



**Ordinary Council Meeting**

**3 October 2018**

Council Chamber, Town Hall, Sturt Street, Ballarat

**AGENDA**

**Public Copy**

**NOTICE IS HEREBY GIVEN THAT A MEETING OF BALLARAT CITY COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 3 OCTOBER 2018 AT 7:00PM.**

# AGENDA

**ORDER OF BUSINESS:**

<b>1. Opening Declaration.....</b>	<b>4</b>
<b>2. Apologies For Absence.....</b>	<b>4</b>
<b>3. Disclosure Of Interest .....</b>	<b>4</b>
<b>4. Confirmation Of Minutes.....</b>	<b>4</b>
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<b>7. Reports From Committees/Councillors.....</b>	<b>6</b>
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<b>11. Urgent Business .....</b>	<b>835</b>
<b>12. Section 89 (In Camera) .....</b>	<b>835</b>
<b>13. Close .....</b>	<b>836</b>

**The next Ordinary Meeting of the Ballarat City Council will be held on Wednesday 24 October 2018.**

**1. OPENING DECLARATION**

**Councillors:** *"We, the Councillors of the City of Ballarat, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance."*

**Mayor:** *"I respectfully acknowledge the Wadawurrung and Dja Dja Wurrung People, the traditional custodians of the land, and I would like to welcome members of the public in the gallery."*

**2. APOLOGIES FOR ABSENCE**

**3. DISCLOSURE OF INTEREST**

**4. CONFIRMATION OF MINUTES**

**5. MATTERS ARISING FROM THE MINUTES**



## 6. PUBLIC QUESTION TIME

Note – all public representations will be heard before each item on the agenda.

### QUESTION TIME

- Question Time will be for a period of 30 minutes;
- Questions submitted must begin with the submitters name and suburb;
- No person may submit more than two questions at any one meeting;
- If two questions are submitted, the second question may be deferred until all other questions have been asked, or may not be asked if the time allotted for public question time has expired.
- A question may be disallowed if the chair determines that it:
  - Relates to a matter outside of Councils responsibility;
  - Is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - Deals with a subject matter already answered;
  - Is aimed at embarrassing a Councillor or a member of Council Staff;
  - Relates to personnel matters;
  - Relates to the personal hardship of any resident or rate payer;
  - Relates to industrial matters;
  - Relates to contractual matters;
  - Relates to proposed developments;
  - Relates to legal advice;
  - Relates to matters affecting the security of Council property: and/or
  - Relates to any other matter which Council considers would prejudice Council or any other person.
- A Councillor or the Chief Executive Officer may require a question to be put on notice. If a question is taken on notice, the answer to it must be incorporated in the minutes of Council and a written copy of the answer sent to the person who asked the question: and
- A Councillor or the Chief Executive Officer may advise Council that an answer should be given in a meeting closed to members of the public and why.

### PUBLIC SUBMISSIONS

1. Representatives must register by 4:30pm on the day of a Council meeting by contacting the City of Ballarat on (03) 5320 5875. No unregistered public representative will be allowed to speak.
2. The Representative will be given three to five minutes to address the meeting, with extension of time at the discretion of the Chair.
3. Any Councillor can ask questions of the Representative.
4. The Chair may limit the number of representatives on any particular Agenda item.
5. All representations must relate to items on the Agenda and will be heard prior to each respective Agenda item.

## 7. REPORTS FROM COMMITTEES/COUNCILLORS

### 8. ASSEMBLIES OF COUNCILLORS

#### 8.1. ASSEMBLIES OF COUNCILLORS

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Ali Evans - Administration Officer Statutory Compliance

#### OFFICER RECOMMENDATION

Council resolves to approve the report on Assemblies of Councillors as listed:

- 3 April 2017 Ballarat Heritage Advisory Committee Meeting
- 5 June 2017 Ballarat Heritage Advisory Committee Meeting
- 7 August 2017 Ballarat Heritage Advisory Committee Meeting
- 2 October 2017 Ballarat Heritage Advisory Committee Meeting
- 4 December 2017 Ballarat Heritage Advisory Committee Meeting
- 9 April 2018 Ballarat Heritage Advisory Committee Meeting
- 6 August 2018 Ballarat Heritage Advisory Committee Meeting
- 7 August 2018 Community Safety Advisory Committee
- 22 August 2018 Cemetery Trust Meeting
- 24 August 2018 Community Development Councillor Portfolio Meeting
- 29 August 2018 Council Agenda Review Briefing
- 5 September 2018 Strategic Briefing
- 6 September 2018 Ballarat Airport Advisory Committee Meeting

#### EXECUTIVE SUMMARY

The purpose of this report is to provide Council with copies of Assembly of Councillor Records as required under section 80A(2) of the *Local Government Act 1989*.

#### RATIONALE

Section 80A(2) of the *Local Government Act 1989* requires the record of an Assembly of Councillors to be reported at an Ordinary Council meeting. Assembly of Councillors Records are attached to this report.

#### LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Local Government Act 1989*; and
- City of Ballarat Council Plan 2017-2021.

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**REPORTING AND COMPLIANCE STATEMENTS**

Implications	Considered in Report?	Implications Identified?
<b>Human Rights</b>	Yes	No
<b>Social/cultural</b>	Yes	Yes
<b>Environmental/Sustainability</b>	No	No
<b>Economic</b>	No	No
<b>Financial/Resources</b>	No	No
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	No	No
<b>Evaluation and Review</b>	No	No

**Human Rights** - It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

**Social/Cultural** - The inclusion of the attached Assembly of Councillor Records in the Council Agenda and the availability to the community increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

**Risk Management** - There are implications with regards to Council's compliance with the *Local Government Act 1989* if Assembly of Councillor Records are not reported to Council.

**OFFICERS DECLARATIONS OF INTEREST**

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

**REFERENCE DOCUMENTS**

- Nil

**ATTACHMENTS**

1. 3 April 2017 Ballarat Heritage Advisory Committee Meeting [8.1.1]
  2. 5 June 2017 Ballarat Heritage Advisory Committee Meeting [8.1.2]
  3. 7 August 2017 Ballarat Heritage Advisory Committee Meeting [8.1.3]
  4. 2 October 2017 Ballarat Heritage Advisory Committee Meeting [8.1.4]
  5. 4 December 2017 Ballarat Heritage Advisory Committee Meeting [8.1.5]
  6. 9 April 2018 Ballarat Heritage Advisory Committee Meeting [8.1.6]
  7. 6 August 2018 Ballarat Heritage Advisory Committee Meeting [8.1.7]
  8. 7 August 2018 Community Safety Advisory Committee [8.1.8]
  9. 22 August 2018 Cemetery Trust Meeting [8.1.9]
  10. 24 August 2018 Community Development Councillor Portfolio Meeting [8.1.10]
  11. 29 August 2018 Council Agenda Review Briefing [8.1.11]
  12. 5 September 2018 Strategic Briefing [8.1.12]
  13. 6 September 2018 Ballarat Airport Advisory Committee Meeting [8.1.13]
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## APPENDIX 1




### Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee	
Date of meeting:	3 April 2017	
Start time:	12pm	
Finish time:	2.00pm	
Councillors present:	Cr Samantha McIntosh Cr Daniel Maloney	
Apologies:	Prof. Keir Reeves June Driscoll Lauren Bourke Dot Wickham Dr Mary Hollick Leanne Wilson Mark Bruty	Federation University Australia National Trust - Ballarat Branch Public Records Office Victoria Central Highlands Historical Association Federation University Australia City of Ballarat City of Ballarat
Council Staff present:	Susan Fayad Catherine McLay	City of Ballarat City of Ballarat
Other people present:	Amy Tsilemanis Brett Dunlop Dianne Gow Anne Beggs-Sunter Daryl Cloonan Travis Hurst	Community Representative Sovereign Hill Museums Association National Trust - Ballarat Branch Community Representative Community observer Real Estate Victoria
Any conflict of interest disclosed?  <i>*If so, provide details of which Councillor(s) disclosed a conflict of interest and any details of that conflict of interest. The time at which the Councillor left and returned should be recorded here, with a statement (if applicable) that a Councillor was absent when one or more of the matters</i>	Nil	

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<i>outlined below was being considered.</i>	
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<p>Matters considered:</p> <p><i>*Provide dots points of matters discussed.</i></p>	<ol style="list-style-type: none"> <li>1. PRESENT &amp; APOLOGIES</li> <li>2. DECLARATION OF CONFLICT OF INTEREST</li> <li>3. MEETING PROCEDURE</li> <li>4. CONFIRMATION OF PREVIOUS MINUTES</li> <li>5. BUSINESS ARISING FROM PREVIOUS MINUTES             <ol style="list-style-type: none"> <li>5.1 Community representative process</li> <li>5.2 Heritage Plan update</li> </ol> </li> <li>6. OTHER BUSINESS             <ol style="list-style-type: none"> <li>6.1 Ballarat Railway Station</li> <li>6.2 Vic Track signal box</li> <li>6.3 Commercial chimneys</li> </ol> </li> <li>7. MANGAGEMENT SUBCOMITTEE REPORT             <ol style="list-style-type: none"> <li>7.1 CBD Streetscape conservation</li> </ol> </li> <li>8. TOWN HALL COLLECTIONS PROJECT-DEFERRED</li> <li>9. OTHER BUSINESS-DEFERRED</li> <li>10. NEXT MEETING</li> </ol>
	<p><b>Position:</b> Coordinator Heritage and Cultural Landscapes</p>
<p><b>Name:</b> Susan Fayad</p>	<p><b>Date:</b> 14th August 2018</p>

**APPENDIX 1**




**Assembly of Councillors Record**

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee	
Date of meeting:	5 June 2017	
Start time:	12pm	
Finish time:	2.00pm	
Councillors present:	Cr Samantha McIntosh	
Apologies:	Dot Wickham Leanne Wilson Cr Daniel Maloney Prof. Keir Reeves June Driscoll Lauren Bourke	Central Highlands Historical Association City of Ballarat Ballarat City Council Federation University Australia National Trust - Ballarat Branch Public Records Office Victoria
Council Staff present:	Susan Fayad Catherine McLay Mark Bruty	City of Ballarat City of Ballarat City of Ballarat
Other people present:	Amy Tsilemanis Anne Beggs-Sunter Brett Dunlop Dianne Gow Dr Mary Hollick Prof David Waldron Travis Hurst Daryl Cloonan	Community Representative Community Representative Sovereign Hill Museums Association National Trust - Ballarat Branch Federation University Australia Federation University Australia Real Estate Victoria Community observer
Any conflict of interest disclosed?  <i>*If so, provide details of which Councillor(s) disclosed a conflict of interest and any details of that conflict of interest. The time at which the Councillor left and returned should be recorded here, with a statement (if applicable)</i>	Nil	

<i>that a Councillor was absent when one or more of the matters outlined below was being considered.</i>	
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- |   |   |
|---|---|
| <p>Matters considered:</p> <p><i>*Provide dots points of matters discussed.</i></p> | <ol style="list-style-type: none"> <li>1. PRESENT &amp; APOLOGIES</li> <li>2. DECLARATION OF CONFLICT OF INTEREST</li> <li>3. MEETING PROCEDURE</li> <li>4. CONFIRMATION OF PREVIOUS MINUTES</li> <li>5. HERITAGE PLAN WORKSHOP</li> <li>6. OTHER BUSINESS             <ul style="list-style-type: none"> <li>6.1 Heritage Weekend</li> <li>6.2 Local Laws-derelect buildings-deferred</li> <li>6.3 Concrete deck in Sturt St</li> </ul> </li> <li>7. MEMBER ROUNDTABLE-NIL</li> <li>8. NEXT MEETING</li> </ol> |
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	<p><b>Position:</b> Coordinator Heritage and Cultural Landscapes</p>
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<b>Name:</b> Susan Fayad	<b>Date:</b> 14th August 2018
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## APPENDIX 1



### Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee
Date of meeting:	7 August 2017
Start time:	12pm
Finish time:	2.00pm
Councillors present:	Cr Samantha McIntosh Cr Daniel Maloney     Ballarat City Council
Apologies:	Brett Dunlop     Sovereign Hill Museums Association Dot Wickham     Central Highlands Historical Association June Driscoll     National Trust - Ballarat Branch Lauren Bourke     Public Records Office Victoria Mark Bruty     City of Ballarat Prof. Keir Reeves     Federation University Australia
Council Staff present:	Susan Fayad     City of Ballarat Catherine McLay     City of Ballarat Leanne Wilson     City of Ballarat
Other people present:	Ailsa Brackley du Bois     Community Representative Amy Tsilemanis     Community Representative Anne Beggs-Sunter     Community Representative Dianne Gow     National Trust - Ballarat Branch Dr Mary Hollick     Federation University Australia Neil Huybregts     Community Representative Tony Armstrong     Ballarat Heritage Restoration Fund Travis Hurst     Real Estate Victoria
Any conflict of interest disclosed?  <i>*If so, provide details of which Councillor(s) disclosed a conflict of interest and any details of that conflict of interest. The time at which the Councillor left and</i>	Nil

<p><i>returned should be recorded here, with a statement (if applicable) that a Councillor was absent when one or more of the matters outlined below was being considered.</i></p>	
<p>Matters considered:  *Provide dots points of matters discussed.</p>	<ol style="list-style-type: none"> <li>1. PRESENT &amp; APOLOGIES</li> <li>2. DECLARATION OF CONFLICT OF INTEREST</li> <li>3. MEETING PROCEDURE             <ol style="list-style-type: none"> <li>3.1 TOR Review update</li> </ol> </li> <li>4. CONFIRMATION OF PREVIOUS MINUTES</li> <li>5. BHRF RECOMMENDATIONS</li> <li>6. STURT ST GARDEN IMPROVEMENTS</li> <li>7. OTHER BUSINESS             <ol style="list-style-type: none"> <li>7.1 Ballarat Station</li> <li>7.2 Former Ballarat East Town Hall Gardens</li> <li>7.3 Civic Hall <i>(Cr McIntosh left the meeting after this)</i></li> <li>7.4 Heritage Assets on public land</li> <li>7.5 Support of Volunteers</li> </ol> </li> <li>8. MEMBER ROUNDTABLE</li> <li>9. NEXT MEETING</li> </ol>
	<p><b>Position:</b> Coordinator Heritage and Cultural Landscapes</p>
<p><b>Name:</b> Susan Fayad</p>	<p><b>Date:</b> 14th August 2018</p>

**APPENDIX 1**



**Assembly of Councillors Record**

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee	
Date of meeting:	2 October 2017	
Start time:	12pm	
Finish time:	2.00pm	
Councillors present:	Cr Samantha McIntosh Cr Daniel Maloney	
Apologies:	Travis Hurst Dot Wickham June Driscoll Lauren Bourke Prof. Keir Reeves	Real Estate Victoria Central Highlands Historical Association National Trust - Ballarat Branch Public Records Office Victoria Federation University Australia
Council Staff present:	Susan Fayad Catherine McLay Leanne Wilson Mark Bruty	City of Ballarat City of Ballarat City of Ballarat City of Ballarat
Other people present:	Ailsa Brackley du Bois Amy Tsilemanis Anne Beggs-Sunter Brett Dunlop Dianne Gow Dr Mary Hollick Neil Huybregts	Community Representative Community Representative Community Representative Sovereign Hill Museums Association National Trust - Ballarat Branch Federation University Australia Community Representative
Any conflict of interest disclosed?  <i>*If so, provide details of which Councillor(s) disclosed a conflict of interest and any details of that conflict of interest. The time at which the Councillor left and returned should be recorded here, with a statement (if applicable)</i>	Nil	

*that a Councillor was absent when one or more of the matters outlined below was being considered.*

Matters considered:

*\*Provide dots points of matters discussed.*

1. PRESENT & APOLOGIES
2. DECLARATION OF CONFLICT OF INTEREST
3. MEETING PROCEDURE
4. CONFIRMATION OF PREVIOUS MINUTES
5. HERITAGE PLAN WORKSHOP update
6. OTHER BUSINESS
  - 6.1 CBD Strategy-Lydiard Street greening
  - 6.2 League of Historical Cities report from Bursa
  - 6.3 Member roundtable
7. NEXT MEETING



**Position:** Coordinator Heritage and Cultural Landscapes

**Name:** Susan Fayad

**Date:** 14th August 2018


**APPENDIX 1**



**Assembly of Councillors Record**

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Heritage Advisory Committee	
Date of meeting:	4 December 2017	
Start time:	12pm	
Finish time:	2.00pm	
Councillors present:	Cr Daniel Maloney	
Apologies:	Brett Dunlop Dot Wickham June Driscoll Lauren Bourke Leanne Wilson Mark Bruty Neil Huybregts Dr Mary Hollick Cr Samantha McIntosh	Sovereign Hill Museums Association Central Highlands Historical Association National Trust - Ballarat Branch Public Records Office Victoria City of Ballarat City of Ballarat Community Representative Federation University Australia Ballarat City Council
Council Staff present:	Susan Fayad Catherine McLay	City of Ballarat City of Ballarat
Other people present:	Ailsa Brackley du Bois Amy Tsilemanis Anne Beggs-Sunter Dianne Gow Prof. Keir Reeves Travis Hurst	Community Representative Community Representative Community Representative National Trust - Ballarat Branch Federation University Australia Real Estate Victoria
Any conflict of interest disclosed?  <i>*If so, provide details of which Councillor(s) disclosed a conflict of interest and any details of that conflict of interest. The time at which the Councillor left and returned should be recorded here, with a statement (if applicable)</i>	Nil	

<p><i>that a Councillor was absent when one or more of the matters outlined below was being considered.</i></p>	
<p>Matters considered:</p> <p><i>*Provide dots points of matters discussed.</i></p>	<ol style="list-style-type: none"> <li>1. PRESENT &amp; APOLOGIES</li> <li>2. DECLARATION OF CONFLICT OF INTEREST</li> <li>3. MEETING PROCEDURE</li> <li>4. CONFIRMATION OF PREVIOUS MINUTES</li> <li>5. CONSULTATION             <ol style="list-style-type: none"> <li>5.1 Harmony Roundabout</li> <li>5.2 VicRoads pedestrian improvements</li> <li>5.3 Ballarat GovHub stakeholder group report</li> <li>5.4 Draft Street Art Guidelines</li> <li>5.5 Heritage plan consultation outcomes</li> </ol> </li> <li>6. OTHER BUSINESS             <ol style="list-style-type: none"> <li>6.1 Plaques on buildings</li> <li>6.2 Victorian Planning Provisions review</li> <li>6.3 Member roundtable-no items</li> </ol> </li> <li>7. NEXT MEETING</li> </ol>
	<p><b>Position:</b> Coordinator Heritage and Cultural Landscapes</p>
<p><b>Name:</b> Susan Fayad</p>	<p><b>Date:</b> 14th August 2018</p>



## ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

<b>Description of meeting:</b>	Ballarat Heritage Advisory Committee
<b>Date of meeting:</b>	9 April 2018
<b>Start time:</b>	12pm
<b>Finish time:</b>	2pm

<b>Councillors present:</b>
Cr Samantha McIntosh

<b>Apologies:</b>
Cr Daniel Moloney      Ballarat City Council
Amy Tsilemanis      Ballarat Mechanics' Institute
Germaine Davey      Visit Ballarat
Jodie Gillett      Commerce Ballarat
Marie Kau      Central Highlands Historical Association
Noel Dempsey      Ballarat Regional Tourism

<b>Council staff present:</b>
Catherine McLay      Project Officer-Heritage and Cultural Landscapes
Susan Fayad      Coordinator-Heritage and Cultural Landscapes
John Dyke      Heritage Advisor
Lisa Kendal      Manager Strategic Planning
Mark Bruty      Community Events Officer

<b>Other attendees present:</b>
Ailsa Brackley du Bois      Community representative
Anne Beggs-Sunter      Heritage Watch
Dianne Gow      National Trust Ballarat Branch
Merrick Morris      Ballarat Archives Centre (Public Record Office Victoria)
Jillian Marsh      Sovereign Hill Museums Association
Neil Huybregts      Community representative
Travis Hurst      Real Estate Victoria

<b>Conflict of Interests:</b>				
<p>Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.</p> <p>A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.</p>				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
[Insert name]	[insert type & details declared]	[Yes/No]	[Insert Time]	[Insert Time]

**Matters Considered:** *\*Provide dots points of matters discussed.*

1. PRESENT & APOLOGIES
2. DECLARATION OF CONFLICT OF INTEREST
3. CONFIRMATION OF PREVIOUS MINUTES
4. BUSINESS ARISING FROM PREVIOUS MINUTES  
 (Development Victoria update)
5. HERITAGE GRANTS for endorsement
6. HERITAGE WEEKEND UPDATE
7. HERITAGE PLAN DELIVERY
  - 7.1 Outreach program update
  - 7.2 Ballarat Heritage awards update
  - 7.3 Historic Collections update
  - 7.4 Town Hall interpretation update
  - 7.5 AoH interpretation update
  - 7.6 GF World heritage listing-scoping
  - 7.7 Planning Scheme Review working group-scoping
  - 7.8 Local Area Plans update
  - 7.9 Heritage gaps review-scoping
8. GENERAL BUSINESS
  - 8.1 Heritage building extension
  - 8.2 Toll gate
  - 8.3 Member roundtable news and events
9. NEXT MEETING

**Record completed by: Elizabeth Mangnall**

<b>Signed:</b> 	<b>Position:</b> Coordinator Heritage and Cultural Landscapes
<b>Name:</b> Susan Fayad	<b>Date:</b> 14th August 2018





## ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

<b>Description of meeting:</b>	Ballarat Heritage Advisory Committee
<b>Date of meeting:</b>	6 August 2018
<b>Start time:</b>	12pm
<b>Finish time:</b>	2pm

<b>Councillors present:</b>
Cr Samantha McIntosh

<b>Apologies:</b>
Michelle Raynor                      Commerce Ballarat
Neil Huybregts                      Community representative
Merrick Morris                      Ballarat Archives Centre (Public Record Office Victoria)

<b>Council staff present:</b>
Catherine McLay                      Project Officer-Heritage and Cultural Landscapes
Susan Fayad                              Coordinator-Heritage and Cultural Landscapes
John Dyke                                  Heritage Advisor
Mark Bruty                                 Community Events Officer

<b>Other attendees present:</b>
Ailsa Brackley du Bois              Community representative
Amy Tsilemanis                         BMI
Anne Beggs-Sunter                      Heritage Watch
Dianne Gow                                National Trust Ballarat Branch
Jillian Marsh                                Sovereign Hill Museums Association
Travis Hurst                                Real Estate Victoria
Marie Kau                                  Central Highlands Historical Association
Noel Dempsey                              Visit Ballarat
Tony Godfrey                                Community representative


**Conflict of Interests:**

Pursuant to Sections 77, 78 and 79 of the *Local Government Act 1989* (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
[Insert name]	[insert type & details declared]	[Yes/No]	[Insert Time]	[Insert Time]

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>	
1.	PRESENT & APOLOGIES
2.	DECLARATION OF CONFLICT OF INTEREST
3.	CONFIRMATION OF PREVIOUS MINUTES
4.	BUSINESS ARISING FROM PREVIOUS MINUTES (George Treloar Statue proposal update)
5.	HERITAGE PLAN DELIVERY 5.1 Lake Gardens survey report update 5.2 Heritage Advisory report update 5.3 Strategic plans update
6.	GENERAL BUSINESS 6.1 Bendigo Heritage Advisory Committee visit 6.2 Ballarat Health, Knowledge and City Living Precinct master plan 6.3 Ballarat Railway Station Precinct 6.4 Royal Mail Hotel Sebastopol 6.5 Member Roundtable
7.	NEXT MEETING

<b>Record completed by: Elizabeth Mangnall</b>	
<b>Signed:</b> 	<b>Position:</b> Coordinator Heritage and Cultural Landscapes
<b>Name:</b> Susan Fayad	<b>Date:</b> 14th August 2018

BY: statutory compliance ..... **ASSEMBLY OF COUNCILLORS RECORD**

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

<b>Description of meeting:</b>	Community Safety Advisory Committee
<b>Date of meeting:</b>	Wednesday 7 August 2018
<b>Start time:</b>	9.00am
<b>Finish time:</b>	9.56am

<b>Councillors present:</b>	Cr Belinda Coates
<b>Apologies:</b>	Cr Des Hudson, Cr Ben Taylor, Cr Amy Johnson, Michael Flynn, Sports Central, Acting Inspector Stacey Glenister, Victoria Police, Carolyn Staines, Community Representative, Amanda Collins, City of Ballarat
<b>Council staff present:</b>	Breanna Doody, Coordinator Health & Social Planning Pete Appleton, Executive Manager Engaged Communities
<b>Other attendees present:</b>	Marianne Hendron, Women's Health Grampians, Allison Demuth, Neighbourhood Centres Shaun Stevens, Department of Justice and Regulation, Jerry Van Delft, Federation University, Mark Sultana, Department of Justice and Regulation, John Marios, Bridge Mall Traders, Ashley Sims, Community Representative, Darren Newell, Ballarat taxi Co-operative

<b>Conflict of Interests:</b>	<p>Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.</p> <p>A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.</p>
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<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>	<ul style="list-style-type: none"> <li>• Confirmation of Minutes Wednesday June 2018</li> <li>• Correspondence In</li> <li>• Correspondence Out</li> <li>• Community Safety Network Project Update</li> <li>• Community Safety Month Grants</li> <li>• General Business: PSIF Application announcement, Wendouree West Laneway Project Update, Council Engagement opportunities, Bridge Mall Special Rate, Lake Wendouree Path Lighting, Right to the Night Project Findings</li> </ul>
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<b>Record completed by:</b>	
<b>Signed:</b> 	<b>Position: Community Safety and Wellbeing Officer</b>
<b>Name: Amanda Collins</b>	<b>Date: 21/08/2018</b>

## ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

<b>Description of meeting:</b>	Cemetery Trust Meeting
<b>Date of meeting:</b>	22 August 2018
<b>Start time:</b>	6:45pm
<b>Finish time:</b>	6:57pm

