

Re: Bannockburn South East Draft Precinct Structure Plan - Planning Scheme Amendment C107gpla

To: Victorian Planning Authority Project Team

Thank you for the opportunity to submit feedback on Planning Scheme Amendment C107gpla.

My name is [REDACTED], and I am a resident of Bannockburn, coordinator for the People for A Living Moorabool (PALM), and a member of the Concerned Waterways Alliance, a group advocating for the protection of river systems across southern Victoria. I maintain a strong interest in safeguarding and enhancing the waterways of Golden Plains Shire, including Bruces Creek.

This submission addresses the potential environmental, cultural, and planning matters associated with the section of the proposed precinct boundary abutting Bruces Creek.

It speaks to issues around waterway buffers, the approach taken by Council officers to the Bruces Creek Master Plan, management of sodic soils both during the development cut and the lot rollout phase, and developer contributions.

Contents

Initial Impressions of the PSP	2
The unfortunate history of Development along Bruces Creek	5
Rosemond Way	5
Willowbrae Road, Bannockburn	8
Broadhead Way, Bannockburn	10
Stormwater retention basins outside development footprints	10
Integrated Water Management (IWM) – Feature or failure?	12
Current status of the Bruces Creek Master Plan.....	12
Developer Contributions	13
Sodic Soils – Threat to Bruces Creek	15
Cultural Heritage	16
Conclusion	17

Initial Impressions of the PSP

At first viewing, the Precinct Plan map on the EngageVic website appears to be a positive step toward securing adequate conservation and open space buffers to Bruce Creek. It also shows retention basins being kept well outside the creek corridor and without the caveats of the map in the earlier *Bannockburn South East Precinct Structure Plan– Stormwater Drainage Design CONCEPT DESIGN REPORT (DRAFT) March 2025 – Alluvium*.

