

*Planning and Environment Act 1987*

**Victorian Planning Authority Projects Standing Advisory Committee– Referral 1  
Report**

**Draft Golden Plains Planning Scheme Amendment  
Bannockburn Growth Plan**

**6 April 2021**

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Victorian Planning Authority Projects Standing Advisory Committee Referral 1

Report pursuant to s151 of the Act

Draft Golden Planning Scheme Amendment

Bannockburn Growth Plan

6 April 2021

Members of the Victorian Planning Authority Projects Standing Advisory Committee who considered this referral:



Tim Hellsten, Chair



Shelley McGuinness, Member

## Contents

	<b>Page</b>
<b>1 Overview .....</b>	<b>1</b>
<b>2 Introduction.....</b>	<b>4</b>
2.1 Terms of Reference and referral .....	4
2.2 Background to the draft Amendment .....	4
2.3 Issues .....	9
2.4 Limitations and procedural issues.....	9
2.5 Content of report.....	11
<b>3 Planning context .....</b>	<b>12</b>
3.1 Municipal Planning Strategy .....	12
3.2 Planning Policy Framework.....	13
3.3 G21 Regional Growth Plan .....	15
3.4 Findings.....	15
<b>4 The issues .....</b>	<b>16</b>
4.1 Growth and land use directions .....	16
4.2 Housing development.....	23
4.3 Cultural heritage .....	26
4.4 Environment .....	27
4.5 Transport and movement .....	33
<b>5 Summary of reasons and recommendations .....</b>	<b>47</b>
5.1 Reasons.....	47
5.2 Recommendations.....	47

## List of Tables

	<b>Page</b>
Table 1 Proposed changes to the Golden Plains Planning Scheme.....	7
Table 2 Summary of unresolved issues.....	9
Table 3 How report addresses the Terms of Reference .....	11

## List of Figures

	<b>Page</b>
Figure 1 Draft Bannockburn Growth Plan – Framework Plan .....	6
Figure 2 Draft Bannockburn Growth Plan identified growth areas and growth boundary .....	16
Figure 3 1527 Midland Highway, Bannockburn .....	18
Figure 4 Indicative Road Network.....	34
Figure 5 Walley evidence suggested realignment of the proposed arterial road .....	35
Figure 6 Urbis comparative analysis of arterial Road Options 3 and 4.....	36

## Appendices

- Appendix A Terms of Reference**
- Appendix B Letter of referral**
- Appendix C Submissions**
- Appendix D Document list**
- Appendix E Resolved submissions summary**

## Glossary and abbreviations

Act	<i>Planning and Environment Act 1987</i>
Amendment	Draft Amendment (unnumbered) to the Golden Plains Planning Scheme
CFA	Country Fire Authority
the Committee	VPA Projects Standing Advisory Committee
Council	Golden Plains Shire Council
Day 1 changes	Proposed changes to the Growth Plan and Amendment documents made prior to the Directions Hearing (Document 27 – Appendices 4 and 5)
Day 3 changes	Further changes proposed to the Day 1 version of the Growth Plan (Document 56)
DCP	Development Contributions Plan
FGE	Future growth option – east
FGS	Future growth option – south
Growth Plan	draft <i>Bannockburn Growth Plan, October 2020</i>
HRD	Harvey Road Development Pty Ltd
ICP	Infrastructure Contributions Plan
Josco	Josco Pty Ltd
NWA	North West Development Plan Area
PSP	Precinct Structure Plan
Reserve	Bannockburn Flora and Fauna Reserve
SEP	South East Precinct
SWP	South West Precinct
VPA	Victorian Planning Authority
VPA CFA changes	Changes to Clauses 02.03 and 11.03-6L agreed by the VPA and Country Fire Authority (Document 57)

# 1 Overview

## (i) Referral summary

### Referral summary

<b>The Amendment</b>	The Draft Golden Planning Scheme Amendment (unnumbered) introduces the Bannockburn Growth Plan as a background document, makes supporting changes to the Planning Policy Framework and identifies further strategic work
<b>Common name</b>	Bannockburn Growth Plan
<b>Subject land</b>	Land within the Bannockburn township covered by the Bannockburn Growth Plan (Figure 1)
<b>Proponent</b>	Victorian Planning Authority (VPA)
<b>Council</b>	Golden Plains Shire
<b>Targeted consultation on draft Amendment and Growth Plan</b>	26 October – 23 November 2020
<b>Date of referral</b>	30 December 2020
<b>The Committee</b>	Tim Hellsten (Chair), Shelley McGuiness
<b>Site inspection</b>	26 February 2021
<b>Consultation</b>	Video conference Directions Hearing, 8 February 2021 Video conference roundtable, 1, 2 and 3 March 2021
<b>Parties to the roundtable</b>	<b>Victorian Planning Authority (VPA)</b> represented by Aaron Shrimpton of Harwood Andrews, supported by Emily Killin of the VPA, and who called: <ul style="list-style-type: none"><li>- traffic and transport evidence from Aaron Walley of Ratio Consulting</li><li>- economic evidence from Brian Haratsis of MacroPlan</li><li>- Cat Stephenson of Ecology and Heritage Partners to provide an overview of the Strategic Fire Assessment</li><li>- Shannon LeBel of Ecology and Heritage Partners to provide an overview of the Biodiversity Assessment</li></ul> <b>Golden Plains Shire</b> represented by Laura Wilks <b>Country Fire Authority</b> represented by Luci Johnson and Michael Boatman <b>Ballarat Environment Network</b> represented by Peter Noble <b>Harvey Road Development Pty Ltd</b> represented by Nat Anson of Urbis <b>Bannockburn Holdings</b> represented by Cameron Gray of St Quentin Consulting who called traffic and transport evidence from Benjamin Mentha of CardnoTGM <b>Josco Pty Ltd</b> represented by Jason Black of Insight Planning <b>Tim LeMaitre</b> represented by Chris Marshall of CardnoTGM

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**Cameron Steele** (who was unable to attend but provided an additional written submission)

**David Evans**

**Stuart McCallum**

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**Citation** VPA Projects SAC Referral 1 – Bannockburn Growth Plan [2021] PPV

**Date of this report** 6 April 2021

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## (ii) Findings

The Committee finds:

- The draft Bannockburn Growth Plan (Growth Plan) and draft Amendment to the Golden Plains Planning Scheme (Amendment) are supported by, and implement, the relevant sections of the Planning Policy Framework, are well founded and strategically justified.
- The Amendment will deliver net community benefit and sustainable development, as required by Clause 71.02-3 of the Golden Plains Planning Scheme and should proceed subject to addressing the more specific issues identified in this Report.
- The growth area boundary shown in the Growth Plan is appropriate.
- The Growth Plan with the inclusion of VPA Day 1 and Day 3 changes:
  - responds appropriately to the issues of growth area sequencing and timing with additional changes relating to the application of Actions 1.4-1.6 to the North West Development Plan Area
  - includes appropriate directions for activity centres and the expansion of the business park
  - includes appropriate directions for buffers with further modification and clarification
  - includes appropriate directions to maintain the town's rural character and manage the rural-urban interface
  - appropriately acknowledges the significance of cultural heritage but should contain a cultural heritage principle
  - provides an adequate response to the impacts of growth on the biodiversity and habitat values of the Bannockburn Flora and Fauna Reserve and other environmentally sensitive areas but should include an action to prepare a Management Plan for the Reserve
  - appropriately addresses bushfire risk and the strategic considerations of Clause 13.02-1S
  - adequately addresses stormwater management
  - provides for an appropriate arterial and connector road network including bridges with the addition of a bridge advocacy action
  - provides adequate direction for the identification of the community and services infrastructure to support growth
  - provides appropriate directions for a future emergency services precinct with additional changes to clarify intent
  - provides appropriate directions for development contributions.
- The changes to draft Clauses 02.03 and 11.03-6L proposed by the CFA and supported by the VPA are appropriate and should be included in the Amendment.

**(iii) Recommendations**

The Committee recommends that the draft Amendment to the Golden Plains Planning Scheme proceed with the following changes:

- 1. Amend the exhibited draft Bannockburn Growth Plan consistent with the Victorian Planning Authority (VPA) Day 1 changes (Document 27 VPA Part A submission Appendix 4) and VPA Day 3 changes (Document 56) with the following additional changes:**
  - a) include a cultural heritage principle in the list of Growth Plan principles with appropriate dot point objective(s)
  - b) replace the proposed double asterisk notation in 'Table 5 Housing and community infrastructure actions – growth' relating to Actions 1.4 to 1.6 with the words "In relation to the North West Development Plan Growth Area, planning for this area in the short term is independent of these actions unless these actions have been completed or guidance is in place at the time of any rezoning"
  - c) amend Action 1.9 'Emergency services' in Table 5 to "Work with relevant agencies to determine an appropriate location for an emergency services precinct"
  - d) amend 'Plan 6 Housing and Community Infrastructure' to replace the notation 'Intermodal transport hub & emergency services precinct' with "Intermodal transport hub & potential emergency services precinct", and amend the related legend notation to "Option for emergency services precinct"
  - e) amend 'Plan 9 Bushfire & Buffers' and associated discussion under 'Buffers and Easements' to clarify the role of buffers, particularly as they relate to the proposed business park expansion
  - f) include at 'Table 10 Environment and water actions – growth areas' an advocacy action for the preparation of a Management Plan for the Bannockburn Flora and Fauna Reserve
  - g) include at 'Table 12 Transport and Movement - growth areas' an advocacy action for funding of the Milton Street and proposed Arterial road bridge crossings of Bruce's Creek.
- 2. Amend the exhibited draft Clauses 02.03 and 11.03-6L consistent with the VPA's final changes as identified in the VPA CFA changes (Document 57) with the following additional changes:**
  - a) include the final version of the Framework Plan.
- 3. Amend the exhibited draft Clause 72.04 to refer to the updated date for the final version of the Bannockburn Growth Plan.**

## 2 Introduction

### 2.1 Terms of Reference and referral

The VPA Projects Standing Advisory Committee (the Committee) was appointed by the Minister for Planning on 22 July 2020. The purpose of the Committee is set out in its Terms of Reference dated 17 July 2020 (Appendix A):

... provide timely advice to the Minister for Planning and the VPA on specific matters referred to it related to various proposals, including but not limited to structure plans, infrastructure and development contribution plans, framework plans, development plans and any associated draft planning scheme amendment and planning permits.

The Terms of Reference set out that the Committee is to consider unresolved issues. In doing so it must consider:

- a. The relevant components of the referred plan and associated draft planning scheme amendment and any associated planning permit (if relevant) that relate to the submissions or issues referred to it
- b. The referred submissions
- c. *Plan Melbourne*
- d. Any relevant Regional Growth Plan or Growth Corridor Plan
- e. The applicable Planning Scheme
- f. Relevant State and local policy
- g. Any other material referred to it.

The VPA prepared a draft amendment to the Golden Plains Planning Scheme which seeks to implement the Bannockburn Growth Plan (the Amendment). The Amendment was referred to the Committee on 28 December 2020 by the Minister for Planning (Appendix B) with the following documents (refer Appendix D):

- Submissions Summary Table prepared by the VPA
- Draft Bannockburn Growth Plan, October 2020.

This is Referral 1.

The members of the Committee dealing with Referral 1 were:

- Tim Hellsten, Chair
- Shelley McGuinness, Member.

Kimberley Martin and Tom Milverton, Project Officers at Planning Panels Victoria, assisted the Committee.

### 2.2 Background to the Amendment

#### (i) Bannockburn

Bannockburn is located 22 kilometres to the north west of Geelong. It is the largest town in the Golden Plains Shire and provides higher order services, infrastructure and facilities to a number of nearby smaller settlements including Teesdale, Inverleigh, Lethbridge and Batesford. The town has consistently been one of the fastest growing areas in regional Victoria and is expected to grow to 13,090 residents by 2036 (Victoria in Future) and maintain a medium growth scenario of 4 per cent to 2050, requiring an additional 5,500 dwellings.

## (ii) The Growth Plan

The VPA prepared the draft *Bannockburn Growth Plan, October 2020* (Growth Plan) in consultation with the Golden Plains Shire Council (Council). It was informed by several reports including (refer Appendix D):

- Bannockburn Growth Plan, Background Report, VPA October 2020
- Catchment Assessment, Alluvium, May 2020
- Growth Area Biodiversity Assessment, Ecology and Heritage Partners, March 2020
- Land Capability Assessment Part 1, Meinhardt, June 2020
- Land Capability Assessment Part 2, Meinhardt, June 2020
- Retail Study, MacroPlan, February 2020
- Strategic Bushfire Assessment, Ecology and Heritage Partners, August 2020
- Traffic Network Assessment, VPA, August 2020.

The Growth Plan seeks to guide the sustainable development of Bannockburn to 2050 and guide growth and development consistent with a vision and seven principles. The proposed vision is:

New residents and visitors are attracted to Bannockburn as a regional hub due to its distinct identity, affordable lifestyle and local amenity. The community conveniently accesses the services, employment and education opportunities offered by regional cities via the re-instated passenger services on the Geelong-Ballarat rail line and improved bus connections.

Investment in road and path connections allow people and goods to move around the town and access surrounding urban centres with ease.

Local employment opportunities respond to the town's rural character through an enhanced agricultural sector and diverse industrial precincts.

Bannockburn's unique environmental assets are protected and enhanced, and places of cultural heritage significance safeguarded. Sustainable water use and management is at the forefront of decision making, and water quality in local sources is protected.

Bannockburn's built form is respectful of the natural environment and heritage values. New development responds to climate change by adopting Environmentally Sustainable Design (ESD) principles. Underpinning the town's growth is a healthy and well-connected community.

The seven principles informing the Growth Plan are:

- Encourage diverse and affordable housing in new precincts
- Enhance town character
- Build an integrated and safe transport network
- Support a resilient local economy
- Protect and enhance the natural environment
- Ensure sustainable use and management of water
- Provide essential services and infrastructure.

The Growth Plan directions are shown in the Framework Plan (Figure 1).



The Growth Plan is structured around the following elements and themes:

- Growth areas – three short to medium term priority precincts identified to accommodate 6,192 dwellings and a population of 18,627 residents and two longer term growth option areas capable of accommodating a further 3,571 dwellings and 10,535 residents
- Theme 1 – Housing and community infrastructure – which considers housing diversity, affordable housing, neighbourhood character, community and active recreation infrastructure
- Theme 2 – Economy and employment – which includes expansion of the existing town centre and industrial business park, a second local retail centre and reinforcement of the role of the Gheringhap Employment Precinct
- Theme 3 – Environment and water – which seeks to identify and protect areas of Aboriginal cultural significance, post-contact heritage and biodiversity, provide opportunities for open space and linear parks, manage stormwater, drainage and bushfire risk and ensure a more built development response
- Theme 4 – Transport and movement – which provides for a second arterial road, town centre (High Street) placemaking treatments, future connector and local road network (including bridges) to support growth areas and active travel opportunities
- Implementation and delivery.

### (iii) The Amendment

The Amendment proposes to amend the Golden Plains Planning Scheme to implement the Growth Plan as summarised in Table 1. The Amendment documents include the proposed planning scheme changes, Instruction Sheet, Explanatory Report and final Growth Plan.