<b>Councillors present:</b> Cr Jim Rinaldi Cr Daniel Moloney Cr Ben Taylor Cr Samantha McIntosh Cr Des Hudson Cr Amy Johnson Cr Mark Harris Cr Belinda Coates Cr Grant Tillett
<b>Apologies:</b>
<b>Council staff present:</b> Darren Sadler – Executive Manager Property Services and Facilities Management
<b>Other attendees present:</b> Nil

<b>Conflict of Interests:</b>				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
Nil				

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> <li>• Selection of Chairperson</li> <li>• Financial Report</li> <li>• 2018-19 Budget</li> <li>• Burials for 2017-18</li> <li>• Review of Fees</li> <li>• Members Skills Matrix Review</li> <li>• Completed and Planned Improvements</li> <li>• General Business</li> </ul>

<b>Record completed by:</b>	
<b>Signed:</b> 	<b>Position:</b> Executive Manager Property Services and Facilities Management
<b>Name:</b> Darren Sadler	<b>Date:</b> 22 August 2018



BY: statutory  
compliance

## ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

<b>Description of meeting:</b>	Community Development Councillor Portfolio Meeting
<b>Date of meeting:</b>	Friday, 24 August 2018
<b>Start time:</b>	7.00am
<b>Finish time:</b>	8.30am

<b>Councillors present:</b>
Cr Belinda Coates
Cr Amy Johnson

<b>Apologies:</b> Cr Des Hudson
---------------------------------

<b>Council staff present:</b>
Neville Ivey, Director Community Development
Sandra Kennedy, Community Development Support Officer

<b>Other attendees present:</b>
Nil

<b>Conflict of Interests:</b>
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Nil		Left Meeting [No]	[Time left]	[Time returned]
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<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> <li>• Minutes of Meeting 27 July 2018</li> <li>• Sport &amp; Active Living List of Projects</li> <li>• Fees &amp; Charges Sports Facilities</li> <li>• Community Home Support Program</li> <li>• Immunisation Review</li> <li>• Site Inspections of Building Projects</li> <li>• CBD Strategy</li> <li>• Customer Service Requests and Response Time</li> <li>• All of Us Project</li> <li>• GROW social procurement</li> <li>• National Apology</li> <li>• State Government Election</li> </ul>

<b>Record completed by:</b> Sandra Kennedy
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<b>Signed:</b> 	<b>Position:</b> Community Development Support Officer
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<b>Name:</b> Sandra Kennedy	<b>Date:</b> 29 August 2018
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## ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

<b>Description of meeting:</b>	Council Agenda Review Briefing
<b>Date of meeting:</b>	29 August 2018
<b>Start time:</b>	6:10pm
<b>Finish time:</b>	8.00pm

<b>Councillors present:</b>
Cr Jim Rinaldi Cr Daniel Moloney Cr Grant Tillett Cr Des Hudson Cr Mark Harris Cr Belinda Coates Cr Amy Johnson
<b>Apologies:</b>
Cr Samantha McIntosh Cr Ben Taylor
<b>Council staff present:</b>
Justine Linley – Chief Executive Officer Terry Demeo – Director Infrastructure and Environment Angelique Lush – Director Development and Planning Neville Ivey – Director Community Development Glenn Kallio – Director Business Services Cameron Gray – Director Innovation and Organisational Improvement Sharelle Knight – Executive Manager Family and Children Services
<b>Other attendees present:</b>
Nil

<b>Conflict of Interests:</b>				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
Nil				

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<b>Section A – Updates for Councillors</b>
<ul style="list-style-type: none"> <li>• MAV State Council Motion</li> <li>• Cities Power Partnership/ Climate Change Council</li> </ul>
<b>Section B – Review of Draft Council Agenda 12 September 2018</b>
<ul style="list-style-type: none"> <li>• Assemblies of Councillors</li> <li>• Victorian Masters and Para-Cycling Championship Tourism Grant Funding Application</li> <li>• NAIDOC Football &amp; Netball Carnival Tourism Grant Funding Application</li> </ul>



- Social Policy Statement
  - Burrumbeet Caravan Park
  - CHCV Formation Report
  - Council Committee of Management Yuille Cairn Wetland Sebastopol
  - Meeting Procedure Local Law
  - Broadcasting of Council Meetings
  - Name a New Park in Alfredton – Karingga Park
  - S6 Instrument of Delegation – Members of Staff
  - S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)
  - Outstanding Question Time Items
- Items in Camera**
- Eureka Centre Community Advisory Committee Membership

<b>Record completed by:</b>	
<b>Signed:</b> 	<b>Position:</b> Director Business Services
<b>Name:</b> Glenn Kallio	<b>Date:</b> 30 August 2018

RECEIVED

BY: statutory.....  
compliance

## ASSEMBLY OF COUNCILLORS RECORD

This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

<b>Description of meeting:</b>	Strategic Briefing
<b>Date of meeting:</b>	5 September 2018
<b>Start time:</b>	6:06pm
<b>Finish time:</b>	10.04pm

<b>Councillors present:</b> Cr Daniel Moloney Cr Ben Taylor (left at 6.38pm returned at 8.24pm) Cr Des Hudson Cr Amy Johnson (left at 8.00pm) Cr Mark Harris Cr Belinda Coates Cr Grant Tillett
<b>Apologies:</b> Cr Samantha McIntosh Cr Jim Rinaldi
<b>Council staff present:</b> Justine Linley – Chief Executive Officer Terry Demeo – Director Infrastructure and Environment Angelique Lush – Director Development and Planning Neville Ivey – Director Community Development Glenn Kallio – Director Business Services Cameron Gray – Director Innovation and Organisational Improvement Darren Sadler – Executive Manager Property Services and Facilities Management
<b>Other attendees present:</b> Helen Bartlett – Vice Chancellor Professor of Federation University Darren Holland - Deputy Vice-Chancellor (Student Support and Services) Sam Henson – Head of Campus Ballarat

<b>Conflict of Interests:</b>				
Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.				
A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned
Nil				

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<b>Section A – External Presentations</b>
<ul style="list-style-type: none"> <li>• Federation University Masterplan Update</li> </ul>
<b>Section B – Strategic Briefing Reports</b>
<ul style="list-style-type: none"> <li>• Cemetery Trustees Report</li> <li>• Car Parking Dispensation/Contribution</li> </ul>

- State of the Assets Report
- City of Ballarat Energy Plan
- Creative City Strategy and Masterplan Update
- Major Projects Quarterly Report
- Her Majesty's Theatre Update

<b>Record completed by:</b>	
<b>Signed:</b> <i>Glenn Kallio</i>	<b>Position:</b> Director Business Services
<b>Name:</b> Glenn Kallio	<b>Date:</b> 10 September 2018

**RECEIVED**  
10 SEP 2018

**BY:** *Statutory compliance*

**APPENDIX 1**



**Assembly of Councillors Record**

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Executive Manager Governance and Information Services for recording in the register.

Purpose of meeting:	Ballarat Airport Advisory Committee Meeting
Date of meeting:	6 September 2018
Start time:	8.00 am
Finish time:	9.00 am
Councillors present:	Cr Grant Tillett
Apologies:	Cr McIntosh, Cr Moloney, Graeme Brice and Peter Mackay
Council Staff present:	Terry Demeo, Natalie Robertson, Roland Wade, John Hartigan, Lisa Kendal and Angelique Lush
Other people present:	Daryl Chibnall, Michael Porter Sandy Gray, Stephen Holding and Jerry Lim
Any conflict of interest disclosed?  <i>*If so, provide details of which Councillor(s) disclosed a conflict of interest and any details of that conflict of interest. The time at which the Councillor left and returned should be recorded here, with a statement (if applicable) that a Councillor was absent when one or more of the matters outlined below was being considered.</i>	No



<p>Matters considered:</p> <p><i>*Provide dots points of matters discussed.</i></p>	<ul style="list-style-type: none"><li>• Ballarat Airport Safeguarding Study</li><li>• Ballarat Aerodrome Noise Modelling Report</li><li>• End of Term for Ballarat Airport Advisory Committee</li><li>• Rabbit baiting program</li><li>• Avdata – Aircraft Movements January to July</li><li>• Committee paid respect to the late Eng Choinh</li><li>• Committee thanked Roger Gratton for his contribution to the committee</li></ul>
<p><i>J. Hartigan</i></p>	<p>Position: Airport Manager</p>
<p>Name: John Hartigan</p>	<p>Date: 6 September 2018</p>

## 9. OFFICER REPORTS

### 9.1. DRAFT COMMUNITY ENGAGEMENT FRAMEWORK

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Pete Appleton - Executive Manager Engaged Communities

#### OFFICER RECOMMENDATION

**That Council place the draft Community Engagement Framework on public exhibition for four (4) weeks facilitating community feedback through a range of engagement mechanisms.**

#### EXECUTIVE SUMMARY

The draft Community Engagement Framework provides Council with an opportunity to renew its commitment to engage with the community. The intent of the draft framework is to raise the standard of community engagement by strengthening planning, active participation and feedback components in each engagement process used throughout the organisation.

The draft framework directly responds to the 2017 Victorian Auditor-General's Office (VAGO) audit into public participation and community engagement across the Local Government sector. The structure and content of the framework is directly based on the recommendations resulting from the audit and the better practice guidance notes provided by the VAGO.

#### RATIONALE

The purpose of the draft Community Engagement Framework is to inform the community about the City of Ballarat's commitment and approach to engagement and to encourage residents and ratepayers to be involved. The draft framework recognises the diversity of our community and incorporates this into the planning and design of engagement activities. A clear priority addressed in the new draft framework is to enable a consistent, transparent and high-quality approach to the design and delivery of community engagement. The draft also seeks to provide guidance to officers, Councillors and the community on Council's principles, methods and available resources in relation to engagement.

Council first adopted the International Association for Public Participation (IAP2) framework for engaging communities in November 2006. In March 2016 Council adopted a tailored framework to provide some consistency in relation to planning and delivering engagement initiatives. Key deliverables from the 2016 framework include the implementation of the *My Say* space for all online engagement processes and the use of internal practice materials to support staff responsible for planning and delivering community engagement processes.

The 2017 Victorian Auditor-General's Office 2017 report into *Public Participation and Community Engagement* commented that although the councils audited typically had public participation frameworks aligned with the IAP2 model, the way IAP2 was applied lacked maturity. The report went on to recommend that councils could improve their public participation by better documenting their public participation activities, and by monitoring and evaluating implementation and outcomes. As part of the process the report also recommended

12 better practice elements that should be included within a council's public participation policies and frameworks.

The new draft framework directly responds to recommendations made in the Victorian Auditor-General's 2017 report by developing an updated public participation engagement framework based on the better practice principles, including a step-by-step guide for Council staff to conduct effective public participation activities.

The revision is also timely as the State Government has recently undertaken a review of the Local Government Act. The draft bill signals changes to expectations around community engagement and includes five principles for undertaking engagement that align strongly with IAP2 core values.

## LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Local Government Act 1989*; and
- City of Ballarat Council Plan 2017-2021.

## REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
<b>Human Rights</b>	Yes	Yes
<b>Social/cultural</b>	Yes	Yes
<b>Environmental/Sustainability</b>	No	No
<b>Economic</b>	No	No
<b>Financial/Resources</b>	No	No
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	No	No
<b>Evaluation and Review</b>	No	No

**Human Rights** - The draft Community Engagement Framework advocates for a multi-faceted approach to engagement methods to ensure that members of the community are aware of the activities and are provided with the opportunity to fulfil their *right to freedom of expression*.

**Social/Cultural** - The successful implementation of the draft Community Engagement Framework in raising the profile, improving the quality and achieving better co-ordination of community engagement will have significant positive social implications for Council.

**Risk Management** - Risk management processes are considered on an individual project basis and referred to Council's Governance area where appropriate. The implementation of the draft Community Engagement Framework seeks to mitigate reputational risks for Council through improving community satisfaction with the public participation processes undertaken.

**Evaluation and Review** – A review of the impact of the proposed Community Engagement Framework will be undertaken on an annual basis. The proposed evaluation process will involve both internal and external evaluations.

## CONSULTATION

It is proposed to place the draft Community Engagement Framework on public exhibition for a four-week period between Monday 8 October 2018 and Monday 5 November 2018.

The public exhibition phase would include advertising the draft framework online and seeking submissions via Council's *My Say* space.

The following negotiables and non-negotiables will be used to guide the consultation and be communicated clearly with the community.

### *Negotiables*

- draft Community Engagement Framework layout
- Principles within the draft Community Engagement Framework
- Additional elements that should be added to the draft framework

### *Non-Negotiables*

- That Council will consider a new Community Engagement Framework
- That the draft framework will include the better practice elements recommended by the Victorian Auditor General's Office in the 2017 audit report, including Council's framework being informed by IAP2 model of public participation.

## OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

## REFERENCE DOCUMENTS

- Victorian Auditor-General's Office – *Public Participation and Community Engagement: Local Government Sector* (May 2017).
- International Public Participation Spectrum (IAP2) [www.iap2.org.au](http://www.iap2.org.au)

## ATTACHMENTS

1. Community Engagement Framework [9.1.1]



# Community Engagement Framework

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How?	10
Evaluation	12
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## 1. Purpose

The purpose of the Community Engagement Framework is to:

1. Inform the community about the City of Ballarat's commitment and approach to engagement and encourage them to become involved.
2. Recognise diversity within the community and incorporate this into the planning and design of engagement activities.
3. Enable a consistent, transparent and high-quality approach to the design and delivery of community engagement.
4. Provide guidance to City of Ballarat Officers, Councillors and community on our engagement principles, methods and available resources.



## 2. Definitions

The City of Ballarat defines community engagement as:

*'Community engagement is providing a range of opportunities for a two-way exchange. Community engagement strengthens relationships, shapes decisions and enables us to learn from each other.'*

**Other definitions relevant to the Community Engagement Framework and supporting materials are defined below.**

**Community:** A group of people, the members of which reside in the same geographical area or have a shared background, interest, affiliation or membership.

**Stakeholder:** Any individual or group of people with a specific stake in the outcome of a decision.  
*(Note: Stakeholders can be part of your community, or your community members can be stakeholders.)*

**Hard-to-reach:** Individuals and groups that are more difficult to involve in community engagement and have multiple barriers to engagement.

**Communication:** Imparting or exchanging information or ideas, utilising a range of channels and mediums.

**Participation:** Participation by communities in activities that help achieve desired outcomes.

**Deliberation:** An engagement process with a select group of community members. The process focusses on a defined issue, weighs up options and provides recommendations to decision-makers.

**Partnership:** Occurs when two or more people or organisations work together to realise or achieve a goal.





### 3. Commitment

The City of Ballarat has a strong commitment to engage with the community. The City of Ballarat recognises that engagement leads to well-informed decisions at an operational and strategic level, achieves effective and transparent governance, and is fundamental to bold, vibrant and thriving communities.

The Community Engagement Framework is based on a set of principles. It recognises that engagement is a planned process which should be tailored to particular circumstances, taking into account factors such as complexity, community values, sensitivity, timing and opportunity.

The updated Community Engagement Framework builds on the original document and strengthens the City of Ballarat's commitment to high quality engagement. The revision was completed as an outcome of a comprehensive engagement process to gain feedback on the existing framework, reflections on current practice, and ideas for future engagement.

The City of Ballarat is part of an international pilot program for UNESCO's new long-term approach to managing change in historic cities, called the Historic Urban Landscape (HUL) approach. One of its critical steps is to work with local people to shape the future of their city. The City of Ballarat is doing this in several ways, the principles of which have been embedded in the Community Engagement Framework:

- Engaging with communities at stages where their input will meaningfully guide and impact on project development and delivery
- Continuously asking what people love and want to retain about Ballarat and what they imagine for its future
- Starting with an understanding of community values to inspire change
- Showing how community feedback has informed project development and delivery

### 4. Objectives and Principles

Described below are the City of Ballarat's community engagement objectives:

- Deliver engagement opportunities for our community to participate in the City of Ballarat's decision-making processes, ensuring outcomes that benefit our community and reflect their input.
- Provide a strong foundation for understanding and working with our community – promoting shared responsibility for decisions and trust in the decision-making process.
- Strengthen collaborations, partnerships and new ways to involve and empower the community.

Described below are the City of Ballarat's 10 community engagement principles:

1. We will enable the community to provide meaningful and relevant input into decision-making.
2. We will be clear about the objectives of engagement and the opportunities to influence decision-making.
3. We will be respectful of all community members, City of Ballarat Officers and Councillors.
4. We will provide accurate, timely and accessible information.
5. We will provide engagement opportunities for all community members, including those considered hard-to-reach.
6. We will provide multiple and varied opportunities for the community to participate in each engagement process.
7. We will consider the needs and interests of the community and stakeholders in the decision-making process.
8. We will inform the community of the final decision and how their input was considered.
9. We will review and evaluate the effectiveness of the community engagement.
10. We will plan, resource and report on our engagement processes appropriately.

## 5. Roles and Responsibilities

Everyone with a relationship with the City of Ballarat has a role in the successful implementation of the Community Engagement Framework. The key roles and responsibilities are described in **Table 1**.

**Table 1: Roles and Responsibilities**

Role	Responsibilities
<b>Councillors</b>	<ul style="list-style-type: none"> <li>• Good level of understanding of the Community Engagement Framework, Handbook and Resources.</li> <li>• Adhere to the engagement principles in their day-to-day interactions with community members.</li> <li>• Respectful of engagement processes, City of Ballarat Officers, community members and stakeholders.</li> </ul>
<b>Officers</b>	<ul style="list-style-type: none"> <li>• Good level of understanding of the Community Engagement Framework, Handbook and Resources.</li> <li>• Use the Framework, Handbook and Resources to design and deliver engagement processes.</li> <li>• Coordinate engagement activities across departments and groups.</li> <li>• Seek out engagement champions when requiring support and guidance.</li> </ul>
<b>Executive Leadership Team</b>	<ul style="list-style-type: none"> <li>• Good level of understanding of the Community Engagement Framework, Handbook and Resources.</li> <li>• Advocate for the consistent implementation of the Framework.</li> <li>• Resource staff to deliver community engagement.</li> <li>• Advocate to Councillors about the role of community engagement.</li> </ul>
<b>Engagement Champions</b>	<ul style="list-style-type: none"> <li>• High level of understanding of the Community Engagement Framework, Handbook and Resources.</li> <li>• Support Officers to design and deliver community engagement.</li> <li>• Identify opportunities to build on community engagement practice with a focus on continuous improvement.</li> <li>• Lead the review and evaluation process.</li> </ul>
<b>Community Members</b>	<ul style="list-style-type: none"> <li>• Respectful of engagement processes, Councillors, City of Ballarat Officers, other community members and stakeholders.</li> <li>• Constructively participate in engagement processes.</li> <li>• Share local knowledge, values and experiences.</li> </ul>
<b>Representative Bodies and Advisory Committees</b>	<ul style="list-style-type: none"> <li>• Bring a representative voice to Council processes.</li> <li>• Strengthen relationships between Council and community members.</li> <li>• Advocate for minority groups.</li> <li>• Encourage and promote community engagement opportunities among networks.</li> <li>• Disseminate information among networks.</li> </ul>

## 6. Why?

**Effective engagement strengthens the City of Ballarat's decision-making by connecting community and stakeholders to the policies, projects and services that impact their lives.**

Community engagement has many benefits for Councillors, City of Ballarat Officers, and the groups and individuals that create Ballarat's diverse community. A clearly defined engagement process helps to ensure that people participate in a meaningful way - where they understand how they are informing a decision. This can strengthen the relationship and trust between community and the City of Ballarat.

Community engagement supports the City of Ballarat to deliver fit-for-purpose services and confidently plan for the evolving needs of current and future populations. Community engagement can give people a greater sense of ownership and involvement in the City of Ballarat's decisions, as well as creating new ties or strengthening existing relationships between community members.

### Other benefits include:

- Broadening community participation in democratic processes
- Building a stronger evidence base to inform decisions
- Facilitating greater mutual understanding between the City of Ballarat and community
- Supporting the City of Ballarat to meet its legislative requirements
- Increasing transparency in decision-making processes
- Strengthening community networks and resilience
- Sharing the ownership of opportunities and challenges benefiting/impacting both the community and the City of Ballarat
- Supporting the City of Ballarat to advocate on behalf of community.

The City of Ballarat has adapted the International Association for Public Participation (IAP2) Spectrum of Public Participation to describe why the City of Ballarat engages below:

**Inform:** Information is circulated to assist in understanding a project/strategy or decision that is going to happen or has already happened

**Consult:** Seeks input, feedback or advice before part of the project/strategy or decision is progressed

**Collaboration:** Community or specific stakeholders are engaged to establish what needs to be done and to develop solutions that are incorporated into decision-making.



## 7. When?

### **The City of Ballarat engages with its community through its day-to-day operations, service provision and planned engagement processes.**

The City of Ballarat has identified a number of activities where community engagement occurs that range from strengthening relationships and providing information, to informing the City of Ballarat's strategic decisions. This engagement may occur through ongoing relationships through advisory committees, planned engagement processes or through day-to-day interactions over the counter and service provision.

#### **The six activities are described below:**

- **Strategic** - inform strategic decisions related to policy, plans or programs
- **Statutory** - obtain feedback to inform statutory approvals related to policy, plans, programs
- **Research** - obtain evidence to review or design services programs
- **Dialogue** - enable an ongoing dialogue with the community
- **Transactional** - respond to queries or concerns
- **Awareness** - create awareness through local media or other avenues

The City of Ballarat is responsible for determining when to engage and the level of influence community can have in the process. This level of influence may be determined by technical requirements, timeframes and available resources. Instances where the City of Ballarat may only be able to provide feedback on the outcome of a decision-making process include emergency management, public risk issues, internal policy development, response to legislative requirements or time sensitive matters.

#### **When the City of Ballarat must engage:**

There are a number of pieces of Victorian legislation that describe when councils must engage with their communities. These include:

##### *The Local Government Act (1989)*

Describes the objectives, roles and functions of local government in Victoria. It specifies community engagement must inform the following:

- Developing a Council Plan
- Developing a Council Budget

Further information about the core role of councils is found in **Appendix 1**. Information about upcoming proposed amendments to the Local Government Act is also found in Appendix 1.

##### *The Planning and Environment Act (1987)*

Describes the procedures for preparing and amending planning schemes, obtaining permits under planning schemes, enforcing compliance with planning schemes, and other administrative procedures. As part of this, the Act sets the overarching notification requirements, however, in some instances planning scheme amendments and planning permit applications may be exempt from the notification requirements.

##### *The Local Government Amendment (Performance Reporting and Accountability) Act (2014)*

Requires each local government authority to report on the existence and application of community engagement policies and guidelines.

##### *Public Health and Wellbeing Act (2008)*

Outlines ways in which local councils are expected to plan for the health and wellbeing of their communities. Under section 26(2)(c) a Municipal Public Health and Wellbeing Plan must provide for the involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan.

#### **Victorian Charter of Human Rights and Responsibilities Act 2006**

Council-led community engagement processes on key local issues will ensure the City of Ballarat complies with this charter founded on the following principles:

- Human rights are essential in a democratic and inclusive society that respects the rule of law, human dignity, equality and freedom
- Human rights belong to all people without discrimination, and the diversity of the people of Victoria enhances our community
- Human rights come with responsibilities and must be exercised in a way that respects the human rights of others

Other relevant sections of the Charter include:

- Section 15 (Freedom of Expression)
- Section 18 (Taking Part in Public Life) of the Charter.

As a public authority, the City of Ballarat has an obligation to act in a way that is compatible with the human rights described in the Charter.



## 8. Who?

The City of Ballarat's projects, policies, service provision and operations intersect in the day-to-day lives of community members and stakeholders across the whole municipality. Engagement should seek to connect with a broad range of community members to create fair and inclusive engagement processes.

The following is a snapshot of the different types of stakeholders in Ballarat.

- Arts and culture community
- Business and industry
- Carers
- Chamber of commerce
- Children
- City of Ballarat employees
- Community service providers
- Commuters
- Emergency services
- Environmental groups
- Families
- Government departments
- Heritage groups
- Indigenous community
- Lesbian, gay, bisexual, transgender and intersex community
- Local, State and Federal MPs
- Mayor and Councillors
- Media
- Neighbouring councils or other local government organisations
- Not-for-profit organisations and groups
- People experiencing homelessness
- People from culturally and linguistically diverse backgrounds
- People with a disability
- Public transport user groups
- Ratepayers
- Residents
- Schools, education facilities and students
- Seniors/senior groups
- Service groups
- Sporting, leisure and recreational clubs and groups
- Students
- Visitors to Ballarat
- Volunteers/volunteer organisations
- Young people



## 9. How?

**Successful engagement programs are underpinned by careful planning which clearly define the engagement purpose, identifies who needs to be engaged, and chooses the appropriate activities.**

The City of Ballarat undertakes a series of steps in designing and delivering inclusive engagement processes to genuinely inform decision-making processes.

### Designing a fit for purpose engagement plan

The steps below are to be documented in the engagement plan template which is approved by the relevant decision-maker before engagement commences.

#### 1. SCOPE

A shared agreement about the engagement purpose needs to occur to ensure there is organisational buy-in about the process prior to engagement commencing. Good planning starts with defining the scope of the engagement by:

- Clearly articulating the project scope, and level of community and stakeholder influence
- Defining the engagement objectives, negotiables, non-negotiables and scope
- Integrating the engagement design with internal risk management procedures
- Agreeing on the evaluation criteria to measure the effectiveness of the engagement
- Gaining City of Ballarat buy-in, feedback and sign-off regarding the engagement objectives and negotiables.

