

Amendment C296gben to the Greater Bendigo Planning Scheme

BENDIGO REGIONAL EMPLOYMENT PRECINCT

Submission to the Victorian Planning Authority

Greater Bendigo City Council, Responsible Authority and Planning Authority for the Greater Bendigo Planning Scheme

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12 February 2026

Victorian Planning Authority
BREP@transport.vic.gov.au

Dear Sir/Madam

Amendment C296gben to the Greater Bendigo Planning Scheme

INTRODUCTION

1. Greater Bendigo City Council (**Council**) makes this submission in relation to Amendment C296gben (**Amendment**) in its capacity as responsible authority and planning authority for the Greater Bendigo Planning Scheme (**Planning Scheme**).
2. Council supports the Amendment and considers the master planning of the Bendigo Regional Employment Precinct (**BREP**) to be a significant and essential step to bring much needed industrial land to the market in Greater Bendigo. Council appreciates the work undertaken by the VPA, as planning authority for the Amendment, and considers the Amendment to be underpinned by a strong body of technical work which follows a long process of strategic planning that has supported the planning of the BREP, including:
 - 2.1 *Victoria's Economic Growth Statement 2024;*
 - 2.2 *Marong Township Structure Plan 2024;*
 - 2.3 *National Freight and Supply Chain Strategy 2025;*
 - 2.4 *Greater Bendigo Industrial Land Development Strategy 2025;*
 - 2.5 *Victoria's Roadmap – A 10 year plan for industrial land 2025;* and
 - 2.6 *Plan for Victoria 2025.*
3. Nevertheless, there are some matters that still need to be improved or resolved before the Amendment can be gazetted. This includes:
 - 3.1 the arrangements for preparing a Shared Infrastructure Delivery and Funding Plan and securing the funding and provision of shared infrastructure through section 173 agreements, including how these matters are described in the *Guideline for Preparing Shared Infrastructure Plan for State Transport Infrastructure (SIP Guideline)* and Schedule 34 to the Development Plan Overlay (**DPO34**));
 - 3.2 clarification regarding the assumptions behind the traffic modelling undertaken, costings of transport infrastructure and the apportionment of costs;
 - 3.3 the description of the cultural heritage significance of the BREP in the DPO34, and the setback and interface requirements to Marong Cemetery;
 - 3.4 refining the requirements for the development plan in DPO34 to avoid duplication and unnecessary requirements on applicants; and
 - 3.5 additional detail in relation to the protection of biodiversity through the construction process and design and siting of development in the precinct.

4. A marked up copy of the DPO34, which reflects Council's position on these issues, will be provided in support of this submission shortly.
5. Council looks forward to continuing to work with the VPA on refining the Amendment to enable the BREP to be developed as an important industrial and economic precinct.
6. Further, while this submission captures the key issues identified by Council from the exhibited Amendment, Council acknowledges that other issues may be raised by other submitters to the Amendment, which may be relevant to Council's interests. Council reserves the right to explore and respond to those other matters, as part of a Standing Advisory Committee hearing.

THE NEED TO DELIVER THE BREP

7. The Amendment provides for the delivery of the BREP, through the application of the Industrial 1 Zone (**IN1Z**), which will allow for the development of land within the precinct for industrial purposes.
8. The Amendment also applies the DPO34, which will ensure that development occurs in a coordinated and logical manner.
9. Further, it safeguards the long term strategic vision and intent for the BREP through amendments to the Marong Framework Plan, which is included in clause 11.-01-1L (Settlement – Marong) as well as a new policy at clause 11.03-6L-04.
10. The strategic basis for delivering the BREP through the Amendment is very clear. It will allow for the delivery of 294 hectares of industrial and employment land, which will provide approximately 3,000 jobs and 24 - 30 years of industrial land supply.
11. The strategic planning for the BREP has been developed over many years, as detailed in the Background Report for the Amendment. In particular, the BREP is identified in Council's *Greater Bendigo Industrial Land Development Strategy September 2025 (GBILDS)* which was developed as a plan to ensure the provision of suitability located, serviced and adequately buffered industrial land for the municipality for the next 30 years. The GBILDS was recently given effect in the Planning Scheme through Amendment C282gben, which was gazetted on 17 December 2025. The GBILDS prioritises the delivery of the BREP in the short to medium term to meet many of the long term industrial needs of Greater Bendigo.
12. The BREP is also strongly supported at State policy level, noting that:
 - 12.1 *Plan for Victoria 2025* identifies the BREP as a key strategic employment area, demonstrating strong State level support for the rezoning proposed through the Amendment.
 - 12.2 *Victoria's Economic Growth Statement 2024* recognises Greater Bendigo as a priority location for industrial growth, and the BREP has been confirmed as the designated greenfield employment precinct for the Statement.
 - 12.3 *Victoria's Roadmap – A 10-year Plan for Industrial Land* recognises the BREP as a State-significant industrial area.
13. The strong strategic justification for the BREP demonstrates not only the importance of the Amendment proceeding as soon as possible, but also that the planning controls and arrangements for the delivery of infrastructure needed to support the precinct are resolved appropriately before the Amendment is gazetted.