**Table 1 Proposed changes to the Golden Plains Planning Scheme**

Clause	Proposed change
02.03-1 Strategic Directions	Reference the Growth Plan under 'Settlement' and 'Township' – 'Bannockburn'
02.04 Strategic Framework Plans	Insert the Growth Plan (Framework Map)
11.01-1L Settlement	Refer to the Growth Plan to guide land rezoning
11.03-6L Bannockburn	<p>Under 'Settlement strategies':</p> <ul style="list-style-type: none"> <li>- amend strategy relating to Town Centre identifying it as primary location for retailing and supporting a supplementary retail centre</li> <li>- remove 500 metre reference to Medium Density Housing locations adjacent to Town Centre</li> <li>- add strategy relating to identification of land use and infrastructure buffers</li> </ul> <p>Under 'Land use and development strategies':</p> <ul style="list-style-type: none"> <li>- remove specific reference to a consolidated commercial precinct and identify supporting a diversity of uses in the Town Centre</li> <li>- identify the delivery of a second arterial road, bushfire risk measures and enhancement of Aboriginal Cultural Heritage</li> </ul>

Clause	Proposed change
	<p>Under 'Urban design strategies' add new strategies:</p> <ul style="list-style-type: none"> <li>- encouraging development to respect the rural character</li> <li>- support residential development at the rural interface where it provides a sympathetic transition</li> </ul> <p>Under 'Open space strategies' add new strategies:</p> <ul style="list-style-type: none"> <li>- create open space and drainage assets which perform a recreational and environmental function</li> <li>- create linear open space networks that connect the growth areas with Bruce's Creek</li> </ul> <p>Under 'Bruce's Creek strategies':</p> <ul style="list-style-type: none"> <li>- make minor changes to existing strategies and include an additional strategy supporting Integrated Water Management principles in the planning of growth areas</li> </ul> <p>Under 'Policy documents':</p> <ul style="list-style-type: none"> <li>- include the Bannockburn Growth Plan as a policy document</li> </ul>
Schedule to Clause 72.08 Background documents	Include the final Growth Plan
Schedule to Clause 74.02 Further strategic work	<p>Add five further work items to:</p> <ul style="list-style-type: none"> <li>- prepare Precinct Structure Plans (PSPs) consistent with the Growth Plan</li> <li>- prepare a development plan to facilitate development in the North West Development Plan area</li> <li>- investigate a second east-west arterial road</li> <li>- investigate additional Bruce's Creek crossing points</li> <li>- investigate Town Centre High Street streetscape modifications</li> </ul>

#### (iv) Community engagement

Between 26 October and 23 November 2020, the VPA undertook targeted public consultation on the Growth Plan and Amendment which involved:

- discussions with Council
- notifying landowners and occupiers (letter and project brochure) within and adjoining the Bannockburn township and proposed Growth Plan area (some 2,715 letters issued)
- engagement with government agencies, service providers, the City of Greater Geelong and Ministers prescribed under section 19(1)(c) of the *Planning and Environment Act 1987* (the Act)
- a project webpage (hosted by VPA) on the Engage Victoria website
- a virtual drop-in session on 18 November 2020
- a community meeting
- responding to phone calls and emails
- consideration of 39 submissions received.

This consultation followed earlier community engagement in March 2020 regarding identification of growth issues and opportunities garnered from mail outs, online survey and community pop-up session.

## 2.3 Issues

A total of 39 submissions were made to the informally exhibited Amendment and Growth Plan (refer Appendix C). The unresolved submission issue themes are summarised in Table 2.

**Table 2 Summary of unresolved issues**

Theme	Issues	Report section
Growth and land use directions	- Residential growth directions including location of growth boundary, timing and sequencing of growth areas	4.1.1
	- Employment growth including business park buffers, amenity impacts and contamination	4.4.2
	- Activity centre directions including location, timing and format	4.4.3
Housing development	- Neighbourhood character	4.2.1
	- Rural interfaces	4.2.2
Cultural heritage	- Appropriate recognition of Aboriginal Cultural Heritage values	4.3
Environment	- Impacts on the Bannockburn Flora and Fauna Reserve and wider habitat impacts	4.4.1
	- Bushfire	4.4.2
	- Stormwater and waterway management	4.4.3
Transport and movement	- Location of future arterial road	4.5.1
	- Location and requirements for bridges	4.5.2
Infrastructure capacity and provision	- Adequacy of infrastructure to accommodate growth including services and utilities and emergency services	4.6
	- Development contributions	

## 2.4 Limitations and procedural issues

### (i) Conduct of proceedings

The Terms of Reference identify that:

Depending upon the nature of the referral, the Committee can conduct its proceedings through round table discussions, on the papers or, a public hearing, including by video conference if unable to conduct this 'in person'.

Given the number of issues raised in submissions, the extent of resolved submissions leading up to the Directions Hearing and the relatively small number of parties wishing to be heard the Committee considered that a roundtable approach to hearing submissions was appropriate. This was supported by all the parties and enabled a more focused discussion on

the key outstanding issues. It was agreed by all parties that the matter could proceed via videoconferencing given the current COVID 19 pandemic.

The Committee thanks the parties for the way in which they engaged with the roundtable process and the information they provided.

## **(ii) Issues under consideration**

The Terms of Reference makes it clear that the Committee is to only consider the unresolved submission issues referred to it for advice. This means that the overall merits of the Amendment have not been examined and that the Committee confines its consideration to the issues in those submissions. The Committee has prepared its report following a review of the submissions referred, the submissions made to it at the roundtable including evidence and the supporting documents provided with the Amendment.

Submission 1 raised concerns regarding the lack of community consultation and the VPA fast track process for the Amendment. While these are largely matters outside the scope of the Committee's considerations, the VPA in its presentation to the Committee set out the process undertaken to engage with the community on the Growth Plan. This is summarised in Section 2.2(iv) above. The Committee is satisfied that the process of engagement with the community and the level of analysis undertaken in the development of the Growth Plan was robust and appropriate for a high level plan. The Committee notes that Council acknowledged that it was pleased with the level of engagement undertaken by the VPA. The Committee makes no other findings in relation to this issue.

## **(iii) Amended Growth Plan and policy provisions**

Before the Directions Hearing and roundtable took place the Committee was advised directly by submitters or through the VPA that a significant number of submissions had been resolved following direct communication and explanation or proposed changes to the Growth Plan and Amendment documents.<sup>1</sup> These changes, referred to as 'Day 1 changes' during the roundtable, were set out in a tracked changed format in the VPA's Part A submission (Appendix 4 and 5).<sup>2</sup>

During the without prejudice discussion on Amendment documents the VPA proposed several additional amendments to the Day 1 changes which were summarised in a Table and circulated to parties on the 4 March 2021 ('Day 3 changes').<sup>3</sup> The VPA provided a further set of changes to Clause 02.03 and 11.03-6L on 10 March 2021 which were prepared in conjunction with the Country Fire Authority (CFA) to address bushfire issues raised and document changes proposed by the CFA during the roundtable. These changes are referred to as the 'VPA CFA changes' and included the Day 1 changes to Clause 02.03 and 11.03-6L.<sup>4</sup>

The 14 resolved submissions and 5 partly resolved submissions are summarised in Appendix E (with partly resolved shown in italics). The efforts of the VPA to work proactively to resolve submissions and narrow the focus of unresolved issues is commended. While resolved submissions, or components of individual submissions which were resolved were not

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<sup>1</sup> Documents 15, 17, 18, 19 and 24

<sup>2</sup> Document 27 (Appendix 4 Growth Plan changes and Appendix 5 Clause 02.03.1 and 11.03-06L changes)

<sup>3</sup> Document 56

<sup>4</sup> Document 57

considered in detail by the Committee, the Committee viewed those submissions and the proposed changes identified by the VPA in response to them. The Committee considers that the proposed changes by the VPA, which were also supported by Council, are broadly appropriate and are supported.

## 2.5 Content of report

The Terms of Reference require the Committee to produce a written report. Table 3 sets out the requirements for the report and where they have been addressed.

**Table 3** How report addresses the Terms of Reference

Terms of Reference report requirements	Report section
Whether the referred element(s) of the Amendment is appropriate	Chapter 5
A summary and assessment of the issues raised in submissions referred to the Committee	Chapters 2 and 4
Any other relevant matters raised in the course of the Committee process	Not applicable
A list of persons who made submissions considered by the Committee	Appendix C
A list of tabled documents	Appendix D
A list of persons heard	Chapter 1

## 3 Planning context

### 3.1 Municipal Planning Strategy

The draft Explanatory Report identifies the key elements of the Municipal Planning Strategy relevant to the Amendment and the development of the Growth Plan, and explains how the Amendment and Growth Plan are consistent with those elements:

- Clause 02.02 (Vision) by:
  - containing residential development within the Bannockburn Growth Boundary
  - outlining growth principles that provide direction on protecting the natural environment and growing the local economy
- Clause 02.03-1 (Settlement) by:
  - directing residential growth in the south east of the Shire to Bannockburn and within growth boundaries
  - encouraging protection of Bruce's Creek corridor as an environmental and recreational asset and the creation of open space networks in future growth areas
  - encouraging development that reinforces town character
- Clause 02.03-1 (Environmental and landscape values) by protecting areas of known flora and fauna significance, particularly Bannockburn Flora and Fauna Reserve and Bruce's Creek, and directing future growth away from these areas and considering environmental and landscape values through PSPs
- Clause 02.03-3 (Environmental risks and amenity) by ensuring that future development in growth precincts will be guided by PSPs or Development Plans which consider the necessary environmental risks including potential bushfire risk and potential adverse amenity impacts
- Clause 02.03-4 (Natural resource management) by:
  - protecting agricultural land by identifying a rural-urban interface
  - encouraging an integrated catchment management approach including integrated water management outcomes
- Clause 02.03-5 (Built environment and heritage) by identifying potential areas of environmental and cultural value and ensuring that future development in growth precincts will be guided by PSPs or Development Plans which consider these values
- Clause 02.03-6 (Housing) by supporting a range of housing styles and types within urban areas and guided by PSPs or development plans which consider appropriate housing densities
- Clause 02.03-7 (Economic development) by:
  - directing commercial and retail services to Bannockburn, reinforcing the role of Bannockburn as a sub-regional commercial and retail centre
  - identifying opportunities for further retail floor space
  - establishing the need for a strong activity centre hierarchy in Bannockburn, with the town centre being the primary activity centre
- Clause 02.03-9 (Infrastructure) by facilitating service delivery to urban areas, including sewerage and water supply.

## 3.2 Planning Policy Framework

The draft Explanatory Report and the VPA's Part A submission identified the key elements of the Planning Policy Framework relevant to the proposed Amendment and the development of the Growth Plan, and explained how the Amendment and Growth Plan are consistent with those elements:

- Clause 11 (Settlement) by:
  - facilitating urban growth in Bannockburn, as identified in the G21 Regional Growth Plan (Clause 11.01-1S – Settlement)
  - supporting the role of Bannockburn as a district town by building on existing and planned infrastructure and focussing growth along key road and rail networks; identifying a settlement boundary for Bannockburn; and maintaining a 'non-urban break' between Batesford and Bannockburn (Clause 11.01-1R – Settlement – Geelong G21 and Clause 11.01-1L – Settlement)
  - ensuring a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses (Clause 11.02-1S – Supply of urban land)
  - facilitating orderly development through PSPs (Clause 11.02-2S – Structure Planning) and managing the sequence of development and early provision of infrastructure (Clause 11.02-3S – Sequencing of development)
  - providing for integrated place-based planning and consideration of local features and character (Clause 11.03-6S – Regional and local places and Clause 11.03-6L – Bannockburn)
- Clause 12 (Environmental and landscape values) by:
  - identifying and protecting areas of biodiversity significance (Clause 12.01-1S – Protection of biodiversity)
  - ensuring no net loss to biodiversity through the removal, destruction or lopping of native vegetation by requiring biodiversity assessments in future growth areas (Clause 12.01-2S – Native vegetation management)
  - protecting and enhancing waterways and wetlands including Bruce's Creek (Clause 12.03-1S – River corridors, waterways, lakes and wetlands and Clause 12.03-1L – Waterways and wetlands)
- Clause 13 (Environmental Risks and Amenity) by:
  - minimising the impacts of natural hazards and adapting to the impacts of climate change through risk-based planning (Clause 13.01-1S – Natural hazards and climate change)
  - directing development away from areas of bushfire and grassfire risk and requiring the development of structure plans or development plans which consider bushfire risk (Clause 13.02-1S – Bushfire planning)
  - supporting the protection of the flood storage function of floodplains and waterways and avoiding areas subject to flooding (Clause 13.03-1S – Floodplain management and Clause 13.03-1L – Golden Plains floodplain management)
  - ensuring that potentially contaminated land is managed and considered through more detailed planning (Clause 13.04-1S – Contaminated and potentially contaminated land) and providing direction for land uses in appropriate areas and identifying sensitive interfaces (Clause 13.07-1S – Land use compatibility)

- Clause 14 (Natural Resource Management) by establishing a growth boundary that prevents urban uses from inappropriately encroaching on agricultural land (Clause 14.01-1S – Protection of agricultural land)
- Clause 15 (Built Environment and Heritage) by:
  - creating a framework for safe, healthy, functional and enjoyable urban spaces and neighbourhoods that contribute to a sense of neighbourhood character, place and cultural identity (Clause 15.01-1S – Urban design, Clause 15.01-4S – Healthy neighbourhoods and Clause 15.01-5S – Neighbourhood character)
  - encouraging a more efficient pattern of land use (Clause 15.02-1S – Energy and resource efficiency)
  - identifying known areas of heritage significance and their conservation (Clause 15.03-1S – Heritage conservation and Clause 15.03-2S – Aboriginal Cultural Heritage)
- Clause 16 – Housing by:
  - promoting housing diversity and different housing types, affordable housing and housing in locations close to employment, services and transport (Clause 16.01-1S – Integrated housing, Clause 16.01-2S – Location of residential development, Clause 16.01-3S – Housing diversity)
  - directing residential development to township areas that are appropriately serviced and have access to community facilities and activity centres (Clause 16.01-2L – Location of residential development in Golden Plains Shire)
- Clause 17 (Economic Development) by providing the community’s needs for retail, entertainment, office and other commercial services and supporting the designation of commercial and retail uses in the Bannockburn Town Centre (Clause 17.02-1S – Business and Clause 17.02-1L – Business)
- Clause 18 – Transport by:
  - creating safe and sustainable transport system through integrating land use and transport planning, improving transit and access between Bannockburn and Geelong and the wider region and encouraging active transport options (Clause 18.01-1S – Land use and transport planning, Clause 18.01-2R – Transport system – Geelong G21 and Clause 18.02-1S – Sustainable personal transport)
  - providing an efficient and safe network including identifying a second arterial road route through Bannockburn (Clause 18.02-3S – Road system)
- Clause 19 (Infrastructure) by:
  - supporting the integration of education and early childhood facilities (Clause 19.02-2S – Education facilities)
  - identifying locations for police, fire, ambulance and other emergency services (Clause 19.02-5S – Emergency services)
  - establishing a diverse and integrated network of public open space (Clause 19.02-6S – Open space)
  - supporting an integrated water management approach to water supply, water resources, wastewater, drainage and stormwater (Clause 19.03-3S – Integrated water management)
  - Adopting a co-location principle for delivery of any future community infrastructure (Clause 19.02-4L – Co-locating community facilities).

### **3.3 G21 Regional Growth Plan**

The *G21 Regional Growth Plan, 2013* identifies Bannockburn as a regional town that will support significant residential growth. Bannockburn is also identified as a sub-regional employment centre for retail and commercial functions.

The Growth Plan supports all the key actions for Bannockburn identified in the G21 Regional Growth Plan Implementation Plan (2013):

- Town centre road upgrades
- Milton Road bridge over Bruce's Creek
- alternative heavy vehicle route
- Geelong-Ballarat passenger rail link
- railway station infrastructure.

### **3.4 Findings**

When assessing the directions of the Growth Plan and proposed policy changes, the Committee has been cognisant of the important strategic context of Bannockburn as a growth town within the Shire of Golden Plains and its potential to accommodate growth in accordance with the objectives of a variety of established planning policies.

The Committee finds that the proposed Growth Plan and Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is well founded and strategically justified
- is consistent with Ministerial Directions including Ministerial Direction 1 – Potentially Contaminated Land and Ministerial Direction 11 – Strategic Assessment of Amendments
- will deliver net community benefit and sustainable development, as required by Clause 71.02-3 of the Golden Plains Planning Scheme
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

## 4 The issues

The unresolved submission issues are discussed in this Chapter.