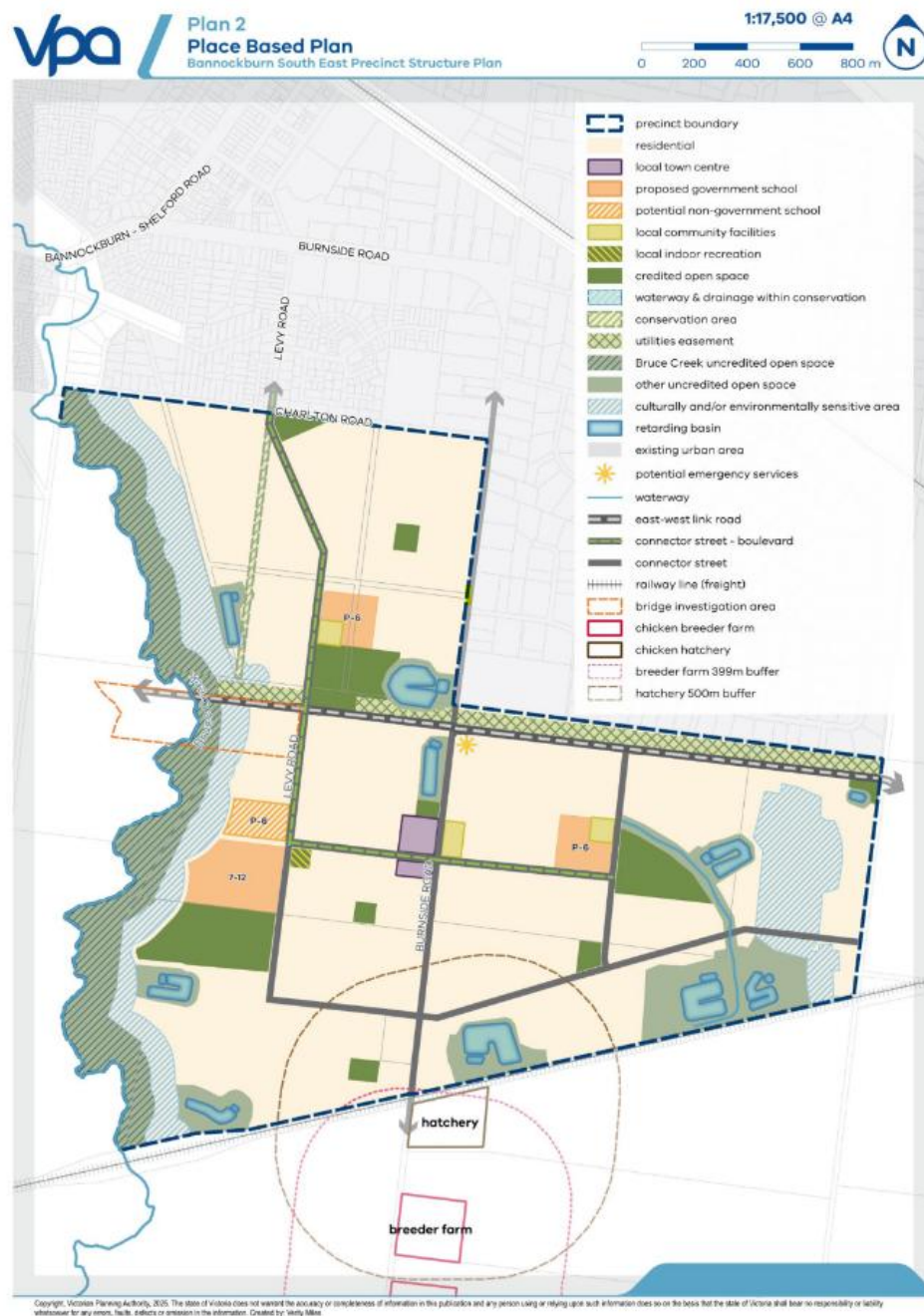


Figure 1: PSP Map - Engage Vic <https://engage.vic.gov.au/BannockburnSE>

It appears to honour the boundaries of the *Bruce's Creek Master Plan* (Land Design Partnership, 2009) and the prescriptions it informed within Clause 11.03-6L-01 of the Golden Plains Planning Scheme in the section titled *Bruce's Creek Strategies*. These include:

- *Protect and regenerate areas of native vegetation and existing stands of significant trees within the environs of Bruce's Creek to preserve and improve habitat.*
- *Manage vegetation in Bruce's Creek environs to ensure bushfire risks are not increased over time and to ensure that development surrounding the waterway corridor caters for future regeneration activity.*
- *Support the use of Bruce's Creek as an active transport corridor.*
- *Protect and enhance the function of and connectivity between the key environmental assets of Bruce's Creek and the Bannockburn Flora and Fauna Reserve.*
- *Facilitate open space connections into the Bruce's Creek corridor.*
- *Provide walking and cycling trails, preferably on the eastern side of Bruce's Creek.*
- *Protect vistas, view lines and visual amenity along the Bruce's Creek environs.*
- *Facilitate the acquisition of all land between the tops of the escarpment and forming the rim of the Bruce's Creek valley as public open space.*
- *Facilitate opportunities for passive surveillance of the open space system.*
- *Set back the roadway from the rim of Bruce's Creek to form a separation to the public open space.*
- *Include Integrated Water Management (IWM) principles in the planning of future growth areas.*

