1. PURPOSE

The purpose of this policy is to:

1.1 Create a framework for managing the collection and spending of Public Open Space Contributions in an equitable, transparent and accountable way; and

1.2 Ensure an adequate provision of high standard Public Open Spaces that contribute to Greater Bendigo being a more liveable community.

2. BACKGROUND

2.1 Under the Subdivision Act 1988, the City collects Public Open Space Contributions, and manages these funds in accordance with the Act. These Contributions provide an important source of revenue to fund new acquisition and capital improvement of Public Open Space to meet the needs of the new population to be accommodated by the subdivision.

2.2 The City currently manages a Reserve, but requires guidance for the allocation of funds.

2.3 The Subdivision Act 1988 enables councils to collect a rate not exceeding 5% of the site value of land in a subdivision. Local Governments can vary this where justified.

2.3.1 To vary Collection Rates, the planning scheme must be amended with strategic justification. The Greater Bendigo Public Space Plan 2019 forms a sound basis for this strategic justification.

2.4 Where suitable, and often associated with larger subdivisions, the City may accept the provision of land for Public Open Space from developers in lieu of a cash Contribution.

3. SCOPE
This policy applies to:

3.1 All Residential Subdivision of land within the Greater Bendigo municipality.

3.2 The sale of existing Public Open Space owned by the City.

3.3 Councillors and employees involved in collecting Public Open Space Contributions and funding projects from the Reserve.

3.4 Any Contributions collected prior to the adoption of this policy.

4. DEFINITIONS


Active Open Space means any Public Open Space that has been designed for use associated with organised sports or activities.

City means the Greater Bendigo City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989.

Committee means the Public Spaces Committee, being an internal committee formed of representation from the Active and Healthy Lifestyles, Community Partnerships, Engineering, Parks and Open Spaces, Property Services, and Regional Sustainable Development Units.

Contribution means a Public Open Space contribution, being a contribution paid by a developer as part of a subdivision or development through negotiation or in accordance with the Planning Scheme or the Act. A contribution can include either cash or land.

Contribution Rate means an amount to be contributed as defined in the Greater Bendigo Planning Scheme.

Council means all of the Councillors collectively.

DCP means an incorporated Development Contributions Plan in the Planning Scheme as defined in the Planning and Environment Act 1987.

Municipal catchment is a significant Public Open Space that attracts visitation and patronage from across the local government area. These Public Open Spaces are identified in the Greater Bendigo Public Space Plan 2019.

Passive Open Space means any Public Open Space that has been designed for use in an unstructured and informal way, including play spaces and shared paths.

Planning Scheme means the Greater Bendigo Planning Scheme.

Precinct means a Precinct defined by the Greater Bendigo Public Space Plan 2019 as well as another precinct for the localities of Mandurang, Mandurang South and Sedgwick.

Public Open Space is any open, non-built space managed or owned by the City or another public land manager that is broadly accessible for:

- Community use and activity;
- Aesthetic or place making value;
- The protection of areas of heritage, cultural or ecological value; and
Utility use such as drainage reserves or flood retention, providing that the space incorporates at least one of the above criteria.

**Reserve** means the Public Open Space Contributions Reserve, a cash reserve held by the City that accuress from cash-in-lieu Contributions under the Planning Scheme or the Act and from the sale of Public Open Space.

**Residential Subdivision** means any subdivision of land that will create additional dwellings. It can include subdivisions in non-residential planning zones.

**Rural Townships** means the precincts of Axedale, Elmore, Goornong, Kamarooka, Lockwood South, Mia Mia, Neilborough, Raywood, Redesdale, Sebastian, and Woodvale. It excludes the precincts of Heathcote and Marong.

5. **PRINCIPLES**

The following five principles underpin this policy:

5.1 **Transparency** – The City must demonstrate where Contributions have been collected from, how much has been collected, and what projects the Reserve funds.

5.2 **Accountability** – The City must spend the Reserve in accordance with the Act.

5.3 **Accessibility** – Public Open Space funded by the Reserve must be accessible and not include elements that frequently restrict access for the purposes of charging an entry fee or for exclusive use by a user group.

5.4 **Nexus** – There must be a clear Nexus between new development and projects funded by the Reserve.

5.5 **Equity** – The City must aim for an equitable distribution of quality Public Open Spaces to serve the Greater Bendigo population.

6. **POLICY**

6.1 The City will:

6.1.1 Ensure that the collection of Contributions and using the Reserve to fund projects adheres to the principles of this policy;

6.1.2 Use the Reserve to fund strategic land purchases and Passive Open Space projects that increase the proportion of residents who live within an 800 metre walking distance of a Public Open Space as priorities;

6.1.3 Use the Reserve to fund projects which have a clear nexus with the Contributions and associated development by allocating funding for either:

- Projects situated in the same Precinct as the Contributions were made; or
- Projects that serve a Municipal catchment, provided that a link can be clearly demonstrated between the allocation of funds and the source of Contributions;

6.1.4 Use the Reserve to fund projects that respond to the demand created by new development, rather than addressing an existing shortfall in the level of service in the Public Open Space network; and
6.1.5 Use the Reserve funds for new or enhanced Public Open Spaces, excluding maintenance and other operational expenditure;

6.2 Contribution Rates:

6.2.1 Growth areas of Huntly, Maiden Gully (Precinct Structure Plan area only) and Marong - the City will collect a Contribution Rate of 8%.

6.2.2 Rural Townships – the City will collect a Contribution Rate of 2%.

6.2.3 Bendigo Precinct - the City will collect a Contribution Rate of 2%.

6.2.4 Where a DCP applies, the City will consider Contribution Rates on a case by case basis and amend the Planning Scheme accordingly. Considerations will include:

- if the DCP includes Public Open Space projects;
- if the DCP collects Contributions for specific elements associated with Public Open Spaces, such as a pavilion; and
- if the DCP collects Contributions for land as well as construction or installation of elements associated with Public Open Spaces.

6.2.5 For all other areas, the City will collect the standard Contribution Rate of 5%.

6.3 Any proposal to withdraw funds from the Reserve must be accompanied by an application and project plan to the Committee demonstrating how it will implement this policy and any relevant adopted plan or strategy.

6.4 The funds associated with the sale of any Public Open Space must be deposited into the Reserve.

6.5 Funds to recover associated project costs can be withdrawn from the Reserve providing that the project complies with this policy. This can include projects that are due diligence requirements, such as an environmental risk assessment.