### 4.1 Growth and land use directions

#### 4.1.1 Residential growth directions

##### (i) What is proposed?

The Growth Plan identifies a growth boundary, short (1-5 years) to medium (5-10 years) growth areas to be released in stages, and longer term future growth option areas (10+ years) to accommodate projected growth (as shown in Figure 2):

- North West Development Plan Area (NWA) – currently in the Farming Zone and identified as a short term priority, the planning of which is to comprise a Development Plan and Section 173 Agreements (for development contributions) with Council as the planning authority
- South East Precinct (SEP) – currently in the Farming Zone and identified as a short term priority the planning of which is to be led by the VPA through a PSP and Development Contributions Plan (DCP) process
- South West Precinct (SWP) – currently in the Farming Zone zoned and identified as a medium term priority the planning of which is to be led by the VPA through a PSP and DCP process
- Future growth option - south (FGS) and Future growth option – east (FGE), both within the Farming Zone, which will be considered for growth when identified investigation and land supply pre-conditions have been met.

**Figure 2** Draft Bannockburn Growth Plan identified growth areas and growth boundary



Source: VPA summary slides

Note: Brown shaded area is the existing Bannockburn Business Park, with proposed expansion shown in brown and white hatching

The Growth Plan identifies principles for the staging and sequencing of growth including land supply, growth capacity and infrastructure, proximity to existing neighbourhoods and infrastructure and facilities, activity centre and community infrastructure delivery, and land fragmentation.

**(ii) The issues**

The issues are whether:

- the sequencing and timing of growth areas is appropriate
- the growth boundary should be extended to include additional sites.

**(iii) Submissions**

Three parties presented to the roundtable in relation to the Growth Plan's directions for the identified growth areas:

- Bannockburn Holdings Pty Ltd (Bannockburn Holdings), submission 38, with holdings in the majority of the NWA. Bannockburn Holdings was represented at the roundtable by Cameron Gray of St Quentin Consulting
- Josco Pty Ltd (Josco), submission 30, with holdings in the northern section of the NWA, adjoining the Bannockburn Industrial Park in the SWP and the SEP. Josco was represented at the roundtable by Jason Black of Insight Planning
- Harvey Road Development Pty Ltd (HRD), submission 29, with holdings in the SWP. HRD was represented at the roundtable by Nat Anson of Urbis.

**Timing and sequencing of growth**

Submission 20 considered that there should be a hold on development until the Midland and Hamilton Highways are upgraded to allow adequate traffic flow especially for freight trucks.

Submission 22 was concerned about the impacts on his merino business associated with the timing of the FGS area and wanted to be informed as planning takes place.

Submission 26 opposed the FGS area's inclusion in the Growth Plan because of its impacts on agricultural production. It identified that it was essential development and rezoning of farming land occur in a staged manner so that farming areas could remain viable and avoid early rate rises.

Submission 15 from Barwon Water identified that the staging of development within the precincts was critical to deliver cost effective infrastructure. It submitted that future growth should occur in a structured, staged way and closely aligned with trunk infrastructure.

Mr Black supported the identification and sequencing of growth precincts but suggested the Growth Plan should specify their priority as SEP, NWA then SWP which enable more demand to build up for the expanded business park. The Day 1 changes proposed by the VPA regarding private land adjacent to the Bannockburn Lagoon and its designation from 'recreation' to 'subject to investigation area' were supported.

Mr Gray submitted that while the Growth Plan identified the NWA as a short term growth priority (Action 1.2), other short to medium actions relating to design guidelines, community infrastructure assessments and social and affordable housing (Actions 1.4 to 1.6) were not proponent led and were to be delivered in the short and medium term subject to funding. He submitted that this created an interdependence for Action 1.2 on other actions and would

delay the planning for and delivery of the NWA in the short term, contrary to orderly planning. He sought a change to the Growth Plan which identified that Actions 1.4 to 1.6 were not required to inform the planning of the NWA which was already well advanced.

The VPA considered the Day 1 changes addressed submitter concerns and that there was appropriate guidance and pre-conditions that needed to be met before land was rezoned. It submitted that this would avoid “*sudden change*”. It also submitted that defining a growth boundary would contain urban development and provide less risk of encroachment on agricultural uses.

In response to Bannockburn Holdings’ submission in relation to the interdependence of Action 1.2 with Actions 1.4 to 1.6, the VPA considered that was a matter for Council, with the proposed Day 1 change notation sufficient.

Council reinforced that the Growth Plan was a high level strategic document and that the PSP process would provide for the management of interfaces and buffers. It supported the proposed growth precinct directions and the Day 1 changes. Ms Wilks for Council, in response to a question from the Committee, indicated that it supported the short term development of the NWA and did not consider that Actions 1.4 to 1.6 needed to be satisfied before the planning of the area was progressed. The broader objectives of those actions could be achieved within the proposed PSP.

### **Growth boundary**

Submission 16 sought to have 35 hectares of land in the Farming Zone at 1527 Midland Highway located included in the growth boundary. The site is located to the west of the proposed growth boundary in the non-urban break between Bannockburn and the Gheringhap Employment precinct, and is identified to accommodate up to 60 low density residential lots. Figure 3 identifies the site within the dashed red line with the area sought to be included in the growth boundary within the blue dashed polygon.

**Figure 3** 1527 Midland Highway, Bannockburn



Source: Cardno TGM (Document 42)

Chris Marshall of Cardno TGM for the landowner (Mr LeMaitre) submitted that the land parcel should be included in the growth boundary on the basis that:

- it was outside the buffers of the Gheringhap Employment Precinct to the southeast of Bannockburn, and not within the Land Subject to Inundation Overlay and not likely to be contaminated or contain significant flora or fauna
- it aligns with the existing eastern town boundary, is within three kilometres of the town centre, can utilise existing infrastructure to the west, can be integrated into adjoining residential areas and is therefore a logical extension
- the land does not front the Midland Highway and will not intrude into the urban break setting any more than existing nearby dwellings do
- the proposed growth areas will impact the agricultural use of the land
- it will provide for additional growth if yields of identified growth areas are reduced because of environmental considerations, or growth rates are higher than forecast and would provide longer term capacity and opportunities for lower density housing development.

Submission 28 related to a site in the Farming Zone at 375 McPhillips Road outside the growth boundary seeking subdivision into 2 hectare lots and wanted Council to purchase land bounding Bruce's Creek along the bottom of their property to be used as a nature reserve and walking track.

The VPA did not support the inclusion of either site within the Growth Plan, noting that the McPhillips Road site was not contiguous with the growth boundary. It considered that 1527 Midland Highway was not a logical extension, was not capable of being easily integrated into the local road network and would provide further unsewered lots which was contrary to Clause 11.01-1L.

Ms Wilks supported the position of the VPA and identified that the additional land supply was not required. Council considered that the proposal to include 1527 Midland Highway within the growth boundary would remove land from agricultural production and further embed the ribbon of residential development along the Midland Highway. It submitted that this would further erode the rural edge, add to existing drainage and serving challenges in the area, and provide a form of housing that was expensive to manage and deliver. It submitted that this was not supported by policy. Ms Wilks identified that access through the adjoining Bannockburn East development and Garonne Drive would create traffic impacts and result in extensive travel distances to services and facilities.

#### **(iv) Discussion and findings**

Other than the issue of bushfire (discussed at 4.4.2) no submissions raised issues relating to the strategic justification of the Amendment. The existing policy framework articulates Bannockburn as a growth area for Golden Plains Shire and the Growth Plan is consistent with this strategic ambition. The Growth Plan establishes a logical basis for determining the extent of proposed growth areas. The Committee considers the growth area boundary identified in the Growth Plan to be appropriate.

The Committee supports the position of the VPA that with the Day 1 changes to the Growth Plan and proposed changes to the policy provisions, the Amendment provides an appropriate process for growth area sequencing and timing including criteria for rezoning land and management of rural interfaces.

The Committee does consider the language relating to the relationship of the short term development of the NWA and Actions 1.4 to 1.6 is problematic. They could be read as being dependent and the notation proposed in the Day 1 changes does not provide an appropriate level of certainty despite the high level nature of the document. Some further clarification is required.

The request to include the western portion of 1527 Midland Highway within the growth boundary has some merit, based on its location adjacent to existing residential areas, and its ability to integrate with that area and access existing infrastructure. It also maintains a separation (albeit reduced) from the Midland Highway that is unlikely to change much in the way of existing views to housing from the Midland Highway. It is outside industrial buffers and areas subject to inundation.

However, there is little strategic justification to include it. Its inclusion will result in the further provision of low density housing which is inconsistent with existing policy and will not make a significant contribution to future land supply. The area identified for inclusion is largely arbitrary and is not supported by any detailed investigations. The inclusion of the site sets a very real expectation that land to the north could also be included for the same reasons put forward in the submission. This concern was also shared by Council.

Retention of the site within the Farming Zone outside the growth boundary preserves the rural edge of the township from further erosion which is identified in local policy and within the Growth Plan as important to the town's setting and character. Retaining the site in the Farming Zone will preserve options for the location of the proposed east-west arterial road connection with the Midland Highway. If the arterial road connection should pass through this site it might then be appropriate to consider how the western portion of the site might be treated.

There is no strategic basis to include the McPhillips Road site within the growth boundary or to support rural living subdivision in a farming area.

The Committee finds:

- The VPA's Day 1 changes to the Growth Plan and Amendment respond appropriately to the issues of growth area sequencing and timing but should be amended to replace the proposed double asterisk notation in 'Table 5 Housing and community infrastructure actions – growth' relating to Actions 1.4 to 1.6 with the words *"In relation to the North West Development Plan Growth Area, planning for this area in the short term is independent of these actions unless these actions have been completed or guidance is in place at the time of any rezoning"*.
- The growth area boundary is appropriate.

#### **4.1.2 Business park expansion**

##### **(i) What is proposed?**

The Growth Plan proposes to expand the existing Bannockburn Business Park located off the Bannockburn – Shelford Road (Figures 1 and 2) into the SWP to provide an additional 20 hectares of industrial and employment land. Objectives include providing appropriate buffers.

**(ii) The issue**

The issue is whether the directions in the Growth Plan for the expansion of the business park and management of buffers are appropriate.

**(iii) Evidence and submissions**

Submission 1 identified that the existing business park currently creates excessive noise from machinery and vehicle movements as well as visual pollution. It suggested that land to the north of Bannockburn-Shelford Road in the proposed NWA area was more appropriate for industrial uses. The Ballarat Environment Network submission sought appropriate buffers for industrial expansion to the Bannockburn Flora and Fauna Reserve (Reserve) to minimise wildlife impacts and enhance habitat corridors.

Mr Black identified at the roundtable that the planning of the business park extension should be dealt with separately to the SWP PSP process to avoid protracted delays. He further identified concerns around the multitude of buffers identified on Map 9. He found them confusing and submitted that it was unclear what the land use conflict was.

The VPA called Brian Haratsis of MacroPlan to provide economic evidence. His evidence was informed by the *Bannockburn Retail Study, 2020* and the *Bannockburn Industrial Land Needs Assessment*, MacroPlan, February 2021 which supported additional land demand for industrial land (53.88 hectares by 2051) and commercial land (12,000 square metres by 2036) to meet population growth needs. In response to submissions he identified that:

- there was a range of uses that could be accommodated within an Industrial 3 Zone (IN3Z) which could provide for appropriate residential interfaces
- splitting the business park into two areas separated by an arterial road was not a preferred outcome and would work against enhancing walkability and amenity.

The VPA identified that Action 2.8 advocated for funding to support the business park on an ongoing basis. Action 2.3 proposes planning for the business park expansion in the SWP in the short/medium term if its earlier delivery is not realised. Planning outcomes for the expansion of the precinct includes consideration of appropriate land use buffers.

The VPA submitted that the expansion of the industrial park was a logical extension, was underpinned by sound planning principles and was supported by the evidence of Mr Haratsis. Its proposed Day 1 Growth Plan changes included:

- amending Plan 9 to include a notation identifying the 'potential buffer (indicative)' as conceptual only and replacing 'future industrial expansion'
- inserting a new sentence under 'Buffers and Easements' and 'Industrial Land' to reference the business park interface with the Reserve
- an additional action in Table 7 to reference the need to resolve the interface with business uses and the Reserve.

The VPA Day 3 changes include revision of the legend in Plan 9 to replace 'potential buffer (indicative)' to 'interface consideration' and reduce the extent of the interface consideration linework to map only sensitive interface areas.

Council supported the VPA position and proposed changes.

#### **(iv) Discussion and findings**

The Committee supports the Growth Plan directions for expansion of the business park to meet future employment land needs within the town and support anticipated growth. It considers the centralisation of the employment land area on an existing arterial road and proximate to the proposed arterial road is logical. The area set aside for growth is supported by appropriate economic analysis and the evidence of Mr Haratsis.

The Committee agrees with the VPA that it is appropriate for the planning of the SWP to include broader planning directions for the business park expansion. This will ensure a more holistic approach to the planning outcomes sought for the SWP including land adjacent to the Bannockburn Lagoon.

Plan 9 of the Growth Plan identifies 'potential buffer (indicative)' areas which extend along the transmission easement; portions of the Reserve interface, Bushfire Management Overlay and business park expansion; adjoining growth area interface; buffers to Barwon Water infrastructure and rail infrastructure. As identified at the roundtable there is a benefit in reducing the complexity of this Map and the different interface/buffer considerations. The Committee supports the VPA's proposed Day 3 changes to Map 9 which will provide for the appropriate recognition of buffer issues relating to fire and potential impacts on the Reserve and amenity to future residential areas adjoining the expanded business park.

The Committee notes that the Environment Protection Authority's submission was supportive of the Growth Plan and Amendment, noting that it includes previous advice given and that further work to assess site specific contamination and buffers will be undertaken at the PSP stage.

The Committee finds:

- The directions for the expansion of the business park in the Growth Plan are appropriate subject to the changes identified in the VPA Day 1 and Day 3 changes.
- The buffers shown on Map 9 and the discussion under 'Buffers and Easements' should be clarified particularly as they relate to the proposed business park extension.

#### **4.1.3 Activity centres**

##### **(i) What is proposed?**

The Growth Plan proposes the provision of additional retailing and commercial land to meet future resident and employment needs. It provides for the expansion of the Bannockburn Town Centre (including redevelopment of the Bannockburn Plaza) as the town's primary activity centre and provision of a second centre of 1,500 square metres. The second retail centre is to be located adjacent to the proposed arterial road in the SEP with development timed when the growth area's population reaches 3000. The Growth Plan suggests that the planning for the SWP and NWA allow for smaller neighbourhood activity centres.

##### **(ii) The issue**

The issue is whether the Growth Plan directions for activity centres are appropriate.

### **(iii) Evidence and submissions**

Submission 12 requested that the planned upgrade to Bannockburn Plaza be completed prior to new housing development as existing infrastructure cannot accommodate the current population.

Submission 3 suggested that new retail centres include independent brands while submission 5 proposed that design of the retail centre have an agricultural focus (bees and honey). Submissions 20 and 34 (both from David Evans) identified the need for more retail land and a broader range of goods. Mr Evans considered that any development to the south must include a large centralised enclosed shopping area similar to Waurn Ponds in Geelong.

The evidence of Mr Haratsis responded to submissions and identified that:

- the Growth Plan provided for additional retail land
- it was unrealistic to defer new housing development until the Bannockburn Plaza upgrade was completed given that population growth was needed to support the project's viability
- the provision of a large enclosed shopping centre like Waurn Ponds needed to be balanced with providing a High Street level of activity, vibrancy and pedestrian activity and support a night time economy.

The VPA considered that population growth will result in demand for additional retail floor space and that the timing of redevelopment of the Bannockburn Plaza site was outside the scope of the Growth Plan. It noted that design and tenancy arrangements were a matter for the detailed planning stage. It considered that the directions for the expansion of the existing town centre and a future retail centre in the SEP (determined through a PSP) was appropriate and supported by the evidence of Mr Haratsis and the retail assessment prepared to inform the Growth Plan. The VPA identified that submissions relating to neighbourhood activity centres were resolved by minor changes included in the Day 1 changes.