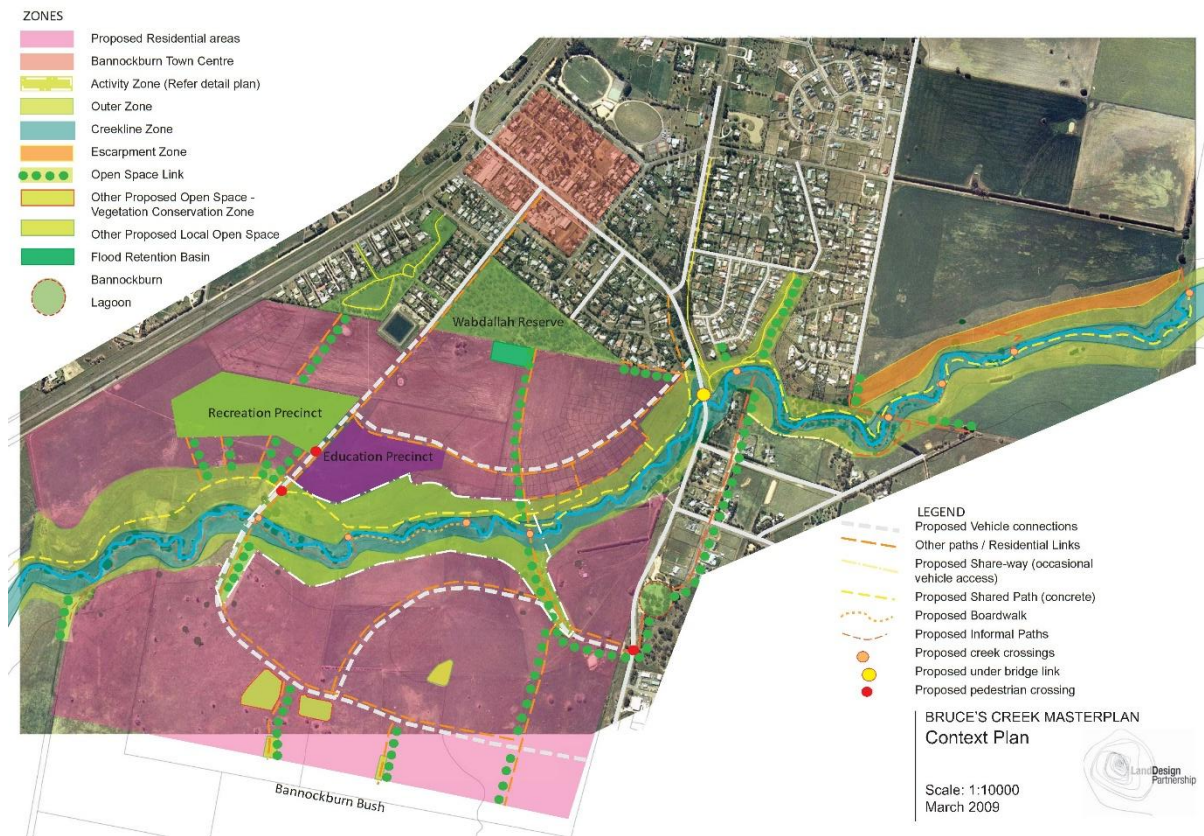


Figure 2: Bruce's Creek Masterplan Context Plan

The Bruce's Creek Masterplan is a comprehensive document. Referred to in the Planning Scheme it details that: *“The Bruce's Creek Open Space Reserve will be a significant landscape corridor with high environmental values”*¹ and *“The key vision is to provide an open space network that is integrated with the township, is responsive to the needs of residents and protects/enhances biodiversity and heritage values.”*²

That community vision appears to be echoed within the PSP's own Vision:

“Bruce Creek is known for its ecological and intrinsic cultural values. It will be protected and enhanced to form an open space, environmental and active transport spine for the precinct, with pedestrian and cycling paths, wayfinding, storytelling and recreational facilities. The unique biodiversity within the Bruce Creek corridor will be conserved to be enjoyed by the future community. The location of any infrastructure

¹ Bruce's Creek Master Plan (Land Design Partnership, 2009) (pg 2)

² Bruce's Creek Master Plan (Land Design Partnership, 2009) (pg 3)

across the creek will be codesigned with the Wadawurrung Traditional Owners Aboriginal Corporation.”

The unfortunate history of Development along Bruces Creek

Despite the clear intent of the Bruces Creek Master Plan and planning scheme overlays, recent development along the creek has repeatedly failed to adhere to these protections. The following examples illustrate how a lack of enforcement and inadequate planning oversight has led to significant encroachment, loss of public open space, and degradation of the creek corridor.

Rosemond Way

In the initial stage of the Somerset Estate development along Bruces Creek to the north of the Geelong-Shelford Road, respected the Masterplan. The lots and boundary road (Rosemond Way) were all set outside the boundaries dictated by the Plan and as prescribed in the planning scheme. Note the following Google Earth images are rotated 90 degrees counterclockwise to align with the Master Plan map.



Figure 3: Google Earth Image - Rosemond Way – 2013 – with Masterplan boundaries

The public open space pathways can be seen to be largely constructed, and revegetation works are well underway.

However, in 2019 further lots were opened up, all within the creek corridor and across the boundary set by the Bruces Creek Masterplan.

