VCAT matters ................................................................................................... 51
Figure 13 - Recommended MSS structure .............................................................................................. 66
Figure 14 - Comparison of current MSS structure against SPPF structure ........................................... 67
Figure 15 - MSS restructure ..................................................................................................................... 68
Figure 16 - Snapshot of the current health of the MSS ........................................................................... 69
Figure 17 - Moving from an objective to a strategy ................................................................................ 84
Figure 18 - Matrix of verbs for strategies ................................................................................................ 85
Figure 19 - Strategic planning verbs ....................................................................................................... 85
Figure 20 - Referral and notice provisions in the Planning Scheme ....................................................... 109
Figure 21 - Strategic work prioritisation matrix ..................................................................................... 116
Figure 22 - Matrix for Scheme inclusion ............................................................................................... 118
Figure 23 - Targeted consultation stakeholders ..................................................................................... 122
Figure 24 - Planning Scheme review strategic context ............................................................................. 123
Figure 25 - Statutory planning staff workshop program ........................................................................ 128
Figure 26 - Referral authorities consulted ............................................................................................. 132
1. Introduction

The Greater Bendigo Planning Scheme Review is an audit of the performance of the Greater Bendigo Planning Scheme and will inform the improvement of the Planning Scheme by addressing:

- What has been achieved since the last review?
- Where are we now?
- Where to from here?

The last review of the Greater Planning Scheme was undertaken in 2010 but not implemented into the Planning Scheme due to the large amount of strategic work underway at the time. The last review implemented into the Planning Scheme was in 2006.

The Greater Bendigo Planning Scheme is now well overdue for review and with a large number of separate strategic projects implemented since 2010; a whole structure and content review is required in order to achieve a cohesive strategic vision.

1.1 What is a Planning Scheme?

A Planning Scheme is a statutory document that sets out objectives, policies, and provisions for the use, development, and protection of land in the area to which it applies. A Planning Scheme regulates the use and development of land through planning provisions to achieve those objectives and policies.

Each of the 79 local government areas in Victoria and each of the three special planning areas (Alpine Resorts, Port of Melbourne, and French and Sandstone Island) is covered by a Planning Scheme. Planning Schemes are legal documents prepared by the local Council or the Minister for Planning, and approved by the Minister.

1.2 Why review the Planning Scheme?

Council is required to review its Planning Scheme every four (4) years (no later than one year after the approval of the Community Plan) under Section 12B of the Planning and Environment Act 1987 (the Act) and provide the report to the Minister for Planning.

A review should assess whether the Scheme provisions have been effective and efficient in achieving the objectives and strategies of the Planning Scheme.

The review should evaluate the Planning Scheme to ensure that it:

1. Is consistent in Form and Content with any directions or guidelines issued by the Minister for Planning under section 7(5) of the Act
2. Effectively sets out the policy objectives for use and development of land.
3. Makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives

The review also presents an opportunity to address the Planning Scheme changes implemented by the Stage Government through VC148 in July 2018. These changes are discussed in detail in section 4.2 of this report, but mean the existing Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) will need to be transitioned into the new Planning Policy Framework (PPF) structure and a new Municipal Planning Strategy (MPS) developed.
1.3 What are the aims of the review?

The review of the Greater Bendigo Planning Scheme aims to:

- Assist Council in setting the land use and development vision for the municipality
- Integrate the Municipal Strategic Statement (MSS) with the Community Plan and the MPHWP
- Incorporate revised local policy content into the Greater Bendigo Planning Scheme to facilitate effective decision making about land use and development in a cost effective and timely way.
- Build support for and understanding of the Greater Bendigo Planning Scheme.
- Provide the opportunity for community members to highlight their priorities and aspirations for land use planning.

2. Methodology

A comprehensive review methodology was developed utilising the Continuous Improvement review Kit for planning and responsible authorities, February 2006 by the Department of Environment, Land, Water and Planning (DELWP) and the Municipal Association of Victoria (MAV) – recommended in Planning Practice Note 32 – Review of Planning Schemes.

An eight-step process for undertaking the Planning Scheme review was developed:

1. Establish the Internal Reference Group, Councillor review Group and Technical Working Group
2. Peer review of Project Brief
3. Review of planning policy and documents, and Planning Scheme and systems audit
4. Develop Issues Report (including consultation with key stakeholders)
5. Develop Draft Planning Scheme review Report and recommended Planning Scheme changes
6. Peer review of Draft Planning Scheme review Report and recommended Planning Scheme changes
7. Consultation on Draft Planning Scheme review Report and recommended Planning Scheme changes
8. Adoption of Final Planning Scheme review Report and recommended Planning Scheme changes

**Figure 3 - Planning Scheme review process**

For full details of the review methodology, see the Project Brief in Appendix 1.
3. Previous Planning Scheme reviews

There have been two formal reviews of the Greater Bendigo Planning Scheme since the commencement of new format Planning Schemes in 2000. There has also been one efficiency review specifically targeted at reducing permit triggers within the Planning Scheme.

3.1. 2003 Planning Scheme Review (Planning Scheme Amendment C60)

The 2003 Planning Scheme Review examined the first 3 years of operation of the new format Planning Scheme since its introduction in 2000. It also made the necessary strategic and policy changes to implement the recommendations of the Bendigo Residential Development Strategy (2004) and Commercial Land Strategy (2004).

The reviews recommendations were implemented into the Greater Bendigo Planning Scheme by Planning Scheme Amendment C60 which included:

- A replacement Municipal Strategic Statement (MSS),
- Introduction of one new local planning policy,
- The deletion of two local planning polices, and
- Revisions to nine local planning policies.
- Strengthening the role and function of the Urban Growth Boundary (UGB)
- Introduction of a retail hierarchy and the requirement for structure plans for the major centres.
- Introduction of an "Urban Forest Interface" policy to manage residential development that abuts forested land.

Amendment C60 was approved by the Minister for Planning on 2 March 2006.

3.2. 2008 Efficiency Review of the Greater Bendigo Planning Scheme (Planning Scheme Amendment C109)

While not technically a Planning Scheme review, in 2008 the City of Greater Bendigo commissioned the first thorough efficiency review of its Planning Scheme.

The efficiency review sought to remove unnecessary planning permit triggers, reduce the procedural workload, or signal further work to achieve further efficiencies.

The review was supported by the State Government through the Cutting Red Tape in Planning report released in August 2006. However, it principally arose in response to a local need.

A benchmarking exercise with the City of Ballarat (as a similar sized municipality with common issues and growth rates) was undertaken and revealed that compared to Ballarat, Greater Bendigo issued:

- 26% more permits in the 2005-2006 period;
- 27% more permits for residential alterations and additions;
- 42% more permits for single dwellings;
- 57% more permits for building works; and
- 55% more permits for the other category
This efficiency review resulted in:

- A rationalisation of the use of the Development Plan Overlay,
- Reduction of permit triggers in the Environmental Significance Overlay,
- Increased permit exemptions for building and works in Zone Schedules,
- Removal of mapping and Schedule anomalies.

Amendment C109 was Gazetted in March 2012

### 3.3. 2010 Planning Scheme Review (Planning Scheme Amendment C170)

The 2010 Planning Scheme Review was undertaken in 2 stages:

1. Audit of the Planning Scheme and report to the Minister for Planning
2. Implementation of the findings of the review and amending the Planning Scheme.

The review sought to reduce the length of the LPPF, to make it accessible, succinct and a more user-friendly document.

Key issues identified in the review included water security, climate change, vegetation protection, heritage, and a range of statutory planning matters.

In February 2010, Council resolved to endorse the *Greater Bendigo Planning Scheme Review (2010)* and forward the report to the Minister for Planning.

After a period of preparation and internal consultation, Council resolved in November 2011 to commence Planning Scheme Amendment C170 to implement the *Greater Bendigo Planning Scheme Review (2010)* into the Planning Scheme.

Amendment C170 was exhibited in February 2012 and attracted a number of submissions.

In the time following exhibition, Council was considering a number of key strategic planning documents which were each making significant changes to the Local Planning Policy Framework. Such work included the Residential Strategy, ITLUS, Commercial Land and Activity Centre Strategy.

Amendment C170 fell to the wayside and eventually lapsed in 2014 after 2 years of inaction in accordance with the *Planning and Environment Act 1987*.

### 2010 review recommendations

The following are the recommendations from the 2010 Planning Scheme Review. An analysis of whether they have been completed to date has been provided:

**Figure 4 - 2010 Planning Scheme Review recommendations**

<table>
<thead>
<tr>
<th>2010 Review recommendation</th>
<th>Completed to date (Y/N)</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategic work to be implemented</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bendigo CBD Parking Precinct Plan (2009)</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>2010 Review recommendation</td>
<td>Completed to date (Y/N)</td>
<td>Recommendation</td>
</tr>
<tr>
<td>----------------------------------------------------------------</td>
<td>-------------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Commercial Land Strategy review (2010)</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Rural Areas Strategy (2009)</td>
<td>N</td>
<td>This Strategy needs to be reviewed and updated and should then be implemented into the Planning Scheme</td>
</tr>
<tr>
<td>Biolinks Project</td>
<td>N</td>
<td>Assess if still current, if so, should be implemented into the Planning Scheme. Otherwise, a review will be required.</td>
</tr>
<tr>
<td>Urban Salinity Guidelines</td>
<td>N</td>
<td>Assess if still current, if so, should be implemented into the Planning Scheme. Otherwise, a review will be required.</td>
</tr>
<tr>
<td>High Street UDF</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Roadside Management Plan</td>
<td>N</td>
<td>Assess if still current, if so, should be implemented into the Planning Scheme. Otherwise, a review will be required.</td>
</tr>
</tbody>
</table>

**Municipal Strategic Statement:**

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Completed to date (Y/N)</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create stronger linkages to the Council Plan</td>
<td>N</td>
<td>Included as part of this review</td>
</tr>
<tr>
<td>Include references to Climate Change, renewable energy, etc.</td>
<td>N</td>
<td>Included as part of this review</td>
</tr>
<tr>
<td>Include &quot;Heritage&quot; as a standalone theme.</td>
<td>N</td>
<td>Not required</td>
</tr>
<tr>
<td>Risk based land use planning (natural hazards)</td>
<td>Y</td>
<td>Could be strengthened</td>
</tr>
<tr>
<td>Linkages with the North Central Regional Catchment Strategy</td>
<td>N</td>
<td>Included as part of this review</td>
</tr>
<tr>
<td>Housing affordability</td>
<td>N</td>
<td>Future strategic work</td>
</tr>
<tr>
<td>Clarify the role and function of the UGB</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td><strong>2010 Review recommendation</strong></td>
<td><strong>Completed to date (Y/N)</strong></td>
<td><strong>Recommendation</strong></td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-----------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Review list of Reference Documents</td>
<td>N</td>
<td>Included as part of this review</td>
</tr>
<tr>
<td>Sustainable transport</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Incorporate issues of intergenerational equity into the MSS.</td>
<td>N</td>
<td>Include as part of this review</td>
</tr>
<tr>
<td><strong>Local planning policies:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Removal of Clause 22.01 (Urban - Forest Interface) to be replaced by Design and Development Overlay 6.</td>
<td>N</td>
<td>Considered as part of this review</td>
</tr>
<tr>
<td>Consolidate the 16 residential character policies into a reference document and have a single policy that triggers the document.</td>
<td>N</td>
<td>Considered as part of this review</td>
</tr>
<tr>
<td>Review and rationalise all local policies with the view to translating provisions into the MSS where applicable. The following policies in particular need to be reviewed: Rural Dwellings (22.02), Rural Subdivision (22.03) Clause 22.04 (Salinity and Erosion Risk), Clause 22.05 (Industrial) and 22.06 (Heritage),</td>
<td>N</td>
<td>Included as part of this review</td>
</tr>
<tr>
<td>Develop a policy for Intensive animal industries.</td>
<td>N</td>
<td>A policy response to recent State policy changes will be required.</td>
</tr>
<tr>
<td><strong>Zones:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anomalies relating to the zoning of Crown Land (i.e. parts of the Regional Park Zoned Residential 1, etc.)</td>
<td>Part</td>
<td>Future strategic work to be undertaken in conjunction with DELWP</td>
</tr>
<tr>
<td><strong>Overlays</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional land to have the DDO6 (Urban Forest Interface) applied.</td>
<td>Part</td>
<td>Identify as future strategic work</td>
</tr>
<tr>
<td><strong>Schedules</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Precinct Plan to Clause 52.06</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td><strong>Further Strategic Work</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2010 Review recommendation</td>
<td>Completed to date (Y/N)</td>
<td>Recommendation</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>-------------------------</td>
<td>-----------------------------------------------------</td>
</tr>
<tr>
<td>Thematic history for urban Bendigo</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Undertake Stage 1 Huntly Heritage Study</td>
<td>N</td>
<td>Already identified as future strategic work</td>
</tr>
<tr>
<td>Prepare a Signage Policy</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Heritage Design Guidelines</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Investigate residential infill opportunities within urban Bendigo</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Review and expand VPO Mapping</td>
<td>N</td>
<td>Identify as future strategic work</td>
</tr>
<tr>
<td>Assess and apply the Significant Landscape Overlay</td>
<td>N</td>
<td>Identify as future strategic work</td>
</tr>
<tr>
<td>Review the Bendigo Residential Development Strategy</td>
<td>Y</td>
<td>Completed</td>
</tr>
<tr>
<td>Review and update the Good Design Guide for Industry</td>
<td>N</td>
<td>Identify as future strategic work</td>
</tr>
<tr>
<td>Implement updated flood mapping</td>
<td>Part</td>
<td>Ongoing strategic work</td>
</tr>
<tr>
<td>Investigate Rural Activity Zone for Poultry Farms</td>
<td>N</td>
<td>Current strategic work</td>
</tr>
<tr>
<td>Housing Strategy</td>
<td>Y</td>
<td>Completed</td>
</tr>
</tbody>
</table>

**Other matters**

<table>
<thead>
<tr>
<th>A program is needed to educate the community on the role and function of the Planning Scheme</th>
<th>N</th>
<th>Undertake as a priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continued promotion of sustainable transport alternatives</td>
<td>Y</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

**Section 3 recommendations**

16. **Action the following outstanding recommendations from the 2010 Planning Scheme Review:**
• Review/update the following documents and then implement into the Planning Scheme:
  o Rural Areas Strategy, 2009
  o North Central Biolinks Report, 2009
  o Urban Salinity Guidelines
  o Roadside Management Plan, 2011-2015
• Include reference to climate change, renewable energy etc. in the MSS
• Include reference to the North Central Regional Catchment Strategy in the Planning Scheme
• Undertake further strategic work to investigate a planning policy response to the following matters:
  o Housing affordability
  o Intergenerational equity
  o Urban-forest interface tensions
  o Management of residential character
  o Intensive animal industries
  o Use of the Rural Activity Zone (RAZ)
• Work with DELWP to address Crown land zoning anomalies
• Identify the following as further strategic work required:
  o Huntly heritage study
  o Review and expansion of Vegetation Protection Overlay (VPO) mapping
  o A municipal wide Significant Landscape Overlay (SLO) study
• Establish a program to educate the community on the role and function of the Greater Bendigo Planning Scheme, and the services offered by the Statutory Planning Department.
4. Planning policy and performance review

This section provides an overview of the policy context of the Planning Scheme Review, including Council and State Government policy changes since the last review in 2010.

It also examines the City’s Statutory Planning performance, including an analysis of its planning permit and Planning Scheme amendment functions.

4.1 Council policy context

Council’s overall vision is outlined in its Community Plan. Council is also legislated to prepare two other key strategic documents – The Municipal Public Health and Wellbeing Plan (MPHWP) and the Municipal Strategic Statement.

4.1.1 Community Plan 2017 – 2021

In June 2017, Council adopted its new Community Plan 2017-2021. The Community Plan, formerly known as the Council Plan, was renamed by Council to emphasise that it is a plan for the community.

Council has adopted the following vision for its Community Plan:

**Greater Bendigo – creating the world’s most liveable community**

A liveable community is one which enables people to live healthy safe harmonious lives in attractive and affordable settings. Liveable places have an excellent range of services for children and adults of all ages and facilities that are accessible to all. They don’t make unsustainable demands on the environment.

The Community Plan includes five themes, which comprise the main goal areas for Council. Each theme has a series of strategic objectives and strategies for achieving these in the four-year period.
Goal 1 - Lead and govern for all
Effective community engagement will guide well-informed, responsive decision-making and financially responsible resource allocations, which are transparent and accountable.

Goal 2 - Wellbeing and fairness
Inclusive policies, partnerships and projects that increase access, improve health and learning opportunities by building better connections and quality of life for all.

Goal 3 - Strengthening the economy
Advocacy, innovation and support to grow jobs, attract visitors and diversify the local and regional economy.

Goal 4 - Presentation and managing growth
Planning, developments and infrastructure that increase our liveability and pride in where we live.

Goal 5 - Environmental sustainability
Protect and enhance our environment, conserve our resources and increase resilience to a changing climate.

Goal 6 - Embracing our culture and heritage
Recognise and celebrate our unique history and diverse cultures.

It is recommended that the Community Plan, including Council’s vision and strategic goals be integrated into the Greater Bendigo Planning Scheme, where relevant.

4.1.2 Municipal Public Health and Wellbeing Plan (MPHWP) 2017-2021

Under the provisions of the Public Health and Wellbeing Act 2008, Council is required to prepare a municipal public health and wellbeing plan (MPHWP) every four years. The MPHWP must:
- Be consistent with its Council plan and the land use plan required by the MSS
- Have regard to the current Victorian Public Health and Wellbeing Plan
- Be reviewed annually

The Greater Bendigo Health and Wellbeing Plan 2017-2021 was adopted by Council in October 2017. The Plan will guide Council and its partners in working to improve the health and wellbeing of our community over the next four years.

The plan includes key goals for Council and other organisations that are based on the Victorian Public Health and Wellbeing Outcomes Framework:

Goal 1 - Healthy and well
The Greater Bendigo community has good physical and mental health supported by healthy lifestyles.

Goal 2 - Safe and secure
The Greater Bendigo community lives free from violence and abuse, is protected from environmental risks and is supported to live affordably.

Goal 3 - Able to participate
The Greater Bendigo community has the capability to participate and contribute to the local economy and community life.

- **Goal 4 - Connected to culture and community**

  The Greater Bendigo community is socially engaged and inclusive and is a place where people can safely identify and connect with their culture and identity.

- **Goal 5 - Liveable**

  The Greater Bendigo community is adaptable and resilient and has access to sustainable natural, built, social and economic environments that support and enhance health and wellbeing.

It is recommended that the Municipal Public Health and Wellbeing Plan, including its key goals and objectives be integrated into the Greater Bendigo Planning Scheme, where relevant.

### 4.1.3 One Planet Living Principles

One Planet Living is an internationally recognised sustainability framework for the community to live healthy and happy lives within the environmental limits of the planet. It is about “creating attractive, inspiring places which help people to live better, happier and healthier lives, within a fair share of our one planet’s resources.”

The framework includes 10 principles that can be used to guide planning and action:

**Figure 6 - One Planet Living principles**

Council has adopted the One Planet Living Principles as part of the *Greater Bendigo Environment Strategy 2016-2021* and is working towards accreditation as a One Planet Council to assist in the implementation of its vision as creating the world’s most liveable community.

It is recommended that the One Planet Living principles be integrated into the Greater Bendigo Planning Scheme, where relevant.
4.1.4 Other Council policy

Of course, there are many other Council policy documents to consider. Council is currently in the process of developing an integrated strategic framework to outline its key strategic documents and the role they play in achieving its vision (example below).

Many of these have already been incorporated into the Planning Scheme; however, others are new and their implementation will be discussed further throughout this document.

Figure 7 - Integrated strategic framework (draft)
4.2 Planning Policy context

4.2.1 State policy changes

73 State Government VC amendments to the Greater Bendigo Planning Scheme have occurred between January 2010 to December 2017.

Most notable reforms include:

- Modifications to the Planning and Environment Act.
- New time frames (Ministerial Direction 15) for the Planning Scheme Amendment Process
- ‘Vic Smart’ system which introduces standard State-wide requirements for low impact planning permit applications
- Review and inclusion of new Zones including revised Rural Zones, Residential Zones, Industrial Zones and Business Zones (now Commercial Zones)
- Introduction of Regional Growth Plans
- Melbourne Metropolitan Plan (‘Plan Melbourne’)
- Bushfire protection provisions, the Bushfire Management Overlay (BMO).
- Introduction of a revised Native Vegetation Framework.
- The review of the development contributions system.

See Appendix 2 for a full analysis of these policy changes.

A local policy response to the following State Government reforms should be included in the Greater Bendigo Planning Scheme:

- Melbourne Metropolitan Plan (‘Plan Melbourne’);
- Loddon Mallee South Regional Growth Plan;
- Planning policy for Healthy Neighbourhoods;
- Planning requirements for racing dog keeping and training facilities;
- Protecting Victoria’s environment – Biodiversity 2037 and the new native vegetation management framework; and
- VC140 and settlement planning for bushfire.

a) Smart Planning program and VC148

A key State Government project that has implication for this review is the Smart Planning program, which seeks to reform Victoria’s planning system.

Over the past 20 years, multiple reviews on the planning system have taken place which have identified issues and ideas for improvement. The most recent being the Auditor General’s, Managing Victoria’s Planning System for Land Use and Development 2017.

Smart Planning aims to address the issues inherent in the planning system by simplifying planning rules and delivering a suite of modern digital tools to improve its operation.

Initiatives include:

- Simplifying and clarifying Victoria’s planning regulation.
▪ Making planning information easier to find, understand and interpret.
▪ Introducing user-focused digital tools that make processes faster and easier, improve accessibility and interactivity, and provide greater certainty and transparency.
▪ Establishing more effective and accessible engagement with community, businesses, local government, and industry.
▪ Use of contemporary land use terms and removing out-of-date references, to ensure Schemes are current.
▪ Online lodgement and tracking of Planning Scheme amendments
▪ Online digital document library

Amendment VC148

Amendment VC148 is part of the Smart Planning program’s reforms to simplify and modernise Victoria’s planning policy and rules to make planning schemes more efficient, accessible and transparent.

Amendment VC148 was gazetted on 31 July 2018 and implemented changes to the Victoria Planning Provisions (VPP) and planning schemes to clarify, simplify and improve their structure, function and operation, and to remove unnecessary regulation.

The Amendment:
- Introduced a new Planning Policy Framework (PPF)
- Enabled the future introduction of a Municipal Planning Strategy (MPS)
- Simplified the VPP structure by:
  - restructuring particular provisions
  - integrating VicSmart into applicable zones, overlays and particular provisions
  - consolidating operational and administrative provisions
- Amended specific zones, overlays and particular provisions to improve their structure and operation, and to support the future translation of Local Planning Policy Frameworks (LPPFs) to the MPS and PPF
- Introduced a new Specific Controls Overlay to replace Clause 52.03 Specific Sites and Exclusions
- Deleted outdated particular provisions
- Deleted permit requirements for low-impact uses in industrial zones
- Reduced car parking requirements for uses in commercial areas and for land within walking distance of high-quality public transport.

Changes to the Victoria Planning Provisions (VPP)

The VPP has served Victoria well for a long time. However, increasing demands on the planning system and successive reforms have resulted in planning schemes that have grown considerably in size and complexity.

The VPP has been restructured to implement the new PPF, support the future translation of LPPFs into the MPS and PPF, and to make planning schemes easier to navigate and use.

The new VPP structure is shown in Figure 6 and consists of three parts:

1. Policy settings:
- Purpose of the planning scheme
- MPS (will only be included in a planning scheme when the LPPF is translated into the MPS and PPF)
• PPF (has replaced the State Planning Policy Framework - SPPF)
• Local Planning Policy Framework (retained in the planning scheme until translated into the MPS and PPF)

2. Decision rules:
• Zones
• Overlays
• Particular provisions (restructured)
• General provisions

3. Operation:
• Operational provisions (for the MPS, PPF, zones, overlays, particular provisions and VicSmart)
• Administration provisions (including incorporated documents)
• Meaning of terms (general, sign and land use terms and nesting diagrams)
• Strategic implementation (will only be included in a planning scheme when a LPPF is translated into the MPS and PPF).
A new 3-tier integrated policy structure – Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) is the new location for policy content in planning schemes. It replaces the State Planning Policy Framework (SPPF) and includes all state and regional planning policies.
The PPF structure provides for three tiers of integrated planning policy (as shown in Figure 8):
1. statewide
2. regional
3. local

The PPF enables all policy content, including local policy in planning schemes, to be merged into a single policy source.

The state, regional and local levels of policy are grouped by theme with directly relevant regional and local policies ‘nested’ under the corresponding state planning policy.

The PPF mostly uses SPPF policy themes as the basis for its structure. It changes the SPPF by:
- including new policy themes to allow for the integration of regional and local planning policies (for example, new Clause 17.01-1 - Diversified economy)
- repositioning some policies to make the thematic structure more logical and intuitive (particularly within Clause 11).

**The Municipal Planning Strategy (MPS)**

When a planning authority translates its LPPF into the new PPF, it will also be required to introduce a Municipal Planning Strategy (MPS) at Clause 02 of the planning scheme. The MPS supports but does not form part of the PPF. The PPF and MPS will work together to form the strategic basis of a planning scheme.

The Municipal Planning Strategy (MPS) is a succinct expression of the overarching strategic policy directions of a municipality. It highlights the planning issues that are important to the municipality and provides context for the local policies in the PPF. The PPF and MPS work together to form the strategic basis of a planning scheme.

It will provide for the planning scheme’s policy foundation, based on the municipality’s location and regional context, history, assets, strengths, key attributes and influences. Planning schemes already have similar clauses in the MSS, however the new concise format will ensure a more focused and direct message about a council’s planning aspirations.

In future, the MPS together with local policies in the PPF will replace the Local Planning Policy Framework (LPPF), which includes the Municipal Strategic Statement (MSS) and Local Planning Policies.

Figure 9 describes where LPPF content will be positioned in a planning scheme in the various stages of the PPFs implementation:
At this stage, local content has not been introduced into the PPF. The Department of Environment, Land, Water and Planning (DELWP) will shortly provide further information of how existing LPPF content will be translated into the PPF, completing the integration of all tiers of policy into a single PPF in each planning scheme. DELWP will work closely with local councils on the future integration of local content into the PPF.

### Simplification of VPP structure

VC148 simplifies the VPP structure by:
- restructuring particular provisions
- integrating VicSmart into applicable zones, overlays and particular provisions
- consolidating operational and administrative provisions

### Restructure of particular provisions
Particular provisions from Clauses 52, 53 and 57 have been organised into three categories that more clearly recognise their different functions and make them easier to navigate:

1. Provisions that apply only to a specified area (Clause 51).
2. Provisions that require, enable or exempt a permit (Clause 52).

The restructure has resulted in the renumbering of several provisions.

**VicSmart integrated**

The classes of State VicSmart applications (previously contained in Clause 92) have been moved so they sit with the relevant permit triggers in zones, overlays and particular provisions.

The information requirements and decision guidelines for State VicSmart applications have been moved to the particular provisions in Clauses 59.01 to 59.14.

Local VicSmart applications have not been integrated into the VPP at this time:
Classes of local VicSmart applications are to be specified in the schedule to Clause 59.15.
Information requirements and decision guidelines for local VicSmart applications are to be specified in the schedule to Clause 59.16.

The operation of VicSmart has not changed.

**Operational and administrative provisions consolidated**

The new operational provisions section of the VPP (Clause 70) consolidates the following provisions:
Operational provisions for the new MPS and PPF.
Operational provisions for zones, overlays, particular provisions and VicSmart (previously in Clauses 31, 41, 51 and 91, respectively).
Administration provisions (previously Clauses 61.01 to 61.06).
Incorporated documents (previously Clause 81).
Background documents (new clause).
General, sign and land use terms and nesting diagrams (from previous Clauses 71 to 75.17).
Strategic implementation (new provisions only included when an LPPF is translated into the MPS and PPF)

**Changes to support the future translation into the MPS and PPF**

To support the future translation of LPPFs into the MPS and PPF, several zones, overlays and other provisions have been amended to enable their schedules to specify additional matters, including objectives, application requirements or decision guidelines.