### **(iv) Discussion and findings**

The Committee supports the position of the VPA and evidence of Mr Haratsis. It considers that the Growth Plan directions for the town centre and planning of future activity centres are appropriate and appropriately maintain the primacy of the town centre's role through redevelopment and logical expansion. The directions in the Growth Plan (with the changes proposed by the VPA) provide appropriate guidance for the location and timing of future activity centres.

The Committee finds:

- The directions for activity centres in the Growth Plan are appropriate subject to the changes identified in the VPA Day 1 changes.

## **4.2 Housing development**

### **4.2.1 Neighbourhood and rural character**

#### **(i) What is proposed?**

The Growth Plan supports more affordable and social housing, the provision of more conventional housing densities in growth areas and medium density housing closer to services

and transport nodes. It identifies the importance of the town's rural setting and notes the importance of the visual continuity of the non-urban break and town gateways to reinforce the setting. Housing design guidelines are proposed to be developed as part of the PSP process to guide matters including built form, lot sizes, open space, landscaping, interfaces, footpath materiality and layout and street widths. The Growth Plan further identifies 'greening' strategies including street tree planting in growth areas to contribute to the town's rural character.

**(ii) The issue**

The issue is whether the Growth Plan and Amendment will result in the loss of the town's rural character.

**(iii) Submissions**

Submissions 7, 20 and 28 were concerned that growth in population, subdivision of large rural type properties and higher density residential development would result in the deterioration of the town's rural character.

Submission 31 recommended more greening through larger lots to enable tree planting and use of nature strips and design guidelines to manage light pollution to help retain the rural character.

The VPA submitted that neighbourhood character was a key consideration in the Growth Plan, with character considerations identified within precinct objectives and actions relating to housing design guidelines and greening. It considered that the Growth Plan had struck the right balance between providing for growth and retaining character through appropriate master planning.

Council supported the VPA's approach.

**(iv) Discussions and findings**

The Committee agrees with the VPA that the Growth Plan has reached an appropriate balance between supporting the town's future growth consistent with planning policy while maintaining important elements of its character.

During the roundtable a number of submitters noted that the standard metropolitan greenfields growth area approach was not suited for a peri-urban town like Bannockburn. Bannockburn has a strong rural town setting with distinct urban edges, wide streets, low building scale and extensive areas of low density living. Population growth will inevitably change the size of the town, levels of activity and generate smaller lot sizes in the growth areas. However it is reasonable to expect that aspects of the town's character can still be captured in future detailed planning through the design and location of open space elements, landscaping and treatment of urban edges. The Committee considers that the directions in the Growth Plan provide adequate guidance for PSPs including an emphasis on housing design and greening. The maintenance of a growth boundary will also be important in maintaining a strong rural-urban edge and rural setting for the town.

The Committee finds:

- The Growth Plan directions are appropriate to maintain the town's rural character.

## **4.2.2 Rural interface**

### **(i) What is proposed?**

The growth area precinct outcomes include planning for rural interface treatments and provision of buffers to agricultural uses.

### **(ii) The issue**

The issue is whether the Growth Plan provides appropriate directions for managing the rural-urban interface.

### **(iii) Submissions**

Submissions 17 and 26 raised concerns regarding the potential for land use conflict at the rural-urban interface during the development of new growth areas. Submission 26 considered that buffers to rural land should be established and comprise open space, not just low density housing.

Mr Evans' submission supported the concept of 100 metre dynamic or 'rolling buffers' to be applied between the active urban development activity edge and farming areas to minimise conflicts. This buffer he proposed would be maintained until the next stage of development progressed. He submitted that the Amendment should define how this interface is managed.

At the roundtable Mr Black identified concerns about dynamic buffers, suggesting that there was a reasonable expectation of growth and that the PSP should consider the distinctive character and rural-urban transition for each growth area rather than adopting a pre-emptive, template approach.

The VPA Day 1 changes proposed the insertion of an additional statement under 'Agriculture' to reference the need to consider buffers to protect agricultural enterprises as part of staged development of growth areas. It considered that with this change the Growth Plan provides appropriate guidance to manage the rural-urban interface.

Council acknowledged the importance of the rural interfaces and ongoing viability of existing agricultural activities to the community and was comfortable these matters could be managed at the detailed planning stage.

### **(iv) Discussions and findings**

The Golden Plains Planning Scheme includes a range of policies that support agriculture activity and its economic contribution to the Shire, and which seek to protect the rural settings of its towns while also supporting the growth of Bannockburn. The encroachment of urban growth areas into existing farming areas has the potential to result in some land use conflict. There are however a range of planning measures available to manage these impacts. The Growth Plan, with the inclusion of the VPA Day 1 changes, provides appropriate mechanisms to ensure future planning processes consider how this transition is managed without mandating particular treatments. As identified by Mr Black, each growth area has its intrinsic characteristics which deserve considered, individual approaches to managing the rural-urban interface.

The Committee finds:

- The Growth Plan with the VPA Day 1 changes provides appropriate directions for managing the rural-urban interface.

### **4.3 Cultural heritage**

#### **(i) What is proposed?**

The Growth Plan, at page 4 'Golden Plains: Past, Present and Future', acknowledges the Wadawurrung people as integral to the cultural, social, environmental, economic and spiritual story of Bannockburn. It states that the VPA and Council will work with the Wadawurrung people to interpret and manage areas of cultural significance and imbed cultural heritage values into the urban landscape of the growth areas.

The Growth Plan identifies areas of cultural sensitivity and landscape features of cultural significance such as Bruce's Creek in 'Theme 3 Environment & Water' and Map 8, along with strategies and actions to identify and protect culturally significant sites and values at the detailed planning stage.

#### **(ii) The issue**

The issue is whether the Growth Plan appropriately acknowledges the significance of cultural heritage.

#### **(iii) Submissions**

Submission 31 (Cameron Steele) noted the significance of the Bannockburn area to Traditional Owners as evidenced by artefacts and scar trees. He submitted that there was an opportunity for the Growth Plan to bring together cultural values, history, biodiversity and enhanced environmental outcomes centred around Bruce's Creek.

Submission 8 from the Friends of Bannockburn Bush identified a culturally significant artefact site in the Reserve and that cultural heritage assets within the Reserve were being damaged due to lack of management.

The VPA submitted that protecting and enhancing heritage assets is included within the Growth Plan, and is intended to apply to both known sites and sites whose significance may be identified through further planning and development works. Further to this, protecting sites of historic heritage significance and embedding Aboriginal Cultural Heritage perspectives are included in the outcomes for each precinct.

The VPA acknowledged the position of Mr Steele and noted that it (the VPA) had commenced engagement with the Wadawurrung Traditional Owners Aboriginal Corporation with a view to embedding cultural values and history in the implementation of the Growth Plan. It further submitted that the Day 1 changes included additional text to address the limited discussion of the environmental and cultural heritage significance of the Reserve.

Council's submission did not address cultural heritage.

#### **(iv) Discussion and findings**

The Committee notes that the roundtable parties expressed general support for the Growth Plan's cultural heritage framework and no further issues were raised.

On balance, Committee finds that the Growth Plan appropriately acknowledges the significance of cultural heritage and commits to an ongoing partnership with the Wadawurrung people in the delivery of the Growth Plan to ensure that areas of cultural significance are identified and appropriately interpreted and managed.

That said, cultural heritage is not identified among the Growth Plan principles. The Committee considers that the Growth Plan would benefit from inclusion of a cultural heritage principle and supporting dot point objective(s).

The Committee finds:

- The Growth Plan appropriately acknowledges the significance of cultural heritage but should contain a cultural heritage principle in the list of Growth Plan principles and supporting dot point objective(s).

## **4.4 Environment**

### **4.4.1 Biodiversity and habitat impacts**

#### **(i) What is proposed?**

The Reserve is located to the west of the proposed growth boundary (refer Figures 1 and 2). Theme 3 of the Growth Plan sets out the town's biodiversity values including the Reserve, Bruce's Creek and Bannockburn Lagoon and network of road side reserves. It identifies the importance of protecting, enhancing and integrating those values. The Growth Plan was informed by the *Biodiversity Assessment: Bannockburn Growth Area (2020)* (the Biodiversity Assessment). Growth area precinct outcomes seek to respond to the Reserve interface with broader strategies identified for the wider environment and buffers for consideration at the detailed planning stage.

#### **(ii) The issue**

The issue is whether the Growth Plan provides an adequate response to the impacts of growth on the biodiversity and habitat values of the Reserve and other environmentally sensitive areas.

#### **(iii) Submissions**

Loss of habitat and decline in biodiversity values arising from growth, particularly values associated with the Reserve, was raised by a number of submitters (submissions 2, 4, 8, 24). The Ballarat Environment Network provided a detailed submission which identified various threats to the biodiversity values of the Reserve arising from urban development, including invasive weeds, domestic cats, use of rodenticides, litter and street lighting. The submissions also identified the opportunity to enhance environmental values by establishing ecological links between important environmental assets within and adjoining the Growth Area, such as Bruce's Creek and the Reserve.

Peter Noble for Ballarat Environment Network and Stuart McCallum for the Friends of Bannockburn Bush felt that the Growth Plan should go further, and include explicit, long term and measurable actions for mitigation of identified threats to the Reserve. There was concern that without explicit actions the objectives and outcomes for the environment articulated in the Growth Plan would not be preserved through to the preparation of PSPs. The submitters

identified the deterioration of habitat around other Bannockburn reserves including the Wabdallah Reserve.

Mr Noble emphasised that the growth areas, as the agent for change, should accommodate measures to protect the Reserve, including identification of a buffer, and that the interface should be protected in perpetuity by a Trust for Nature covenant.

The VPA called Shannon Le Bel to present the key finding of the Biodiversity Assessment. He identified that potential impacts of growth on the Reserve can be addressed by inclusion of an appropriate buffer to the Reserve and drafting a Conservation Management Plan for the Reserve. Mr Le Bel also noted that the buffer should take into consideration of the significant ecological value of roadside vegetation on Old Base Road adjacent to the eastern boundary of the Reserve.

The form and function of habitat linkages to be created or enhanced within the adjoining growth areas was discussed at the roundtable. Mr Le Bel stated that this will require more detailed environmental surveys, but that habitat linkages could take the form of bike and walking paths, shared public open space as well as more substantial vegetated areas such as the Bruce's Creek riparian corridor. It was Mr Le Bel's view that any potential conflict between fire risk and environmental enhancement within the growth areas could be managed by a combination of setbacks from vegetated areas and adhering to design guidelines for defensible space and prescribed plantings.

The VPA submitted that the Amendment does not authorise any development of land or permit the removal of any vegetation and that the Growth Plan directions will guide planning for the protection and enhancement of environmental values.

The VPA acknowledged the significance of the Reserve and acknowledged that the exhibited Growth Plan contained limited discussion to recognise the role and importance of the Reserve. The VPA Day 1 changes included additional text at Theme 3 that talked specifically to the values of the Reserve and issues to be investigated in detail at the PSP stage.

Council supported the VPA Day 1 changes and opportunities to enhance and protect the Reserve.

#### **(iv) Discussion and findings**

There was general support at the roundtable for the Growth Plan's identification, protection and enhancement of environmental values. Recognition of the role and importance of the Reserve in the VPA Day 1 changes and measures to enhance habitat linkages, mitigate risks of urban development and manage the interface between the Reserve and the Growth Area were also generally supported. The Committee thanks Mr Noble and Mr McCallum for their detailed submissions and significant contributions during the roundtable.

The Committee supports the VPA Day 1 changes to the Growth Plan that address submissions relating to biodiversity and habitat impacts.

The growth of Bannockburn will increase usage of the Reserve and result in development activity close to its eastern edge. Such activity is likely to have some impact on the Reserve through the introduction of weeds, domestic animals and restriction of movement of fauna. The Committee considers that many of the suggested responses identified by the Ballarat Environment Network (cat management and use of rodenticides for example) require a more

considered and consistent approach by the Golden Plains Shire rather than including them in a Growth Plan.

That said, the Committee considers that there is merit in preparation of a Management Plan for the Reserve. A Management Plan will help to manage and enhance the natural environment, guide infrastructure development such as walking trails and encourage recreation within the Reserve, address fire risk mitigation activities and restoration of ecological connectivity with surrounding environmental assets. It will also assist in guiding responses to the Reserves interface with future urban areas.

The Committee finds:

- The Growth Plan with the inclusion of the VPA Day 1 changes generally provides an adequate response to the impacts of growth on the biodiversity and habitat values of the Reserve and other environmentally sensitive areas.
- That said, there is benefit in identifying an action to prepare a Management Plan for the Bannockburn Flora and Fauna Reserve.

#### **4.4.2 Bushfire**

##### **(i) What is proposed?**

The Growth Plan includes a section on Bushfire with bushfire risk interfaces and extent of the Bushfire Management Overlay shown in Plan 9. The Growth Plan was informed by the *Strategic Bushfire Assessment (2020)*. The Growth Plan identifies the NWA and SWP precinct as having the higher bushfire risk because of their interface with the Reserve. It identifies proposed urban and rural interface separation distances to be applied and the need to confirm bushfire risk mitigation measures at the detailed planning stage.

##### **(ii) The issue**

The issue is whether the Growth Plan and Amendment adequately addresses bushfire risk.

##### **(iii) Submissions**

A number of submissions (1, 31, 33) identified the need to consider bushfire risk at the interface between the growth areas and the Reserve.

Submission 31 was concerned that bushfire mitigation measures would be borne by the Reserve, rather than the development. The VPA responded that the Growth Plan identifies separation distances that would need to apply at the interface with the growth boundary and the Reserve and that it is standard practice for these to be applied within the development area.

Mr Gray while supporting the use of perimeter roads, noted that due to design complications, a perimeter road may not always be achievable, and sought some flexibility to consider other treatments.

Submission 33, from the CFA, considered the Amendment did not include adequate information to demonstrate a clear link to Clause 13.02-1S Bushfire Planning and sought revisions to address the following:

- provision of appropriate setbacks from open spaces, creek reserves and linear open space network corridors to ensure appropriate defensible space distances can be achieved and maintained on an ongoing basis
- inclusion of perimeter roads between bushfire hazards and proposed settlement in the road layout
- location of vulnerable and sensitive land uses including aged care, childcare and education centres away from areas such as the Reserve at higher risk to bushfire
- how bushfire risk will be mitigated in areas that will feature increases in vegetation to protect and enhance biodiversity values along waterways, create an integrated open space network and protect Aboriginal Cultural Heritage sites
- how policy will be incorporated into the planning scheme to require setbacks from bushfire hazards, achieve radiant heat benchmarks, manage vegetation for defensible space setbacks, require road layouts and design to address access and safety concerns.

In response to the CFA submission, the VPA proposed the following revision to the Day 1 changes:<sup>5</sup>

- inserting new paragraphs in the 'Bushfire' section of Theme 3 of the Growth Plan. This new text includes four dot points that respond to the issues identified in the CFA submission. These require that future strategic planning be undertaken in consultation with the CFA to address:
  - appropriate setbacks to open space, including specific reference to defensible space to the Reserve and Bruce's Creek
  - road layout including the use of perimeter roads to provide defensible space and emergency access/egress
  - locating vulnerable and intensive<sup>6</sup> land uses (such as aged care, childcare and education centres) away from areas of higher bushfire risk, including to the Reserve and Bruce's Creek
  - how bushfire risk will be mitigated in areas where objectives in relation to biodiversity, open space and cultural heritage call for increased vegetation
- drafting the new Reserve section of Theme 3 to include reference to "*ensuring an effective and sufficient interface between the Reserve and business and residential uses that considers bushfire risk, biodiversity and amenity*"
- revising the buffer section of Theme 3 to require consideration of a buffer to manage bushfire risk at the interface between development and the Reserve
- inserting new text at Clause 02.03-1 to specifically note the bushfire risk context for the township of Bannockburn, and more particularly that the Reserve and surrounding grassland poses a moderate risk of bushfire to the town's future growth areas
- revising Clause 11.03-6L to include the following land use and development strategies:
  - identifying and implementing appropriate setbacks from bushfire hazards. The proposed wording mentions the interface between the Reserve and Bruce's

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<sup>5</sup> Documents 54 and 54a

<sup>6</sup> The word 'intensive' was proposed to be replaced with the word 'sensitive' during the roundtable discussion by the VPA after having been identified as an error by Ms Johnson (Day 3 changes)

- Creek specifically. It is drafted in general terms to respond to other less obvious risks such as parks or linear open space as referenced in the CFA submission
- identifying appropriate locations for perimeter roads between bushfire hazards and new development in future PSPs and development plans
  - locating vulnerable uses (including aged care, child care and education centres) away from interfaces with higher bushfire risk Again, the drafting specifically mentions the Reserve, and Bruce's Creek
  - qualifying the strategy to protect vegetation within the Bruce's Creek environs with reference to "*ensuring bushfire risk mitigation measures on adjoining land are not compromised*"
- including the Strategic Bushfire Risk Assessment as a:
    - policy document to Clause 11.03-6L
    - background document listed at Clause 72.08.