TRANSPORT NETWORK

14. The Background Report states that the strategic success of the BREP relies on direct and efficient integration with the State freight network, including the planned Marong Western Freight Corridor (**MWFC**), while minimising the traffic impacts on the Marong Township.¹ Council agrees.
15. Further, Council agrees with the summary, set out in the Background Report, which states²:

The BREP, as a regionally significant industrial precinct, must be supported by efficient freight connections that link Greater Bendigo to wider state and national logistics networks. The freight corridor has been under investigation for several years, evolving from a strategic concept into a defined corridor alignment that now provides the structural certainty needed for integrated land use and infrastructure planning.
16. Council is pleased to see the progression of planning for the MWFC, including the identification of the preferred alignment for the MWFC in October 2024, which has strengthened BREP's role as a regionally significant industrial hub and informed the development of the DPO34.
17. Council encourages the State government and DTP-T to continue to progress the planning for the MWFC, noting that a concept plan has been prepared and DTP-T has undertaken consultation with affected landowners. The MTSP, first adopted in September 2020 and revised in June 2024, identifies that the Calder and Calder Alternative Highways are dominated by a large volume of traffic including trucks, compromising the function, amenity and safety of the town.
18. Specific to BREP, the following studies have been prepared:
 - 18.1 the *Marong Transport Network Assessment (MTNA)* prepared by Stantec for the VPA, dated 1 December 2025; and
 - 18.2 the *Bendigo Regional Employment Precinct: Transport Impact Assessment (Stantec TIA)* prepared by Stantec for Development Victoria, dated 28 April 2025.
19. The MTNA, which is a key strategic study underpinning the Amendment, identifies the following infrastructure required to support the BREP:
 - 19.1 upgrade of three intersections (IT2, IT3 and IT5) which are to be apportioned to the BREP in varying degrees; and
 - 19.2 construction of five access points (AP1 to AP5) which are wholly attributable to the BREP area.
20. It also acknowledges the work undertaken by Council for the Marong Township Structure Plan (**MTSP**) and that planning of the transport network on account of the development of the BREP also needs to be considered in parallel with the urban development and expansion of the Marong Township, in accordance with the MTSP.
21. Further to this, Council has been working on the draft Marong Township Shared Infrastructure Funding Plan (**Marong SIFP**), which it been prepared to guide the delivery of shared township and precinct specific infrastructure that is required to support the development of the Marong Township. The Marong SIFP is to be implemented through section 173 agreements with landowners in the Marong Township.

¹ Background Report, p.68.

² Background Report, p.42.

22. The Marong SIFP includes intersection IT3, being the Calder Highway and Calder Alternative Highway Intersection upgrade. As set out at paragraph 19.1 above, the MTNA also identifies that IT3 is required to support the BREP.
23. The Marong SIFP was prepared in accordance with Council's *Development Contributions Governance Framework, 26 August 2024 (Governance Framework)* and *Development Contributions Policy, 26 August 2024 (DC Policy)*. Both of these documents are referred to in the SIP Guideline which has been prepared to guide the preparation of a SIP to support the BREP (as discussed further below).
24. While recognising this background work, Council has identified the following concerns or matters requiring clarification about the way in which the Amendment approaches traffic and the transport network.