Often these matters are included in local planning policies because some controls do not enable these matters to be specified. This has now been corrected.

Enabling these matters to be specified in controls will consolidate related provisions and allows for some local policy content to be appropriately translated into these schedules.

The changes are summarised in Figure 10.
It is recommended that the VC148 changes be considered when implementing the planning scheme review into the Greater Bendigo Planning Scheme.

### 4.2.2 Current local Planning Scheme Amendments

A number of amendments are currently being prepared or are with the Minister for Planning for approval. These include:

**Figure 11 - Current local Planning Scheme amendments**

<table>
<thead>
<tr>
<th>Amendment number</th>
<th>Description</th>
<th>Proponent</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>C177</td>
<td>Great Stupa</td>
<td>Private</td>
<td>Further information</td>
</tr>
<tr>
<td>Amendment number</td>
<td>Description</td>
<td>Proponent</td>
<td>Status</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>C217</td>
<td>Big Hill and Mandurang Valley Landscape Study</td>
<td>Council</td>
<td>Requires further strategic work</td>
</tr>
<tr>
<td>C222</td>
<td>Huntly Development Contributions Plan</td>
<td>Council</td>
<td>Preparation</td>
</tr>
<tr>
<td>C225</td>
<td>10 Drake Street Axedale</td>
<td>Private</td>
<td>Further information</td>
</tr>
<tr>
<td>C226</td>
<td>Rezone 1A Railway Street</td>
<td>Private</td>
<td>Further information</td>
</tr>
<tr>
<td>C228</td>
<td>LaTrobe Osborne St</td>
<td>Private</td>
<td>Further information</td>
</tr>
<tr>
<td>C230</td>
<td>Rezone from SUZ4 to GRZ, Fenton St, North Bendigo</td>
<td>Private</td>
<td>Further information</td>
</tr>
<tr>
<td>C232</td>
<td>Implementing Strathfieldsaye Town Centre Urban Design Framework</td>
<td>Council</td>
<td>Preparation</td>
</tr>
<tr>
<td>C234</td>
<td>Nanga Gnulle Heritage Overlay</td>
<td>Council</td>
<td>Panel</td>
</tr>
<tr>
<td>C235</td>
<td>City Centre Heritage Study</td>
<td>Council</td>
<td>Preparation</td>
</tr>
<tr>
<td>C237</td>
<td>Coliban Water - Waste Water Treatment Plant Buffer</td>
<td>Private</td>
<td>Preparation</td>
</tr>
<tr>
<td>C238</td>
<td>Environmentally Sustainable Design (ESD) Policy</td>
<td>Council</td>
<td>Authorisation</td>
</tr>
<tr>
<td>C239</td>
<td>Apply EAO to former North Bendigo Primary School site</td>
<td>DTF</td>
<td>Preparation</td>
</tr>
<tr>
<td>C240</td>
<td>Rezone 48 Hopetoun Street, Bendigo to residential Zone</td>
<td>Private</td>
<td>Preliminary assessment</td>
</tr>
<tr>
<td>C241</td>
<td>Rezoning of former Golden Square Primary school to residential Zone</td>
<td>DTF</td>
<td>Preparation</td>
</tr>
<tr>
<td>C242</td>
<td>Eaglehawk Landfill Buffer</td>
<td>Council</td>
<td>Preparation</td>
</tr>
<tr>
<td>C243</td>
<td>Heathcote Flood Study</td>
<td>Council</td>
<td>Preparation</td>
</tr>
</tbody>
</table>

Council has adopted a work program through to 2021 which provides the scheduling for upcoming strategic work and Planning Scheme amendments. This program was adopted by Council in July 2017 and can be found at Appendix 3.
It is recommended that the adopted strategic work program be reviewed in light of the recommendations of this review.

4.2.3 Completed Council Planning Scheme Amendments

79 Council Planning Scheme Amendments to the Greater Bendigo Planning Scheme were gazetted between January 2010 and December 2017.

The nature of the 79 Planning Scheme amendments includes:
- Housekeeping (17)
- Commercial (16)
- Heritage (15)
- Industrial (8)
- Residential (8)
- Township (7)
- Education (4)
- Health (4)

Refer to Appendix 4 for full details of the 79 amendments.

5 Planning Scheme Amendments authorised by Council were not completed during this period. This includes:
- Refusal of interim or permanent requests for a Heritage Overlay (4)
- Amendments lapsed (1)

Refer to Appendix 4 for details of the 21 amendments.

4.2.4 Planning Panel reports review

Between 2010 and 2017, 79 Amendments have been approved to the Planning Scheme. Of these 21 (27%) went to a planning panel, and 58 (73%) did not.

Panel’s recommendations have been reviewed to identify areas where the Planning Scheme changes were supported, and where there still may be a policy gap, either as further work recommended by panels, or parts of proposed amendments not supported. Overall Panels have been supportive of Council’s proposed amendments with all being recommended for approval, but most with some recommended changes. These changes range from minor to more substantial.

Of the 21 Panel reports:
- 4 were for the implementation of structure plans
- 7 were site specific rezonings
- 6 were for the application of heritage overlays
- 2 was a new planning policy
- 2 for a combination

Refer to Appendix 5 for details of Panel reports

Key policy issues raised in Panel Reports
- Consider consistent application of DDO6
- Review the non-urban breaks around Bendigo
• Consider heritage values of character policies
• Review old airport controls
• Review Strathfieldsaye density and character controls
• Review zoning of 91 Howard Street following buffer work
• Prepare an overall strategic framework plan and review the UGB.
• Environmental Significance Overlay buffer for Marong Business Park if developed
• Review the Significant Landscape Overlays for Big Hill and Mandurang
• Review the flooding overlays as more information becomes available and mitigation is undertaken.

Conclusion
A relatively small number of Planning Scheme amendments (27%) have been referred to Planning Panels Victoria since 2010. In each case, the Panel was generally supportive of Council’s position.

There are some matters highlighted for future work. Some of which are already being undertaken, others which need to be programmed or further considered.

**It is recommended that the following strategic work be undertaken in response to the issues identified in the review of Planning Panel reports:**

• Consider consistent application of DDO6
• Review the non-urban breaks around Bendigo
• Consider heritage values of character policies
• Review old airport controls
• Review Strathfieldsaye density and character controls
• Review zoning of 91 Howard Street following buffer work
• Prepare an overall strategic framework plan and review the UGB.
• Review the Significant Landscape Overlays for Big Hill and Mandurang
• Review the flooding overlays as more information becomes available and mitigation is undertaken.

4.3 Planning permits review

This section provides an overview of our planning permit performance, including an analysis against comparable Council’s and matters appearing at VCAT.

4.3.1 Planning permit performance and benchmarking

A benchmarking exercise was undertaken as part of this review to determine the statutory planning performance of Greater Bendigo against the State average and 2 comparable Council’s (Ballarat and Geelong).

The benchmarking exercise used PPARS annual reports over 3 different periods (2011-12, 2013-14, and 2016-17) to enable trend analysis.

**Findings**

• **Applications decided**
The amount of permit applications decided over the 3 periods has been very consistent, with all years within 84 applications of each other. The percentage of approvals versus refusals has also remained steady at 92-98% approvals.
• **Applications with notice**
Applications with public notice have increased approximately 5% per period and is now at 55% of annual applications. This is 15% higher than the state average (39.1%) and higher than the two other municipalities (Ballarat (28.5%), Geelong (46%)) for the 2016-17 period.

Notice of applications has a very important role in the planning system; however, the percentage of applications with public notice in Greater Bendigo is much higher compared to the state average. It needs to be investigated if there is a valid reason for this or if there are minor applications requiring notice unnecessarily.

It is recommended that notice requirements in the Greater Bendigo Planning Scheme be examined, and options to remove unnecessary notice requirements in the Planning Scheme be explored. It may be particularly useful to look at the planning mechanisms Ballarat has in place, as its percentage is significantly lower.

• **Applications with further information**
The number of applications requiring a request for further information remained steady at 30-32% across the 3 periods. This is less than the state average (45.5%), and comparable to Ballarat (28.6%) and Geelong (33.3%) for 2016-17.

• **Applications with referrals**
Applications requiring referral to a referral authority have decreased over the period (43% 2016-17, 58.4% 2011-12), but remains high in comparison to Ballarat (13.1%) and the State (24.9%).

Like notice of applications, referrals play an important role in the planning system, however this number is high compared to the state average.

It is recommended that referral requirements in the Greater Bendigo Planning Scheme be examined, and options to remove unnecessary referral requirements in the Planning Scheme be explored. Again, it may be useful to look at the referral requirements Ballarat has in place, as its percentage is significantly lower.

• **Applications with submissions**
The percentage of applications receiving submissions from the public has remained consistently low throughout the three periods (under 11%), with only 8.5% in the 2016-17 period. This is also less than Ballarat, Geelong, and the State.

• **Fees and cost of works**
The value of fees and cost of works was similar in both 2011-12 and 2013-14, however, there was a significant increase in the 2016-17 period. This increase is attributable to the introduction of new state-wide planning fees which came into effect in October 2016.

• **Processing Time**
There has been a steady increase in the percentage of applications processed within 60 days (80% in 2016-17, 71% in 2013-14, and 62% in 2011-12). This is above the State (62%), and slightly better than Ballarat at 77% and Geelong at 70%.

This is a positive result as it shows Council is consistently meeting and improving one of its core functions.
• **VCAT**
Bendigo has consistently decreased the number of applications determined at VCAT from 45 cases in 2011-12 to just 9 in 2016-17. This is only 0.7% of applications for 2016-17 compared to 4% in 2011-12. Bendigo and Ballarat currently have similar number of cases in the 2016-17 period. Geelong was quite high at 41 cases for this period.

This drop is attributable to VCAT reforms where extension of times no longer had to considered by VCAT.

• **Application categories**
Across the 3 Councils, the most common type of planning application has consistently been for the subdivision of land. Bendigo had 26% for the 2011-12 and 27% for the 2013-14 period. It then dropped to 18% for the 2016-17 period. Geelong has had a small decrease over the same period and remains at 27% of applications. Whilst Ballarat had a decrease in the 2013-14 time period and has remained at a lower percentage for 2016-17 (19%).

Following subdivision of land, the next two highest application types across all periods were for single dwellings and extension to a dwelling.

The lowest percentage of application type across all periods was for waiving of parking requirements. This has been consistent at 2.7%-3% which is similar to the State average.

Across all periods, the percentage of demolition applications in Bendigo was higher than the State average. 8% of applications in Bendigo compared to the State average of 3% in 2011-12, 11% compared to 4% in 2013-14 period, and 7% compared to 3% in 2016-17 period. Demolitions in Bendigo remained higher than the other Councils in all periods except for Ballarat in 2016-17, which spiked at 13% (2013-14 was 3% and 2011-12 was 2%).

*It is recommended that planning permit referral and notice requirements be reviewed to determine if any requirements are unnecessary and could be removed.*

### 4.3.2 VCAT cases review

Victorian Civil and Administrative Tribunal (VCAT) findings between 2010 and 2017 have been reviewed to identify areas where the LPPF has been effective in guiding decisions and assisted VCAT in determinations, and areas where policy has been missing or has not been helpful to VCAT. Overall, the LPPF is supported by VCAT.

In the period between 2010 and 2017, approximately 183 planning matters progressed to VCAT.

Of these:
- 2 were enforcement applications;
- 2 were review of a decision of a specified body;
- 6 were matters relating to declarations or determination (1 being a general declaration);
- 11 were failure to determine (i.e. where in excess of 60 days had passed without a decision being made);
- 44 were applicant appeals against refusals to grant a permit/ or Development Plan;
- 55 were appeals against decision to grant a permit (permit objector review);
24 were applicant appeals against conditions (some concurrently lodged with respect to an appeal against a notice of decision to grant a permit);
31 were appeals against refusal to extend a permit;
7 related to amendments to permit existing planning permits; and
1 related to a refusal to issue statement of compliance

Of the 183 matters, 124 involved residential development in some form (subdivision, medium density or heritage).

With respect to the applications related to refusal to extend a permit, the majority of these involved applications where the Tribunal was being used as a ‘rubber stamp’ to extend expired permits; expired permits which the City was obligated to ‘refuse’ in order to open up the discretion of the Tribunal to review the ‘decision’. These matters were typically dealt with ‘on the papers’ without the need for any appearance by the City or permit applicant.

It is noted that the Planning and Environment Act has since been amended to stop/prevent expired permits being extended in this way.

Internal statistics note that 56 decisions were overturned; which would on face value seem like a high number; however, when the 31 appeals against refusal to extend a permit are excluded, the majority of planning decisions either resulted in the decision being affirmed or varied by the Tribunal. Note a ‘varied’ decision could be something a minor as a redraft of a permit condition, or an approval subject to new requirements that might result in changes being required to the proposal by permit condition.

Refer to Appendix 6 for details VCAT matters.
a) Key policy/ issues raised in VCAT decisions

The following is a commentary that deals with some themes observed, or decisions of note with respect to various policy or technical considerations.

“Character”:
- DSD/273/2012 - 46 Nolan Street, NORTH BENDIGO 3550. Subdivision of land into 5 lots and construction of 5 two storey dwellings and a waiver of visitor car parking requirements;
- DSD/840/2013 - 46 Nolan Street, NORTH BENDIGO 3550. Construction of four dwellings and four lot subdivision;
- DSD/928/2013 - 21-25 Curtin Street, FLORA HILL 3550. 15 lot subdivision and the construction of a dwelling on each lot;
- DSD/793/2010 - 7 Glencoe Street, KENNINGTON 3550. 11 lot subdivision and construction of 11 dwellings; and
- DSD/94/2013 - 7 Glencoe Street, KENNINGTON 3550. 10 lot subdivision of land and construction of 10 dwellings.

Character policy is a tool that is used to guide decision making for infill residential development. The City has over 84 Character Policy precincts, which the Planning Panel at the time noted was reflective of the City’s desire to have a ‘fine grain’ level of differentiation between precincts. The Panel also noted that having that level of policy was appropriate for the strategic context of the time where population growth was low.

The above listed permit and review applications related to infill development (on sites subject to the General Residential Zone, and without the Neighbourhood Character Overlay) that proposed ‘joined’ terraced style development (no spacing between dwellings fronting an existing street). All were ultimately refused, despite most decisions noting that ‘few if any’ developments will meet all the policy objectives and preferred design responses – which are there to ‘guide’ but not be slavishly applied.

The challenge presented is that most of the character policies, despite the purported fine grain differentiation between precincts and sub-precincts are more geared towards a ‘more of the same’ conservative ‘in grounds’ vision for infill. Diverse or denser housing forms (including joined/terrace) have not found support when challenged at VCAT.

- DSD/803/2012 - 308 Barnard Street, IRONBARK 3550. Two lot subdivision, construction of a two/three storey dwelling, partial demolition, extension and alteration to existing dwelling and construction of detached garage for existing dwelling; and
- DSD/796/2014 - 308 Barnard Street, IRONBARK 3550. Demolition of existing outbuilding and partial demolition of existing dwelling, two lot subdivision of land, construction of a two storey dwelling, alteration and two storey extension to existing dwelling, construction of garage, retaining walls and fences.
These were interesting decisions as they were cases where the Tribunal saw that ‘Heritage and Character’ collide. There is difficulty in separating both considerations and indeed, it is noted that a suitable heritage outcome is also a suitable character outcome in most cases.

- **DSD/245/2014 - 43A Reservoir Road, STRATHDALE 3550.** 2 lot subdivision (including common property) and alteration of access to a road zone.

This is a notable as decision as it observes at para 22: ‘I give limited weight to the local policy in clause 22.24. It predates the policies in clauses 11, 16 and 21 that clearly encourage some level of intensification and more robust built form in well serviced areas such as this. I also think that it is less relevant to contemporary expectations regarding housing that include relatively large dwellings and two storey built form”.

“**SEPP – 30 metre setback from waterways**”

- **DSD/775/2009- 2 Autumn Gully Road, SPRING GULLY 3550.** Subdivide Land into 6 Lots and construction of 5 dwellings, Alterations and Additions to Existing Units and removal of Native Vegetation.

This decision relies on state policy and notes that whilst a 30 metre setback is not ‘mandatory’ (recognising the guiding role of policy) but holding that ‘I do not support any proposal which extends and intensifies residential development on land closer to the watercourse and well within the 30 metre setback”.

“**Heritage Policy**”

- **DR/444/2014 - 189 Wattle Street, IRONBARK 3550.** Demolition of the existing single storey dwelling and front fence and the construction of a multi-level, contemporary-style dwelling and associated works.

This decision was made prior to the approval of Amendment C201 which noted that “a relatively brief heritage policy at clause 22.06 that has limited relevance to the subject land” The absence of policy, and the fact the reference document (Butler and Associates Heritage Study) was completed in 1993 meant that the City had to engage an expert witness to support its decision to refuse to grant a permit in that instance. This contrasts with the following:

- **AM/1005/2011/A - 182 Wattle Street, BENDIGO 3550.** Partial demolition of dwelling, demolition of outbuilding, three storey extension to existing dwelling and construction of swimming pool and garage (Amended plans to allow for new design).

Significant weight was given to the new Heritage Policy and Design Guidelines (the latter which became an Incorporated Document post C 201 – 12/05/2016).

“**Native vegetation**”

- **DS/834/2008 - 134-136 Aspinall Street, Golden Square.**  Subdivision of land.

This application was assessed having regard to an earlier version of clause 52.17 (which has been extensively amended twice since then) though it affirmed commonly held principles with respect to
urban design/ site responsiveness and a factor in the refusal of this permit (for 77 lots) was that “genuine attempt must be made to ‘avoid’ their loss and minimise impacts, and that the subdivision layout must be more ‘organic’ in responding to the specific site features”.

“Farming Zone Subdivision (strength in State and Local Policy)”:  
- DS/538/2010 - Lot 2 Murphys Lane, TOOLLEEN 3551. Subdivision of land into 4 lots; and  
- DS/149/2010 - 1292 Murphys Lane, TOOLLEEN 3551. Subdivision of land into 4 lots

Both these decision (that were heard and determined concurrently) confirmed that the City’s Rural Subdivision policy was a sound tool to guide decision making.

In the hearing, the City did not pursue a ground of refusal that referred to the Rural Areas Strategy (2009) which was proposed to be introduced as a reference document to the Planning Scheme under amendment C 170 (implementation of an earlier MSS review that never progressed to a Panel).

The Tribunal nonetheless found the document to be helpful in terms of scene setting and its indication of the direction that the City’s policy in this space may take moving forward.

“Industrial use in a Farming Zone”  
- DC/790/2013 - 1161 Calder Alternative Highway, LOCKWOOD 3551 "The uses of “Trade Supplies” and “Industry” on land zoned Farming Zone; associated buildings and works on land zoned Farming Zone; removal of a native tree in the Calder Alternative Highway road reserve; business identification signage pursuant to Clause 52.05, in accordance with the endorsed plans"

This decision sought to have an incompatible industrial use refused (use was already operating) relying in part on clause 22.05 (Industrial Policy) which discourages Industrial uses that do not relate to agriculture from locating in such zones.

The Tribunal granted a ‘temporary’ 2 year permit for the use, though the use failed to cease before the permit expired. The City has expended considerable resources in pursuing the operator (operating without a valid permit) through VCAT via enforcement proceedings and in the Magistrates Court.

“Gaming Policy”  
- DU/301/2011 - 134 Marong Road, WEST BENDIGO 3550 Installation and use of 30 additional gaming machines (105 gaming machines in total on the premises); and  
- DC/759/2009 - 2 Old High Street, GOLDEN SQUARE 3555. The installation and use of 25 electronic gaming machines; Demolition, buildings and works under Clauses 43.01 and 43.05; Buildings and works under Clause 32.01; Signage under Clause 52.05; Waiver of parking under Clause 52.06; Dispensation from loading facilities under Clause 52.07; Permission to supply and consume liquor under Clause 52.27; in accordance with the endorsed plans.

The City local policy has not been effective in terms of decisions upheld. Both applications above, a ‘top up’ application and new venue were refused and both decisions were overturned.
The Old High Street decision (the first decision after the policy was introduced into the Planning Scheme) identified a number of issues with the policy which lead to questions as to its effectiveness as a guiding tool to assist in planning decision making.

The Gaming Policy is currently being reviewed separately to the Planning Scheme Review by the Health and Wellbeing Directorate, with close involvement from Statutory Planning.

“Northern Corridor and Huntly LSP/Highway Entrances and Boulevards, and Commercial Land Strategy”.

- DU/186/2011 - 582-586 Napier Street, WHITE HILLS  3550 Use and Develop Land for Convenience Restaurant and Alter Access to Road Zone Category 1

This was a case where the applicant, City and objectors all relied heavily on the various policies to support their contentions, in particular the content of two reference documents being City’s Northern Corridor and Huntly Local Structure Plan (Conceptz et al) and the Highway Entrance and Boulevards Policy (Trevor Budge and Associates) were the subject of lengthy submissions.

The Tribunal viewed the policy work differently noting that ‘Essentially the policy provisions of the scheme do not overly support or reject the proposal when taken as a whole’.

“Notable non-residential decisions”

- AM/2248/1997/C - 1091 (CA 37 Sec 1) Heathcote-Nagambie Road, and (CA16 Sec 6) Bradleys Lane, COSTERFIELD Open cut mining and gold antimony recovery and existing treatment plant (located at the Brunswick mine site) and works allowed by the Victorian Civil and Administrative Tribunal in its determination of permit amendment proceedings P842/2014 and P846/2014 authorising the raising of the dam walls of the Bombay tailings dam and the Brunswick tailings dam associated with the Augusta mine.

This operation is in a Farming Zone (though long established) and had an interesting discussion following a practice day hearing as to how best to categorise the use.

- DC/634/2012 - 2 Club Court, STRATHFIELDSAYE  3551 Development Plan for a new shopping centre comprising a supermarket, retail units, other non-specified uses, car parking and landscaping

This decision gives weight to the City strategic work for the Town Centre of Strathfieldsaye (found only in a reference document) stating “the amount of landscaping fails to disguise the fact that this remains a proposal for a stand-alone shopping centre set well back from, and isolated from, the surrounding streets by a sea of car parking. It is exactly the sort of poor design solution that was criticised in Burns Bridge and that the Activity Centre Design Guidelines and the Strathfieldsaye Township Plan 2009 seek to avoid”.

- DP/937/2013 - 9 Rowena Street, EAST BENDIGO 3550 (Lot 2 PS 710054S) Development and use of a place of assembly, place of worship (Mosque), minor indoor sports and recreation facility
(sports hall) and a caretaker’s dwelling; and removal of native vegetation; in accordance with the endorsed plans.”

There were several Tribunal Orders including a “Red Dot” with respect to an applicant for review wishing to remain anonymous in the review process (that request was denied). The substantive decision (that was appealed to both the Supreme Court of Appeal and High Court) held that a Place of Worship can, in certain circumstances such as that which the application site was within, be an appropriate land use in an Industrial Zone.

The decisions contain useful discussion around the Act and the consideration of social and economic impacts.

“Cultural Heritage Management Plans (CHMPs)”
- DS/76/2012 – 43 Sullivan Street, Ascot “Approval of Development Plan; and 20 lot subdivision of land including native vegetation removal”
- DR/453/2013 – 3 Belvoir Park Road, Ravenswood “Use and develop land for group accommodation”

The first case was in instance where the City relied on a reference document called the Cultural Heritage Report, August 2010 in terms of providing a basis for determining that Cultural Heritage Management Plans were not required in some parts of urban Bendigo, in particular along the Bendigo Creek Corridor.

This document cited primary and secondary historical sources, and was vetted by Aboriginal Victoria as it was developed at a time which was prior to the Dja Dja Wurrung Aboriginal Clans Corporation becoming the Registered Aboriginal Party for the majority of the municipality.

The document was found wanting by the Tribunal, and whilst remaining a reference document in the scheme is no longer relied upon by the City or Development Industry as a result of that decision. It remains a reference document in the Planning Scheme, though should be deleted in light of the above.

The second decision is relevant in that it concluded that a use of land was a ‘high impact activity’ though as the activity area itself was well outside an area of Cultural Heritage Sensitivity that a CHMP was not required in that instance.

b) Findings

The City of Greater Bendigo is a large municipality with the regional centre of Bendigo at its core which is surrounded by suburbs, forest, small towns and farm land; as such the City receives a diverse range of applications and appeals.

The review of cases has generally found that the City’s long held emphasis on having strategy/policy led outcomes (by the use of local policy and/or Incorporated/Reference Documents) is useful in the decision making process for Council and VCAT when decision are reviewed. Some issues that have been identified from the review of the cases are as follows.
When implementing new policy it appears that there has been a practice to include a reference document in the Planning Scheme sometimes as a substitute to embodying or distilling the policy content in the MSS and/or Local Planning Policy Framework.

This approach could be seen as providing for less certainty for the City, applicants or the community given a Reference Document is given less weight in planning decision making matrix than that which is given to the SPPF, MSS, LPPF, and/or Incorporated Documents. Examples of where the policy setting of sites was reliant in part on a reference documents included appeals at 2 Club Court and 582-586 Napier Street.

A recurring issue ventilated at the Tribunal could be described as the City having ‘growing pains’ with the overwhelming majority of cases related to decisions made in residential zones with respect to subdivision, multiple dwellings on lots, extensions to dwellings or a combination of all three. The large number of appeals in this application type is not surprising given there are broader notice exemptions in commercial or industrial zones that could prevent third party participation in the planning process.

A theme that can be observed in residential VCAT decisions is there is a tension between the exercise of discretion in considering the issue of character and how growth is accommodated. More ‘compact’ housing forms (including joined/terraced style) dwellings have not found support at the Tribunal; whereas more conservative (and less dense) ‘in grounds’ dwelling forms have generally found support.

The Reservoir Road decision (though ultimately refusing to grant a permit) went as far to say with respect to role Character Policy plays in decision making that: “I give limited weight to the local policy in clause 22.24. It predates the policies in clauses 11, 16 and 21 that clearly encourage some level of intensification and more robust built form in well serviced areas such as this. I also think that it is less relevant to contemporary expectations regarding housing that include relatively large dwellings and two storey built form”. This leads to questions as to whether the policies remain ‘fit for purpose’ given the reference document that informed the policies was completed 17 years ago in 2001. Contemporary planning practice and State (as well as Local) planning policy has evolved significantly in response to sustained periods of growth, and Government policy expectations are now that major regional centres will take some of burden off Greater Melbourne in accommodating growth.

Commercial and Industrial permit decisions are reviewed less frequently; and this could be partly as a result of the broader exemptions from notice and review rights that apply. It is also likely that the tools used to implement a strategic vision are more robust when applied for example zones are applied more strategically and rezoned precincts make greater use of Design and Development Overlays to guide built form outcomes. This contrasts with residential development where the full suite of zones/ and schedules have not been applied to date so Character Policy is relied on more to help guide the exercise of discretion.

VCAT decisions (both from Greater Bendigo and across the state) assist greatly when looking for guidance on common issues, and in the review period there have been a number of instances when findings from VCAT decisions have led to approaches to some issues being adjusted.

