

Golden Plains Planning Scheme

Draft Amendment C107gpla

Explanatory Report

Overview

The draft amendment proposes the implementation of the Bannockburn South East Precinct Structure Plan (the PSP), and the Bannockburn South East Development Contributions Plan (the DCP). The PSP will enable the development of approximately 4,685 new homes and around 750 new jobs. The PSP has been drafted to facilitate urban development while also supporting the protection of the existing biodiversity and Aboriginal cultural heritage values on the land. The DCP will assist funding infrastructure necessary to support the development of the precinct and its future community. Amenity issues arising from the future development of residential land in proximity to the existing chicken hatchery and farm at 449 Burnside Road, Bannockburn have also informed the preparation of the draft planning provisions.

The draft amendment proposes to incorporate the PSP and the DCP into the Golden Plains Planning Scheme (the Scheme) and rezone the land to Urban Growth Zone (UGZ). A new Schedule 1 to the UGZ (UGZ1) will be applied to facilitate development of the precinct generally in accordance with the PSP. The draft amendment applies the Public Acquisition Overlay (PAO) to reserve land for drainage assets to part of Harvey Road (Lot 2 TP96373 and Lot 17 LP6088) and part of 449 Burnside Road. Additional changes to overlays, particular provisions, general provisions and operational provisions of the Scheme are also required to facilitate the implementation of the PSP.

Where you may inspect this amendment

The draft amendment is available for public inspection between 5 May 2025 and 15 June 2025 online at:

Engage Vic

<https://www.engage.vic.gov.au/BannockburnSE>

The draft amendment is available for public inspection, free of charge, during office hours at:

Golden Plains Shire Council

2 Pope Street, Bannockburn, Victoria 3331

8.30am to 5pm, Monday to Friday

<https://www.goldenplains.vic.gov.au/contact-us>

If you do not have access to the internet and the above office is closed or not accessible during office hours, please contact the Victorian Planning Authority (VPA) on 9651 9600 to make alternative arrangements to obtain a copy of this draft amendment.

Submissions

Any person may make a submission to the VPA about the draft amendment. Submissions about the draft amendment must be received by 15 June 2025.

Standing Advisory Committee dates

If required, this draft amendment will be subject to the VPA Projects 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 VPA on referred projects and plans and associated draft planning scheme amendments.

While the VPA will seek to resolve any issues raised, unresolved issues or particular matters may be referred to the VPA Standing Advisory Committee, which will contact submitters and then determine the best way to consider unresolved matters – either by round table discussions, written submissions or a public hearing (or a combination of these options). The VPA Standing Advisory Committee will provide advice on the draft amendment to the VPA and Minister for Planning.

The VPA will then make recommendations to the Minister for Planning, who will consider the appropriate approval pathway for the draft amendment.

If required, dates for the Bannockburn South East Standing Advisory Committee are reserved for:

Directions hearing: week commencing 8 September 2025.

Advisory Committee hearing: week commencing 20 October 2025.

Details of the draft amendment

Who is the planning authority?

This draft amendment (the amendment) has been prepared by the VPA on behalf of the Minister for Planning, who is the intended planning authority for this amendment.

The amendment has been made at the request of the VPA.

Land affected by the amendment

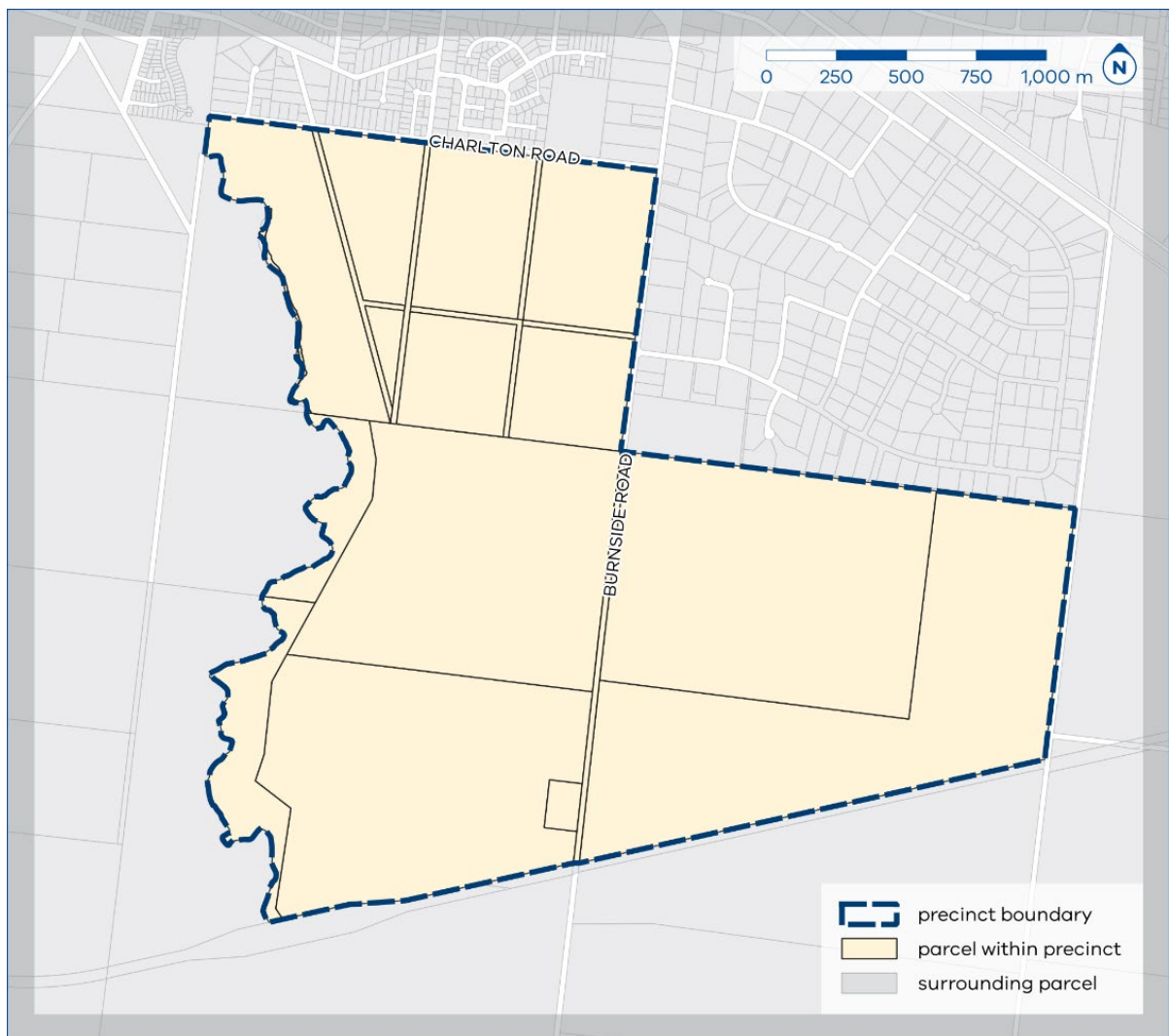


Figure 1 C107gpla Draft Amendment Area (Bannockburn South East Precinct)

The amendment applies to land identified within the 'precinct boundary' as shown on Figure 1.