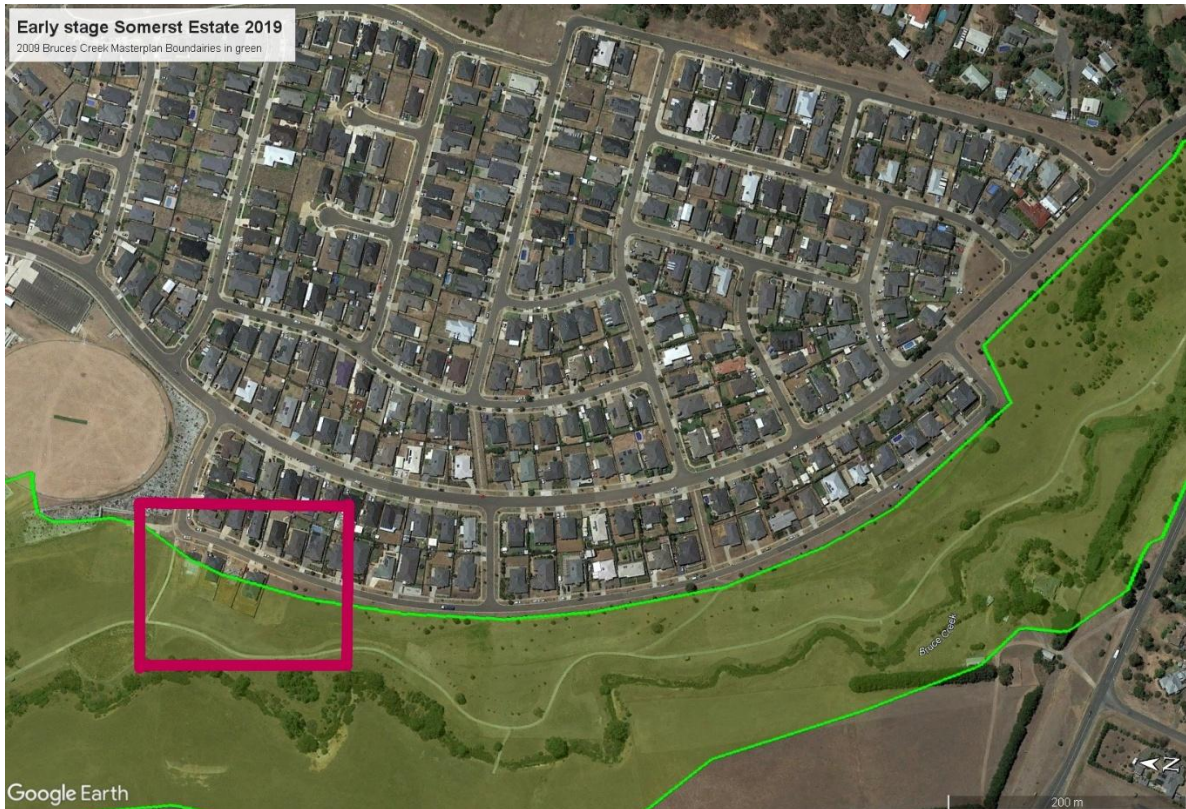


Figure 4: Google Earth Image - Rosemond Way – 2023 – with Masterplan boundaries

The latest Google Earth imagery from 2023 show an additional 7 lots had been pushed into the creek zone with the 2 lots to the west requiring substantial earthworks into the escarpment.



Figure 5: Google Earth Image -Close up - Rosemond Way – 2023 – with Masterplan boundaries

Willowbrae Road, Bannockburn

A second, possibly more egregious example is at Willowbrae Road, where there was no installed boundary road (as required under Clause 11.03-6L-01) providing separation of development from the reserve. Further there were numerous houses deep into the creek corridor, well outside the development boundaries set out in the Bruces Creek Master Plan.



Figure 6: Google Earth Image - Willowbrae Way – 2023 – with Masterplan boundaries



This development undermined key Master Plan elements, such as the Share-way and Residential Link.

Figure 7: Closeup Bruces Creek Masterplan Context Plan

One owner had fenced the gap between his property and the stormwater basin dramatically reducing the already constricted ability of the corridor to act as a biolink for species such as swamp wallaby and echidnas which have been recently recorded a short distance upstream, much less allowing potential pedestrian access along the western bank of the creek.