The CFA was largely satisfied with the intent of the proposed changes but had concerns with the wording and proposed a number of without prejudice policy wording suggestions.<sup>7</sup> The VPA was provided an opportunity to continue working with the CFA post-hearing, to further refine the proposed changes to local policy and address the CFA's outstanding concerns. The proposed VPA CFA changes included:

- additional text at Clause 02.03-1 noting that the Reserve poses the highest bushfire risk to the growth areas
- additional text at Clause 11.03-6L to improve clarity, and more specific changes including:
  - additional wording to ensure that existing as well as future bushfire hazards are identified and that interim bushfire hazards, that may occur during settlement expansion, are managed
  - encouraging the use of perimeter roads adjacent to bushfire hazards and deleting requirement to identify appropriate locations for perimeter roads
  - encouraging urban design that responds to the settlement bushfire interface, including vegetation requirements on public and private land and non-combustible elements and public assets to assist in reducing bushfire risk
  - adding a requirement that environmental assets such as the Reserve and Bruce's Creek are managed to mitigate bushfire risk.

In its submission, Council was satisfied that the investigation and level of detail included in the Growth Plan and Amendment documentation was appropriate. Council was also of the opinion that the Day 1 changes contained appropriately detailed directions to ensure the protection of human life from bushfire threats is prioritised, and mitigation measures are developed at the PSP stage.

#### **(iv) Discussion and findings**

The Committee considers that the issues of bushfire risk was carefully considered in the preparation of the Growth Plan and was informed by the Strategic Bushfire Assessment, noting that more detailed analysis will be required at the PSP stage.

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<sup>7</sup> Document 55

The Committee acknowledges the cooperation of the VPA and CFA to work proactively post roundtable to resolve the CFA's outstanding issues. The revisions proposed in the VPA CFA changes also satisfactorily addresses issues raised in submissions in relation to planning and management of bushfire risk in interface areas, including use of perimeter roads. The Committee considers that while perimeter roads are an appropriate principle, some flexibility and alternate access approaches are required where perimeter roads cannot be provided due to environmental, landscape protection or slope impacts. The Committee is satisfied that the proposed wording changes provide that flexibility. It thanks the CFA for its inputs to the Growth Plan and the participation of both Mr Boatman and Ms Johnson during the roundtable.

While the VPA proposed changes to the content of the Explanatory Report in relation to the submission of the CFA, the Committee did not examine the content of the Explanatory Report in any detail and makes no findings about it. The Committee encourages the VPA to undertake a review of the Explanatory Report content in the context of the Committee's recommendations and other proposed VPA changes as part of the finalisation of the Amendment package.

The Committee finds:

- The Growth Plan and Amendment with the inclusion of the Day 1 changes, Day 3 changes and VPA CFA changes appropriately address bushfire risk and the strategic considerations of Clause 13.02-1S.

#### **4.4.3 Stormwater and waterways**

##### **(i) What is proposed?**

Theme 3 includes objectives regarding the management of waterways to deliver their flood mitigation functions but also provide open space, path connections and greening opportunities. The stormwater drainage management strategy for the growth areas (Plan 8) is based on the *Catchment Assessment (2020)*. The Growth Plan proposes that Integrated Water Management (IWM) initiatives (as well as other environmentally sustainable development initiatives) are explored as part of the detailed planning for growth areas until such time as Council develops a town wide IWM strategy.

##### **(ii) The issue**

The issue is whether the Growth Plan adequately addresses stormwater management.

##### **(iii) Submissions**

Mr Steele submitted that increased stormwater volumes and movement of nutrients are detrimental to waterways and considered the word 'encourage' at Principle 6 'Encourage Integrated Water Management Initiatives' may undermine the implementation of IWM Strategies and Actions.

The VPA explained that no changes to the Growth Plan in relation to stormwater management are proposed, noting that Action 3.7 under Theme 3 requires the preparation of IWM strategies to inform future growth areas if funding for a shire wide study is not realised (Action 3.12).

The VPA noted that future development proposals will require consideration of the views of the Corangamite Catchment Management Authority. He also noted that IWM planning will ensure that stormwater contributions to waterways, such as Bruce's Creek are beneficial rather than detrimental. Mr Le Bel and Mr McCallum also noted that increased flows to Bruce's Creek, from appropriately managed stormwater, could have beneficial impacts on aquatic habitat and river health.

Council's submission did not address stormwater management. Ms Wilks informed the Committee that Council had unsuccessfully applied for funding to undertake a shire wide IWM study.

#### **(iv) Discussion and findings**

The Committee agrees with the VPA's response to the issues regarding stormwater management. It considers that the Growth Plan provides for an appropriate approach to stormwater management which will protect the receiving waterways of Bruce's Creek.

The Committee finds:

- The Growth Plan adequately addresses stormwater management.

## **4.5 Transport and movement**

### **4.5.1 Road network**

#### **(i) What is proposed?**

Theme 4 of the Growth Plan proposes a transport network comprising a North-South and East-West Arterial Road, future connector roads and bridges, shown indicatively in Plan 10 (and reproduced in part in Figure 4). It is based on the *Traffic Network Assessment (2020)*. The proposed arterial road connects Bannockburn-Shelford Road via an upgraded Harvey Road to the south and then extends east-west through the southern growth areas and ultimately to the Midland Highway at a connection point to be further determined. The second arterial is required to support growth, provide permeability and connectivity, manage existing traffic (including heavy vehicles) through the town centre along High Street and provide for a grade separated railway crossing.

Figure 4 Indicative Road Network



**(ii) The issues**

The issues are:

- whether the Growth Plan’s proposed location and provision of a connector and arterial road network is appropriate
- whether the directions relating to the arterial and connector road network are appropriate.

**(iii) Evidence and submissions**

Submissions 9, 27 and 31 were concerned that the proposed arterial road route will impact the amenity of existing and future residents.

Submission 20 was supportive of the proposed additional arterial but was concerned it will be put on hold for the next decade. It also sought a direction relating to the upgrade of Burnside Road as this would be the only road servicing the south east in the short term.

Mr Evans made suggestions regarding design standards of the proposed arterial road (such as number of lanes) and expressed concern that the Growth Plan has only identified an ‘indicative’ route that will be subject to further investigation.

The CFA submission sought to ensure that the road network proposed by the Growth Plan will ensure there is adequate for access and egress for all vehicles in the event of an emergency.

The VPA called Aaron Walley of Ratio Consultants to provide traffic and transport evidence. His evidence referred to the Traffic Network Assessment of 2020 and the earlier documents prepared for Council including the *Bannockburn Transport Strategy (2019)* and *Bannockburn Heavy Vehicle Alternative Route Study (2013)* and examined expected traffic generation and distribution. His evidence identified that:

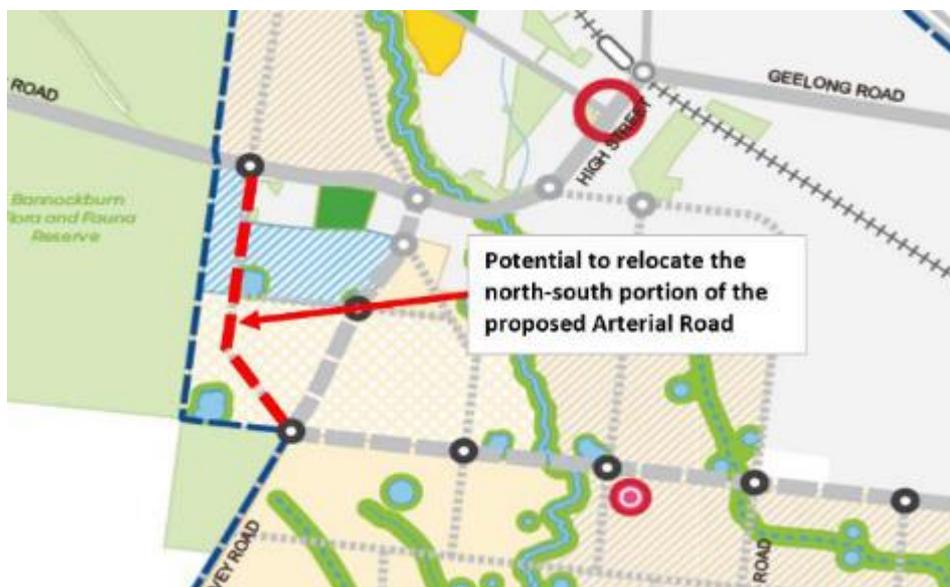
- the connector grid road network is supported

- the arterial road is required to support the identified growth.

Mr Walley made suggestions relating to the lane requirements for the east-west section of the arterial road and the staged development of growth areas.

Mr Walley suggested that the north-south portion of the arterial road could be shifted to the west to align with the proposed connector street to the west of the business park as an alternative to upgrades to the northern section of Harvey Road (refer Figure 5). He considered this would provide for a shorter route that was more direct for business park traffic, avoid more residential areas and provide design flexibility that the existing road reserve did not have. He proposed retaining Harvey Road as a connector road, noting that its upgrade to an arterial road was problematic given its 20 metre reserve width.

**Figure 5** Walley evidence suggested realignment of the proposed arterial road



Source: Walley evidence statement Figure 7.2

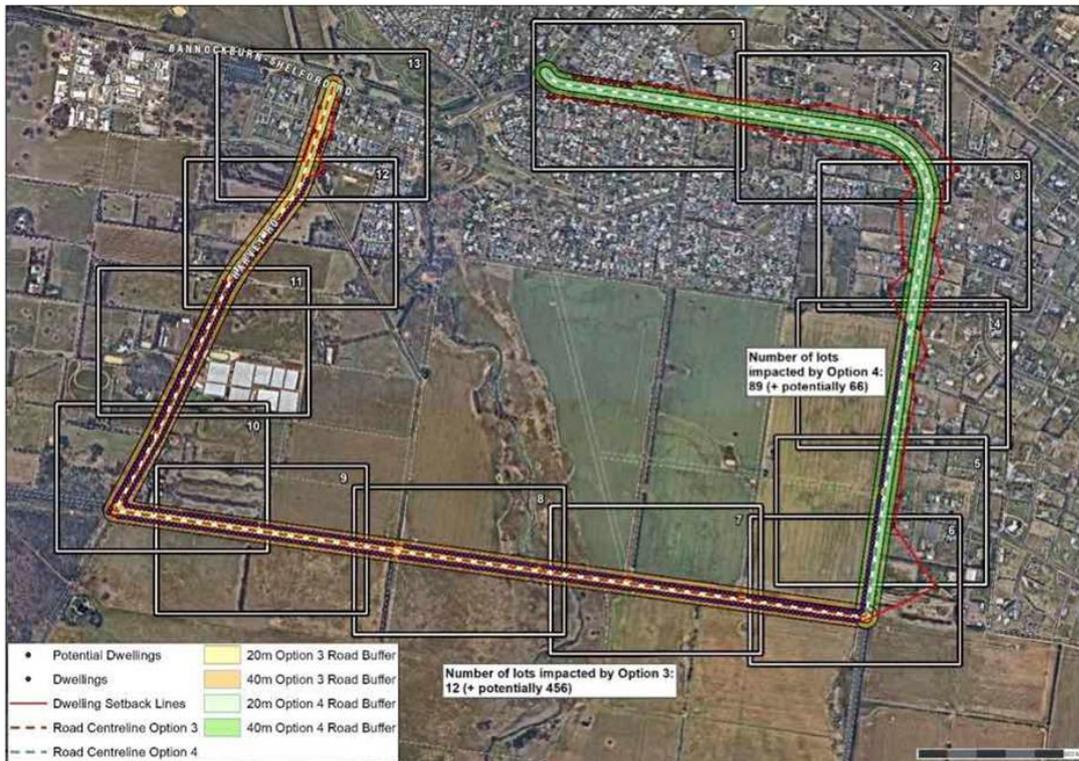
Mr Anson provided a comparative analysis of two arterial road routes (Option 3 and Option 4) from the Traffic Network Assessment that were recommended for inclusion in the Growth Plan. Figure 6 identifies the two options, with Option 3 shown in yellow and Option 4 shown in green. Option 3 was ultimately incorporated into the Growth Plan and identified in Plan 10 'Road Network' as the proposed arterial road. Option 4, the option preferred by HRD, provides a second connection to the Midland Highway, partially adjacent to the SEP, and requires the upgrade of Burnside Road to provide a north-south connection to the Bannockburn-Shelford Road.

Mr Anson found that Option 4 should be the preferred alignment because:

- it is a shorter route
- requires less land take
- is less expensive
- was easy to implement using existing infrastructure and didn't impact on the implementation of the Growth Plan
- substantially fewer new dwellings would directly interface the road
- is more appropriate to a regional town context

- Burnside Road is sufficiently wide to provide for a duplicated secondary arterial road cross section without impacting existing dwellings.

Figure 6 Urbis comparative analysis of arterial Road Options 3 and 4



At the roundtable Mr Black expressed concern about the suggested realignment of the north-south leg of the proposed arterial road, suggesting it be moved further west. Mr Black also noted that the arterial road would serve freight traffic and provide wider benefit to the town and that the full costs of development were unlikely to be recovered through DCPs/ICPs.

Mr McCallum expressed the opinion at the roundtable that Old Base Road should not be used as an arterial road and that moving the north-south leg further west would increase the potential for negative impacts on wildlife moving to and from the Reserve.

The VPA supported the alternative alignment of the north-south portion of the arterial road proposed by Mr Walley. In response to HRD's comparison of Option 3 and Option 4 arterial road alignments, the VPA continued to support Option 3, submitting that:

- Option 4 does not meet strategic planning and traffic network principles that preference a 1.6 kilometre arterial road grid with centrally spaced connector streets (approximately 800 metres from each arterial)
- Option 4 will not provide an efficient traffic network servicing the SEP and FGS and would continue to rely on High Street for east-west movements
- the required upgrade of Burnside Road will reduce the setback of the road from existing dwellings and introduce significant amenity impacts
- future residential development will be designed to avoid individual access directly to the arterial road
- Option 4 costings did not include other infrastructure upgrades and land acquisition costs

- Option 4 would be constructed as a boulevard connector with a 31 metre width which was not significantly different a land take to a 34 metre arterial road.

The VPA noted that the detailed road alignment, road reservation width and posted traffic speed as well as timing of delivery of the arterial road will be considered at more detailed planning stages.

In addition, the VPA noted that the preferred arterial road route also responds to the significant volume of traffic commuting daily to Geelong and provides for a heavy vehicle bypass.

The VPA Day 3 changes proposed to show on all plans in the Growth Plan:

- the western realignment of the north-south leg of the proposed arterial road proposed by Mr Walley to be shown as 'proposed arterial (indicative)'
- the north-south leg of the proposed arterial road along Harvey Road to be shown as 'future & existing connections (potential upgrade)'.