**It is recommended that the following actions be undertaken to address the issues identified in the VCAT cases review:**

- Undertake further strategic work to better manage residential character and residential growth. Specifically:
A review of the Residential Character Study, 2001 is required as the policies are very dated
Strategic work should investigate the use of the full suite of residential zones and schedules

- Undertake a review of the Eaglehawk and Bendigo Heritage Study, 1993, which covers much of urban Bendigo and provides insufficient information
- Undertake a review of the Rural Areas Strategy, 2009 or similar land use strategy
- Review the Gaming Policy (currently underway through a separate project)
- Review the Highway Entrances and Boulevards Study, 1994 and ensure there is sufficient policy translation into the Planning Scheme
- Ensure appropriate translation of reference documents into the Planning Scheme. Specifically:
  - Northern Corridor and Huntly Local Structure Plan, 2005
  - Strathfieldsaye Township Plan, 2012 (currently underway through a separate project)
- Develop urban design guidelines to ensure the appropriate design of commercial developments (such as shopping centres)
- Delete the “Cultural Heritage Report, August 2010” from the list of reference documents as it is no longer relied upon

4.4 Statutory Planning Service improvements

The guide to the review of a Planning Schemes recommends that a review of internal planning systems and processes be undertaken as part of a Planning Scheme review to identify opportunities to improve the operation of Council’s statutory responsibilities.

The analysis of the statutory planning has identified that the unit has adopted a continual improvement approach to its operations. Some of the improvements implemented since the last review include:

- Free of charge planning pre-application meetings and electronic system to track and respond
- Online planning register and online advertised planning applications
- Ability to lodge objections to a planning permit online
- New planning fees and fee waiver policy
- Electronic planning referrals
- Demolition enquiry service and electronic system to track and respond
- Development of electronic module for the processing of Planning Scheme amendments
- Participating in Better Approvals project

4.4.1 Independent review

In 2013, the Greater Bendigo City Council undertook an Independent review of the Council and organisation to identify improvements to its operations.

Council appointed an Independent Review Committee (IRC) to govern the conduct of the review and Aurecon Australia Pty Ltd as the independent consultant to undertake the review.

The report made 69 recommendations for Improvements in:

- Governance,
- Income and expenditure and economic development,
• Quality of service delivery, management and staffing, structure and innovation,
• Prioritising capital works,
• Communications and community engagement.

6 recommendations were specific to statutory planning and a summary of our response is included at appendix 7.
• Planning delegation
• Consultation and mediation
• Benchmarking
• Improving statutory planning services
• DPCD Flying Squad
• Priorities for Planning Scheme amendments

Section 4 recommendations

17. Integrate the vision and goals of the Community Plan and the Municipal Public Health and Wellbeing Plan into the Greater Bendigo Planning Scheme.

18. A local policy response to the following State Government reforms should be included in the Greater Bendigo Planning Scheme:
   • Melbourne Metropolitan Plan (‘Plan Melbourne’)
   • Loddon Mallee South Regional Growth Plan
   • Planning policy for Healthy Neighbourhoods
   • Planning requirements for racing dog keeping and training facilities
   • Protecting Victoria’s environment – Biodiversity 2037 and the new native vegetation management framework
   • VC140 and settlement planning for bushfire

19. Undertake future strategic work recommended in the review of Planning Panel reports:
   • Consider consistent application of DDO6
   • Review the non-urban breaks around Bendigo
   • Consider heritage values of character policies
   • Review old airport controls
   • Review Strathfieldsaye density and character controls
   • Review zoning of 91 Howard Street following buffer work
   • Prepare an overall strategic framework plan and review the UGB
   • Review the Significant Landscape Overlays for Big Hill and Mandurang
   • Review the flooding overlays as more information becomes available and mitigation is undertaken

20. Review planning permit referral and notice requirements following the planning permit benchmarking exercise to determine if any requirements are unnecessary and could be removed.
21. Undertake the following actions to address the issues identified in the VCAT cases review:

- Undertake further strategic work to better manage residential character and residential growth. Specifically:
  - A review of the Residential Character Study, 2001 is required as the policies are very dated
  - Strategic work should investigate the use of the full suite of residential zones and schedules
- Undertake a review of the Eaglehawk and Bendigo Heritage Study, 1993, which covers much of urban Bendigo and provides insufficient information
- Undertake a review of the Rural Areas Strategy, 2009 or similar rural land use strategy
- Review the Gaming Policy (currently underway through a separate project)
- Review the Highway Entrances and Boulevards Study, 1994 and ensure there is sufficient policy translation into the Planning Scheme
- Ensure appropriate translation of reference documents into the Planning Scheme. Specifically:
  - Northern Corridor and Huntly Local Structure Plan, 2005
  - Strathfieldsaye Township Plan, 2012 (currently underway through a separate project)
- Develop urban design guidelines to ensure the appropriate design of commercial developments (such as shopping centres)
- Delete the “Cultural Heritage Report, August 2010” from the list of reference documents as it is no longer relied upon
5. Planning Scheme Audit

After establishing the policy context of the review, the next stage was an analysis of the status of the existing Local Planning Policy Framework (LPPF) in the Greater Bendigo Planning Scheme.

5.1 Policy neutral review of the MSS

As an initial step, a policy neutral review and audit of the existing MSS was prepared. A policy neutral review is the process of updating and improving the content of the Scheme without changing the policy intent.

This process reconfigured the existing MSS to align with the structure of the SPPF, and enabled analysis of the existing local policy against State policy to identify repetition, gaps, and strengths.

The policy neutral review was finalised in April 2018. However, in July 2018 amendment VC148 was gazetted by the State Government. As discussed in section 4.2 of this report, this amendment restructured all planning schemes in Victoria by replacing the SPPF, LPPF, and MSS with an integrated Planning Policy Framework (PPF) incorporating state, regional and local planning policy, along with introducing a new Municipal Planning Strategy (MPS) as a more streamlined version of the MSS.

The implications of VC148 on this review are considered generally administrative. The content of the SPPF (which the LPPF was assessed against) has generally been directly translated into the PPF format, policy direction and intent has not changed. Therefore, the findings of the policy neutral review are still considered valid and provide a valuable basis to assess the status of local policy.

All Council’s across the state including Greater Bendigo will have to transition their LPPF and MSS into the new PPF, MPS format. Having undertaken this policy neutral review will makes it easier to transition Greater Bendigo’s content into the new planning scheme structure.

5.1.1 Policy tracking methodology

The following methodology was used to track changes to the MSS through the policy neutral restructure:

- To track where policy has been moved, each paragraph in the existing MSS has been numbered with a unique number which comprises its clause number and its paragraph number under that clause. For example, the third paragraph of Clause 21.04-2 is numbered as follows:

  The plans are to be read in conjunction with the objectives and strategies outlined in Clauses 21.05 to 21.09. 21.04-2p3

- The structure within relevant themes is based upon the relevant SPPF clause and is shown like this:

  11.01-1 SETTLEMENT NETWORKS

- Where wording has been modified, new text has been added or text has been deleted, it is shown like this:
The MSS was then examined using a number of drafting principles outlined below:

**Drafting principles used**

- Remove policy which repeats the SPPF
- Remove policy that does not relate to planning
- Use local policy only when necessary
- Use local areas in the MSS rather than Local Policies
- Don’t rely on external documents
- Use maps, plans and tables as much as possible
- Use SPPF structure and headings
- Use a consistent hierarchy of clause headings
- Use clause numbering to assist with navigation
- Ensure objectives and strategies are clear
- Ensure there is a clear link between objectives and strategies
- Use a consistent suite of active verbs for strategies
- Avoid strategies with multiple policies
- Avoid any conflicting policies
- Avoid listing unnecessary Zones and overlay implementation
- Use a consistent format for reference documents

**5.2 Findings of the Planning Scheme audit**

The policy neutral review “Policy neutral review of the Greater Bendigo Planning Scheme LPPF, April 2018” is included at appendix 8 and the findings are discussed below.

The following lists provide a summary of the findings from the Planning Scheme audit, which are then discussed in detail in subsequent sections.
Formatting/Planning Scheme structure

The following list provides a summary of the formatting/structure findings of the Greater Bendigo Planning Scheme:

- The themes used to structure the MSS are not consistent with the State themes and can cause confusion navigating policy. State policy themes should be used to logically structure local policy.
- A number of drafting principles should be used to improve the quality of local policy:
  - Remove policy which repeats SPPF
  - Remove policy that does not relate to planning
  - Use local policy only when necessary
  - Use local areas in the MSS rather than Local Policies
  - Don’t rely on external documents
  - Use maps, plans and tables as much as possible
  - Use a consistent hierarchy of clause headings
  - Use clause numbering to assist with navigation
  - Ensure there is a clear link between objectives and strategies
  - Use a consistent suite of active verbs for strategies
  - Avoid strategies with multiple policies
  - Avoid any conflicting policies
  - Avoid listing unnecessary Zones and overlay implementation
  - Use a consistent format for reference documents
- The Local Areas section of the MSS should be utilised to better group area specific policy which is scattered throughout the MSS.
- All current and recommended strategic work should be prioritised using a strategic matrix to ensure work is undertaking in an orderly and strategic manner.
- Formatting and language of local policy should be improved through the use of a hierarchy of headings, numbering of objectives and strategies to assist with navigation, and the use of consistent language.
- Some policy themes do not have a framework plan to provide the spatial representation of the key strategic directions and issues. All MSS themes should include a comprehensive framework plan.
- All local mapping in the MSS, and Zone and Overlay Schedules should be updated to ensure it is legible and provides the necessary detail.
- All incorporated and reference documents should be reviewed to ensure they are still relevant, necessary, and sufficient policy has been extracted into the Planning Scheme.

Quality of planning policy

The following list provides a summary of the policy audit findings of the Greater Bendigo Planning Scheme:

- The strategic land use vision is dated and the Community Plan, MPHWP, and One Planet livening principles should be integrated.
- The section identifying the key issues and influences facing the municipality is far too long and should be more concise.
• Settlement and housing policy has high level policy direction from the Greater Bendigo Residential Strategy, however it is lacking suburb/area specific direction to sufficiently guide development in a strategic and coordinated way.
• Residential character policies have become very dated and have not kept pace with the development of urban Bendigo.
• There remains large areas of urban Bendigo and the wider municipality which are yet to be studied for heritage significance, putting important heritage assets at risk.
• Identification and management of environmental assets is sparse and dated. This includes biodiversity, native vegetation, flora and fauna, salinity and erosion etc.
• There is very minimal policy to guide the development of the rural areas of the municipality. This includes policy relating to the protection of prime agricultural areas, rural industries, and locations where dwellings should and shouldn’t be supported in rural areas.
• Open space policy is very dated and there’s minimal policy guidance for new open space requirements and contributions.
• A policy response to climate change, renewable energy and environmental sustainable design needs to be provided.
• Commercial development directions are up to date with the implementation of the Commercial Land and Activity Centre Strategy.
• Transport policy direction is also comprehensive and up to date with the implementation of the Integrated Transport and Land Use Strategy.
• There is insufficient policy direction in regards to development and community infrastructure requirements and contributions.

Local Planning Policies

There are currently 29 Local Planning Policies included within Clause 22 of the Greater Bendigo Planning Scheme.

The analysis of the policies reveals that:
• 1 is under review by a separate piece of strategic work (Gaming)
• 2 are quite good and require little change (Heritage and Signage)
• 2 should be merged and updated (Rural dwellings and subdivision)
• 3 should be retained albeit edited (Industrial, Animal keeping, and Licensed premises)
• 5 should be moved into the MSS (Urban-forest interface, Salinity & erosion, highway entrances, Hospital precinct medical centres, and Calder freeway environs)
• 16 should be deleted and replaced by a new residential infill policy (Residential character precincts)

Zones

In regards to the planning zones utilised in the Greater Bendigo Planning Scheme the following findings have been made:
• Future strategic work is recommended to review the application of further residential zones (Residential Growth Zone (RGZ) and Neighbourhood Residential Zone (NRZ)) or other methods to better direct infill residential development
• Existing Mixed Use Zone (MUZ) areas need to be reviewed to ensure they’re operating as intended, and separate schedules developed to provide more specific guidance for each area
• The use of the Township Zone (TZ) needs review to ensure it is achieving its intended outcome
• The Low Density Residential Zone (LDRZ) is operating well
• Industrial zones are operating well, however the Industrial Strategy is dated and requires review (which has now commenced). There is also conflict between industrial and residential areas that needs to be reviewed and managed
• The extent of Commercial 1 Zone (C1Z) in the City Centre should be reviewed as part of the CBD plan refresh
• The Rural Living Zone (RLZ) needs review to examine land supply levels and application
• Potential use of the Rural Activity Zone (RAZ) should be investigated
• The Rural Conservation Zone (RCZ) needs review as some areas may have lost conservation values and it may need to be expanded into other areas
• All public zones should be reviewed to address any land use changes since last review
• The Urban Growth Zone (UGZ) should be used for all new greenfield residential growth areas to promote orderly planning

Overlays

In regards to the planning overlays utilised in the Greater Bendigo Planning Scheme the following findings have been made:

• Additional planning permit exemptions should be considered to the Environmental Significance Overlays (ESO’s)
• All Vegetation Protection Overlays (VPO’s) require review as part of broader environment study to identify flora and fauna assets across municipality
• There are 26 active schedules to the Design and Development Overlay (DDO)
  o DDO2 (Lockwood South rural living area) and DDO6 (Urban forest interface) require strategic review
  o Consideration should be given to whether the requirements from DDO 7 (Ascot residential area), DDO9 (Axedale township), DDO10 (Maiden Gully structure plan) and DDO11 (Huntly transition area) can be incorporated into Zone Schedules
  o DDO5 (CBD) needs updating and will be reviewed in CBD review
  o VC148 changes now allow Councils to specify application requirements in DDO Schedules. An appropriate policy response should be developed.
• There are 17 active schedules to the Development Plan Overlay (DPO)
  o DPO2 (Epsom and Ascot), DPO3 (GRZ density management), DPO14 (Scott Street White Hills), DPO15 (Burgoyne Street Huntly), and DPO23 (Botheras Court Epsom) have been completed or are no longer considered necessary and should be deleted
  o DPO4 (LDRZ density management) is complex and requires review through a separate piece of strategic work
  o DPO6 (Townships) is considered no longer necessary and can be deleted. Better objectives should be developed for Zone Schedules.
  o DPO17 (Former Rocklea Mills Kangaroo Flat) is being deleted through separate piece of work
o DPO26 (Strathfieldsaye township) will be amended through separate piece of strategic work
o Due to so many changes and completion of development, all DPO Schedules should be renumbered to erase number gaps.

- A strategic review of the 2 Neighbourhood Character Overlays (NCO’s) needs to occur to assess if they’re operating appropriately and address overlaps with the Heritage Overlay. This should be undertaken in conjunction with heritage studies if in the vicinity, or follow after.
- The extent of the Erosion Management Overlay (EMO) and the Salinity Management Overlay (SMO) require examination.
- The Parking Overlay (PO) needs review and should be addressed in CBD plan refresh
- A municipal wide audit of potentially contaminated sites needs to be undertaken and the Environmental Audit Overlay (EAO) applied where warranted

5.2.1 MSS structure

This section analyses the current structure of our MSS against the SPPF structure, as well as relevant planning practice notes.

Planning Practice Note – 4 – *Writing a Municipal Strategic Statement (June 2015)* (PPN4) recommends the following structure for an MSS:

<table>
<thead>
<tr>
<th>Section</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td></td>
</tr>
<tr>
<td>Municipal profile</td>
<td>Provides short and concise information about the municipality and its regional context.</td>
</tr>
<tr>
<td>Key issues and influences</td>
<td>Describes the land use and development challenges facing the municipality. This links the issues and influences with the objectives and strategies of the MSS.</td>
</tr>
<tr>
<td>Vision and strategic framework plan</td>
<td>Provides an overview of Council’s strategic direction. This includes the key directions and an overall strategic vision for the municipality.</td>
</tr>
<tr>
<td>Objectives, Strategies and Implementation</td>
<td></td>
</tr>
<tr>
<td>Themes</td>
<td></td>
</tr>
<tr>
<td>Issues or overview</td>
<td>Sets out Council’s objectives and strategies and how they will be implemented in the planning scheme.</td>
</tr>
<tr>
<td>Objectives</td>
<td></td>
</tr>
<tr>
<td>Strategies</td>
<td></td>
</tr>
<tr>
<td>Implementation:</td>
<td></td>
</tr>
<tr>
<td>Policy guidelines</td>
<td></td>
</tr>
<tr>
<td>Scheme implementation</td>
<td></td>
</tr>
<tr>
<td>Other implementation</td>
<td></td>
</tr>
<tr>
<td>Local area plans</td>
<td>In some cases it is appropriate to provide detailed guidance for specific areas on how the general strategies are to be implemented in that area. This is a useful way of including the key findings from structure plans.</td>
</tr>
</tbody>
</table>

*Figure 13 - Recommended MSS structure*
The Practice Note advises that this format will assist Councils to ensure that the content of the MSS is presented in such a way that the:

- Requirements of the Act are met
- Linkages between the MSS and the application of the Zones, Overlays, Schedules and Policies are clearly expressed.

It will also ensure a consistent approach across the State while still allowing Councils to express the local strategic vision and direction.

The Practice note also provides guidance on the use of themes in the MSS:

“The preferred approach is to use the SPPF themes. This approach reinforces the strategic linkages between the SPPF and the MSS, helps with the navigation, and improves the ease of use of the Planning Scheme. Relevant policy topics could then be used according to the needs of the municipality.”

The table below provides an analysis of the current MSS theme structure against the structure of the SPPF:

<table>
<thead>
<tr>
<th>Figure 14 - Comparison of current MSS structure against SPPF structure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current MSS structure</strong></td>
</tr>
<tr>
<td>Municipal profile</td>
</tr>
<tr>
<td>Key issues and influences</td>
</tr>
<tr>
<td>No content</td>
</tr>
<tr>
<td>Strategic directions</td>
</tr>
<tr>
<td>Compact Greater Bendigo</td>
</tr>
<tr>
<td>No Content</td>
</tr>
<tr>
<td>Economic Development</td>
</tr>
<tr>
<td>Environment</td>
</tr>
<tr>
<td>Integrated Transport and Infrastructure</td>
</tr>
<tr>
<td>Reference Documents</td>
</tr>
<tr>
<td>Monitoring and review</td>
</tr>
</tbody>
</table>

As seen in the table above, our current MSS structure is very different to that of the SPPF. This is not necessarily bad, as long as it can be strategically justified. However, the present structure seems to both be a combination of legacy issues as well as the incremental change of the MSS by separate pieces of strategic work.

In order to undertake the policy neutral review, the MSS was restructured using the Planning Practice Note 4 recommendations and the SPPF themes.

The existing MSS was rearranged as follows:
Figure 15 - MSS restructure

<table>
<thead>
<tr>
<th>Clause</th>
<th>Current structure</th>
<th>Re-structure action</th>
<th>New structure under policy neutral review</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.01</td>
<td>Municipal profile</td>
<td>Combine with 21.02</td>
<td>Municipal context and vision</td>
</tr>
<tr>
<td>21.02</td>
<td>Key issues and influences</td>
<td>Combine into 21.01</td>
<td>Settlement</td>
</tr>
<tr>
<td>21.03</td>
<td>No content</td>
<td>Utilise</td>
<td>Environmental and landscape values</td>
</tr>
<tr>
<td>21.04</td>
<td>Strategic directions</td>
<td>Combine into 21.01</td>
<td>Environmental risk</td>
</tr>
<tr>
<td>21.05</td>
<td>Compact Greater Bendigo</td>
<td>Move into settlement</td>
<td>Natural resource management</td>
</tr>
<tr>
<td>21.06</td>
<td>No Content</td>
<td>Utilise</td>
<td>Built environment and heritage</td>
</tr>
<tr>
<td>21.07</td>
<td>Economic Development</td>
<td>Retain, renumber clause</td>
<td>Housing</td>
</tr>
<tr>
<td>21.08</td>
<td>Environment</td>
<td>Move and split</td>
<td>Economic development</td>
</tr>
<tr>
<td>21.09</td>
<td>Integrated Transport and Infrastructure</td>
<td>Split and move</td>
<td>Transport</td>
</tr>
<tr>
<td>21.10</td>
<td>Reference Documents</td>
<td>Move content into relevant clause</td>
<td>Infrastructure</td>
</tr>
<tr>
<td>21.11</td>
<td>Monitoring and review</td>
<td>Delete, redundant</td>
<td>Not required</td>
</tr>
</tbody>
</table>

5.2.2 Policy audit findings and recommendations

Following the policy neutral restructure, a review of the current MSS policy against the policy directions of the SPPF was undertaken. This enabled the identification of strengths, gaps, and repetition to be identified. The findings are grouped by the SPPF themes.

a) Summary

The following snapshot has been used to provide a quick overview of the overall health of the Greater Bendigo MSS:
b) Municipal context and vision

1. Municipal profile, Key issues and influences and Strategic directions are currently spread over 3 separate Clauses.

   Recommendation:
   1.1 This is inefficient and does not assist in providing a concise overview of the municipality and our vision. The 3 clauses should be reviewed and combined into a single clause which provides a short snapshot of the municipality as well as our vision.

2. The Municipal profile has been kept mostly up to date, but in a piecemeal fashion.

   Recommendation:
   2.1 The municipal profile should be a short description of the municipality that may include a regional context. Detailed information about a municipality should be found in the Council Plan. Information that becomes outdated regularly or adds little benefit to planning decision making should not be included. The Municipal profile should be reviewed for cohesiveness.

3. The Key issues and influences Clause is far too long (6 pages) and contains lengthy paragraphs of background information.

   Recommendation:
   3.1 This section should clearly identify the key issues and influences affecting the municipality, from a regional and local perspective, that the Planning Scheme must address. Both opportunities and constraints should be addressed. There should be a clear link between the issues facing the municipality and the objectives and strategies of an MSS. The current Clause does not fulfil its purpose of providing a quick summary of issues and influences affecting the municipality. Content should be moved to relevant theme and new concise dot points should be developed.

4. There is no vision section. Strategic directions and land use themes section contains outdated themes and unnecessary structure information, which repeats practice note.

   Recommendation:
   4.1 Develop a vision for the MSS. The vision statement and the strategic framework plan provide an opportunity to set out the key State and local directions of the Planning Scheme and assist the balancing of policies. A vision is a statement or description of the type of place a Council seeks to create. The vision statement can be one concise statement or a set of statements that support the strategic framework plan.
   4.2 SPPF themes should be used unless a demonstrated need is presented. Repetition of the practice note should be removed.

5. There is no rural strategic framework plan, only urban. It provides only limited strategic detail and there are no statements supporting its strategic directions. The Urban Growth Boundary (UGB) plan is stuck obscurely at the back of the Scheme as an incorporated document.
Recommendation:

5.1 Develop comprehensive strategic framework plans for both urban and rural Greater Bendigo. The strategic framework plan provides the spatial representation of the key strategic directions and key issues of the municipality and should have clear links to the objectives and strategies of the MSS. The strategic framework plan should be supported with statements that express the strategic directions shown on the plan. The strategic framework plan provides the ‘big picture’ or vision of the municipality and should show:

- Main features and land uses
- Areas that are of significant environmental value
- Areas where environmental risk must be managed
- Growth opportunities or constraints
- Strategic redevelopment sites
- Transport connections
- Existing and future infrastructure.

5.2 Update the urban strategic framework plan to include the Urban Growth Boundary and provide reference to its inclusion as an Incorporated Plan.

6. A regional context statement should be included, particularly to address the strategic directions of the Regional Growth Plan and Plan Melbourne etc.

Recommendation:

6.1 Include a statement which addresses the Regional Growth Plan and the important role Greater Bendigo plays in the region. The use of a regional context statement is recommended in PPN4 and widely used.

c) Settlement

7. This clause is currently titled “Compact Greater Bendigo.” This does not present a comprehensive settlement vision for the whole municipality. The clause also contains a clause structure that is not consistent with the SPPF.

Recommendation:

7.1 Adopt the SPPF settlement clause headings and structure as a basis for the MSS re-write.

8. In accordance with the SPPF structure, this clause contains a mix of both settlement and housing policy.

Recommendation:

8.1 Determine which content responds to which SPPF theme and apportion appropriately. Determine if separate clauses are warranted in the MSS re-write.

9. The clause does not present a comprehensive picture of our settlement network. It contains very disjointed policy and presents an unclear settlement hierarchy.

Recommendation:
9.1 An analysis should be undertaken to clearly outline our settlement network and establish a settlement hierarchy.

- It is recommended that along with a regime of structure plans for large towns and suburbs (with some currently underway in Heathcote, and Golden Square), that a settlement study is undertaken to understand how Council will manage the future of its suburbs, small towns, and settlements. This will include the provision of a growth framework identifying what is possible, efficient, and justifiable. The goal should be to create a vision, supported by a strategic planning analysis that creates a growth management framework.
- An example settlement study is included at appendix 9
- The study should include:
  - Profile/role of the suburb/township/settlement
  - Summary of zoning and overlays
  - Main features and character
  - Infrastructure analysis
  - Key policy/strategy references
  - Strategic influences, review of planning policy and provisions, land supply and demand analysis, servicing and infrastructure, public transport, social influences, community capacity building, population trends, economic influences, employment, farming and high value agricultural land, retail, tourism, industry, heritage and character, environmental influences, biodiversity, water availability, septic systems, flooding and inundation, fire risk, climate change.
- This work could be undertaken in conjunction with a revision of the rural areas study, which seeks to identify and protect viable agricultural land.
- The study should result in a settlement hierarchy (and potentially township growth boundaries where relevant) which could then be incorporated into the MSS.

10. There’s an urban settlement plan (Bendigo Urban areas residential framework) but no rural.

Recommendation:

10.1 The rural areas of the municipality form an important part of our settlement network. A map for the settlement of our rural areas should be developed. This could occur in conjunction with recommendation 9.1. This action will help ensure the efficient planning of our rural settlements whilst protecting primary production, major sources of raw materials and valued environmental areas.

11. Policy on urban land supply is not very clear. We address population growth and housing needs, but no information about what land supply we have and how we intend to meet future demand.

Recommendation:

11.1 Land supply information should be included in the MSS re-write. This will ensure sufficient supply is available and the community understands how we plan to accommodate projected population growth.

12. In clause 21.05-2p6, a long list of matters to be considered in a rezoning request is included. Is this necessary?

Recommendation:
12.1 This content was supported by the Planning Panel for the Residential Strategy and should therefore remain.

13. There is no policy in regard to structure planning.

Recommendation:

13.1 This is a critical gap. Council in its Residential Strategy and Housing Strategy has identified the need to guide the highest level of housing change to the right locations, to make the most efficient use of existing resources and infrastructure, maintain or enhance the amenity of the established suburbs, and ensure new development meets the needs of our diverse community. A framework of structure plans should be developed and adopted by Council to ensure the effective planning and management of our urban areas.

14. Policy gap in sequencing of development - no direction provided on where, when and why.

Recommendation:

14.1 This is particularly relevant to Greenfield areas and is important to better coordinate infrastructure planning and funding and to ensure that new land is released in growth areas in a timely fashion to facilitate coordinated and cost-efficient provision of infrastructure. Council should examine its new and future development areas and adopt a sequence of development. This should then be included in the Planning Scheme to manage future expectations of the development industry and the community.

15. Policy for Activity centres is not included within settlement clause as per the SPPF. It’s currently located in Economic development. This means the directions for our activity centres is very commercially focused.

Recommendation:

15.1 An examination of our activity centres should be undertaken in light of the SPPF direction for Activity Centres to ensure that they are a focus of high-quality development, activity, and living for the whole community, and not just centres for commercial development. Content should then be included under the Settlement clause. Specific commercial direction should remain under the Economic Development clause.

16. Policy relating to open space is very dated.

Recommendation:

16.1 A new Public Space Plan was adopted by Council on 18 July 2018. Its high level recommendations should be implemented as part of this review.

16.2 Strategic work is required to determine when a land or monetary contribution for open space is required, and the required amount.

17. There is no response provided to the settlement directions in Plan Melbourne and the Loddon Mallee South Regional Growth Plan.