#### 2. STAKEHOLDERS

Understanding who needs to be engaged is an essential component of designing an engagement approach. It is important to think about who is interested or impacted by the project as well as people who may have a barrier to participating in the engagement activities. Community and stakeholders are defined by:

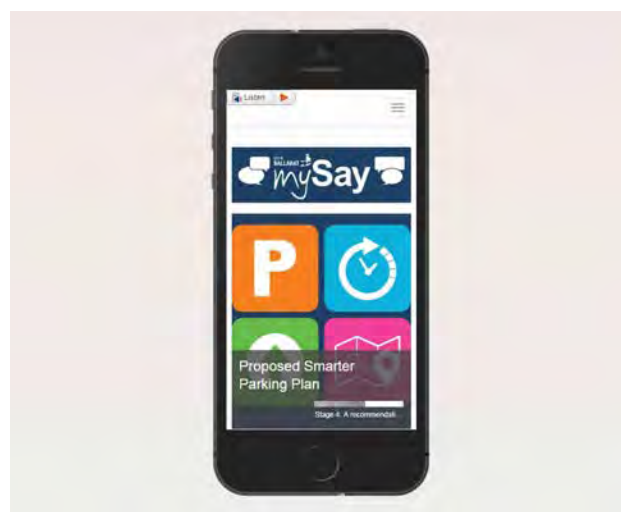
- Identifying stakeholders and their possible values and likely level of interest in the project
- Considering the possible hard-to-reach groups
- Understanding who has or has not been involved in previous related projects
- Awareness of other projects, opportunities or community issues that may influence community participation in the engagement.

#### 3. ACTIVITIES

High levels of involvement in community engagement is achieved by selecting activities that overcome barriers to participation. To select the right activities, the engagement purpose and stakeholder analysis should be combined by:

- Asking the community how they want to be involved (where possible)
- Co-ordinating with other City of Ballarat engagement activities
- Promoting opportunities for community strengthening through education and connection
- Using a range of different engagement methods that provide people with accessible options to participate
- Selecting tools that collect relevant project information and data
- Agreeing on an approach to information management and data analysis
- Complementing face-to-face activities with online engagement.

Once community engagement activities have occurred, the feedback needs to be consolidated and analysed. Depending on the engagement and number of activities, this can take significant time and resources. This information is then presented in a community engagement findings report, which will include details about the engagement process and feedback provided. This report should be made available to the participants and broader community with information on next steps to 'close the loop' on the engagement process.



#### 4. PROGRAM

Community engagement activities require careful planning to ensure they provide the community with the appropriate project information to support participation, and can be adequately resourced by City of Ballarat Officers. A successful engagement program can be designed by:

- Providing the appropriate lead times when promoting the project to stakeholders
- Providing targeted project information in advance of engagement activities to support informed participation
- Delivering engagement activities at days, times and locations that meet the needs of the community and stakeholders
- Providing a timeframe of when participants can expect feedback.

#### 5. MONITORING AND EVALUATION

Continuous improvement in community engagement practice is achieved through evaluating activities from the outset from both the participant and the City of Ballarat's perspective to determine their effectiveness. The evaluation findings should be documented to support further engagement planning by:

- Selecting an appropriate monitoring and evaluation approach
- Measuring the engagement process from the beginning
- Understanding and evaluating the depth and breadth of participation to inform future engagement
- Capturing and sharing the learning from the engagement.
- The City of Ballarat's overarching engagement evaluation framework is in Section 11 of this Framework.



## 10. Evaluation

The City of Ballarat is committed to learn from each engagement process. Outlined in Table 2 are Key Result Areas (KRA) and indicators to be used when evaluating community engagement.

**Table 2: Key Result Areas and Indicators**

KRA	Indicator
Planning, resourcing and structures enable the achievement of engagement objectives	<ol style="list-style-type: none"> <li>1. The detail of engagement planning was consistent with stakeholder/community expectations</li> <li>2. The time and budget allocated was consistent with stakeholder/community expectations</li> <li>3. The internal structures and responsibilities were clarified early in the engagement planning</li> </ol>
Timely and clear communication builds trust and increases participation	<ol style="list-style-type: none"> <li>4. Stakeholders/community were given sufficient time and information to engage in a meaningful way, and at influential stages of the process</li> <li>5. Outcomes and commitments made to stakeholders/community were recorded and followed through in a timely way</li> <li>6. The results of the process were communicated back to stakeholders/community.</li> </ol>
Diversity of participation ensures balance and enables deep understanding of stakeholder and community perspectives	<ol style="list-style-type: none"> <li>7. The stakeholders/community engaged was representative of the project impact and risk</li> <li>8. The engagement process ensured there was equitable opportunity for participation for a diverse range of perspectives to be shared</li> <li>9. There was transparency of communicating engagement details including goal, negotiables, timelines and events</li> </ol>
Influence to the extent promised builds sustainable decisions	<ol style="list-style-type: none"> <li>10. The influence/input from stakeholders/community matched the level of engagement promised</li> <li>11. The decision or outcome was considered “sustainable” (economically viable, technically feasible, environmentally consistent and socially acceptable)</li> </ol>
Goal orientated engagement builds support and honours the time and resources committed	<ol style="list-style-type: none"> <li>12. The engagement process enabled practical project outcomes to be achieved</li> <li>13. Stakeholders/community demonstrate support for the engagement process</li> </ol>
Engagement builds learning opportunities for all	<ol style="list-style-type: none"> <li>14. The process enabled knowledge capture and sharing to improve practice</li> <li>15. Participation in the engagement process benefited the stakeholders/community involved</li> </ol>

*Adapted from the City of Melbourne Evaluation Framework (2014)*





# References

## IAP2 Core Values

The International Association for Public Participation (IAP2) is an international organisation advancing the practice of public participation. The IAP2 framework is underpinned by seven core values that are aimed at ensuring organisations make better decisions which reflect the interests and concerns of potentially affected people and entities.

These values are:

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public’s contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision-makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the final decision.



## IAP2’S PUBLIC PARTICIPATION SPECTRUM

The IAP2 Federation has developed the Spectrum to help groups define the public’s role in any public participation process. The IAP2 Spectrum is quickly becoming an international standard.

		INCREASING IMPACT ON THE DECISION				
		INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL		To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
	PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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## Legislation

*Local Government Act 1989 (Vic.) governs the objectives, roles and functions of local government in Victoria. Section 3C(3) of this Act states six core roles of a Council, being:*

- Acting as a representative government by taking into account the diverse needs of the local community in decision-making
- Providing leadership by establishing strategic objectives and monitoring their achievement
- Maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner
- Advocating the interests of the local community to other communities and governments
- Acting as a responsible partner in government by taking into account the needs of other communities
- Fostering community cohesion and encouraging active participation in civic life.

The State Government has recently undertaken a review of the Local Government Act. The draft legislation signals some changes to expectations around community engagement.

The draft provides an expectation that councils will:

- Adopt and maintain a community engagement policy
- Collaborate with the community in the development of the 4-year council plan and its first council budget after elections
- Develop a community vision with the local community
- Develop local laws in accordance with the council's community engagement policy.

The rate cap variation will still require community engagement (as per current requirements).

The draft bill includes five principles for undertaking engagement that align strongly with IAP2 core values.

In summary the bill includes:

1. A community engagement process must have a clearly defined objective and scope
2. Participants must be provided with information to inform their participation
3. Participants must be representative of the persons and groups affected
4. Participants are entitled to support to enable meaningful and informed engagement
5. Participants must be advised of how the results of the engagement influenced the council's decision-making.

The amended Local Government Act is expected to be enacted in late 2018.





**9.2. NAME TWO UNNAMED ROADS IN DURHAM LEAD**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Lani Smith - Place Names Officer

**OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Adopt the name Dianchi Lane for an unnamed road in Durham Lead**
- 2. Adopt the name Wildflower Lane for an unnamed road in Durham Lead**

**EXECUTIVE SUMMARY**

This report details two recent naming proposals with recommendations for adoption by Council. The naming proposals have been conducted in accordance with the current *Naming Rules for Places in Victoria* (The Naming Rules) and have recently undergone a public engagement process. There are no objections to the names.

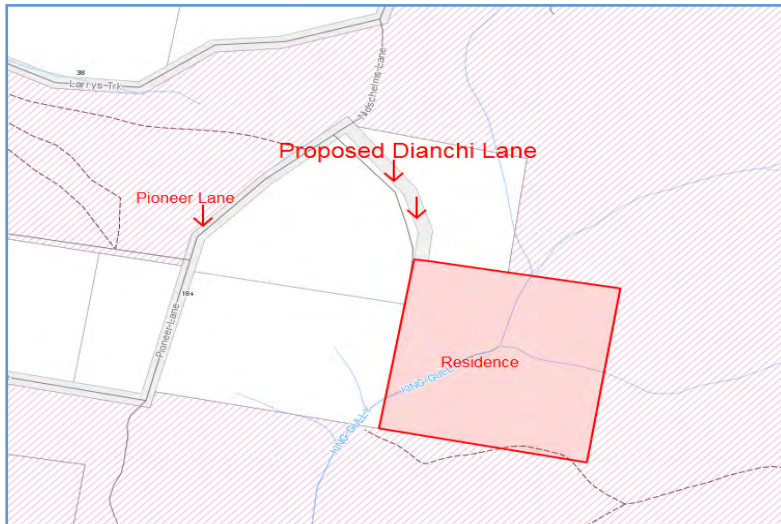
**RATIONALE**

A request was received to name two unnamed existing government roads in Durham Lead. The roads require naming for addressing purposes. In one case the existing address was not reflective of the location of the residence and in the second instance a new home was built off a previously unnamed road. The area in question within Durham Lead is semi-rural and the roads wind through heavily treed and hilly terrain making location of homes and individuals quite challenging, and of real concern in the event of an emergency. Naming of any unnamed roads in this location is therefore essential to avoid any confusion in the area, indeed there will further road naming undertaken within this location in the near future.

**Background – proposed name of *Dianchi Lane***

A residence has recently been constructed and is accessed off this unnamed road. A name is therefore needed for addressing and location purposes. The name proposed is Chinese (Mandarin) in origin, Dianchi is a place name in China. When Ballarat was first settled and during the Goldrush era, many Chinese immigrated to Ballarat. In fact around a quarter of the men and women on the Goldfields were Chinese, second only to the English in numbers. Despite their numbers, there are relatively few Chinese names used for place naming historically in the region. The use of a Chinese name would go some way towards affording the Chinese some further recognition given their numbers and representation through early Ballarat history. The name is also meaningful to the affected residents who fully support it. The exact location of the road in question is outlined on the map below.

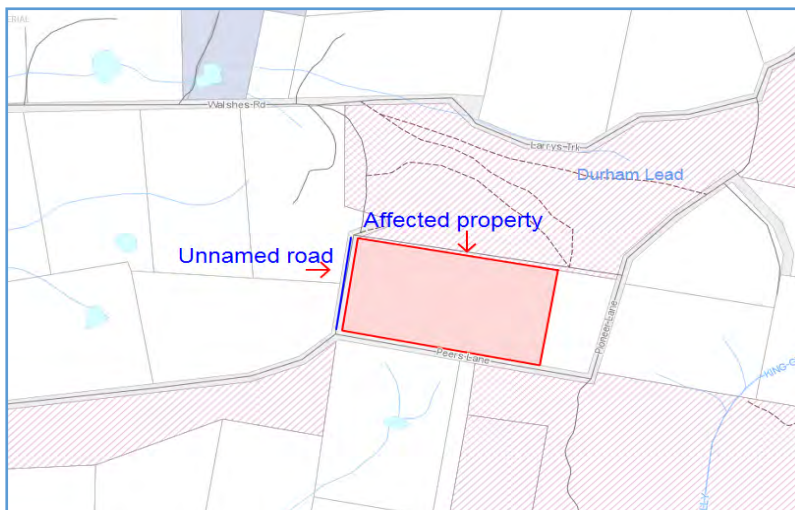
Map – Proposed *Dianchi Lane* in Durham Lead



Background – proposed name of *Wildflower Lane* in Durham Lead

Council has received a request to name the road. Development is occurring in the area and it is necessary to name any unnamed roads for purposes of addressing and location. In this instance there are many wildflowers that grow alongside the road in question, in fact over 20 varieties have been identified. Fittingly, the name *Wildflower Lane* has been proposed. This name is compliant with the current *Naming Rules for Places in Victoria* and supported by the affected and neighbouring residents. The unnamed road is highlighted on the map below.

Map – proposed *Wildflower Lane* in Durham Lead



## LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- City of Ballarat Place Names Policy 2013-2017
- *The Geographic Place Names Act 1998*
- Naming Rules for Places in Victoria 2016

## REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
<b>Human Rights</b>	Yes	No
<b>Social/Cultural</b>	Yes	Yes
<b>Environmental/Sustainability</b>	Yes	No
<b>Economic</b>	Yes	No
<b>Financial/Resources</b>	Yes	No
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	Yes	Yes
<b>Evaluation and Review</b>	Yes	No

**Human Rights** – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

**Social/Cultural** – There is an opportunity to recognise culture and heritage through appropriate naming, in the case of *Dianchi Lane* some further recognition is given to the significant presence that the Chinese had during Ballarat's Goldfield's rush. Today, there are still many individuals of Chinese heritage residing in Ballarat, some of them now 5<sup>th</sup> generation Australians.

**Risk Management** – The proper naming of any road or place enables it to be clearly identified so that a more precise location can be given to emergency services should an emergency arise. This reduces the likelihood of an emergency vehicle being seriously delayed due to inadequate location details, with potentially life-threatening implications.

## CONSULTATION

In both instances consultation occurred with directly and non-directly affected residents who were written to and provided detailed knowledge of the proposals. The directly affected residents have provided written approval of the names (de-identified submissions attached). Additionally, and in accordance with the *Naming Rules*, a public notice inviting submissions was placed in the Miner from Thursday 3 May with submissions closing on Monday 5 June. Details of the proposal also featured on the City of Ballarat website under the *Have your say* module. No submissions of objection were received in relation to either of the proposals.

## OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

## REFERENCE DOCUMENTS

- *The Chinese in Ballarat* – Sovereign Hill Research Notes.
- Ballarat Genealogy – Chinese research

## ATTACHMENTS

1. de-identified submissions \_ Redacted **[9.2.1]**

- Council did not address valid objections during their deliberations, or
- The proposal does not conform to the principles of the current *Naming Rules*.

Attention: Place Names Officer

# NAMING PROPOSAL SUBMISSION



CITY OF BALLARAT

Please see over for guidance on making a submission

**Naming Proposal (as shown on the document describing the proposal):**

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**Council Reference No: NP -**

Please ensure your name and postal address are clearly shown and your submission is signed and dated. A submission is a public document, but this section will be blanked out and not available to other parties.

CONFIDENTIAL

**Organisation:**

*(only if this submission is on behalf of a community group, eg: historical society, progress association, etc.)*

**Name:**

**Postal Address:**

[Redacted]

Berrin Street

**Postcode:** 3357

**Telephone:**

[Redacted]

**Signature:**

[Redacted]

**Date:** 4/05/2018

Your comments may include any relevant points but should say whether you consider the name is suitable and/or you support it. In order to be valid, submissions of objection should demonstrate how the name is not compliant with the current naming rules.

**Comments:**

I [Redacted] from DURHAM LEAD HAVE NO OBJECTION TO THE PROPOSED NAMING OF THIS LANE. "DIANKHI" LANE.



Date: 5<sup>th</sup> June 2018

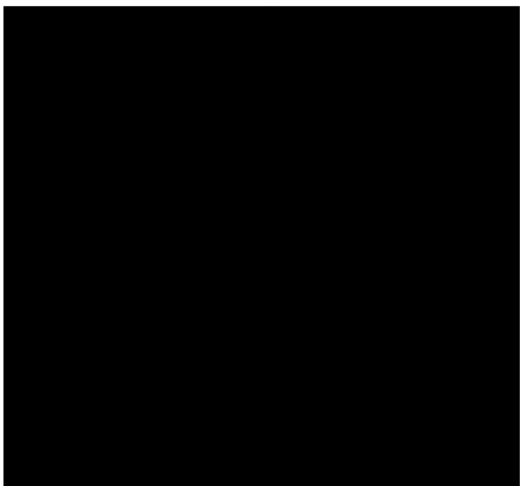
To Whom It May Concern:

I am writing this letter as an endorsement for the road adjoining our property to be named 'Wildflower Lane'. We believe the name gives good reference to the many native wildflowers that are unique to this area.

Naming this road will put an end to the endless problems that have arisen from residing on an unnamed road.

It had been of great concern to us since moving into the property in April last year that not having a clear and easily found address could be problematic if any emergencies should arise, e.g. if we needed to be located by the CFA or Ambulance.

If you have any questions, please feel free to contact me.



**9.3. PLP/2018/298 227 GRANT STREET GOLDEN POINT**

**Division:** Development and Planning  
**Director:** Terry Demeo  
**Author/Position:** Rachel Blackwell – Principal Statutory Planner

**OFFICER RECOMMENDATION**

Council resolves to:

Issue a Notice of Decision to Grant a Planning Permit PLP/2018/298 for the land located at 227 Grant Street, Golden Point for buildings and works, sale and consumption of liquor (under a Restaurant and Café licence), display of business identification and illuminated signage and alteration of access to a Road Zone Category 1, subject to the following Conditions:

**1. Amended Plans**

Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:

- a) A materials schedule as required by Condition 3 including samples of cladding and painted colours to the building and rotunda.
- b) The provision of an acoustic fencing treatment to the northern boundary of the subject site adjacent to the adjoining property at 404 Barkly Street, between the frontage of the façade of the garage at No 404 and the site frontage. The fencing should be designed and undertaken in consultation with the owner of 404 Barkly Street Golden Point.
- c) Elevation details of the proposed signage to the existing building and rotunda. The elevations should detail the location and dimensions of the proposed signage, height above ground level and lighting.
- d) Elevation details of the proposed fencing treatment (existing fence to be reduced to 1.1 metres high) to the Barkly, Grant and Peel Street frontages.
- e) The location, height and design of all plant equipment shown on a roof and elevation plans.
- f) The location of one secure bicycle space for an employee that are to meet Clause 52.34-6 (Design of bicycle spaces).
- g) A Waste Management Plan as required by Condition 4.
- h) A revised Landscape Plan in accordance with Condition 6 which references the proposed measures to be undertaken to outline the area in which alcohol can be consumed.

Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority prior to the commencement of the use.

**2. Approved Plans**

The serving and consumption of liquor is restricted to the licensed area shown on the approved plans and must not be altered without the further written consent of the Responsible Authority.

**3. Materials and Colours Details**

Before the use and development starts, a schedule of construction materials, external finishes and colours must be submitted to and approved by the Responsible Authority. When approved, the schedule will be approved to form part of the permit.

**4. Heritage (Demolition)**

Demolition is only permitted to sections of the buildings as identified in the approved demolition plan. The remainder of the buildings must be retained in its (their) entirety. Only deteriorated and or unsound building elements (fabric) should be removed with as much of the original material retained as possible. No fabric of retained portions of buildings is to be removed until assessed by the Responsible Authority and written approval is given.

**5. Waste Management Plan**

Prior to the development commencing, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

- a) The location and space allocated for storage of waste and recyclable materials, bins and containers;
- b) The type of waste and recyclable materials, bins and containers;
- c) The garbage and recycling equipment (e.g. vehicles and lifting equipment) to be used;
- d) The frequency and timing of waste collection;
- e) The path of access for both users and collection vehicles;
- f) How all collection vehicles can enter and exit the premises in a forward direction. Vehicles must not reverse from the site at any time; and
- g) Measures to manage and minimise noise, odour and litter.

Waste management must be undertaken in accordance with the approved Waste Management Plan to the satisfaction of the Responsible Authority. The endorsed Waste Management Plan shall have ongoing force or effect unless otherwise approved in writing by the Responsible Authority.

**6. Landscape Plan (Development and Other Applications)**

Prior to the occupation of the building, a landscape plan must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit.

The landscape plan must include:

- a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
- b) details of surface finishes of pathways and driveways;



- c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at planting, sizes at maturity, and quantities of each plant.

All landscaping works must be carried out in accordance with the approved landscape plan and Council's Landscape Design Manual (August 2012).

**7. Completion and Maintenance of Landscaping Works**

Prior to the use of the site or occupation of the buildings commencing all landscape works forming part of the approved Landscape Plans must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the approved landscape plan must be maintained to the satisfaction of the Responsible Authority for 18 months from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

**8. Amenity**

The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

- a) transport of materials, goods or commodities to or from the land;
- b) appearance of any building, works or materials;
- c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
- d) presence of vermin or otherwise;

In the event of any nuisance being caused to the neighbourhood by activities related to the use and development, the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance be undertaken.

**9. Noise from Premises SEPP N1 and N2**

The licensee shall ensure that the level of noise emitted from the premises shall not exceed, to the satisfaction of the Responsible Authority:

- a) the permissible noise level from mechanical equipment as specified in the State Environment Protection Policy N-1 (Control of Noise Industrial, Commercial and Trade Premises within the Melbourne Metropolitan area); and
- b) the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2;

**10. Sale and Consumption of Liquor - Food & Drink**

The predominant activity carried out on the premises must be the preparation and serving of meals for consumption on the premises.

**11. No liquor may be sold**

No liquor may be sold or provided for consumption off the premises without the prior written consent of the Responsible Authority.

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**12. Limit on Number of Patrons**

Without the prior written consent of the Responsible Authority, not more than seventy (70) patrons may be present on the premises at any one time.

If a lesser number of patrons is determined acceptable by a Registered Building Surveyor and/or the Victorian Commission for Gambling and Liquor Regulation, the lesser number will apply.

**13. Hours of Operation**

The use may operate only between the hours of:

- 7am to 5pm – Monday – Thursday
- 7am to 9pm – Friday – Saturday
- 8am to 9pm - Sunday
- 12 noon to 9pm - Good Friday and ANZAC day.

without the further written consent of the Responsible Authority.

**14. Regulation of Delivery Times**

Deliveries to and from the site (including waste collection) must only take place between:

- 8am and 8pm Monday to Friday
- 8am and 8pm Saturday
- 8am and 8pm Sunday and public holidays

All ancillary motors or trucks are to be turned off whilst picking up or dropping off stock/materials

**15. Patron Management Plan**

Before the use starts, a Patron Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to:

- a) Staffing and security arrangements for the premises designed to ensure the orderly arrival and departure of patrons;
  - b) Signage to be used to encourage responsible off-site patron behaviour;
  - c) The training of staff in the management of patron behaviour;
  - d) Measures to control noise emissions from the premises;
  - e) Measures to manage patrons queuing to enter the premises;
  - f) Collection of rubbish from roads, car parks and public reserves in the vicinity of the premise and external areas used by premise patrons.
  - g) A documented complaint response procedure to the satisfaction of the responsible authority including the provision of a
    - i. Contact point during hours of operation
    - ii. Investigation and assessment process
    - iii. Record management of complaints and corrective action taken to resolve the concern.
  - h) Any other measures requirements
-

The Patron Management Plan must be implemented to the satisfaction the Responsible Authority. The patron management plan must not be modified unless with the further written consent of the Responsible Authority

16. **Background Music Only**

The provision of music and entertainment on the premises must be limited to background music or entertainment by performers using non-amplified instruments unless with the further written consent of the Responsible Authority.

17. **Lighting**

External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

18. **Signs Not Altered**

The location and details of signs including those of the supporting structure, as shown on the approved plans must not be altered without the further written consent of the Responsible Authority.

19. **No Flashing Light**

The signage hereby permitted must not contain any flashing or intermittent flashing light.

20. **Sign Maintenance**

All signage must be constructed and maintained to the satisfaction of the Responsible Authority.

21. **Signs Requiring Further Approval**

Unless no permit is required under the Planning Scheme, other signs must not be constructed or displayed without a further permit.

22. **Light Emissions**

The sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

23. **Expiry Date**

The signage approved by this permit expires 15 years from the date of issue. All signage must be removed to the satisfaction of the Responsible Authority by this date.

24. **Number of Car Spaces Required**

No fewer than 5 car spaces must be provided on the land for the use and development, including 1 space clearly marked for use by disabled persons and designed in accordance with Australian Standard AS 2890.6 – 2009.

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**25. Protective Kerbs**

Protective kerbs to a minimum height of 150mm must be provided to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.

**26. Loading/Unloading**

The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and/or the designated loading bay hereby approved and must not disrupt the circulation and parking of vehicles on the land or street network to the satisfaction of the Responsible Authority.

All Vehicle entry to and egress from the site shall be in a forward direction.

**27. VicRoads (Ref: 25822/18)**

- a) Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to Roads Corporation (VicRoads) or the RA.
- b) Separate approval under the Road Management Act 2004 for this activity may be required from VicRoads. Please contact VicRoads prior to commencing any works.
- c) Vehicles must enter and exit the land in a forward direction at all times
- d) The luminance of the advertising sign should be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m<sup>2</sup>, throughout the driver's approach to the advertising sign.

**28. Expiry**

The permit will expire if the serving and consumption of liquor from the premises does not commence within two years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

**29. Permit Expiry - Development Only**

This permit will expire if one of the following circumstances applies:

- a) The development is not started within two years of the date of this permit;
- b) The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).

**Notes:****Building Act 1993****Building Approvals**

**This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained. The works hereby approved must accord with the requirements of the *Building Act 1993*, *Building Regulations 2018* and *Building Code of Australia 2016*.**

**Food Act 1984**

**An application for, and assessment of, food premises construction compliance under the *Food Act 1984* must be made with Council's Environmental Health Unit prior to its construction and use. Detailed floor and elevation plans will form the basis of that assessment and must be submitted for initial approval. A schedule of fixtures fittings and materials used for the fit out is also required.**

**Any proposed alteration to a food premises must be designed in accordance with requirements of the FSANZ Food Standards Code and Australian Standard 4674  
Security Alarms**

**All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service**

**Soundproofing of Plant and Equipment**

**All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.**

**EXECUTIVE SUMMARY**

On 11 May 2018 an Application was lodged for buildings and works, sale and consumption of liquor (under a Restaurant and Café licence), display of business identification and illuminated signage and alteration of access to a Road Zone Category 1 at 227 Grant Street Golden Point. The Application was advertised, Council has received 7 objections. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit subject to Conditions.

