

Town Planning Report

173 McCrae & 2 Havelock St
Bendigo



Town Planning, Environmental & Project Management



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Town Planning Report
173 McCrae & 2 Havelock St Bendigo

Prepared for and on behalf of:
Catholic Diocese of Bendigo

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REFERENCES:

Planning Property Reports - <https://mapshare.vic.gov.au/vicplan/>

Bendigo Planning Scheme - <https://planning-schemes.app.planning.vic.gov.au/Greater%20Bendigo/ordinance?f.Scheme%7CplanningSchemeName=>

Google Maps - https://www.google.com/maps/place/173+McCrae+St,+Bendigo+VIC+3550/@-37.6357755,144.8080138,13z/data=!4m6!3m5!1s0x6ad759958155422b:0x7f8c8e29b006f402!8m2!3d-36.7550168!4d144.2845421!16s%2Fg%2F11c2c_n6q?entry=tту

NearMaps - <https://www.nearmap.com/au/en>

ACHRIS - <https://achris.vic.gov.au/#/onlinemap>

Melways - <https://online.melway.com.au/melway/>

Aboriginal Heritage Regulations 2018 - https://content.legislation.vic.gov.au/sites/default/files/e0e1e95d-4d99-3fec-aae2-5ef6cc5eff88_18-59sra001%20authorised.pdf

City of Greater Bendigo Heritage Design Guidelines 2020 - <https://www.bendigo.vic.gov.au/about-us/plans-strategies-and-documents/heritage-design-guidelines>

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ATTACHMENTS

Attachment A	Title documentation
Attachment B	Application plans
Attachment C	Heritage advisory report (<i>Diahnn McIntosh P/L Heritage Advisory Services</i>)
Attachment D	Victorian Heritage Register – Statement of Significance
Attachment E	Structural impact assessment report (<i>C & S Consult Group</i>)

OVERVIEW

1.1 Introduction and purpose

This document has been prepared on behalf of the Catholic Diocese – Bendigo in support of an application for the demolition of the ‘White House’ and associated buildings and works under the Heritage Overlay (HO) at 173 McCrae & Pt 2 Havelock St Bendigo.

This application is running concurrent to an application lodged with Heritage Victoria.

The report and accompanying attachments are intended to demonstrate that the proposal represents an acceptable outcome under the legislative requirements of the Greater Bendigo Planning Scheme; and, the *Planning and Environment Act 1987*.

Accompanying this report and to support justification for the proposal are the following documents:

- Title documentation (**Attachment A**);
- Application plans (**Attachment B**);
- Heritage advisory report (**Attachment C**);
- Victorian Heritage Register – Statement of Significance (**Attachment D**); and,
- Structural impact assessment report (**Attachment E**).

1.2 Snapshot of site and project

Table 1.2.1: Project summary

Proposal aspect	Information / Status / Works
Lot details	Lot 1, Title Plan 834127, also known as 173 McCrae St Bendigo Lots 2 & 13, 23C\PP3473A, also known as Pt 2 Havelock St Bendigo
Land zoning	Special Use Zone - Schedule 1 (Private Educational or Religious Institution) (SUZ1)
Planning scheme overlay(s)	Heritage Overlay - Schedule 179 (St Kilian's Catholic Church) (HO179) Heritage Overlay - Schedule 183 (St Kilian's Hall) (HO183) Heritage Overlay - Schedule 184 (St Kilian's Ladies Hall) (HO184) Parking Overlay - Schedule 1 (Bendigo City Centre) (PO1)
Current use of subject land	St Kilian's Catholic Church and administration
Total site area	173 McCrae St - 8080m ² CA 2, Sec 23 Parish of Sandhurst - 1012m ² CA 13, Sec 23 Parish of Sandhurst - 1012m ²
Site topography	Mostly flat, if not a gentle slope to the northwest
Reticulated services available to site	Electricity, gas, telecommunications, water and sewerage, sealed road access
Detailed works schedule	Demolition of the existing 2-storey administration building ('White House')

Proposal aspect	Information / Status / Works
Is vegetation removal proposed?	Yes – one (1) tree has been identified for removal from 2 Havelock St, contained within the existing playground. The trees is not protected under the HO. There is some other shrubbery but nothing of substantial size. Following assessment by the landscape architect engaged to prepare the revised landscape response for the site, the tree proposed for removal is a <i>Melaleuca linariifolia</i> (native). The tree has a relatively poor structure, having been compromised by movement of soil. The tree is located within the 'evacuation zone' in which all existing works and structures are required to be cleared. The tree represents a high risk through failure as a result of disturbance to the structural root zone posing an immediate threat to life and property.
Encumbrances	<div>Restrictive Covenants</div> <div>Section 173 Agreement</div> <div>Easements</div> <div>Not applicable</div> <div>Not applicable</div> <div>Not applicable</div>
Cultural Heritage	<div>Is the land mapped for Cultural Heritage Sensitivity Mapping</div> <div>Is a CHMP required?</div> <div>Has a CHMP been previously approved?</div> <div>Was there any significance identified with the site that required particular protection?</div> <div>Is further action required?</div> <div>What recommendations may form a condition or permit note of any decision to grant?</div> <div>Yes</div> <div>No</div> <div>No</div> <div>No</div> <div>No</div> <div>N/A</div>
Environmental Hazards	<p>Pursuant to Regulation 16 of the <i>Aboriginal Heritage Regulations 2018</i>, the demolition or removal of a building is considered an exempt activity. Minor works are contained within <i>Regulation 15 of the Aboriginal Heritage Regulations 2018</i>.</p> <p>The land is not affected by an Environmental Audit Overlay (EAO) or Erosion Management Overlay (EMO). As the works are ancillary to an existing industrial land use and the proposal does not seek a change in use, a PRSA or PSI is not required.</p> <p>The site is not located within a bushfire prone area.</p>