Recommendation:

17.1 A policy response should be provided to the relevant settlement directions of these documents and included in the MSS re-write.
d) Environmental and landscape values

18. The understanding and importance of the environment is very under-represented in this clause.

Recommendation:

18.1 A comprehensive study to identify elements of environmental significance (including flora and fauna) and how they should be protected needs to be undertaken as a priority:

- This study should include a 2-stage approach, with a high-level study undertaken in the first instance to review the existing situation and gather all the various information sources to form a high-level picture. This could then be implemented into the MSS.
- The second stage would involve detailed area investigation and application of appropriate planning controls
- This will help ensure the Planning Scheme has a stronger focus on protecting threatened flora and fauna species found within the municipality.

19. Very dated or missing information and policy on both biodiversity and native vegetation management.

Recommendation:

19.1 A comprehensive review and analysis of biodiversity and native vegetation management in the municipality needs to be undertaken as a priority to address this critical gap. A program of future strategic work should then be developed to respond to and address the identified gaps.

20. Significant environments and landscapes (environmentally sensitive areas and landscapes) is a policy gap. Do we have local content?

Recommendation:

20.1 A comprehensive review and analysis of potential significant environments and landscapes needs to be undertaken as a priority and further strategic undertaken to ensure appropriate planning controls are in place to ensure their protection for future generations.

e) Environmental risk

21. The MSS currently contains no specific policy direction responding to climate change.

Recommendation:

21.1 The SPPF provides high level direction requiring a response to climate change and increase environmental sustainability; however, this is generally focused on coastal inundation and erosion (Clause 13.01-1). Regional planning at Clause 11.07-1 does provide more specific policy direction and seeks a response to the impacts of climate change and natural hazards and to promote community safety. Agricultural productivity at Clause 11.14-6 also seeks to facilitate new opportunities in agriculture that responds to the potential impacts of climate change. An appropriate local policy response to these directions should be included in the revised LPPF.
22. The audit identified that the information and direction responding to flooding in the MSS was very outdated. However, since this time Planning Scheme amendment C221 was gazetted which implemented the Bendigo Urban Flood Study (2013). This study improved the management of flooding across urban Bendigo. A number of flood studies are still yet to be undertaken or are awaiting implementation, these include Marong, Heathcote, and other rural areas of the municipality.

Recommendation:
22.1 Continue to undertake and implement flood studies to improve the management of flood risk in the municipality.

23. Policy gap in management of contaminated and potentially contaminated land.

Recommendation:
23.1 This is a critical gap. A municipal wide audit of contaminated and potentially contaminated sites must be undertaken with identified sites to be included in the Environmental Audit Overlay where appropriate to ensure they’re appropriately identified and managed into the future.

24. Content relating to erosion is repetitive of SPPF policy direction; it is also very dated.

Recommendation:
24.1 Repetitive content should be removed. A review of erosion management should be undertaken for the municipality to determine the relevance of the issue and the adequacy of current planning policy and controls.
24.2 Erosion is not being managed sufficiently as both Council and referral authorities lack technical knowledge and resources to both identify and assess the issues. Council should advocate that DELWP should address this issue from regional perspective.

25. Content relating to Salinity is repetitive of SPPF policy direction; it is also very dated and appears light on.

Recommendation:
25.1 Repetitive content should be removed. A review of salinity management in the municipality should be undertaken to determine the relevance of the issue and the adequacy of current planning policy and controls.
25.2 Salinity is not being managed sufficiently as both Council and referral authorities lack technical knowledge and resources to both identify and assess the issues. Council should advocate that DELWP should address this issue from regional perspective.

26. We provide no local policy direction on noise and air.

Recommendation:
26.1 The SPPF provides lengthy guidance on the management of noise and air quality and includes several policy guidelines such as the State Environment Protection Policies. These policies are considered appropriate to manage the issue locally.

27. There is no local policy responding to bushfire. Recent State changes to Bushfire policy (VC140) and the prioritisation of the protection of human life has implications for settlement planning.
Recommendation:
27.1 Given the recent State policy changes brought about via VC140 a review of our local policy response needs to be undertaken. The review provides an opportunity for council to consider how the resilience of Bendigo and other towns to bushfire can be strengthened, i.e. what new bushfire protection measures could be implemented to improve the vulnerability of our settlements to bushfire. Given the bushfire risk in the municipality, some local policy guidance could be provided in relation to settlement growth, i.e. where growth should be directed, whether any new buffers are required for towns, whether there is safe access to places of last resort and how development at the settlement edge could more effectively manage bushfire risk (i.e. lot sizes, design treatments etc.).

f) Natural resource management

28. Policy direction relating to Agriculture is sparse and very dated. Prime agricultural industries and areas are not sufficiently identified and are therefore being eroded, particularly by the encroachment of dwellings. The Rural Areas Strategy adopted by Council in 2009 has not been included in the Planning Scheme to support this clause.

Recommendation:
28.1 It is unfortunate that the Rural Areas Strategy has not been included in the Planning Scheme. It should be reviewed as a priority and appropriate planning policy implemented to protect our important agricultural resources.
28.2 A policy response to intensive animal industries is required.

29. Content relating to agriculture is currently contained across two clauses of the MSS (economic development and environment). Where is the best place for it?

Recommendation:
29.1 Thematic content should be contained within one spot of the LPPF to avoid repetition and assist with its understanding. Local policy should appropriately respond to State themes and directions; therefore, the policy should be moved to the Natural Resource Management theme in the LPPF re-write.

30. There is no policy direction relating to sustainable agricultural land use.

Recommendation:
30.1 This is a policy gap and should be included in the review of the Rural Areas Strategy.

31. There is no policy on forestry and timber production.

Recommendation:
31.1 The SPPF policy direction at Clause 14.01-3 Forestry and timber production is considered sufficient. No local policy response is warranted.

32. Catchment planning and management has reasonable content, it just needs a review and updating.

Recommendation:
32.1 Review and update policy relating to catchment planning and management in conjunction with relevant authorities.

33. Resource exploration and extraction has reasonable content, it just needs review and updating.

Recommendation:
33.1 Work in conjunction with DEDJTR to review and update local policy direction relating to resource exploration and extraction.

34. Natural resources strategic framework plan needs to be updated. It currently provides direction for both environment and natural resources.

Recommendation:
34.1 Separate framework plans need to be developed for Environment and Natural Resource Management respectively to ensure the policy direction is easily understood. Separate urban and rural versions will also have to be developed.

g) Built environment and heritage

35. Only high level minimal policy on urban design is provided. There is no guidance for what, where, when and how urban design should be provided. The preparation of residential design guidelines is listed as further strategic work.

Recommendation:
35.1 This is a critical gap in the MSS, as good urban design is fundamental to make communities more liveable and attractive. An assessment of urban design in the municipality and the development of appropriate design guidelines should be undertaken as a priority.

36. No policy guidance is provided for neighbourhood and subdivision design.

Recommendation:
36.1 Good neighbourhood and subdivision design policy is critical to achieve attractive, liveable, walkable, cyclable, diverse, and sustainable neighbourhoods. It is essential that the strategic work recommended at 35.1 include the development of local policy relating to neighbourhood and subdivision design.

37. No policy on design for safety. Is it required?

Recommendation:
37.1 The SPPF policy seeks to improve community safety and encourage neighbourhood design that makes people safe. A local policy response should be developed as part of the design guidelines recommended at recommendation 35.1.

38. We have no policy on cultural identity and sense of place.

Recommendation:
38.1 This policy seeks to recognise and protect cultural identity, neighbourhood character, and sense of place. Again, this is something that should be considered in the
development of urban design guidelines and an appropriate policy response developed.

39. Neighbourhood character policy information is very dated – 2001

Recommendation:
39.1 Neighbourhood character in Greater Bendigo should be reviewed as a high priority.

40. In August 2017, new policy relating to Healthy Neighbourhoods (Clause 15.01-6) was included in the SPPF.

Recommendation:
40.1 This policy seeks to achieve neighbourhoods that foster healthy and active living and community wellbeing. A new policy response should be developed as part of this review and implemented into the LPPF.

41. Policy gap regarding sustainable development and energy and resource efficiency.

Recommendation:
41.1 This policy seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gases. Council is already aware this is a policy gap and is currently seeking to implement planning policy relating to environmentally sustainable design in the LPPF (MSS and a Local Planning Policy). Further policy response should also be developed through the implementation of the Environment Strategy as part this review.

42. Local policy guidance for the management of Greater Bendigo’s important heritage is very comprehensive. However there remain a large number of areas in the municipality that require heritage studies.

Recommendation:
42.1 The completion of the municipality’s heritage studies should be undertaken as a priority to ensure the protection and future management of our important heritage assets. Such studies include:
- Bendigo CBD.
- Urban areas of the former Shire of Strathfieldsaye.
- Former Shire of Huntly.
- Review of the Eaglehawk and Bendigo Heritage Study.
- Twentieth century development.
- Industrial heritage places.
- Aboriginal heritage places.
- Places on public land.

43. Policy relating to Aboriginal Cultural heritage could be expanded.

Recommendation:
43.1 As noted in the previous recommendation, a study of Aboriginal heritage places in the municipality is required and should be undertaken as a priority.
h) Housing

44. The following are policy gaps under the Residential Development clause, with little to no policy direction provided:

- Integrated housing - *promote a housing market that meets community needs*
- Location of residential development - *To locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport*
- Housing opportunity areas - *to identify areas that offer opportunities for more medium and high-density housing near employment and transport*
- Housing diversity – *to provide for a range of housing types to meet increasingly diverse needs*
- Housing affordability – *to deliver more affordable housing closer to jobs, transport and services*

Recommendation:
44.1 High level policy direction for some matters can be provided through the implementation of the Housing Strategy as part of this review. However, further detailed strategic work should be undertaken to address this important gap.

45. Policy on rural residential development is scattered and dated. It also provides no information about land supply and preferred areas etc.

Recommendation:
45.1 A comprehensive review of rural residential living should be undertaken as part of the analysis of our settlement network (recommendation 9.1) and the review of the Rural Areas Strategy (recommendation 27.1). This should be undertaken as a priority to assess the current land supply and direct development to appropriate locations.

46. Policy gaps for the following:
   - Crisis accommodation and community care units
   - Residential aged care facilities
   - Design and location of residential aged care facilities

Recommendation:
46.1 A policy response to the appropriate location of aged care facilities should be provided.

i) Economic Development

47. Commercial policy is current with the implementation of the Commercial Land and Activity Centre Strategy in 2016.

Recommendation:
47.1 This policy appears to be operating well.

48. Our activity centres policy is very commercially focused. Under the SPPF structure, activity centre policy supposed to sit within Settlement.
Recommendation:
48.1 As per recommendation 15.1, an examination of our activity centres should be undertaken to ensure our activity centres are a focus of high-quality development, activity, and living for the whole community, and not just centres for commercial development. Specific commercial direction should remain under the Economic Development clause.

49. There’s a lot of lengthy policy relating to Bendigo City Centre and Bendigo Hospital Precinct Policy.

Recommendation:
49.1 This policy should be moved to corresponding sections in the Local Areas section of the MSS.

50. MSS policy relating to industry was recently refreshed with the implementation of the Marong Business Park. However, the Industrial Land Strategy (2002) is quite dated, as is the City of Greater Bendigo Good Design Guide for Industry (1997). The MSS also lists a review of the Industrial Policy at Clause 22 as further strategic work required.

Recommendation:
50.1 A comprehensive review and update of Industrial policy is required, along with an update to supporting documents and the Local Planning Policy.

51. The urban Industrial Strategic framework plan was recently refreshed

Recommendation:
51.1 A comprehensive industrial strategic framework should be developed and implemented in the LPPF re-write.

52. Rural industries strategic framework plan is dated and presents sparse strategic direction.

Recommendation:
52.1 A comprehensive rural economic development framework should be developed and implemented in the LPPF re-write.

53. Are there any rural industry policy and documents that should be included in the MSS? This section of the MSS seems very urban focused.

Recommendation:
53.1 Further strategic work to provide better rural industry policy guidance should be undertaken.

54. Policy guidance in relation to tourism is sparse and dated.

Recommendation:
54.1 An updated policy response should be developed and included in the LPPF re-write.

55. Comprehensive gaming policy direction is currently included under this theme. The SPPF offers no policy guidance on gaming.
Recommendation:
55.1 Work with Council to review our policy response and determine its best location in the LPPF.

j) Transport

56. Transport policy is currently combined with infrastructure policy.

Recommendation:
56.1 As per the SPPF, transport policy should be separated from infrastructure to assist in navigating policy.

57. Transport policy has been recently updated with the implementation of ITLUS in 201X.

Recommendation:
57.1 There remain a number of recommendations from ITLUS that have yet to be implemented into the Planning Scheme. These should be actioned as a priority.
57.2 Sustainable transport directions from the Environment Strategy also need to be implemented be included in the LPPF re-write.

58. Our policy in relation to car parking is unclear and scattered.

Recommendation:
58.1 A comprehensive review of the management of car parking needs to be undertaken as a priority. As above, recommendation 57.1 directs that this should be done in conjunction with the further implementation of ITLUS.
58.2 A review of the Parking Strategy (2008) will be undertaken as part of the Transforming the City Action Plan adopted by Council 18 July 2018.

59. Policy direction relating to the Bendigo Airport policy is current. However, the application of the Obstacle Limitation Surface (OLS) which is an incorporated document could be made clearer. This tool nominates height restrictions for protection of flight paths.

Recommendation:
59.1 A policy response to the OLS should be included in the LPPF re-write.

k) Infrastructure

60. Separate clause from Transport

Recommendation:
60.1 As per the SPPF, infrastructure policy should be separated from transport to assist in navigating policy.

61. There is no policy provided in relation to renewable energy.

Recommendation:
61.1 A suitable policy response should be developed as part of the implementation of the Environment Strategy into the LPPF.
62. Policy for Community infrastructure containing health facilities, education facilities, cultural facilities, and distribution of social and cultural infrastructure is very light on. Should be expanded.

   Recommendation:
   62.1  An appropriate policy response should be developed and included in the MSS rewrite.

63. Very little information or policy guidance is provided for development infrastructure.

   Recommendation:
   63.1  A policy response should be provided.

64. Water supply, sewage, and drainage policy is very scattered.

   Recommendation:
   64.1  Consolidate and update policy response.
   64.2  Include a policy response to the Water Sensitive Cities project.

65. Stormwater policy is scattered and dated.

   Recommendation:
   65.1  Our stormwater policy needs to be reviewed. The City recently appointed a Water Strategy Officer to improve our Integrated Water Management Planning to support sustainable water management and build climate change resilience.
   65.2  Include a policy response to the Water Sensitive Cities project.

66. No local policy directions on telecommunications. Is this required?

   Recommendation:
   66.1  The state policy direction is sufficient.

67. Waste and resource recovery policy requires updating.

   Recommendation:
   67.1  This policy should be updated as part of this review and the implementation of the Greater Bendigo Waste and Resource Management Strategy (2014-19).

68. Policy gap in pipeline and survey infrastructure.

   Recommendation:
   68.1  The state policy direction is generally sufficient, however reference to main pipeline infrastructure such as gas and water should be included on the infrastructure framework plan.

1) Reference documents

69. It is unclear which reference document relates to what MSS content.

   Recommendation:
Reference documents should be listed at the end of the clause where they or its relevant policy is cited.

It is recommended that a policy response to the findings of the MSS audit be implemented into the LPPF of the Greater Bendigo Planning Scheme.

5.2.3 Use of Local areas section

Local areas plans are often used to provide an integrated policy view for a specific area – such as the implementation of an area specific structure plan. This method is outlined in Planning Practice Note – 4 – Writing a Municipal Strategic Statement (June 2015) (PPN4) and widely used by many Councils.

Local area plans contain a wide array of content, but generally include:

- Role the area serves
- Key issues
- Key features
- Population and expected growth
- Character and heritage elements
- Uses with buffer setbacks (and their buffers)
- Specific detailed land use issues
- Renewal areas
- Strategic redevelopment sites
- Open space and open space links
- Transport features

Local area plans are not currently used in the Greater Bendigo Planning Scheme. This is attributable to a number of factors including the lack of regular review of the Scheme; as well as a lack of area specific structure plans.

A local area plan is proposed for Strathfieldsaye as part of the implementation of the Strathfieldsaye Urban Design Framework (Planning Scheme Amendment C232). Existing MSS content relating to Axedale could also be moved to a local area plan to consolidate the information relating to this township. The same could be done for the Bendigo City Centre, Bendigo Hospital, and the Marong Business Park, which all have established content dispersed throughout the MSS.

Local area plans should continually be added to the MSS as further strategic planning is undertaken and should be ordered to reflect the settlement hierarchy of our settlements.

It is recommended that local area plans be included in the MSS for areas that have a recent or comprehensive strategic plan.

5.2.4 Formatting and language

Due to the length of time since the Planning Scheme was last reviewed, compounded by the number of separate Planning Scheme amendments to implement strategic projects, the Planning Scheme is now suffering from inconsistencies and several critical formatting issues.

a) Hierarchy of headings
The current MSS suffers from inconsistent use of clause headings. A consistent clause structure should be developed and utilised for each MSS clause. A suggested structure is outlined below:

**CLAUSE HEADING**

Heading

Sub heading

*Objectives and strategies*

*Implementation (Zone, Overlay, Policy, Guideline)*

Other Actions (Further Strategic Work)

Reference Documents

*It is recommended that a consistent clause structure be implemented into the LPPF re-write.*

b) **Use numbering to assist with navigation**

Objectives and strategies within the LPPF should be numbered to aid with navigation of the MSS.

Strategies under each objective should be numbered according to the objective, rather than using dot points, as shown below:

**Objectives**

1. To accommodate projected housing growth in planned residential communities.

**Strategies**

1.1 Direct new housing to identified growth areas around townships.

1.2 Direct new housing to areas with appropriate development infrastructure including sewerage, water, and drainage in place.

This approach is already used and accepted in a number of LPPF’s such as Melbourne, Moonee Valley, and Wyndham. Practitioners also prefer it as an easier way to identify which strategy is referred to.

*It is recommended that the LPPF in the Greater Bendigo Planning Scheme be renumbered with this format to assist with navigation.*

c) **Review all objectives and strategies in the LPPF to provide consistency**

There is confusion within the existing LPPF regarding the use of objectives and strategies. They are often mixed up, unclear or include more than objective/strategy per point.
PPN4 advises that ‘The Act requires the MSS to set out strategic planning, land use and development objectives of the planning authority and the strategies for achieving the objectives.’

**Objectives**

‘Objectives are the Council’s aims for land use and development and flow from an overall vision for a municipality.’ PPN4

They are statements about what we want to achieve and should form from the statement ‘the planning authority aims to....’ They should focus on outcomes and need to state why something should be done.

Objectives should not be grouped together followed by a list of grouped strategies. Instead, one objective should be supported by a strategy or a number of strategies. The reader should be able to clearly identify what strategy supports the objective.

There should also be one aim per objective. This means that some objectives that state “To achieve X and therefore enable Y” should be split to become “To achieve X” and a separate objective “To achieve Y”.

In other instances, the objective has additional text that is an issue of strategy. E.g. “To achieve X by doing Y”, the Y part is the strategy

**Strategies**

Strategies are the way of achieving the objectives. They should follow from the statement: ‘the responsible authority will ...’ and should begin with a verb (the use of verbs is discussed in the following section).

Like objectives, there should be one aim per strategy. This means that some strategies will be split. Where a range of things needs to be considered for a strategy, then a dot point list should be used under the strategy to include the items. Implementation actions need to be moved to the implementation section.

One way of moving from an objective to a strategy is to ask ‘how?’ For example, you might know what you want (your objective) but you need to ask yourself ‘how will we get it?’ (the strategy).

![Figure 17 - Moving from an objective to a strategy](image)

**It is recommended that all objectives and strategies in the LPPF be reviewed for consistency and appropriateness.**
d) Use of Consistent language across content in the LPPF

There is very little consistency in the use of language across the current LPPF which can overly complicate the Scheme and make Council’s intentions unclear. It is suggested that a matrix of verbs is developed such as the below and utilised in the LPPF re-write. This will mean all objectives and strategies will consistently use approximately 15-20 verbs rather than the 50+ we have currently.

**Figure 18 - Matrix of verbs for strategies**

<table>
<thead>
<tr>
<th>ACTION THEMES</th>
<th>APPROACH TO BE TAKEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make it happen (facilitate)</td>
<td>Support it happening (support, should)</td>
</tr>
<tr>
<td>Control what happens (must)</td>
<td></td>
</tr>
<tr>
<td>Build new</td>
<td>Facilitate (External party action)</td>
</tr>
<tr>
<td></td>
<td>Provide (Council action)</td>
</tr>
<tr>
<td></td>
<td>Locate</td>
</tr>
<tr>
<td>Build on existing asset</td>
<td>Support (External party action)</td>
</tr>
<tr>
<td></td>
<td>Create (Council action)</td>
</tr>
<tr>
<td></td>
<td>Limit</td>
</tr>
<tr>
<td></td>
<td>Require</td>
</tr>
<tr>
<td>Build on existing asset</td>
<td>Upgrade</td>
</tr>
<tr>
<td></td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Strengthen</td>
</tr>
<tr>
<td>Preserve</td>
<td>Improve</td>
</tr>
<tr>
<td></td>
<td>Restore</td>
</tr>
<tr>
<td></td>
<td>Reinforce</td>
</tr>
<tr>
<td>Preserve</td>
<td>Conserve</td>
</tr>
<tr>
<td></td>
<td>Reduce (the adverse impact)</td>
</tr>
<tr>
<td></td>
<td>Maintain</td>
</tr>
<tr>
<td></td>
<td>Minimise (the adverse impact)</td>
</tr>
<tr>
<td></td>
<td>Protect</td>
</tr>
<tr>
<td></td>
<td>Avoid</td>
</tr>
<tr>
<td>Decide</td>
<td>Recognise</td>
</tr>
<tr>
<td></td>
<td>Balance</td>
</tr>
<tr>
<td>Plan</td>
<td>Prepare (a specific type of plan)</td>
</tr>
<tr>
<td></td>
<td>Plan / Design</td>
</tr>
<tr>
<td></td>
<td>Use (a specific technique or approach)</td>
</tr>
<tr>
<td></td>
<td>Direct (growth to a particular location)</td>
</tr>
</tbody>
</table>

Consistent language should also be used for the identification of further strategic work listed within the MSS:

**Figure 19 - Strategic planning verbs**

<table>
<thead>
<tr>
<th>Strategic planning verb</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitor, consider</td>
</tr>
<tr>
<td>Review</td>
</tr>
<tr>
<td>Plan, prepare, identify</td>
</tr>
<tr>
<td>Use</td>
</tr>
</tbody>
</table>

*It is recommended that a matrix of consistent language be used for the LPPF re-write.*

e) Avoid unnecessary listing of Zones and overlays used to implement strategy
The listing of a Zone or overlay in the LPPF to implement strategy should be used to achieve a specific outcome, not simply be an audit of the Zones and overlays used.

Planning Practice Note 4 - *Writing a Municipal Strategic Statement* directs that implementation include a list of Zones and overlays to be applied. It states this is based on the requirements of Section 12A(3) of the Planning and Environment Act, 1987 that requires an MSS to include “*a general explanation of the relationship between ... objectives and strategies and the controls*”. To list every Zone and overlay used is considered unnecessary. For example, to say “apply the Commercial 1 Zone to retail areas” seems superfluous given it’s the standard commercial Zone in use across the state, not the exception to the rule. It should not require specific explanation.

*It is recommended that any unnecessary listing of Zones or overlays to implement strategy be removed from the LPPF.*

### 5.2.5 Maps, frameworks and plans

As identified in the audit of the MSS (Section 5.2.2), comprehensive strategic framework plans should be developed for both urban and rural Greater Bendigo. The strategic framework plan provides the spatial representation of the key strategic directions and key issues of the municipality and should have clear links to the objectives and strategies of the MSS. The strategic framework plan should be supported with statements that express the strategic directions shown on the plan. The strategic framework plan provides the ‘big picture’ or vision of the municipality and should show:

- Main features and land uses
- Areas that are of significant environmental value
- Areas where environmental risk must be managed
- Growth opportunities or constraints
- Strategic redevelopment sites
- Existing and future infrastructure.

Framework plans should also be used for all MSS themes where possible. There are some existing thematic framework plans in the Scheme that require updating, but they’re quite dated, while other themes have no spatial representation at all. It is recommended that framework plans be developed for the following matters:

- Settlement hierarchy/Activity centres/10 min neighbourhoods, growth areas
- Environment
- Natural resources
- Agriculture
- Economic development
- Open space
- Heritage
- Infrastructure
- Transport

There are also a large number of maps currently used in the Planning Scheme to spatially represent directions for particular areas; these often include Schedules to Zones and overlays. Many of these maps date back to the new format Planning Scheme in 2001 and are poor quality and hard to read.

An audit of all maps and plans in the existing Scheme has been undertaken (see appendix 10) and recommends that all maps and plans in the Scheme be refreshed where still required or deleted.
where redundant. This exercise will also assist in achieving consistency and quality for all maps in the MSS.

_It is recommended that the findings of the audit of maps and plans be actioned and implemented into the LPPF re-write._

### 5.2.6 Audit of Incorporated documents

As part of this review, an audit of the list of incorporated documents was undertaken to ascertain whether they are all still relevant and operating sufficiently.

Incorporated documents are essential to the proper functioning of the Planning Scheme and decision-making. A document is only incorporated into the Scheme if it is specifically listed in Clause 81.01 (all Planning Schemes) or the Schedule to Clause 81.01 (local incorporated documents). Examples of local incorporated documents include the Heritage Design Guidelines and the Bendigo Local Floodplain Development Plan.

One of the benefits of incorporating documents into the Planning Scheme is that the document carries the same weight as other parts of the Scheme. The planning authority can only change an incorporated document by a Planning Scheme amendment.

PPN13: Incorporated and Reference Documents, June 2015 outlines that a document must be incorporated if:

- The document is essential to the administration or enforcement of the Planning Scheme, that is, without the document the Scheme cannot be properly understood. The Code of Practice for Timber Production is an example.
- The document is necessary to determine the extent of a planning control, or whether planning permission is required in a particular case, such as the Code of Practice for Telecommunications Facilities in Victoria. Without using this document, it is not possible to tell whether a permit is required for a telecommunications facility or not.
- The document is required to be incorporated under an Act, specific planning provision or Ministerial Direction, such as an incorporated plan under the Incorporated Plan Overlay, and the documents listed in the Ministerial Direction on the Form and Content of Planning Schemes.
- The document will be used to guide the exercise of discretion by the responsible authority (except for a development plan under the Development Plan Overlay, which does not need to be incorporated).

Consistent referencing for incorporated documents also enables documents to be easily found. The following format should be used for incorporated documents:

- Name of the document, _author of the document, date of the document, date adopted by Council_

There are currently 28 incorporated documents included in the Greater Bendigo Planning Scheme.

- 8 of these are included to provide specific planning requirements for sites listed in the Schedule to Clause 52.03 _Specific sites and exclusions._
• 3 documents contain information from structure plans which should be translated into the new Local Areas section of the MSS and included as reference documents.
• 7 documents are expired or development has been completed and can now be deleted.
• The remaining should be retained as they assist in operation of the Scheme.

See Appendix 11 for full details of the audit of incorporated documents.

It is recommended that the findings of the audit of the incorporated documents be implemented into the LPPF re-write.

5.2.7 Audit of Reference documents

Reference documents (now known as background documents following gazettal of VC148) are documents that are used to strategically construct the objectives and strategies in the MSS. PPN4 notes that:

“A reference document merely points the reader to background or supporting information that will assist in understanding the basis for the MSS. It has no statutory status and is not a substitute for appropriate policy content in the Scheme itself.”

Many documents, while useful, may be too long or complex or cover too wide a subject matter to be suitable for inclusion as an incorporated document in the Scheme. If they provide useful background information or general advice to applicants, or will assist in understanding the Scheme, they may be suitable as reference documents.