7. ROLES AND RESPONSIBILITIES

7.1 Statutory Planning responsibilities:

7.1.1 Apply and collect the Contribution Rate as stated in this policy.

7.1.2 Provide an annual report to the Committee outlining Contributions collected by Precinct.

7.2 Financial Strategy responsibilities:

7.2.1 Provide an annual report to the Committee outlining the balance and any use of the Reserve.

7.3 Committee responsibilities:

7.3.1 Ensure that any withdrawal from the Reserve complies with this policy.

7.3.2 Provide details of income and expenditure of the Reserve to Council for inclusion in the Annual Report.
8. RELATED DOCUMENTS

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

These include:

- Local Government Act 2020
- Subdivision Act 1988
- Planning and Environment Act 1987
- Creating Liveable Open Space Case Studies (July 2013)
- Greater Bendigo Planning Scheme
- City of Greater Bendigo Community Plan (2017-2021)
- City of Greater Bendigo Public Space Plan Parts 1 to 3 (2019)
- City of Greater Bendigo Public Space Plan Parts 4 to 5 (2019)
- City of Greater Bendigo Health and Wellbeing Plan (2017-2021)

Further information or advice on this policy should be directed to Regional Sustainable Development

9. HUMAN RIGHTS COMPATIBILITY

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

10. ADMINISTRATIVE UPDATES

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

11. DOCUMENT HISTORY

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Public Open Space Contributions Policy

Background Report

To be read with the draft Public Open Space Contributions Policy
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Introduction

Purpose of the policy

The purpose of developing a Public Open Space Contributions Policy is to create a framework for managing the collection and spending of contributions in a transparent and accountable way.

It is anticipated that the policy will be drafted by 30 June 2020, and be adopted by Council at the ordinary meeting in September 2020.

At the time of adoption, a request will be made that Council seek authorisation from the Minister of Planning to prepare a planning scheme amendment which will implement part of the policy. Planning scheme amendments generally take 18 months from authorisation to gazettal.

Aims and Objectives

1. Support the delivery and upgrades of fair and equitable public open spaces for the Greater Bendigo community;

2. Implement recommendations from the Greater Bendigo Public Space Plan 2019 (Public Space Plan);

3. Establish a new policy which clarifies the organisation’s responsibilities for collecting, accounting for, and spending the contributions; and

4. Determine and justify open space contribution rates for development areas across the city.

Scope

Study area:

The policy will affect the entire Greater Bendigo local government area.

In scope:

• The development of an open space contributions policy generally in accordance with the Public Space Plan. This can include the consideration and review of relevant recommendations;

• Establish new funding reserves in accordance with the adopted policy; and

• Prepare a planning scheme amendment to implement the policy where relevant

Out of scope:

• To identify specific public spaces to be provided or upgraded

• Amend the adopted Public Space Plan

• an existing public open space
Background

The City currently exercises its responsibility of collecting and managing public open space contributions with limited strategic considerations for allocation and collection, and without a clear governance framework to support any improvements. The existing open space contributions reserve has limited accountability for spending and collecting funds, and Greater Bendigo is the only major regional centre in Victoria that does not use the planning scheme to collect different amounts.

Why create a policy?

Greater Bendigo is also one of the few major local government areas in Victoria who don’t effectively use Development Contributions Plans (DCPs) in the planning scheme. However, this will soon change with the implementation of DCPs for Huntly, Maiden Gully, and Marong.

In this context, the City’s Public Space Plan 2019 recommended a clear policy for these collections and better accountability of the reserve. The Public Space Plan is a comprehensive strategy, considering all forms of public space across Greater Bendigo over a 50 year timeframe. The plan was developed over three years in close collaboration with the community and is widely recognised as one of Victoria’s best examples of long-term public space planning.


Opportunities

There is substantial evidence that demonstrates access to public open spaces encourages an active population, supporting good mental and physical health.

RMIT University’s Centre for Urban Research comprehensively studied the link between access to quality open spaces and health, particularly liveability. The target for a city to be truly liveable for all is for every resident to be within 400 metres walking distance (approximately five minutes) from an open space of at least 1.5 hectares in size.

Given the population density in Greater Bendigo, the spatial distance between population centres and the existing location of public spaces, this standard is considered unachievable in the foreseeable future. Accordingly, the Public Space Plan defined Greater Bendigo’s target as the majority of residents in urban and township areas living within 400–800 metres of key public spaces, and with a consistent quality of public spaces across the city.

The Public Space Plan will provide the strategic justification to prepare this policy, and the Subdivisions Act 1988 and Planning and Environment Act 1987 will provide the legislative framework to implement the policy through the Greater Bendigo Planning Scheme.

Attributes of public spaces in Greater Bendigo

The Public Space Plan comprehensively analyses existing public spaces across Greater Bendigo. Generally, the provision of public space proportional to the population exceeds any accepted standard set within Australia and internationally. However, the quality and accessibility of some of these spaces results in their underuse, minimising the benefit to the community.

In contrast, Council has been investing in more larger, higher quality and highly valued public spaces in the city to centralise assets where appropriate and attract usage from across the whole city and the region. Two relevant examples of recent investment are the Bendigo Botanic Gardens (Garden for the Future, shown below) and Canterbury Park–Lake Neangar (Eaglehawk Play Space).
Project Timeframes

Stage 1
Background research
December 2019 - March 2020

Output:
- An agreed project brief
- Discussion paper identifying the issues and opportunities

Stage 2
Drafting the Policy
March 2020 - April 2020

Output:
- Draft Public Open Space Contributions Policy
- Engagement Plan

Stage 3
Test, refine and adopt the draft Policy
May 2020 - September 2020

Output:
- Summary report of feedback received
- Adopted Public Open Space Contributions Policy

Stage 4
Implementing the Policy
September 2020 - March 2022

Output:
- Amended Greater Bendigo Planning Scheme
The Policy Explained - Definitions

Section 4 of the draft Policy defines key terms used throughout the policy. Some of these terms are explained in a bit more detail here.

**Active and Passive Open Space**

As defined in the Policy:

- Active open space means any public open space that has been designed for use associated with organised sports or activities.
- Passive open space means any public open space that has been designed for use in an unstructured and informal way, including play spaces and shared paths.

**Examples:**

**Ken Wust Oval, Quarry Hill**

For the majority of time, Ken Wust Oval is used for passive recreation (running laps, kicking the footy, playing fetch with the dogs). However, what’s important is that the field was specifically designed for a use associated with organised sports (baseball, football and cricket) and needed to be a particular size so that games could be played there. These organised sports establish user agreements with the City, which set out times where that particular sport has exclusive use of the field for a pre-determined time.

For these reasons, Ken Wust Oval is an example of an Active Open Space.