1.3 Project outline

The application seeks approval for the demolition of a double storey red brick building of circa 1913, and multiple structures located within St Kilian's primary school (2 Havelock). The path of demolition has been arrived following the identification of 3 sink holes on the land that have significantly compromised the structural stability of both the land and existing buildings. These sink holes, located close to the foundations of the White House, are thought to have appeared from extensive mining activities over the past 150 years. The heightened risk arising from the sink holes led to the building being vacated and an exclusion zone fenced off in 2023.

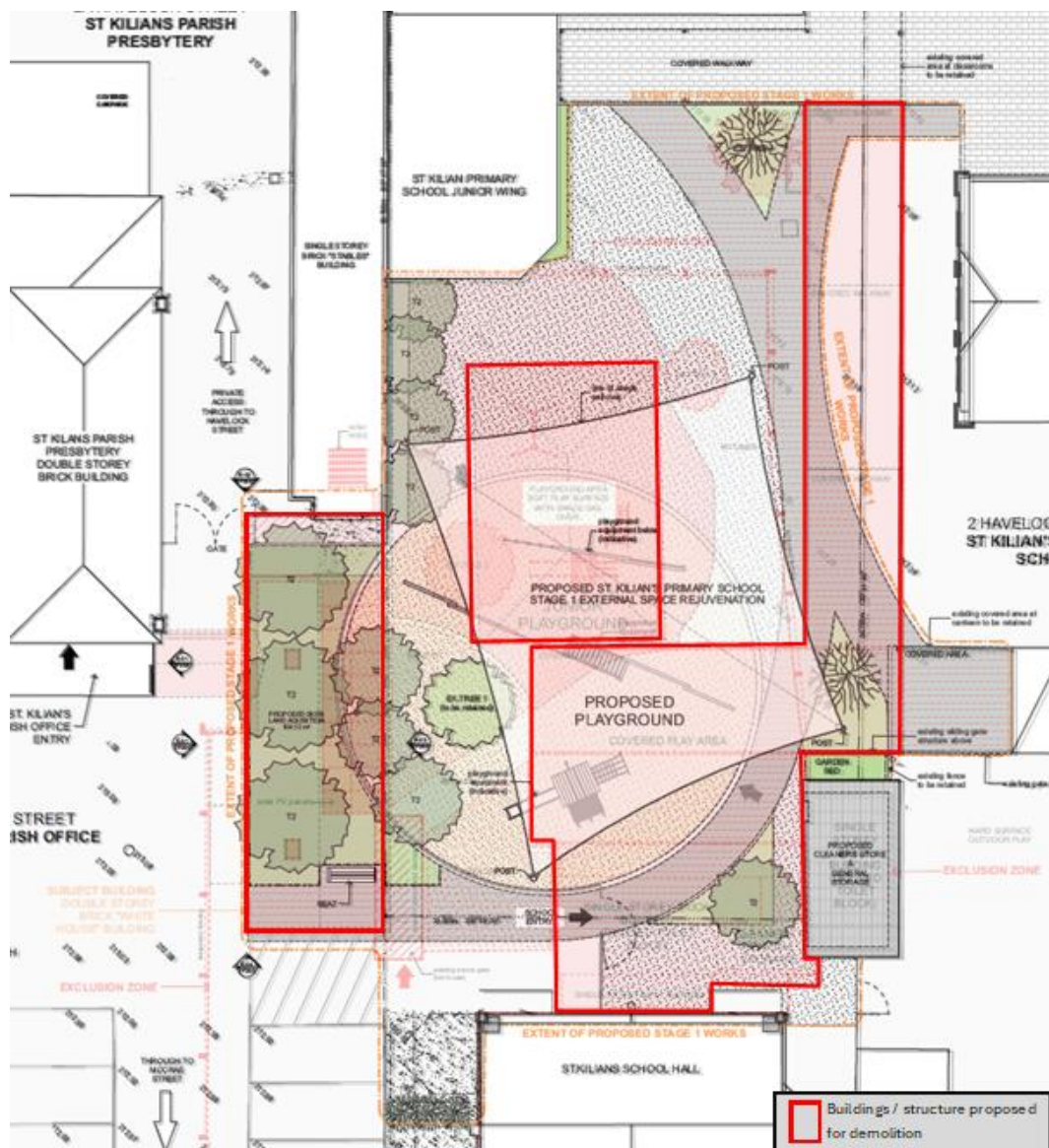
The building has suffered documented structural issues since 2006. Previous attempts have been made to rectify and stabilise the buildings however these efforts have failed to address the structural challenges, given in part to the building 'floating' on a shifting island of soil from the previous mining runs under the site activities. A review of options by a structural engineer revealed the only appropriate long term solution is full demolition of the building and associated structures in the evacuation zone.