Generally, the specific planning requirements should be extracted from a reference document and included in the Scheme in the MSS, a local planning policy or a Schedule in an appropriate and consistent way. For example, a flora and fauna study that provides the reason for an Environmental Significance Overlay may be usefully referenced as the basis for the statement of environmental significance.

Consistent referencing for reference documents also enables documents to be easily found. The following format should be used for reference documents:

• Name of the document, author of the document, date of the document, date adopted by Council

Reference documents are all currently listed in a single clause (21.10) at the end of the MSS. This does not easily assist in the understanding of why these documents are relevant, or which policy they relate to. Reference documents should instead be referred to at the end of each section or theme in the MSS where the policy content has been utilised.

There are currently 78 reference documents listed in Clause 21.10. This is a large number, but given the extent of the LPPF, is acceptable. Most of the documents remain relevant and assist in the understanding and development of the strategic directions in the LPPF. However, some of the documents are very old and no longer relevant. These documents should be deleted.

See Appendix 12 for full details of the audit of reference documents.
It is recommended that the review of reference documents (background documents) be implemented into the Greater Bendigo Planning Scheme.

5.2.8 Effectiveness of Local Planning Policies

A Local Planning Policy (LPP), along with the MSS, forms the Local Planning Policy Framework (LPPF) in the Planning Scheme.

Following the gazettal of VC148, the future location of LPP’s is unclear. DELWP has advised the future guidance will be provided on this matter. Regardless of whether they are retained in current structure or required to be integrated as local content in the PPF, an assessment of the policy content is valuable.

An LPP gives a planning authority an opportunity to state how discretion should or will be exercised under the Planning Scheme. It can help applicants and the community understand how a proposal will be considered and what will influence decision-making.

An LPP is not a control and cannot remove the discretion under the relevant Zone, overlay, or particular provision. An LPP should only be taken into account when making a decision about a planning permit application and must directly relate to a permit trigger in the Planning Scheme.

The following principles should be applied to the reviewing of an LPP:

- Don’t repeat or contradict the SPPF or the MSS.
- An LPP should be derived from an objective or strategy in the MSS.
- An LPP should relate to a specific permit discretion.
- An LPP should assist the Council to make a decision.
- Don’t repeat or contradict controls in a Zone or overlay.
- It should be self-contained.
- An LPP should be clear.

As a rule, the approach of consolidating local policy with the MSS has been taken. Local Policy has been used for lengthy strategies that necessarily have a lot of context and guideline information (such as the Heritage Policy) and those which directly relate to a permit trigger.

There are currently 29 Local Planning Policies within Clause 22 of the Greater Bendigo Planning Scheme.

The analysis of the policies reveals that:

- 1 is under review by a separate piece of strategic work
- 2 are quite good and require little change
- 2 should be merged and updated
- 3 should be retained albeit edited
- 4 should be moved into the MSS
- 17 should be deleted

Findings of the analysis are summarised below. See Appendix 13 for full analysis.

a) 22.01 – Development at the Urban – Forest Interface Policy

This policy although commonly used, suffers from a range of issues including dated policy, repetition of vegetation and bushfire policies, lack of strategic justification, and tries to control some things that often don’t require planning approval (fences, rubbish on Crown land etc.).
When this policy was initially included in the Planning Scheme as part of the 2003 Planning Scheme review, the C60 panel report expressed deep concerns about its justification and whether it was the appropriate planning tool to address the issue.

The policy seeks to protect the important urban forest interface which surrounds much of urban Bendigo. Further strategic work needs to be undertaken to consider the abovementioned issues and assist in developing the most appropriate planning tools. Such work includes:

- Study of interface vegetation on both private and Crown land to determine the value of these forest areas.
- Completion of the Public Space Plan which seeks to provide guidance on the management of the public-private forest interface
- Completion of the Greening Greater Bendigo Strategy

In examining the policy, once policy repetition and redundant references are removed, there remains limited policy guidance. It is recommended that remaining content is refreshed and moved to the MSS in specific section addressing the urban-forest interface. The further strategic work listed above should also be included in the Planning Scheme.

b) 22.02 – Rural Dwellings Policy and 22.03 – Rural Subdivisions Policy

Both of these policies are widely used. It is recommended that these two policies be combined and refreshed.

Actions required:

- Reviewing and strengthening objectives and strategies
- Providing stronger application requirements, particularly in regard to the information required to demonstrate a need for a dwelling on farming land
- That the Rural Areas Strategy be refreshed and included as a reference document to the policy
- Policy guidance should be investigated for Section 2 uses in rural zones

c) 22.04 – Salinity and Erosion Risk Policy

This policy is rarely used and provides limited policy guidance. It is recommended that content be reviewed and where still relevant, be included in the MSS. The policy should then be deleted.

d) 22.05 – Industrial Policy

This policy is widely used. It is recommended it be retained and updated.

Actions required:

- Remove repetition of MSS content
- Include relevant content from the City of Greater Bendigo’s Good Design Guide for Industry within the policy and include as a reference document to the policy
- This guideline should be updated as future strategic work
- Precinct or area specific guidance should be moved to relevant Local Area section in the MSS
e) 22.06 – Heritage Policy
This policy is widely used and has only recently been reviewed and updated. It should be retained.

f) 22.07 – Animal Keeping and Animal Training Policy
Although this policy is not widely used, it does provide valuable policy guidance when relevant applications are received. It is recommended that the policy be retained and updated.

g) 22.08 – Highway Entrances and Boulevards Policy
This policy is dated and provides limited guidance. It is recommended that it be deleted, and relevant content moved to the MSS.

Actions required:
- Updated map and corresponding objectives and strategies be included in the MSS
- List a review of the Highway entrances and boulevards study as further strategic work

h) 22.09 – Calder Freeway and Calder Highway Environs
It is recommended that this policy be deleted and relevant content be included in the MSS or DDO3. The freeway should be identified in the transport framework plan and be accompanied by appropriate policy guidance.

i) 22.11 to 22.26 - Residential Character Policies
Residential Character is one of Bendigo’s most defining features, yet in recent times, it is also one of the most contentious.

What is residential character?
Residential character is essentially the combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution, whether great or small to the character of an area. It is the cumulative impact of all these contributions that establishes neighbourhood character.

What is not residential character?
In defining residential character, it is important to understand the difference between character and other factors such as heritage and amenity which are not considered neighbourhood character.

Bendigo’s Residential Character Study was adopted in 2001 and implemented into the Greater Bendigo Planning Scheme via Amendment C29. Since then there has been little to no change to these policies.

The Residential character policies include:
- 16 character policy precincts
- 84 character policy areas within precincts
- 20 affected suburbs
- Approximately 33,000 affected properties

Since the introduction of the residential character policies in 2001, Bendigo has changed from relatively slow growth to a major regional centre with above average growth and is experiencing increasing pressure for infill development. Council has also adopted two residential strategies which
now encourage infill growth. This includes the 2014 residential strategy and the housing strategy in 2016 (revised strategy and implementation plan adopted in Jan 2018).

An evaluation of the Residential Character Policies was undertaken with the Statutory Planners as part of the Planning Scheme Review. Feedback was that the Policies are very dated, overly prescriptive, repetitive, unclear, difficult to understand, complicate matters, stifle innovation and don’t provide user friendly guidance about what infill development we wish to see.

This feedback was also resoundingly echoed in consultation with the development industry as part of this review.

**Proposal**

It is clear that the Residential Character policies are not serving their intended purpose - to provide useful policy guidance which makes applications easier and results in improved development outcomes.

The current policies are caught in a tangled web of dated and repetitive prescription of our suburbs from 2001.

Instead, we need a policy that is more consistent with the Residential Strategy, which actively encourages residential infill development which is sympathetic to its context.

The policy needs to move away from prescribing the features of an area to providing guidance about what is good infill development.

Good infill is buildings that are sympathetic to the surrounding buildings and context and creates new structures that enhance and complement the existing suburban character.

Infill development should complement and enhance the local character by relating to the predominant scale, massing, colours, and materials of the area. This does not mean that a developer must recreate the buildings nearby.

It is suggested that a simplification of our guidance for infill development be provided. This should include a single Residential Infill Policy which summarises our expectations for residential infill development and provides objectives that a development should meet.

There should be a focus on an applicant demonstrating an understanding of a streets context and how their development responds to the design objectives.

In regards to the long term management of residential character, it is a recommendation of the Planning Scheme review that an urban settlement study be undertaken to guide infill development and application of residential zones. As part of this work an analysis of residential character should also be undertaken, and where warranted, detailed controls applied to further protect residential character.

**Residential Infill design guidelines**

The Residential Infill Policy should be supported by a comprehensive set of design guidelines (based on our very successful Heritage Design Guidelines) which could provide practical guidance and examples to improve the quality of infill development.
An excellent example, which we could repurpose for our own purposes is the Medium Density Design Guidelines recently released by the NSW Government.

They’re very comprehensive targeting low rise medium density residential development (contains two or more dwellings and is no more than two storeys in height). This is the scale of infill we’re targeting in our suburbs.

The design guidelines are based on 9 principles which aim to improve the design of medium density housing by addressing key considerations, including layout, landscaping, private open space, light, natural ventilation and privacy.

The design principles include:
1. Context and neighbourhood character
2. Built form and scale
3. Density
4. Sustainability
5. Landscape
6. Amenity
7. Safety
8. Housing diversity and social interaction
9. Aesthetics

These are outlined at the end of this document. It also includes a comprehensive set of objectives and design criteria.

The guidelines require the submission of a Design Verification Statement as part of a residential development.

The Design Verification Statement is prepared by a qualified designer or building designer. The Statement must:
- explain how the design quality principles are achieved;
- illustrate how the development is suited to its context; and
- demonstrate how the Objectives have been achieved using the Design Criteria as a measure.

Where the Design Criteria are not met, the Statement should describe how an alternate solution achieves the Objectives; in some instances, this may require supporting reports or diagrams. The Design Verification Statement will assist the assessment process by clarifying how the proposed development meets the Design Criteria and Objectives.
There are also many examples of Victorian design guidelines which could be examined and repurposed.

**Conclusion**

This initiative seeks to rationalise and make our policy intentions clearer for these very important residential areas.

It is suggested that the Residential Infill policy could be implemented as part of the Planning Scheme Review, as it is one of the key issues which has arisen in consultation. It also presents a great opportunity to simplify the Planning Scheme, which is one of the key objectives of the Planning Scheme Review.

However, there is a risk that this change may be contentious to some, and may hold up the implementation of the Review.

In order to avert some of the risk, it is proposed that we could implement the Planning Scheme Review via two separate planning scheme amendments:

1. Residential Infill policy and design guidelines
2. All other Planning Scheme Review changes

**j) 22.27 – Licensed Premises Policy**

It is recommended that the policy be retained and refreshed.

Actions include:

- Establishing contact details and internal referral procedure for the statutory planning unit to the Bendigo Liquor Accord
- Removing outdated reference to the 2006 Building Regulations, and including the latest version
- Further strategic work to review the extent of the entertainment precinct. It is noted that it does not include View Street north of Charing Cross
- A policy response should also be developed to respond to the State policy direction for a cumulative impact assessment
- Remove reference to ‘applications for liquor licences’ to ‘applications to use land to sell and consume liquor’

**k) 22.28 – Gaming**

This Policy is currently under review through a separate piece of work. Therefore, it has not been examined in detail as part of this review.

**l) 22.30 – Hospital Precinct Medical Centres**

During consultation, it became apparent that there is a need for a broader policy response to non-residential uses in residential zones, not just medical centres, and not just in a specific area.
It is recommended that a new policy for managing all non-residential uses in residential Zones be developed, which can apply more broadly across Bendigo.

It is recommended that this policy be deleted and relevant content retained and moved to the Bendigo Hospital Local Areas section.

*It is recommended that recommendations of the effectiveness of Local Planning Policies be implemented into the LPPF re-write.*

### 5.2.9 Effectiveness of Zones, Overlays and Schedules

One of the outcomes sought through the Greater Bendigo Planning Scheme review is an assessment of current Zones, Overlays and Schedules being used, and advice as to whether improvements could be made.

Schedules are a very important means of including local content in Planning Schemes. They can be used to supplement or ‘fine tune’ the basic provisions of a State standard clause, Zone or overlay in a Planning Scheme, adapting it to local circumstances and locally defined objectives.

A Planning Scheme that does not make good use of the local content in Schedules is missing an important opportunity to implement its local planning objectives.

Schedules can only be included in a Planning Scheme where the *Victoria Planning Provisions (VPP)* makes provision for them. They must use the format shown in the *Ministerial Direction on the Form and Content of Planning Schemes*.

Planning Practice Note 10 - Writing Schedules, May 2000 notes that Schedules can do the following:

- **Use controls**
  - *Some Schedules allow particular requirements about how land may be used to be specified.*

- **Subdivision, buildings and works controls**
  - *Many Schedules allow particular requirements about how land may be developed to be specified.*

- **Advertising sign controls**
  - *A small number of Schedules allow the planning authority to determine advertising sign requirements for a parcel of land or particular land-use activity.*

- **Statements of significance, objectives and decision guidelines**
  - *Some Schedules enable the local definition of statements of significance, objectives or decision guidelines for particular areas.*

- **Information about the Scheme**
  - *Schedules can also provide information about a Planning Scheme, such as its contents, the name of the responsible authority, the Scheme area and the Scheme maps.*

Eight principles apply to the drafting and use of local content in a Schedule, irrespective of the task that the Schedule is to perform:

- Schedules must be read with other planning controls.
- Local content should help to implement State Planning Policy Framework (SPPF) objectives.
- Local content should help to implement LPPF objectives.
• Local content should not duplicate other provisions.
• Local content can only do what its ‘parent provision’ enables it to do.
• Local content should be strategically justified.
• Local content should have a legally certain meaning.
• Local content should be easy to read.

Each local control (i.e. Zone, overlay or Schedule) used in the Greater Bendigo Planning Scheme has been reviewed to assess whether:
• It is necessary
• It is achieving the intended outcome
• It is correctly applied
• It is drafted appropriately and complies with current Department of Environment, Land Water and Planning advice
• It contains appropriate policy content
• There may be an opportunity to move content from the LPPF (where there is no permit trigger) to the control.

a) Findings

Generally, the Zones, overlays and their Schedules in the Greater Bendigo Planning Scheme are sufficient and performing well. However, some improvements and efficiencies could be made.

Currently 20 different Zones are utilised in the Planning Scheme, with 31 Schedules in use to provide local information and guidance.

There are 18 Overlays currently utilised in the Planning Scheme, with 76 Schedules used to provide local guidance. This includes 26 Schedules to the Design and Development Overlay, and 17 Schedules to the Development Plan Overlay.

Several general issues have been identified across many of the local Schedules:

• **Consistency with Ministerial Direction**

Planning authorities must comply with the Ministerial Direction on the Form and Content of Planning Schemes, issued under Section 7(5) of the Planning and Environment Act 1987. The direction applies to Planning Scheme layout and required information.

Most Schedules to Zones and overlays in the Greater Bendigo Planning Scheme require updating to comply with this direction, predominantly for the formatting and use of headings; as well as sections in Schedules such as application requirements, which are not permitted under the Direction.

• **Separating objectives from permit requirements and using consistent language**

In places, overlay Schedules are poorly worded and mix objectives with strategies or decision guidelines.

A specific matrix of verbs has been applied to policy in the LPPF. This matrix could be applied to various overlay Schedule objectives to better align policy across the Planning Scheme, and to allow the reader to better understand how to interpret different and potentially completing policy objectives.
b) Zones and their Schedules

The following paragraphs provide a summary of findings from the analysis of the Zones in the Greater Bendigo Planning Scheme and their corresponding Schedules. The full analysis is available at appendix 14.

Residential Zones

• All Schedules require formatting and mapping updates to improve useability and to be consistent with the Ministerial direction for Form and Content

• There is limited application of new residential Zones, only one area of Residential Growth Zone (RGZ), and no use of Neighbourhood Residential Zone (NRZ). Further strategic work should be undertaken as a priority to explore the application of these Zones to provide greater clarity to the community about the expected rate of development within residential areas.

• Design objectives should be developed and included in the Schedule to RGZ, currently none are specified. In addition, application requirements and decision guidelines should be developed.

• The Schedule to the General Residential Zone (GRZ) can now include the provision of neighbourhood character objectives (maximum of 5). Further strategic work should be undertaken to develop appropriate character objectives to be included in the Schedule. It is acknowledged that this is a complex task as the GRZ is currently so broadly applied; as well as the breadth of the residential character polices.

• There are no application requirements or decision guidelines specified in the Schedule to the GRZ. A policy response should be included to provide local guidance.

• The Mixed Use Zone (MUZ) is poorly implemented and does not include specific objectives for particular areas to guide growth. Instead, it has been applied broadly and generally.

• Strategic work should be undertaken to examine existing MUZ areas in detail and develop separate Zone Schedules for specific areas accompanied by area specific objectives to appropriately guide growth and development.

• The Township Zone (TZ) is a very broad Zone. Further strategic work should be undertaken to develop greater strategic directions for our townships and included in the Planning Scheme to better guide use and development. There is also the option to specify neighbourhood character objectives in the Schedule which hasn’t been used; this should be investigated through further strategic work. In addition, no application requirements or decision guidelines have been specified.

• The Low Density Residential Zone (LDRZ) appears to be operating well. However, the Schedule contains the following requirement which is not permitted under Form and Content and should be deleted:

  Minimum area for which no permit is required to use land for a dwelling Huntly (as shown on Map 1) 5.0 hectares

Industrial Zones
• The Industrial 1 and 3 Zones (IN1Z and IN3Z) appear to be operating well. However, some areas are affected by residential encroachment and further strategic work should be undertaken to determine how best to manage these interface areas.

• The *Bendigo Industrial Land Strategy*, 2002 is dated and should be reviewed to ensure sufficient land supply and strategic directions.

**Commercial Zones**

• The Commercial 1 and 2 Zones (C1Z and C2Z) are operating well. The Schedule to the C1Z has been utilised reasonably well to specify maximum leasable for area for 4 shopping complexes. No Schedule is available for the C2Z.

• The extent of the C1Z in the City Centre should be reviewed as part of the Transforming the City Centre Plan.

**Rural Zones**

• The Rural Living Zone has been widely applied and the Schedule has been utilised well to provide subdivision and dwelling guidance for areas. Mapping in the Schedule should be improved to assist implementation in these areas.

• The Rural Conservation Zone (RCZ) has been used well, with the Schedule providing minimum subdivision requirements for multiple areas; however, the mapping needs to be improved to assist implementation. A future review should occur to assess if any areas have lost their conservation values, or if new areas should be added.

• The strategic application of the rural Zones, in particular the Farming Zone (FZ) needs to be reviewed as a priority. The failure to implement the *Rural Areas Strategy* (2009) into the Planning Scheme means there is a significant lack of strategic direction for the use and development of rural land, in particular the protection of prime agricultural areas, buffers for rural industries and appropriate locations for rural dwellings.

• Mapping in the FZ Schedule needs to be improved to assist implementation.

• The use of the Rural Activity Zone (RAZ) should be investigated. This Zone includes the following purposes:
  - To provide for the use of land for agriculture.
  - To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.
  - To ensure that use and development does not adversely affect surrounding land uses.
  - To provide for the use and development of land for the specific purposes identified in a Schedule to this Zone.
  - To protect and enhance natural resources and the biodiversity of the area.
  - To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

**Other Zones**
• Schedule to Public Use Zone (PUZ) hasn’t been utilised (can provide permit exemptions and advertising sign requirements). Its use should be investigated in the recommended review of public zones.

• Schedule to Public Conservation and Resource Zone (PCRZ) requires updating to be consistent with required Form and Content.

• An audit of the Public Use Zone (PUZ) and the Special Use Zone (SUZ) needs to be undertaken to ensure they’re appropriately applied and operating efficiently. Most haven’t been amended since 2006, so there has potentially been land use changes in that time.

• There are currently 12 Schedules to the SUZ, some only applying to one site. Strategic work should be undertaken to determine if they are all necessary (currently underway).

• Table of uses in SUZ need to be examined, some loosely drafted, and not in accordance with Form and Content (e.g. inclusion of standard requirements in use tables e.g. any other use not in Section 1 or 3).

• Only 2 clauses of the SUZ are drafted in accordance with Form and Content. Most jumps straight to building and works and completely miss specifying any requirements for use of land or subdivision. Opportunities to provide permit or notice exemptions or specify advertising sign requirements have commonly not been utilised.

• The Comprehensive Development Zone (CDZ) is operating well and has been utilised for several complex sites.

• The Urban Growth Zone (UGZ) is included in the Scheme but is not currently utilised. This Zone should be utilised for all future large growth areas, as it requires the creation of a Precinct Structure Plan (PSP) and Development Contributions Plan (DCP) and leads to orderly planning outcomes.

It is recommended that the recommendations of the Zones and Schedules audit be implemented into the Planning Scheme re-write, or further strategic work be undertaken as recommended.

c) Overlays and their Schedules

The following paragraphs provide a summary of findings from the analysis of the overlays in the Greater Bendigo Planning Scheme and their corresponding Schedules. The full analysis is available at appendix 15.

VC148 made several changes to some overlay schedules to specify additional matters, including objectives, application requirements, or decision guidelines (full list of affected schedules is included in section 4.2 of this report). These changes support the future translation of LPPFs into the MPS and PPF.

Often these matters were previously included in local planning policies because some controls do not enable these matters to be specified. This has now been corrected.
Enabling these matters to be specified in controls will consolidate related provisions and allows for some local policy content to be appropriately translated into these schedules. Where relevant these changes are discussed below.

**Environmental Significance overlays**

- There are 4 active Schedules to the Environmental Significance Overlay (ESO) in the Greater Bendigo Planning Scheme. These Schedules address:
  - Watercourse Protection (ESO1)
  - Groundwater Recharge Protection Area (ESO2)
  - Eppalock Declared Water Supply Catchment (ESO3)
  - Protection Of Remnant Vegetation (ESO5)

- These Overlays have been in operation since the introduction of the new format planning scheme in 2001. Further strategic work should be undertaken to review the application of these Overlays and determine whether they should be further expanded in areas or even reduced.

- A strategic link to these overlays is missing in the MSS. Content should be included in the MSS to introduce these areas, why they’re important, and the purpose of the overlays.

- All objectives in the Schedules need to be reviewed and rationalised, as a maximum of one objective can be included in accordance with the Ministerial direction for Form and Content. Currently at least five objectives are included, the ESO1 includes ten objectives.

- Some clauses reference former state department names which should be updated, other clauses reference outdated native vegetation framework and should be updated.

- All of the Schedules include a referral or notice requirement section. This inclusion is not permitted under Form and Content and should be removed. The referral or notice will still be required and listed under either Schedule to 66.04 or 66.06.

- Some of the clauses include application requirements; this is not permitted under Form and Content and should be removed.

- An analysis of permits triggered under this overlay over the last 2 years found that the ESO 1, 2 and 3 were triggered evenly over the period, whilst the ESO5 was only triggered once.

- The most commonly triggered works were outbuildings, sheds, dwellings, subdivisions, extensions to existing buildings, and the removal of native vegetation.

- Additional planning permit exemptions for minor works should be considered.

- VC148 changes now allow Councils to specify application requirements in ESO Schedules. An appropriate policy response should be developed.

**Vegetation protection overlays**

- There are 3 active Schedules to the Vegetation Protection Overlay (VPO) in the Greater Bendigo Planning Scheme. These Schedules address:
  - Wildlife Corridor Protection (VPO1)
- These Overlays have been in operation since the introduction of the new format planning scheme in 2001. Further strategic work should be undertaken to review the application of these Overlays and determine whether they should be further expanded in areas or even reduced.

- A strategic link to these overlays is missing in the MSS. Content should be included in the MSS to introduce these areas, why they’re important, and the purpose of the overlays.

- All objectives in the Schedules need to be reviewed and rationalised, as a maximum of one objective can be included in accordance with the Ministerial direction for Form and Content.

- The VPO2 specifies a notice requirement which is not permitted under Form and Content and should be removed. The notice will still be required and listed under Schedule 66.06.

- An analysis of permits triggered under this overlay over the last 2 years found that the VPO1 and 3 were triggered under 5 times. The most common triggered Schedule was the VPO2.

- VC148 changes now allow Councils to specify application requirements in VPO Schedules. An appropriate policy response should be developed.

**Significant landscape overlays**

- There are two Schedules to the Significant Landscape Overlay (SLO) in the Greater Bendigo Planning Scheme which address:
  - Bush garden and semi-bush residential areas (SLO1)
  - Campaspe River Environments (SLO2)

- All objectives in the Schedules need to be reviewed and rationalised, as a maximum of one objective can be included in accordance with the Ministerial direction for Form and Content.

- The SLO1 & 2 include notice requirements which are not permitted under the Ministerial direction for Form and Content and should be removed. The SLO1 also specifies application requirements which should be removed.

- An analysis of permits triggered under this overlay over the last 2 years found that the most common triggered Schedule is the SLO1. The SLO2 was triggered less than five times in the last 2 years.

- The Schedules already include reasonable good permit exemptions

- VC148 changes now allow Councils to specify application requirements in SLO Schedules. An appropriate policy response should be developed.

- A municipal wide study should be undertaken as further strategic work to determine if additional areas should be included in the SLO.
Heritage overlays

- Council has a rolling program of heritage studies; however large areas of Bendigo are yet to be studied:
  - Bendigo CBD.
  - Urban areas of the former Shire of Strathfieldsaye.
  - Former Shire of Huntly.
  - Twentieth century development.
  - Industrial heritage places.
  - Aboriginal heritage places.
  - Places on public land.

- A large portion of Bendigo is also covered by a Heritage Study from 1993 which has not kept pace with current practice and provides limited information on significance, and affects our decision-making ability.

- The Greater Bendigo heritage permit exemptions incorporated plan is working well to provide planning permit exemptions for minor works in the Heritage Overlay. The state recently followed by exempting more works, however, our plan still provides additional useful exemptions.

- VC148 changes now allow Councils to specify application requirements in the HO Schedule, and if heritage design guidelines apply. Application requirements should be developed and implemented as part of this review. Council has previously adopted a comprehensive set of Heritage Design Guidelines, and these are currently included as an incorporated document in the planning scheme. Reference to these guidelines should now be included in the HO Schedule.

- VC148 also now requires the mandatory inclusion of a statement of significance for new heritage places in the HO Schedule. Existing heritage places are not affected, but all future places listed in the heritage overlay should ensure that the statement of significance is referenced.

Design and development overlays

- There are 26 active Schedules to the Design and Development Overlay (DDO).

- An analysis of permits triggered under this overlay over the last 2 years found that the most commonly triggered Schedules in last 2 years were DDO1 (Airfield environs), DDO5 (CBD), DDO10 (Maiden Gully structure plan), and DDO17 (Airport area B). The most common type of works was for outbuildings, dwellings, and subdivision.

- There is the ability to include planning permit exemptions in the DDO which have been utilised in most Schedules. However, no permit exemptions have been included in the DDO4 (Epsom village centre), and DDO5 (CBD).

- Very few notice exemptions have been included in the DDO Schedules. The use of further exemptions should be investigated. Subdivision exemption in DDO2 (Lockwood south rural living), full exemptions for DDO13 (Former Crystal Ice and Gillies factory) and DDO20 (High Street boulevard), DDO25 (Hospital Helicopter flight paths inner area), DDO26 (Hospital
Helicopter flight paths outer area), buildings and works exemption in DDO21 (Bridge Street activity area), DDO22 (Health precinct).