**APPLICATION DETAILS**

<b>Applicant:</b>	R B Building Design Pty Ltd
<b>Owner:</b>	Barry Norman Pty Ltd
<b>Date Lodged:</b>	11 May 2018/
<b>Subject Site:</b>	227 Grant Street Golden Point
<b>Current use:</b>	Disused service station
<b>Zone:</b>	Mixed Use Zone
<b>Overlays:</b>	Heritage Overlay, Schedule 173
<b>Permit triggers:</b>	<p><b>Heritage Overlay, Schedule 173</b> Under Clause 43.01-1 a permit is required to construct a building or construct or carry out works including display of a sign.</p> <p><b>Advertising Signage</b> Under Clause 32.04-14 signage requirements are within Category 3 (High Amenity Areas). Under Clause 52.05-13 a permit is required for business identification signage including internally illuminated LED signage.</p> <p><b>Liquor Licence</b> Under Clause 52.27 a permit is required to use the land to sell and consume liquor if a licence is required under the Liquor Control Reform Act.</p> <p><b>Road Zone Category 1</b> Under Clause 52.29 a permit is required to alter access (intensification) to a Road Zone, Category 1</p>
<b>Ward:</b>	Central
<b>Number of Objections:</b>	7 objections
<b>Mediation Meeting:</b>	Yes
<b>Council Referral Trigger:</b>	Liquor Licence
<b>Covenant or S173</b>	No
<b>CHMP Required:</b>	No

**PROPOSAL**

The proposal is summarised as follows:

The application seeks approval for buildings and works, sale and consumption of liquor and display of business identification signage. The following discusses the key aspects of the proposal:

**Use and Liquor Licence**

- Re-purpose a currently unused, degraded site for the purpose of a food and drink premises (café). A food and drink premises is described as '*Land used to prepare and sell food and drink for immediate consumption on, or off the premises*'. The food and drink premises is a section 1 use in the zone as it meets the condition of the leasable floor area not exceeding 150 square metres in size and does not require a permit.
- The use of the land for a liquor license associated with the food and drink premises which is proposed to operate under a Restaurant and Café Liquor Licence. The licenced area is outlined in the red line plan below. It is noted the Applicant reduced the redline plan following the mediation meeting process to extend only around the building and outdoor dining area adjacent to the building on the south. However,

Officers now provide the assessment against the below redline plan. This has been sent to all original objectors.

- Operation from Monday to Thursday, 7am to 5.00pm, Friday/Saturday 7am to 9.00pm and Sunday 8am to 9.00pm for the food and drink premises and Liquor Licence and seating for a minimum of 70 patrons. The plan submitted shows patron seating for 70 and includes the outdoor area, which would bring the maximum area to 150 square metres. It is also noted that these hours have been reduced from that was submitted (9pm closing) following concerns raised by the residents.

#### **Buildings and works:**

- Little change will occur to the external building however it is noted that sections of the building will include new infill James Hardi Linea Board (to be painted); new timber framed French doors and painting of the existing hand rail.
- The exterior colour scheme of the central building is dark charcoal, with black window outlines and white cap on top.
- The crossover the Barkly Street provides access into the site with 5 spaces provided within the eastern setback.
- New landscaping is proposed to the southern section and includes a new *Corymbia ficifolia* – flowering gum and 49 new shrubs and low-lying plants.

#### **Business Identification Signage**

- One 2D sign attached to the top of the verandah section of the building. The sign is black with white words 'Drive' and is approximately 2 by 1 metres.
- The existing rotunda to be retained on site will display LED lights to the white words 'Drive' (x3 evenly spaced intervals). There are small 'snake' LED lights attached to the top of the rotunda. The rotunda is dark charcoal in colour with white writing. The underside of the rotunda is white and there are 2 up-lights attached to the central column which will reflect onto the white underside. The original brackets will be utilised to attach these up-lights. The size of the wording (Drive) on the canopy is 400mm high and 2.3 metres wide and the white line running through the centre of the canopy is 60mm wide. The following image better depicts the proposed rotunda sign.

Plans and elevations are included (Attachment 1).

#### **SITE AND SURROUNDS**

The subject site is located at 227 Grant Street and is otherwise particularly described as Lots 1 and 2 on Title Plan 838270J. There are no restrictions registered to the title.

The site is located on the north-east corner of Grant and Barkly Streets and at the intersection of Peel Street. The site is roughly triangular in shape and has a main street frontage to both Peel Street and Barkly Street. The street frontage is approximately 40 metres on both streets and comprises an area of 948 square metres. The site is currently vacant and includes a former petrol station building.

The site is located within an area that predominantly supports residential land uses. Directly to the north of the site are two single storey residential buildings. Directly opposite the site to the west (opposite side of Peel Street) is a small-scale commercial property with two separate tenancies, one of which contains a beauty salon, the other is currently vacant. These commercial uses sit within the Mixed-Use Zone. To the east, and on the opposite side of Barkly Street are a number of residential properties, with the corner property (a former Milk bar) also contained within the Mixed-Use Zone. To the south of the property exist a number of residences.

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The site also forms part of the Mount Pleasant/Golden Point Heritage Precinct. The Precinct acts primarily as a residential area, with some local shopping and commercial facilities and contains a strong Victorian, Federation and Inter-war heritage character.

An aerial map and Site photo is provided below. The subject Site is outlined in red.



**View of subject site from the intersection of Grant Street and Barkly Street**

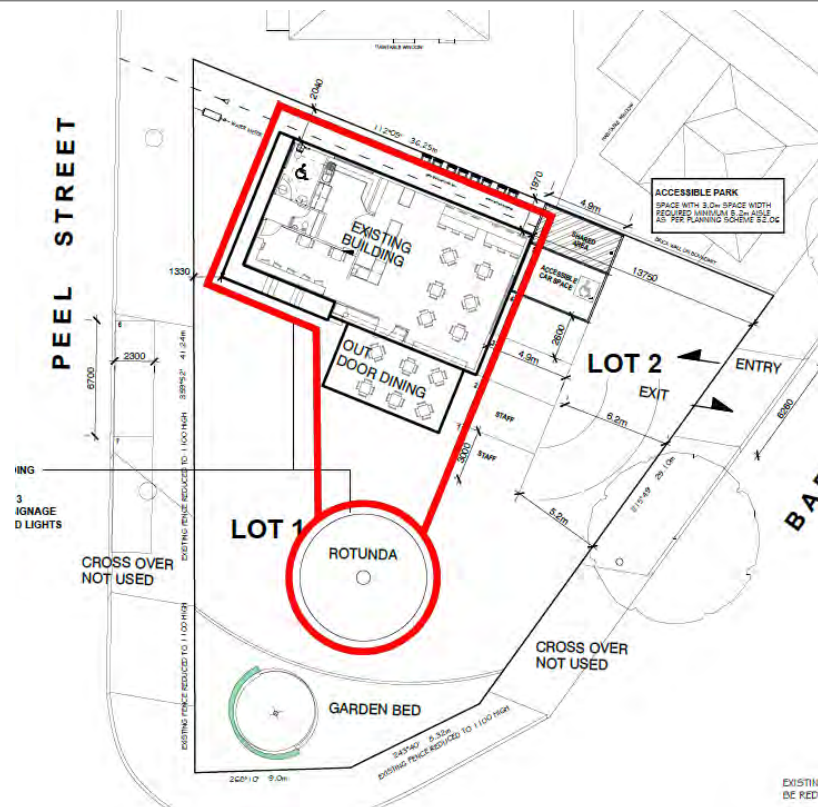


**View of subject site from Barkly Street**





Red line plan provided below:



## RESPONSE TO NOTICE OF APPLICATION

A total of 7 objections have been received in response to advertising.

The key issues raised in the objections can be summarised as follows:

- Servicing of alcohol in a residential area.
- Hours of operation.
- Car parking/traffic.
- Amenity, including noise, anti-social behaviour.

A mediation meeting was held on 7 August 2018. The meeting was attended by Council officers, the permit Applicant (including the proposed operators of the premises) and several objectors.

At the meeting the above matters were discussed. As an outcome of the meeting the red line area pertaining to the liquor licence was reduced to cover the existing building and outdoor seating area only and the hours were reduced to close at 5pm weekdays and 9pm Friday-Sunday. This information and with a letter from the proposed operators stating their intentions for the use was submitted on 22 August 2018 and circulated to objectors for review on 23 August 2018.

Following review of the revised information two objections were withdrawn as noted above.

A further submission was received from the owners of 404 Barkly Street Golden Point, reiterating their concerns. On 3 September 2018 Council Officers and the permit Applicant met with the objector to inspect the subject property and the neighbour's property within the General Residential Zone, immediately to the north of the site. In order to address amenity concerns it was agreed that an acoustic fence be placed between the subject site and 404 Barkly Street between the front façade of the garage at 404 and the site frontage. This will seek to manage the interface between zones, provide the residential property

with privacy and seek to address noise concerns. This agreement was reiterated in an email provided by the objector on 5 September 2018. This can be addressed as a condition of approval.

On 14 September 2018 the Applicant sought to amend the redline plan to extend further south to include the rotunda where proposed outdoor dining would be located. The area is proposed to be clearly defined by planter boxes.

## **REFERRAL OF APPLICATION**

### External Referrals

#### **VicRoads**

No objection subject to standard conditions requiring removal of redundant crossovers, vehicle access/egress and restrictions on illuminated signage.

### Internal Referrals

#### **Building Services**

No response to date.

#### **Economic Development**

No response to date.

#### **Environmental Health**

No objection subject to conditions.

#### **Heritage**

No objection. Further details required regarding proposed materials and colours including samples.

#### **Social Planning**

No objection. Recommended that the red line area be reduced to apply to the existing building and outdoor dining area only.

#### **Traffic Unit**

No objection subject to conditions.

## **KEY ISSUES**

The principal issues relevant to the application are as follows:

- Strategic Justification;
- Licensed Premises;
- Mount Pleasant/Golden Point Heritage Precinct
- Car Parking;
- Signs.

### Strategic Justification

The site is located within the Mixed Use Zone and is located on a prominent corner in Golden Point. It is the purpose of Mixed Use areas to create " *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*"

---

The proposal is supported by the State and Local Planning Policy Framework. The proposal is consistent with the Planning Policy Framework as follows:

- **Clause 11.01-1R** - Central Highlands – the proposal facilitates economic development opportunities in Ballarat by supporting the use of a food and drink premises on a disused site. The Ballarat Strategy states that Ballarat has a strong and developing food scene with a range of restaurants and bars. The use of the land for a liquor licence will increase the competitiveness and viability of the food and drink premises at the subject site.
- **Clause 15.03-1S** – Heritage Conservation – the proposal provides an appropriate built form outcome that respects the identified heritage values of the place.
- **Clause 17.01-1R** – Diversified economy – Central Highlands – the use of the land supports greater economic self-sufficiency for the region, supports growth through the development of employment opportunities. The use of the land for a food and drink premises and liquor licence will meet the communities need for entertainment within Golden Point.
- **Clause 17.02-1S** – Business – the use of the land occurs in a mixed use zone and is therefore considered an appropriate location. The use will have limited off-site amenity impacts and offers a net community benefit in relation to viability, accessibility and efficient use of infrastructure.

The zone and its mixed-use area supports the proposed use of the land. The proposal also supports the Planning Strategy and the Local Planning Policy Framework as it will provide for additional employment opportunity within the area subsequently increasing the economic viability of the area and provide for a level of vibrancy within the zone for a currently disused site. Given the limited trading hours proposed, being limited to 5pm weekdays and 9pm (Friday-Sunday), the proposal is considered to have little impact on the adjacent residential land uses.

The proposed licensed premises will allow for the sale and consumption of liquor on the premises, which will complement the function of the food and drink premises while also providing for a new food and drink experience, which is located within a mixed use area of Ballarat. The granting of a planning permit for this licence will contribute to the economic strength of Ballarat and provide additional employment opportunities.

#### Licensed Premises

Clause 52.27 Licensed Premises is relevant to this application. The purpose of this clause is: to ensure that licensed premises are situated in appropriate locations and to ensure that the impact of the licensed premises on the amenity of the surrounding area is considered. In assessing the proposed liquor licence application, Council must have regard to the Decision Guidelines established under this provision, which are:

- *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.*
- *The impact of the hours of operation on the amenity of the surrounding area.*
- *The impact of the number of patrons on the amenity of the surrounding area.*

The Clause requires the responsible authority to consider the cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area. The guidelines provided for in PPN61 may be used for any planning application that would benefit from their use, however they should be used for all applications for a new or expanded licensed premises that:

- Will be licensed and open after 11pm; and
  - Is in an area where there is a cluster of licensed premises.
-



In this instance, the proposed liquor licence is attached to a proposed venue which does not operate beyond 11pm and the venue is not contained within an area which is home to a cluster of licensed venues, nor will the addition of the proposed license lead to a cluster of licensed premises.

The application was accompanied by a Cumulative Impact Assessment which outlines the licensed premises within the 500 metres of the subject site. These premises include:

- 300 Bradshaw Street, Ballarat East Bowling Club – a limited licence until 1am.
- 300 Bradshaw Street, Ballarat East Bowling Club – a full club licence – any time to club members
- 121 Grant Street, Grapes Hotel – General Licence until 12 midnight.

In support of the Liquor Licence permit, the following is noted:

- The impact from the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area will be minimal as it will be conducted alongside the consumption of food inside the food and drink premises and it will be dispensed in accordance with the responsible service of alcohol. Supply for food is the predominant focus of the venue as is the requirement of a restaurant and café liquor licence. Food will be available throughout the entire operating hours.
- The proposed licensed outdoor area is located on the southern side of the site which is furthest away from the more sensitive use adjoining the site to the north.
- The proposed trading hours are not considered as high risk, being limited to 9pm – weekends only.
- The proposed trading hours reflect the area in which the café is located and are sensitive to the residents within proximity to the site. It is noted that on ANZAC Day and Good Friday, the premises can operate from 12 noon onwards and the proposed hours will be modified accordingly under the conditions of the permit.
- Background music only will be played within the café at a level to allow for social interactions between patrons.

#### Mount Pleasant/Golden Point Heritage Precinct

The subject site is affected by the Heritage Overlay Schedule 173 (HO1713 which relates to the Mount Pleasant/Golden Point Heritage Precinct. The purpose of the Heritage Overlay as relevant to the proposal is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework. 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.*

Pursuant to Clause 43.01-1 (HO173) a planning permit is required for buildings and works associated with new infill James Hardi Linea Board (to be painted); new timber framed French doors and painting of the existing hand rail and a new exterior colour scheme of the central building (dark charcoal, with black window outlines and white cap)

The application was referred to Councils Heritage Advisor who had no concerns regarding the buildings and works. The proposal makes very minor alterations to the fabric of the original building. The works adapt the building to enable it to be used for the purpose of the food and drink premises and important to retaining the existing aesthetics to the site,

---

the original rotunda is to be retained. The proposed signage is sympathetic to the building and the existing rotunda (see below for further discussion on signage).

### Car Parking

Clause 52.06 Car Parking is relevant to this application. The purpose of Clause 52.06 is:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and the Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

There is proposed on-site parking for 5 vehicles including an accessible space. Two of those will be set aside as staff parking bays and marked accordingly. The Scheme requires 4 spaces per 100sqm of floor area (food & drink premises) for staff and customer parking. The floor area involved is approximately 130 to 150sqm which would attract 5 to 6 parking spaces.

The proposal provides for five spaces with turning circle plans (for a B85 vehicle), prepared by Beveridge Williams, demonstrating adequate turning movements, particularly for space 5 which has the narrowest margin. As this is a dedicate staff space, it is likely that the staff member will exit after all patrons and if a corrective manoeuvre is required then this produces acceptable outcomes.

Under Clause 52.34 (Bicycle) it is considered that at least one bicycle space should be provided for an employee (applying the restaurant rate). The provision of a secure space can be addressed through a condition of the permit.

### Signs

The application also proposes a new suite of advertising signage associated with the new food and drink premises. The signage is detailed above in this report and is generally consistent in its theme and styling. Consideration rests with Clause 52.06 (Advertising signage) which includes the purpose of:

- *To regulate the development of land for signs and associated structures.*
- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

The site is included within Category 3 (High Amenity Area) under Clause 52.05-13. Clause 52.05-8 (Decision Guidelines) requires a number of matters to be considered when determining whether the display of signage is appropriate. In response to these Guidelines, the following is noted:

- The signs proposed are simple in nature, attached to the building and existing rotunda and are kept to a practical minimum.
  - The signage plays homage to the former use of the land and is successfully incorporated into the rotunda to be retained on site.
  - The proposed signs are compatible with other business identification signage on other nearby commercial premises and the theme of low scale advertising established within the area (i.e. nearby mixed use area)
-



- The proportion, scale and form of the signs are compatible with the building and rotunda.
- The signs do not obscure or compromise important views from the public realm and impede views to the other existing signs located on site.
- The signage package includes some illumination through LED lights. Given the sites immediate orientation to two road frontages, the signage will not have any direct impact on the sensitive interface to the sensitive residential area.

## LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS

### State Planning Policy Framework (SPPF)

Clause 11 Settlement

Clause 13 Amenity

Clause 15 Built Environment and Heritage

Clause 17 Economic Development

Clause 18 Transport

### Municipal Strategic Statement

Clause 21.01 Municipal Overview

Clause 21.06 Built Form, Heritage and Design

Clause 21.07 Economic Development

Clause 21.08 Transport and Infrastructure

### Particular Provisions

Clause 52.05 Signs

Clause 52.06 Car Parking

Clause 52.27 Licensed Premises

In addition:

- *Planning and Environment Act 1987*;
- Ballarat Planning Scheme.
- *Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 1989*
- City of Ballarat Council Plan 2013-17

## REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
<b>Human Rights</b>	Yes	Yes
<b>Social/Cultural</b>	Yes	Yes
<b>Environmental/Sustainability</b>	No	No
<b>Economic</b>	No	No
<b>Financial /Resources</b>	No	No
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	No	No
<b>Evaluation and Review</b>	No	No

**Human Rights** - It is considered that this Report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

**OFFICERS DECLARATIONS OF INTEREST**

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

**REFERENCE DOCUMENTS**

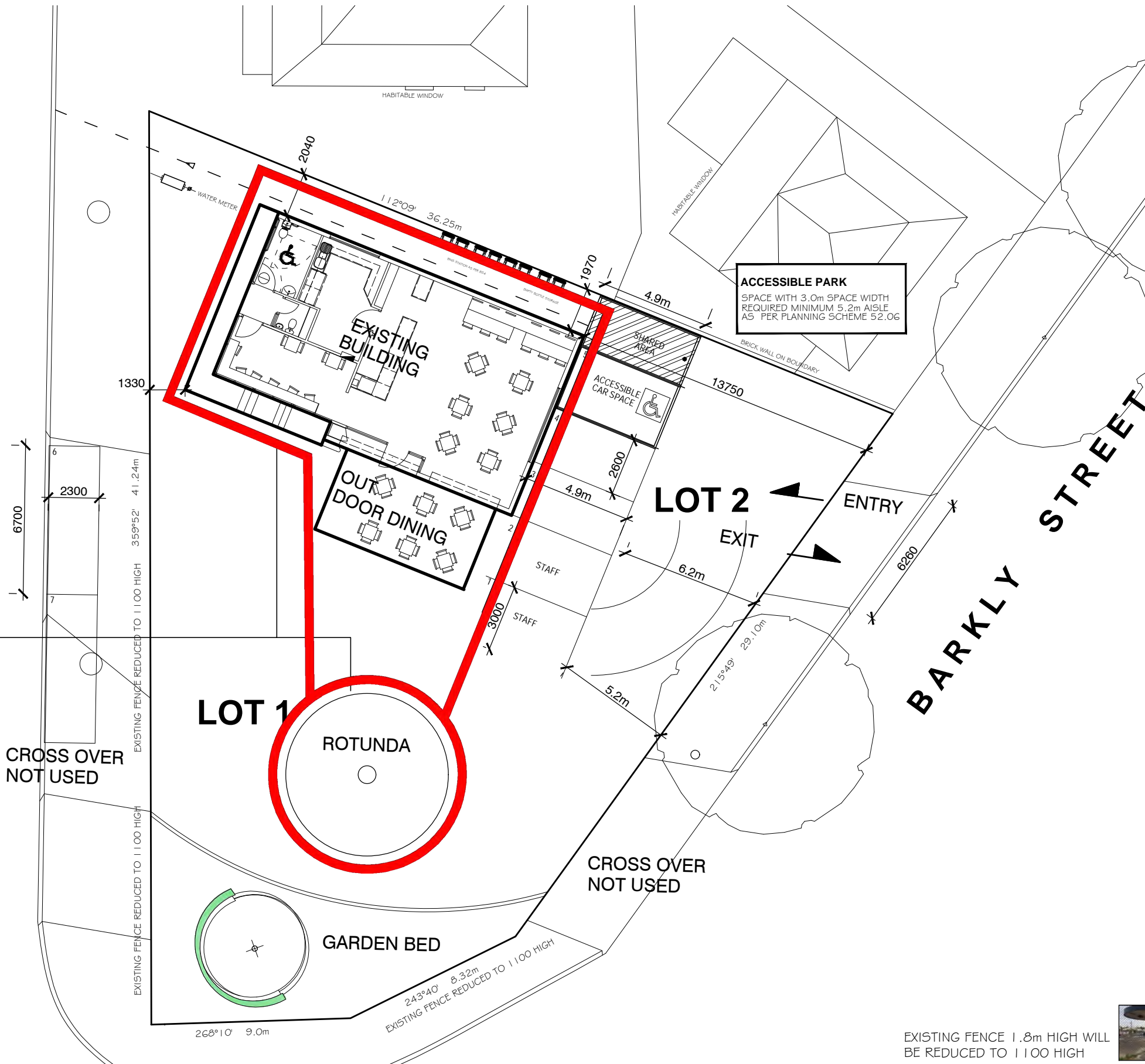
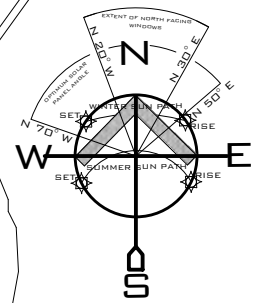
- *Planning and Environment Act 1987*;
- Ballarat Planning Scheme;
- Ballarat Heritage Precincts Study Part A, July 2006; Dr D Rowe: Authentic Heritage Services Pty Ltd and Wendy Jacobs: Architect and Heritage Consultant.
- City of Ballarat Advertising Sign Guidelines July 2013.
- Department of Transport Planning and Local Infrastructure *Practice Note 61: Licensed Premises – Assessing Cumulative Impact 2011*.

**ATTACHMENTS**

1. PL P 2018298 - 227 Grant Street, Golden Point - amended red line plan **[9.3.1]**
2. PL P 2018298 227 Grant Street Golden Point Business Identification Signage 130618 **[9.3.2]**
3. PL P 2018298 227 Grant Street Golden Point Cumulative Impact Assessment **[9.3.3]**
4. D-18-35015 PLP 2018 298 227 Grant Street Golden Point Plans 13 06 18 **[9.3.4]**

PEEL STREET

BARKLY STREET



CAFE LOGO WILL BE USED AS SIGNAGE ON THE ROTUNDA AND FRONT OF BUILDING REFER PLANNING PERMIT APPLICATION WRITTEN SUBMISSION IMAGES 1, 2 AND 3 FOR POSITION AND TYPE AND SIZE OF SIGNAGE THE SIGNAGE WILL HAVE EXTERNAL LED LIGHTS



**DESIGNATED REDLINE**  
**PROPOSED RED LINE:**  
 REFER REDLINE APPLICATION FOR TRADING HOURS.  
 KERB SIDE TRADING: N/A  
 PROPOSED RESTAURANT-CAFE LICENCE: YES  
 RIGHT TO OCCUPY PREMISES: YES  
 CAFE TYPE: SIT DOWN MEALS TRADE WITH AT LEAST 75% OF THE PATRONS TO BE SEATED

**DOWNPIPES**  
 -TO CONNECT TO 90mm CLASS 6 UPVC DRAINS AND RUN TO A LEGAL POINT OF DISCHARGE WITH MIN. 1:100 FALL NOT TO SERVE MORE THAN 12m GUTTER BE LOCATED, WHERE POSSIBLE, CLOSE TO VALLEY GUTTER BE SELECTED IN ACCORDANCE WITH TABLE 3.5.2.2 OF THE NCC PROVIDE INSPECTION OPENINGS AT 9.0m C/C AND AT EACH CHANGE OF DIRECTION COVER TO DRAIN NOT LESS THAN 100mm

**PLANNING**  
 PLANNING OVERLAY- HERITAGE OVERLAY (HO) HERITAGE OVERLAY SCHEDULE (HO) RESIDENTIAL 1 ZONE (R1Z) SCHEDULE TO THE RESIDENTIAL 1 ZONE

**WARNING**  
 BEWARE OF UNDERGROUND SERVICES THE LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.



REV:00 DATE:	REV:00 DATE:	SHOP AREA: 118.9sq.m 12.79sq's	GARAGE: sq.m sq's	VERANDAH: sq.m sq's
REV:00 DATE:	REV:00 DATE:	ALFRESCO: sq.m sq's	OUT BUILDING : sq.m	TOTAL HOUSE: sq.m sq's
AUTHORISED BY: .....	DATE: .....	OWNERS :MICK STALEY & SAM FRASER		
<b>STATUS: PRELIMINARY</b>		LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350		
© COPYRIGHT - RB Building Design DP-AD 31818 BDAV 1927				

<b>PROPOSED CAFE</b>		SHEET SIZE A3
<b>SITE PLAN</b>		SCALE 1:200
DRAWN DATE: 01/03/2018	JOB No: 2018-09	SHEET 1 of 5
DRAWN BY: R.B	PLOT DATE: 14/09/2018	

300b Gillies Street  
 WENDOUREE  
 Victoria, 3355.  
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 Email: ryan@rbdsn.com.au  
 A.B.N 47 694 562 217  
 Practitioner Registration: DP-AD 31818

**DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE**

Image 1



Image 1 displays the front of the café with 1 2D sign attached to the top of the verandah section of the building. The sign is black with white words 'DRIVE'. The sign will not exceed 2m wide by 1 m high.

The exterior colour scheme of the central building is dark charcoal, with black window outlines & white cap on top. There are black, bifold doors which provide for entrance when the café is open & when closed both roller doors are lowered.