The exclusion zone spans the adjoining land (St Kilian's Primary School) where a disused toilet and cleaner's storage room, lean-to, junior playground and two (2) trees are impacted by the movement of earth. The area is currently fenced off as forming an exclusion zone, contained to CA 2 & 13, Section 23.

Replacing the proposed buildings and structure will be a new playground and landscaping that will span the entire impact zone. The landscape area will comprise a range of playground equipment, soft fall and gravel surfacing, a paved footpath and a shade sail covering the entire area. A 2m high tubular fence will wrap the perimeter of the space including within the School boundaries.

The below **Figure 1.3.1** reveals the proposed demolition and rectification works:

Figure 1.3.1: Proposed demolition and Stage 1 works



CONTEXTUAL SETTING

2.1 Development site & context

Contextually, the site is located on the edge of the central activities district on what becomes the Midland Hwy leading to Echuca. The island site is surrounded by commercial to the south and east and residential to the north / northeast. The Bendigo Creek sleeves Havelock St to the site's north / northwest. The 'planning unit' encompasses 4 acres of land. Occupying this is St Kilian's catholic church, a large weatherboard building anchoring the corner of the site and spanning the site's abuttal to Chapel St; the presbytery (2-storey red brick building); the White House; and, additional accommodation buildings to the rear of the site. To the north and within the same planning unit is St Kilian's primary school. Fronting McCrae St, situated behind a brick and wrought iron fence is an at-grade car park with additional red brick buildings situated towards the rear of the site.

Providing visual relief to the expansive car park are garden beds comprising large Washington and Canary Island palm trees, along with grass.

The subject building requiring demolition is colloquially identified as the 'White House', being of 2-storey form clad in red brick, complementing other buildings occupying the site, and finished with double hung windows and chimneys. The building sleeves the boundary with St Kilian's primary school. Records suggest the building dates back to circa 1892, replacing an earlier single storey building that occupied the land and situated beside the main grand building (presbytery) that stands proudly in the centre rear of the site. An elevated concourse connects the 'White House' with the main building. Historical documentation suggest the White House may have been used for providing accommodation to visiting seminarians (Catholic diocese) to the Bendigo region.

173 McCrae is affected by two (2) HOs. HO183 covers the front half of the site and references St Kilian's catholic church. This site is also protected on the Victorian Heritage Register (VHR) as H1341 (**Attachment D**). The VHR protection covers the entire area highlighted in **Figure 2.1.1** including the open car park and all buildings as they encroach within the mapped area. To the rear of the site and covering the presbytery (Bishop's Palace) and White House is HO184 – St Kilian's Hall. These premises are locally listed only.

Extending to the north / northeast is St Kilian's Primary School. These premises (2 Havelock St) are covered by Schedule 184 & 185 to the HO. HO184 refers to St Kilian's Ladies Hall; HO185 refers to Dr Backhaus Grave. Neither of these heritage buildings are within the Victorian Heritage Register (VHR) or are affected by the proposed demolition works, though the demolition works include a lean to (public amenities block) located at the rear of the Hall.

St Kilian's Primary School extends through to Baxter St to the north / northeast with the wider St Kilian's facility capturing the neighbourhood block bound by Baxter, McCrae, Chapel & Havelock Sts. The school consists of multiple single and double storey buildings wrapping a central courtyard and play space, with a playground sleeving the site's southwest boundary.

Table 2.1.1: Contextual features

	Town Centres	Bendigo Mall – 640m (southwest) Bendigo Marketplace – 1.3km (southwest)
	Public Space	Rosalind Park – 880m (northeast) Lake Weeroona – 2.9km (south)
	Health & Education	Bendigo Hospital – 1.1km (north) Bendigo Tafe – diagonally opposite site Bendigo Senior Secondary College – 380m (west)
	Main Roads	McCrae St – site frontage (southeast) Chapel St – site frontage (southwest)
	Road Infrastructure	Sealed road frontage; kerb & channel; footpaths to each street frontage; signalised intersection at the cnr of McCrae & Chapel Sts

Figure 2.1.1: Heritage overlay (source: VicPlan)