The amendment area (the precinct) is approximately 524 hectares in total and located southeast of the existing Bannockburn township. Bannockburn is the largest town within Golden Plains Shire and serves as a key centre for the Shire. The commercial core of the Bannockburn township is characterised by a wide, median

separated High Street planted with mature gum trees. Service roads are located on either side, providing vehicle access to shops and community services. Bannockburn Central (Woolworths) is located to the rear of the High Street and accessed via McPhillips Road. The commercial core of the township is surrounded by large residential lots.

The precinct is bounded to the north by Charlton Road and existing housing with densities typical of a regional town of approximately five to 11 dwellings per hectare. The precinct is surrounded to the east, west and south with agricultural uses. The precinct is bounded to the south by Gheringhap-Maroon Freight Railway reservation and is in proximity to Turosi Foods which includes a chicken hatchery and farm. To the west is Bruce Creek, which forms an important biodiversity corridor.

The precinct is zoned as Farming Zone (FZ) and consists of 19 land parcels, ranging in size from two to 200 hectares. Most of these parcels are used for cropping or pasture with no existing dwellings, except for one rural residential property at 418 Burnside Road. The precinct is best described as agricultural or rural with a broadly unfragmented land ownership pattern.

The precinct is also bisected east to west by a 60-metre wide, 500kV transmission line easement.

Burnside Road, an existing local road, runs north-south through the precinct connecting the Bannockburn township to the Hamilton Highway.

Within the precinct, there are three existing overlays affecting Bruce Creek and its surrounds. The Land Subject to Inundation Overlay (LSIO) and the Environmental Significance Overlay Schedule 2 (ESO2) apply along Bruce Creek and a Salinity Management Overlay (SMO) is applied to a small portion of Bruce Creek.

What the amendment does

The amendment proposes changes to the Scheme to enable the development of land within the precinct and protection of important biodiversity and Aboriginal cultural heritage values, in accordance with the Vision set by the PSP.

Specifically, the amendment proposes the following changes:

- Amends the Planning Policy Framework at Clause 11.03-6L-01 (Bannockburn) to include a new settlement strategy to support the planning and design of an east west road link between the precinct and the Midland Highway and remove references to the road as an 'arterial' road.
- Inserts Clause 37.07 Urban Growth Zone (UGZ).
- Inserts new Schedule 1 to Clause 37.07 (UGZ1) and rezones all land in the precinct from Farming Zone (FZ) to UGZ1.
- Applies Clause 45.01 Public Acquisition Overlay (PAO2) to reserve land for drainage assets and nominates the Golden Plains Shire Council as the acquiring authority to land addresses as follows:

- Part of Harvey Road (Lot 2 TP96373 and Lot 17 LP6088);
- Part of 449 Burnside Road.
- Amends the Schedule to Clause 45.01 to include reference to the PAO2 described above.
- Inserts Clause 45.06 Development Contributions Plan Overlay (DCPO).
- Inserts a new Schedule 1 to Clause 45.06 (DCPO1) and applies it to the precinct.
- Amends the boundary of the Environmental Significance Overlay Schedule 2 (ESO2) to remove it from the precinct, avoiding duplication of provisions relating to water quality and fauna and flora habitat adjacent to Bruce Creek that are addressed in the PSP and UGZ1.
- Amends the Schedule to Clause 53.01 to include a public open space contribution when land within the precinct is subdivided.
- Amends the Schedule to Clause 72.03 to update the list of maps comprising part of the planning scheme.
- Amends the Schedule to Clause 72.04 to include the following four new incorporated documents:
 - *Bannockburn South East Precinct Structure Plan, April 2025*
 - *Bannockburn South East Development Contributions Plan, April 2025*
 - *Small Lot Housing Code (Victorian Planning Authority, November 2019)*
 - *Small Lot Housing Code (Victorian Planning Authority, November 2024)*
- Amends the Schedule to Clause 74.02 to include further strategic work for the planning and design of a second east-west connector road for Bannockburn and delete references to that road being defined as an 'arterial' road.

Strategic assessment of the amendment

Why is the amendment required?

The Bannockburn South East PSP is included in Victoria's Housing Statement, *The Decade Ahead 2024-2034* as a priority planning project for growing suburbs in Regional Victoria. The amendment is required to implement this priority, along with the recommendations of the Scheme relating to population growth and future residential development. The *Bannockburn Framework Plan* at Clause 11.03-6L-01 – Bannockburn, identifies the precinct as being within Bannockburn's Urban Growth Area.

The precinct is identified in the *G21 Regional Growth Plan*, 2013 and *Bannockburn Growth Plan (Victorian Planning Authority, May 2021)* as a key area for residential growth. This is reflected in the objectives and strategies of Clause 11.01-1S – Settlement, Clause 11.01-1R -Settlement – Geelong G21 and Clause 11.02-2S – Structure Planning in the Scheme which provide further direction for planning in

regional Victoria. The *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021) identifies the delivery of the South East Precinct as a priority to contribute to the short- and medium-term housing supply within Golden Plains Shire. The precinct is one of several growth areas identified for Bannockburn.

The amendment is required to accommodate forecast population growth by rezoning rural land within Bannockburn's settlement boundary to a zone that can facilitate urban development as directed by the PSP.

The PSP, DCP, UGZ1, and other changes to the Scheme proposed as part of this amendment allow for more streamlined planning decisions, better guidance on land use and urban structure, and a mechanism to collect contributions towards the infrastructure necessary to support development of the precinct.