Image 2

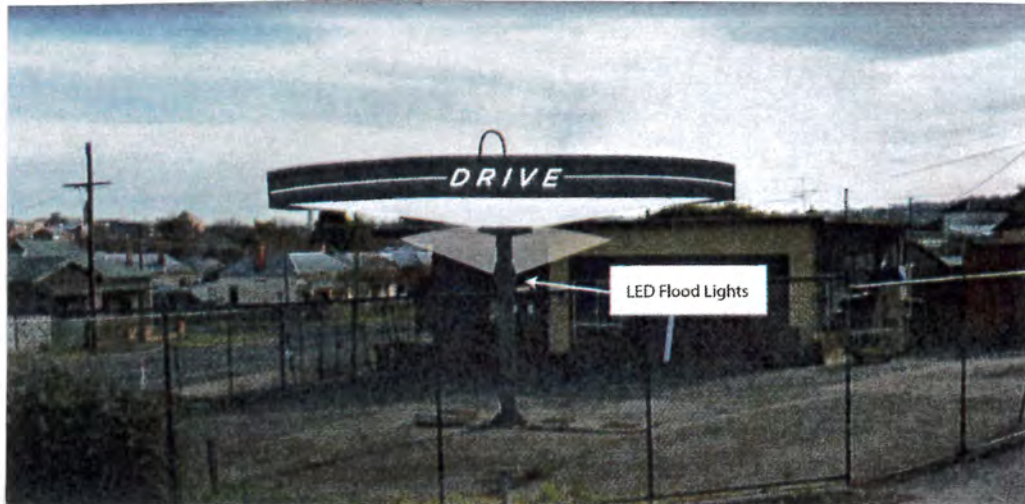


Image 3



Both Image 2 & 3 display the signage on the rotunda. The rotunda is dark charcoal in colour with white writing. The underside of the rotunda is white and there are 2 up-lights attached to the central column which reflect onto the white underside. The original brackets will be utilised to attach these up-lights.

The advertising on the canopy of the rotunda is the business name 'DRIVE' which appears in white 3 times around the rotunda at evenly spaced intervals with a thin white line running the mid-point around the rotunda. There are small 'snake' LED lights attached to the top of the rotunda, at each name, which light up the name when dark.

The size of the wording (DRIVE) on the canopy is 400mm high and 2.3m wide, each instance. The white line running through the centre of the canopy is 60mm wide.



# CUMULATIVE IMPACT ASSESSMENT

227 Grant Street, Golden Point

Proposed Restaurant and Café Liquor Licence & Planning  
Permit

Planning Permit Application: PLP/2018/298  
Date of Report: 8 June 2018

Our reference: 7418868

On Tap Liquor Pty Ltd

PO Box 7

Ballan, Vic, 3342

(03) 5368 1881

Disclaimer:

On Tap Liquor Consulting have taken all professional care to ensure that this report is current at the time of writing. On Tap Liquor Consulting, their representatives, employees, contractors or connected persons are in no way liable for any errors within, or for any loss or damage resulting from reliance placed upon this reports contents.

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[enquiries@ontapliquor.com.au](mailto:enquiries@ontapliquor.com.au)



# CUMULATIVE IMPACT ASSESSMENT

227 GRANT STREET, GOLDEN POINT

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## 1. INTRODUCTION

### 1.1 EXECUTIVE SUMMARY

This document provides a detailed written Cumulative Impact Assessment (CIA) of the proposed liquor licence arrangements associated with a proposed licensed food and drink premises situated at 227 Grant Street Golden Point, taking into account the decision guidelines of Clause 52.27 of the Ballarat Planning Scheme and Practice Note 61 issued by Department of Land, Water and Planning (DELWP) in June 2015. The analysis, investigations and report have been conducted and structured in a way which adheres to 'Planning Practice Note 61 - Licensed Premises; Assessing Cumulative Impact' (PPN61) in its form and content.

### 1.2 VERSION CONTROL

Version Number	Date	Details of version and changes	Author
1	7 <sup>th</sup> June 2018	Initial report	James Robson

### 1.3 PROJECT OUTLINE:

#### Site:

Address:	227 Grant Street, Golden Point
Property Description:	Lots 1 and 2 on Title Plan 838270J
Title Restrictions:	None Applicable
Property Size:	948m <sup>2</sup> (approx.)
LGA:	City of Ballarat
Current Use:	Office
Property Owners:	Barry Norman Pty Ltd of 24 Peel Street, South Ballarat

#### Planning Scheme:

Relevant Planning Scheme:	Ballarat
Property Zone:	Mixed Use Zone (MUZ)
Property Overlays:	Heritage Overlay (HO)

#### Application Overview:

Client:	Drive Café (Sam Fraser)
Proposal:	Building and Works, Sale and Consumption of Liquor and Display of Business Identification Signage
File Reference:	7418868
Responsible Consultant:	James Robson
Responsible Consultant Contact:	5368 1881 apps@ontapliquor.com.au



## 1.4 SUPPORTING DOCUMENTS

The following supporting documents form part of this report:

1. Site Context Plan
2. Proposed Red Line Plan
3. Full property title (less than 3 months old)
4. Planning Property Report
5. Relevant VicPlan Maps



## 2. REPORT BACKGROUND

The venue subject to this report is a proposed Food and Drink Premises located within the Grant Street mixed use precinct. Planning permission has been sought from the responsible authority, the City of Ballarat, to allow for Building and Works, Sale and Consumption of Liquor and Display of Business Identification Signage.

On Tap Liquor Consulting have been engaged by the venue proprietor to undertake an appropriately detailed Cumulative Impact Assessment to assist with the planning permit application process. The proposed operation of the venue has been reviewed, in conjunction with the surrounding land use and mix, to ascertain the potential cumulative impact of the proposal.

### 2.2 WHAT IS CUMULATIVE IMPACT?

Released in June 2015 by DELWP, the purpose of PPN61 is to:

1. Explain cumulative impact in relation to licensed premises in the planning system.
2. Provide guidelines that:
  - a. assist a permit applicant when considering and responding to the potential cumulative impact of their proposal.
  - b. support a council when assessing the cumulative impact of licensed premises as part of a planning permit application.<sup>1</sup>

Clause 52.27 of the Ballarat Planning Scheme requires the responsible authority to consider, amongst other things, 'The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area'<sup>2</sup>. PPN61 outlines specific guidelines associated with the preparation of appropriate cumulative impact assessments relevant to the requirements of clause 52.27.

PPN61 describes cumulative impact as:

Cumulative impact refers to both positive and negative impacts that can result from clustering a particular land use or type of land use. Potential cumulative impact from a cluster of licensed premises will vary between locations, depending on the mix and number of venues and whether the area is a destination for activities associated with the supply of alcohol. Cumulative impact is a product of the number and type of venues present, the way they are managed, and the capacity of the local area to accommodate those venues.

Negative cumulative impacts can include increased occurrences of:

- nuisance including noise and anti-social behaviour from intoxicated persons.
- infrastructure capacity problems including limited availability of transport and car parking for patrons and local residents.
- violence and perceived threats to safety.
- crime including vandalism, trespass and property damage.

Positive cumulative impact can include:

---

<sup>1</sup> Planning Practice Note 61 – Licensed Premises: Assessing Cumulative Impact (DELWP, 2015)

<sup>2</sup> Ballarat Planning Scheme Clause 52.27





- the creation of a local 'identity' or status as an entertainment or tourism destination.
- enhanced vitality of an area.
- economic benefits.
- increase in consumer choice.
- increased ability to manage impacts, for example by concentrating venues around transport to aid dispersal of patrons.

The clustering of licensed premises may lead to a negative impact even though any given venue in the cluster may be well run and have minimal impact. An area might reach a 'saturation point' where an additional licensed premises or a particular type of licensed premises is likely to impact negatively on the surrounding area. Alternatively, there may be a positive cumulative impact where an additional premises will enhance the character or vibrancy of an area.<sup>3</sup>

Neither clause 52.27 of the planning scheme, or PPN61, allow for the consideration of the broader issues associated with the accessibility or consumption of alcohol within the wider community in a general sense. On this basis, a cumulative impact assessment requires a focus on the likely impacts of the proposed liquor licence on the amenity of the surrounding area.

### 2.3 WHEN SHOULD PPN61 BE USED?

The guidelines provided for in PPN61 may be used for any planning application that would benefit from their use; however, they should be used for all applications for a new or expanded licensed premises that:

1. will be licensed and open after 11pm; and
2. is in an area where there is a cluster of licensed premises.

In this instance, the proposed liquor licence is attached to a proposed licensed venue which does not operate beyond 11pm (proposed trading hours are to 9pm), and the venue is not contained within an area which is home to a 'cluster' of licensed venues, nor will the addition of the proposed license lead to a cluster of licensed premises. Despite this, it is appropriate in this case to undertake an appropriately detailed cumulative impact assessment because of the proposed venue's proximity to sensitive uses within the area.

### 2.4 DEFINITION OF A 'CLUSTER' OF LICENSED VENUES

PPN61 provides a general guide in relation to the definition of a 'Cluster' of licensed venues. According to the practice note, a cluster would occur where there are:

- three or more licensed premises (including the proposed premises) within a radius of 100 metres from the subject land; or
- 15 or more licensed premises (including the proposed premises) within a radius of 500 metres from the subject land.<sup>4</sup>

The venue subject to this report is located at 227 Grant Street, Golden Point, in the midst of a largely residential area surrounding the property. As will be detailed further into this report, the venue is surrounded by no other

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<sup>3</sup> Planning Practice Note 61 – Licensed Premises: Assessing Cumulative Impact (DELWP, 2015)

<sup>4</sup> Planning Practice Note 61 – Licensed Premises: Assessing Cumulative Impact (DELWP, 2015)



licensed venues within a 100 metre radius, and only two other licensed venues within a 500 metre radius. On this basis, it is considered that the venue is not positioned within a cluster of licensed premises.

2.5 WHAT IS THE RELEVANT STUDY AREA?

As outlined by PPN61, the area to be included in a cumulative impact assessment should be all land within a 500 metre radius of the proposed venue, unless there is another logical boundary that takes into account relevant features or another nearby cluster of licensed premises. This assessment has reviewed all land contained within a 500 metres radius of the subject premises, as indicated within the below image.

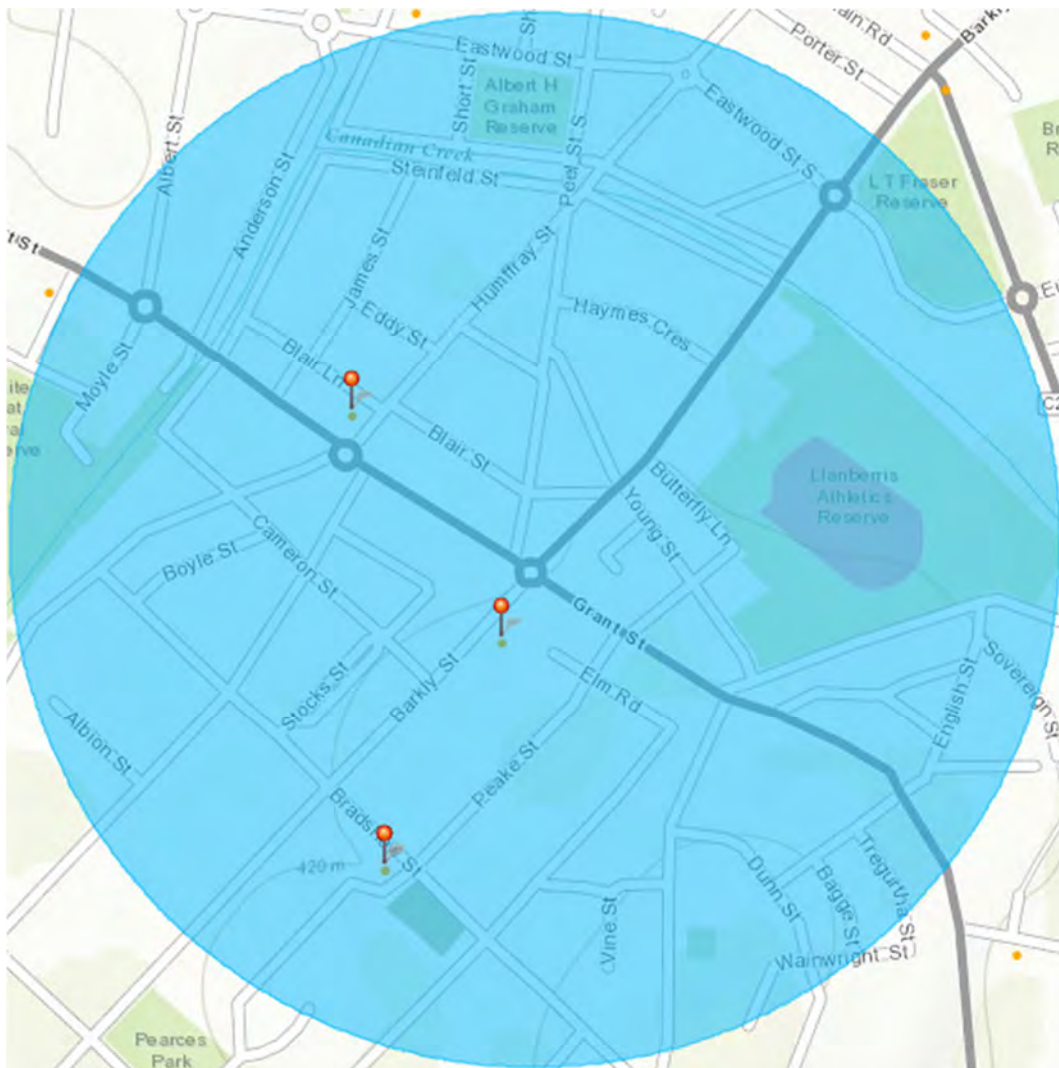


Figure 1 - 500 Metre Radius<sup>5</sup>

NB: An error has been noted in the above image data in that the venue noted as being on Barkly Street is in fact a Barkly Street, Footscray venue. There is no licensed venue in that location on Barkly Street, Golden Point. This error has been reported to the VCGLR

<sup>5</sup> VCGLR Interactive Map (<https://geomaps.vcglr.vic.gov.au/Liquor/>)



### 3. SUBJECT SITE

#### 3.1 ADDRESS:

The address of the subject venue is 227 Grant Street, Golden Point, located on the north-eastern corner of Grant and Barkly Streets and at the intersection of Peel Street. The area surrounding the venue contains a range of uses, with residential use being predominant.

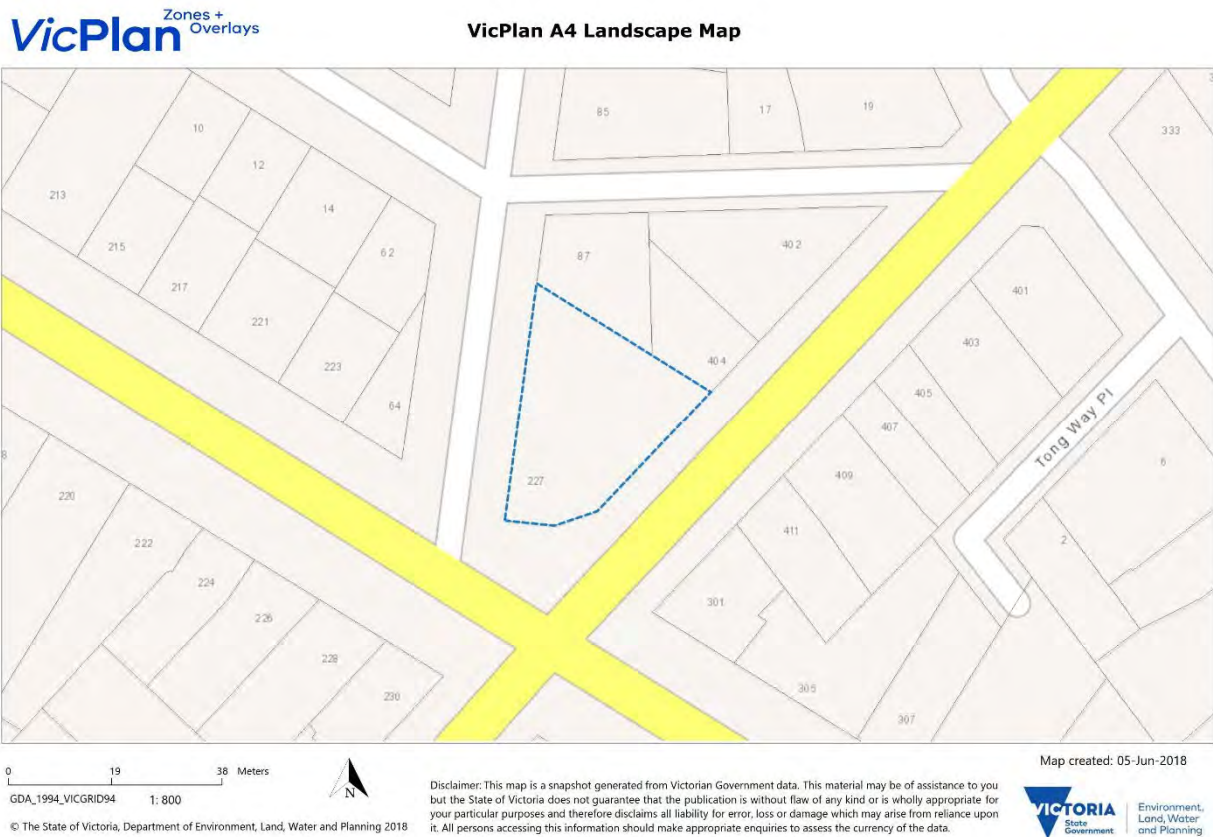


Figure 2 - Map View<sup>6</sup>

#### 3.2 TITLE DETAILS

Lots 1 and 2 on Title Plan 838270J (formerly known as part of Crown Allotment 28 Section 98 Township of Ballarat East, part of Crown Allotment 29 Section 98 Township of Ballarat East Parish of Ballarat).

#### PARENT TITLES :

Volume 04005 Folio 906    Volume 05495 Folio 934    Volume 06993 Folio 598

Created by instrument B413435 04/04/1962

<sup>6</sup> VicPlan Interactive Map (<http://mapshare.maps.vic.gov.au/vicplan/>)





A recent copy of the title has been lodged as part of this application.

### 3.3 TITLE RESTRICTIONS

None Applicable

### 3.4 SITE CONTEXT

#### 3.4.1 OVERVIEW

The subject site is roughly triangular in shape and has a main street frontage to both Peel Street and Barkly Street. This street frontage is approximately 40 metres in length on both streets. A secondary street frontage exists along Grant Street which stretches for approximately 9 metres.



Figure 3 - Aerial View<sup>7</sup>

Existing levels of amenity in the surrounding area are consistent with a predominantly residential zone in a busy regional centre. As the area is located near central Ballarat, levels of activity are generally high, and are expected to increase with further development within the surrounding space. Impacts from traffic noise, and other amenity concerns, will likely continue to be well managed within the local area.

<sup>7</sup> VicPlan Interactive Map (<http://mapshare.maps.vic.gov.au/vicplan/>)

# Cumulative Impact Assessment



A site context plan has been prepared for the property which shows specific land use, property boundaries and built form within a 11 metre radius of the proposed liquor licence:

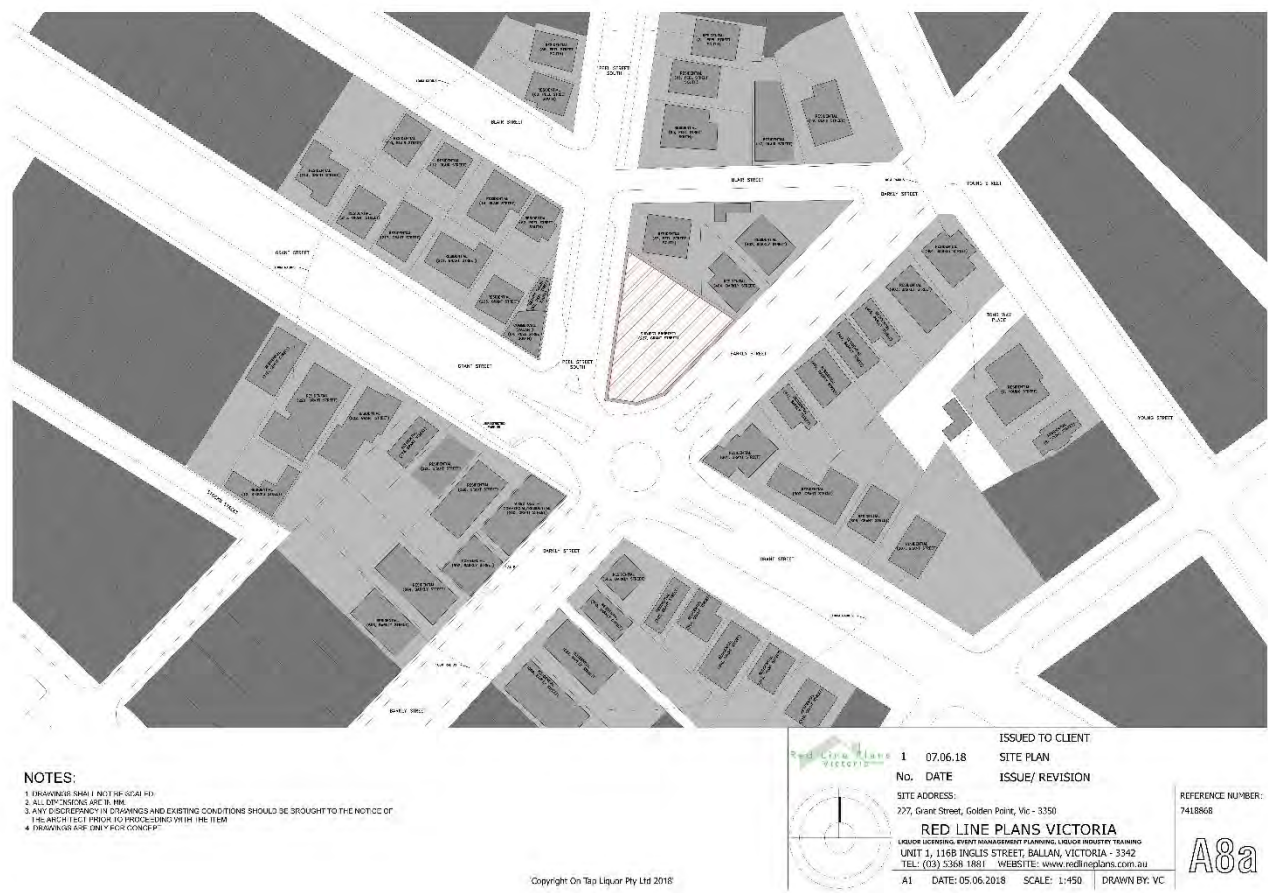


Figure 4 - Site Context Plan

Please refer to the attached scale site context plan for detailed information.





3.4.2 500 METRE RADIUS:

The following image shows a radius of 500 metres from the subject site, and the locations of licensed venues within that radius:

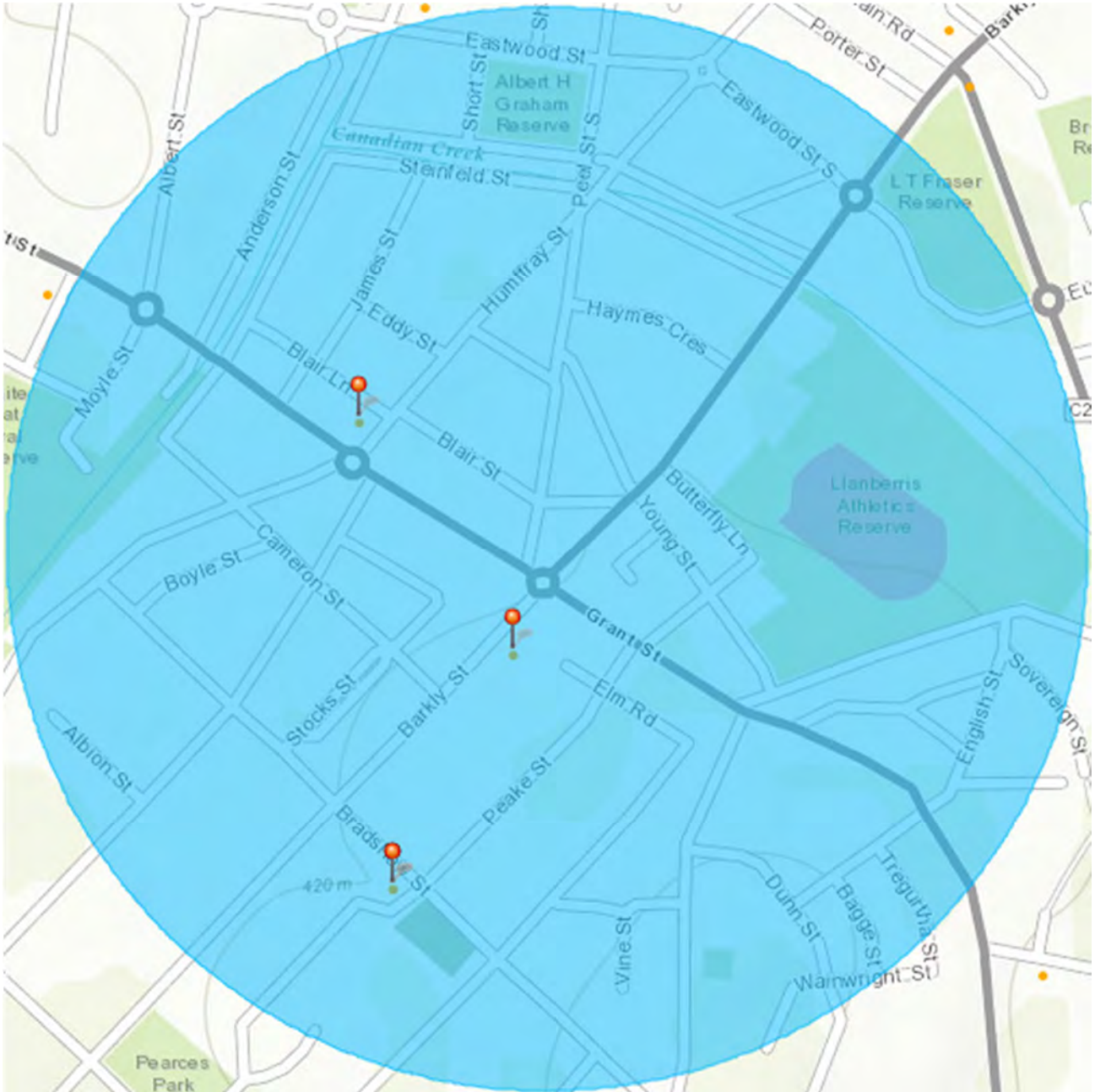


Figure 5 - Licence Locations; 500 Metre Radius

NB: An error has been noted in the above image data in that the venue noted as being on Barkly Street is in fact a Barkly Street, Footscray venue. There is no licensed venue in that location on Barkly Street, Golden Point. This error has been reported to the VCGLR

A breakdown of these licenses is provided as follows:



## Cumulative Impact Assessment



Lic. No:	Category:	Premises:	Address:	Suburb:	Patron Cap:	Hours:
36115243	Limited Licence	BALLARAT EAST BOWLING CLUB	300 BRADSHAW STREET	BALLARAT	N/A	1am
32101250	Full Club Licence	BALLARAT EAST BOWLING CLUB	300 BRADSHAW STREET	BALLARAT	N/A	Any Time (to club members)
31906607	General Licence	GRAPES HOTEL	121 GRANT STREET	BALLARAT	100	12 MIDNIGHT

In assessing the proposed premises, and considering the requirements of Practice Note 61, it is indicated that there are two existing licensed premises within the study area (within a 500m radius) noting that a single venue, being the Ballarat East Bowling Club, holds 2 licenses. The addition of the proposed premises would result in one additional licensed venue within the study area, bringing the total to three.