- DDO Schedule 13 (Former Crystal Ice and Gillies factory) has wrong clause number in footer

- DDO2 (Lockwood south rural living area) is very old and needs a strategic review and whether a better tool is available, such as a Zone Schedule

- Consideration should be given to whether the requirements from DDO7 (Ascot residential area), DDO9 (Axedale township), DDO10 (Maiden Gully structure plan) and DDO11 (Huntly transition area) can be incorporated into Zone Schedules

- DDO5 (CBD) needs updating and will be reviewed in CBD review

- DDO6 (Urban forest interface) needs a strategic review

- VC148 changes now allow Councils to specify application requirements in DDO Schedules. An appropriate policy response should be developed.

**Development plan overlays**

- There are 17 active Schedules to the Development Plan Overlay (DPO)

- DPO2 (Epsom and Ascot), DPO3 (GRZ density management), DPO14 (Scott Street White Hills), DPO15 (Burgoyne Street Huntly), and DPO23 (Botheras Court Epsom) have been completed or are no longer considered necessary and should be deleted

- DPO4 (LDRZ density management) is complex and requires review through a separate piece of strategic work. Consideration should be given to the utilisation of Zone Schedules. Mapping also needs to be improved

- DPO6 (Townships) is considered no longer necessary and can be deleted. Better objectives should be developed for Zone Schedules.

- DPO17 (Former Rocklea Mills Kangaroo Flat) is being deleted through separate piece of work

- DPO26 (Strathfieldsaye township) will be amended through separate piece of strategic work

- Due to so many changes and completion of development, all DPO Schedules should be renumbered to erase number gaps.

- VC148 changes now allow Councils to specify objectives in DPO Schedules. An appropriate policy response should be developed.

**Neighbourhood character overlays**

- There are two Schedules to the Neighbourhood Character Overlay (NCO) in the Planning Scheme:
  - Bendigo Early Settlement Residential Character (NCO1)
Bendigo Post War Residential Character (NCO2)

- A strategic review of these overlays needs to occur to assess if they’re operating appropriately and address overlaps with the Heritage Overlay.

- An analysis of permits triggered under this overlay over the last 2 years found that the most commonly triggered Schedule is by far the NCO1. The NCO2 was triggered less than 5 times.

Erosion and salinity management overlays

- These overlays have been applied minimally throughout the municipality.

- There is a lack of internal and external government departmental expertise to consider issues and provide advice.

- The expansion of these overlays should be considered in a future piece of strategic work.

- Erosion Management Overlay (EMO) Schedule has option to include application requirements, which has not been utilised.

- VC148 changes now allow Councils to specify the following matters in EMO and Salinity Management Overlay (SMO) Schedules. An appropriate policy response should be developed.
  - Objectives
  - A statement of risk
  - Application requirements
  - Decision guidelines

Parking overlays

- The management of car parking in urban Bendigo requires strategic review. This is being addressed in a separate piece of strategic work.

Other overlays

- Both the Environmental Audit Overlay (EAO) and the Development Contributions Plan Overlay (DCPO) are underutilised. Further strategic work should be undertaken to expand their application.

- Both the Land Subject to Inundation Overlay (LSIO) and the Special Building Overlay (SBO) have been recently updated with the implementation of the Bendigo Urban Flood Study. The Overlays will be expanded progressively to other parts of the municipality as further studies are undertaken.

- Schedule 1 to the Airports Environ Overlay (AEO1) includes a superfluous line - “No permit may be granted for a use that is prohibited under the Zone” which should be deleted.

- VC148 changes now allow Councils to specify the following matters in LSIO and Special Building Overlay (SBO) Schedules. An appropriate policy response should be developed.
  - Objectives
5.2.10 Effectiveness of Schedules to particular provisions

Particular provisions are specific prerequisites or planning provisions for a range of particular uses and developments, such as advertising signs and car parking. Particular provisions apply consistently across the state. Only particular provisions already in the VPP can be included in Planning Schemes and they apply in addition to the requirements of a Zone or overlay unless specified otherwise.

Council has the option to specify local variations to 13 of the Particular Provisions, through Schedules. Currently only 11 local Schedules are included in the Greater Bendigo Planning Scheme.

The Ministerial Direction on the Form and Content of Planning Schemes states, “If a Planning Scheme includes a provision with a Schedule, the Schedule must be included in the Planning Scheme.” There are 2 instances where a Schedule has not been included, and should be. These are Clauses 52.44 and 52.48

Restructure of particular provisions

Following the gazettal of VC148, the particular provisions from Clauses 52, 53 and 57 have been organised into three categories that more clearly recognise their different functions and make them easier to navigate:

3. Provisions that apply only to a specified area (Clause 51).
4. Provisions that require, enable or exempt a permit (Clause 52).
5. General requirements and performance standards (Clause 53).

The restructure has resulted in the renumbering of several provisions

An analysis of the local Schedules to the particular provisions has been provided below:

<table>
<thead>
<tr>
<th>Clause</th>
<th>Schedule included in Planning Scheme</th>
<th>Contents</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>53.01 Public open space contribution and</td>
<td>Y</td>
<td>“none specified”</td>
<td>No change</td>
</tr>
<tr>
<td>Clause</td>
<td>Schedule included in Planning Scheme</td>
<td>Contents</td>
<td>Recommendation</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------</td>
<td>----------</td>
<td>----------------</td>
</tr>
<tr>
<td><strong>subdivision</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52.02</td>
<td>Y</td>
<td>“none specified”</td>
<td>No change</td>
</tr>
<tr>
<td>51.01 Specific sites and exclusions</td>
<td>Y</td>
<td>Applies to multiple sites</td>
<td>See discussion below</td>
</tr>
<tr>
<td>52.05</td>
<td>Y</td>
<td>“none specified”</td>
<td>No change</td>
</tr>
<tr>
<td>52.16</td>
<td>Y</td>
<td>3 sites are listed as subject to a native vegetation precinct plan</td>
<td>Still operating. No change</td>
</tr>
<tr>
<td>52.17</td>
<td>Y</td>
<td>6 Scheduled areas are included</td>
<td>See discussion below</td>
</tr>
<tr>
<td>52.27</td>
<td>Y</td>
<td>“none specified”</td>
<td>No change</td>
</tr>
</tbody>
</table>
| 52.28 | Y | 4 sites where gaming machines are prohibited are listed | VC148 changes now allow Councils to specify the following matters in the Gaming Schedule. An appropriate policy response should be developed where possible.  
• Objectives  
• Location guidelines  
• Venue guidelines  
• Application guidelines  
• Decision guidelines |
| 52.32 | Y | All land bounded by the Calder Highway, the McIvor Highway and the Northern Highway.  
All land within five kilometres of a residential Zone, an industrial Zone, a business Zone or a special purpose Zone in the urban area of Bendigo. | No change |
| 52.33 Post boxes and dry stone walls | Y | All except where the land includes a dry stone wall subject to the Heritage Overlay. | No change |
a) Schedule to Clause 51.01 - Specific sites and exclusions

The Schedule to clause 51.01 enables Council to specify unique planning requirements to specific sites in the municipality.

There are currently 10 variations specified in the Schedule to Clause 51.01. These cover matters including mining, land use directions and development conditions.

The audit of this Schedule has determined that there are a number of documents (5) in this Schedule that have either expired or are redundant. These variations should therefore be deleted from the Planning Scheme. Where relevant, feedback has also been sought from the relevant authority to confirm this action.

Others in the Schedule provide valuable direction for developments, such as the new Bendigo Hospital, which is currently ongoing. These documents include expiry dates and can be removed from the Planning Scheme once completed.

New Specific Controls Overlay

VC148 introduced the Specific Controls Overlay (SCO) to replace the particular provision Clause 51.01 - Specific Sites and Exclusions (previously Clause 52.03).

The SCO operates in the same way as Clause 51.01. However, it will be more transparent because it will be shown on planning scheme maps and planning certificates.

The specific control will be contained in a document that is:
- incorporated in the planning scheme (by being listed in the schedule to Clause 72.04)
- specified in the schedule to the SCO with the corresponding map notation.
The Ministerial Direction provides that Clause 51.01 must no longer be used to apply a specific control to land.

Existing incorporated documents specified in the schedule to Clause 51.01 continue to apply, and should be translated into the SCO as part of this review, and then removed from the schedule.

See appendix 16 for more details of the audit of the Schedule to Clause 51.01.

b) Schedule to Clause 52.17 – Native vegetation

The Schedule to clause 52.17 enables Council to specify sites where native vegetation precinct plans apply.

Six areas are currently included in the Schedule, however a number of these developments have been completed, and the exemption is no longer required. The others are still required.

See appendix 16 for more details of the sites included.

*It is recommended that the review of the Schedules to Particular Provisions be implemented into the Planning Scheme rewrite.*

5.2.11 Effectiveness of referral mechanisms

Responsible authorities and referral authorities should together consider whether a referral requirement under Clause 66.04 is necessary or whether the referral can be dealt with by an alternative arrangement. The Planning Scheme Review provides an excellent opportunity to evaluate the effectiveness of referral provisions in the Greater Bendigo Planning Scheme.

What is the purpose of a referral?
The key purpose of the referral process is to give a person or body whose interests may be affected by a permit application the opportunity to provide advice to the responsible authority about whether a permit should be granted. Referrals are integral to the application process and avoid the need for referral authorities to establish their own separate land use and development assessment and approval processes.

Two types of referral authority
There are two types of referral authority: a determining referral authority and a recommending referral authority.

Clause 66 of the Planning Scheme identifies the type of referral authority for each kind of application that must be referred. Both types of referral authority can object to the granting of a permit, decide not to object or specify conditions to be included on a permit. However, the effect of that advice on the final outcome of an application is different for each type of referral authority.

If a determining referral authority objects, the responsible authority must refuse to grant a permit, and if a determining referral authority specifies conditions, those conditions must be included in any permit granted.

In contrast, a responsible authority must consider the recommending referral authority’s advice but is not obliged to refuse the application or to include any recommended conditions. A recommending
referral authority can seek a review at the Victorian Civil and Administrative Tribunal if it objects to the granting of a permit or it recommends conditions that are not included in the permit by the responsible authority.

**Referring an application**
Section 55 of the *Planning and Environment Act 1987* (the Act) requires that a responsible authority give a copy of an application to every person or body that the Planning Scheme specifies as a referral authority for that kind of application.

**Giving notice of an application**
Section 52(1)(c) of the Act requires the responsible authority to give notice of an application to any person specified in the Planning Scheme.

**When should a section 52 notice requirement be included in a Planning Scheme?**
A section 52 notice requirement should be used when the comments or advice of the person or body may influence the outcome of the application, but the circumstances do not warrant:
- That person or body receiving a copy of the application and prescribed information
- Their comments or advice directing the outcome of the application.

**Using Clause 66 of Planning Schemes**
All referral and notice requirements must be specified in Clause 66 of Planning Schemes.

**Figure 20 - Referral and notice provisions in the Planning Scheme**

<table>
<thead>
<tr>
<th>Clause</th>
<th>Section</th>
<th>What it does</th>
</tr>
</thead>
<tbody>
<tr>
<td>66.01</td>
<td>55</td>
<td>Specifies the referral authority for particular kinds of subdivision applications.</td>
</tr>
<tr>
<td>66.02</td>
<td>55</td>
<td>Specifies the referral authority for particular kinds of use and development applications.</td>
</tr>
<tr>
<td>66.03</td>
<td>55</td>
<td>Specifies the referral authority for applications under other State standard provisions.</td>
</tr>
<tr>
<td>66.04</td>
<td>55</td>
<td>Enables a responsible authority to specify a referral authority for a particular kind of application under a local provision. The referral authority is listed in a local Schedule to Clause 66.04.</td>
</tr>
<tr>
<td>66.05</td>
<td>52(1)(c)</td>
<td>Specifies the persons and bodies that must be given notice of particular kinds of applications under State standard provisions.</td>
</tr>
<tr>
<td>66.06</td>
<td>52(1)(c)</td>
<td>Enables a responsible authority to specify a person or body that must be given notice of a particular kind of application under a local provision. The person or body is listed in a local Schedule to Clause 66.06.</td>
</tr>
</tbody>
</table>

Clauses 66.04 and 66.06 are discussed further below, as that’s where referral and notice requirements can be included under a local provision.

**a) Schedule to clause 66.04 - Referral of permit applications under local provisions**
The Schedule to Clause 66.04 has been used 10 times in the Greater Bendigo Planning Scheme to require referral of an application to a referral authority.

It has mostly been used for the environmental significance overlays (4 times), as well as 3 times for the Bendigo Hospital, and twice for the Bendigo airport.

There are a number of formatting issues within the Schedule itself, as well as the corresponding clauses. However, the referrals are working well and providing valuable input to improve planning permit decisions.

See appendix 17 for more details

b) Schedule to clause 66.06 - Notice of permit applications under local provisions

The Schedule to Clause 66.06 has also been used 10 times in the Greater Bendigo Planning Scheme to require notice of an application to a referral authority.

It has mostly been used for the Bendigo airport (5 times).

There are a number of formatting issues within the Schedule itself, as well as the corresponding clauses. However, the notices are working well and providing valuable input to improve planning permit decisions.

See appendix 17 for more details

c) Referral agreements

The referral and notice requirements of Clause 66 do not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority. Avoiding the need to refer applications can speed up decisions.

An agreement may specify standard conditions that must be included on any permit granted. It may also specify requirements, which if satisfied by the proposal, means that the application does not need to be referred. Agreements must be clear, easy to understand and publicly available.

Our records indicate that 2 referral authority agreements still exist (CFA and DSE). DELWP (formerly DSE) has advised that the agreement is no longer valid, as planning provisions have changed. They are in the process of developing a new agreement.

CFA has advised they would like to enter discussions to develop a new agreement.

5.2.12 Recommended further strategic work

In considering the findings of the Planning Scheme audit, the following recommendations for further strategic work required have been made:

Recommended further strategic work
**Recommended further strategic work**

### Undertake a Bushfire risk to settlement study

Given the recent State policy changes brought about via VC140 (*prioritise the risk to life from bushfire*) a review of our local policy response to bushfire risk needs to be undertaken to ensure Council can meet its requirements under Clause 13.02-1S of the Planning Scheme.

Given the bushfire risk in the municipality, strategic work should be undertaken to determine how best to manage the issue. Local policy guidance should be provided in relation to settlement growth, i.e. where growth should be directed, whether any new buffers are required for towns, whether there is safe access to places of last resort and how development at the settlement edge could more effectively manage bushfire risk (i.e. lot sizes, design treatments etc.).

This work should include an examination of the Bendigo urban-forest interface, including current planning mechanisms to manage the issue. It should identify appropriate planning mechanisms to manage this sensitive interface into the future.

### Undertake a Municipal Settlement strategy

The Planning Scheme currently lacks a coordinated and detailed approach to sufficiently guide the settlement of urban and rural areas.

It is recommended that a settlement strategy be undertaken to understand how Council will manage the future of its suburbs, towns, and settlements. This will include the provision of a growth framework identifying what is possible, efficient, and justifiable. The goal should be to create a vision, supported by a strategic planning analysis that creates a growth management framework.

It should clearly outline our settlement network and establish a settlement hierarchy which can comprehensively guide development for the next 20 to 30 years. This would be the fundamental framework supporting the MSS and guiding our decisions.

The strategy should include:

- Profile/role of the suburb/township/settlement
- Summary of zoning and overlays
- Main features and character
- Infrastructure analysis
- Key policy/strategy references
- Strategic influences:
  - E.g., review of planning policy and provisions, land supply and demand analysis, servicing and infrastructure, public transport, social influences, community capacity building, population trends, economic influences, employment, farming and high value agricultural land, retail, tourism, industry, heritage and character, environmental influences, biodiversity, water availability, septic systems, flooding and inundation, bushfire risk, climate change.

The Strategy should be undertaken in two parts:

3. **Rural areas study (outside UGB)**

   Strategic work should include:
### Recommended further strategic work

- Review of the Rural Areas Strategy (2009)
- Identify productive agricultural land and how it should be protected
- Investigate the use of the Rural Activity Zone, and review the application of all rural zones
- Role of the township/settlement
- Use of Township zone
- Appropriate areas for rural residential development
- Policy guidance for rural industry
- Policy guidance for intensive animal industries
- Identification of significant landscapes to be protected

### 4. Urban settlement study

This study should take the adopted strategic directions from the Greater Bendigo Residential Strategy (2014) and the Greater Bendigo Housing Strategy (2018) and undertake the next level of analysis to implement their recommendations at the suburb level.

Strategic work should include:

- Identify areas for residential infill development, expected level of change, application of residential zones (Residential Growth Zone and Neighbourhood Residential Zone)
- Areas of transport oriented development
- Review of residential character provisions (removal, revision, and or deletion). The purpose of undertaking a neighbourhood character analysis is to identify the existing characteristics within Bendigo that need to be retained within the context of pressure for infill development. This may mean protecting existing character in some locations and identifying a preferred character in others where change is anticipated to occur.
- Analysis of activity centres should be undertaken to define their roles, boundaries and review their current commercial focus. The SPPF direction for activity centres seeks to ensure that they are a focus of high-quality development, activity, and living for the whole community, and not just centres for commercial development. Content should then be included under the Settlement clause of the MSS. Specific commercial direction should remain under the Economic Development clause.
- Examination of the strategic underpinning of the Urban Growth Boundary. It should be examined if it should be set in the context of all urban land uses (not just residential land), taking into account environmental constraints, transport links, activity centres, access to transport and services and land use.
- Sequencing of development such as key development sites and greenfield areas to better facilitate the coordinated delivery of housing and infrastructure
- Investigate the application of the Urban Growth Zone to new development areas to facilitate their orderly development through Precinct Structure Plans and DCP’s
### Recommended further strategic work

#### Audit of contaminated land

A municipal wide audit of contaminated and potentially contaminated sites should be undertaken with identified sites to be included in the Environmental Audit Overlay where appropriate to ensure they’re appropriately identified and managed into the future.

#### Environmental Significance Study

Identification and protection of environmental assets is underrepresented in the Planning Scheme. A comprehensive study to identify elements of environmental significance and how they should be protected needs to be undertaken.

The study should be undertaken in two stages:

- **Stage 1** - A high-level study should be undertaken in the first instance to review the existing situation and gather all the various information sources to form a high-level picture. This could then be implemented into the MSS.
- **Stage 2** - Should involve detailed area investigation and application of appropriate planning controls

- The study should include:
  - A comprehensive review and analysis of native vegetation management in the municipality
  - A review of the existing VPO mapping and whether it should be replaced with an ESO using new mapping undertaken by the Rural Roadside Management Plan
  - Investigate a policy response to state that native vegetation offsets must be sourced from within Bendigo. It should discourage native vegetation net loss through offsets sourced outside of Bendigo.
  - Identification and protection of Biolinks

- This study will help ensure the Planning Scheme has a stronger focus on protecting flora & fauna species found within the municipality.

#### Urban vegetation management

Strategic work should be undertaken in conjunction with the Greening Greater Bendigo Strategy to improve the management of urban vegetation in the private realm.

This work should:

- Assess and determine the best way to protect non-native significant urban trees.
- Investigate ways urban trees and landscaping can be used to manage climate change and heat island effects in developments.
- Include the development of landscape guidelines for development and subdivision.
**Recommended further strategic work**

**Update the Industrial Strategy**

A review and update of the Industrial Strategy is required, along with an update to supporting documents (Good Design Guide for Industry) and the Local Planning Policy. The review should include the following:

- An analysis of industrial land supply and location
- Some industrial areas are suffering from residential encroachment which is causing amenity issues and complaints. Strategic work should be undertaken to determine how best to manage these interface areas.
- An investigation of appropriate planning mechanisms to provide buffers to protect infrastructure such as landfills, transfer stations, and sewerage plants should be included.

**Urban Design program**

There a number of critical gaps in regards to urban design, this is an issue as good urban design is fundamental to make communities more liveable and attractive. A number of projects should be grouped and appropriately resourced to address these gaps.

- The Urban Design Framework (UDF) program needs to be improved, as it’s currently ad-hoc. The program needs to be reviewed, coordinated, and resourced. A budget bid should be prepared and a priority list of UDF’s to be undertaken developed and adopted by Council.
- Commercial and residential Urban Design Guidelines should be developed to improve the quality of urban design and development in the municipality.
- The *Highway Entrances and Boulevards Study* (1994) requires urgent review as it’s very dated. This study applies to important entry points and corridors in Bendigo and it’s important to ensure that policy guidance for these areas is up to date and achieving good quality development.

**Open Space Contributions Strategy**

A policy response should be investigated and developed to provide guidance on the management of open space contributions in the Planning Scheme. This should include guidance on when a monetary or land contribution is required, and the amount required.

Currently Council is relying on the Subdivision Act requirements which allows for contributions of up to 5% but needs to be negotiated on an application by application basis. Other Councils collect greater amounts based on the strategic justification that underpins an open space strategy — for example a standard 8% in new development areas and 5% in infill areas.

**Implementing the Municipal Public Health and Wellbeing Plan into the Planning Scheme (MPHWP)**

Further strategic work should be undertaken to investigate a policy response to health and wellbeing directions of the MPHWP in the Planning Scheme.

**Buffers/protection for freight corridors**

Strategic work should be undertaken to investigate appropriate planning mechanisms to protect
<table>
<thead>
<tr>
<th><strong>Recommended further strategic work</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>key freight routes from encroachment of development.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Climate change adaptation and Integrated water management study</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic work should be undertaken to provide an appropriate response to climate change, Water Sensitive Urban Design, and Integrated Water Management Planning in the Planning Scheme to support sustainable water management and build climate change resilience in the municipality.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Heritage management</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>There are a number of outstanding heritage studies which must be completed as a priority to ensure valuable heritage assets are protected. The Heritage Strategy also needs to be completed and implemented into the Planning Scheme.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Review of public zones</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>An audit of sites included within public zones such as the Public Use Zone (PUZ), Public Park and Recreation Zone (PPRZ), Public Conservation and Resource Zone (PCRZ) etc. should be undertaken in conjunction with DELWP to ensure sites are in the correct zone.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Review of historic planning controls</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>A review of two dated planning mechanisms should occur to understand if they’re still required, and if so, what’s the most appropriate planning mechanism to manage them.</td>
</tr>
<tr>
<td>The two planning mechanisms are:</td>
</tr>
<tr>
<td>• DDO2 (Lockwood South rural living area) is very old and requires a strategic review and whether a better tool is available, such as a Zone Schedule</td>
</tr>
<tr>
<td>• DPO4 (Low density residential zone – density management area) is complex and requires a strategic review. The DPO is not the appropriate tool to manage this issue. Consideration should be given to the utilisation of Zone Schedules. Mapping also needs to be improved</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Salinity and erosion management</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>These overlays have been applied minimally throughout the municipality and there is a lack of internal and external government departmental expertise to consider issues and provide advice.</td>
</tr>
<tr>
<td>The evaluation and expansion of these overlays should be considered in a future piece of strategic work.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Better utilisation of Zone Schedules</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration should be given to whether the requirements from DDO7 (Ascot residential area), DDO9 (Axedale township), DDO10 (Maiden Gully structure plan) and DDO11 (Huntly transition area) can be incorporated into Zone Schedules to better guide development.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Review of Neighbourhood Character Overlays</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>There are two Schedules to the Neighbourhood Character Overlay (NCO) in the Planning Scheme:</td>
</tr>
<tr>
<td>• Bendigo Early Settlement Residential Character (NCO1)</td>
</tr>
</tbody>
</table>
Recommended further strategic work

- Bendigo Post War Residential Character (NCO2)

A strategic review of these overlays needs to occur to assess if they’re operating appropriately and address overlaps with the Heritage Overlay.

Review of the Restructure Overlay

These Overlays have been around for some time now and a strategic evaluation of their purpose and operation should be undertaken to ensure they’re operating sufficiently.

Junortoun Structure Plan

It is recommended that a structure plan be undertaken to determine the future development directions of this suburb.

5.2.13 Review and prioritisation of further strategic work

Given the large amount of strategic work recommended by this Review, a rigorous approach to prioritising the further strategic work needs to occur.

A two-stage method of prioritising future work has been developed to assist Council in prioritising its further strategic work and determining whether the work item should be listed in the Planning Scheme or remain outside the Scheme.

Prioritising work that needs to be done is difficult in the context of a Council’s budget process and responsibilities. There are many competing priorities across Council, and funds are limited through structures such as rate capping, or must be applied to particular projects based on external funding requirements or particular funding mechanisms (such as Development Contributions and Open Space levies).

Within a planning department context, staff capacity and availability of funding are limiting factors in progressing strategic planning projects.

This report has identified a substantial number of strategic planning projects that are required. In order to assist with prioritising this work, a prioritisation matrix has been developed:

**Figure 21 - Strategic work prioritisation matrix**

<table>
<thead>
<tr>
<th>Clarifying question</th>
<th>Rating</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Why the strategic work is required (the drivers)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The strategic work is a statutory requirement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• There is a Council resolution to undertake the work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Current policy is dated and no longer reflects Council thinking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• There is a policy vacuum or confusion</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• VCAT decisions and Panel recommendations indicate the work is necessary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Potential risk to life from not doing the work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>[High (10)</td>
<td>Medium (5)</td>
<td>Low (1)]</td>
</tr>
<tr>
<td>Potential risk to liveability from not doing the work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[High (10)</td>
<td>Medium (5)</td>
<td>Low (1)]</td>
</tr>
<tr>
<td>Potential lost income to council or community from not doing the work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[High (10)</td>
<td>Medium (5)</td>
<td>Low (1)]</td>
</tr>
<tr>
<td>Potential lost assets to Council or community from not doing the work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[High (10)</td>
<td>Medium (5)</td>
<td>Low (1)]</td>
</tr>
<tr>
<td>Work is an essential strategic driver/enabler of other strategic work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[High (10)</td>
<td>Medium (5)</td>
<td>Low (1)]</td>
</tr>
<tr>
<td>Urgency of the work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[High (10)</td>
<td>Medium (5)</td>
<td>Low (1)]</td>
</tr>
<tr>
<td>What benefit will be gained from undertaking the work?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>High (10)</td>
<td>Medium (5)</td>
<td>Low (1)</td>
</tr>
<tr>
<td>How long has the work been on the City’s project list?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5+ years (10)</td>
<td>2 to 5 years (5)</td>
<td>1 years (1)</td>
</tr>
<tr>
<td>Total weighting <em>(highest risk/benefit to lowest risk/benefit)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>What are the estimated costs (consultancy budget, notification, community consultation etc.) associated with this work? High ($100,000 plus), medium ($25,000 to $100,000), low (under $25,000)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>What is the estimated time frame to complete the strategic planning work? (NOT including Planning Scheme amendment time) Short (under 1 year), medium (1 to 2 years), long (2 years plus)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>What are the estimated costs (EFT) associated with this work?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
How will the work be funded?
- EFT budget:
- Operational budget:
- Capital budget:
- Grants / funding:
- Levy (etc., DCPs, Open Space levies):
- Other government funding:
- Proponent funding:

Who will be undertaking the work

Collaboration required internally and externally

Cost to implement the project (including PSA and any ongoing costs)

What is the estimated time frame to implement the project?

Capability of the City to implement the project

Planning Practice Note – 4 – *Writing a Municipal Strategic Statement (June 2015)* (PPN4) provides for an implementation section, which includes a place for other implementation including other actions of Council and further strategic work. However, little guidance as to what is appropriate to be included in this section is provided in PPN4.