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

The PSP will guide development of approximately 4,685 lots to accommodate a future population of approximately 13,927 people within the precinct. The PSP aims to achieve a minimum average density of 15 dwellings per net developable hectare. The PSP identifies a local convenience centre, local community facilities, local sports reserves, a network of local parks, three proposed government schools, and a site for a potential non-government school.

The amendment implements various objectives of planning in Victoria under Section 4 of the *Planning and Environment Act*, 1987 (the Act), in particular:

- a) *To provide for the fair, orderly, economic and sustainable use and development of land*

The amendment will ensure the fair and equitable provision of community and development infrastructure through the incorporation of the PSP and DCP into the Scheme. The two documents work together to ensure that infrastructure is properly planned and can be delivered at the appropriate time with the support of a funding mechanism. The DCP proposes a Development Infrastructure Levy rate of **\$974,156 per net developable hectare** and a Community Infrastructure Levy of **\$1,450 per dwelling**.

The amendment provides a plan to accommodate a new residential population with good access to community facilities, public open space, schools and a local town centre via a network of bus capable connector roads and future cycling routes.

PSPs are documents that set out a vision and objectives for a precinct and provide detailed information setting out the necessary transport, drainage and community infrastructure – but there is often a time-lag or disconnect between the delivery of land for urban development and delivery of the necessary infrastructure to support that development. The PSP seeks to address this issue by including a staging plan to manage the growth and development of the precinct to ensure that infrastructure

provision is appropriately coordinated.

b) To provide housing affordability as defined and referenced in the Planning and Environment Act 1987

The amendment seeks to provide for affordable housing by including an objective and guidelines to facilitate the delivery of affordable and social housing within the precinct.

c) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity

The *Existing Ecological Conditions Report*, 2022 prepared by Ecology & Heritage Partners (EHP) found no nationally listed flora species in the precinct.

There were, however, four species of flora found that are listed as endangered under the *Flora and Fauna Guarantee Act*, 1988 (FFG-Act). Additionally, targeted flora surveys were undertaken but found a low likelihood that the precinct supports a population of any of the national or state significant flora species that formed part of the targeted assessment.

Targeted fauna surveys within the precinct revealed the presence of the nationally listed Golden Sun Moth (GSM), a small population of the nationally listed Growling Grass Frog (GGF) and the Tussock Skink, listed as endangered under the FFG Act.

No targeted surveys were undertaken for the Victorian Grassland Earless Dragon (VGED), which was thought to be extinct. Following its rediscovery in 2023, DEECA's Habitat Distribution Model (HDM) identifies likely VGED habitat within the precinct.

The amendment aims to protect and support significant flora and fauna species as well as maintaining the health of the Bruce Creek through requirements in the PSP and UGZ1. The PSP identifies the Bruce Creek waterway and adjacent land as 'Bruce Creek uncredited open space' as well as showing the balance of land within approximately 200 metres of the creek as a 'culturally and/or environmentally sensitive area'. The combined extent of these areas reflects the waterway and adjacent land containing habitat for the GSM, Tussock Skink and GGF as well potential habitat for the VGED sitting within areas of Aboriginal cultural heritage sensitivity.

A further 'culturally and/or environmentally sensitive area' is identified in the east of the precinct to encompass potential habitat for the VGED and a stony rise with Aboriginal cultural heritage value. These areas are subject to further detailed assessment and planning to determine the extent of developable land and areas required for conservation before a permit can be granted.

Separate to the requirements of the PSP and UGZ1, and the broader requirements of the Scheme and the Act, landowners also have obligations under the

Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) where development has the potential to significantly impact nationally listed species.

The precinct falls within the Corangamite Regional Catchment, with the Corangamite Catchment Management Authority (CCMA) being responsible for safeguarding the health of waterways. Bruce Creek flows into the Moorabool and Barwon Rivers, eventually reaching Lake Connewarre—a Ramsar-listed wetland of international importance. Protecting Bruce Creek is critical due to its role in sustaining biodiversity, including the vulnerable GGF population.

The amendment proposes the deletion of the ESO2 from the planning scheme maps from within the precinct boundary. The existing ESO2 contains objectives broadly aimed at maintaining water quality within the Bruce Creek, conserving floral and faunal habitat and restricting the intensity of use and development of land. The ESO2 triggers a permit requirement for most buildings and works and an informal referral requirement to DEECA and the relevant water board or supply authority.

While the ESO2 is appropriate for the existing conditions of the land, the PSP and UGZ1 are more appropriate tools to guide the urban development of the precinct while protecting environmental values. The requirements and guidance in the PSP and UGZ1 will ensure the design of any subdivision or works extending into sensitive areas minimises the impact on biodiversity and the health of the waterway and aligns with any approvals required under biodiversity and Aboriginal heritage legislation. The ESO2 objective aimed at restricting the intensity of use and development is inconsistent with the PSP's approach to the development of land in the 'culturally and/or environmentally sensitive' area along the Bruce Creek corridor. The ESO permit trigger for buildings and works and the informal referral provision under the ESO2 also add an unnecessary administrative burden on future development.

The *Bannockburn South East PSP - Soil Desktop Assessment - Sodic-Dispersive Soils and Contamination Risks (WSP) August 2024*, found that the precinct's soil conditions pose low erosion risk, with the risk increasing on the steeper slopes near Bruce Creek. Erosion control measures and sediment management plans are required under the UGZ1 and must be implemented during construction to prevent the degradation of water quality downstream.

As noted above, the PSP applies a setback of approximately 200m from Bruce Creek in the form of uncredited open space and the 'culturally and/or environmentally sensitive area'. Development within this area is contingent upon further planning to determine land required for conservation and cultural heritage. The management of land within this setback will be consistent with minimising erosion and improving the quality of water entering the Bruce Creek.

- d) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*

The PSP provides for a primarily residential precinct, complemented by a local town

centre, community services and a network of local parks, road reserves and green links to contribute to the creation of a pleasant living and recreational environment for the community and visitors.

The PSP provides adequate road connectivity, a bus capable road network and a comprehensive walking and cycling network.