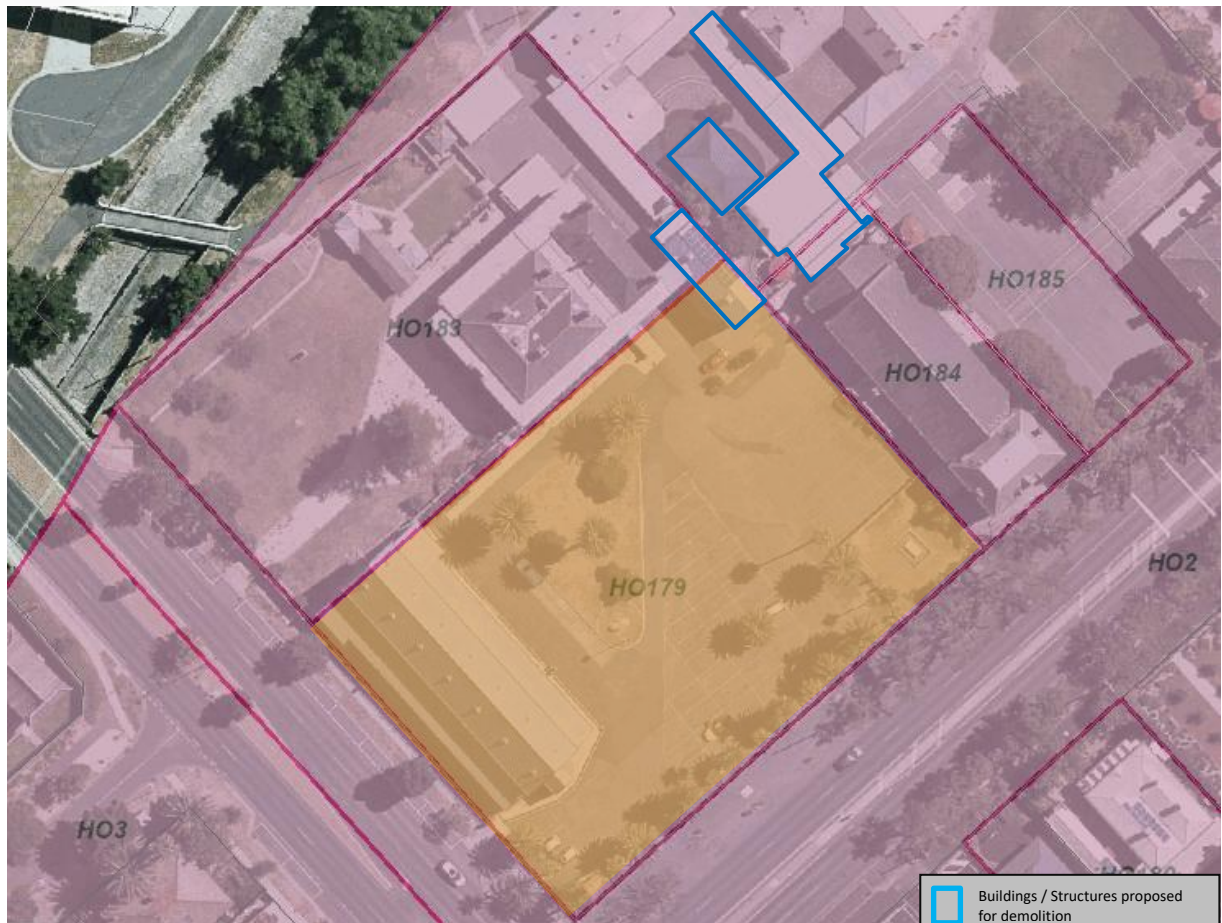
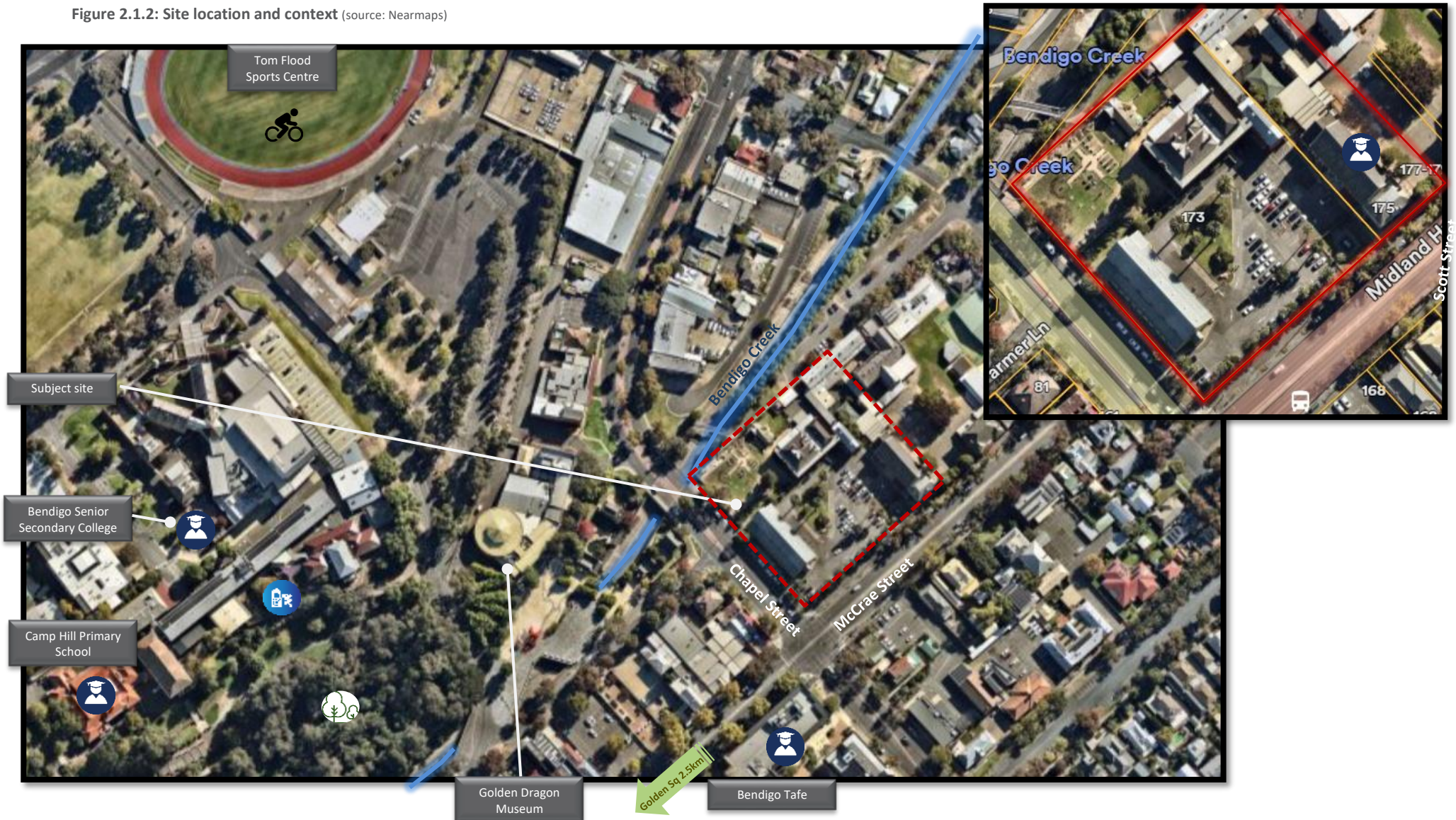