**Long Gully BMX Track**

This park features a small BMX track and jumps and is adjacent to the Long Gully Trail shared path. This park was also designed for a specific use (BMX), but not for organised sports and activities. It was designed for use in an unstructured and informal way. Importantly, the park cannot be booked for exclusive use by groups or clubs and is therefore available to be used by anyone at any time.

For these reasons, the Long Gully BMX Track is an example of Passive Open Space.
DCP
As defined in the Policy:
• DCP means an incorporated Development Contributions Plan in the Planning Scheme as defined in the Planning and Environment Act 1987.

A development contributions plan is a planning document that determines what essential infrastructure is required in a particular growth area. It also sets out how much each infrastructure project will cost and who is expected to contribute to its delivery.

A DCP is a useful tool to ensure that essential infrastructure, such as roads, drainage infrastructure and community facilities are provided when they are needed. They also create an element of certainty as a DCP outlines when the infrastructure will be delivered.

In Greater Bendigo, there are DCPs (either in place or being prepared) in the growth areas of Huntly, Maiden Gully and Marong.

Municipal catchment
As defined in the Policy:
• Municipal catchment is a significant Public Open Space that attracts visitation and patronage from across the local government area. These Public Open Spaces are identified in the Greater Bendigo Public Space Plan 2019.

These spaces attract visitation primarily from residents across the City of Greater Bendigo. These spaces tend to occupy strategically important and highly accessible locations, and are more often found within or close to the Bendigo urban area. They are unique in the experience and service that they offer within Greater Bendigo.

They have a catchment indicator of up to a 10 kilometre travel distance (around 15-minutes average driving time) for residents of urban Bendigo. For residents of rural areas, travel distances will be significantly larger. Access to Regional-ranked public spaces must also be accounted for in assessing access to Municipal spaces.

Examples:
• Civic Gardens/Library Gardens (shown on page 9)
• Canterbury Park
• Gateway Park/Gurri Wanyarra Wellbeing Centre
• Kennington Reservoir/Strathdale Park
• Spring Gully Creek Reserve
Precinct

As defined in the Policy:

• Precinct means a Precinct defined by the Greater Bendigo Public Space Plan 2019.

These are:

1. Axedale
2. Bendigo
3. California Gully and North Bendigo
4. Eaglehawk, Eaglehawk North and Sailors Gully
5. Elmore
6. Epsom and Ascot
7. Flora Hill, Golden Gully, Spring Gully and Quarry Hill
8. Golden Square
9. Goornong
10. Heathcote (including Argyle)
11. Huntly
12. Ironbark, Long Gully and West Bendigo
13. Junortoun
14. Kamarooka
15. Kangaroo Flat (including Big Hill)
16. Kennington and Strathdale
17. Lockwood and Lockwood South
18. Maiden Gully
19. Marong
20. Raywood, Sebastian and Neilborough
21. Redesdale and Mia Mia
22. Strathfieldsaye
23. White Hills, Jackass Flat and Bendigo East
24. Woodvale

Each Precinct’s number matches Figure 1 shown on page 11.
Figure 1: Precincts identified in the Greater Bendigo Public Space Plan
The Policy Explained – Principles

Section 5 of the draft Policy introduces the five principles that underpin the policy. Some of these terms are explained in a bit more detail here.

**Accessibility**

As described in the Policy:
- Public Open Space funded by the Reserve must be accessible and not include elements that frequently restrict access for the purposes of charging an entry fee or for exclusive use by a user group.

**Examples:**

**Malone Park, Marong** (shown on page 13)

Among other user groups, Malone Park is home to the Marong Football and Netball Club. As such, games are frequently played here, and access is restricted to those who are either playing or paying an admission fee.

For this reason, Malone Park is not considered to be a completely accessible public open space.

**Garden for the Future, White Hills**

On occasion the Garden for the Future will hold major events that require an admission fee to enter. However, these are not held frequently, some events are free to enter, and the park was largely designed for informal and unstructured use.

For these reasons, the Garden for the Future is considered to an accessible public open space.

**Albert Roy Reserve, Eaglehawk**

Albert Roy Reserve and its various facilities are used for a variety of purposes. One of the facilities is the lower baseball diamond. Baseball games are free to attend, but the diamond is used exclusively by the Falcons Baseball Club and therefore is not considered to be an accessible public open space. However, should a play space be constructed within the reserve this could be used more broadly by the community.

For these reasons, only elements of Albert Roy Reserve are accessible.

**Why only fund accessible public open spaces?**

The funds in the Public Open Space Contributions Reserve come from cash payments made from developers in lieu of providing accessible public open space. So, it is only fair that whatever that money eventually pays for is also an accessible public open space.
Nexus

As described in the Policy:

• Nexus means a connection linking a new population base to a Public Open Space.

• There must be a clear nexus between new development and projects funded by the Reserve.

• The City will use the Reserve to fund projects that respond to the demand created by new development, rather than addressing an existing shortfall in the level of service in the Public Open Space network.

Nexus is defined as a connection or series of connections linking two or more things.

It is important to highlight that the Reserve should not fund public open space that pays for something that was already needed before that funding existed. Public open space that addresses existing shortfalls must be funded by the City’s general budget, or other funding sources.
The Policy Explained - Contribution Rates

This policy has the scope to nominate varied contribution rates by area. These are based off recommendations made by the Greater Bendigo Public Space Plan (2019) and can be implemented by amending the Greater Bendigo Planning Scheme.

However, there is no guidance or practice notes specifically prepared for amending the schedule to Clause 53.01 - Public Open Space Contribution and Subdivision in Victorian Planning Schemes. The only practice note of relevance is Planning Practice Note 70 (PPN70): Open Space Strategies. While PPN70 does not provide specific guidance for amending Clause 53.01, it does include the following direction relevant to public open space contributions:

- As part of the [open space] strategy development process, gaps in the open space network will be identified, along with an understanding of the type of open space required. There is an opportunity to rectify gaps through public open space contributions but it is important to:
  » Specify the locations where a land contribution is sought (this could be shown as a map in the strategy); and
  » Provide criteria that define the types of land sought as land contributions.
- An open space strategy must have an implementation plan. This may form part of the main strategy or be a separate document that provides more detail on each of the implementation tasks, responsibilities, cost estimates and priorities;
- An open space strategy should consider which open space contribution tool is best for its municipality" [including the Subdivision Act, Clause 53.01, Development Contributions and negotiated agreements].

The Greater Bendigo Public Space Plan (2019) aligns with these directions.