In order to determine if the strategic work should be listed in the LPPF or remain outside the Scheme, a further matrix has been developed:

**Figure 22 - Matrix for Scheme inclusion**

<table>
<thead>
<tr>
<th>Principles for including further strategic work in the LPPF</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>It will aid a reader in making a decision or recommendation.</td>
<td></td>
</tr>
<tr>
<td>It demonstrates a link to achieving the objectives of planning.</td>
<td></td>
</tr>
<tr>
<td>It has been clearly scoped and identifies the issue or issues to be addressed.</td>
<td></td>
</tr>
<tr>
<td>It responds to a relevant local planning need.</td>
<td></td>
</tr>
</tbody>
</table>

For example, if Council is aware its parking strategy is inadequate and needs to be reviewed, it is appropriate to include as further work:
- ‘*Prepare a parking strategy to assess the provision of existing parking areas and identify where new parking should be directed.*’

This flags to a decision maker that:
- Council is aware of a policy gap, or out of date policy, has not yet completed the strategy work necessary to amend the policy in the MSS, but intends to do so.
- The issue that is intended to be addressed through the further work.
- That a future amendment about the issue has strategic justification as Council has recognised that the Planning Scheme needs to address this issue.
Reference to further strategic work should be located under the theme or local area where it best fits. Repeating the same piece of further strategic work in multiple sections of the MSS should be avoided.

Based on these principles, all existing future work in the Planning Scheme and new further strategic work that has been identified in this review should be assessed using this two-stage method and implemented into the Planning Scheme as appropriate.

**It is recommended that a review and prioritisation of all future strategic work be undertaken and appropriately implemented into the Greater Bendigo Planning Scheme.**

- **Prioritise further strategic work to be undertaken with Council using the proposed matrix, which assists in identifying need, risk, benefits, costs and timeframes to complete each piece of work and enable an overall prioritisation of work.**

- **Identify further strategic work to be included in the Greater Bendigo Planning Scheme using the following principles:**
  - It will aid a reader in making a decision or recommendation.
  - It demonstrates a link to achieving the objectives of planning.
  - It has been clearly scoped and identifies the issue or issues to be addressed.
  - It responds to a relevant local planning need.

### Section 5 recommendations

7. Adopt the ‘Policy Neutral review of the Greater Bendigo Planning Scheme LPPF, April 2018’ as the base version for the MSS re-write to which new policy will be added and redundant policy deleted in the subsequent Planning Scheme Amendment.

8. Adopt the recommendations of the audit of the Greater Bendigo Planning Scheme, including those relating to:
   - formatting and language
   - maps and plans
   - incorporated and reference documents
   - local planning policies
   - Zones, overlay and Schedules
   - Schedules to the particular provisions
   - referral and notice requirements

9. Develop comprehensive strategic framework plans for both urban and rural Greater Bendigo to provide the ‘big picture’ or vision of the municipality and should show:
   - Main features and land uses
   - Areas that are of significant environmental value
   - Areas where environmental risk are to be managed
   - Growth opportunities or constraints
• Strategic redevelopment sites
• Transport connections
• Existing and future infrastructure
• Heritage features

10. Prioritise the recommendations for further strategic work to be undertaken using the proposed strategic work matrix, which assists in identifying need, risk, benefits, costs and timeframes to complete each piece of work and enable an overall prioritisation of work.

• Councils adopted strategic work program should be reviewed in light of the recommendations of this review and included in the strategic matrix assessment to ensure all work is prioritised.

11. Identify further strategic work to be included in the MSS using the following principles:

• It will aid a user in making a decision or recommendation
• It demonstrates a link to achieving the objectives of planning
• It has been clearly scoped and identifies the issue or issues to be addressed
• It responds to a relevant local planning need
6. Consultation

Consultation has a very important role in a Planning Scheme review as it can help us gain an understanding of how the Planning Scheme is currently used and to identify room for improvement.

Consultation for the Planning Scheme review is a 2-stage process:
- Targeted consultation
- Broad community consultation (will occur once the draft review is adopted)

There will also be further consultation in the future Planning Scheme amendment to implement the recommendations of the Planning Scheme review into the Greater Bendigo Planning Scheme.

6.1 Consultation methodology

The first stage of consultation in the review was targeted consultation.

In this stage, Officers targeted key internal and external stakeholders, particularly those who either regularly use the Planning Scheme or are experts in a planning related field. The consultation sought to identify the ways the stakeholders interact with the Planning Scheme and to identify any issues or improvements that could be made.

To support this stage of consultation, a comprehensive Community Engagement Plan was prepared (appendix 18). It included the purpose, objectives, key communication messages, and engagement questions.

Consultation objectives:
“Consultation in the Planning Scheme review project is about listening to user’s expectations and views about planning and how it can be improved. The project will set the planning agenda in the City, our towns and rural communities for the future. It is therefore important for us to consult with as many people as possible.

- Seek feedback on the performance of the Greater Bendigo Planning Scheme and ways it can be improved.
- This information will then inform the development of the draft Planning Scheme review report and recommended planning changes. This will then be consulted upon again.”

An engagement action plan was also developed which detailed the stakeholders, their anticipated level of interest and influence, level of engagement required and method(s) of engagement, what feedback we were seeking, when and who was responsible.
The draft Engagement Plan was circulated to the Planning Scheme review Internal Reference Group and Executive Management Team (EMT) for feedback prior to being enacted.

A key action of the targeted consultation was the development of a Project bulletin (Appendix 19) to provide an overview of the project, timelines, key questions and contact details how to find out more information.

### 6.2 Targeted consultation feedback

The following sections provide an overview of feedback received from stakeholders during targeted consultation.

#### 6.2.1 Consultation with Councillors and Executive Management Team

The Planning Scheme Review project was first introduced to Councillors at a briefing in August 2017. The briefing provided an overview of the project and why it needed to be undertaken. Councillors were very supportive of the project and supported the proposed review process outlined in the project brief.

Consultation with Councillors and the Executive Management Team (EMT) included 2 key workshops:

- Council’s planning vision
- Key planning issues
Workshop 1 - Council’s Planning Vision

The first Planning Scheme review Councillor workshop was held on 13 of November 2017 and was facilitated by consultant Cazz Redding of Red Ink Planning. The workshop ran for half a day and the participation and feedback from this workshop was very positive.

A comprehensive background report (appendix 20) was prepared for the Councillors prior to the workshop, which set the strategic context of the review (image below) as well as providing a snapshot of current policy context.

The report included an introduction to the SPPF and its policy themes, in addition to current policy response through the LPPF and more specifically the MSS and key strategic documents. It also included an analysis of the application of the goals from the Community Plan and MPHWP, and One Planet Living principles to each SPPF theme.

![Planning Scheme review strategic context](image)

This first workshop had two goals:

- Develop the goals and priorities for each policy area
- Develop words and ideas for Councils planning vision

These are discussed further below:

a) **Key planning goals and priorities by theme**
In the workshop, Councillors identified the following matters as the key goals and priorities for the municipality:

- **Natural environment**
  - Strengthen focus on climate change and adaptation
  - Address mining legacy issues (rehab of land for infill)
  - Protect habitat corridors, address biodiversity.
  - Incorporate One Planet Living
  - Implement Environment Strategy
  - Regional Environment Strategy

- **Economy**
  - Improve focus on economic growth
  - Develop value added industries / agriculture
  - Support micro, small and medium enterprises
  - Support agriculture and growth
  - Enable new and innovative industries
  - Smart cities
  - Improve / elevate tourism
  - Support Arts and Creative sector

- **Built form**
  - Update heritage policy and overlay (needs $$ for studies)
  - Address demolition by neglect
  - Develop multiuse community hubs in activity centres
  - Lead Environmentally Sustainable Development – Make sure it’s across all areas.
  - Engineering
  - Climate change

- **Health and wellbeing**
  - Focus on community and people
  - Social wellbeing
  - Open space
  - Intergenerational ageing, inclusion and access
  - Emergency management - resilience
  - Equity and fairness

- **Transport**
  - Rural transport needs and infrastructure
  - ITLUS
  - Cycling and walking

- **Infrastructure**
  - Marong business park
  - Water recycling/distribution
  - Infrastructure for new communities
  - Flood prone area guidelines
  - Renewable energy
  - Technology and innovation
  - Waste management (reduction, innovation)
- **Buffer protection**
- **Settlement**
  - CBD design review
  - Keep the UGB
  - More emphasis on indigenous heritage
  - More recognition of the important and changing role of farms and rural settlement
  - Food security
  - Plan for 200,000
  - Settlement boundaries around towns
- **Housing**
  - More housing options – higher density, affordability
  - Improve sustainability

These planning goals and priorities were then taken into consideration when auditing the Planning Scheme to assist in identifying policy gaps.

**b) Vision**

A key objective of this review is to provide a cohesive strategic vision for the land use planning of Greater Bendigo via the Municipal Strategic Statement. This vision seeks to complement Council’s other key strategic documents - the Council Plan and Health and Wellbeing Plan.

It was agreed that the following extract from page 7 of the *Community Plan 2017-2021* developed by Council in conjunction with the community, provides a good setting to assist in developing the land use planning and development vision for the municipality in the LPPF re-write.

"Yet despite these forces of change most of what we know and love about Greater Bendigo will still be there, particularly if we want them to be the defining elements in our lives. We will still be a relatively small city with all the attributes that brings in an increasingly urbanising world. A defined sense of place established on a rich built and cultural heritage, an enviable natural setting of forests and farmed landscapes with small towns and settlements. The sense of community as a whole and in the suburbs, towns and neighbourhoods and an attachment to place will be perhaps even more important. A regional community that looks after its own and cares about everyone and the chances they have in life will be a significant part of our lives.

These assets in one sense seem intangible but in another are part of the enduring character of Greater Bendigo; the foundation which the future will be built on. We expect the population to double but we expect that it will be a new population attracted by the same qualities and values that have built the City to date. Our new residents will be innovative and willing to try new things just as the early settlers and miners did. They will develop plans to tackle new and emerging issues; from climate change to the need for new skills for jobs that don’t yet exist, to being increasingly able to be more self-reliant whether that is in the energy we generate and use, in ensuring a lighter touch on the planet and moving to self-sufficiency in food and water, and in how we connect with each other. Our new population will want to continue to build memorable buildings and places and they will want to contribute to a great society that is open and embraces new people and ideas. Our future population will have increased respect for the
traditions and attachment to the landscape of Indigenous Australians, they will more highly value that we can draw people from across the globe attracted to a city of ideas and creativity, and they will respect the diversity of our community and draw strength from all those who decide to make Greater Bendigo their home.” (Community Plan 2017- 2021, page 7)

Workshop 2 – Key planning issues

The second Councillor workshop was held on 26 March 2018 and sought to assist Council in distilling the key planning issues to be identified in the Planning Scheme Review. Cazz Redding was again engaged to undertake this workshop.

There were 2 aims for this workshop:
- Planning health check
- Issues workshop

  • Planning Health check

In this part of the workshop, Councillors were presented with the findings of the audit of the LPPF. This gave the Councillors an understanding of the health of the MSS, local planning policies and overlay Schedules.

  • Issues workshop

In the next part of the workshop, we discussed 3 key policy areas which had raised during the audit, and of which we sought Councils feedback and direction upon. These issues were:

- Rural areas
- Climate change
- Infrastructure

Council identified the following as the key issues and/or aspirations for these policy areas:

  Rural issues
• Keeping communities viable
• Appropriate development (encroaching on viable land)
• Infrastructure (power, communication, allow innovation)
• Diversity in farming typologies, but only 1 Zone
• Supporting secondary industries – value adding
• Small settlements – what to do – rezoning FZ unlikely to be supported by State
• Farms being bought up by those from overseas
• Changes in farming practices – Technology
  o Land that can be now be irrigated
  o Genetically modified crops
• Climate change – what can we grow etc., Farmers spreading the risk e.g.: land in north and south
• What is “Commercially” farming
• Land capability mapping – what can grow where
• Service delivery models (NSW)
• Temporary dwellings
• Social impacts of rural shacks
• Housing affordability
• Small communities – being retirement communities
• Facilitate more affordable housing – towns renewing – e.g.: Heathcote
• Transport – Public transport provision
• Youth in rural areas – stop them leaving
• Future proofing townships
• Off grid living – balance between growth and protection of Farming Zone
• How to guide future development
• Does TZ provide enough guidance? Should they have CZ
• Properties being brought for offsets – do it in a coordinated way – Offset plan
• Impact of Cultural Heritage on farming – CHMP’S
• Support intensive farming
• Generally happy with FZ application

Climate change issues

• Dust storms – buffers for cities
• Security of water and power and communications
• Changing farming practices
• Public transport
• Solar farms
• WSUD
• Re-use of water
• Accepting recycled water – need attitude change
• Apps for food growing and urban agriculture
• Use of recycled water in new developments – should be at very start.
• Urban heat
• Urban trees
• Green spaces
• Heat borne diseases
• Building standards
• More flooding
• Removal of exotic trees – should they be protected, choose your priority areas
• Ways to incentivise land owners to green their properties
• Regulation of dams – impacts on catchment
• Levee banks – impact on flooding
• How we manage waste
• What to do with landfills – energy?
• Long term impacts
• Protecting biodiversity – Biolinks – Protecting, New
• Impacts on insurance – particularly from flooding
• Adaption strategies
• Water harvesting

Infrastructure issues

• Need open space contributions strategy - We have no guidance on when to take cash or land contributions
• Transport
• Communication – need to address black spots, NBN – Rural towns being forgotten
• Sewerage
• Supporting off grid living in rural areas if meet requirements
• Supporting solar panels
• Farming renewable energy
• Road expansions – what’s more important? Development or veg
• Community hubs – in rural areas
• High level overall 4 for most areas / standard contributions
• 4 development areas – specific DCP’s

*It is recommended that a policy response to the issues identified by the Councillors be included in the LPPF re-write where appropriate, or further strategic worked be flagged as recommended.*

### 6.2.2 Consultation with planning staff

Extensive consultation was undertaken with the City’s statutory planning staff as they one of the key user groups of the Planning Scheme. The consultation sought to gain an overview of how the planners used the Planning Scheme, identify potential room for improvement, and to discuss the overall structure of the Planning Scheme with a view to improve it through the review process.

**Process**

The statutory planners have meetings every 3 weeks to discuss planning issues and policy reforms etc. During the early stages of the review, an introduction to the Planning Scheme review was provided at one of these meetings. In following meetings, continual updates on the project and proposed timelines were provided.

The key avenue for consulting with the statutory planners was through a dedicated workshop program over a period of 6 weeks.

*Figure 25 - Statutory planning staff workshop program*
Each workshop was accompanied by background reading or a set of questions to promote discussion. The planners were also provided drafts of the MSS audit, Schedules audit and Local policies audit etc. to promote discussion and feedback.

**Discussion**

Feedback from the Statutory Planning team on workshop topics such as Residential Character policies or Highway entrances etc. has been included in earlier discussion about the policy itself, and is therefore not repeated here.

The following issues were raised by the statutory planning team:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mapping within the Schedules is hard to read</td>
<td>All Schedule mapping is being audited and updated as part of this review</td>
</tr>
<tr>
<td>Future strategic work should be analysed through a matrix</td>
<td>Agreed, matrix has been developed as part of this review</td>
</tr>
<tr>
<td>Lack of information and expertise regarding salinity</td>
<td>Agreed, more resources are required, and will be advocated for as part of this review</td>
</tr>
<tr>
<td>The heritage study which covers most of urban Bendigo is very old and provides limited information to assist planning decisions. It needs to be updated.</td>
<td>Agreed, issue has already been identified in this review</td>
</tr>
<tr>
<td>A new Local Planning Policy for Non-residential</td>
<td>Agreed, a new policy should be implemented as</td>
</tr>
<tr>
<td>Issue</td>
<td>Recommendation</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>uses and development in Residential Zones is required</td>
<td>part of this review</td>
</tr>
<tr>
<td>The restructure overlay is a very successful and useful tool, probably needs an update though.</td>
<td>Agreed, a separate piece of strategic work should be undertaken to review their operation and undertaken any required updates</td>
</tr>
<tr>
<td>Overlaps of HO and NCO</td>
<td>Agreed, overlaps with the HO should be examined in the future strategic work to review the NCO and residential character policies.</td>
</tr>
<tr>
<td>Clause 22.09 Calder Environrs – references to AS which no one knows about</td>
<td>This policy is proposed to be deleted</td>
</tr>
<tr>
<td>The map in Clause 22.08 Highway Entrances and Boulevards Policy is very old and unclear</td>
<td>Agreed, will be updated as part of this review</td>
</tr>
<tr>
<td>There needs to be further policy guidance provided to support strategic framework plan</td>
<td>Agreed, will be expanded as part of this review</td>
</tr>
<tr>
<td>Policy relating to ESD should be included in the Planning Scheme</td>
<td>Agreed, a separate piece of strategic work is currently underway to implement ESD in the Planning Scheme</td>
</tr>
<tr>
<td>An audit of contaminated land should be undertaken and risks appropriately identified</td>
<td>Agreed, issue has already been considered</td>
</tr>
<tr>
<td>Waste resources and facilities should be identified in the Planning Scheme</td>
<td>Agreed, issue has already been considered</td>
</tr>
<tr>
<td>A paragraph is required at the beginning of Clause 21 to explain what we mean by ‘key issues and influences’</td>
<td>Agree</td>
</tr>
<tr>
<td>A policy response to heritage interpretation and public art should be investigated</td>
<td>Further research into a possible policy response should be undertaken</td>
</tr>
<tr>
<td>Rural industries in rural areas policy (e.g. need buffers)</td>
<td>Agreed, issue has already been considered</td>
</tr>
<tr>
<td>Infrastructure policy should be updated with update to Infrastructure Design Manual</td>
<td>Agreed, issue has already been considered</td>
</tr>
<tr>
<td>A review of the Parking Overlay is required</td>
<td>Separate piece of work is currently underway</td>
</tr>
<tr>
<td>A reference to the Burra Charter should be included in the Planning Scheme</td>
<td>Further research into a possible policy response should be undertaken</td>
</tr>
</tbody>
</table>
It is recommended that a policy response to issues identified by the statutory planning staff be included in the LPPF re-write where appropriate, or further strategic worked be flagged as recommended.

6.2.3 Consultation with internal stakeholders

Consultation was also undertaken throughout the organisation to inform staff of the project and seek their feedback.

This was established through the Organisational Leadership Team (OLT) who were briefed on the project and then invited to discuss the project within their teams.

A number of team workshops were held, as well as many one on one meetings with staff members who held specialist knowledge.

The following questions were used to prompt discussion

- What are the major planning issues and/or pressures facing Greater Bendigo?
- Does your team have any policy direction not included in the above diagram that you think should be included?
- Would you like the opportunity to comment on certain planning applications? Which ones and why?
- Can you think of any ways the planning process could be improved?

Detailed emails were also sent to internal staff who are directly involved in planning applications, such as internal referrals. This included staff members from the following units:

- Environmental Health
- Engineering
- Property Department
- Regional Sustainable Development
- Heritage Advisor
- Regional Sustainable Development
- Parks & Natural Reserves
- Public Space Design
- Recreation
- Airport Manager

These staff members have a very high level of awareness of the Planning Scheme and understand their role as both internal referrals and shapers of policy in the Planning Scheme.

Discussion

Consultation with internal stakeholders was a very positive and insightful exercise. Staff members embraced the opportunity to learn about the Planning Scheme as well as how their own specialist knowledge could be used to improve the Planning Scheme.

Feedback was received from across the organisation and was an opportunity to establish new relationships and make more staff members aware of the important role the Planning Scheme plays.

The consultation helped identify new strategic work undertaken by the City that should be included in the Planning Scheme, future strategic work that should be undertaken, as well as opportunities
for internal process improvements. Feedback from the internal stakeholders in discussed in detail at appendix 21.

It is recommended that a policy response to the issues identified by the internal stakeholders be included in the LPPF re-write where appropriate, or further strategic worked flagged as recommended.

6.2.4 Consultation with referral authorities

Detailed consultation was undertaken with all relevant referral authorities to determine how they thought the Planning Scheme was operating and identify opportunities to improve its performance.

Referral Authorities are government or private organisations such as the local catchment management authority, the Country Fire Association, VicRoads, or Telstra. They possess specialist knowledge and manage important assets or infrastructure.

Referral authorities play an important role in the operation of the Victorian planning system as their advice is used to inform planning decisions and guide strategic planning.

To get the most out of the consultation with the referral authorities a lot of time was spent extracting all relevant Planning Scheme clauses to each authority. The authorities were then urged to think about how these clauses were operating and if any improvements could be made.

The following general questions were also asked:

- Do you use the Planning Scheme, specifically the Local Planning Policy Framework (LPPF) including the MSS and local policies, in assessing referrals?
- Does the Municipal Strategic Statement (MSS) provide the overall strategic direction that you require?
- Are the local planning policies still relevant or are more needed?
- Are the Zones and Schedules appropriate?
- Are the overlays and Schedules appropriate?
- Is there any policy that seems unnecessary or is not able to assist you in providing referrals?
- Is there any policy missing that would aid your organisation in providing advice? This may include things like identification of buffer areas around assets, policy to support referral responses in specific parts of the municipality etc..
- Are there permit exemptions or standard conditions that could be implemented?
- Would you like to enter into a referral agreement?

**Figure 26 - Referral authorities consulted**

<table>
<thead>
<tr>
<th>Authority</th>
<th>Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coliban water</td>
<td>Heritage Victoria</td>
</tr>
<tr>
<td>Powercor</td>
<td>Transport for Victoria</td>
</tr>
<tr>
<td>Downer Utilities - ATT: Kris Wojczys</td>
<td>SP Ausnet</td>
</tr>
</tbody>
</table>
12 responses were received from referral authorities to this stage of consultation. This is a positive response and most submissions were very well detailed and have provided invaluable input to improve the performance of the Greater Bendigo Planning Scheme.

Key matters raised in the responses include:

- The need to undertake strategic work to manage residential/industrial interface and encroachment issues, and provide buffers;
- The need to review the rural dwellings and subdivision policies;
- The need to update outdated references in policies, such as department names, or legislation references;
- The need to undertake a municipal wide audit of contaminated land and apply the EAO;
- The need to audit the list of reference documents and removed redundant documents;
- The need to update lengthy and disjointed policy in the MSS;
- The need to review the application of environmental overlays such as the ESO, SLO and VPO; and
- How best to manage settlement in response to bushfire risk

The response from the various referral authorities are discussed in detail at Appendix 22.

It is recommended that a policy response to the issues identified by the referral authorities be included in the LPPF re-write where appropriate, or further strategic work identified as recommended.

6.2.5 Consultation with planning practitioners

Targeted consultation was also undertaken with external planning practitioners. These are people or companies who are planning consultants, architects or builders etc. who interact with the statutory planning department often through either planning permits or strategic planning.

Consultation with the practitioners was undertaken through two avenues:

- Development and Planning Industry Forum (DPIF)
- Anonymous survey

a) Development and Planning Industry Forum (DPIF)
The DPIF is a quarterly forum held by the statutory planning department with the development industry to discuss planning issues and new reforms or projects.

A workshop was held at the forum to brief the practitioners on the Planning Scheme review and to seek their feedback on number of key questions:
- What are the top 5 planning policy priorities for Greater Bendigo?
- For what type of applications is there insufficient guidance in the Planning Scheme?
- Are there any Planning Scheme issues that hinder your work?

The workshop was well attended by both a large number of planning practitioners and statutory planning staff. Attendees were broken into a number of groups and workshopped the key issues.

Responses are discussed in detail at appendix 23

b) Survey

An anonymous survey was also sent to over 70 planning related practitioners to receive their feedback on the operation of the Planning Scheme. 10 key questions were asked:

1. What are the top three planning issues facing Greater Bendigo into the future?
2. What are the top three planning matters the City should focus our strategic work on?
3. If you could change one thing in the Greater Bendigo Planning Scheme what would it be?
4. What three policies in the LPPF do you use most? (list policies to tick)
5. What three policies in the LPPF do you use the least? (list policies to tick)

- MSS clauses
  - Municipal profile
  - Key issues and influences
  - Strategic directions
  - Compact Greater Bendigo
  - Economic Development
  - Environment
  - Integrated transport and infrastructure
  - Reference documents
  - Monitoring and review

- Local planning policies
  - Development at the Urban – Forest Interface policy
  - Rural dwellings policy
  - Rural subdivision policy
  - Salinity and erosion risk policy
  - Industrial policy
  - Heritage policy
  - Animal keeping and animal training policy
  - Highway entrances and boulevards policy
  - Residential character policies
  - Licensed premises policy
  - Gaming policy
- Advertising and signage policy
- Hospital precinct medical centres policy

- I don’t use any of the policies in the LPPF

6. What planning related topics do you feel could be strengthened or added to the LPPF?
7. Which existing Policy in the LPPF would you like to change the most? – why?
8. Which existing Overlay Schedule would you like to change the most? – why?
9. Is there any permit triggers you believe are unnecessary and could be removed from the Scheme?
10. Are there any permit triggers you believe could be a VicSmart application?

It is disappointing to note that only four survey responses were received (see appendix 24 for Survey results). However, the feedback received does provide valuable insights into the practitioner’s thoughts on the performance of the Planning Scheme, how it’s used and improvements that could be made.

*It is recommended that a policy response to the issues identified by the planning practitioners be included in the LPPF re-write where appropriate, or further strategic worked identified as recommended.*

6.2.6 Consultation with other parties

Consultation was also undertaken with a number of interest groups and committees:

<table>
<thead>
<tr>
<th>Groups</th>
<th>Groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bendigo Trust Board (Bendigo Heritage Attractions)</td>
<td>Sustainability and Environment Advisory Committee (SEAC)</td>
</tr>
<tr>
<td>Bendigo Tourism Board Incorporated (Inc.)</td>
<td>Bendigo Manufacturing Group</td>
</tr>
<tr>
<td>Municipal Emergency Management Planning Committee</td>
<td>Safe Communities Forum</td>
</tr>
<tr>
<td>Municipal Fire Management Committee</td>
<td>Reconciliation Plan Steering Committee</td>
</tr>
<tr>
<td>Disability Inclusion Reference Group</td>
<td>Cultural Diversity Inclusion Plan Steering Committee</td>
</tr>
<tr>
<td>Farming Advisory Committee</td>
<td>Youth Action Group</td>
</tr>
<tr>
<td>Rural Communities Committee</td>
<td>Karen Fazzani (LMWRRG)</td>
</tr>
<tr>
<td>Heritage Advisory Committee</td>
<td>National Trust</td>
</tr>
<tr>
<td>Positive Ageing Advisory Group</td>
<td>Bendigo Sustainability Group</td>
</tr>
</tbody>
</table>

A good percentage of the groups responded and a number of presentations and workshops were held to establish a relationship and source information. These groups provided valuable feedback and expert information to improve the Planning Scheme. See appendix 25 for the feedback provided.

Key feedback included:
- Need to provide greater planning policy direction for rural areas;
• There is very dated and sparse information to assist with environmental management in the Planning Scheme. This should be addressed as a priority;
• A policy response to climate change should be developed;
• Heritage studies need to be completed as soon as possible;
• A tree register should be developed to protect significant trees; and
• Identification and protection of waste infrastructure.

This feedback and corresponding recommendations will be further discussed with the relevant groups in the second stage consultation.

It is recommended that a policy response to the issues identified by the interested parties be included in the LPPF re-write where appropriate, or further strategic worked be flagged as recommended.

6.2.7 Consultation on the draft Review report

The draft review report was adopted by Council at its October 2018 meeting and was followed by six weeks of community consultation which closed on 30 November 2018.

Consultation on the draft Review included:
• An online survey with a competition to win one of three $100 gift vouchers;
• Use of the City’s web page to summarise the project, provide a link to the survey, and thematic discussion papers to explain the findings of the Review;
• Social media and radio advertisements;
• Media release and print media advertisements;
• Community meetings and listening posts in locations across the municipality;
• Drop in information session for planning consultants and referral authorities.

Following the consultation, 203 survey responses were received and 15 written submissions. These are discussed below.

Community survey responses

203 responses to the community survey were received with a 100% completion rate. These responses have provided valuable feedback from a wide range of people and locations across the municipality. A summary of the responses received are included below (see appendix 27 for all responses).

Q.1. If you were a City planner for a day, what development would you want to see more or less of?