Figure 2.1.2: Site location and context (source: Nearmaps)



2.2 Photo sheet

1 Presbytery & White House



2 Exclusion zone – looking towards White House



3 View south from 'exclusion zone' to St Kilian's church



4 White House with elevate pedestrian concourse connection to the presbytery



5 White House as viewed from north



6 Havelock St frontage – view to presbytery & White House



PLANNING PROVISIONS

3.1 Why is a permit required?

The following permit triggers are applicable to the proposal pursuant to the Greater Bendigo Planning Scheme:

CI 43.01 Heritage Overlay

- ✎ A permit is required to demolish or remove a building pursuant to the provisions of CI 43.01-1.
- ✎ A permit is required to construct a building and to construct or carry out works pursuant to the provisions of CI 43.01-1. This includes the construction of a fence, playground and shade sail.

Separate concurrent approval is being sought through Heritage Victoria for all works contained within this application.

DESIGN RESPONSE & ISSUES

4.1 Does the proposal enjoy strategic policy support?

The planning policy framework at a State and local level encourages careful and well considered development and use of land, cognisant of the built form and natural features of the site and surrounds.

Importantly, the Planning Policy Framework recognises the importance of identifying and protecting heritage assets; both built and natural for future generations by facilitating carefully considered and sustainable development that sensitively integrates with the heritage values of the site.

Environmental Risks & Amenity

CI 13.04-2S	Erosion & landslip	To protect areas prone to erosion, landslip or other land degradation processes.
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CI 13.04 (*Erosion & landslip*) provides guidance on the protection of land and avoidance of development in areas prone to subsidence from landslip and land degradation. This includes the need to recognise areas of soil instability. The purpose of the Clause generally addresses development of sloped land however the threat of subsidence from mining remains the same.

The structural report identifies that movement of the building and soils have been occurring as far back as 2006. Multiple attempts to address the movement has bought time on the building (White House) however the structural instability of the ground, evidenced by the multiple sink holes forming on the land, has necessitated a more considered review of the site and building, and the future development of the land.

Built Environment & Heritage

CI 02-03-5	Heritage	Protect the city's valuable sites, places and features of natural, archaeological, and cultural heritage significance. Balance the protection of heritage places with support for sensitive and innovative development to accommodate projected population growth. Support high quality sympathetic contemporary design when undertaking new development in heritage precincts and places. Encourage the restoration of heritage places and sympathetic development to support contemporary uses of heritage buildings.
CI 15.03-1S	Heritage conservation	To ensure the conservation of places of heritage significance.
CI 15.03-1L	Post contact heritage conservation – Greater Bendigo	Ensure integration of new development by encouraging design that respects the heritage place through its setting, location, bulk, form, materials and appearance.