IT2 – Calder Alternative Highway / Wimmera Highway / Salvarezza Road

25. IT2 will provide a key access point to the BREP from the Marong Township, the Calder Alternative Highway corridor and the Wimmera Highway corridor that forms part of the MWFC. It will also be critical to the performance of the MWFC and form an important role in connecting to future residential development to the east (via Salvarezza Road when that additional connection is provided). IT2 will also continue to play an important role for traffic travelling north, to the Marong Township, as it does today.
26. In respect of the cost apportionment of IT2, the SIP Guideline states³:

Cost Apportionment

As existing and background traffic do not necessitate the upgrade of IT2, these external traffic users and the State Government are not contributors to the new transport infrastructure at IT2. The upgrade is required solely due to the needs generated by the BREP and the Marong Township Structure Plan (MTSP). Without these new developments, no upgrade would be required.

Under the agent of change principle, the BREP and MTSP are responsible for ensuring that their traffic does not cause detriment to the performance or safety of the existing State road network or to existing/background traffic volumes. While the upgrade will not provide material benefit to existing/background through-traffic on the Wimmera Highway or Calder Alternative Highway, it will improve safety and turning movements for the traffic generated by the BREP and MTSP. The upgraded design must nonetheless provide sufficient capacity to accommodate both new development traffic (960 vehicles as modelled under Stantec's 2046 PM peak modelling) and existing/background traffic (354 and 195 vehicles respectively as modelled). Accordingly, the BREP and MTSP are responsible for funding the proportion of the upgrade that accommodates existing and background traffic.

Stantec's 2046 PM peak modelling indicates that development-driven demand totals 960 vehicles, of which the BREP contributes 800 vehicles (83.33%). Applying the same proportionate share, the BREP is responsible for 83.33% of the capacity that accommodates existing and background traffic (approximately 457 vehicles), as funding this capacity is only required because the development necessitates the upgrade.

The new eastern leg (Salvarezza Road connection) is required exclusively to service the MTSP residential growth areas, as identified in the Marong Township Structure Plan. This leg is therefore excluded from the BREP apportionment calculation.

27. While there is no dedicated commentary in the SIP Guideline regarding the cost apportionment for IT3 and IT5, it is apparent that the approach for IT2 is inconsistent with the

³ SIP Guideline, p.16

approach taken for those two other intersections. The SIP Guideline nominates 37% (IT3) and 33% (IT5) of the costs of these upgrade works to BREP, arising from, as Council understands it, the traffic volumes at the PM Peak Hour (2046) identified in the MTNA⁴. This apportionment accounts for existing, background and Marong Township growth accounting for the balance of the contributions.

28. Within the same analysis, in Table 6.3 of the MTNA, it provides that the BREP traffic volumes at the PM Peak Hour (2046) contributing to IT2 will be 53%.⁵ The remaining 47% of traffic will be drawn from the existing traffic (23%), background growth (13%) and township growth (11%).
29. There ought to be a consistent, equitable approach towards the apportionment of costs in the SIP Guideline in relation to the three intersections which satisfies the principles of need, nexus and equity. In this case, that means attributing 53% of the cost of IT2 to BREP, in accordance with the MTNA, compared to 83.33% which is identified in the SIP Guideline.
30. Further, it is noted page 36 of the SIP Guideline already nominates DTP-T as the development agency for IT3 and IT5. Consistent with this approach, DTP-T should also be nominated as development agency for IT2. Council should not be left to carry the risk of delivering this intersection, noting the existing and background traffic that make up the balance of traffic through the intersection.

AP1, AP2 and AP3

31. There is a lack of clarity around how the modelling has been approached for access points AP1, AP2 and AP3, for example, how they will be designed and costed for use by the BREP.
32. In particular, Council requests clarification regarding the need for, and apportionment of, AP1 (Connection into the Marong Western Freight Corridor roundabout at the Wimmera Highway / Wilsons Hill Road / McCreddons Road intersection). The SIP Guideline indicates that there is an interim (pre-MWFC) and ultimate (post-MWFC) connection required.
33. It is important to ensure that the interim treatment for AP1 is designed in a manner which is directly attributable to the BREP and shared equitably between the landowners of the BREP according to their share of usage. It is unclear from the material how this has been approached in the development of the interim and ultimate scenarios identified in the SIP Guideline.
34. Further, Council understands that the modelling undertaken by Stantec for the distribution of traffic has not included AP2 and AP3. These two access points need to be considered given they are intended to service the north east corner of the Precinct when it is developed.