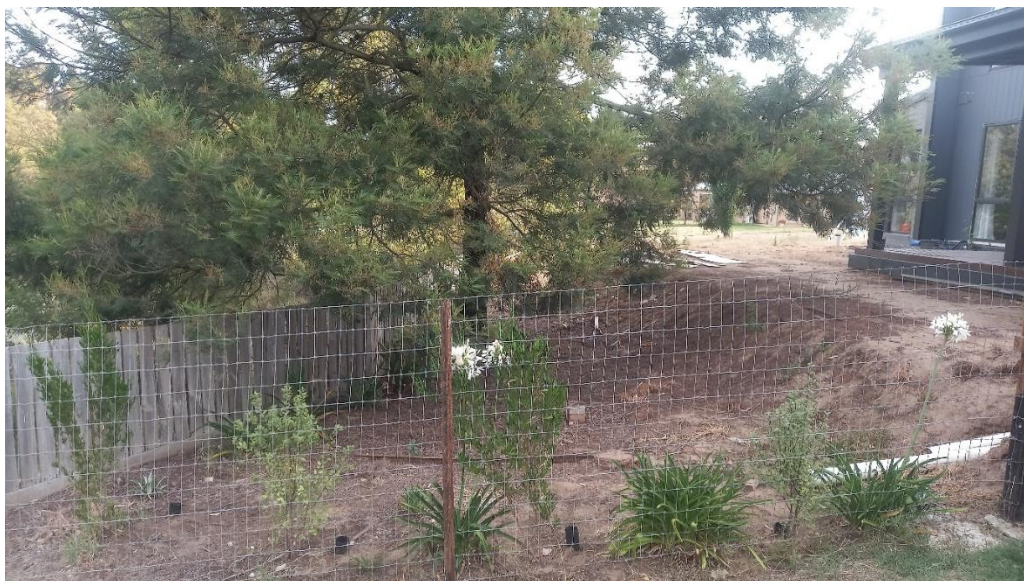


Figure 8: Fence between residential property and stormwater basin

It is not unreasonable to consider this could have been avoided if the Bruces Creek Master Plan's well considered boundaries had been honoured by planning staff and developers.

Broadhead Way, Bannockburn

Most recently, at Broadhead Way, the seemingly cavalier attitude to the requirements for a boundary road set out in the planning scheme and the reserve boundaries set by the Bruces Creek Master Plan are again on display.

At least 30 lots are within the Master Plan's creek reserve boundaries and over 2/3rds are between the supposed boundary road and inside the proposed creek reserve.



Figure 9: Google Earth Image - Broadhead Way – 2023 – with Masterplan boundaries

Stormwater retention basins outside development footprints

Even more impactful is the massive stormwater retention basin at the end of Broadhead Way which has been inflicted on the Bruces Creek Reserve. It can be seen under construction on the Google Earth image above. Rather than holding and treating the

stormwater within the development footprint through employing Integrated Water Management (IWM) and Water Sensitive Urban Design (WSUD) principles, this has instead been foisted on the reserve.

There would seem to be a clear trend by developers to limit the area within their development envelopes that is dedicated to the holding and treatment of stormwater runoff thus maximising lot yield. Instead, the infrastructure is pushed into the adjoining creek corridor.

This example significantly impacts the visual amenity of the Bruces Creek Reserve and is incompatible with its natural character.



Figure 10: retention basin within the creek corridor at Broadhead Way

It is understood that the concrete retaining walls seen in the image above were a later addition at the insistence of Council officers. The black fence surrounding the basin is over 2 metres high and precludes most mammal and marsupial species accessing the water.

This inappropriate construction is not in keeping with the Bruces Creek Masterplan of which a key element is the opportunity for “*Establishing a holistic approach to development across multiple boundaries (i.e. connections, drainage/stormwater, weed control, revegetation) and keeping infrastructure out of the sensitive creek corridor.*”(pg.

8). One of the principal Community Positions was “*Managing construction of surrounding residential developments to minimise negative impacts on the creek corridor, such as rubbish, dust, damage to vegetation, stormwater treatment and the like.*” (pg. 10)

Integrated Water Management (IWM) – Feature or failure?

“Integrated Water Management (IWM) is an important consideration for the precinct to develop in a manner that is sensitive to the water cycle and contributes towards enhancing environmental flows and systems, protects downstream impacts on the Barwon River and the RAMSAR listed Lake Connewarre, considers alternative water use, storm water management, and supports a liveable, sustainable and healthy community in Bannockburn for future generations.” PSP Vision

IWM stormwater initiatives were in part aimed at protecting our waterways by reducing runoff from developments through reuse solutions. While the PSP may have intentions of seeing the exclusion of retention basins from the creek corridor and implementing strong IWM and WSUD values, those who have experienced developer pressure degrading community visions for our waterways in the Golden Plains Shire post PSPs and DPOs, are fearful they are just going to see a repeat of past practices.

We would strongly encourage those with carriage of this process to be as prescriptive as possible to ensure that the residents of Bannockburn have an enhanced waterway and public open space zone, free from unsightly and impactful stormwater infrastructure which honours the vision of the Bruces Creek Masterplan.