Bendigo's rich heritage – natural and built form is the product of its gold mining history and the wealth that was uncovered through the mine fields. The St Kilian's precinct is adorned by a number of heritage buildings that arose during the gold rush era including St Kilian's Church.

As extracted from the VHR Statement of Significance:

The first St Kilian's church was constructed in 1857. A sandstone structure of Gothic design, it served the congregation until it was replaced by the present St Kilian's church in 1888 thus perpetuating continuing use by the Catholic Church. Designed by the notable local architect W. C. Vahland (1828-1915) the Gothic timber structure of kauri, oregon and hardwood was originally intended to serve as a temporary pro-cathedral until such time that a cathedral could be built. The 1860 German organ and the bell and bell tower of 1869 from the former church were accommodated at the new premises. After the opening of the Sacred Heart Cathedral in 1901, St Kilian's became a parish church. St Kilian's Church is of architectural, aesthetic and historic importance to the State of Victoria. St Kilian's Church is architecturally and aesthetically important as an intact and unusually large timber church. Featuring a long nave with clerestory and side aisles, the church is significant for its fine hammerbeam ceiling, impressive series of timber arches, crafted joinery, uniformly designed ecclesiastical furnishings including 56 curve end pews, the Backhaus stump chair, Baptismal font, small nave table, high Altar and reredos, High Altar side table, main altar candlestick, the timber sedilia, two side altars and two side altar tables. These together with the superbly carved German organ and its bench seat, make this all timber interior unique among churches in Victoria. Other notable features include the historically important bell and bell tower, the iron and granite fence and palms plants, which are aesthetically important for their formal streetscape qualities. The stepped row of Washington palms alternating with shorter Canary Island palms which border the Chapel and McCrae Street frontages and the Backhaus' gravesite.

The church is also historically important for its association with architect, W.C. Vahland, and is the only known timber church of his design.

Both local and State heritage policies (CI 2.03-5 & CI 15.03) acknowledge the importance of protecting sites of natural, archaeological and cultural heritage significance by encouraging restoration of heritage sites and sympathetic redevelopment that respects places of heritage values. The Policy encourages retention of elements that contribute to the importance of the heritage site. Whilst the White House is part of the overall site, it represents only one of a number of buildings occupying the property. It is not recognised in the Statement of Significance as being of individual, or any particular contributory significance to the site. This does not justify the demolition, rather it signifies that the need to demolish the building for structural purposes, will not significantly compromise the site's built form heritage.

Locally, CI 15.03-1L (*Post contact heritage conservation – Greater Bendigo*) establishes a set of strategies for the demolition of buildings. These strategies seek to:

- *Support the retention of significant or contributory heritage building or places.*
- *Retain original elements that contribute to the significance of a heritage place including but not limited to windows, doors, chimneys, verandahs, shopfronts, fences, outbuildings and trees.*
- *Allow the demolition of non-contributory buildings in heritage precincts provided the replacement building does not adversely affect the heritage significance of the precinct.*
- *Discourage demolition that results in the retention of only the front building façade.*
- *Ensure any replacement building, where demolition is supported, is of high quality design and does not adversely affect the significance of the heritage place.*
- *Allow for the partial demolition of significant and contributory buildings where either:*
 - *The fabric to be demolished is of no significance.*
 - *The demolition reveals the original fabric of the building.*
 - *The demolition will assist in the long term conservation of the heritage place.*
- *Retain the three dimensional form for the partial removal of a building and ensure that not just the façade is retained.*

- *Ensure archival recording of sites by a heritage professional where demolition is supported, as appropriate.*

A comprehensive assessment and record of the building has been completed as part of the Structural and Heritage Reports accompanying this application. This includes photographic evidence of the internal and external building fabric. The demolition is not advanced to facilitate a more intensive development and use of the land. The demolition is premised on the structural assessment, recognising that part of the site is severely compromised and no longer considered suitable for building foundations, not without the ongoing effects of earth movement that will undermine a future building and the site's heritage values.

To avoid damage to the integrity of the presbytery, which was historically known as 'Bishop's Palace', the elevated pedestrian concourse connecting the two (2) buildings will terminate at the northern end of the balcony. This will restore the building to its original 1891 scale where it once stood alone, detached from the White House. It was only circa 1913 when the single storey White House was replaced with a newer 2-storey form that the two (2) structures became linked as evident in **Figure 4.1.2** & **Figure 4.1.3** below. Removal of the pedestrian concourse accordingly represents the preservation of the presbytery's original architecture.

C & S Consult Group were engaged by St Kilian's Parish to undertake a Structural Report of the premises in December 2022 following evidence of three (3) sink holes proximate to the White House. Two (2) of these sink holes were located along the south / southeastern side of the building in the car park area, a third along the north / northeastern side of the building (**Figure 4.1.1**). The two (2) to the southeast were back filled with crushed rock however the third sink hole is considerable in depth.