The existing licensed premises in the surrounding area do not form a cluster of licensed venues, and the additional of the proposed liquor licence on this site does not result in a cluster of licensed venues.



## 4. THE PROPOSAL

### 4.1 OVERVIEW

The applicant in this instance proposes to use the premises as a licensed food and drink premises which is proposed to operate under a Restaurant and Café Liquor Licence. The proposal is to re-purpose a currently unused, degraded site within the Golden Point area into a café and community space. The applicant submits that the community could benefit from shared meeting / dining spaces to allow interactions and connections between residents to provide for a healthy, vibrant community.

The focus of the applicants' submission is to provide a shared space for community members who live and work locally to meet and interact with each other. To facilitate these interactions, high quality, locally sourced food and beverages will be served. The café proposes to open Thursdays through to Sundays and cater for early morning coffee and breakfasts as well as lunches and dinner on the weekends.

The premise is currently vacant, however the applicant proposes to utilise the venue as a food and drink premises. Clause 74 of the Ballarat Planning Scheme defines a food and drink premises as 'Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.'<sup>8</sup> The Food and Drink Premises use is a section 1 use and therefore does not require a permit.

### 4.2 TYPE OF LIQUOR LICENCE

After discussion with the proprietors of the venue and taking into account a review of the proposed ongoing operation of the business, the applicant is seeking to implement a Restaurant and Cafe licence which will allow for the consumption of liquor on the licensed premises only, with no takeaway liquor permitted.

### 4.3 LICENSED 'RED LINE' AREA

When designing the 'red line' area, consideration has been given to the proposed operation of the venue. It has been designed with the view that it covers areas to suit the needs of the business but is manageable from a compliance perspective.

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<sup>8</sup> Ballarat Planning Scheme – Clause 74

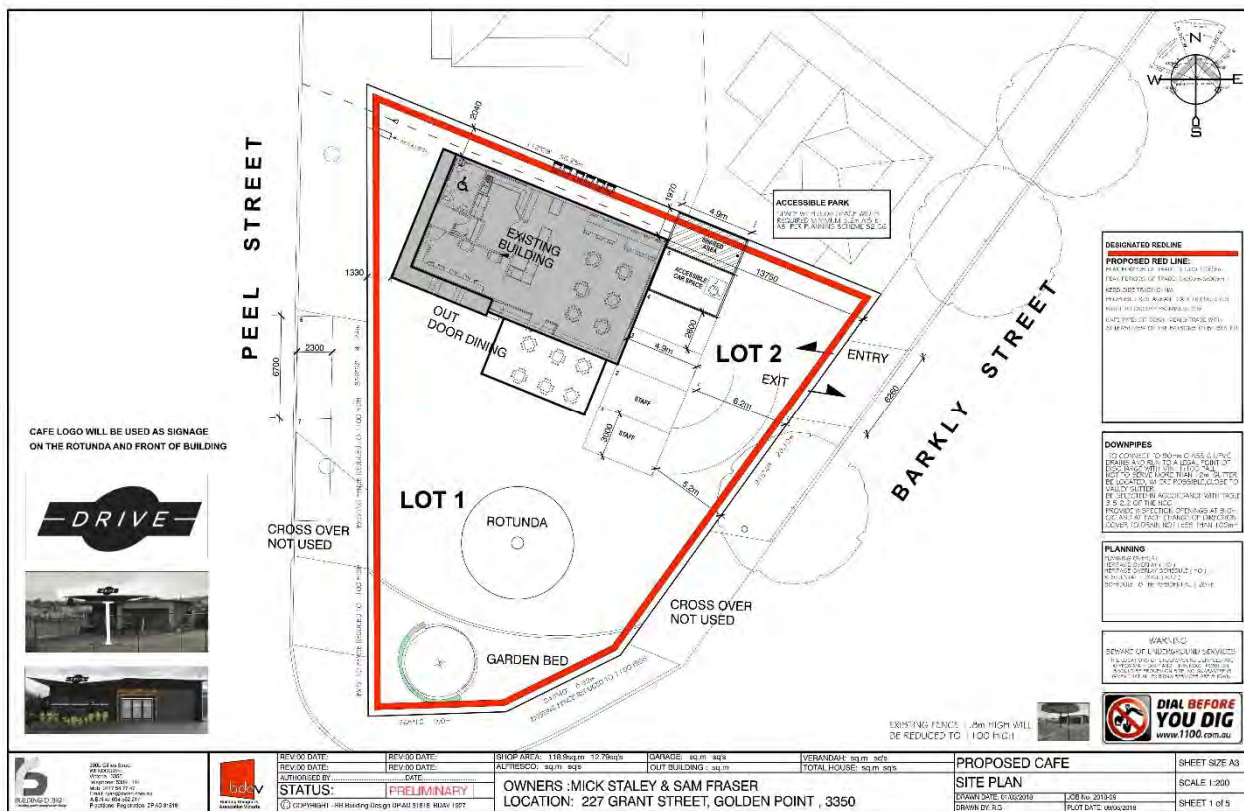


Figure 6 - Proposed Red Line Plan

Please refer to the attached scale plans for further information.

**4.4 OPERATING HOURS:**

As part of this application, the hours proposed for the Planning Permit and the Liquor Licence are as follows

Monday to Sunday: 7.00 am to 9.00 pm

These proposed trading hours are not considered as high risk, being limited to 9pm, and it is proposed that these hours are relevant to the entire red line area noted above. The proposed trading hours reflect the area in which the café is located and are sensitive to the residents within the proximity. The applicant envisages peak times to be Friday and Saturday afternoon/nights and Sunday afternoons.

**4.5 SEATING RATIOS**

The venue operators propose to provide seating for a minimum 70 patrons, providing a seating ratio of a minimum 100%, with an emphasis on seated liquor consumption.



#### 4.6 MEALS AND REFRESHMENTS

The venue provides a range of food, with a varied menu. Supply of food is the predominant focus of the venue as is the requirement of a restaurant and café liquor licence. Food will be available throughout the entire operating hours. Liquor will only be supplied in accordance with the standard restaurant café conditions set down by the Liquor Control Reform Act 1998 which are as follows:

1. the predominant activity carried out at all times on the licensed premises must be the preparation and serving of meals for consumption on the licensed premises; and
2. Tables and chairs must be placed in position on the licensed premises so as to be available for at least 75% of the patrons attending the premises at any one time; and
3. The licensee must not permit –
  - a. the live performance of any musical works; or
  - b. the playing of any recorded musical works -

on the premises at higher than background music level at any time outside ordinary trading hours.

In addition to liquor, a range of both hot and cold non-alcoholic beverages will be available for purchase throughout the operating hours of the venue, inclusive of free drinking water. Packaged bar snacks are also available for purchase throughout the day and evening until the venue closes.

#### 4.7 VENUE MANAGEMENT

The proposed licensed venue in this instance is a small-scale food and drink premises with trading hours limited to 9pm and it is not considered that extensive venue management policies will be required in order to manage patron behavior. Despite this, day to day management practices of the venue operators will be implemented to ensure that the venue operates without undue detriment to the amenity of the surrounding area. Key measures of this day to day management are likely to include:

1. The venue will maintain a focus on food, decreasing the risk of adverse patron behavior within the premises.
2. A high seating ratio will be maintained at the venue decreasing the risk of adverse patron behavior at the premises.
3. Operating hours are limited to 9pm.
4. Management staff of the venue will actively ensure that behavior of patrons within the venue does not adversely impact on the amenity of the surrounding area.
5. Noise levels emanating from the premises will be kept in line with the SEPP N-2 Policy as issued by the Environment Protection Authority

The venue operators will also maintain an 'open door' policy for all neighboring properties to raise any concerns with the operation of the premises and will maintain an appropriate complaint register.

#### 4.8 MUSIC/ENTERTAINMENT

Background music will be played within the café at a level to allow for social interactions between patrons.



## 5. PLANNING POLICY CONTEXT

State and local policy, zoning and other planning controls can provide guidance about appropriate and preferred amenity and land use outcomes for an area. These controls may relate to the role of an activity centre, mix of uses in an area, and appropriate locations for entertainment uses, or may inform assessments about reasonable amenity for a particular area. The following considerations have been taken into account within this assessment:

### 5.1 WHAT ARE THE POLICY, ZONING AND OTHER PLANNING CONTROLS THAT ARE RELEVANT TO THE SURROUNDING AREA?

#### 5.1.1 ZONES & OVERLAYS

The subject premises is located within an established Mixed Use Zone (MUZ), with good access to roads, shops, public transport and other services.

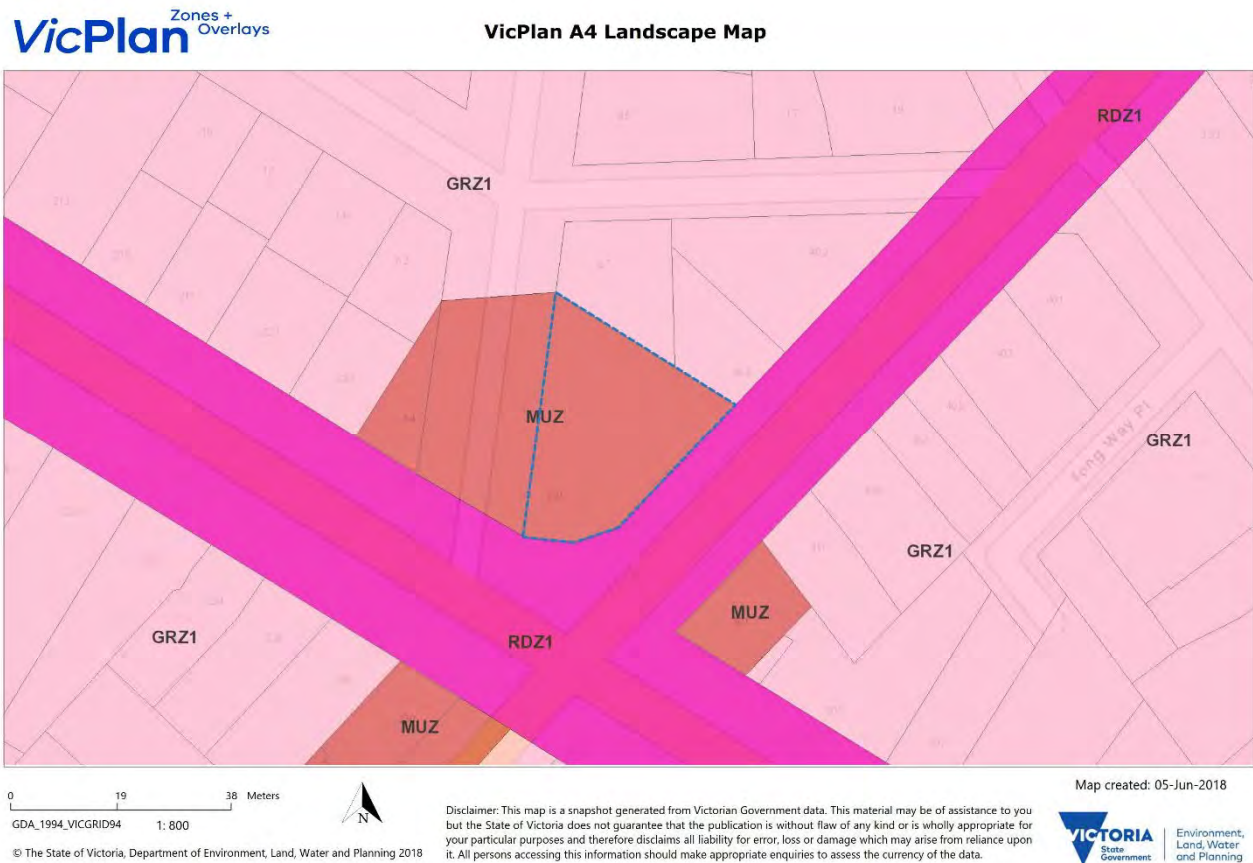


Figure 7 - Planning Site Context<sup>9</sup>

The purpose of this Mixed-Use Zone is:

<sup>9</sup> VicPlan Interactive Map (<http://mapshare.maps.vic.gov.au/vicplan/>)



To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.<sup>10</sup>

The site is affected by a Heritage Overlay; however, this overlay does not impact on the proposal to licence the venue in any way.

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### 5.1.2 STATE PLANNING POLICY FRAMEWORK (SPPF)

Every planning scheme includes the State Planning Policy Framework (SPPF) containing general principles for land use and development in Victoria. Planning authorities and responsible authorities must take these general principles and specific policies into account in their integrated decision-making process. The following clauses from the SPPF are relevant to this proposal:

1. Clause 10; Operation of the State Planning Policy Framework
2. Clause 11; Settlements
  - a. 11.01-1 – Settlement Networks
  - b. 11.02-2 – Structure Planning
  - c. 11.03 – Activity Centre Network
  - d. 11.07 – Regional Victoria
  - e. 11.08 – Central Highlands
3. Clause 15; Built Environment and Heritage
  - a. 15.01-4 – Design for Safety
  - b. 15.01-5 – Cultural Identity & Neighbourhood Character
4. Clause 17; Economic Development
  - a. 17.01-1 – Business
  - b. 17.01-2 – Out-of-centre Development

---

### 5.1.3 LOCAL PLANNING POLICY FRAMEWORK (LPPF)

The Local Planning Policy Framework (LPPF) sets a local strategic policy context for a municipality. There are two parts to the LPPF

- the Municipal Strategic Statement.
- specific local planning policies.

---

<sup>10</sup> Ballarat Planning Scheme – Clause 32.04





The LPPF must be consistent with the SPPF. The following clauses from the LPPF are relevant to this proposal:

1. Clause 20; Operation of the Local Planning Policy Framework
2. Clause 21; Municipal Strategic Statement
  - a. Clause 21.07; Economic Development

---

### 5.1.4 GENERAL & PARTICULAR PROVISIONS

Particular provisions are specific prerequisites or planning provisions for a range of particular uses and developments, such as advertising signs, liquor licensing and car parking. Particular provisions apply consistency across the state. Only particular provisions already in the VPP can be included in planning schemes and they apply in addition to the requirements of a zone or overlay unless specified otherwise. General provisions are operational requirements which are consistent across the state. They include matters such as existing use rights, administrative provisions, ancillary activities and referral of applications. The following General and Particular provisions are relevant to this proposal:

1. Clause 51; Operation of the Particular Provisions.
2. Clause 52.06; Car Parking.
3. Clause 52.27; Licensed Premises.
4. Clause 65; Decision Guidelines.

### 5.2 WHAT AMENITY, LAND USE AND OTHER PLANNING OUTCOMES DO THESE CONTROLS ENCOURAGE?

The objectives of planning in Victoria are set out in the Planning and Environment Act 1987 (the Act). They are:

- a. to provide for the fair, orderly, economic and sustainable use and development of land;
- b. to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- c. to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- d. to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- e. to protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;
- f. to facilitate development in accordance with the objectives set out in paragraphs a), b), c), d) and e);
- g. to balance the present and future interests of all Victorians.

The purpose of the Act is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

Clause 52.27 in particular encourages responsible use of property as it relates to the supply of liquor. It also encourages appropriate consideration of the local amenity resulting from licensed premises. Pursuant to clause 52.27 a permit is required to use land to sell or consume liquor if a licence is required under the Liquor Control Reform Act 1998.



5.3 IS THE PROPOSAL CONSISTENT WITH THE PLANNING OUTCOMES ENCOURAGED IN THE POLICY, ZONING AND OTHER PLANNING CONTROLS FOR THE AREA?

The proposed liquor licensing arrangements at the venue are consistent with the objectives of the State Planning Policy Framework, the Local Planning Policy Framework, the Mixed-Use Zone, and the particular and general provisions of the Ballarat Planning Scheme.

Specifically, the proposal will:

1. Provide for additional employment opportunities within the area subsequently increasing the economic viability of the centre;
2. Will provide additional choice within the surrounding streetscape; and
3. Will provide for increased vibrancy within the surrounding Mixed-Use Zone on a currently disused site.

It is widely accepted that licensed premises contribute to the vibrancy and economic strength of a municipal district, and that well managed licensed premises contribute positively to the surrounding area.

The use of the premises as a 'Food and Drink' premises is a section 1 use, therefore the use of the land is consistent with the Mixed-Use Zoning on which the premises is located.

Given the limited trading hours proposed, being limited to 9pm, the proposal will, as a result, have little to no impact on nearby residential uses.

## 6. SURROUNDING LAND USE AND MIX

### 6.1 DOES THE SUBJECT LAND ADJOIN SENSITIVE USES?

The subject site indicated in this report is positioned at the corner of Peel, Barkly and Grant Streets, in the midst of a relatively high density residential area. On this basis, the venue is close to sensitive uses being the surrounding residential neighbourhood.

Directly to the north of the subject premises, and abutting the northern boundary, are two single story residential dwellings:



Figure 8 - Abutting Properties (North)

Directly opposite the venue to the west (opposite side of Peel Street) is a small-scale commercial property with two separate tenancies; one of which houses a beauty salon, the other is currently vacant (although was home to a hairdressing salon until relatively recently). These commercial venues sit within the Mixed-Use Zone.



Figure 9 - Commercial Properties Opposite (West)

To the east, and on the opposite site of Barkly Street, are a number of residential properties, with the corner property (a former milk bar) being contained within the mixed-use zone:



Figure 10 - Residential Properties (East)



To the south of the property exists a number of residential and commercially focused venues, with residential being the predominant use:



Figure 11 - Residential and Commercial Property (South)

**6.2 WHAT IS THE RELATIONSHIP BETWEEN LICENSED PREMISES AND OTHER USES IN THE AREA?**

The venue is positioned within a high traffic, residentially focused precinct. The mix of land uses within the surrounding area is relatively limited, however some commercial activity, including two licensed venues, do exist. The two licensed venues within the surrounding area, being the Grapes Hotel and the Ballarat East Bowling Club, have existed in their respective locations for many years.

Trading hours of these two licensed premises, in terms of permitted closing times, allow for trading to 12 midnight (Grapes Hotel) and 24-hour trade (Ballarat East Bowling Club). Regardless of operating hours of licensed venues within the area, the bulk of land contained within the 500 metre radius of the premises is within residential zoning, however licensed venues within the study area compliment the surrounding district and contribute to its suburban appeal.

**6.3 WHAT ARE THE LOCAL CRIME STATISTICS RELATED TO LICENSED PREMISES?**

Crime statistic data has been obtained through the Crime Statistics Agency Website<sup>11</sup> and has been analysed utilising the Tableau Public software package. Raw statistical data regarding offences by category has been viewed for the City of Ballarat statistical area. This data has been converted to offences per 100,000 population and compared to similar statistical data relevant to both the City of Greater Geelong statistical area, and the

<sup>11</sup> Crime Statistics Agency (<https://www.crimestatistics.vic.gov.au/explore-crime-by-location>)



## Cumulative Impact Assessment



City of Greater Bendigo statistical area. It is suggested that this comparative review will provide a greater understanding of offence rates within the City of Ballarat area compared to other major regional centres rather than simply looking at raw numbers of offences. Firstly, raw data has been viewed regarding offences within each of the three statistical areas. Offence numbers for each area are as per the following images:

Offence Division	Offence Subdivision	2013	2014	2015	2016	2017	% change from 2016
<b>A Crimes against the person</b>	A10 Homicide and related offences	2	0	0	2	4	100.0%
	A20 Assault and related offences	961	847	787	905	962	6.3%
	A30 Sexual offences	261	331	581	428	530	23.8%
	A40 Abduction and related offences	40	10	10	14	24	71.4%
	A50 Robbery	31	32	30	27	44	63.0%
	A60 Blackmail and extortion	1	1	7	5	3	-40.0%
	A70 Stalking, harassment and threa..	238	165	142	142	134	-5.6%
	A80 Dangerous and negligent acts ...	94	94	84	124	167	34.7%
<b>Total</b>		1,628	1,480	1,641	1,647	1,868	13.4%
<b>B Property and deception offences</b>	B10 Arson	84	61	103	155	83	-1.3%
	B20 Property damage	1,622	1,354	1,339	1,190	1,161	-2.4%
	B30 Burglary/Break and enter	1,129	1,044	1,158	1,299	1,215	-6.5%
	B40 Theft	3,142	3,047	3,436	3,956	4,133	4.5%
	B50 Deception	351	641	518	636	538	-15.4%
<b>Total</b>		6,328	6,147	6,554	7,236	7,200	-0.5%
<b>C Drug offences</b>	C10 Drug dealing and trafficking	61	63	91	58	50	-13.8%
	C20 Cultivate or manufacture drugs	24	27	34	54	27	-50.0%
	C30 Drug use and possession	211	339	462	358	366	2.2%
	C90 Other drug offences	12	0	1	0	2	
<b>Total</b>		308	429	588	470	445	-5.3%
<b>D Public order and security offences</b>	D10 Weapons and explosives offen..	253	325	276	331	371	12.1%
	D20 Disorderly and offensive condu..	400	439	395	287	257	-10.5%
	D30 Public nuisance offences	18	43	38	51	37	-27.5%
	D40 Public security offences	1	0	0	0	3	
<b>Total</b>		672	807	709	669	668	-0.1%
<b>E Justice procedures offences</b>	E10 Justice procedures	124	142	174	363	439	20.9%
	E20 Breaches of orders	586	783	1,306	1,220	1,337	9.6%
<b>Total</b>		710	925	1,480	1,583	1,776	12.2%
<b>F Other offences</b>	F10 Regulatory driving offences	0	1	0	1	1	0.0%
	F20 Transport regulation offences	0	1	5	7	8	14.3%
	F30 Other government regulatory of..	6	8	34	7	19	171.4%
	F90 Miscellaneous offences	3	2	10	4	6	50.0%
	<b>Total</b>		9	12	49	19	34
<b>Grand Total</b>		9,655	9,800	11,021	11,624	11,991	3.2%

Figure 12 - Crime Data Ballarat

Offence Division	Offence Subdivision	2013	2014	2015	2016	2017	% change from 2016
<b>A Crimes against the person</b>	A10 Homicide and related offences	4	2	4	6	6	0.0%
	A20 Assault and related offences	1,423	1,294	1,398	1,381	1,612	16.7%
	A30 Sexual offences	361	415	450	398	444	11.6%
	A40 Abduction and related offences	19	22	23	32	15	-53.1%
	A50 Robbery	85	73	69	84	82	-2.4%
	A60 Blackmail and extortion	4	2	7	5	1	-80.0%
	A70 Stalking, harassment and threa..	359	351	328	425	408	-4.0%
	A80 Dangerous and negligent acts ...	115	185	189	192	234	21.9%
<b>Total</b>		2,370	2,344	2,468	2,523	2,802	11.1%
<b>B Property and deception offences</b>	B10 Arson	198	157	193	219	172	-21.5%
	B20 Property damage	1,896	1,967	2,043	2,066	2,240	8.4%
	B30 Burglary/Break and enter	2,285	2,133	2,247	3,077	2,838	-7.8%
	B40 Theft	5,806	5,798	6,635	9,023	7,633	-15.4%
	B50 Deception	620	1,157	1,053	1,630	1,861	14.2%
	B60 Bribery	1	0	7	2	0	-100.0%
<b>Total</b>		10,806	11,212	12,178	16,017	14,744	-7.9%
<b>C Drug offences</b>	C10 Drug dealing and trafficking	86	92	156	158	159	0.6%
	C20 Cultivate or manufacture drugs	40	48	47	45	89	97.8%
	C30 Drug use and possession	418	474	639	608	857	41.0%
	C90 Other drug offences	2	8	1	0	0	
<b>Total</b>		546	622	843	811	1,105	36.3%
<b>D Public order and security offences</b>	D10 Weapons and explosives offen..	538	521	593	540	687	27.2%
	D20 Disorderly and offensive condu..	922	952	976	725	560	-22.8%
	D30 Public nuisance offences	118	51	90	88	92	4.5%
	D40 Public security offences	1	2	0	1	2	100.0%
<b>Total</b>		1,579	1,526	1,659	1,354	1,341	-1.0%
<b>E Justice procedures offences</b>	E10 Justice procedures	149	147	308	521	509	-2.3%
	E20 Breaches of orders	1,010	1,249	1,702	1,977	2,209	11.7%
<b>Total</b>		1,159	1,396	2,010	2,498	2,718	8.8%
<b>F Other offences</b>	F10 Regulatory driving offences	0	0	2	0	2	
	F20 Transport regulation offences	2	6	4	20	16	-20.0%
	F30 Other government regulatory of..	29	11	17	13	23	76.9%
	F90 Miscellaneous offences	8	5	11	10	6	-40.0%
<b>Total</b>		39	22	34	43	47	9.3%
<b>Grand Total</b>		16,499	17,122	19,192	23,246	22,757	-2.1%