- e) *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special value*

Areas of cultural heritage sensitivity and cultural values have been identified on Plan 1 (Precinct Features) and Plan 2 (Place Based Plan) of the PSP in collaboration with the Wadawurrung Traditional Owners Aboriginal Corporation who is the Registered Aboriginal Party. Consistent with existing legislative requirements, development proponents are required to comply with the *Aboriginal Heritage Act 2006* in relation to any matters of Aboriginal cultural heritage sensitivity on the land. Furthermore, the amendment includes the following elements to assist with conserving and managing potential impacts to culturally sensitive areas:

- The UGZ1 applies the Public Park and Recreation Zone (PPRZ) to approximately 43.7ha of land within 100m east of Bruce Creek (see “Bruce Creek uncredited open space” on the Place Based Plan) to facilitate its use as open space and not developable for urban purposes.
- a PBP that identifies “culturally and/or environmentally sensitive areas” and a “bridge investigation area”, which have been identified given the high likelihood of artefacts 200m from Bruce Creek and the moderate archaeological sensitivity of the stony rise.
- the UGZ1 includes decision guidelines for these two areas to assist with determining the exact location of the bridge and development with consideration for cultural heritage and biodiversity.
- PSP objectives, requirements and guidelines to inform subdivision and development applications within “culturally and/or environmentally sensitive areas”.

There is an historic farmstead with dry stone walls at 430 Burnside Road. No Heritage Overlay (HO) is proposed for these sites. The *Historical Heritage Assessment* (2021) prepared by Heritage Insight Pty Ltd stated that the farmstead could be considered for heritage listing, however the *High Level Structural Engineering Conditions Report* (2023) prepared by Mark Hodgkinson Pty Ltd on behalf of the landowner found that the building is not structurally sound. Despite not warranting inclusion within an HO, the amendment includes requirements for applicants to assist with conservation of these heritage assets and the PSP places the farmstead within local park LP-07 that must be considered in the design of public places and infrastructure as per requirement R42 in the PSP.

The construction of the dry stone walls predate 1940. Therefore, permit requirements

specified in Clause 52.33 of the Scheme will apply. The PSP also includes a requirement for the retention of the dry stone walls.

- f) *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community*

The amendment is supported by technical work which establishes that existing services can be augmented to ensure new households are connected to water, sewer and electricity.

Drainage infrastructure will be upgraded to cater for urban development and allow for natural flows into retarding basins or wetlands.

The application of the PAO (shown as PAO2 on the planning scheme maps) to part of the land at Harvey Road adjacent to the Bruce Creek will facilitate the purchase of the land by Council for the construction of drainage infrastructure within the precinct. The PAO on areas of land at 449 Burnside Road (also shown as PAO2 on the planning scheme maps) will enable the purchase of the land by Council for the construction of drainage outfall outside of the precinct.

The PSP plans for the protection of the existing transmission line operated by AusNet by ensuring any uses permitted within or near the transmission easement are at least 30m away from the transmission towers or pylons. The PSP has planned for the following land use elements at least 30m away from the towers: drainage basin RBWL5, car parking for a sports reserve SR-01, off-road shared path, the east-west link road (actual carriageway is outside of the easement) and roads perpendicular to the easement.

- g) *To balance the present and future interests of all Victorians*

The PSP provides an appropriate suite of objectives, requirements and guidelines to deliver a variety of housing opportunities to accommodate the population growth of the municipality, including accompanying social and recreational infrastructure.

Infrastructure required to service the precinct will be partially funded by development contributions for items identified in the DCP. This approach will ensure that those benefitting from infrastructure upgrades will contribute to the cost as opposed to the financial burden being borne solely through public expenditure.

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

Environmental effects

The *Bannockburn South East PSP - Soil Desktop Assessment - Sodic-Dispersive Soils and Contamination Risks (WSP) February 2025* was prepared to identify any land within the precinct that may be potentially contaminated. The report identified six sites as having medium risk of contamination (two sites at 430 Burnside Rd) and requiring a preliminary risk screen assessment (PRSA) prior to allowing any sensitive uses on the lots containing those sites.

Table 1: Land subject to PRSA requirement

Address	Legal Description
Levy Road Bannockburn	Lot 1 TP134465
Levy Road Bannockburn	Lot 2 LP6088
Burnside Road Bannockburn	Lot 13 LP6088
430 Burnside Road Bannockburn	Lot 2 LP97121
431 Burnside Road Bannockburn	Lot B PS920570

The amendment includes an application requirement in the UGZ1 for either a PRSA, environmental audit statement or certificate of environmental audit to accompany an application to use or subdivide land or construct a building or carry out works for a sensitive use on land referenced in Table 1.

An accompanying condition at subclause 4.0 of the UGZ1 requires that any recommendations contained within an environmental audit statement are complied with prior to commencement of the use or buildings and works associated with the sensitive use. The condition must be included on a permit if the PRSA submitted with the application requires an environmental audit of the land.

The authors of the report were unable to gain access and assess the land at 418 Burnside Road, Bannockburn and as a result, that property is subject to a separate Preliminary Site Investigations (PSI) requirement.

Table 2: Land subject to PSI requirement

Address	Legal Description
418 Burnside Road, Bannockburn	Lot 1 LP97121

The PSI application requirement applies to any application to use or subdivide land or construct a building or carry out works. The PSI must be carried out by a suitably qualified environmental consultant and make a recommendation as to the likelihood of contamination and whether remediation or further investigation such as an audit is needed.

The following measures ensure that flooding and environmentally significant areas are managed across the precinct:

To manage flooding, the drainage concept seeks to:

- Use retarding basins and constructed waterways to ensure flooding is not increased upstream or downstream of the precinct due to the drainage assets proposed in the PSP.
- Avoid an increase in the annual volume of stormwater runoff from the precinct (post-development) onto the agricultural land to the south of the rail line
- Minimise where possible, outfall drainage beyond the PSP boundary. Use of the PAO to enable the purchase of land where outfall drainage is required beyond the PSP boundary.

- Protect Bruce Creek, Moorabool River and Lake Connewarre (Ramsar identified).

The following areas will be protected to maintain important biodiversity values:

- 1.99ha for a linear conservation area to protect GSM and Tussock Skink habitat south of Charlton Road to the transmission easement.
- 43.7ha of Bruce Creek will be protected given it contains habitat for GGF, GSM, Tussock Skink and potential habitat for VGED.

The proposed UGZ1 includes decision guidelines for environmentally and/or culturally sensitive areas, whereby consideration should be given to any consultation or preliminary advice relating to relevant approvals under *the Environmental Protection and Biodiversity Protection Act 1999* (EPBC Act).

The amendment identifies native and non-native vegetation as informed by an Arboriculture Assessment and Ecological Conditions report. The PSP seeks to protect native trees and non-native critical/high retention trees by including majority of the trees in future open spaces as shown on Plan 6 (Public Realm) of the PSP.