<table>
<thead>
<tr>
<th>Response</th>
<th>More</th>
<th>Less</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connected active transport</td>
<td>33</td>
<td>infill development/higher density development/small lots</td>
</tr>
</tbody>
</table>
There was a very apparent divide in the community between those who would like to see an increase in infill and higher density development, and those that don’t. This provides evidence for the need to undertake the recommended settlement strategy to enable a conversation with the community about where growth should be encouraged and where it shouldn’t be.

Residents were also concerned about the urban sprawl of Bendigo and its impact upon the valued surrounding bush; this is something the settlement strategy will also seek to address by identifying areas that should be protected from urban encroachment.

Positively, residents are concerned about the design of housing and want to see the provision of high quality, sustainable housing and ensure sufficient backyard areas are provided. They also want to ensure that vegetation is appropriately protected and that sites are not completely cleared at the expense of development.

The community would also like to see more connected active transport opportunities, which link open spaces and neighbourhoods. The continued development of these connections will be addressed in the Walking and Cycling Strategy currently underway.

**Q.2. What would you change or protect about Greater Bendigo?**

<table>
<thead>
<tr>
<th>Response</th>
<th>Change</th>
<th>Protect</th>
</tr>
</thead>
<tbody>
<tr>
<td>City centre/mall, bring people back</td>
<td>15</td>
<td>Vegetation and bushland</td>
</tr>
<tr>
<td>Traffic in the city centre/consider a ring road</td>
<td>8</td>
<td>Important heritage and streetscapes</td>
</tr>
<tr>
<td>Only protect important heritage and don’t let it stifle development</td>
<td>8</td>
<td>Country/bush feel of the city</td>
</tr>
</tbody>
</table>

An important focus of change for the respondents was the Bendigo city centre and Hargreaves Mall. The community would like to see the mall revitalised and people brought back to the city centre.
This reflects the importance of the city centre and the mall to residents and the feedback has been shared with those currently undertaking the City Centre Plan refresh.

Residents also expressed concerns about current levels of traffic and its role in the city centre. They also expressed concerns about managing future population growth and its impact on traffic. The City should continue to implement the directions of the Integrated Transport and Land Use Strategy to manage our future transport needs.

Overwhelmingly, residents want to see the protection of Greater Bendigo’s open spaces and vegetation; this supports a key recommendation of the review to undertake an “Environmental Significance Study” and an “Urban Vegetation Management Strategy” to ensure these valued features are protected.

Residents also want to see the protection of valued heritage buildings and streetscapes, but want to ensure it’s done appropriately and in a balanced way. This supports the recommendation to complete the municipality’s heritage studies as a high priority. It also supports the need for the Heritage Strategy to enable a conversation with the community about what heritage is valued.

**Q.3. What three words come to mind when you think about Greater Bendigo in 10 to 20 years’ time?**

<table>
<thead>
<tr>
<th>Response</th>
<th>Positive</th>
<th>Negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green/ bush setting</td>
<td>21</td>
<td>Congested 12</td>
</tr>
<tr>
<td>Vibrant</td>
<td>16</td>
<td>Overpopulated/overdeveloped 12</td>
</tr>
<tr>
<td>Growth</td>
<td>13</td>
<td>Suburban sprawl with poor services/lack of infrastructure 10</td>
</tr>
<tr>
<td>Heritage/history</td>
<td>13</td>
<td>Drought/dry 9</td>
</tr>
<tr>
<td>Busy</td>
<td>10</td>
<td>Hotter 4</td>
</tr>
<tr>
<td>Beautiful</td>
<td>8</td>
<td>Short sighted/unprepared for growth 4</td>
</tr>
<tr>
<td>Progressive</td>
<td>8</td>
<td>Busy 3</td>
</tr>
<tr>
<td>Thriving</td>
<td>8</td>
<td>Unemployment 3</td>
</tr>
</tbody>
</table>

Again, it clearly came through that residents love the open space, vegetation and bush setting of Greater Bendigo.

People also envision a vibrant, busy and growing community that values its history and heritage. It’s also a beautiful and progressive place to live.
However, people are concerned about future congestion, managing population growth and ensuring sufficient infrastructure is provided to support this growth. They are also concerned about water security and how we will live in a hotter, dryer climate.

**Q.4. What do you see as the major planning issues and/or pressures facing Greater Bendigo?**

<table>
<thead>
<tr>
<th>Response</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic congestion / addressing future traffic needs</td>
<td>31</td>
</tr>
<tr>
<td>Provision of infrastructure to support new communities</td>
<td>25</td>
</tr>
<tr>
<td>Public transport (increasing its use and ensuring appropriate and equitable provision)</td>
<td>16</td>
</tr>
<tr>
<td>Urban sprawl / preventing encroachment into bushland</td>
<td>16</td>
</tr>
<tr>
<td>Managing population growth appropriately</td>
<td>15</td>
</tr>
<tr>
<td>Hargreaves Mall</td>
<td>12</td>
</tr>
<tr>
<td>Provision of equitable facilities and services to cope with a growing/ageing population</td>
<td>12</td>
</tr>
</tbody>
</table>

As transport and traffic congestion came through as the overwhelming planning pressure facing the City, it is evident the City needs to continue its work implementing the Integrated Transport and Land Use Strategy. We also need to continue to work with Regional Roads Victoria and Transport for Victoria to ensure residents’ transport needs are addressed appropriately into the future.

The community was also concerned about the provision of infrastructure to support new development and communities. This concern provides support for the City’s Development Contributions Program which is currently in development to provide planning mechanisms to ensure infrastructure provision in a number of new growth areas.

**Q.5. What do you value about where you live?**

<table>
<thead>
<tr>
<th>Response</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environment / open spaces / access to it</td>
<td>69</td>
</tr>
<tr>
<td>Ease of movement / connectivity</td>
<td>48</td>
</tr>
<tr>
<td>Quiet lifestyle / peaceful / relaxed</td>
<td>34</td>
</tr>
<tr>
<td>Easy access to quality services / employment/facilities</td>
<td>30</td>
</tr>
<tr>
<td>Community</td>
<td>29</td>
</tr>
</tbody>
</table>
Residents love the easy access to parks, open space and nature they experience in Greater Bendigo. They also love the ease of movement and easy access to quality services, as well as the history and character, and cultural activities. The important job for planning is to ensure these values aren’t lost in the future.

**Q.6. How do you want your neighbourhood to develop into the future?**

<table>
<thead>
<tr>
<th>Response</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access to open spaces etc. which are connected</td>
<td>28</td>
</tr>
<tr>
<td>Safe, connected walking and cycling tracks</td>
<td>25</td>
</tr>
<tr>
<td>More sustainable development / climate change consideration</td>
<td>18</td>
</tr>
<tr>
<td>More community spaces</td>
<td>16</td>
</tr>
<tr>
<td>Development that responds to environmental setting / retains vegetation</td>
<td>16</td>
</tr>
<tr>
<td>Don’t want more development / no new housing estates / keep it just the way it is</td>
<td>16</td>
</tr>
<tr>
<td>Protection of character / heritage, encourage sensitive development / good design</td>
<td>14</td>
</tr>
</tbody>
</table>

Residents want to ensure quality open space and active transport is provided in new developments. They also want to see buildings respond to their environmental setting and ensure they consider climate change.

Of note, just under 8 percent of residents don’t want to see any change or new housing estates in their community.

**Q.7. How do you think the Greater Bendigo Planning Scheme should respond to environmental issues, such as climate change?**

<table>
<thead>
<tr>
<th>Response</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protect and increase vegetation as a priority</td>
<td>49</td>
</tr>
<tr>
<td>Promote / require solar panels / home energy initiatives</td>
<td>31</td>
</tr>
<tr>
<td>Encourage water sensitive development</td>
<td>26</td>
</tr>
<tr>
<td>Require consideration of Environmentally Sustainable Development</td>
<td>25</td>
</tr>
<tr>
<td>Be leaders / progressive / more action less talk</td>
<td>23</td>
</tr>
<tr>
<td>Reduce car reliance and promote active and public transport</td>
<td>21</td>
</tr>
</tbody>
</table>
Residents want to see environmental assets such as green spaces and vegetation protected throughout the city. This supports the Review’s recommendations for the development of an environmental significance strategy and the urban vegetation management strategy.

Residents would also like to see more efficient water use, environmentally sustainable design, renewable energy, recycling and less dependence on cars.

These results support the Review's recommendation for a “Climate change adaptation and water management study” to inform better planning outcomes, which consider the above.

**Q.8. Have you used the Greater Bendigo Planning Scheme in the last five years?**

![Bar graph showing responses to Q.8](image)

Fewer than 26% of respondents had used the Planning Scheme in the last five years. This is not necessarily a bad thing and perhaps represents the depth and wide reach of the community consultation undertaken, where we have managed to reach people not normally engaged in the planning system.

**Q.9. If you have used the Greater Bendigo Planning Scheme, was it a positive experience? What worked well? And what didn’t?**

51 respondents answered this question:

- 26 advised it was a negative experience
- 13 positive experience
- 7 neither positive or negative
- 5 unclear responses

Responses are summarised in the table below:
Response

<table>
<thead>
<tr>
<th>Response</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Planning Scheme is too long / difficult to navigate</td>
<td>7</td>
</tr>
<tr>
<td>Mixed information given by Planning staff / subjective decisions</td>
<td>7</td>
</tr>
<tr>
<td>Permits / responses too slow</td>
<td>5</td>
</tr>
<tr>
<td>Old plans and policies that don't reflect development pressures</td>
<td>4</td>
</tr>
<tr>
<td>Planning staff were difficult to deal with</td>
<td>3</td>
</tr>
<tr>
<td>Planner helped deliver a better outcome than what was originally proposed</td>
<td>2</td>
</tr>
<tr>
<td>Easy to understand / contains the required detail</td>
<td>2</td>
</tr>
</tbody>
</table>

It is not surprising that many respondents found the Planning Scheme too long, complex and difficult to navigate. This is symptomatic of irregularly reviewing the Planning Scheme. One of the key aims of this review is to make the Planning Scheme more succinct and logical.

It is also not surprising to hear some people (3.4%) have had issues with advice and decisions made; Planning by its policy nature is interpretive. Planners always aim to make decisions that will result in a positive nett community benefit, but there will always be disagreements.

**Q.10. How did you hear about this community engagement opportunity?**

This data was gathered on behalf of the City’s Communications Unit to understand how the community engages with us. Overwhelmingly, over 70% of people responded to the survey through seeing the ads the City posted on its Facebook page. 10% came via emails sent to interested parties. Fewer than 5% came via newspaper or radio, demonstrating perhaps that traditional engagement methods are no longer as effective.
Most of the “other” responses came via face to face contact that was undertaken such as attending markets, community meets etc.

**Written submissions**

Fifteen written submissions were also received during the community consultation phase (see appendix 27 for analysis and response to submissions). The submissions came from a wide range of people, including planning consultants, community groups, referral authorities and interested residents.

Due to the detailed and lengthy nature of some of the submissions, a separate analysis and response to the 15 submissions is included at Attachment 5 to this report.

Many of the submissions reiterate planning issues and problems already identified in the Review including:

- Need to complete heritage studies and undertake a heritage strategy for the City;
- Need to undertake a settlement strategy, including a review of residential character policies, a review of residential zones and managing urban sprawl;
- Need to undertake an environmental significance study to address gaps in vegetation management and outdated controls.

**Incorporation of community feedback into the Review**

The above community feedback has been incorporated into the final Review report. Pleasingly, almost all of the planning issues identified by the community had either already been identified in the Review, or are subject to a piece of strategic work currently underway. Other issues are beyond the scope of the Planning Scheme to address.

Changes or additions to the Review report in response to community feedback include:

- A new recommendation that community survey responses to the following questions should be considered in the development of the high level planning vision (MSS) of the Planning Scheme:
  - *What three words come to mind when you think about Greater Bendigo in 10 to 20 years’ time?*
  - *What do you value about where you live?*
  - *What do you see as the major planning issues and/or pressures facing Greater Bendigo?*
  - *How do you want your neighbourhood to develop into the future?*

- Amend recommendation 13 to include Greater, *CREATIVE*, Bendigo. This Strategy was adopted by Council in November 2018. This document should be included in the Planning Scheme as a reference document.
• A recommendation that a structure plan is undertaken for Junortoun as future strategic work.

• Amend recommendation 9 to include “heritage features” as a matter to be included in the recommended strategic framework plans for both urban and rural Greater Bendigo.

• The addition of a new criterion to the recommended matrix to prioritise future strategic work. This criterion will provide consideration for how long the recommended piece of work has been on the list. This will seek to ensure low priority but important work is not always overshadowed.

*It is recommended that a policy response to the issues identified by the community to the draft review be included in the LPPF re-write where appropriate, or further strategic worked be flagged as recommended.*

Section 6 recommendations

12. It is recommended that a policy response to the issues identified by stakeholders be included in the LPPF re-write where appropriate, or further strategic worked be flagged as recommended.

13. Integrate the community survey responses received to the following questions as part of the high level planning vision of the Planning Scheme (the municipal strategic statement):

   a. What three words come to mind when you think about Greater Bendigo in 10 to 20 years’ time?

   b. What do you value about where you live?

   c. What do you see as the major planning issues and/or pressures facing Greater Bendigo?

   d. How do you want your neighbourhood to develop into the future?
7. New policy – review of recently adopted strategic work

Council has undertaken considerable strategic planning work over the recent years. Some of this work is currently being translated into the Planning Scheme (discussed at 4.2.2). Other strategies have yet to be translated into the Scheme.

A key action of this review is to identify which elements of strategies prepared recently need to be translated into the Planning Scheme.

A summary of each document is provided, and recommended policy changes to be made to the Planning Scheme. Recommendations are divided into things that can be achieved in the scope of the current review, and things that require future strategic work.

7.1 Community Plan 2017-2021

The Community Plan is the plan of Council and the Community, outlining specific goals and actions across all services that Council provides for the duration of the current Council term.

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the Community Plan to implement Council’s vision and high level strategic directions into the LPPF</td>
<td>Nil</td>
</tr>
<tr>
<td>Include as reference document</td>
<td></td>
</tr>
</tbody>
</table>


As discussed in Section 4.1, the Municipal Public Health and Wellbeing Plan (MPHWP) is one of Council’s key documents it is legislated to have, along with the Community Plan and the Municipal Strategic Statement. These key documents should all interlink and work together.

A cross-organisation working group has been established to best determine how the MPHWP and its principles can be best integrated into the LPPF. A key direction of this is the likely inclusion of a new MSS theme relating to health.

In August 2017, the State Government for the first time included specific policy direction for health in all Victorian Planning Schemes. This policy at Clause 15.01-6 seeks ‘to achieve neighbourhoods that foster health and active living and community wellbeing.’ This was a great first step to including health related directions into Planning Schemes however; it provides only high level minimal policy direction. The MPHWP seeks a greater scope of influence.

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the MPHWP to implement new context, vision and high level strategic directions relating to public health and wellbeing into the LPPF</td>
<td>Application of planning tools such as DDO’s for Healthy by Design</td>
</tr>
</tbody>
</table>
7.3 Plan Greater Bendigo (2018)

Plan Greater Bendigo is an aspirational strategic infrastructure plan, which identifies a number of transformational infrastructure projects that will support employment, population and housing growth as we move towards a population of 200,000 residents by 2050.

Plan Greater Bendigo was prepared in collaboration with the Victorian Planning Authority and the regional office of the Department of Environment, Land, Water and Planning, with input from various agencies, stakeholders, Council, and the community.

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Plan Greater Bendigo to implement new context, vision and high level strategic directions into the LPPF</td>
<td>Nil</td>
</tr>
<tr>
<td>Include as reference document</td>
<td></td>
</tr>
</tbody>
</table>

7.4 Greater Bendigo Housing Strategy (2018)

The Greater Bendigo Housing Strategy (GBHS) builds upon the recommendations of the Greater Bendigo Residential Strategy (2014). The GBHS sets the high level strategic direction in relation to the location, type, and form of housing to meet the changing needs of the community.

Key strategic objectives arising from the GBHS are:
- To provide greater diversity in housing with a focus on smaller housing on smaller lots with a component of affordable housing.
- To have housing in accessible locations and for future residents to have safe active transport options.
- To improve the design quality of housing and the public realm and a generous provision of quality public open space and areas for people to gather.

These objectives resulted in two key strategic directions. The first is a Compact Bendigo where future housing will be directed to land within the Urban Growth Boundary (UGB) and small towns in the short to medium term.

The second strategic direction relates to 10 Minute Neighbourhoods where people can access most of their daily needs within a 10 minute walk or cycle of where they live.

The challenge is to translate these strategic imperatives into statutory planning controls (Municipal Strategic Statement/policy/Zones/overlays) that provide transparency and certainty for Council, the community, developers, and other stakeholders.

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the Greater Bendigo Housing Strategy to implement new context, vision, and high level strategic directions into the LPPF.</td>
<td>Any rezoning’s or overlays (such work is beyond the scope of the review).</td>
</tr>
<tr>
<td>This will include policy and information</td>
<td>Program of urban structure plans</td>
</tr>
<tr>
<td></td>
<td>Study to examine the design and management of our highways and</td>
</tr>
</tbody>
</table>
relating to:

- Liveability
- 10 minute neighbourhoods
- Key development sites
- Future growth areas
- Urban sprawl
- Townships
- Efficient use of land
- Demographic change
- Housing trends and needs
- Land supply
- Planning for health
- Infrastructure and funding
- Natural environment v residential growth
- Structure/framework plan preparation
- Transit oriented development
- Highway entrances and boulevards

boulevards

- Review of Residential Character Policies and Neighbourhood Character Overlays

Include as reference document

7.5 City of Greater Bendigo Rural Communities Strategy (2016)

The Rural Communities Strategy provides:

- Improved knowledge and understanding of Greater Bendigo’s rural communities
- Better recognition of how Council’s adopted strategies and policies apply to our rural communities
- Priorities for managing and supporting transition, growth and community development in our rural communities
- Actions and initiatives that our rural communities can undertake to respond to change and capitalise on opportunities
- A suite of actions that the City of Greater Bendigo will undertake when working with and on behalf of our rural communities

Recommendations for Planning Scheme Review

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme Review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the Rural Communities Strategy to implement new context, vision and high level strategic directions into the LPPF</td>
<td>Nil</td>
</tr>
</tbody>
</table>

Include as reference document

7.6 City of Greater Bendigo Environment Strategy (2016-2021)

The Greater Bendigo Environment Strategy sets a 20-year vision for our municipality, recognising that many of the challenges and opportunities in environmental sustainability need continuous action.

The Strategy will contribute to achieving outcomes that provide the local community with clean air, water and a healthy natural environment.
It is based on an internationally-recognised benchmarking format, One Planet, which supports sustainable living.

Flagship Projects
- Power to the people
- City in the Forest, Forest in the City
- Catalyse a local renewable and equitable energy network
- A shared vision for restoring Bendigo Creek

Implementation
The Greater Bendigo Environment Strategy will be implemented through annual action plans. The annual action plans will prioritise actions and add more detail outlined in the strategy. Preparing action plans annually also allows Council to be flexible enough to make the most of opportunities that cannot be foreseen. Progress on the ten action areas and the four flagship projects will be assessed in the annual action plans.

Greater Bendigo Environment Strategy Action Plan 2017 - 2021

This Action Plan guides the allocation of resources to implement the Strategy over the next four financial years, commencing 2017/2018.

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme Review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the Environment Strategy to implement new context, vision and high level strategic directions into the LPPF</td>
<td>Nil</td>
</tr>
<tr>
<td>Include as reference document</td>
<td></td>
</tr>
</tbody>
</table>

Greater Bendigo like many other communities across Australia is facing major challenges with the collection and disposal of solid wastes. Landfills are fast running out of space and there is growing community concern that Councils need to take a more sustainable approach to the way waste is managed.

This strategy identifies and directly responds to those aspects that will make our achievements in waste and resource management something we as a community can be proud of. The key recommendations include:

- The City will introduce a solution for the food and garden organics to reduce waste going to landfill;
- The City will introduce optional 360 litre recycling bins to residents wishing to increase their recycling capacity;
- The City will not pursue the development of a new landfill once Eaglehawk Landfill reaches its capacity;
- The City will commit to a powerful and targeted education and awareness program to support strategy initiatives;
- The City will not introduce a kerbside hard waste collection service, but will promote the range of existing enterprises that service this need;
- The City will continue to commit to reducing littering and illegal dumping;
- The City will continue to create the opportunity for innovative responses to the management of our waste streams

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme Review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the document to identify waste and resource assets that should be mapped in the MSS</td>
<td>Nil</td>
</tr>
</tbody>
</table>

7.8 Loddon Campaspe Integrated Transport Strategy (2015)

The Loddon Campaspe Integrated Transport Strategy is an evidence-based strategy that provides a framework for ensuring that the transport network remains fit for current purpose and adaptable for future needs. A methodology has been developed to review, refine and prioritise actions, investment and advocacy. This strategy aligns with existing state, regional and local policies and strategies.

Six goals were developed to set the framework for developing actions and next steps to implement this strategy:

- Goal 1: Protect and enhance a transport system that supports regional economic development and population growth.
- Goal 2: Improve the capacity and function of the transport network, and integrate it with land use.
- Goal 3: Manage the transport system so that it is maintained to a safe and affordable level of service.
- Goal 4: Provide equitable community access and connectivity for large and small communities.
Goal 5: Support efficient and sustainable transport of products between producers, markets, and nodes within the region and with other regions.

Goal 6: Support improved community health and environmental outcomes.

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme Review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the Loddon Campaspe Integrated Transport Strategy to implement new context, vision and high level strategic directions into the LPPF</td>
<td>Nil</td>
</tr>
<tr>
<td>Include as reference document</td>
<td></td>
</tr>
</tbody>
</table>

**7.9 Bendigo Freight Study (2017)**

The Bendigo Freight Study provides detailed information about who moves what, where how and why in Greater Bendigo.

The Study recommendations are based on empirical evidence and set out steps to help make the freight network more efficient, safer, robust, and responsive to innovation and change.

The recommendations also provide guidance on how to improve the sustainability of the freight sector now and into the future and make the city safer, cleaner, and more productive.

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme Review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the Bendigo freight Study to implement new context, vision and high level strategic directions into the LPPF</td>
<td>Strategic work to investigate planning mechanisms to protect key freight routes from encroachment from development</td>
</tr>
<tr>
<td>Include as reference document</td>
<td></td>
</tr>
</tbody>
</table>

**7.10 Greater Bendigo Public Space Plan (2018)**

The public space of Greater Bendigo encompasses parks, gardens, creek corridors, bushland and sporting reserves as well as its streets and road reserves, urban spaces such as squares, malls and plazas, and rail corridors and easements. It also includes extensive areas of public land, which are often managed by organisations other than the City of Greater Bendigo.

Our public spaces reflect our image, identity, community values and quality of life. They are an integral part of what connects us to the city, community and environment.

The Greater Bendigo Public Space Plan has been developed as a long-term strategy to serve our current generation and those to come.

In broad terms, the Plan aims to do three things:
- Set out a conceptual vision for public space in Greater Bendigo
- Provide strategic guidance for planning and provision, uses and management, funding and investment, major policy issues and implementation priorities
- Establish a framework of standards for access, quality, maintenance and design
7.11 Rural Areas Strategy (2009)

The strategy outlines the rural challenges, changes and planning issues throughout the municipality and provides the strategic direction for future planning, current and future use and development of agricultural land within the City of Greater Bendigo.

The strategy provides direction on key issues such as:
- The supply, availability and location of rural living land;
- The protection and promotion of intensive agricultural industries;
- The protection of the ‘right to farm’;
- Addressing the conflict between agricultural uses and rural living;
- Rural road network;
- Climate change;
- Wildfire management;
- District planning – small townships;
- Lake Eppalock - water availability, quality and supply in the upper parts of the catchment; and
- Working with the State Government, North Central Catchment Management Authority and water authorities to secure the regions water.

Although the document was adopted by Council in 2009, it was never implemented into the Planning Scheme. This is unfortunate as it contains valuable information that can attempt to address a significant gap identified in the Planning Scheme.

It is recommended that the strategy be included in the Planning Scheme as a reference document and used to implement context, vision, and high level strategic directions into the LPPF. It should also be reviewed as further strategic work to bring it up to date and develop detailed planning controls.

---

7.12 Greater CREATIVE Bendigo (2018)

Greater CREATIVE Bendigo embraces cultural and creative industries as fundamental to our City’s liveability and to our future. Creativity, artistic practice and our cultural heritage are intrinsically valuable and integral to the health and wellbeing of our community, and affect how we experience
life across our city and region. As well as their intangible importance, the creative industries form a significant – and growing – part of our economy, supporting and generating jobs and investment.

Greater CREATIVE Bendigo takes the place of the former Arts and Culture Strategy, and this new strategy is deliberately broad and ambitious in its approach. The growing breadth and diversity of cultural and creative industries across our city and region offers the potential for bold and imaginative thinking.

Greater CREATIVE Bendigo brings together what the community has told us – through workshops, surveys, submissions, events, meetings both formal and informal – about the present and the future of cultural and creative industries in our city and region. This document details what the City will prioritise over the next four years, while setting a longer term vision of how the City and the community can work together to realise a future with creativity at its core.

Greater CREATIVE Bendigo is designed to:

- **Inspire** a culture of creativity
- **Create** more activated spaces
- **Nurture** and support talent
- **Champion** inclusion and access
- **Show** the world

### Recommendations for Planning Scheme Review

<table>
<thead>
<tr>
<th>Recommendations for Planning Scheme Review</th>
<th>Recommendations for future strategic work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Greater CREATIVE Bendigo to implement new context, vision and high level strategic directions into the LPPF</td>
<td>Nil</td>
</tr>
<tr>
<td>Include as reference document</td>
<td></td>
</tr>
</tbody>
</table>

### Section 7 recommendations

14. Implement the identified new strategic work into the Planning Scheme as recommended. This includes:

- Community Plan 2017-2021
- Greater Bendigo Municipal Public Health and Wellbeing Plan (2017-2021)
- Plan Greater Bendigo (2018)
- City of Greater Bendigo Rural Communities Strategy (2016)
- City of Greater Bendigo Environment Strategy (2016-2021)
- Bendigo Freight Study (2017)
- Greater Bendigo Public Space Plan (2018)
- City of Greater Bendigo Rural Areas Strategy (2009)
- Greater CREATIVE Bendigo (2018)
8. Monitoring and review

DELWP no longer expects the MSS to include a section on monitoring and review. The mandatory four yearly Planning Scheme review provides an appropriate mechanism to review the effectiveness of the scheme. Therefore, Clause 22.11 of the MSS can be deleted.

It is acknowledged that in the past Council has not always been timely in reviewing the Planning Scheme as per the legislative requirements. It is recommended that the review process be built into the Planning Department’s work plan and budget so that adequate resources are set aside for the project.
Conclusion

While the 2018 review has confirmed that the basis of the Greater Bendigo Planning Scheme is fundamentally sound, it is apparent that to remain contemporary, it needs to implement recently adopted strategic work as well as commission work on the gaps that have become apparent since the last review.

On this basis, the 2018 review has made recommendations regarding the strategic work that needs to be undertaken to address the identified planning policy gaps.

It is also considered necessary to completely restructure and update the ‘front end’ of the Planning Scheme (the MSS) to make it compliant with the Ministerial Direction for Form and Content, as well as the MSS Practice note.

This report has summarised the strategic and statutory review of the greater Bendigo Planning Scheme, as at July 2018. It is now recommended Council adopt the report, and forward it to the Minister for Planning. The following specific Recommendations are made:

15. That Council:
   a. Adopt this report as the review required pursuant to section 12B (1) of the Planning and Environment Act 1987.
   b. Forward the report to the Minister for Planning as required by section 12B (5) of the Planning & Environment Act 1987.
   c. Prepare and implement an Amendment to the Greater Bendigo Planning Scheme to implement the recommendations of the Planning Scheme Review.