Figure 13 - Crime Data Geelong



## Cumulative Impact Assessment



Offence Division	Offence Subdivision	2013	2014	2015	2016	2017	% change from 2016
<b>A Crimes against the person</b>	A10 Homicide and related offences	2	2	2	7	7	0.0%
	A20 Assault and related offences	794	758	789	741	851	14.8%
	A30 Sexual offences	235	319	259	297	324	9.1%
	A40 Abduction and related offences	12	11	16	13	7	-46.2%
	A50 Robbery	23	28	15	29	27	-6.9%
	A60 Blackmail and extortion	4	1	0	0	0	
	A70 Stalking, harassment and threa..	216	178	320	360	173	-51.9%
	A80 Dangerous and negligent acts ...	61	78	100	101	173	71.3%
	<b>Total</b>	1,347	1,375	1,501	1,548	1,562	0.9%
<b>B Property and deception offences</b>	B10 Arson	109	91	80	119	75	-37.0%
	B20 Property damage	981	932	860	824	897	8.9%
	B30 Burglary/Break and enter	533	635	632	792	860	8.6%
	B40 Theft	1,966	2,168	2,051	2,778	2,974	7.1%
	B50 Deception	964	434	434	357	617	72.8%
	B60 Bribery	0	0	12	0	0	
	<b>Total</b>	4,553	4,260	4,069	4,870	5,423	11.4%
<b>C Drug offences</b>	C10 Drug dealing and trafficking	47	134	116	106	106	0.0%
	C20 Cultivate or manufacture drugs	22	41	40	25	9	-64.0%
	C30 Drug use and possession	202	397	366	361	371	2.8%
	C90 Other drug offences	0	3	0	0	0	
	<b>Total</b>	271	575	522	492	486	-1.2%
<b>D Public order and security offences</b>	D10 Weapons and explosives offen..	186	289	274	315	336	6.7%
	D20 Disorderly and offensive condu..	576	475	513	378	345	-8.7%
	D30 Public nuisance offences	61	78	76	63	101	60.3%
	D40 Public security offences	0	1	1	0	0	
<b>Total</b>	823	843	864	756	782	3.4%	
<b>E Justice procedures offences</b>	E10 Justice procedures	128	175	122	349	413	18.3%
	E20 Breaches of orders	1,048	1,080	1,387	1,560	1,879	20.4%
	<b>Total</b>	1,176	1,255	1,509	1,909	2,292	20.1%
<b>F Other offences</b>	F10 Regulatory driving offences	0	0	1	0	1	
	F20 Transport regulation offences	6	9	2	1	3	200.0%
	F30 Other government regulatory of..	21	9	11	7	6	-14.3%
	F90 Miscellaneous offences	5	3	9	10	8	-20.0%
	<b>Total</b>	32	21	23	18	18	0.0%
<b>Grand Total</b>	<b>8,202</b>	<b>8,329</b>	<b>8,488</b>	<b>9,593</b>	<b>10,563</b>	<b>10.1%</b>	

Figure 14 - Crime Data Bendigo

According to ABS Data, Geelong’s population is 233,429, Ballarat’s is 101,686 and Bendigo’s is 110,477<sup>12</sup>. In order to ascertain the ‘per 100,000 population’ crime figures, the above data sets have been converted based on these population rates. This conversion has been undertaken on selected offence types (being those most commonly associated with alcohol). The following table provides a comparison of these selected data sets between Geelong, Ballarat and Bendigo (figures have been rounded to the nearest whole number):

Offence	Rate per 100,000 Population in Geelong (2017)	Rate per 100,000 Population in Ballarat (2017)	Rate per 100,000 Population in Bendigo (2017)
A20: Assault and Related Offences	691	946	770
A30: Sexual Offences	190	521	293
B20: Property Damage	960	1142	812
D20: Disorderly and Offensive Conduct	240	253	312
D30: Public Nuisance Offences	39	36	91

As can be seen in the above, crime rates in Ballarat are higher across a number of areas but are lower in other areas than Bendigo and Geelong. Public nuisance offences are significantly lower in Ballarat than Bendigo, with Disorderly and Offensive conduct offences also significantly lower than Bendigo.

<sup>12</sup> ABS Census Data (<http://www.abs.gov.au/websitedbs/D3310114.nsf/Home/Census>)



#### 6.4 ARE THERE OTHER PREMISES OPEN AFTER 11PM?

Of the two relevant licensed venues within the study area, both are permitted to trade beyond 11pm.

#### 6.5 WHAT IS THE EXISTING LEVEL OF AMENITY IN THE AREA?

Existing levels of amenity in the surrounding area are consistent with a high traffic, inner suburban residential neighbourhood and are typical of a large regional-city location. As the area is an active intersection between two major roadways (Barkly Street and Grant Street), levels of activity are generally high, and are expected to increase with further development within the surrounding space. Impacts from traffic noise, and other amenity concerns, will likely continue to be well managed within the local area.

During the day and into the early evening, there is ambient noise along the streets surrounding the subject venue with noise from cars, delivery vehicles, pedestrians, plant and equipment at the rear of commercial buildings and other 'city related' noise.

#### 6.6 WHAT ARE THE REASONABLE AMENITY EXPECTATIONS IN THE AREA?

It is a general and long-held planning principle that inner suburban areas adjoining larger activity centres such as Ballarat cannot expect a similar level of peace and quiet to what would be found in a more remote residential location.

On this basis, reasonable amenity expectations in the area are that of a large inner-city suburban neighbourhood which is dominated by its arterial road network. The Ballarat CBD which is nearby has extensive night time activity which is reflected by the number of licensed premises within the City of Ballarat as a whole.

#### 6.7 WILL THE PROPOSAL SIGNIFICANTLY INCREASE THE NUMBER OF PATRONS NEAR SENSITIVE USES AT ANY TIME?

The proposed patron capacity for the venue has been set at 70 patrons. This proposed patron capacity is not a significant number and is not considered as a 'High Capacity' venue (High Capacity Venues are generally considered to be venues which allow for 200 patrons or more).

On this basis, it is fair to suggest that the proposed patron capacity is not a significant number and is a number which can easily be accommodated within the surrounding area.

#### 6.8 GIVEN THE LOCATION AND PLANNING POLICY CONTEXT, WILL THE PROPOSAL GENERATE AMENITY IMPACTS BEYOND WHAT IS REASONABLE?

The proposed venue seeks to trade to 9pm, and the proposed patron number of 70, meaning that the venue should be considered low risk, with little adverse amenity impacts to the surrounding area. In addition, the proposal will add to the increasing vibrancy of the surrounding area and will positively contribute to the diversity of hospitality venues within the locale.



## 7. THE MIX OF LICENSED PREMISES IN THE AREA

### 7.1 WHAT IS THE MIX OF LICENSED PREMISES IN THE AREA?

The area contains the following mix of relevant licensed venues:

- One (1) x Full Club Licence (with an associated renewable limited licence)
- One (1) x General Liquor Licence

### 7.2 DO ANY LICENSED PREMISES CATER FOR MORE THAN 200 PATRONS?

Neither of the existing venues cater for more than 200 patrons.

### 7.3 HOW MANY AND WHAT TYPE OF LICENSED PREMISES (ESPECIALLY HIGH CAPACITY VENUES AND PACKAGED LIQUOR OUTLETS) OPERATE AFTER 11PM?

Both licensed venues within the study area, being the Grapes Hotel and the Ballarat East Bowling Club, are permitted to trade beyond 11pm, however do not cater for more than 200 patrons so are not considered as high capacity venues. There are no packaged liquor outlets within the study area.

### 7.4 DO LICENSED PREMISES COMMONLY OPERATE AT CAPACITY AND IS QUEUING OUTSIDE COMMON?

Given the nature of the licensed venues within the study area, it is rare for the existing licensed venues to operate at capacity and queuing is not a known issue in the area.

### 7.5 DO MANY LICENSED PREMISES IN THE AREA SHOW A HIGH RATIO OF STANDING TO SEATING?

It is noted that both of the licensed venues within the area have a high ratio of seated patrons. The Grapes Hotel has a focus on meals, whilst the Ballarat East Bowling club caters for an older clientele.

### 7.6 ARE THERE ANY LOCAL LAWS REGULATING CONSUMPTION OF LIQUOR IN PUBLIC SPACES?

The City of Ballarat's Community Local Law of 2017 provides the following regarding liquor:

## PART 5 - ALCOHOL AND SMOKING

### 56. POSSESSION AND CONSUMPTION OF LIQUOR ON ROADS AND MUNICIPAL PLACES

56.1. For the purposes of this clause, Council may at any time prescribe all or part of any Municipal Place to be a place where the consumption or possession of Liquor is prohibited or regulated including limited to certain times of the day, certain days of the year, defined public holiday periods, special events or particular places.

56.2. A Person must not, at any time:

56.2.1. on a Road;

56.2.2. in any Motor Vehicle within any Municipal Place other than a Road;

56.2.3. any part of the municipal district prescribed by Council under sub clause 56.1;

56.2.4. in any Municipal Place

consume any Liquor or have in his or her possession or control any Liquor other than Liquor in a container with an unbroken seal.

**Penalty: 15 Penalty Units**

56.3. Sub clause 56.2 does not apply to a Person:

56.3.1. participating in a Festival or Special Event in respect of which Council has granted a Permit for persons to consume Liquor or to have in their possession or control Liquor other than Liquor in a container with an unbroken seal; or

56.3.2. In a Municipal Place and acting in accordance with a Council prescription under sub-clause 56.1;

56.3.3. On a premises that is licensed under the Liquor Control Reform Act 1998.

56.4. If a Person contravenes sub clause 56.2, a member of Victoria Police or an Authorised Officer or Delegated Officer may direct the person to do all or any of the following:

56.4.1. Cease consuming liquor;

56.4.2. Leave the Municipal Place; and

56.4.3. Dispose of the contents of the container.

56.5. A Person must comply with a direction given under sub clause 56.4.

**Penalty: 15 Penalty Units**

56.6. If a Person does not comply with a direction given under clause 56.4, an Authorised Officer may confiscate any unsealed container of liquor associated with the contravention

Figure 15 - City of Ballarat's Community Local Law 2017





7.7 IS THERE ANY EVIDENCE OF PROBLEMS APPARENT IN THE AREA, SUCH AS PROPERTY DAMAGE/LITTERING, THAT MAY BE ATTRIBUTED TO ALCOHOL RELATED INCIDENTS?

Although some graffiti is evident within the immediate area surrounding the venue (as per the following images), little of this graffiti can reasonably be attributed to alcohol related incidents. There is also little evidence of criminal damage within the surrounding space, with only minimal litter visible upon inspection.



Figure 16 – Graffiti & Litter in Area

It is noted, however, that as per the crime statistics data outlined above, offence rates associated with property damage offences are substantially higher in Ballarat compared to both Geelong and Bendigo.

7.8 ARE COMPLAINTS (FOR EXAMPLE, TO COUNCIL OR VICTORIA POLICE) ABOUT LICENSED PREMISES ALREADY BEING GENERATED IN THE AREA?

There is no evidence to suggest that there are ongoing issues or complaints currently being generated within the surrounding area specifically related to the two existing licensed venues.

7.9 ARE THERE ANY KNOWN ENFORCEMENT PROCEEDINGS AGAINST LICENSED PREMISES IN THE SURROUNDING AREA?



A search of VCGLR records<sup>13</sup> was undertaken on the 7<sup>th</sup> June 2018 as part of this assessment. The following was noted;

1. There are no premises within the subject area currently subject to an enforceable undertaking.
2. There are no premises within the subject area currently subject to a demerit point on their liquor licence.
3. There have been no notifications of disciplinary hearings within the last 2 years within the subject area.
4. Both licensed venues within the study area are listed as 5-star venues, meaning there have been no instances of non-compliance in recent years.

Given the above-mentioned details, it is assumed that no venue within the study area is subject to any sort of enforcement action, however details of all current enforcement proceedings may not be publicly available.

### 7.10 DOES THE PROPOSAL CONTRIBUTE TO THE DIVERSITY OF ACTIVITIES AND VIBRANCY IN THE AREA?

The area surrounding the premises is an increasingly diverse residential area, with increasing densities. The premises subject to this report adds to that variety/vibrancy and provides for additional services within the immediate area which are not currently available.

### 7.11 WILL THE PROPOSAL REINFORCE ANY EXISTING OR CREATE ANY NEW IMPACTS ARISING FROM THE MIX OF USES IN THE AREA?

It is not expected that any additional major impact on the surrounding area will occur as a result of this proposal. As already indicated, this particular proposal relates to a small scale, low risk food and drink premises.

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<sup>13</sup> VCGLR – [www.vcglr.vic.gov.au](http://www.vcglr.vic.gov.au)





## 8. TRANSPORT AND DISPERSAL

### 8.1 DO CLOSING HOURS BETWEEN VENUES COINCIDE CLOSELY OR IS THERE A SPREAD OF CLOSING HOURS?

The licensed hours of the two existing venues allow for trade to at least midnight. The proposed hours of the subject premises are limited to 9pm, therefore there is no correlation between the proposed trading hours and existing venues in the area. It is however, important to consider that not all premises within the area will trade for the entirety of their licensed hours.

With this said, this proposal increases the spread of closing hours across the subject area. It is also worth noting that there are no licensed venues within a 100m radius of the subject premises.

### 8.2 IS THERE A HIGH NUMBER OF PATRONS ON THE STREETS AFTER 11PM?

In general terms, there is a large number of patrons on the streets of the City of Ballarat, particularly within the CBD and particularly on weekend evenings. Given the subject sites locality on the periphery of the CBD, activity beyond 11pm is significantly lower. Despite this, the proposal allows for trading hours to 9pm only.

### 8.3 WHAT PUBLIC TRANSPORT IS AVAILABLE TO PATRONS LEAVING THE LICENSED PREMISES AT CLOSING TIME?

The area surrounding the venue contains some transport options, albeit limited in terms of trading hours. 2 bus routes operate through the immediate area with many others operating directly through the nearby Ballarat CBD and services are available to approximately 8.30pm weekdays and 6.30pm weekends.

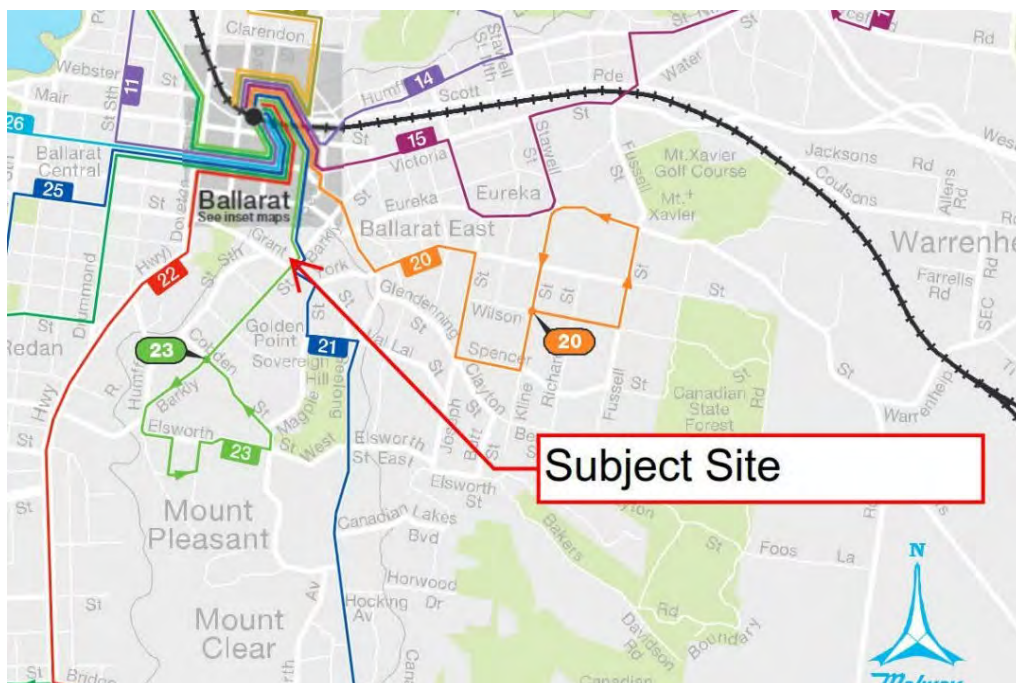


Figure 17 - Public Transport Network<sup>14</sup>

<sup>14</sup> Public Transport Victoria



In addition to the train and bus services mentioned above and given that the venue is contained within close proximity to the Ballarat CBD, taxis, as well as Uber services are, in general terms, also readily available throughout the area. In addition to these public transport options, it is noted that later trading venues are present throughout the immediate area. It is therefore reasonable to suggest that a percentage of patrons leaving the subject venue are likely to travel to these other venues on foot.

**8.4 ARE TAXI RANKS CONVENIENTLY AVAILABLE TO PATRONS LEAVING THE LICENSED PREMISES AT CLOSING TIME?**

There are two taxi ranks located within the Ballarat CBD. The closest of which is a 16-minute walk to the Old Post Office in Lydiard Street.

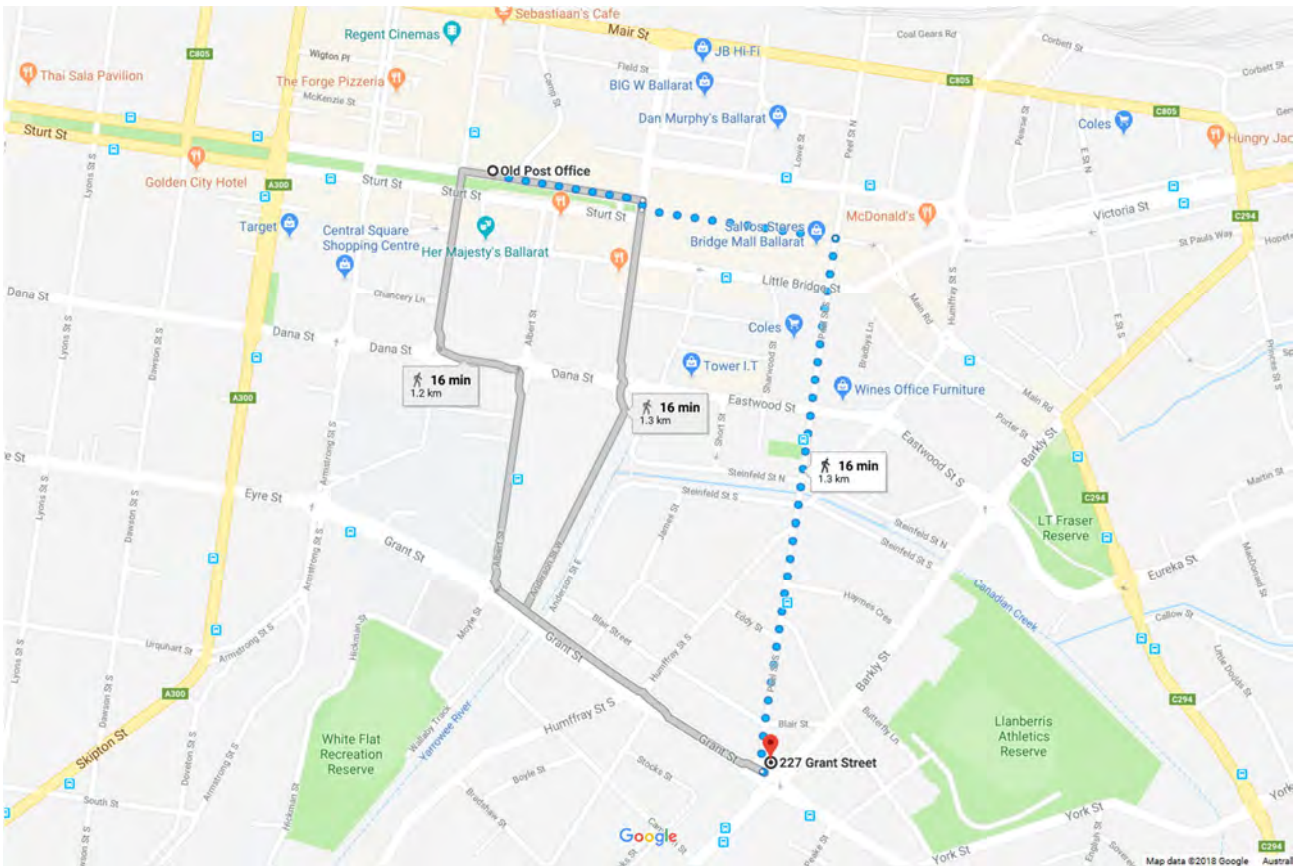


Figure 18 - Safe City Taxi Rank<sup>15</sup>

**8.5 IS THERE CAR PARKING AVAILABLE AND WHERE IS IT LOCATED?**

Car parking is being provided on site as part of the proposal. Additional car parking is available within the surrounding street network. This assessment should also be read in conjunction with the Traffic Engineers Report prepared by Beverage Williams as part of the application process.

**8.6 HOW DO PEOPLE DISPERSE FROM THE AREA AFTER LEAVING A LICENSED PREMISES?**

<sup>15</sup> Google Maps



As previously identified, in addition to the bus services mentioned above which operate to approximately 8.30pm, and given that the venue is contained within close proximity to a major activity centre, taxis, as well as Uber services are, in general terms, readily available throughout the area. In addition to these public transport options, it is noted that later trading venues are present throughout the immediate area. It is therefore reasonable to suggest that a percentage of patrons leaving the subject venue, as well as other surrounding venues, are likely to travel to these other venues on foot.

**8.7 IS THE MOVEMENT OF PATRONS THROUGH THE AREA KNOWN TO BE AN EXISTING PROBLEM?**

Given the free-flowing nature of Peel Street, Grant Street and Barkly Street, as well as the surrounding street network as a whole, patron movement is not considered as a major issue, particularly given the relatively small number proposed. There are no major event facilities nearby (such as the MCG or similar) so surges of foot traffic are not a normal or likely occurrence. There are no real 'bottle necks', such as bridges, nearby further reducing pedestrian traffic impacts.

**8.9 ARE THERE ANY IDENTIFIED ISSUES WITH ACCESSING PUBLIC TRANSPORT SUCH AS FREQUENCY OR CAPACITY OF SERVICES?**

As previously identified the area surrounding the venue contains public transport options, albeit limited in terms of trading hours. 2 bus routes operate nearby, with many more operating within the proximate CBD. Services are available to approximately 8.30pm. Accessing public transport after these times is limited to taxi and Uber type services.

**8.10 IS THE PROPOSED LICENSED PREMISES' LOCATION OR CHARACTERISTICS SUCH AS OPERATING HOURS LIKELY TO CONTRIBUTE TO ANY PROBLEMS FOR PATRON DISPERSAL?**

Given the relatively small number of patrons proposed, it is not expected that the proposal will contribute to problems relating to patron dispersal within the area. Although public transport options are limited within the surrounding space late into the evening, adequate taxi and Uber services are readily available, and the trading hours of the subject premises, limited to 9pm, are not largely clustered with nearby venues.

**8.11 WILL THE PROPOSAL REINFORCE ANY EXISTING OR CREATE ANY NEW IMPACTS ARISING FROM LICENSED PREMISES CLOSING TIMES AND PATRON DISPERSAL WITHIN THE AREA?**

Based on the above review, it is not anticipated that the proposed venue will cause any new or detrimental impacts as a result of patron dispersal. The 9pm closing time means that there will be remaining venues still open and operational well after the subject premises, therefore no patron dispersal problems are foreseen.