Given the lack of clear guidance provided to amending Clause 53.01, relevant past Planning Panels have been considered. Early Panels (Glen Eira C20) found that the following principles should apply:

- “Establish a framework for increasing and/or improving open space to satisfy the community’s expectations;
- Develop a formula for improving/increasing open space based on increased densities or changing demography.
- Understand the open space requirements of new dwellings in a more comprehensive and rigorous manner. For example, how much more demand for open space is likely to be generated by certain types of developments? Will a three-unit development on a 1000 square metre site place different demands on municipal open space than a ten-unit multi-storey apartment block? If so, what are these demands?
- Develop an open space contribution based on the need to bring existing open space to a reasonable level based on an anticipated population density on a precinct by precinct basis.”
At a different level of state government guidance, the Precinct Structure Planning Guidelines, released by the Victorian Planning Authority, recommend allowing 10% of the net development area as public open space. Of this 10%, 6% should be allocated active open space uses.

**A higher than average contribution rate**

More recent Panels considered higher contribution rates of 8% (Melbourne C209, Stonnington C186). Both Panels supported higher contribution rates in significant urban growth areas.

An 8% contribution rate has been nominated for the growth areas of Huntly, Maiden Gully (Precinct Structure Plan area only) and Marong. These three growth areas are going to experience significant population growth over the next 20–30 years. This growth will predominantly take the form of ‘greenfield’ residential development – widespread suburban neighbourhoods comprised of larger detached dwellings at an approximate density of 10–15 dwellings per hectare.

Another recent Panel considered a higher contribution rate of 10% to applied to a whole municipality (Monash C148). This Panel did not support this approach as no cost estimates were prepared for identified open space projects and as such there was no justification for the higher rate. It is important to consider the development context of the Monash City as an established metropolitan city, where there are limited greenfield development opportunities.

The nature of greenfield residential development often results in a higher proportion of families, a larger population that creates a stronger demand for public open spaces. As such, the planning system has a responsibility to respond to this change by facilitating a higher provision of public open spaces.

This outcome is not unique to Bendigo, which is why the Victorian Planning Authority encourages an public open space allowance of 10% of the total greenfield area when preparing a Precinct Structure Plan (PSP). While PSPs are not being prepared for all growth areas identified in the Policy, the land use outcomes are the same – greenfield residential development creating a higher demand for public open spaces.

A difference between greenfield development areas in Greater Bendigo and those elsewhere in the state, particularly in Melbourne’s growth areas is the average density of dwellings per hectare. Due to the lower average density in Huntly, Maiden Gully and Marong, a contribution rate of 8% will provide an adequate provision of public open space to the future population.

Contribution rates exceeding 5% are commonly applied in these contexts state-wide, usually between 8–10% for residential growth areas. This includes comparable regional cities (Ballarat, Greater Geelong and Latrobe).

Due to the range of variables in public open space planning, a more precise contribution than 8% cannot be determined. These are:

- The contribution rate only factors in unencumbered land; however, it should be expected that funds collected through cash contributions can pay for projects within encumbered open space. For example, a shared path along a creek corridor; and
- Including the acquisition of land within cost estimates for projects in growth areas is problematic, as these values can change, especially over a longer period of time which is the nature of greenfield residential development in Greater Bendigo.
A lower than average contribution rate

A 2% contribution rate has been nominated for the Bendigo City Centre (Bendigo Precinct) and rural townships (excluding Heathcote and Marong).

Greater Bendigo’s rural townships all have a substantial multi-purpose recreation reserves that are often supported by nearby natural features, public open space corridors and smaller public open spaces. This provides a suitable provision of public open space for both the existing and projected populations.

However, there is a need for modest improvements to support the passive use of some of these existing spaces, as well as instances of relatively significant improvements associated with organised sport facilities in recreation reserves.

In Bendigo’s City Centre, future development will be dominated by smaller dwellings, including a higher proportion of units and apartments. These are typically occupied by fewer people and by families with fewer or no children. As such, future development in the City Centre is expected to generate less demand for public open spaces.

The City Centre is also well serviced by a high quality public open space network that provides a suitable provision for both the existing and projected populations.

Further, it is important to consider the higher values of land in the City Centre and the higher proportion of rates income that the City collects from City Centre properties.

For rural townships and the City Centre, a lower rate can assist to incentivise development, contributing to various state and local planning policies, particularly facilitating development in compact activity centres.

Case by case contribution rates for DCP areas

As every DCP that the City prepares will be different, there should be no blanket policy that applies to DCPs.

Maintaining the standard contribution rate

For most areas in Greater Bendigo, it has been determined that a 5% contribution is sufficient in providing a level of public open space that meets the needs of a growing community.

This includes low density and rural living residential development outside of both the city’s urban growth boundary and rural townships.

There is a common misconception that dwellings in low density, semi-rural areas do not create demand for public open spaces as there is a higher proportion private open space and public open space is rarely provided within walking distance of these developments. However, data from the 2019 Greater Bendigo Active Living Census demonstrates that rural areas have no significant difference from urban areas for:

- Participation rates in common activities that require use of public open spaces; and
- Usage rates of public open spaces such as parks.
Reserve Status

Contributions by precinct (‘000) since 2010

- Axedale
- Bendigo
- California Gully and North Bendigo
- Eaglehawk, Eaglehawk North and Sailors Gully
- Elmore
- Epsom and Ascot
- Flora Hill, Golden Gully, Spring Gully and Quarry Hill
- Golden Square
- Goornong
- Heathcote (including Argyle)
- Huntly
- Ironbark, Long Gully and West Bendigo
- Junortoun
- Kamarooka
- Kangaroo Flat (including Big Hill)
- Kennington and Strathdale
- Lockwood and Lockwood South
- Maiden Gully
- Marong
- Raywood, Sebastian and Neilborough
- Redesdale and Mia Mia
- Sedgwick and Mandurang
- Strathfieldsaye (including Axe Creek)
- White Hills, Jackass Flat and Bendigo East
- Woodvale
Spending of reserve by precinct ('000) since 2010

Axedale
Bendigo
California Gully and North Bendigo
Eaglehawk, Eaglehawk North and Sailors Gully
Elmore
Epsom and Ascot
Flora Hill, Golden Gully, Spring Gully and Quarry Hill
Golden Square
Goomong
Heathcote (including Argyle)
Huntly
Ironbark, Long Gully and West Bendigo
Junortun
Kamarooka
Kangaroo Flat (including Big Hill)
Kennington and Strathdale
Lockwood and Lockwood South
Maiden Gully
Marong
Raywood, Sebastian and Nailborough
Redesdale and Mia Mia
Sedgwick and Manburang
Strathfieldsaye
White Hills, Jackass Flat and Bendigo East
Woodvale
Unknown (unaccounted)
Municipal catchment projects
An overview of the documents relevant to this project is provided below. Further detail of how these documents are relevant follows.