Economic effects

The amendment upzones the land, enabling economic activity and employment in the planning, design and construction phases of future urban development.

The PSP will facilitate local employment and services by including a future local town centre (LTC) that is centrally located within the precinct with an applied Commercial 1 Zone (C1Z). The floor area of the LTC will be guided by the 7,650 square metre 'soft' cap in the UGZ1 to indicate the centre's role as subordinate to the existing Bannockburn Town Centre.

The *Bannockburn South East PSP Economic and Retail Assessment (Ethos Urban, 2022)* estimates that the precinct will be able to support the following retail floorspace ranges:

- Food, Liquor and Groceries (FLG): 4,300 – 6,000m²
- Food catering: 800-1,000m²
- Non-food: 600-900m²
- Retail Services: 300-400m²
- Total Retail: 6,000-8,300m²

It is estimated that the precinct will deliver 750 direct ongoing jobs, including 360 through the local town centre and 270 through schools. There is potential for an additional 120 jobs if potential emergency services move or expand into the precinct.

Social effects

The amendment is expected to generate social benefits for the municipality by increasing housing supply and housing diversity (including social and affordable housing), commercial uses, a range of open spaces including local parks and sports reserves, schools and community facilities.

The amendment seeks to recognise and protect areas with cultural heritage significance to the Wadawarrung people, through the designation of environmentally and/or culturally sensitive areas (stony rise and Bruce Creek corridor).

The structural elements of the PSP seek to facilitate an attractive built environment, a strong community and a sense of place for the precinct.

Development staging seeks to align the subdivision and development of the precinct with the delivery of necessary infrastructure to ensure that new communities have timely and coordinated access to essential transport and community infrastructure.

Does the amendment address relevant bushfire risk?

The amendment has been informed by a Bushfire Assessment prepared by the VPA and peer reviewed by TerraMatrix as recommended by the Country Fire Authority (CFA). The assessment and peer review found that the bushfire risk for the area is relatively low. The PSP has been designed to achieve all strategies and objectives of Clause 13.02-1S of the Scheme. Dwellings built within the precinct which adhere to Clause 13.02-1S will be able to achieve a construction standard of Bushfire Attack Level (BAL) 12.5.

The Bushfire Prone Area (BPA) applies to the entirety of the precinct. The Bushfire Management Overlay (BMO) is not present within the precinct or within 2 kilometres of the precinct. The bushfire risk at the site, neighbourhood and local scale are low, however surrounding areas of hazardous vegetation will need to be managed to limit the ability of a landscape scale bushfire. The precinct is principally flat, except for the Bruce Creek corridor and is surrounded by either agricultural uses or the existing Bannockburn township.

The PSP includes a Bushfire Plan (Plan 8) which shows the bushfire landscape hazards and corresponding requirements that must be considered at subdivision and development.

The UGZ1 also includes:

- application requirements for the preparation of a Bushfire Management Plan on land adjacent to bushfire hazard areas identified on the Bushfire Plan; and
- a condition requiring endorsement of a Bushfire Management Plan by the responsible authority prior to certification of the plan on subdivision, unless otherwise agreed by the Responsible Authority and the CFA.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment complies with the Ministerial Direction on the Form and Content of planning schemes under section 7(5) of the Act.

The amendment also complies with the following relevant Ministerial Directions:

Direction No. 1 – Potentially contaminated land

A land capability assessment was prepared by WSP (*'The Bannockburn South East PSP - Soil Desktop Assessment - Sodic-Dispersive Soils and Contamination Risks'* dated February 2025) to determine the potential for contamination of land across the precinct. The assessment identified six sites as having "Medium" potential for contamination and one property (418 Burnside Road, Bannockburn) that was inaccessible, but based on observations over boundary fences and aerial imagery, the contamination risk did not appear to be elevated above surrounding properties.

As previously discussed in this explanatory report, the amendment identifies properties subject to PRSA or PSI requirements via the UGZ1.

The VPA acknowledges that Ministerial Direction 1 states the planning authority must ensure an environmental auditor has issued a PRSA prior to giving notice of the amendment. Ministerial Direction 1 at section 6(3) states that 'where a planning authority determines that complying with subclause (1) or (2) is difficult or inappropriate it may defer the requirements of those subclauses provided the requirement are included in the amendment through the application of an EAO or other appropriate measure'.

Planning Practice Note 30 also states that meeting an environmental audit requirement prior to amendment is preferred, while acknowledging that in some instances this will be difficult or inappropriate, for example where 'the rezoning relates to a large strategic planning exercise or involves multiple sites in separate ownership'.

The VPA determined it would have been inappropriate to undertake an environmental audit upfront at the strategic planning stage given the size of the precinct and the fragmentation in ownership of the land. It is also expected that agricultural uses will continue whilst the precinct transitions, therefore the application of an EAO would be an unnecessary encumbrance on the land until the land transitions to residential use.

The VPA consider it is more appropriate to defer the audit system requirements and have these assessed at the planning permit stage. In doing so, the amendment provides an appropriate response to Ministerial Direction 1, with the amendment addressing Clause 6(3) of Ministerial Direction 1 and Planning Practice Note 30.

Triggering the audit system requirements at the strategic planning stage would not only be a time-consuming exercise for such a large and fragmented precinct but would not capture changes or new sources of potential contamination between the strategic planning stage and the ultimate development of the land.

The approach taken by the VPA ensures that potentially contaminated land is assessed at the appropriate time, that being when the land is intended to be subdivided and developed in accordance with the future land uses outlined in the PSP. Assessment at this stage in the planning process ensures that the responsible authority and any other decision maker or authority will be satisfied that the land can be made suitable for a sensitive use.

Assessment at this stage also ensures that any information gaps contained in the WSP assessment pertaining to potential contamination will be appropriately addressed at the planning permit stage and before a sensitive use can be established.

Furthermore, the application requirements in the UGZ1 integrate elements of the EAO, including the preparation of a PRSA confirming that an environmental audit is not required. The deliberate drafting of these application requirements ensures that the potential impact and risk of any contamination is not only identified but also ensures appropriate mitigation measures are enacted to address and remediate any such contamination prior to a sensitive use being established on a given site.

Direction No. 11 – Strategic assessment of amendments

This direction seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This explanatory report addresses the requirements of this direction.