Road cross sections

35. Council considers that the DPO34 should specify the preferred cross sections for internal local and connector roads in the DPO34.
36. This can be included as a requirement of the Traffic Impact Assessment in the development plan and will be shown in Council's preferred DPO34.

Transport infrastructure costs and apportionment

37. Council notes the indicative costs provided for the transport infrastructure and apportionment to BREP, as set out Cost Estimates prepared by Stantec, and reflected in the SIP Guideline.

⁴ MTNA, Table 6.3, p.42.

⁵ MTNA, Table 6.3 – Item 1, Calder Alternative Highway / Wimmera Highway, p.42

38. While the costs are indicative only, Council notes that the costs of the infrastructure shared between BREP and the Marong Township (i.e. IT3) in the Cost Estimates differs to what Council recently assessed for IT3 for the Marong SIFP.
39. Council is having the costs peer reviewed and reserves its rights to make further submissions on this should issues arise.

SHARED INFRASTRUCTURE FUNDING

Overview

40. The arrangements to secure the funding and delivery of infrastructure are complex and will be difficult to administer. They should be revised before the Amendment is gazetted.
41. As exhibited, DPO34 requires that shared infrastructure required to service the precinct be identified in a SIP that is prepared as part of a development plan or (plans) prepared for the precinct. The SIP is to provide:
- 41.1 arrangements for the provision and staging of infrastructure, including utilities, drainage, roadworks and other incidental works, both internal and external to the development plan area, including the three State intersections (IT2, IT3 and IT5);
 - 41.2 the location of infrastructure easement or installations;
 - 41.3 arrangements for the provision and staging of wastewater servicing; and
 - 41.4 arrangements for coordination between landowners and relevant authorities outlining cost sharing and triggers for infrastructure.
42. The DPO34 provides that a SIP must be prepared in accordance with the SIP Guideline, which was exhibited with the Amendment.
43. The DPO34 then provides requirements for three different types of section 173 agreements (through conditions on a permit). The drafting of DPO34 in this respect is complex, however the Background Report describes the three section 173 agreements as follows⁶:
- 43.1 Local shared infrastructure agreement – between the landowner and Council, securing infrastructure and contributions identified in the SIP for local and development plan level items.
 - 43.2 Access point agreement – between the landowner, Council and the Head, Transport for Victoria, securing the delivery of BREP access intersections connecting to the arterial network (being AP1 – AP5).
 - 43.3 State transport infrastructure agreement – between the landowner, Council and the Head, Transport for Victoria, securing monetary or works-in-kind contributions towards the State-managed intersections (being IT2, IT3 and IT5).
44. In relation to the liability of each development plan area, the SIP Guideline says that it will be determined and confirmed through a Transport Impact Assessment prepared at the development plan stage, as required under the DPO34. This will determine a standard contribution rate for the SIP (which is to be measured as a value (\$) per 100 m² GFA).
45. The SIP Guideline also says that⁷:
- If the vehicle-movement rates for a proposed use, building or works under a planning permit application differ from the traffic assumptions of the approved SIP, the responsible authority may, at its discretion, adjust the applicable contribution rate (upward or downward) to reflect the verified usage.
46. The following matters are identified with the proposed approach.

⁶ Page 76.

⁷ Page 32.