**State Government**
- Subdivision Act 1988
- Planning and Environment Act 1987
- Victorian Planning Policy (Planning Scheme)
- Creating Liveable Open Space Case Studies, July 2013

**City of Greater Bendigo**
- Community Plan 2017–2021
- Public Space Plan 2019
- Local Planning Policy (Planning Scheme)
- Financial Reserves Management Policy
- Health and Wellbeing Plan 2017–2021
- Local plans (such as precinct structure plans) and DCPs
- Organisation Policy Framework
State Government
Subdivision Act 1988

Section 18 of the Subdivision Act 1988 provides councils with the power to collect a contribution towards public open space from developers subdividing land. The amount of contribution can be outlined in the planning scheme, or a default rate can be applied of no more than 5% of the total value of the subdivided land.

Planning and Environment Act 1987

Part 3 of the Planning and Environment Act 1987 outlines how a planning scheme can be amended.

Victorian and Local Planning Policy (Planning Scheme)

Clause 53.01 in Victorian planning schemes allows a Council to determine a specific contribution amount for different areas. Across Victoria, this planning tool is used flexibly. For example:

- Some schemes establish higher contribution amounts for all residential development (Cardinia);
- Some schemes break up areas and prescribe specific amounts depending on the existing provision of public open spaces (Casey); and
- Some schemes don’t utilise the schedule and default to the 5% contribution outlined in the Act (Greater Bendigo).

Consistent with other planning scheme amendments, changes to default rate require strategic justification.

Figure 2: Collection rates in Melbourne’s growth municipalities
Creating Liveable Open Space Case Studies July 2013

The State Government’s Creating Liveable Open Space Case Studies July 2013 includes this open space checklist for Local Government (key points are written in bold):

Open Space Strategy:
- Do you have an Open Space Strategy? If so, is it less than ten years old?
- Do you need to review your Open Space Strategy?
- Do you have a current GIS layer of existing open space assets, including key attributes?
- Is your Open Space Strategy on your website and publicly available?

Implementation:
- Do you have a dedicated officer/manager responsible for implementation of the Open Space Strategy?
- Do you have an annual implementation plan? Is it aligned with the Council capital works budget?
- Is your Open Space Strategy a reference (background) document to your planning scheme?
- Are there any other policies or strategies that need to be included in the Local Planning Policy Framework to support implementation of your Open Space Strategy?
- Is there land rezoned to reflect its open space designation?
- How do you collect open space development contributions? Does this need to be reviewed?

- Do you have a transparent process for documenting the funds and land that are accepted as open space contributions?
- Do you have a transparent process for documenting how open space contributions are spent?

Outcomes:
- Do you monitor changes in the quality, quantity and access of open space?
- Do you provide Council with an annual report on open space improvements and additions?
- Do you communicate open space improvements and additions to the community and other stakeholders?
- Do you have information publicly available on your website about the open space in your municipality and the facilities it includes?

There is currently a gap that needs to be addressed in Greater Bendigo.
City of Greater Bendigo

Community Plan 2017-2021

The Community Plan is Council’s four-year plan that works to achieve the vision of creating the world’s most liveable community.

Goal 2 relates to 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.”

All the objectives relating to this goal are relevant to this project. These are:

- Create a much healthier Greater Bendigo
- Promote positive wellbeing across the Greater Bendigo community
- Promote community connection
- Support participation and development for residents of all ages and abilities
- Create safe and resilient communities

Public Space Plan 2019

Greater Bendigo’s Public Space Plan (2019) provides direction about this project.

One of the overall goals of this plan is fair and inclusive public space. This goal notes:

- Proactively rebalance the level of public space investment across communities;
- Design and manage public spaces for open community access and use;
- Plan the public space network so that most residents of the urban area and rural townships are within close to reasonable walking distance (400-800m) of key public spaces; and
- Achieve consistent public space amenity and presentation standards across the city.

Section 3.7 in the Public Space Plan (Public Space Funding) includes the strategies:

- Achieve a fairer balance of public space funding allocations
  - Acknowledge that the historic distribution of funds has led to significant change in the higher overall public space investment in some communities relative to others (reflecting differences in the relative wealth and priorities across different local government areas in the past, as well as differences in community influence and empowerment).
  - Monitor funding allocations by categories and location to enable public space investment to be allocated on a more informed basis.
- Strategically manage public open space contributions
  - Apply public open space contributions to private land development in accordance with the rates recommended in Figure 26 (summarised below)
  - As a general rule, require land based public open space contributions to be predominantly unencumbered by limitation on public recreational use such as easement, utilities, waterways or flooding, drainage paths/lines and basins, environmental conservation (potential vegetation offset area) or heritage conservation, and intended use for community facilities.
» Adopt a flexible approach to the potential crediting of partially encumbered land as part of a public open space contribution in circumstances where a net community benefit can be demonstrated and agreed.

» Retain a centralised record of land-based public open space contributions which identifies the details of the contributions and also distinguishes between agreed unencumbered and encumbered areas.

» Ensure that public open space cash contributions are:

  » Retained in a consolidated fund of cash-in-lieu open space contributions – the ‘public open space contributions reserve’ – for community transparency and auditing purposes.
  
  » Recorded in a centralised and up-to-date record.
  
  » Appropriately used for allocating new areas of public space and for capital improvements to existing public spaces.
  
  » Not inappropriately used for recurrent cost purposes such as maintenance of public space areas or associated assets.

»Prioritise the use of funds in the public open space contributions reserve for the purchase of strategically important public space.

» Ensure that funds obtained from the sale of areas of public space no longer required for a public space purpose are:

  » Placed into a funding reserve that is separate to the public open space contributions reserve

  » Allocated solely for the strategic purchase of other areas of public space, or otherwise reinvested locally (i.e. into the same precinct) to carry out improvements to other existing public spaces.

This section in the Public Space Plan includes the action “Formalise and apply recommended open space contributions rates” (which are included in the table on page 23)

The Public Space Plan has been prepared in general accordance with Planning Practice Note 70: Open Space Strategies.

These are the specific recommendations from the Public Space Plan.

This table has the limitation that the growth areas of Marong and Huntly are not included, and could be considered as ‘rural townships’, which would likely result in less than adequate public open space, both in terms of quality and provision as these areas experience rapid population growth.

The strength is that the application of these recommended rates are relatively simple, logical and show the relationship back to the overarching strategy.