Direction No. 12 – Urban growth areas

Parts 4, 5 and 6 of Ministerial Direction 12 require a planning authority when preparing an amendment to introduce or change provisions in a schedule to the UGZ, to evaluate and include in the explanatory report a discussion about the items below.

How does the amendment implement any Growth Area Framework Plan applying to the land?

The Bannockburn Framework Plan at Clause 11.03-6L-01 – Bannockburn, identifies the precinct as being within the Urban Growth Area. The precinct is identified in the *G21 Regional Growth Plan, 2013* and the *Bannockburn Growth Plan (Victorian Planning Authority, May 2021)* as a key area for residential growth. The amendment is consistent with these strategic growth plans as it will facilitate the development of the precinct for residential development to accommodate an estimated additional 13,927 residents.

How does the amendment accord with the Precinct Structure Planning Guidelines (October 2021)?

The *Precinct Structure Planning Guidelines 2021* (the Guidelines) note that a more nuanced approach to the application of the Guidelines in regional contexts is required. Whilst the principles, features and targets of the Guidelines should be considered in a regional context, the Guidelines allow for the consideration of regional adaptation of key targets where appropriate. It should be noted that adaptation to the Guidelines has been discussed with Council, and it was agreed that a variation in certain situations is appropriate in the context of the Bannockburn South East precinct. A response to each hallmark and justification for where regional adaptation is proposed is provided below.

- *Hallmark 1: Viable Densities*

The amendment follows the VPAs approach to the distribution of housing density although the targets set have been varied to reflect the regional context of the PSP. Dwelling densities have been varied from 30 dwellings to 17 dwellings per hectare in high amenity areas (e.g. 400m walkable catchment from an activity centre) and varied from 20 dwellings to 14 in all others to allow for densification overtime whilst responding to the current context of Bannockburn, which currently has a density of at 4 to 11 dwellings per hectare.

The average density across the precinct is around 15 dwellings per net developable hectare.

- *Hallmark 2: Safe, Accessible and Well Connected*

The PSP identifies walking and cycling paths, especially alongside identified drainage corridors which provide active transport connections to key destinations across the precinct area.

While there is currently no planned public transport for the precinct, the area has been future proofed for such time as public transport is provided. The network of bus capable Connector Streets through the PSP will provide approximately 98% of dwellings with access to potential future bus routes or bus capable roads in accordance with PSP Performance Target T9.

- *Hallmark 3: Connect People to Jobs and Higher Order Services*

The PSP identifies a central location for a LTC, which will serve a supporting role to the existing Bannockburn Town Centre. Approximately 56% of dwellings within the precinct are within an 800m walkable catchment of the local town centre. It does not achieve the PSP target of 80-90% of dwellings located within 800m of an activity centre. In a regional setting, this target is flexible to accommodate for market differences that preclude the provision of additional centres that would be able to meet this target.

- *Hallmark 4: Offer High-Quality Public Realm*

The PBP meets the targets relevant to accessibility to open space. It allows for 100% of dwellings to be within 800m of a sports reserve or open space and 98% of dwellings within 400m of a local park.

The total provision for credited open space is 9% of net developable area or 28 hectares, which is lower than the PSP target of 10% of net developable area. The total credited open space provision comprises of 2% for local parks and 7% sports reserves.

The PSP also sets aside approximately 43 hectares or 13.9% for Bruce Creek uncredited open space, which in the future can be accessed in some areas for passive recreation.

- *Hallmark 5: Services and Destinations*

The PBP sets aside land for a total of 4 schools and 4 community facilities. The PSP meets all the targets relevant to access to these facilities. 77% of dwellings are within 800m of a government primary school. 100% of dwellings are within 3,200m of a government primary school. 84% of dwellings are within 800m of a community hub or facility. The provision of these facilities is informed by ASR Research who prepared the '*Bannockburn South East PSP Community Infrastructure Assessment*' (July 2024).

- *Hallmark 6: Thriving Local Economies*

The '*Bannockburn South East PSP Economic and Retail Assessment*' (July 2024) by Ethos Urban identifies the precinct and surrounding district requiring a local activity centre supporting 6,000-8,300 square metres of retail floorspace across 2.2-2.7 hectares.

- *Hallmark 7: Infrastructure Coordination*

The DCP provides a mechanism for financial (or works-in-kind) contributions for basic and essential infrastructure to be provided as part of the development of the precinct in an appropriate and timely manner.

How the provisions give effect to the intended outcomes of the precinct structure plan?

Most provisions in the incorporated documents and associated planning scheme ordinance are designed to be implemented at the subdivision development stage. These requirements and guidelines are either addressed in subdivision plans (e.g. spatial outcomes), implemented through permit conditions (e.g. development contributions), and/or implemented through referral authority agreements (e.g. essential services).

This approach aims to provide for a single permission after approval of the PSP, which is central to providing certainty, clarity and timeliness in the planning process.

How a translation of the provisions can be achieved, once development anticipated by the precinct structure plan is substantially complete.

Land use planning outcomes introduced into the Scheme by this amendment will be delivered through planning permits (subdivision development) prior to a future translation of the PSP to standard provisions on full build-out of the precinct. Planning permits will implement most of the non-standard provisions. An assessment of how development has occurred on the ground, along with the applied zones in the UGZ1 will provide guidance for the translation of the zone provisions.

Direction No. 19 – Ministerial Direction on the Preparation and Content of Amendments that may significantly impact the environment, amenity and human health

The VPA has engaged with the Environment Protection Authority (EPA) and sought its advice in the preparation phase of the draft amendment. The EPA provided

advice with respect to potentially contaminated land (see response to Direction No. 1 above), potential odour impacts from the chicken hatchery and breeder farm to the south of the precinct, noise impacts from the Gheringhap-Maroon Freight Railway as well as risks associated with development occurring on sodic soils.

The approach taken by the VPA differs from the advice of the EPA in relation to potentially contaminated, and with regards to other issues as follows:

Potential odour – chicken hatchery and breeder farm

South of the precinct's southern boundary is the Turosi Foods chicken farm, which is located at 449 Burnside Road, Bannockburn. The farm contains a hatchery, approximately 50m from the precinct boundary and 7 breeder farms. The closest breeder farm building is approximately 420m from the precinct boundary.

The chicken hatchery and closest breeder farm present potential amenity impacts to future sensitive uses within the precinct. To avoid land use conflict a separation distance is required. The VPA consulted Agriculture Victoria (AgVic) and the EPA to determine the appropriate separation distance or buffer from the hatchery and breeder farm. AgVic advised that a separation distance of 500 metres is appropriate.