Immediate works were commissioned to the premises to make-safe and prevent further risk to life and property under the direction of the Structural Report. These 'make safe' works included vacating the entire White House building.

Figure 4.1.1: Sink hole – east of White House



Through the initial investigations, C & S Consult Group identified three (3) options to remedy the situation:

1. Complete temporary works as detailed in the sketches SK2 & SK3 contained as an appendix to the Structural Report;
2. Complete demolition works as detailed in the sketch SK4;
3. Complete underpinning (foundation rebuild) works as detailed in the sketch SK5. These works will be significant to make good the footing structure and is likely to be cost-prohibitive; or,
4. Complete rebuild works as detailed in sketches SK5 – SK8.

It was also determined that due to the significant ground subsidence undermining a section of the northeastern wall, there may be further defects including plumbing under the building. Due to the cost prohibitive nature, it was recommended that complete demolition be contemplated as a preferred option.

CI 15.03-1L also encourages new development to respectfully integrate with existing heritage assets. Seemingly, the provision is intended to guide and inform a design response for new buildings and extensions to existing buildings.

The proposed replacement works comprise structures of a temporary nature, all of which can be easily and efficiently removed from the site leaving behind no disturbed footprint. The general strategies encourage new works to be sited to be screened from the public realm. This response is most apparent given the majority of the exclusion zone and

proposed built form remains obscured by St Kilian's Ladies Hall. Visibility of the works will be limited to landscaping and an open style fence that extends into 173 McCrae St. The activities zone is also setback 50m from McCrae St.

Fencing which is visible from the public realm is subject to planning consent under the HO. The setback distance somewhat diminishes visibility of the fence however care has been taken in adopting a simplistic design comprising an open black tubular appearance, consistent with existing fencing around the school's perimeter. The design and colour choice dissolves the fence into the landscape allowing the eye to be drawn instead to the development behind.

Figure 4.1.2: Bishop's Palace & White House – c.1881



Figure 4.1.3: Bishop's Palace & White House (2-storey) – c.1913



Infrastructure

CI 19.02-2S

Education facilities

To assist the integration of education and early childhood facilities with local and regional communities.

CI 19.02-2S (*Education facilities*) is intended to strengthen education facilities within the community. The Policy liberally applies to the establishment of new educational facilities. The application provides for the revitalisation of the existing St Kilian's Primary School through the removal and replacement of structures subject to structural failure, with new play equipment and shelter. The works are ancillary to the use of the land as an education facility and have been carefully arranged and designed to respect the heritage conservation of the land and minimise visibility from the public realm.

Construction management techniques will be instigated as part of 'construction drawings' post permit. The Construction Management Plan (CMP) will illustrate amongst other matters, the following:

- Management of material and debris to prevent concrete dust polluting the stormwater system;
- Site access for works vehicles (from car park entrance on McCrae St. St Killian's car park to be designated as a construction lay down area);
- Work envelope including layout down area to be fenced off and protected from both parishioners and school students;
- Sediment fencing around the perimeter of the site works envelope to prevent wind borne dust;
- Sediment traps at the perimeter of the construction site to ensure that no solid waste, sediment, sand, soil, clay or stone from the premises enters the road or stormwater drainage system;
- Covers over drainage pits to prevent polluted stormwater runoff entering the stormwater system;
- Site operation to comply with the Environment Protection (Residential Noise) Regulations 2008;
- 'No parking zone' on nature strips; and,
- Machinery wash down area to prevent slurry, brick and tile mortar into the stormwater system.

4.2 Does the design response support the objectives of the zone & overlay?

The Special Use Zone (SUZ) anticipates a limited range of land use opportunities, specific to the visions contained within the local Schedule. Schedule 1 purposely relates to *Private educational or religious institutions* with the intent of supporting and facilitating such land use activities within identified locations and to ensure that use and development of these facilities takes place in an orderly and proper manner without causing a loss of amenity to the surrounding area.

Whilst the application does not seek a change of land use, works are proposed involving both demolition and the reconstruction of a new play area, associated structures and fencing.

Within the parent provisions of the Special Use Zone, all buildings and works require planning approval except where otherwise specified in the Schedule to the Zone. Schedule 1 does not introduce any exemptions. Cl 62.02 (*General exemptions*) overrides the Zone allowing for certain works to be exempt from approval where not specifically stated that a permit is required in either the Zone or Overlay.

Figure 4.2.1: Zone map



Whilst the HO extinguishes most of the exemptions listed under Cl 62.02-2, a permit is not required for the following exempted works:

- *A fence, provided it's not visible from the street or parkland;*
- *Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.*

For the purpose of outdoor furniture, the same provisions define this as being inclusive of a 'shade sail'.