A new policy will be able to consider these recommendations, but add to them and fill gaps, creating a more strategically sound policy that will easier to implement.
<table>
<thead>
<tr>
<th>Context/location</th>
<th>Contribution</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Established urban areas</td>
<td>5%</td>
<td>• No shortage of public open space in all established urban areas and rural townships</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• The rate applied to these areas reflects, on balance, variability in the likelihood of lower or higher costs related to open space provision and improvements, depending on the location and context</td>
</tr>
<tr>
<td>Growth areas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Epsom</td>
<td>5%</td>
<td>• This precinct has a projected public open space provision of less than 4 Ha per 1000 people</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Most of the precinct has been built out and opportunities to create new public open spaces are limited</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Application of a higher contribution rate to the remaining development areas would be inequitable</td>
</tr>
<tr>
<td>Jackass Flat</td>
<td>5%</td>
<td>• This precinct has a projected public open space provision of less than 4 Ha per 1000 people</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Existing structure planning has been completed on the basis of a 5% contribution rate</td>
</tr>
<tr>
<td>Maiden Gully (PSP area)</td>
<td>8%</td>
<td>• This precinct has adequate provision of projected public open space (current provision is 4 Ha per 1000 people for projected population)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Existing structure planning (Maiden Gully Precinct Structure Plan 2013) completed on basis of 8% contribution</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Contributions to be levied by a Development Contributions Plan for the Maiden Gully New Development Area (under development)</td>
</tr>
<tr>
<td>Maiden Gully North (potential future growth area)</td>
<td></td>
<td>• A Structure Plan and Developer Contributions Plan to be prepared for this area will inform the recommended contribution rate</td>
</tr>
<tr>
<td>Strathfieldsaye</td>
<td>5%</td>
<td>• This precinct has adequate provision of projected public open space (current provision is 8.3 Ha per 1000 people for projected population)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Existing structure planning (Strathfieldsaye Township Plan 2009) completed on basis of 5% contribution</td>
</tr>
<tr>
<td>Rural townships</td>
<td>2%</td>
<td>• The provision of public open space in the rural townships is suitable for existing and projected populations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• There is a need for modest improvements to support the passive use of some existing spaces, as well as instances of relatively significant improvements associated with organised sport facilities in recreation reserves</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• A lower contribution rate, relative to urban areas, will help to reduce barriers to investment and development in rural townships</td>
</tr>
<tr>
<td>Mixed use areas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridge Street development area</td>
<td>5%</td>
<td>• Contribution toward upgrade of the adjacent Rosalind Park Recreation Reserve Precinct which will provide the primary public space resource for new residents</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Areas identified in the Hospital Precinct Structure Plan 2014</td>
</tr>
<tr>
<td>Other areas (including the City Centre)</td>
<td>2%</td>
<td>• These areas tend to generate only modest requirements for new or improved public open space due to the nature of the use and development</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• A lower contribution rate will help to reduce barriers to investment and development, in particular within the city centre and suburban town centres where the City’s strategic objective is to increase the in-centre residential population</td>
</tr>
</tbody>
</table>
Financial Reserves Management Policy

This policy is applicable to all reserves created to account for income received for a specified future application.

The policy classifies the Public Open Space reserve as an externally restricted reserve. The following criteria apply to externally restricted reserves:

- The reserve is subject to legal requirements that govern the use of the funds; or
- The reserve includes funds for which they were received; and an obligation or requirement to return unused funds to the contributor exists.

The policy describes the purpose of funds in the Public Open Space reserve as:

“The funds are to be utilised for the development of new open space and recreation assets, as well as upgrade or expansion of existing assets. The intention of the City is to spend these funds on assets within the vicinity of the developments from which the funds were received.

Local plans (such as precinct structure plans) and DCPs

Where applicable, local plans need to be considered when preparing this policy. Local plans and DCPs will often identify population growth and the need for additional and specific public spaces.

DCPs will need special consideration due to the similarities that this policy will have. DCPs can establish a contribution amount for public spaces; however, Clause 53.01 in the planning scheme will still apply.

Health and Wellbeing Plan 2017-2021

This policy relates closely with three goals in Greater Bendigo’s Health and Wellbeing Plan:

- Goal 1 - Healthy and well: The Greater Bendigo community has good physical and mental health supported by healthy lifestyles
- Goal 3 – Able to participate: The Greater Bendigo community has the capability to participate and contribute to the local economy and community life
- 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.
Organisation Policy Framework

The City's policy framework outlines the approach to policy development and review (including approval processes, document management and consultation) and provides a suite of resources to enable a consistent approach to policy development across the organisation.

The framework includes this summary of the policy development cycle:
Contact
Regional Sustainable Development Unit
City of Greater Bendigo
03 5434 6000
rsdenquiries@bendigo.vic.gov.au
https://www.bendigo.vic.gov.au
GREATER BENDIGO PLANNING SCHEME
AMENDMENT C266GBEN
EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Greater Bendigo City Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to all land within the municipality.

What the amendment does

The amendment implements recommendations from the Greater Bendigo Public Space Plan 2019 (GBPSP) and findings from the Greater Bendigo Public Open Space Contributions Policy – Background Report 2020 (POSCP) by amending the Schedule to Clause 53.01 to introduce specified public open space contribution rates for nominated greenfield residential growth areas, Bendigo City Centre, rural townships, and all other residential subdivisions.

The amendment makes the following changes to the Greater Bendigo Planning Scheme:

- Amend the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) to:
  - Introduce a percentage for public open space contributions for all residential subdivisions. The change specifies an 8% public open space contribution rate for greenfield residential subdivisions in Huntly, Maiden Gully (Precinct Structure Plan area only) and Marong, 2% for subdivisions in the Bendigo City Centre and rural townships and 5% for all other residential subdivisions.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to assist in implementing the strategic directions contained in the GBPSP into the Greater Bendigo Planning Scheme to establish a more equitable provision of public open spaces in Greater Bendigo.

The current approach for public open space contributions in Greater Bendigo is through the Subdivision Act 1988. This method is no longer considered appropriate if council is to meet future public open space needs. The Schedule to Clause 53.01 of the Greater Bendigo Planning Scheme needs to be amended to include new contribution rates for public open space as identified through the GBPSP and POSCP.

How does the amendment implement the objectives of planning in Victoria?

This amendment implements the objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987, in particular:

- to provide for the fair, orderly, economic and sustainable use, and development of land - by providing a clear and concise policy framework for the management, use and development of the municipality’s public open space assets.
• to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity - by providing a public open space contributions framework which will help supply, support, protect and maintain the natural environment.
• to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria - by aiding the provision of public open spaces and supply of a pleasant and efficient recreational environment to meet future needs.
• to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value - by seeking to provide a well-balanced public open space network which incorporates formal parkland, sporting reserves, recreation parkland, conservation areas, linear parklands such as waterways, lakes, streetscapes and urban spaces.
• to balance the present and future interests of all Victorians - by assisting with the strategic management of funds to supply new open space and improve existing public open space to meet future needs.