EPAs preference is for an odour assessment to be undertaken prior to gazettal of the PSP to more accurately inform the designation of a separation distance. The VPA considers it more relevant to require an odour assessment at planning permit application stage. Consistent with this view, the VPA has not undertaken an odour assessment at the PSP stage and has included an application requirement in the UGZ Schedule to ensure it occurs. Sensitive uses will be prevented from occurring as of right via the inclusion of a permit trigger in the UGZ1.

Railway noise - Gheringhap-Maroon Freight Railway

The EPA recommended that the VPA conduct an acoustic assessment in support of the draft amendment to demonstrate that internal noise levels set out in Planning Practice Note 83 (PPN83) can be achieved, and to address outdoor amenity.

The VPA has taken a different approach and considers that noise amenity can be appropriately dealt with at the permit application stage using guidance from the *VicTrack Rail Development Interface Guidelines* (Aug 2010), and the noise impacts objectives Clause 58.04-3 of the Scheme.

This has translated into an application requirement for the use, subdivision or construction of a building for sensitive uses on land within 80 metres of the railway line to be accompanied by an acoustic assessment report. The report should assess noise levels for the proposed uses and identify and mitigation measures to meet the applicable noise level objectives.

Sodic soils

The EPA recommended that the VPA conduct a sodic soils management plan as part of the draft amendment.

The VPA holds a differing opinion supported by the advice of its consultant, WSP, and considers it is more appropriate to require a sodic and dispersive soils management plan at the permit application stage.

The VPA commissioned a sodic soil assessment as part of the broader assessment of land capability prepared to inform the PSPs preparation. No soil testing was undertaken. The desktop study found that east and west of Bruce Creek may encounter dispersive soils and this potential should be confirmed with an intrusive investigation including collection and analysis of soil samples.

In response, the VPA commissioned the *Sodic/Dispersive Soils Testing and Assessment (WSP), January 2025*. The assessment found that soil within the precinct is primarily sodic with varying salinity and pH levels. The risk of erosion is especially high along the steeper slopes of Bruce Creek. As a result of these findings, the PSP has been designed to ensure a combination of water sensitive urban design, well vegetated public land in the vicinity of the Bruce Creek and a requirement for a sodic and dispersive soils management plan at the permit application stage.

The VPA acknowledge the comments raised by the EPA but consider that the approach taken in the UGZ1 and PSP will sufficiently address the risk posed by sodic soils.

S46m(1) – Direction on Development Contributions Plan

This direction guides planning authorities in relation to the preparation and content of a DCP. The amendment proposes to incorporate the DCP, introduce the DCPO and apply the DCPO1 to the amendment area as part of this amendment.

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

The amendment represents an integrated decision-making process that balances the following objectives of the relevant state planning policies:

Clauses 11.01 Victoria, 11.02 Managing Growth, and 11.03 Planning for Places

The amendment facilitates the orderly planning and delivery of land for residential development that has been identified for growth in a regional area by way of preparing a PSP to direct how the precinct will accommodate growth, and the relevant infrastructure required to support this growth.

The PSP sets out an orderly structure for development of the precinct including the location and function of a local town centre considering the existing and planned network of activity centres in the region; introducing residential and commercial-zoned land to supply and encourage urban growth; incorporating a network of local parks for the future community; and, providing developable land within good proximity to existing and future planned amenities, services and infrastructure.

Clause 11.01-1R Settlement – Geelong G21

The amendment supports the Geelong G21 Regional Growth Plan and associated policy by enabling population growth in Bannockburn which reinforces its role as a district town and provides supplemental growth proximate to Geelong which supports strengthening its role as a major regional city.

Clause 11.01-1L Settlement

The amendment facilitates progressive land rezoning within Bannockburn in line with the *Bannockburn Growth Plan*, 2021 and directs population growth to urban areas supplied with water, sewerage, and social infrastructure.

Clause 11.03-6L-01 Bannockburn

The amendment has identified existing and future bushfire hazards proximate to Bannockburn.

The PSP seeks to facilitate a supplementary retail centre in the form of a LTC, which is supported by the Bannockburn Framework Plan.

The PSP applies setbacks from Bruce Creek where urban development will not be permitted, to assist in improving the health of the waterway and provide better biodiversity and cultural heritage outcomes. A further setback identified as 'sensitive areas' in the PSP will work in conjunction with the UGZ1 to require an application for subdivision which encroaches on the area to provide evidence of the appropriate cultural heritage and biodiversity approvals in support of the application.

Clause 12 Environmental and Landscape Values

The PSP has considered areas of environmental significance and landscape values. The Bruce Creek corridor has been identified as a location that is home to significant flora and fauna.

The identification of 'culturally and/or environmentally sensitive areas' in the PSP aims to mitigate the risk of habitat loss through requirements for further investigation into the cultural and environmental values of the land.

Specific species include:

Flora:

- Plains Grassland
- Creekline Grassy Woodland
- Plains Grassy Woodland

Fauna:

- GSM (nationally significant) within the Bruce Creek corridor and along properties adjacent Bruce Creek
- GGF (nationally significant) within Bruce Creek corridor
- Tussock Skink (engendered species)

At the time of targeted surveys in 2020, no surveys were undertaken for the VGED,

which were thought to be extinct. Following its rediscovery in 2023, there may be potential habitat in the precinct.

The onus is on developers to ensure that their obligations relating to matters of national environmental significance under the EPBC Act have been met before any permit can be granted.

Clause 13 Environmental Risks and Amenity, Clause 13.05 Noise and, Clause 13.05-1S Noise management

As previously noted, the Gheringhap-Maroonah Freight Railway abuts the precinct's southern boundary. See the response to Ministerial Direction No.19 for discussion on the amendment's response to the potential amenity impacts arising from railway noise.

Clause 13.06 Air Quality, Clause 13.06-1S Air Quality Management

See the response to Ministerial Direction No.19 for discussion on the amendment's response to air quality management in the vicinity of the Turosi Foods chicken hatchery and farm.

Clause 13.07 Amenity, Human Health and Safety and Clause 13.07-1S Land Use Compatibility

As noted in the response to Ministerial Direction No.19 above, the amendment has been prepared to appropriately consider the amenity, health and safety of future residents and to manage potential land compatibility issues.

Additionally, a land capability assessment has been prepared by WSP, with the recommendations of the report applied to the amendment as noted previously in this report.

