



PSP2.0

VICTORIA
State
Government

Bendigo

Regional Employment Precinct

Project Charter & Governance Plan

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vpa
Victorian Planning Authority

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Purpose of this document

- Outline the decision-making role of the Victorian Planning Authority (VPA).
- Outline the role of the City of Greater Bendigo as a Municipal Authority.
- Outline the probity and conflict of interest arrangements that will govern the project, noting that the City of Greater Bendigo is also a landowner in the precinct.
- Identify briefing points of project partners and landowners
- Provide pathway for issues resolution and escalation of key matters for decision.

Introduction & Project overview:

City of Greater Bendigo wrote to the Minister for Planning requesting VPA become the Planning Authority for the Bendigo Regional Employment Precinct (BREP), in late 2021. The Minister appointed the VPA Planning Authority status on 11 February 2022. As such, the VPA and the Minister for Planning is now the ultimate decision maker for this project.

The VPA is a State Government statutory authority that reports to the Minister for Planning.

You can read more information about the [VPA's governance here](#).

Situated 15km west of Bendigo's CBD, BREP at 294ha, it is bound by Wimmera Highway to the north and west, Calder Alternative Highway to the east and Cemetery Road to the south. O'Sullivan's Road transverses the precinct north-south.

The Precinct includes properties identified as 'investigation' sites as part of the Marong Township Structure Plan, including the 'South Marong Industrial Investigation Precinct', the 'Major drainage investigation site', and the 'Proposed land use subject to investigation'. This plan was adopted by Council in September 2020. Land beyond the BREP and the identified investigation sites, may be included in broader technical investigations that are required to inform planning within the BREP precinct.

The City of Greater Bendigo owns 155 hectares of land in the southern portion of the BREP. The VPA has prepared a Probity Plan to guide the separation of the City's role as landowner and Municipal Authority.

To guide the BREP project the VPA will follow the PSP 2.0 framework outlined within the [Precinct Structure Planning Guidelines: New Communities in Victoria \(PDF\)](#). Although the PSP 2.0 framework is being followed, the ultimate planning framework and tools are yet to be determined.

To find out more about PSP 2.0 please visit: <https://vpa.vic.gov.au/project/psp-guidelines/>

To find out more about the project please visit: <https://vpa.vic.gov.au/project/brep/>

Project Governance:

The VPA is the project lead and will convene or utilise existing steering committees to work with government stakeholders and agencies. The roles and responsibilities of the organisations are outlined below:

Roles and Responsibilities:

Victorian Planning Authority role:

- Prepare the BREP planning scheme amendment as the Planning Authority in accordance with the *Planning and Environment Act 1987*.
- Brief the Minister for Planning and client Ministers on project progress.
- Seek the VPA Board approval at relevant milestones (statutory or other).

- Manage the preparation of key technical analysis to inform the planning of BREP, lead intergovernmental coordination and preparation of the planning scheme amendment.

City of Greater Bendigo role (Municipal Authority):

- Provide local level strategic, statutory, social, environmental, transport and community planning expertise as the municipal authority.
- Represent the interests of the CoGB community.
- Report key milestones to Council.
- Participate in community and stakeholder engagement.
- Provide a municipal authority position at key milestones.
- Provide direction on the City's development contributions framework for the Marong township, including BREP.

Note: This role is separate from City of Greater Bendigo's role as a landowner. The City as landowner will be engaged at key landowner engagement point for this project in line with all other landowners within the precinct.

DTP (Planning) role:

- Provide direction on Victorian State Government land use and any future planning scheme amendment(s).

DTP (Transport) role:

- Represent the transport interests of the Victorian State Government.

DEECA role:

- Represent the energy, environment and climate change interest of the State Government.

DJSIR - RDV role:

- Represent the state economic and jobs interests of the State Government.

Development Victoria:

The Victorian Government and Regional Development Victoria have provided \$6 million in funding for the BREP to undertake planning work and deliver enabling infrastructure.

Through this funding, Development Victoria (DV) has been engaged by CoGB to produce an Infrastructure Strategy, Development Strategy and Business Case on an agnostic, 'best for the project basis', but there is a potential for perceived and actual conflict given the COGB owns land in BREP, and DV may also be a developer in the future.

DV is aware of the potential conflicts of interest and has appointed a probity advisor to provide it with a Probity Plan. The Plan considers potential conflicts and provides mitigation actions. Landholders will be able to raise any probity matters with DV during their interactions with DV.

VPA Stakeholder Engagement Protocol

As a planning authority, the VPA is required to ensure that its recommendations to the Minister for Planning are impartial, evidence-based and free from undue influence. Therefore, in the interests of efficiency and probity, we will structure our engagement to reflect the different stages of our planning projects.

When and how we engage will depend on:

- What your interests are (e.g. are you a landowner (including the City), the City as Municipal Authority, Government agency, Registered Aboriginal Party, etc).

- The desired outcome and goal of the engagement (e.g. to inform, to receive information, to solve a problem etc).

Our approach to engagement is always “open by default” and we will make available all appropriate information, including expert reports when new, timely or relevant information becomes available. The VPA will seek to engage at the earliest appropriate stage.