How does the amendment address any environmental, social and economic effects?

Environmental
The amendment will have a positive impact on the environment, through improvements to existing public open space and the provision of new areas. These benefits include the provision and improvement of wildlife corridors, protection of significant vegetation and revegetation where possible. A priority for Council for the improvement of the public open space system is the development of linkages and linear open spaces. Public open space and the natural environment form an integral part of Greater Bendigo’s character, including as settings for a range of sport and recreation activities. The features of creeks, gullies, former mining landscapes, rail corridors, streets and bushland currently provide good linkages, and this is an area that Council will continue to improve as opportunities arise.

Social
The amendment encourages more equal provision of public open space throughout the community, through increasing the total open space network. This will be enabled through the establishment and improvement of public open space from the public open space contributions reserve. Greater Bendigo’s public open space network plays an important role in contributing towards the health and wellbeing of the individuals that make up the city’s community. The public open space network is important for these connections including shared paths and trails.

The public open space network will contribute towards developing, enhancing and supporting communities that are connected physically, socially and emotionally. These social benefits are created through the provision of settings for social networks, creating a sense of community and meeting others.

Economic
The implementation of recommendations and findings from the GBPSP and POSCP will result in set percentages for public open space contributions that can be utilised by Council. Therefore, the amendment will allow Council to more effectively plan for our present and future communities, through the availability of financial and land resources for the allocation and improvement of public open space. The amendment will also enable developers to factor in the cost of public space contributions for future subdivision applications with more certainty than presently exists. In some cases, the amendment will assist future subdivisions in rural townships and the City Centre to be more feasible. In recent times, development in rural townships and the City Centre has commonly been economically restrictive; however various state and local policies encourage higher levels of development in these areas.

Does the amendment address relevant bushfire risk?

Bushfire risk in Greater Bendigo ranges; however areas of more significant future urban development typically have ‘Type 2’ or ‘Type 3’ Broader Landscape risks. These are places usually on the urban fringe of Bendigo or expanding on satellite townships, such as Huntly, Marong or Strathfieldsaye with some exposure to woodland forests that are common in Greater Bendigo.

The Country Fire Authority (CFA) were involved in the preparation of the GBPSP and provided advice in relation to the location and management of both future and existing public open spaces in Greater
Bendigo based on considerations of bushfire risk. The CFA provided in principle support for the strategic direction of the GBPSP.

The amendment does not propose any changes that will result in further intensification of development; rather it will provide more opportunities to provide public open spaces on new settlement interfaces. This approach (when providing appropriate public open spaces) is supported by the Settlement Planning at the Bushfire Interface Design Guidelines, July 2020 (Department of Environment, Land, Water and Planning).

Bushfire risk will not be increased as a result of this amendment.

**Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?**

The amendment is consistent with:

- Ministerial Direction 11 – Strategic Assessment of Amendments under Section 12(2) of the Planning and Environment Act 1987.
- Ministerial Direction on the Form and Content of Planning Schemes Section 7(5) of the Planning and Environment Act 1987.

**How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

This amendment supports and is consistent with the Planning Policy Framework and adopted State policy.

The Loddon Mallee South Regional Growth Plan acknowledges the significance and importance of the region’s environmental land uses, including parks and reserves. This amendment will result in a more equitable provision of these land uses in Greater Bendigo.

**Clause 11.01-1S – Settlement**

This amendment is consistent with the objective of this Clause “to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements” as well as implementing several strategies by:

- Developing sustainable communities through a settlement framework offering convenient access to community facilities – Greater Bendigo’s future growth areas will have a more suitable provision of public open spaces.
- Providing for growth in population and development of facilities and services across a regional and sub-regional network – the amendment proposes to implement recommendations from the GBPSP, which outlines a framework for developing new and improving existing public open spaces.
- Planning for development and investment opportunities along existing and planned transport infrastructure – the GBPSP acknowledges the important role that public spaces can have in transporting people, particularly in a well-connected network that supports walking and cycling.
- Promoting transport linkages between settlements through identification of servicing priorities in regional land use plans – the GBPSP has identified relevant transport linkages through the form of public space corridors.
- Building on the strengths and capabilities of local areas to respond sustainably to population growth and changing environments – one of Greater Bendigo’s strengths is the existing provision of public open spaces; however, in the city’s urban growth areas, the percentage of public open space contributed by new developments needs increasing for this strength to be built upon.
- Developing settlements that will support resilient communities and their ability to adapt and change – a more equitable provision of public open space in new and existing settlements is critical to support community resilience.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level – this amendment balances strategic objectives by ensuring a more suitable provision of public open space in significant urban growth areas, and promoting growth in areas with excellent existing provisions of public open spaces that require population growth to improve their surrounding environment.
Preserving and protecting natural resources and features to enhance their contribution to settlements and landscapes – this amendment ensures that the most suitable funding mechanism for public open spaces is implemented through the Planning Scheme.

Limiting urban sprawl and directing growth into existing settlements – reducing the public open space contribution in Bendigo’s City Centre is integral to easing the economic restrictions that provide barriers to directing growth into this significant activity centre.

Promoting and capitalising on opportunities for urban renewal and infill development – these opportunities are often lost in Greater Bendigo due to the economic context of land development; a lower public open space contribution rate will promote and capitalise on these opportunities.

Clause 11.03-1S – Activity centres

This amendment is consistent with the objective of this Clause “to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community” as well as implementing several strategies by providing a more economically feasible environment to direct population growth to the Bendigo City Centre.

Clause 11.03-2S – Growth areas

This amendment is consistent with the objective of this Clause “to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas” as well as implementing two strategies by:

- Protecting and managing natural resources and areas of heritage, cultural and environmental significance – a more suitable provision of public open spaces in Greater Bendigo’s growth areas will assist in protecting and managing these areas.
- Delivering accessible, integrated and adaptable community infrastructure (consistent with the Precinct Structure Planning Guidelines 2009*) – a public open space contribution rate of 8 percent in growth areas will ensure that these future communities have accessible, integrated and adaptable public open space networks.

*While this amendment does not propose the implementation of any Precinct Structure Plan (PSP), it is important to acknowledge that the normal outcome of a PSP - greenfield residential development - will eventuate in Greater Bendigo’s urban growth areas of Huntly, Maiden Gully and Marong. Therefore, it is appropriate that these guidelines are considered. This guidance recommends a provision of 10 percent of unencumbered land to be designated as public open spaces. Development yields in Greater Bendigo’s growth areas are lower and therefore, an 8 percent contribution rate has been proposed.