Requirement for a SIP

47. The DPO34 requires the preparation of a SIP as part of any development plan in accordance with the SIP Guideline. The DPO34 requires the SIP to cover *‘provision and staging of infrastructure including utilities, drainage, roadworks and other incidental works...’* and specifically refers to the three state intersections.
48. The DPO34 and SIP Guideline are unclear as to whether, if a development plan is prepared for part of the precinct, rather than the BREP as a whole, the first developer is required to prepare a SIP for the whole precinct, or whether the SIP can also be prepared in parts. In particular, Council notes the SIP Guideline provides that Council as responsible authority or a development plan proponent can prepare the SIP as follows:⁸
- A SIP may be prepared by the City of Greater Bendigo, as the lead authority, or a development plan proponent, in consultation with CoGB, Department of Transport and Planning and affected landowners.
- In either case, the SIP must be endorsed by CoGB to form the basis for infrastructure delivery and/or funding and cost apportionment under the approved development plan and related Section 173 Agreements.
49. Council considers it essential that one SIP be prepared for the whole of the BREP and that it not be prepared in parts.
50. The purpose of the SIP is to deal with essential infrastructure that is efficiently coordinated and shared across the whole of the BREP. There needs to be consistency and coordination across the precinct as to the approach to shared infrastructure, and a single SIP is an efficient and equitable means for Council to administer this as responsible authority for the BREP. Conversely, multiple SIPs will be administratively burdensome, and has the potential to produce inequitable outcomes as Council is presented with and seeks to resolve outcomes with development proponents individually.
51. Therefore, the DPO34 and SIP Guideline should be updated to reflect this, and require that only one SIP can be prepared and approved by Council for the BREP. Further, Council’s preference is that this is done before a development plan can be approved to Council’s satisfaction in accordance with the DPO34, and considers that this is achievable, noting the extensive background and technical analysis already undertaken for the BREP to date which can inform the SIP.
52. Further, the SIP Guideline provides that the liability of each development plan area will be determined at development plan stage with a standard contribution rate for the SIP (\$ per 100 m² GFA). The rate will be based on the demand generated by the development, which is to be confirmed through a Transport Impact Assessment. If the SIP is intended to address other infrastructure as well, such as drainage and utilities, it is not clear what rate is to be applied to this infrastructure.

Contribution rates

53. The SIP Guideline also provides that if the rates differ in a permit application from the traffic assumptions in the SIP, the responsible authority may adjust the contribution rate up or down. It is unclear how this would work and Council is concerned that this will lead to inconsistent and inequitable outcomes. Presumably the designs of the State infrastructure will be resolved and fixed at a certain point in time, and cannot be adjusted during the lifetime of the SIP based on the demand proposed to be generated by an individual proposal.
54. Traffic volumes are only one input into intersection design, and changes in volumes do not necessarily mean that there is an adjustment to the intersection scope and cost. This is

⁸ Page 6.

particularly true for roundabouts where design vehicle size and operating speed are the key determinants of intersection design.

55. A permit by permit adjustment also suggests the infrastructure could only be delivered towards the end of the development of the precinct, when the extent of development is fully understood. If the contribution rates are adjusted up or down based on the demand generated by an individual permit application, how will Council or any other development agency (including the State) be able to account for the balance? There are also risks in the event of over collection. If the contribution rates are variable and can be revisited with every permit, at what point in time is Council to stop collecting?
56. Further, the infrastructure is required to support (and is partially apportioned to) the Marong Township as well as existing and background traffic growth. Adjustments to the contribution rate for developments within the BREP also has equity implications for developers in the Marong Township and other contributing agencies, who are also required to contribute to the infrastructure.
57. While the intent of the SIP Guideline might be to ensure that developments are not overcharged or undercharged based on their ultimate use, Council does not support movement in the rate after the SIP is prepared. In Council's submission, the SIP Guideline needs to be updated to adopt a more typical DCP-based approach, which would require a fixed contribution rate, based on NDA.

Shared Infrastructure Plan Section 173 Agreement

58. As set out in the Background Report, the first section 173 agreement referred to in the DPO34 relates to the shared infrastructure that is described as local and development plan level items.
59. The drafting of this clause is confusing. The drafting of the DPO34 does not make it clear that this section 173 agreement is to deal with local infrastructure. This only becomes evident from the description in the Background Report. The drafting needs to be improved for it to be workable. Further, Council considers that this agreement should be limited to infrastructure that services multiple development areas across the BREP. Otherwise it is unclear why Council, as the responsible authority, would be responsible for having oversight and administration of the section 173 agreement.
60. Accordingly, there are drafting changes that are required to this clause to avoid confusion and to reinforce that the agreement is to deal with shared infrastructure items required directly as a consequence of the development of the BREP. For example, the requirement for the agreement to specify:

The equitable apportionment of costs between the owner and Council for any items which exceed the needs of the development.

is unnecessary and should be deleted. Local and development plan level items will not involve any apportionment between development proponents and Council.