Current status of the Bruces Creek Master Plan

In a recent Panel hearing into C105 Planning Amendment, council officers, rather than defending the Masterplan, attempted to downgrade it to a mere ‘concept plan’ despite its clear influence on Clause 11.03-6L-01 and the initial honouring of its boundaries. This minimisation is incorrect and detrimental.

Unfortunately, an initial reading the PSP documentation reveals they also fail to directly reference to the Bruces Creek Masterplan, or the pertinent sections of Clause 11.03-6L-01, something which is a serious omission.

Part of the problem seems to lie in the fact that the current masterplan, while referred to in the Planning Scheme, is not 'incorporated' into it.

A robust Masterplan for the entirety of Bruces Creek within the development zone is urgently required and should be prioritised before any development plans are issued. This should be conducted by an independent organisation and funded by council with monies recovered through a developer contribution levy for this purpose.

The need for such a Plan is reinforced by the PSP's own Cultural Values Assessment, which recommends an integrated "Bruce's Creek Linear Park" and reiterates the 2009 Master Plan's geographic and thematic vision:

*"It is recommended that an integrated "Bruce's Creek Linear Park", for the entire length of the Creek from adjacent to McPhillips Road downstream to the Gheringhap-Inverleigh Railway Line, in accordance with the purpose and scope of the Bruce's Creek Masterplan (2009), be prioritised for preparation enveloping both the existing and proposed Bruce's Creek parklands along this creek corridor through Bannockburn so to better coordinate sensitive and respectful access, overall vegetation and cultural values conservation, co-ordinated infrastructure provision, and overall and consistent revegetation activities, including the scope identified in Figure 9-1 within the Study Area."*³

Developer Contributions

The *Bannockburn South East Development Contributions Plan (DCP) Land Assessment 14 November 2024* seemingly directs very little in the way of contributions toward the Bruces Creek Reserve. As illustrated above the development at Rosemond Way in Bannockburn in 2013 was accompanied with open space pathways and creek corridor

³ Bannockburn South East PSP – Cultural Values Assessment Bannockburn South East PSP Page 115

improvements such as revegetation. There has been virtually no extension of these works in the Bruces Creek Reserve despite aggressive development up and downstream as evidenced by the still incomplete Milton Street access point. Council officers speak for the need to access funding to progress works which implies there has been either no or inadequate developer contributions to do so.

The PSP's *Valuation Report - Bannockburn South East Development - Contributions Plan (DCP) Land Assessment* acknowledges that the *Existing Ecological Conditions Report: Bannockburn Growth Area (Bruce Creek West), November 2022, Ecology & Heritage Partners Pty Ltd* stating:

“In view of the biodiversity recorded it is recommended that these ecological values be ‘retained, enhanced and managed to assist in creating a more diverse, connected and resilient natural environment, particularly those located within the Bruce Creek corridor’”

However, the lack of discussion of the obligations under the Environmental Significant Overlay (ESO2) and the use of the word ‘recommendation’ does make it seem as though this is optional. It isn't. SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY states that:

“To maintain the quality and quantity of water within the watercourse.

To maintain the ability of streams and watercourses to carry natural flows.

To prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.

To protect and encourage the long term future of fauna and flora habitats along watercourses.

To prevent pollution and increased turbidity of water in natural watercourses.

To prevent increased surface runoff or concentration of surface water runoff leading to erosion or siltation of watercourses.

To conserve existing wildlife habitats close to natural watercourses and, where appropriate, to allow for generation and regeneration of habitats.

To restrict the intensity of use and development of land and to activities which are environmentally sensitive and which are compatible with potential drainage or flooding hazards.”

What isn't clear is how these are to be funded nor whose responsibility it is to ensure they are actioned within the precinct.

A similar cursory treatment is seemingly made of a Bruces Creek Reserve. The *Bannockburn South East Precinct Structure Plan – Community Infrastructure Assessment and Addendum – ASR Research*. Table 20 - Proposed infrastructure in the Bannockburn SE PSP area allocates only 3 hectares of land for a “Linear Park along Bruce’s Creek”. This is a manifestly inadequate area for such a vital landscape.