Clause 13.02-1S – Bushfire planning

This amendment is consistent with the objective of this Clause “to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life” as well as implementing several strategies by:

- Considering and assessing the bushfire hazard on the basis of landscape conditions – Greater Bendigo’s growth areas have been assessed as having either ‘Type 2’ or ‘Type 3’ Broader Landscape risks. The Bendigo City Centre has been assessed as having a ‘Type 1’ Broader Landscape risk.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures – the CFA were involved in the preparation of the GBPSP and provided advice in relation to the location and management of both future and existing public open spaces in Greater Bendigo based on considerations of bushfire risk. The CFA provided in principle support for the strategic direction of the GBPSP.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall – State level planning guidelines support the provision of certain public open spaces in settlements that interface with bushfire threats. This amendment proposes to ensure an adequate provision of public open spaces in these areas.
Clause 15.01-4S – Healthy neighbourhoods

This amendment is consistent with the objective of this Clause “to achieve neighbourhoods that foster healthy and active living and community wellbeing” and implements the strategies in the Clause by:

- Providing safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life – public open space is an important component of an effective walking and cycling network.
- Providing conveniently located public spaces for active recreation and leisure – implementing the recommendations for public open space contributions in the GBPSP and POSCP will provide a suitable provision of public open space.

Clause 18.02-1S – Sustainable personal transport

This amendment is consistent with the objective of this Clause “to promote the use of sustainable personal transport” and implements several strategies by:

- Ensuring development and the planning for new suburbs provide opportunities to promote more walking and cycling – in the new suburbs created in Greater Bendigo’s growth areas, public open space networks can be utilised to promote more walking and cycling.
- Encouraging the use of walking and cycling by creating environments that are safe and attractive – safe and attractive walking and cycling environments are often provided in well-connected linear public open spaces.
- Ensuring cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) are planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles – this amendment provides the funding mechanism to implement the GBPSP’s strategic framework providing this cycling infrastructure.

Clause 19.02-6S – Open space

This amendment is consistent with the objective of this Clause “to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community” and implements the strategies in the Clause by:

- Planning for regional and local open space networks for both recreation and conservation of natural and cultural environments – this amendment proposes to implement recommendations from the GBPSP which plans for regional and local public open space networks.
- Ensuring open space networks are linked, including through the provision of walking and cycling trails – this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.
- Creating opportunities to enhance open space networks within and between settlements - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.
- Ensuring that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities – this amendment ensures an adequate provision of public open space that can achieve this strategy.
- Improving the quality and distribution of open space and ensure long-term protection – this amendment will result in a more equitable distribution of public open space.
- Ensuring land identified as critical to the completion of open space links is transferred for open space purposes – this amendment proposes the funding mechanism to ensure this strategy can be achieved.
- Accommodating community sports facilities in a way that is not detrimental to other park activities – this amendment proposes a public open space contribution rate of 8 percent for Greater Bendigo’s growth areas, which can provide sufficient land for both active and passive recreation uses.
- Ensuring open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person’s location – it has been demonstrated by demographic analyses that greenfield residential development in urban growth areas place a higher demand on the public open space network. This amendment acknowledges this and proposes to implement a framework that will attract higher contributions from larger demand generators and lower contributions from lower demand generators.
• Developing open space to maintain wildlife corridors and greenhouse sinks - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.

• Providing new parkland in growth areas and in areas that have an undersupply of parkland – Greater Bendigo’s growth areas are directed to smaller existing settlements that are projected to grow significantly. With this anticipated growth and demographic context, an undersupply is projected for these growth areas. This amendment addresses this projected undersupply.

• Ensuring exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space - this strategy is supported by the GBPSP and POSCP, which provides the strategic framework of providing new and upgrading existing public open spaces, and delivering an accessible public open space network.

• Ensuring public land immediately adjoining waterways and coastlines remains in public ownership - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.

• Planning open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins - this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Clause 21.05 – Compact Greater Bendigo

This amendment supports the objective to this Clause “to provide a policy framework on the timing and direction of urban growth and consolidation for the urban areas of Greater Bendigo” by facilitating population growth in the City Centre and rural townships where there is a suitable provision of public open space for the projected population.

A key issue identified in this Clause recognises that the built environment impacts on people’s health and wellbeing and often in Greater Bendigo the built environment does not encourage active lifestyles. This amendment ensures that significant growth areas in Greater Bendigo have adequate provisions of public open space to encourage active lifestyles.

Clause 21.08-3 – Public land and open space

This amendment supports the objective to this Clause “to create and protect open space corridors and networks between focal areas” and implements the strategies in the Clause by improving pedestrian and cycle linkages between open spaces, activity centres and transport nodes – this strategy is supported by the GBPSP, which provides the strategic framework of providing new and upgrading existing public open spaces.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victorian Planning Provisions by amending the Schedule to Clause 53.01 – Public Open Space Contribution and Subdivision, as this is most appropriate planning mechanism for collecting contributions for public open spaces.

How does the amendment address the views of any relevant agency?

The GBPSP was prepared in consultation with relevant agencies and departments. In particular, the following agencies were consulted and therefore the amendment addresses their views:

• Country Fire Authority – supports the GBPSP and advises that future public open spaces should not increase the bushfire risk to Greater Bendigo.

• Transport for Victoria (Department of Transport) – supports the GBPSP, particularly utilising public open space corridors to provide critical walking and cycling linkages.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with the transport system objectives and decision making principles in the Transport Integration Act 2010. Specifically:
• It promotes social and economic inclusion by establishing an equitable public open space contributions framework which provide an equitable provision of public open space in Greater Bendigo.
• It responds to the environmental sustainability objective by implementing recommendations from the GBPSP, which places a strong emphasis on sustainable forms of transport.
• It promotes safety, health and wellbeing by ensuring the planning system responds to the different needs across the Greater Bendigo community which will ensure an equitable provision of public open space.

Resource and administrative costs

• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

This amendment provides specific public open space contribution rates in the Schedule to Clause 53.01 – Public Open Space Contribution and Subdivision. Identified growth areas have a proposed 8 percent contribution rate, rural townships and the Bendigo City Centre have a proposed 2 percent contribution rate, and all other residential areas will have a proposed 5 percent contribution rate.

This amendment will have a minimal impact on the resource and administrative costs of the responsible authority as suitable public open space contributions will be collected from new developments and managing public open spaces is a key function of Council.

Where you may inspect this amendment

The amendment can be inspected free of charge at the City of Greater Bendigo website at www.bendigo.vic.gov.au; or

The amendment is available for public inspection, free of charge, during office hours at the following places:
[Insert Council's details]

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.