61. Council will illustrate its proposed changes to this clause in a marked up DPO34.

Access Points Section 173 Agreement and State Infrastructure Section 173 Agreement

62. The SIP Guideline says that the access points (AP1 – AP5) are wholly attributable to the development plan area that triggers those access points. On this basis, it is unclear why the access points need to be included in a second, separate section 173 agreement, which refers to shared infrastructure as currently proposed in the DPO34.
63. If it is the case that the access points are required to service the whole of the BREP, the developers need to equitably share the contributions towards them. If this is the case, then it

would be reasonable for the SIP and the section 173 agreements to include a cost sharing mechanism for these access points. Council requests that the VPA clarify this issue. If it is the case that the access points are not considered to be shared infrastructure, then it should be clarified why this second section 173 agreement, solely related to the access points, is required.

64. In any event, there is no need for the access points and State infrastructure intersections to be covered by two separate agreements. The parties to the agreements are the same. So there should just be the one agreement, dealing with the overall cost sharing and delivery arrangements for both.

Council's requested changes

65. The following changes are required to the SIP Guideline and the DPO34 to ensure the workability of the shared infrastructure arrangements, and to address the issues Council has identified above.
66. Firstly, the DPO34 and the SIP Guideline need to be updated in relation to the requirements for the SIP, to make it clear that only one SIP can be prepared for the BREP as a whole. Council further considers that this ought to be done before a development plan can be approved to the satisfaction of Council, in accordance with the DPO34. The infrastructure needs to be costed and apportioned within the one SIP to ensure consistency and equity across the precinct and to remove the administrative burden and risk of inequitable outcomes which may occur in the alternative (where Council would be considering and administering multiple SIPs).
67. The DPO34 also needs to be updated in relation to the requirements for section 173 agreements. There should only be two (rather than three) agreements. One agreement will secure the delivery of and contributions to shared local infrastructure solely arising from development within the BREP, and the other will secure the delivery of and contributions to the State intersections and access points. Each agreement will also need to provide for:
- 67.1 payment of a standard contribution for the shared infrastructure, in accordance with the approved SIP;
 - 67.2 provision of infrastructure projects (different for each developer), including standard works in kind clauses, in circumstances where works in kind have been proposed by a developer and accepted by Council;
 - 67.3 credit for overprovision when an infrastructure project is delivered (where relevant); and
 - 67.4 no provision for re-visiting the contribution rate.
68. Finally, Council also notes the SIP Guideline states that it does not include matters relating to⁹:
- Local shared infrastructure, such as drainage, power, water, and sewerage services.
 - Localised intersection works associated with individual development plans.
 - The operation of permit conditions under the DPO schedule in relation to the above local infrastructure projects.
69. However Table 1, which sets out all the shared transport infrastructure projects includes both the three state managed intersections (IT2, IT3 and IT5) as well as the local access points

(AP1 to AP5). This inconsistency should be resolved when the SIP Guideline is amended by either:

- 69.1 expanding the guideline to address all the shared infrastructure that it to be included in the SIP; or
- 69.2 clarify that the SIP Guideline only applies to the state intersections.

CULTURAL HERITAGE

- 70. Council continues to work collaboratively with the Dja Dja Wurrung people in the spirit of Yilingga Marna and appreciates the significant contributions of the Dja Dja Wurrung people and DJAARA to their country and the Marong area. The Statement of Cultural Significance exhibited as part of the Amendment describes the tangible and intangible cultural heritage for the area.
- 71. The Statement of Cultural Significance also describes the cultural significance of Bullock Creek, which runs outside the BREP to the east and provides the cultural landscape of the BREP.
- 72. The Amendment implements the recommendations of the Statement of Cultural Significance and recognises and protects cultural heritage through the objectives and requirements for the development plan in the DPO34. While Council supports these overall, there are some matters that Council thinks should be refined.
- 73. Firstly, the fourth objective of the DPO34 recognises the cultural values of the BREP, stating:

To recognise, celebrate, protect and appropriately interpret the Aboriginal cultural values of the Marong area and Bullock Creek, including their tangible and intangible significance to Dja Dja Wurrung people.
- 74. As Bullock Creek is outside the BREP, Council considers it would be appropriate remove the reference to it from the objectives to avoid any confusion as to the area of significance within the BREP. Alternatively, the objective could be revised to make this context clearer, in particular to state (new text in bold for emphasis):

To recognise, celebrate, protect and appropriately interpret the Aboriginal cultural values of the Marong area, and **the cultural landscape of Bullock Creek to the east of the precinct**, including their tangible and intangible significance to the Dja Dja Wurrung people.
- 75. Further, a landscape concept plan is required to be included in a development plan approved under the DPO34. The fourth dot point of the landscape protection measures which the DPO34 says should be included in the concept plan is:

Retention and protection of mature trees throughout the site, including those within existing and proposed road reserves, in the cluster to the immediate east of O'Sullivan's Road, and in clusters in the west of the site, through the application of appropriate buffer zones.
- 76. The above dot point reflects recommendation c) of the Statement of Cultural Significance. However, it is unnecessary and can be deleted as it is addressed by the fifth dot point which states:

Retention and protection of identified critical and high value trees shown on Map 1 along the roadsides and the patches within the site, especially mature roadside vegetation in the eastern portion of the site and two high value vegetation patches

within the western portion of the site, to form an ecological corridor linking both sides of the site.

77. Council also notes that the DPO34 includes the following requirements for a development plan in relation to setbacks:

A landscape buffer and development setback of a minimum of 50 metres from the Marong Cemetery, Wilsons Hill Bushland Reserve and Dry Creek, with no loading bays, service yards, heavy vehicle docks, or external mechanical plant zones allowed within this buffer.

An interface treatment to the Marong Cemetery where building envelopes does not exceed 10 metres in height and the landscape buffer includes tree planting capable of reaching a minimum mature height of 12 metres to provide effective visual screening.

78. The landscape buffer, development setback and interface treatments in respect of Marong Cemetery appear to respond to recommendation e) of the Statement of Cultural Significance. The Statement of Cultural Significance refers to bullet point 1 and 5 of recommendations 8.6 set out in the *Bendigo Regional Employment Precinct Landscape and Visual Assessment (LVA)* November 2023 prepared by Spiire as providing the basis for recommendation e).
79. While Council acknowledges the importance of recognising cultural significance, and particularly the cultural significance of the BREP precinct and its surrounds, the recommendations of the LVA do not support the setback and interface requirements in the DPO34 or the recommendations of the Statement of Cultural Significance.
80. Specifically, the LVA does not specify a 50 metre buffer and setback from Marong Cemetery, Wilsons Hill Bushland Reserve and Dry Creek. The Statement of Cultural Significance appears to rely on bullet point 1 of recommendation 8.6 of the LVA in relation to 10 metre structures and 12 metre mature trees. However the recommendation in bullet point 1 is intended to apply to sensitive residential interfaces rather than the Marong Cemetery interface.
81. Council considers the interface with the Marong Cemetery can be effectively managed through the design response requirements for the development plan in DPO34, which should be updated to require the layout, built form and interface treatments with surrounding road and internal waterways be consistent with the *Greater Bendigo Industrial Development Guidelines 2025 (Industrial Guidelines)*. This will ensure an appropriate interface with Marong Cemetery without unreasonable encroachment into the developable area of the BREP.
82. Consistent with this approach, Council considers that the area of open space adjacent to the Marong Cemetery shown in the concept plan in DPO34 should be removed on the basis that this area could be developed, however its ultimate designation should be determined through the design response requirements for the development plan in DPO34 and having regard to the requirements of the Industrial Guidelines.