Council supported the proposed arterial road alignment put forward in the Growth Plan (including Option 3), noting the ability to integrate an arterial road into new development is preferable to integrating into existing residential areas. Council also supported the alternative alignment of the north-south portion of the arterial road proposed by Mr Walley, noting that Council would not support an alignment that impacted significant roadside vegetation on Old Base Road. Council also submitted that upgrade of Burnside Road to an arterial road required as part of Option 4 would not be supported by the community.

#### **(iv) Discussion and findings**

The proposed connector road network was largely unchallenged by submissions. Similarly, the need for an arterial road was not challenged.

The Committee supports the VPA position that the Growth Plan provides appropriate guidance to ensure that amenity impact and design issues will be addressed at the detailed design stage. The Committee notes the inputs of the Department of Transport into the Growth Plan development process and its supportive submission.

The Committee supports the VPA preferred arterial road route (including Option 3) subject to the recommendation of Mr Walley regarding the north-south portion of the proposed arterial road. Option 4, while slightly shorter than Option 3, does not meet the Growth Plan arterial road objectives or transport network principles, including:

- addressing increased traffic demand, particularly demand arising from the SEP and FGS
- providing an alternative heavy vehicle through route
- reducing traffic through the Bannockburn Town Centre
- providing a 1.6 kilometre arterial road grid.

The Committee also agrees that integrating the proposed arterial road route into new development will limit direct residential access to the arterial road and amenity impacts.

The Committee acknowledges the challenges of funding the arterial road but considers that the directions included in the Growth Plan are pitched at the right level of detail for a framework plan and that more detailed planning is appropriately provided at the PSP stage.

There was some discussion at the roundtable about how the eastern end of the arterial road might be treated, with three 'prongs' depicted for connection with the Midland Highway. As identified by the parties there are a number of challenges with determining a connecting route including rail lines and wetland areas. The advocacy strategies to undertake further planning work are appropriate.

Submission 28 raised concerns about traffic volumes in McPhillips Road and requested that it be sealed. The Committee considers that this issue was outside the scope of the Growth Plan and Amendment and is a matter for Council.

The Committee finds:

- The proposed arterial road route, incorporating the alternative alignment of the north-south leg of the arterial road proposed by Mr Walley, subject to further detailed design, is the most appropriate.
- The Growth Plan directions relating to the arterial and connector road network are appropriate with the VPA Day 1 and Day 3 changes.

#### **4.5.2 Bridges**

##### **(i) What is proposed?**

The Growth Plan proposes four bridges across Bruce's Creek, one linking the NWA with existing residential land to the east, one to accommodate the proposed arterial road within the SEP and two further bridges linking the SEP with the FGS (refer Figure 4).

The proposed NWA bridge (including a shared path) at Milton Street is identified as being required to improve connectivity and to allow access to the Bannockburn P-12 College, the Recreation Precinct and the Bannockburn Town Centre.

##### **(ii) The issue**

The issue is whether the Growth Plan and Framework Plan should indicate the number and locations of bridges across Bruce's Creek.

##### **(iii) Evidence and submissions**

The VPA submitted it is essential to establish a transport and movement network that presents the best opportunity for Bannockburn's existing and future residents to move throughout the town. This includes enhancing connectivity through east-west crossings of Bruce's Creek. The transport network south of the arterial will be subject to further detailed design and the exhibited Growth Plan includes a notation identifying the indicative nature of the bridge alignments and locations. Further, the Day 1 changes propose notations on all Plans indicating the conceptual nature of infrastructure alignment.

##### **Milton Street bridge**

The submission of Mr Evans supported the Milton Street bridge. Several other submitters, and experts, did not support it.

Mr Gray submitted that the requirement for a bridge had not considered a range of limitations including landscape and cultural heritage impacts and costs. He submitted that its inclusion in previous strategies had assumed a bridge of limited scope that sat low in the valley rather than a 300 metre long bridge which spanned the valley escarpment. He considered that the

inclusion of the bridge in the Growth Plan was based on an assumption that it was required and that this assumption had not been fully interrogated. He identified that current review work of the owner “*reveals the bridge is not a necessary element of development in this area; that is, there are alternatives which meet the traffic requirements of development*”. Mr Gray sought that the Growth Plan be amended to remove reference to the Milton Street road bridge, or to not ‘lock it in’. He submitted that the connector road linework across Bruce’s Creek should be removed, and that the reference to the Milton Street road link across Bruce’s Creek in Clause 11.03-6L should be deleted. He supported the provision of a pedestrian crossing acknowledging that this would still be a substantial structure.

Benjamin Mentha provided traffic and transport evidence for Bannockburn Holdings. His evidence included traffic modelling for the precinct (and Milton Street) based on a no bridge scenario and costings for three bridge options. He concluded that while the provision of a bridge would provide some localised benefit, at a minimum cost of \$17 million the benefits were not cost-benefit effective and would result in high developer contributions. He also found a bridge connection to Milton Street would create traffic volume capacity issues in Milton Street, particularly at the High Street intersection, and would have amenity impacts. Mr Mentha was of the view that the forecast vehicle volume yields can be accommodated without the bridge. He recommended an alternative option of providing a cyclist and pedestrian bridge connection across the creek, which he considered would support active transport and movement.

Mr Black identified at the roundtable that showing the bridge now on the Framework Plan and in the Growth Plan would make it harder to remove later. Both he and Mr Gray identified that the high costs of bridge infrastructure could not be fully borne by developer contributions without making development unviable or without additional funding from other sources. To this end, Mr Black considered that the need for a bridge and community expectations should be balanced with other considerations including cost and the prospect of it not being delivered. He considered the need for the bridge should be properly tested through a DCP level analysis and that the bridges should at best be identified as ‘potential’ or removed if they could not be funded.

The CFA was of the view that if the Milton Street bridge was not built there would be insufficient access and egress points to ensure timely access by emergency vehicles to the NWA and evacuation of residents. It also emphasised the importance of building the bridge prior to residents moving into the NWA.

Mr Walley’s evidence (for the VPA) considered that all four identified bridges were necessary or essential. He considered that the NWA Milton Street bridge was a key element providing a permeable road network and allowing access to the township without having to traverse the Bannockburn – Shelford Road. He identified that the Milton Street bridge was highly desirable to support connectivity including to educational and community facilities on Milton Street, Bannockburn Station and flexible public transport routing options. Mr Walley noted that without a bridge connection to Milton Street, there would be increased traffic volumes accessing the town centre via Bannockburn-Shelford Road. Mr Walley also noted that provision of a pedestrian and bicycle bridge (with no provision for a vehicle crossing) would have disbenefits for bus routing, would not have significant impact on mode shift and lead to increased vehicle movement on Bannockburn-Shelford Road.

The VPA noted that an extension to Milton Street and connection over Bruce's Creek has been indicated in relevant plans as early as the 1977 Bannockburn Structure Plan and is currently shown in the Bannockburn Urban Design Framework. It has previously been considered and supported by a Panel, and these strategic directions have been maintained in the Growth Plan.

In response to the evidence of Mr Mentha, the VPA noted:

- the traffic modelling did not consider the impact of the no bridge scenario on vehicle volumes on Bannockburn-Shelford Road
- the cost estimates considered only one option, a 312 metre bridge based on the extension of the street at approximately the same level as the existing street and the natural surface level on the west side of the creek embankment. The final bridge design is subject to further detailed work and other design options may include a shorter bridge span and provide a clearer position on costs and landscape impacts
- the modelling of traffic volumes on Milton Street was not based on the road network proposed by the Growth Plan, particularly the proposed east-west arterial which would reduce vehicle movement on High Street.

Council supported the extension to Milton Street and bridge connection to the NWA. It noted that the bridge was identified in the Bannockburn Urban Design Framework and more recently in the Bannockburn Transport Strategy. It submitted that the bridge will play an important role in efficiently and effectively connecting the residents on the western side of Bruce's Creek with schools, day care, medical and retail services without reliance on the Bannockburn-Shelford Road. Council also supported the bridge proposed as part of the proposed arterial road within the SEP. It did not support Mr Gray's submission that reference to the Milton Street road link across Bruce's Creek be removed from Clause 11.03-6L.

### **Bridges south of the proposed east-west arterial**

Mr Evans was concerned that the ongoing maintenance of up to four bridges would be unaffordable for Council and that only two additional bridges should be indicated, one to accommodate the arterial road and another the extension of Milton Street.

The CFA supported a network of bridges across Bruce's Creek to provide road network permeability and access and egress in the event of an emergency. During the roundtable the CFA acknowledged that there could be alternative approaches applied to the southern connector road bridges.

Mr Black suggested that Actions 4.2 and 4.7 relating to the second arterial road also include reference to the bridges.

Council's initial submission did not support the number of creek crossings south of the Bannockburn-Shelford Road as shown on the Framework Plan. It requested a change to Plan 10 in the Growth Plan to show the future arterial road's bridge as the sole road crossing of Bruce's Creek south of Bannockburn-Shelford Road, citing concerns around the cost of the three bridges currently shown. Following consideration of Mr Walley's evidence, Council amended its position, submitting that one additional bridge south of Bannockburn-Shelford Road (in addition to the arterial road bridge) should be indicated on Plan 10.

Mr Walley's evidence considered that two bridges south of the proposed east-west arterial road allows for a permeable grid network and is consistent with Growth Plan transport

objectives and strategies. Two bridges will allow traffic and local trips to distribute via the connector street network rather than rely solely on the east-west arterial road. The need for one or both of these bridges from a capacity perspective could be further investigated during the precinct structure planning stage.

Mr Walley, in response to questions, noted that the capacity of the road network to deliver the Growth Plan connectivity outcomes would be compromised without additional crossing(s) to Bruce's Creek south of the proposed east-west arterial road. In particular, public transport routing, pedestrian and cycling options and access by emergency vehicles would be compromised.

The VPA submitted that the current road and bridge configuration displayed in the Growth Plan shows connector roads spaced at approximately 800 metre intervals and is based on best practice for connectivity. These crossing points help create an optimal connector road network which helps to ensure a permeable movement network for pedestrians, cyclists, vehicles, emergency services and public transport.

The VPA noted Council's support for two southern bridges (one arterial and one connector) although it maintained its position that two connector bridges were appropriate, and the conceptual network should be refined through structure planning.

#### **(iv) Discussion and findings**

The need for a bridge to accommodate the proposed arterial road within the SEP is not challenged by submissions.

There is existing policy support for a bridge connection to the NWA at Milton Street. The *G21 Regional Growth Plan Implementation Plan (2013)* identifies the Milton Road Bridge over Bruce's Creek as a key action for Bannockburn. Clause 11.03-6L 'Bannockburn Urban Design Framework Overall Principles Plan' identifies the NWA as a priority residential development zone with an extension of Milton Street connecting the town centre to the Bannockburn-Shelford Road and a potential vehicular crossing over Bruce's Creek.

A recommendation by the Committee to change existing policy would require compelling evidence that the benefits/costs of an alternative transport route outweighs those of the proposed bridge connection. The Committee does not believe such evidence was provided. It acknowledges that the topography of the Bruce's Creek valley introduces some challenges for bridge design which may impact the cost of construction. However, design solutions have not been fully explored or costed. The Committee is also not convinced that an alternative to a bridge at Milton Street has been identified that achieves similar outcomes in terms of transport connectivity and permeability.

The Growth Plan transport network is based on strategic planning and traffic network principles that preference a 1.6 kilometre arterial road grid with centrally spaced connector streets (approximately 800 metres from each arterial). These principles support two bridges south of the proposed arterial road. The Committee supports the VPA in adhering to these principles to guide the layout of the transport network and notes the evidence of Mr Walley that the need for one or both bridges from a capacity perspective could be further investigated during the precinct structure planning stage. The Growth Plan makes clear the indicative nature of the bridge alignments and locations.

The Committee acknowledges that the costs of providing four bridges could be substantial. This issue can be considered during the PSP stage which might explore alternate funding options, timeframes for bridge requirement (for example when population thresholds have been achieved) or whether the costs are ultimately prohibitive or have other disbenefits (for example major landscape or environmental impacts). The Committee considers however, that the overall rationale for the bridge locations has been substantiated and is appropriate for a high level plan. It does not support identifying the bridges as 'potential'.

The Committee suggests that an additional advocacy action seeking funding for the bridges to support the short to medium term growth areas is worthy of inclusion in the Growth Plan.

The Committee finds:

- The identification of the Milton Street bridge in the Growth Plan is appropriate, as is the proposed arterial road bridge crossing.
- The identification of two proposed bridges south of the proposed east-west arterial is appropriate.
- An additional Action in 'Table 12 Transport and movement actions – growth areas' supporting advocacy for the provision of the Milton Street and arterial road bridge crossings of Bruce's Creek be considered.

## **4.6 Infrastructure**

### **4.6.1 Infrastructure capacity and provision**

#### **(i) What is proposed?**

Theme 1 and Map 6 set out the potential community infrastructure required to support growth including schools, open space and recreation facilities (netball, tennis, aquatic and indoor), childcare, maternal and child health services and community centres. This was based on a high level audit of community and active recreation infrastructure undertaken by the VPA. Theme 1 and Map 6 identifies the potential relocation of the CFA and SES buildings from High Street to a new emergency services precinct near the former railway station as part of Council's Bannockburn Heart project. It identifies that if the needs of the CFA cannot be met at this site that other sites should be investigated. The Growth Plan notes that both the police and ambulance stations may need to be expanded as population grows.

The Growth Plan identifies that upgrades to existing services will be required and detailed servicing plans prepared as part of Development Plan and PSP development. It includes high level considerations from Barwon Water (sewer and water, including recycled water), Ausnet (gas), Powercor (electricity) and telecommunications regarding system capacity, future upgrades and opportunities.

#### **(ii) The issues**

The issues are:

- whether there is adequate provision in the Growth Plan for the community and services infrastructure required to support growth
- whether the Growth Plan directions for a future emergency services precinct are appropriate.

### **(iii) Submissions**

#### **Community and recreation facilities**

The VPA submitted that the Growth Plan had been prepared based on a high level audit of community infrastructure and based on benchmark provision ratios. The audit indicates that growth will necessitate up to three additional government primary schools and potentially a government secondary school in addition to any Catholic or independent schools. These considerations are identified on Plan 6 and in Table 2 of the Growth Plan. The VPA submitted that a university campus is a higher order service provided in Geelong and not within the scope of the Growth Plan.

The VPA anticipates that additional, more detailed, assessments of community infrastructure provision and delivery will be completed as a part of the PSP or Development Plan process. These processes will allow need to be assessed in detail alongside consideration of the appropriate funding mechanisms.

Submissions 5 and 7 were concerned that the local schools were at capacity and there was a need for additional higher education and health facilities. Submission 7 further considered that the existing police station was inadequate to service the existing community. Mr Evans' submission considered that any new schools and sporting facilities should be sited to make it easy for drop off and pick up and proximate to the proposed arterial road with appropriated parking bays to manage future traffic flows.

Submissions 19 and 21 submitted that there was a lack of consideration for open park areas with capacity to host community and cultural events such as carols, theatre, outdoor cinema, festivals or large events such as car shows and circuses for example. Submission 21 was further concerned that no provision had been made for places of worship such as churches, mosques or synagogues or expansion of the current cemetery. Mr McCallum noted however, that native grasses around the existing cemetery site restricted its future expansion.

Submission 32 considered that the provision of an aquatic centre in the medium term was too early given the population projections.

Submission 6 outlined Powercor's program for future overhead 66kV and 22kV lines and land needs for future substation and isolation transformers. It sought engagement in any major infrastructure delivery to ensure appropriate conduits and that future roads accommodate overhead assets in road reserves.

Barwon Water's submission was broadly supportive of the Amendment and indicated that it would now undertake further strategic work to prepare a high level servicing strategy to support Bannockburn's growth.

In response to submissions, the VPA proposed changes to the Growth Plan to clarify infrastructure items to be further investigated and planned for as each precinct is master planned. These changes included:

- nomination of school sites as government and non-government schools
- reference to the high level audit against VPA benchmarks as the source of the infrastructure described in the Growth Plan
- inclusion of a notation regarding the ability to use larger open space areas for community gatherings
- reference to ovals

- inclusion of directions for electric vehicle charging stations
- specifying a 'medium to long term' potential timeframe for the provision of an aquatic facility.