Sodic Soils – Threat to Bruces Creek

The threat posed to Bruces Creek by the extensive sodic soils within the Precinct are acknowledged within the *Sodic/Dispersive Soils Testing and Assessment Bannockburn South-East Precinct Victorian Planning Authority WSP*:

In summary, both published data and the intrusive assessment undertaken strongly indicate that sodic and dispersive soils are present at Bannockburn South-East Precinct. Therefore, the precinct is vulnerable to dispersion, which poses a soil erosion risk and subsequently may result in soil loss, damage potential future buildings and infrastructure and cause a reduction in water quality for nearby waterways including Bruce Creek if not managed appropriately. The steeper slopes along Bruce Creek are particularly vulnerable to soil erosion with the added risk of exposure of subsurface soils which have been shown to be more sodic and dispersive than the topsoil.

The proposal is:

To mitigate these risks, the PSP will implement a green corridor along Bruce Creek to prevent development on erosion-prone slopes, and proponents will be required to prepare and implement erosion control management plans during construction. Additionally, stormwater infrastructure is intended to be located outside of sensitive creek areas, and no untreated outfall should directly enter Bruce Creek

The extensive sodic soil risks posed by developing this precinct require elevated and extended measures given the proximity of Bruces Creek.

Dispersed clay particles from sodic soils increase sediment loading and turbidity in the water, leading to poor water quality in Bruce Creek and downstream waterways like the Barwon River. It also increases the erosion risks to the creek considerably.

Runoff from disturbed sodic soils require longer holding times for treatment. The development cut stage then the building out of individual lots need to be properly managed and soils within the development area improved through the application of gypsum or the equivalent. No untreated outfall should be allowed to reach Bruces Creek.

Waterway advocates in the Shire have experienced numerous occasions where stormwater treatment measures have been inadequate resulting in significant sedimentation plumes entering waterways during rainfall events. Our confidence in mitigation measures employed by developers within the Shire is consequently low.

Recommendation: Strengthen sodic soil management regimes and strictly prohibit untreated outflows to the creek.

Cultural Heritage

The Cultural Heritage Assessment is a powerful document setting out Wadawurrung history in the area. It, and the assessment done for the C105 amendment, reveal high levels of cultural artifacts along the Bruces Creek escarpment showing that sites were used for long-term habitation. The creek entering the Barwon River directly to the west is

named Native Hut Creek for the large numbers of Wadawurrung dwellings sighted by early explorers. Mia Mia Creek is further to the west.

In Table 5-2 Wadawurrung Country Threats of the Assessment “Urban Development” is first on the list. The cultural heritage buffer of 200mts from Bruces Creek is recognised in the VPA map. On page 117 of the CH Assessment contains the following recommendation:

“It is recommended that the substantive recommendations embodied in the Bruce’s Creek Masterplan (2009) be adopted for the same geographical areas (Open Space Link, Escarpment Zone, Creekline Zone, Activity Zone, Outer Zone) in this Study Area, as expressed in their Context Plan extracted in Appendix B of this report.”

The CH Assessment strengthens the call for keeping the creek corridor and escarpment zone within a reserve ensuring waterway and cultural protection as well as providing for enhanced biodiversity and public open space in the form of a Bruces Creek Linear Park.

Conclusion

The history of development along Bruces Creek demonstrates a clear and troubling pattern: while strong visions and planning principles have been set out, particularly through the Bruce’s Creek Master Plan and relevant planning clauses, these have too often been disregarded in implementation. The consequences have included encroachment into the creek corridor, inadequate stormwater management, erosion from sodic soils, and the fragmentation of cultural and ecological values.

The Bannockburn South East Precinct Structure Plan presents a vital opportunity to break this pattern. To do so, the PSP must move beyond general statements of intent and explicitly embed enforceable protections. These should include:

- Full recognition of the Bruce’s Creek Master Plan and Clause 11.03-6L-01 as central planning instruments

- Prescriptive exclusion of stormwater basins from the creek corridor
- Stronger obligations for managing sodic soils throughout all stages of development
- Developer contributions that reflect the scale and significance of the Bruces Creek corridor
- Prioritisation of a new, integrated Master Plan for the full length of Bruces Creek before any DPOs are approved
- Full integration of Wadawurrung cultural values and recommendations as identified in the Cultural Values Assessment

If these measures are adopted, the PSP can deliver a lasting legacy for the Bruces Creek corridor, one that protects its environmental function, honours its cultural significance, and provides a high-quality, connected open space for the growing Bannockburn community.

Thank you for the opportunity to provide this submission.

Yours sincerely,

A solid black rectangular box used to redact the signature of the author.

15th June 2025