LAYERING OF ASSESSMENTS

83. Some of the requirements of the DPO34 in relation to the preparation of the development plan (or plans) and the future permit applications are too complicated and appear to duplicate work that has already been done.
84. An example of this is the Traffic Impact Assessment (TIA) requirement for the Development Plan. The following assessments have already been completed:

- 84.1 *Bendigo Regional Employment Precinct: Transport Impact Assessment, Stantec (28 April 2025)* prepared for Development Victoria; and
- 84.2 *Marong Transport Network Assessment, Stantec (1 December 2025)* prepared for the Victorian Planning Authority.
85. The DPO34 requires that the development plan TIA address a significant number of matters as specified in the development plan requirements. These should be reviewed and reduced to ensure that they are not overly onerous and do not overlap with the assessments already undertaken as part of the Amendment.
86. Further, the Amendment has been informed by a Statement of Cultural Significance prepared by DJAARA dated 6 November 2025. DJAARA is also in the process of preparing a Cultural Values Assessment for the BREP, which Council understands will be available in the coming months.
87. The DPO34 requires that the development plan include a further plan prepared in collaboration with DJAARA that is informed by any Cultural Values Assessment and Cultural Heritage Management Plans (**CHMP**) prepared in relation to the site. Further, in accordance with recommendation c) of the Statement of Cultural Significance, the DPO34 requires that the plan be accompanied by an Aboriginal Cultural Heritage Assessment prepared to the satisfaction of DJAARA.
88. Council considers the requirement for an Aboriginal Cultural Heritage Assessment will duplicate the work undertaken already through the Statement of Cultural Significance and Cultural Values Assessment. This requirement could be deleted, noting that the Aboriginal Cultural Heritage Impact Assessment recommends that proponents of 'high impact activities' will also be required to provide a CHMP prior to permit application stage in accordance with the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*.

BIODIVERSITY AND LANDSCAPE

89. As set out in the Arboricultural Assessment prepared by ENSPEC 2023, there are various existing indigenous trees along the roadsides within the BREP which provide the precinct with outstanding landscape and biodiversity values.
90. In particular, the Arboricultural Assessment recognises the significance of vegetation along O'Sullivan's Road and Cemetery Road, and recommends that these roads be downgraded to local access no-through roads to ensure that they are not used as shortcuts or access for traffic accessing or avoiding the BREP.
91. Council considers that the DPO34 should be updated to reflect this recommendation to provide that the site masterplan included in the development plan provide an access network which avoids the use of these roads for industrial traffic, whilst still allowing for local access for neighbouring properties.
92. Additionally, the DPO34 should be updated in accordance with the recommendations of the *Biodiversity Assessment* prepared by Ecology and Heritage Partners, 2023 and LVA so that:
- 92.1 the landscape protection measures in the Development Plan require stormwater treatment to provide habitat for significant flora and fauna;
- 92.2 the landscape concept plan in the development plan include requirements to:
- (a) investigate options to achieve tree canopy coverage of 40 to 50% on public and private land;

- (b) provide that new planting is to comprise plants that are indigenous to the area;
- 92.3 the construction management plan include greater detail in relation to the biodiversity protection measures including:
- (a) micro-siting techniques, including fencing retained areas of native vegetation;
 - (b) lopping and trimming of trees, if necessary, rather than removal;
 - (c) a kangaroo management plan;
 - (d) best practice sedimentation and pollution control measures, in accordance with EPA guidelines to prevent offsite impacts to waterways and wetlands;
- 92.4 the BREP Concept Plan depicts the two historic mining / quarry sites which are located within high value vegetation along Cemetery Road as open space.

CONCLUSION

93. In conclusion, Council reiterates its strong support for the Amendment.
94. As noted earlier, the Amendment is a significant and essential step to bring much needed industrial land to the market in Greater Bendigo.
95. Further, while Council appreciates the work undertaken by the VPA as planning authority for the Amendment, changes are required to the controls as described in this submission to ensure that Council, as the responsible authority for considering future development proposals, can efficiently and equitably approve and oversee the delivery of industrial development and the infrastructure that will support it.
96. Council again further acknowledges that other issues may be raised by other submitters to the Amendment, which may be relevant to Council's interests. Council reserves the right to explore and respond to those other matters, as part of a Standing Advisory Committee hearing.