The VPA submitted that the Growth Plan is a high level policy document and is not intended to specify the location of individual smaller scale uses. Subsequent rezoning of land at the PSP and development stage will enable a permit to be sought for a place of worship. The capacity of the cemetery is outside the scope of the Growth Plan.

Council had no further submission regarding community infrastructure and supported the position of the VPA and its suggested Day 1 changes.

### **Emergency Services Precinct**

Submissions 7, 18 and 25 and the CFA had concerns with the proposed location of the emergency services hub.

The CFA expressed concerns about the suggested relocation of the existing CFA station as indicated in Plan 6 which identifies a 'Potential CFA and SES relocation' and an 'Intermodal transport hub and emergency services precinct' on the north side of the railway line adjacent to the town centre. It identified that a relocation of the existing CFA station was not required at this stage. It did however acknowledge that the ability of the existing site to service the growing community may become constrained in the future.

The VPA Day 1 changes included a number of revisions to the text at page 39, Emergency Services. The CFA supported these changes and further suggested:

- that Action 1.9, Emergency Services Project, be reworded to *"Work with relevant agencies to determine an appropriate location for an emergency services precinct, when relocation of existing CFA and SES buildings is required"*
- remove 'emergency services precinct' notation from Plan 6 and replace with *"identify options for a future emergency services precinct"*.

The VPA supported a minor change to the notation on Plan 6 but did not support the CFAs other proposed wording changes to Action 1.9.

Council supported the VPA's position.

The VPA noted that the Victoria Police were notified as part of engagement on the Growth Plan. Its submission identified that it would continue to engage with Victoria Police during the next stage of the planning process to ensure they are aware of future growth activity, and are in a position to identify the location of a new facility if necessary.

### **(iv) Discussion and findings**

The Committee supports the position of the VPA that the Day 1 changes, incorporating the refinements proposed by the CFA, appropriately respond to issues raised in submissions and provide an appropriate framework for delivery of community infrastructure. It considers some adjustment to Action 1.9 and Plan 6 are required but that the broader strategic aspiration of relocating the CFA and SES buildings out of the town centre is appropriate. It considers that the wording still accommodates appropriate flexibility and future commitment to engagement with relevant agencies.

The Committee finds:

- There is adequate direction in the Growth Plan for the identification of the necessary community and services infrastructure to support growth with the changes proposed in the VPA Day 1 changes.
- Growth Plan directions for a future emergency services precinct should be amended to generally reflect the VPA Day 3 changes and to:
  - reword Action 1.9 'Emergency services' at Table 5 to "*Work with relevant agencies to determine an appropriate location for an emergency services precinct*"
  - replace on 'Plan 6 Housing and Community Infrastructure' the notation 'Intermodal transport hub & emergency services precinct' with "*Intermodal transport hub & potential emergency services precinct*", and amend the related legend notation to "*Option for emergency services precinct*".

#### **4.6.2 Development contributions**

##### **(i) What is proposed?**

The Growth Plan identifies that the infrastructure to support growth will be delivered by Council's capital works program, state government, utility providers or by land developers at subdivision stage and funded by DCPs, works in kind and Section 173 Agreements.

##### **(ii) The issue**

The issue is whether the Growth Plan development contribution directions are appropriate.

##### **(iii) Submissions**

Submission 17 and the submission of Mr Evans were concerned that the infrastructure required to support growth would be difficult for a rural council to fund.

Submissions 29 and 32 suggested that the development contributions mechanisms should be expanded to include an Infrastructure Contributions Plan (ICP) to provide for greater flexibility upon development of any future precinct.

Mr Gray and Mr Black supported the use of Section 173 agreements within the NWA. At the roundtable they suggested that the third dot point under 'Overview' for the NWA should identify that any Section 173 Agreement be consistent with DCP/ICP principles of need, nexus, equity and reasonableness to avoid open ended expectations.

The VPA submitted that the Growth Plan directs further precinct planning including the preparation of development funding mechanisms such as DCPs, ICPs or Section 173 Agreements, to ensure equitable and fair distribution of infrastructure costs. It identified that while a regional ICP system has not yet been adopted, it was reasonable to reference an ICP as a potential development contributions mechanism. The VPA included this as an option in its Day 1 changes to the Growth Plan but did not consider any changes relating to the Section 173 Agreements were necessary.

##### **(iv) Discussion and findings**

The Committee considers the infrastructure funding mechanisms identified in the Growth Plan are appropriate with the further inclusion of ICPs as proposed in the VPA's Day 1 changes. As identified by a number of submitters, not all infrastructure identified in the Growth Plan can

be delivered via a DCP or ICP. This infrastructure will require secondary sources of funding (including either from Council or external funding) and is anticipated in the advocacy strategies of the Growth Plan. The VPA's Day 3 changes proposed to add the following paragraph under 'Delivery – Infrastructure':

The delivery of actions in the Growth Plan will be led by Council and government partners. In addition to the potential funding mechanisms identified, the Growth Plan will also be used by Council to advocate for funding for infrastructure and other initiatives.

This change is considered reasonable and appropriate.

The Committee has some sympathy for the positions of Mr Black and Mr Gray regarding the potential for Section 173 Agreements to not meet the usual tests for DCPs. However, the Committee considers that the Growth Plan appropriately identifies the use of an Agreement as an alternative to a DCP or ICP and it is unnecessary for a high level framework plan to specify this level of detail in relation to the content or construction principles of agreements. There remain other sources of guidance for Council and applicants regarding the content and construction of Section 173 Agreements for the collection of infrastructure contributions, including a substantial and well recognised body of case law developed by the Victorian Civil and Administrative Tribunal.

The Committee finds:

- The directions in the Growth Plan relating to development contributions are appropriate with the inclusion of the VPA's Day 1 changes relating to ICPs and further changes identified in its Day 3 changes regarding infrastructure funding advocacy.

## 5 Summary of reasons and recommendations

### 5.1 Reasons

Chapter 4 of the Committee's report sets its response to the unresolved submissions referred to it. In most regards, the Committee has supported the VPA's position on submissions and its strategic rationale, as well as the VPA's proposed changes. Significantly, the position of the VPA and changes proposed to address submissions were, in the main, supported by Council.

The Committee considers that the Growth Plan and associated Amendment have been informed by an appropriate level of background analysis and community engagement. It considers the directions and actions set out in the Growth Plan are broadly robust and logical. The level of content of the Growth Plan appropriately reflects the high level nature of the document as a framework for the planning and delivery of future growth and the supporting infrastructure. It provides appropriate guidance for the preparation of PSPs or development plans which will address in more detail the key challenges and opportunities identified in the Growth Plan. Further, the document provides for a range of necessary ongoing implementation actions to guide further strategic work and advocacy.

Both the VPA and Council are to be congratulated for the work undertaken and for the positive way they have sought to respond to and resolve many of the issues raised in submissions and identify changes in the Amendment documents to address others. This has assisted in reducing the number of unresolved issues.

The Amendment is appropriate and strategically justified. The changes proposed by the VPA in the lead up to the roundtable (Day 1 changes) and resulting from it (Day 3 changes) further enhance the Growth Plan and proposed policy changes and are broadly supported by the Committee. The later changes relating to bushfire (VPA CFA changes) are appropriate and address the critical requirements of Clause 13.02-15.

The Committee has recommended several changes to the Growth Plan beyond those proposed by the VPA to address unresolved submissions relating to:

- the interdependency of actions that affect the early delivery of the NWA
- cultural heritage
- the potential emergency services precinct
- buffers.

The Committee also supports the introduction of additional advocacy actions relating to a Management Plan for the Reserve and exploring additional funding sources for the Milton Street and proposed arterial road bridge crossings of Bruce's Creek. These are relatively minor changes but will enhance the Growth Plan.

### 5.2 Recommendations

The Committee recommends that the draft Amendment to the Golden Plains Planning Scheme proceed with the following changes:

- 1. Amend the exhibited draft Bannockburn Growth Plan consistent with the Victorian Planning Authority (VPA) Day 1 changes (Document 27 VPA Part A submission Appendix 4) and VPA Day 3 changes (Document 56) with the following additional changes:**

- a) include a cultural heritage principle in the list of Growth Plan principles with appropriate dot point objective(s).
  - b) replace the proposed double asterisk notation in 'Table 5 Housing and community infrastructure actions – growth' relating to Actions 1.4 to 1.6 with the words "In relation to the North West Development Plan Growth Area, planning for this area in the short term is independent of these actions unless these actions have been completed or guidance is in place at the time of any rezoning".
  - c) amend Action 1.9 'Emergency services' in Table 5 to "Work with relevant agencies to determine an appropriate location for an emergency services precinct".
  - d) amend 'Plan 6 Housing and Community Infrastructure' to replace the notation 'Intermodal transport hub & emergency services precinct' with "Intermodal transport hub & potential emergency services precinct", and amend the related legend notation to "Option for emergency services precinct".
  - e) amend 'Plan 9 Bushfire & Buffers' and associated discussion under 'Buffers and Easements' to clarify the role of buffers, particularly as they relate to the proposed business park expansion.
  - f) include at 'Table 10 Environment and water actions – growth areas' of an advocacy action for the preparation of a Management Plan for the Bannockburn Flora and Fauna Reserve.
  - g) include at 'Table 12 Transport and Movement - growth areas' of an advocacy action for funding of the Milton Street and proposed Arterial road bridge crossings of Bruce's Creek.
2. Amend the exhibited draft Clauses 02.03 and 11.03-6L consistent with the VPA's final changes as identified in the VPA CFA changes (Document 57) with the following additional changes:
    - a) inclusion of the final version of the Framework Plan.
  3. Amend the exhibited draft Clause 72.04 to refer to the updated date for the final version of the Bannockburn Growth Plan.

## Appendix A Terms of Reference



### VPA Projects Standing Advisory Committee

Version 1: July 2020

Standing Advisory Committee appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister for Planning and the Victorian Planning Authority (VPA) on referred projects and plans and associated draft planning scheme amendments.

#### Name

The Standing Advisory Committee is to be known as the 'VPA Projects Standing Advisory Committee'.

1. The Committee is to have members with the following skills:
  - a. Strategic planning
  - b. Statutory planning
  - c. Civil engineering (infrastructure planning)
  - d. Development contributions
  - e. Road and transport planning
  - f. Biodiversity
  - g. Social planning
  - h. Urban design
  - i. Heritage (post contact and Aboriginal)
  - j. Planning law.
2. The Committee will include a Chair, Deputy Chairs and not less than ten other appropriately qualified members.
3. The Committee may seek advice from other experts where it considers this necessary.

#### Purpose

4. The purpose of the Committee is to provide timely advice to the Minister for Planning and the VPA on specific matters referred to it related to various proposals, including but not limited to structure plans, infrastructure and development contribution plans, framework plans, development plans and any associated draft planning scheme amendment and planning permits.

#### Background

5. The VPA is responsible for preparing development plans and other proposals in identified metropolitan, growth areas and regional cities and towns. Some of these plans are to be approved through the planning scheme amendment process using the provisions of section 20(4) of the Act.
6. This Committee process allows submissions to be made to the VPA on a draft plan and associated draft planning scheme amendment, with any unresolved issues to be considered by the Committee before the final planning scheme amendment is submitted to the Minister for Planning for approval.
7. The Committee will provide a targeted and timely process to assess the merits of discrete unresolved issues associated with State and regionally significant projects.

#### Method

8. The Committee may meet, and depending on the nature of the referral and the issues raised, undertake consultation that is fit for purpose. This may be on the papers; through round table discussions or forums;

or Hearings. There must be a quorum of at least two Committee members, including either the Chair or a Deputy Chair.

9. The Committee may apply to vary these Terms of Reference in any way it sees fit.

#### Notice

10. As directed by the Minister, the VPA will prepare and give notice of a 'draft Amendment' and receive submissions. The VPA will consider all submissions and where possible seek to resolve issues with submitters prior to referring matters to the Committee.
11. The Committee is not expected to carry out additional public notification or referral of matters but may seek the views of any relevant referral authority, responsible authority or government agency.

#### Referral

12. Once all submissions are considered, the Chief Executive Officer, VPA (or delegate) will provide a letter of referral to the Committee Chair, seeking its advice on particular matters or unresolved issues raised in the submissions and/or any other relevant matter. The letter of referral will be a public document.
13. The letter of referral must be accompanied by:
- The relevant plan and associated draft planning scheme amendment and planning permit documentation
  - The referred submissions
  - Any supporting background material.

#### Committee Assessment

14. The Committee may inform itself in anyway it sees fit, but must consider:
- The relevant components of the referred plan and associated draft planning scheme amendment and any associated planning permit (if relevant) that relate to the submissions or issues referred to it
  - The referred submissions
  - Plan Melbourne*
  - Any relevant Regional Growth Plan or Growth Corridor Plan
  - The applicable Planning Scheme
  - Relevant State and local policy
  - Any other material referred to it.
15. Depending upon the nature of the referral, the Committee can conduct its proceedings through round table discussions, on the papers or, a public hearing, including by video conference if unable to conduct this 'in person'.
16. The Committee will be provided with the written submissions and other supporting material by parties, and may:
- Direct that parties meet, to discuss and further resolve issues, or
  - Act as a mediator to seek to resolve issues in dispute.
17. The Committee may direct the VPA and relevant parties to provide additional information on specified matters.
18. The committee must not consider submissions or evidence on a matter that a planning authority is prevented from considering by operation of ss 22(3) and 22(5) of the Planning and Environment Act 1987.
19. The written submission of the VPA is to include:
- an overview of the draft amendment and/or any relevant planning permit and the relevant Plan, including a detailed explanation of the referred elements.

- b. a written response to each referred submission and how the draft plan, amendment or permit might be changed to respond to the submission.

### **Outcomes**

20. The Committee must produce a written report for the VPA and the Minister for Planning, providing the following:
  - a. Whether the referred element(s) of the draft amendment or planning permit is appropriate
  - b. A summary and assessment of the issues raised in submissions referred to the Committee.
  - c. Any other relevant matters raised in the course of the Committee process.
  - d. A list of persons who made submissions considered by the Committee.
  - e. A list of tabled documents.
  - f. A list of persons consulted or heard, including via video conference.
21. Following the completion of the report the Committee may deliver an oral briefing to the Minister for Planning or the VPA. The briefing may be in person, by video conference or telephone.

### **Submissions are public documents**

22. The Committee must retain a library of any written submissions or other supporting documentation provided to it until a decision has been made on its report or five years has passed from the time of its appointment.
23. Any written submissions or other supporting documentation provided to the Committee must be available for public inspection until the submission of its report, unless the Committee specifically directs that the material is to remain 'in camera'. A document may be made available for public inspection electronically.

### **Timing**

24. The Committee is required to commence its process by issuing a written notice of the referral of a matter from the VPA to all referred submitters no later than 10 business days from the date of any specific letter of referral received.
25. The Committee is required to submit its report in writing as soon as practicable but no later than 20 business days from the last day of its proceedings, tabling of submissions or consultation process.
26. The VPA must release the report of the Committee within 10 business days of its receipt.

### **Fee**

27. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.
28. The costs of the Committee will be met by the VPA.



**Richard Wynne MP**  
**Minister for Planning**

Date: 17 / 07 / 2020

## Appendix B Letter of referral



Hon Richard Wynne MP

Minister for Planning  
Minister for Housing

8 Nicholson Street  
East Melbourne, Victoria 3002

Nick Wimbush  
Lead Chair  
Victorian Planning Authority Projects Standing Advisory Committee  
Planning Panels Victoria  
[planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au)

Ref: MBR044182



Dear Mr Wimbush

### **DRAFT AMENDMENT TO THE GOLDEN PLAINS PLANNING SCHEME – BANNOCKBURN GROWTH PLAN – REFERRAL OF SUBMISSIONS TO THE VPA PROJECTS STANDING ADVISORY COMMITTEE**

I refer to the Bannockburn Growth Plan draft amendment to the Golden Plains Planning Scheme, which will assist in guiding the future growth of Bannockburn to the year 2050 by establishing a clear land use framework for the township, designating appropriate growth areas, identifying key infrastructure, and providing direction on the logical sequencing of growth precincts.