Clause 14 Natural Resource Management

The protection of water quality has been considered through several technical reports for the PSP. These include the Integrated Water Management Issues and Opportunities paper prepared by Spiire and Stormwater Drainage Assessment prepared by Alluvium. The proposed drainage plan for the PSP has been designed to avoid adverse water quality impacts on Bruce Creek and maintain pre-development water flows.

The agricultural productivity of surrounding land has been considered in the preparation of the PSP. The existing chicken hatchery and farm to the south of the precinct poses potential amenity impacts to residents and conversely the development of housing proximate to the farm could limit its operation and productivity. As previously discussed, while the farm continues to operate a separation distance will be imposed between the farm and sensitive uses to minimise land use conflict.

Clause 16 Housing

The amendment has been prepared to facilitate a variety of housing types and

densities. Housing diversity is encouraged through requirements and guidelines in the PSP to help implement the objectives of housing diversity. These will also be achieved through subdivision planning with varied lots sizes, infill development over time as well as the use of the Small Lot Housing Code (SLHC), which is to be incorporated into the Scheme as part of the amendment. The SLHC will be applied across the entire precinct through the rezoning to UGZ1. This is the typical approach for PSPs since the inception of the SLHC. It is at Council's discretion as to where they approve SLHC locations at the subdivision application stage. While smaller, denser housing is expected in amenity areas, it is essential that SLHC is permitted throughout the entire precinct to facilitate housing diversity.

Clause 17 Economic Development

An economic and retail analysis prepared by Ethos Urban identified the local town centre as being capable of supporting between 6,000-8,300m² of retail floor space. The use and development of the town centre will be facilitated by the UGZ1 which applies the C1Z to enable a broad range of retail and employment uses to support employment.

Clauses 18.01-1S Land use and transport planning, and 18.02 Movement networks

The precinct's road network will integrate with the existing arterial road network and provide for bus routes to traverse the precinct. The proposed road network provides a robust structure for traffic and transport movement within and through the precinct.

Clauses 19.02 Community infrastructure, and 19.03 Development infrastructure –

The amendment proposes to incorporate a DCP into the Scheme and apply the DCPO1 to the precinct to require the payment of contributions as a condition of development.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the Municipal Planning strategy and more specifically, the strategic vision and directions outlined in Clause 02.02 – Vision of the Scheme.

Clause 02.02 Vision:

- Sustainably manage land use and development
 - o Residential development will predominantly be contained within townships
 - o The natural environment will be protected and enhanced.
 - o The local economy will grow, particularly win township development and rural based and farming industries

Clause 02.03-1 Settlement

The amendment supports the strategic direction to accommodate future growth within Bannockburn's growth boundary as defined in the *Bannockburn Growth Plan*, 2021.

Clause 02.03-3 Environmental Risks and Amenity

The amendment has considered environmental risks and amenity. Specifically, bushfire risk has been identified, and mitigation measures have been incorporated into the spatial layout. Sodic soils and potentially contaminated land have also been considered, as well as surrounding uses conflicting.

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

The amendment meets the form and content requirements of the Victoria Planning Provisions (VPP). Importantly, the UGZ is the most appropriate tool to apply the relevant suite of VPP conventional zones to guide future use and development of the precinct through the specification of conditions and requirements for permits. Additionally, the DCP is the appropriate mechanism to require contributions to fund the infrastructure necessary to support development of the precinct.

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

The amendment has been prepared in consultation with relevant agencies including:

- APA
- Australian Rail Track Corporation
- Barwon Water
- Corangamite Catchment Management Authority
- Country Fire Authority
- Department of Education
- Department of Health
- Department of Justice and Community Safety
- Department of Energy, Environment and Climate Action
- Department of Jobs, Skills, Industry and Regions
- Department of Transport and Planning
- Environmental Protection Authority
- First Peoples' State Relations
- Golden Plains Shire Council
- Heritage Victoria
- Homes Victoria
- State Emergency Services
- Victoria Police
- Wadawurrung Traditional Owners Aboriginal Corporation

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

The Victorian Planning Authority in itself and acting as a planning authority is an 'interface body' under the *Transport Integration Act 2010*. Under Section 25 of that Act:

- (1) An interface body must have regard to the transport system objectives when exercising powers and performing functions under any interface legislation which are likely to have a significant impact on the transport system.*
- (2) An interface body must have regard to the decision making principles in making decision under any interface legislation which are likely to have a significant impact on the transport system.*

The amendment is likely to have a significant impact on the transport system at a local level. Upgrades will be required to nearby parts of the regional road network to enable connectivity to a new local road network within the precinct and contribute to the development of the bus network in the area.

The proposed additions and changes to the existing transport system in and adjacent to the precinct will meet the transport system objectives by:

- Enabling efficient access to existing and planned employment and services in and around the local area and region through connections to the arterial road network and planned extensions to bus services.
- Transport development infrastructure identified in the DCP will be provided as sufficient demand arises for the relevant infrastructure item and provides the opportunity for the efficient construction of items concurrent with subdivision and development.
- Involving relevant government bodies responsible in the provision of transport infrastructure and services in the decision-making process of the amendment.
- The amendment will include a staging plan to manage long term development infrastructure capacity and service provision.

Resource and administrative costs

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

The amendment is expected to increase the burden on the resources and administrative costs of the responsible authority as a result of increased development activity within the precinct. The UGZ1 along with the incorporated PSP, DCP and SLHC will facilitate the orderly and proper development of the area and appropriately allows for a reduction of notice provisions for future planning permit applications.

Attachment 1 – Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Bannockburn South East precinct	Entire precinct	C107gpla Map No.28, 29	Numerous	Rezone from FZ to UGZ1		-
Land adjacent to Bruce Creek within the Bannockburn South East precinct	Various individual sites within the precinct	C107gpla Map No.28ESO, 29ESO	Numerous			ESO2
Land adjacent to Bruce Creek within the Bannockburn South East precinct and land to the south of the Gheringhap-Maroon Freight Railway line.	Part of Harvey Road (Lot 2 TP96373 and Lot 17 LP6088); Part of 449 Burnside Road.	C107gpla Map No.28PAO, 29PAO	Part of Harvey Road (Lot 2 TP96373 and Lot 17 LP6088); Part of 449 Burnside Road.		PAO	
Bannockburn South East precinct	Entire precinct	C107gpla Map No.28DCPO, 29DCPO	Numerous		DCPO1	