Cl 62.05 (*Demolition*) separately provides guidance relating to 'demolition', excluding it from the term 'buildings and works' and noting that a permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal. Such is not specifically mentioned within Schedule 1 of the SUZ.

In view of the above commentary, approval for the proposed works are not required under the SUZ.

Heritage Overlay

Schedule 179,183 & 184 (HO179 / HO183 / HO184)

The HO applies as an underlying precinct along McCrae St recognising the heritage influences and built form character that has been retained from the gold rush days. As an extra layer of control, individual listings apply to specific sites at a local or State level based on the Statement of Significance. The historical significance of the site is emphasised through the application of three (3) individual listings, including one (1) of State significance affecting the land.

Figure 4.2.2: Heritage Overlay map



The design objectives of the HO aspire for the following, *inter alia*:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The importance of protecting sites of built and natural heritage is most clearly recognised through the HO which applies some of the most restrictive controls within the planning scheme. These controls instigate a requirement for planning approval for the majority of works and activities on the land. CI 43.01-3 provides a partial exemption for the development of works on a VHR listed site however this applies only to that part of 173 McCrae St encumbered by HO179. For clarity, the works in this area are limited to a footpath, fencing and landscaping. It does not exclude Council's authority for the consideration of demolition.

The criteria for assessment of an application within the HO is covered through the following **Table 4.2.1**. The following response should be read in parallel to the heritage report (**Attachment C**).

Table 4.2.1: Decision guidelines of Heritage Overlay

Decision Guideline	Response
The Municipal Planning Strategy and the Planning Policy Framework.	Refer to Section 4.1 .
The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.	The sites are significant at both a local and State level based on the individual Statements of Significance. The building proposed for demolition however is not recorded as having individual heritage significance and is sleeved towards the side and rear of the site. The building has a long history although as explored through the heritage report (Attachment C), the building is not entirely original, with the 2 nd storey added at a later date as evident from the slightly different coloured red brick.

Decision Guideline	Response
Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.	The application and accompanying heritage report has considered the applicable Statements of Significance. The Statements relate specifically to other buildings occupying the land eg; the weatherboard church and ladies hall, whilst broadly extending across the entire site. The Statements do not make specific reference to the White House or the playground associated with St Kilian's Primary School. There are no other known heritage studies or conservation reports and policies applicable to the land.
Any applicable heritage design guideline specified in the schedule to this overlay.	Not applicable.
Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.	The proposed works will not compromise the significance of the heritage precinct or sites of individual heritage significance.
Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.	The proposed new works are restricted to the installation of play equipment, shade sail, pavement, fencing and ancillary landscape elements. The works are complementary to the use of the land as an education centre, screened from the public realm and have been designed to remain sympathetic with the heritage forms that occupy the land. The works represent an evolution of the existing structures (eg; playground) that currently occupy the site.
Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.	Whilst demolition is viewed as a last resort, it will not adversely affect the heritage values of the site. The location of the building is towards the rear of the site, sleeved against a side boundary and partially screened by the remaining buildings. The building is also not in its original state, having been modified from the original single storey form and subsequently added to over the years.
Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.	The demolition and subsequent works (landscaping, play equipment, fencing and shade sail) will not compromise the heritage significance, character or appearance of the site. Existing buildings, including the St Kilian's Ladies Hall, obscures the new works from McCrae & Havelock Sts with no disturbance proposed to an individually listed building.
Whether the proposed subdivision will adversely affect the significance of the heritage place.	Not applicable.
Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the site.	Not applicable.
Whether the proposed sign will adversely affect the significance, character or appearance of the site.	Not applicable.
Whether the development will adversely affect the health, appearance or significance of the tree.	Not applicable.
Whether the location, style, size, colour and materials of the solar energy system will adversely affect the significance, character or appearance of the site.	Not applicable.

CONCLUSION

Section 60 of the Act requires a decision to be based on both the individual requirements of the planning scheme, an assessment of the application following referrals and notice, and those matters listed at Cl 65. That a permit can be granted does not imply that a permit will be issued and any proposal must demonstrate that it produces an acceptable outcome in terms of both the site and neighbourhood context collectively with the policy environment relevant to the site and proposal.

This report however demonstrates unequivocally that the planning application for the *Demolition of a building and construction and carrying out of works within the heritage overlay* at 173 McCrae & Pt 2 Havelock St Bendigo represents an acceptable outcome for the site.

In closing, this proposal:

- achieves a high level of compliance with the State and local policy objectives of the Greater Bendigo planning scheme;
- delivers an acceptable and orderly response to the objectives and decision guidelines of the HO, including the site's context, the site's features, opportunities and constraints;
- does not compromise the heritage objectives contained within any Statement of Significance;
- will not compromise the visual amenity from neighbouring public and / or private land; and,
- is consistent with the decision guidelines of Cl 65 of the Greater Bendigo planning scheme.

On the basis of the information contained within this report, the development is considered warranted, and we respectfully request Council's support for the application.

URBAN FIELDS CONSULTING

Town Planning, Environmental & Project Management