The Victorian Planning Authority (VPA) has submitted the draft amendment for my consideration.

The VPA has committed to delivering a fast-track planning program to assist with Victoria's post-coronavirus (COVID-19) economic recovery over the next financial year.

On 17 July 2020, I established a streamlined planning process, including the establishment of the VPA Projects Standing Advisory Committee (SAC) to independently review unresolved submissions, including discrete issues, received through the VPA streamlined engagement process.

Between 26 October and 23 November 2020, the VPA undertook a targeted public consultation process for the Bannockburn Growth Plan and the associated draft planning scheme amendment. The consultation included landowners and occupiers within and adjoining the Bannockburn township and proposed growth plan area, Australian and Victorian government agencies, Ministers prescribed under section 19(1)(c) of the *Planning and Environment Act 1987* and Golden Plains Shire Council. The VPA held a virtual drop-in session on 18 November 2020 and responded to phone calls and emails during the consultation period.

I have decided to refer all unresolved submissions to the VPA Projects SAC for advice and recommendations in accordance with the SAC's terms of reference.

I have enclosed a submissions summary table, prepared by the VPA, which provides an analysis of each submission, including summaries of the issues raised and a significance rating to assist the SAC with its proceedings.

The SAC should consider the submissions in the manner it sees fit in accordance with its terms of reference. I note the terms of reference enable the committee to adopt an approach that is 'fit for purpose' and that this could involve consideration of some issues 'on the papers'.

I am advised that the VPA will continue to seek to resolve matters with submitters and it will advise the SAC if further matters are resolved.

Please find enclosed some of the supporting documents required by clause 13 of the terms of reference for the VPA Projects SAC. The VPA will provide the remaining documents in due course.



I encourage the SAC to undertake its work in the most efficient way and to act promptly in light of the significance of the proposed project and its role in assisting Victoria's post-coronavirus economic recovery.

If you would like further information, please email Dr Jane Homewood, Executive Director, Statutory Planning Services, Department of Environment, Land, Water and Planning, at [jane.homewood@delwp.vic.gov.au](mailto:jane.homewood@delwp.vic.gov.au).

Yours sincerely



**HON RICHARD WYNNE MP**  
**Minister for Planning**

30 / 12 / 2020

Encl.

## Appendix C Submissions

No.	Submitter
1	Bill Dickers
2	Vaughan Mitchell
3	James Styles
4	Johannes
5	Ying-Crystal Li
6	Powercor
7	Trevor Taylor
8	Friends of Bannockburn Bush
9	Kate Brown
10	Sandra & Bill Hill
11	Bob Baxter
12	Tanya (no other details provided)
13	Robert Rodenburg
14	EPA
15	Barwon Water
16	Tim LeMaitre
17	C McKenna
18	Vicki Dobson
19	Golden Plains Shire
20	P Parry
21	Steve & Cass Abram
22	Graeme Harvey
23	Catholic Education Melbourne
24	Ballarat Environment Network
25	Bannockburn Fire Brigade
26	Jill Moodie
27	Michael Nunn
28	Kevin Scott
29	Harvey Road Development Pty Ltd
30	Josco Pty Ltd
31	Cameron Steele
32	Ramsey Property Group

33	CFA
34	David Evans
35	Rob Gillet
36	Department of Environment, Land, Water and Planning (Environment)
37	Department of Education
38	Bannockburn Holdings Pty Ltd
39	Department of Transport

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## Appendix D Document list

No.	Date	Description	Provided by
1	4/1/2021	VPA Projects SAC Referral	Minister for Planning
2	"	VPA Submission Summary Table	"
3	"	Public Consultation Report Final, December 2020	"
<b>Amendment documents</b>			
4	7/1/2021	Draft Bannockburn Growth Plan, October 2020 – Public consultation version	VPA
5	"	Draft Planning Scheme Amendment documents including policy changes, schedules, instruction sheet and Explanatory Report	"
<b>Background documents</b>			
6	"	Bannockburn Growth Plan, Background Report, VPA October 2020	"
7	"	Catchment Assessment, Alluvium May 2020	"
8	"	Growth Area Biodiversity Assessment, Ecology and Heritage Partners, March 2020	"
9	"	Land Capability Assessment Part 1, Meinhardt, June 2020	"
10	"	Land Capability Assessment Part 2, Meinhardt, June 2020	"
11	"	Retail Study, MacroPlan, February 2020	"
12	"	Strategic Bushfire Assessment, Ecology and Heritage Partners, August 2020	"
13	"	Traffic Network Assessment, VPA, August 2020	"
<b>Submissions</b>			
14	"	Submissions	"
15	13/1/2021	Letter from Department of Education advising submission resolved	Department of Education
<b>Directions Hearing and roundtable documents</b>			
16	13/1/2021	Letter to submitters advising of referral to VPA SAC and details of Directions Hearing	VPA SAC
17	19/1/2021	Copies of emails from C McKenna and Sandra Hill withdrawing their submissions	VPA
18	20/1/2021	Copy of email from Department of Transport advising submission resolved	"

No.	Date	Description	Provided by
19	4/2/2021	Copies of separate emails from V Mitchell, Friends of Bannockburn Bush, B Baxter, R Rodenburg, V Dobson, J Miles, Bannockburn Fire Brigade, Ramsey Property Group, R Gillet and DELWP (Environment) advising of resolved submissions, additional submissions from Harvey Rd Development Pty Ltd and Josco and updated VPA submission summary	VPA
20	8/2/2021	Tracked change version of exhibited Golden Plains Planning Scheme	"
21	"	Letter to all parties enclosing Directions and Timetable (version 1)	VPA SAC
22	"	Letter to all parties enclosing current Document List (version 1)	"
23	10/2/2021	Email advising use of technical advocates	VPA
24	17/2/2021	Copy of email from J Black on behalf of Josco advising of resolved submission	"
25	18/2/2021	Letter to submitters with details of document sharing system	"
26	19/2/2021	Issues map	"
27	"	VPA Part A Submission	"
28	"	Evidence Statement – Brian Haratsis	"
29	"	Evidence Statement – Aaron Walley	"
30	23/2/2021	Email from Cameron Gray of St Quentin Consulting advising delay in circulation of evidence statement for Bannockburn Holdings	Mr Gray for St Quentin Consulting
31	"	Email to submitters advising of delay in circulation of Mr Mentha evidence	VPA SAC
32	"	Evidence Statement – Ben Mentha	Mr Gray
33	25/2/2021	Email from Cameron Steele advising unavailability for roundtable hearing including a further written submission and addendum	Mr Steele
34	"	Email to all parties advising Committee confirms unavailability	VPA SAC
35	"	Letter to submitters requesting revision of roundtable timetable and traffic evidence	VPA
36	"	Submission of Peter Noble, Ballarat Environment Network	Mr Noble
37	"	Submission of Golden Plains Shire Council	Golden Plains Shire Council
38	"	Email to all parties advising of amendment to roundtable timetable	VPA SAC

No.	Date	Description	Provided by
39	"	Submission of Country Fire Authority (CFA) and Attachment 1 – Bushfire Policy Framework	CFA
40	"	Submission of Harvey Road Development Pty Ltd prepared by Urbis	Mr Anson of Urbis
41	"	VPA Part B Submission	VPA
42	"	Submission of Mr LeMaitre (1527 Midland Highway landowner) prepared by Cardno TGM	Mr Marshall of Cardno TGM
43	"	Submission of Josco Pty Ltd prepared by Insight Planning	Mr Black of Insight Planning
44	"	Submission of Bannockburn Holdings prepared by St Quentin	Mr Gray
45	01/03/2021	VPA PowerPoint slide presentation	VPA
45a	"	VPA PowerPoint slide presentation - ISSUE 1 Growth and land use directions	"
45b	"	VPA PowerPoint slide presentation - ISSUE 2 Housing development	"
45c	"	VPA PowerPoint slide presentation - ISSUE 3 Environment	"
45d	"	VPA PowerPoint slide presentation - ISSUE 5 Infrastructure	"
45e	"	PowerPoint summary slides - Biodiversity Assessment - Shannon LeBel	"
45f	"	PowerPoint summary slides - Bushfire Risk Assessment - Cat Stephenson	"
46	"	Without prejudice ordinance suggestions	CFA
47	"	Development Plan for Bannockburn East	Golden Plains Shire Council
48	02/03/2021	VPA PowerPoint presentation– ISSUE 4 Transport and movement	VPA
48a	"	VPA PowerPoint presentation – ISSUE 6 Other	"
49	"	Cardno Transport Strategy Report September 2019	"
50	03/03/2021	VPA PowerPoint presentation – ISSUE 4 Transport and movement version 2	"
51	"	VPA benchmark Infrastructure Costing Primary Arterial Road cross section drawing	"
52	"	<i>Understanding Development Contributions, Version 5.9 March 2007</i>	"
53	"	Updated Day 1 version of Growth Plan to include further bushfire content changes	CFA
54	"	Further changes to 02.03-1 responding to CFA submission	VPA

No.	Date	Description	Provided by
54a	“	Further changes to 11.03-6L responding to CFA submission	“
55	“	Additional requested changes to Growth Plan action 1.9 and Plan 6	CFA
56	04/03/21	Without prejudice summary of changes proposed by VPA to Day 1 version of Growth Plan (Day 3 changes)	VPA
57	10/03/21	CFA and VPA agreed changes to Day 1 version of Clauses 02.03 and 11.03-6L	VPA

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## Appendix E Resolved submissions summary

Submission	How resolved ( <i>partly resolved submissions identified in italics</i> )
2	Changes to Growth Plan to provide for buffers to business park expansion and Flora and Fauna Reserve on Plan 9 and page 61 and to reference Inverleigh under regional cycling connections at page 71
8	Changes to Growth Plan to include additional section regrading significance of the Flora and fauna Reserve under Theme 3
10	Withdrawn following response to submission issues and change to Growth Plan under Theme 3 to acknowledge importance of Flora and fauna Reserve
11	Resolved following response to submission issues (no changes made)
13	Resolved following response to submission issues (no changes made)
17	Withdrawn following response to submission issues and minor change to Growth Plan under Theme 1 regarding house prices
18	Resolved following response to submission issues and changes to the Amendment and Growth Plan regarding: <ul style="list-style-type: none"> <li>- remove reference to Inverleigh as a satellite town at page 10</li> <li>- refer to multiple ovals under potential infrastructure in Table 4 and Plan 6</li> <li>- the location of the emergency services precinct and providing for flexibility and consultation at page 48 and Action 1.9</li> <li>- clarifying 'industrial expansion' relates to 'business park' expansion and the application of an appropriate zone and consideration of environmental and interface issues at page 48 under 'Industrial Land'</li> </ul>
23	Changes to the Growth Plan outcomes for South East growth precinct at page 26 and in Table 2 to refer to a site for a Catholic Primary School
25	Changes to Growth Plan to include additional content regarding location options for the emergency services precinct at page 46 and Action 1.9
26	<i>Partly resolved with changes to Growth Plan to include buffers to agricultural land on page 49 under 'Agriculture'</i>
27	<i>Partly resolved with changes to Growth Plan to include planning for electric vehicle charging stations under 'Connector and Local Roads'</i>
29	<i>Partly resolved following clarification of issues and changes to Growth Plan to:</i> <ul style="list-style-type: none"> <li>- <i>identify use of benchmarks in existing community infrastructure audit and more detailed analysis will be required when preparing a PSP stage at page 40</i></li> <li>- <i>identify potential buffer on plan 9 as indicative and to be defined through a PSP or Development Plan</i></li> <li>- <i>add additional statement regarding flexibility in sequencing of growth areas at page 78 under 'Development Sequencing'</i></li> <li>- <i>amend Action 1.1 and 1.3 to reference DCP or ICP</i></li> </ul>
30	<i>Partly resolved following clarification of issues and changes to Growth Plan and proposed policy changes that:</i>

Submission	How resolved ( <i>partly resolved submissions identified in italics</i> )
	<ul style="list-style-type: none"><li>- <i>amend Clause 02.03-6 'Housing' to include to encourage urban development within Growth Plan growth areas</i></li><li>- <i>amend Clause 11.03-6 to include additional strategy to support sequencing consistent with Growth Plan and provide supplementary retail centre(s) generally consistent with the Growth Plan</i></li><li>- <i>amend Plan 1 to limit area shown as 'recreation' to DELWP owned parcel containing lagoon' with balance identified for further investigation and with similar changes to Plans 5, 6, 7, 8 and 9 and identify an additional outcome for South West Precinct at page 20 that investigation of uses consider buffers, biodiversity and residential or industrial uses and creditable open space</i></li><li>- <i>add notations to all plans in the Growth Plan that they are concept plans requiring further refinement through PSPs and Development Plans</i></li></ul>
32	<p>Changes to Growth Plan to:</p> <ul style="list-style-type: none"><li>- include changes to all plans to include 'concept' notations (as per submission 30 response) and include similar references in Executive Summary</li><li>- use non-numerical designation of growth areas</li><li>- shade future growth option on Plan 4</li><li>- identify ICP as an option at pages 26 and 30</li><li>- identify aquatic facility as 'Medium to long term' in Table 3</li><li>- identify constructed water way as indicative on Plan 8</li><li>- identify that the arterial road connection to be determined based on further analysis at PSP stage at page 68 under 'Freight Vehicle Movements'</li><li>- include under 'Development Sequencing' consideration of zoned land supply and issues impacting delivery of short and medium growth options as a basis of considering longer term growth options</li><li>- any identify future growth options include a review of land supply and sequencing of growth areas and future growth areas under 'Implementation and review'</li></ul>
35	<p>Changes to Growth Plan to shift north-south connector road to the east to avoid existing properties</p>
36	<p>Changes to Growth Plan to:</p> <ul style="list-style-type: none"><li>- include new section relating to Flora and Fauna Reserve (including values, interfaces and planning) under Theme 3</li><li>- amend 'Biodiversity' section under Theme 3 to reference listed State and Commonwealth grassland communities</li><li>- include additional opportunities for greening under 'Greening'</li><li>- apply potential buffer (indicative) to Flora and Fauna Reserve interface on Plan 9 with additional commentary on page 48 'Industrial Land' and page 61 'Buffers and Easements' and add a new Action Table 7 guiding the management and planning of the interface and protecting environmental values</li></ul>
37	<p>Changes to Growth Plan and proposed policy clauses to:</p> <ul style="list-style-type: none"><li>- amend text at page 13 to identify State and Catholic primary schools</li><li>- add notation to Plan 6 that school locations to be determined through PSP or Development Plan process</li></ul>

Submission	How resolved ( <i>partly resolved submissions identified in italics</i> )
38	<ul style="list-style-type: none"><li>- rename 'Education Precinct' to 'Bannockburn P-12 College' and show Catholic primary school on Plan 6</li><li>- identify 'swimming pool' as separate infrastructure item at page 40 under 'Community and Active Recreation Infrastructure'</li><li>- change infrastructure category in Table 2 from 'Primary Schools' to 'Schools' and refer to siting standards and guidelines and co-location with a community centre with a kindergarten</li><li>- remove clause expiry references in Clause 02.04 and 11.03-6L-01B</li></ul> <hr/> <p><i>Partly resolved through response to submission issues and the following changes to the Growth Plan:</i></p> <ul style="list-style-type: none"><li>- <i>correct reference to South West Precinct on page 33 under 'Future Growth Option – South'</i></li><li>- <i>amend sentence relating to measures to manage transition and land use conflict under 'Housing Diversity and Typology' to remove 'low density' and include larger lots and other measures</i></li><li>- <i>include a link notation to Actions 1.4, 1.5, 1.6, 2.2 and 3.1 to 3.11 that the approach taken to address actions is at the discretion of Council for the North West Development Plan Growth Area</i></li></ul>
39	All initial consultation comments included in the Growth Plan

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