However, there will be some information that will not be provided to all parties because of commercial in-confidence considerations or the subject of confidential government deliberations. Information in these categories must be confidential to ensure that no stakeholder or group of stakeholders is advantaged by receiving information that others do not have equal access to or are able to act on.

Please refer to the [PSP 2.0 Stakeholders Engagement – Summary of communication timelines](#) for more information regarding when and how we engage with stakeholders through our projects.

To find out more please visit our website: <https://vpa.vic.gov.au/project/psp-2-0-stakeholder-engagement-protocol/>

Conflict of interest and Probity

Conflict of interest

The management of risk associated with conflict of interest is fundamental to ensuring high levels of integrity and public trust in the Victorian public sector. Conflict of interest should be avoided wherever possible or declared and managed appropriately.

To this end, any City employees involved in this project will be required to complete a Conflict of Interest and Confidentiality form and must disclose any circumstances that may create a conflict of interest. This will allow for the development of any mitigating actions to be put in place.

As a standard practice, any consultants working on this project will also be required to complete a Conflict-of-Interest declaration.

Approach to Probity

As a majority landowner of the BREP, the City of Greater Bendigo is aware of the conflict of interest that needs to be managed, particularly in regard to the City’s roles as municipal authority.

VPA, as the Planning Authority for the BREP, will have ultimate say in planning decisions made to inform the project. The City of Greater Bendigo, as the municipal authority, will play a critical role as the responsible authority and community representative for the project.

Probity means that decisions are made with **integrity, honesty and fairness** while observing due process as necessary. For this project, the following practices and activities will be applied to cover the planning process, with a particular focus on the City of Greater Bendigo as the landowner.

While the City of Greater Bendigo is the majority landowner, no individual at the City will stand to benefit from any sale or development of the precinct. In the interests of integrity, honesty and ethical responsibility, the City of Greater Bendigo and the VPA have agreed on the terms of the Probity Plan to provide transparent management of the development of the planning scheme amendments and its associated inputs and outputs.

A probity officer has been appointed for the BREP project to manage the above matter. Probity will be managed in the following manner:

- The decision-making process for the development of the planning scheme amendment including planning and infrastructure outputs to support the Planning Scheme Amendment will adhere to the process outlined.

- The roles of the VPA and the City of Greater Bendigo as the municipal authority are clearly detailed in this document. Both parties agreed to operate only within the scope of their respective roles, as defined. These roles will be reflected in project material where relevant.
- The City, as a landowner, will provide feedback during pitching, vision and purpose and co design and exhibition or when specific information is required in relation to the land that the City owns (as will occur with other landowners within the precinct). The officer representing the City's landowner interest, will be different to those representing the City as the Municipal Authority. The City, as the Municipal Authority, may still seek advice from property services area throughout delivery to inform their advice as the municipal authority.
- The VPA will be provided with technical inputs supporting DV's work where relevant to the Planning Scheme Amendment. VPA and its consultants will evaluate this information to ensure that it consistent with proposed Planning Scheme Amendment and is based on evidence and policy when finalising the Planning Scheme Amendment for public consultation.
- The VPA may also invite DV to attend scheduled meetings with their consultants to inform the finalisation of the Planning Scheme Amendment for public consultation ahead of other landowners. Any feedback provided by DV will similarly be evaluated to ensure that it is consistent with proposed Planning Scheme Amendment and is based on evidence and policy when finalising the Planning Scheme Amendment for public consultation.
- The BREP program include processes and activities that strongly support and provide probity. These activities include:
 - The engagement of external technical expertise.
 - Agency engagement.
 - Public publishing of all technical work underpinning the development of the planning scheme amendment and its associated outputs on the VPA project webpage.
 - Public consultation and engagement.
 - The panel hearing process with Planning Panels Victoria.
- VPA, when requiring information from the City, will be specific about the scope of the request and who it is directed to.
- City employees are required to state with which role they are communicating as, in all communication to the VPA.
- The City to provide copies of formal advice provided to VPA, as Municipal Authority, when requested.
- Minutes of all meetings to be maintained.
- VPA to maintain a log of touch points with the City.
- The probity officer will conduct probity health checks at significant points in the project, including:
 - review of agency notification prior to public consultation
 - at the end of submissions analysis, prior to the panel hearing
 - at the end of finalising the planning scheme amendment documentation, prior to VPA Board and Council approval.

These processes ensure that all stakeholders have a forum for engagement and access to critical information upon the project.

The probity health checks will review the activities and tasks completed and review the process and record keeping. The probity officers should compare the documentation retained by the VPA and the City of Greater Bendigo to ensure the documentation aligns where appropriate.

Issue Resolution Pathway

Issue escalation

The views of landowners will be sought during pitching, vision and purpose and co design and the public engagement phase as outlined at Appendix One. This provides the opportunity for all parties to raise issues for response from the Victorian Planning Authority. Any unresolved matters will be referred to an independent panel.

Complaints pathway

The VPA welcomes feedback on our planning processes. We have adopted a [Complaint Handling Policy – July 2017 \(PDF\)](#) that outlines how we deal with any complaints we may receive. Complaints can be raised directly with the VPA staff member who is dealing with the relevant matter, or can be emailed to complaints@vpa.vic.gov.au

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