## 9. IMPACT MITIGATION

### 9.1 ARE THERE SUFFICIENT PUBLIC AMENITIES AVAILABLE FOR PATRON USE, INCLUDING TOILETS AND RUBBISH DISPOSAL?

Adequate public toilet facilities are located throughout the study area as shown in the following image and table:

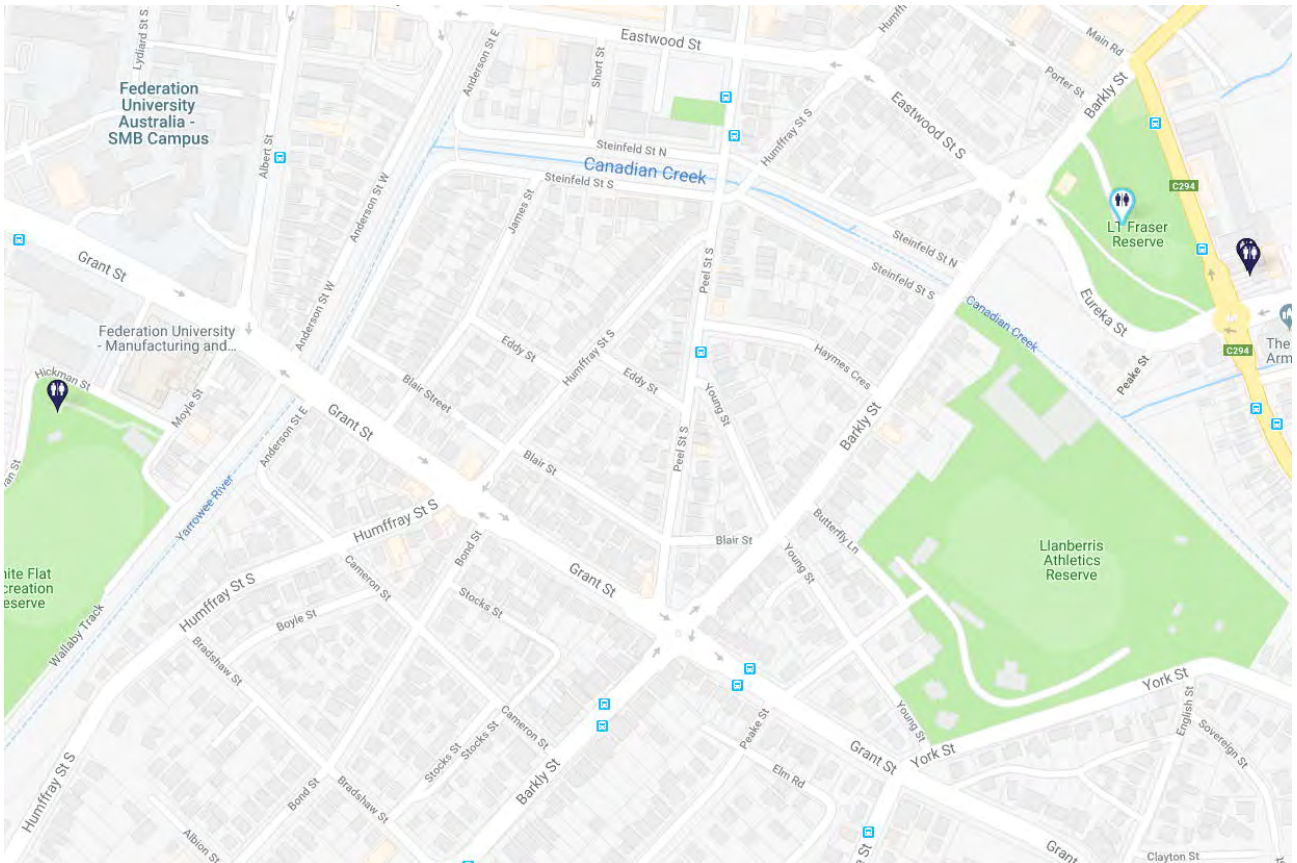


Figure 19 - Public Toilet Facilities<sup>16</sup>

Details of these toilets are as follows:

Name	Location	Hours of Operation	Toilets available
White Flat	Hickman Street, Ballarat	Open Daylight Hours	M, F, Accessible
Len T Fraser Reserve	Main Road, Ballarat East	Open Daylight Hours	M, F, Accessible
Ballarat	129 Main Road, Ballarat East	Open 24 hours	M, F

Street bins are also located at regular intervals throughout the subject area.

<sup>16</sup> The National Public Toilet Map (<https://toiletmap.gov.au/Find>)



## 9.2 ARE THERE ANY RELEVANT PUBLIC SAFETY OR ENFORCEMENT INITIATIVES IN THE AREA?

The following initiatives are in place within the surrounding area:

1. RAZON taskforce – a specialist police licensing unit operates within the area on occasion.
2. Victoria Police Licensing Unit - a specialist police licensing unit operating within the area on a daily and ongoing basis.
3. The 'risk based' licence fee structure implemented by the State Government is relevant to the area.
4. VCGLR Licensing Inspectors are regular visitors to the area.
5. The 'Safe City' taxi rank initiative is prevalent within the area, with a safe and manned taxi rank approximately 16 minutes' walk from the venue.
6. The Ballarat Liquor Accord is one of the most active liquor accords in the state.

## 9.3 HAS THE AREA BEEN DEVELOPED ACCORDING TO PRINCIPLES OF GOOD URBAN DESIGN AND SAFE DESIGN?

The general policy framework of the City of Ballarat as it relates to licensed venues is as follows;

1. The operation of licensed premises should have no unreasonable impact on the amenity and safety of surrounding uses, in relation to noise, hours of operation and car parking demand.
2. The location of the licensed premises, its use, nature of surrounding uses and hours of operation, its zoning and the zoning of surrounding land be considered in the determination of the hours of operation of the licensed premise.
3. Licensed premises should not be concentrated to the extent that there is an adverse cumulative effect on the area.
4. Day-time uses, and active frontages are encouraged within activity centres.
5. Licensed premises should operate in a manner that provides for the safety of patrons, the general public and nearby owners and occupiers of land.
6. Light spill should not detract from the amenity of the surrounding area.

This policy framework has assisted in the safe urban design in the surrounding area. The Ballarat CBD, and its surrounding suburban neighbourhoods, have developed around the commercially focused inner-city grid layout. The city incorporates active street frontages throughout, with good street lighting and well monitored streetscapes.

## 9.4 WILL THE PROPOSAL PROVIDE MITIGATION MEASURES TO ADDRESS ANY NEGATIVE CUMULATIVE IMPACTS?

The proposal will provide impact mitigation measures by:

1. Operating in accordance with all relevant liquor regulations including the Responsible Service of Alcohol provisions.
2. Having an internal layout that is generally consistent with "Design Guidelines for Licensed Venues", as issued by the Department of Justice, and to the extent that this is applicable to the subject premises.
3. Operating in accordance with State Environment Protection Policy Control of Noise from Commerce Industry and Trade No. N-1 ("SEPP N-1") and State Environment Protection Policy Music Noise from Public Premises No. N-2 ("SEPP No-2").



4. Operating in accordance with the permit and licence conditions

9.5 CAN ANY IDENTIFIED NEGATIVE CUMULATIVE IMPACT BE SATISFACTORILY REDUCED BY CHANGES TO THE PROPOSAL?

In general terms, and for the reasons outlined above, it is not anticipated that adverse amenity impacts, or negative cumulative impacts will result from the proposal.

The venue will not operate at 'high risk' levels (i.e. trading beyond 1am) nor will it operate as a high capacity venue.





## 10. SUMMARY

### 10.1 AMENITY

Amenity is described under the Liquor Control Reform Act 1998 as being:

‘The quality that the area has of being pleasant and agreeable’<sup>17</sup>

With this in mind, the factors that should be considered in determining whether to grant the proposed licensed arrangements, and which may detract from or be detrimental to the amenity of the area include:

1. Noise levels.
2. Hours of operation.
3. Compatibility with surrounding land use.
4. Safety and health.
5. Extent of planning considerations.
6. The potential cumulative impact of an additional licensed venue.

Most Councils and Government agencies recognise the importance of licensed premises in a municipality in contributing to the vibrancy and economic strength of the municipality. There are, however, common problems that can accompany licensed premises such as the off-site amenity impacts including noise on other nearby uses and the problems which occur when these uses begin to affect retailing vibrancy and economic viability of an area.

### 10.2 NOISE

The proposal includes the inception of a low risk, restaurant and café liquor licence at a proposed food and drink premises (section 1 use). The venue proposes operating within typical trading hours which do not extend past 9pm. Noise is not likely to be an issue given the nature of the use, the proposed operating hours, and the relatively small number of patrons proposed.

### 10.3 HOURS OF OPERATION

The hours of operation of the proposed licensed venue are to 9pm. These hours are not contrary to state government or City of Ballarat policy which discourages trading hours beyond 1am. The surrounding land comprises of a number of uses, some with liquor licenses with varying hours.

It is not anticipated that the minimal trading hours proposed will provide for any negative impacts on the surrounding area.

### 10.4 COMPATIBILITY WITH SURROUNDING LAND USES

As previously identified, the site is located within a largely residential neighbourhood and is positioned within a mixed-use zoning. As the proposed trading hours are limited to 9pm, it is not considered that the proposed liquor licence will have an unreasonable impact on the amenity of the surrounding land.

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<sup>17</sup> Liquor Control Reform Act 1998



It is generally accepted that a diversity of land uses and activities can result in increased amenity and vibrancy in an area. It is submitted that the mix of uses within the subject area may help to mitigate potential harm and reduce the potential for the proposal having an unreasonable negative impact on the amenity of the surrounding area.

### 10.5 SAFETY AND HEALTH

Research indicates that an increase in the number of licensed premises within an area may result in additional alcohol-related assaults. Research also reveals that patron capacity is a contributing factor in calculating the level of risk a licensed premise poses and that late-night trading contributes to increased alcohol consumption and increased violence. This proposal relates to a low risk licensed venue with minimal trading hours, and the hours proposed are not considered as 'Late Night' or 'High Risk' (limited to 9pm). It is not deemed that the proposal will result in any adverse amenity impacts given the assessment provided above.

Well managed licensed premises generally present a low risk of adverse impacts, whereas there is a high risk of adverse impacts on safety and amenity from large licensed premises, operating late at night. The design of a licensed premise can be an important contributor to anti-social behavior and violence. Good venue design of licensed premises plays an important role in reducing the opportunity for anti-social behavior fueled by alcohol.

Research reveals that there is an association between violence occurring outside a premise with large numbers of people congregating and competing for resources such as fast food and transport. This proposal is not expected to create a congregation spot given the proposed use and other licensed venues in the area trading beyond the hours permitted on the proposed licence. Common Victoria Police assault data may suggest that the density of liquor outlets (particularly packaged liquor outlets) is associated with assaults<sup>18</sup>, however there is no direct evidence to suggest a causal link between the number of licensed outlets and violence or assaults.

### 10.6 EXTENT OF PLANNING CONSIDERATIONS

VCAT decisions, such as *The Hunt Club Commercial Pty Ltd v Casey City Council* red dot decision, identify that planning is primarily concerned with use, development and protection of land use, and not with addressing all perceived community and social issues. Within the order, Deputy President Mark Dwyer states:

'As a matter of general public principle, a broad concern about the social harm caused by alcohol, the accessibility of alcohol in the community generally, or the potential for the abuse or misuse of alcohol, will rarely (if ever) be a relevant planning consideration in the exercise of discretion for a particular licensed premises under clause 52.27.'<sup>19</sup>

Although it is suggested that there is a correlation between licensed venues and health and anti-social behavior, the legal framework of the Planning and Environment Act 1987 does not provide scope for assessment of these issues outside of the parameters of considering cumulative impacts associated with the proposed liquor licence.

### 10.7 CUMULATIVE IMPACT

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<sup>18</sup> 'Alcohol Outlet Density and Assault: A Spatial Analysis' – Livingstone, 2008

<sup>19</sup> *The Hunt Club Commercial Pty Ltd v Casey City Council*



The Department of Community and Planning Practice Note (61) – Licensed Premises: Assessing Cumulative Impact describes cumulative impact as:

‘The positive and negative impacts that can result from clustering a particular land use or type of land use’<sup>20</sup>

It is understood that the potential for cumulative impact from a cluster of licensed premises can vary due to varying conditions of locations, the variety and number of venues and destination points for activities associated with the supply of alcohol. The Practice Note explains that:

‘Cumulative impact is a product of the number and type of venues present, the way they are managed, and the capacity of the local area to accommodate those venues.’<sup>21</sup>

The practice note describes negative cumulative impacts including noise and anti-social behavior, infrastructure capacity problems, safety issues and crime, whereas positive cumulative impacts can be increased vitality, economic benefits, status in an entertainment destination, improved customer choice and increased ability to manage impacts. An area may reach ‘saturation point’ where an additional premises, or type of premises, will lead to negative impact on the surrounding area.

The subject liquor licence does not propose trading hours past 9pm, and a limited mix of licence types exist within the study area. It is considered that appropriate impact mitigation can occur at the venue through adherence to the requirements of in house management policies, local planning controls, local laws and the Liquor Control Reform Act.

### 10.7 ASSESSMENT

It is the view of On Tap Liquor Consulting that the proposal will provide a positive cumulative impact on the surrounding area as:

1. The proposal may provide for additional employment opportunities in the area as a result of the increased viability of the premises.
2. The proposal will provide economic benefits to the surrounding area.
3. The proposal will add to the vibrancy of the surrounding area by adding a further choice in of venue.
4. The proposal suits the intended use of the Mixed-Use zone in which the venue is situated.

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<sup>20</sup> Practice Note (61) – Licensed Premises: Assessing Cumulative Impact – Department of Community Planning

<sup>21</sup> Practice Note (61) – Licensed Premises: Assessing Cumulative Impact – Department of Community Planning

## 11. CONCLUSION

This assessment relates to a proposed licensed food and drink premises at 227 Grant Street, Golden Point. This report and assessment has shown that the operation of the venue will not unreasonably impact the surrounding area.

Key findings of the assessment include:

1. It is recognised that there is some evidence to suggest that, in some instances, the availability of liquor can have a negative impact on local communities.
2. It is, however, ultimately, up to an individual, and individual communities, to obtain a balance between the benefits brought by the physical availability of alcohol and the subsequent costs to public health, safety and amenity.
3. The Victorian government, through the inception of practice note 61, utilises a 'count per land area' method when assessing the potential for negative impacts of a proposed licensed venue. This includes:
  - a. A cumulative impact assessment area of a 500m radius out from the subject land; and
  - b. A 'cluster' of licensed premises being three or more with a radius of 100m from the subject land or 15 or more with a radius of 500m from the subject land.
4. The proposed venue will not result in a cluster of licensed venues within the study area.
5. It is submitted that proposal in this instance is consistent with the policy context of the Municipal Strategic Statement which acknowledges that licensed premises contribute to the vibrancy and economic strength of the municipality and that well managed licensed premises contribute positively to the activity, appearance, character, and image of the area.
6. It is submitted that the proposed licence will not create an unreasonable cumulative impact for the surrounding areas for the reasons outlined above.
7. The hours of operation in this instance are not excessive and are not contrary to state government or Council policy. It is not expected that the hours of operation will attribute to unreasonable noise or nuisance given the existing and proposed use.
8. It is not expected that the proposal is likely to contribute to any problems for patron dispersal.
9. It is considered that mitigation measures, including adherence to in-house management policies local laws, planning provisions and the Liquor Control Reform Act, will ensure that the impacts of the proposal on the surrounding community are reasonable and are in balance with the positive economic, employment and vitality impacts of the development.

In light of this, it is our view that in this instance, the development of the proposed liquor licence on this site will not meet the saturation point where the benefits of the development will be outweighed by harm associated with the sale and consumption of liquor.



James Robson

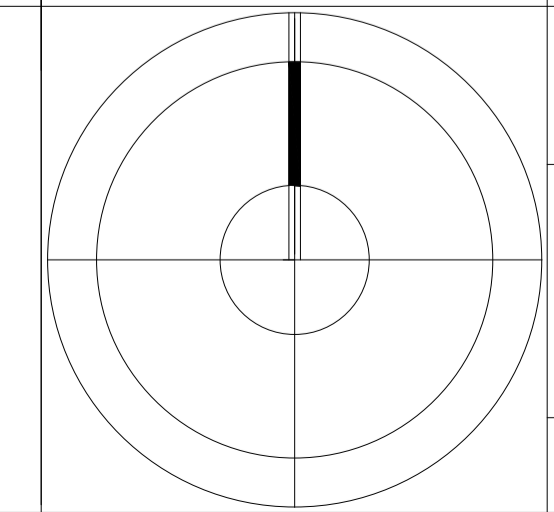
Principal Consultant



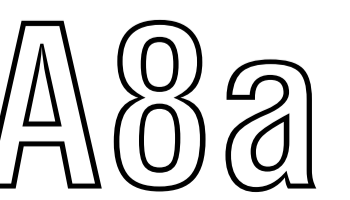


**NOTES:**

1. DRAWINGS SHALL NOT BE SCALED.
2. ALL DIMENSIONS ARE IN MM.
3. ANY DISCREPANCY IN DRAWINGS AND EXISTING CONDITIONS SHOULD BE BROUGHT TO THE NOTICE OF THE ARCHITECT PRIOR TO PROCEEDING WITH THE ITEM
4. DRAWINGS ARE ONLY FOR CONCEPT



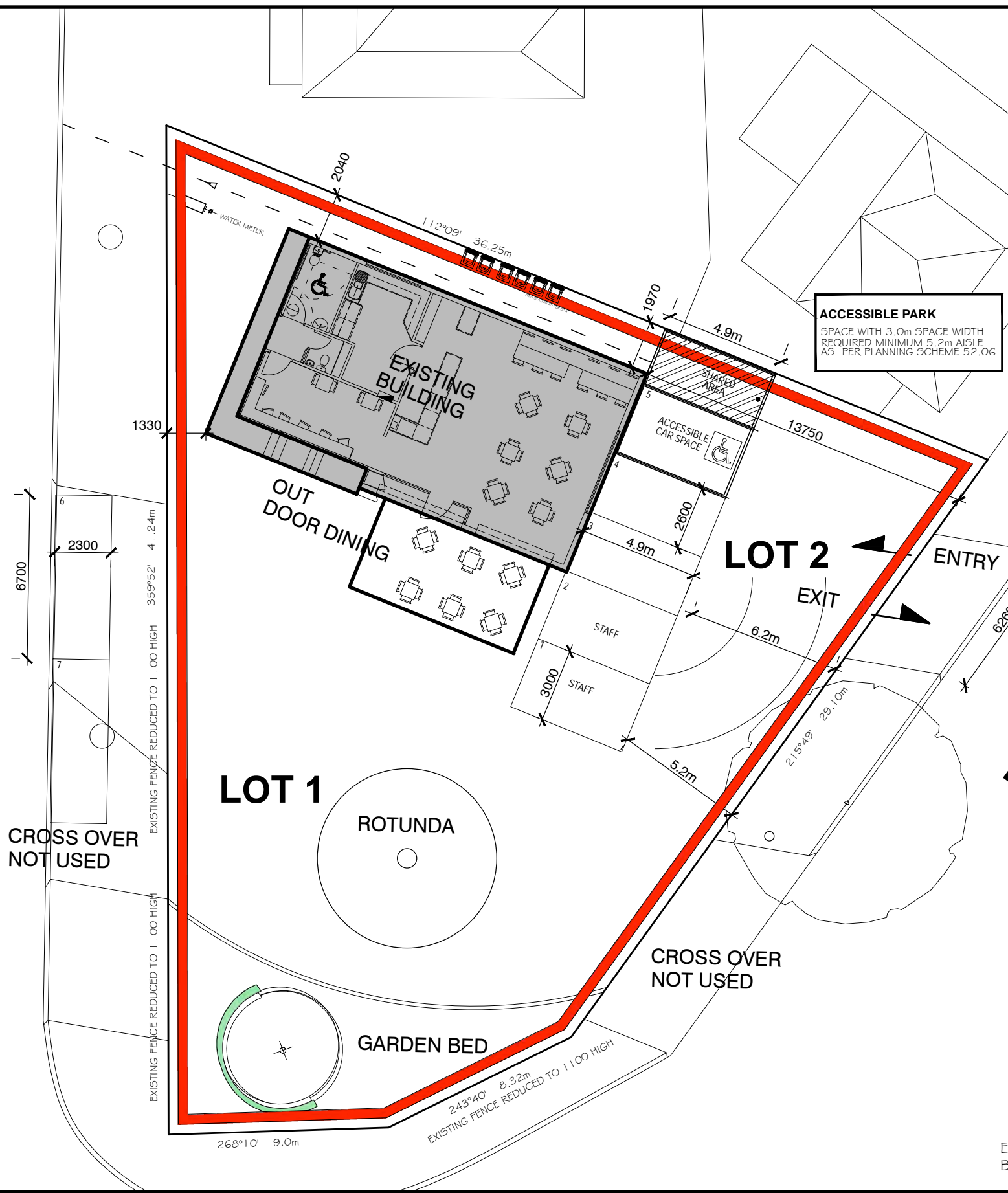
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1	07.06.18	SITE PLAN	
No.	DATE	ISSUE/ REVISION	
SITE ADDRESS: 227, Grant Street, Golden Point, Vic - 3350			REFERENCE NUMBER: 7418868
<b>RED LINE PLANS VICTORIA</b>			
LIQUOR LICENSING, EVENT MANAGEMENT PLANNING, LIQUOR INDUSTRY TRAINING UNIT 1, 116B INGLIS STREET, BALLAN, VICTORIA - 3342 TEL: (03) 5368 1881 WEBSITE: www.redlineplans.com.au			
A1	DATE: 05.06.2018	SCALE: 1:450	DRAWN BY: VC





PEEL STREET

BARKLY STREET



**DESIGNATED REDLINE**

**PROPOSED RED LINE:**  
 PEAK PERIODS OF TRADE: 11:00-1:00pm  
 PEAK PERIODS OF TRADE: 5:00pm-8:00pm  
 KERB SIDE TRADING: NA  
 PROPOSED RESTAURANT-CAFE LICENCE: YES  
 RIGHT TO OCCUPY PREMISES: YES  
 CAFE TYPE: SIT DOWN MEALS TRADE WITH  
 AT LEAST 75% OF THE PATRONS TO BE SEATED

**DOWNPIPES**

-TO CONNECT TO 90mm CLASS 6 UPVC DRAINS AND RUN TO A LEGAL POINT OF DISCHARGE WITH MIN. 1:100 FALL  
 NOT TO SERVE MORE THAN 12m GUTTER BE LOCATED, WHERE POSSIBLE, CLOSE TO VALLEY GUTTER  
 BE SELECTED IN ACCORDANCE WITH TABLE 3.5.2.2 OF THE NCC  
 PROVIDE INSPECTION OPENINGS AT 9.0m C/C AND AT EACH CHANGE OF DIRECTION COVER TO DRAIN NOT LESS THAN 100mm

**PLANNING**

PLANNING OVERLAY-  
 HERITAGE OVERLAY (HO)  
 HERITAGE OVERLAY SCHEDULE (HOS)  
 RESIDENTIAL 1 ZONE (R1Z)  
 SCHEDULE TO THE RESIDENTIAL 1 ZONE

**WARNING**

BEWARE OF UNDERGROUND SERVICES  
 THE LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.



CAFE LOGO WILL BE USED AS SIGNAGE ON THE ROTUNDA AND FRONT OF BUILDING



CROSS OVER NOT USED

CROSS OVER NOT USED

EXISTING FENCE 1.8m HIGH WILL BE REDUCED TO 1.100 HIGH

**BUILDING DESIGN**  
 Building quality through smart design

300b Gillies Street  
 WENDOUREE  
 Victoria, 3355  
 Telephone: 5339 1114  
 Mob: 0417 54 77 47  
 Email: ryan@rbdsn.com.au  
 A.B.N 47 694 562 217  
 Practitioner Registration: DP-AD 31818

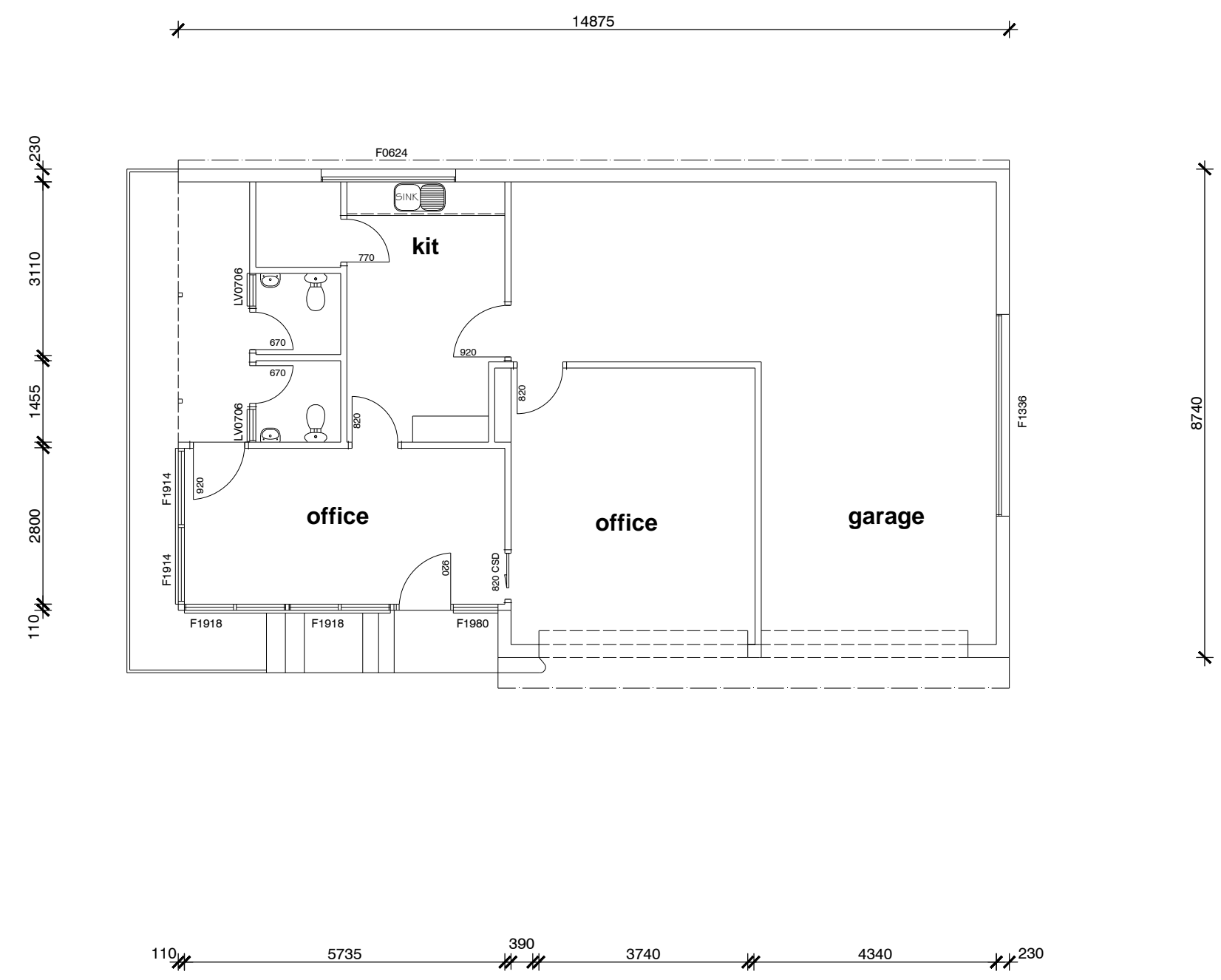
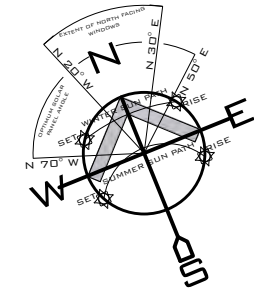
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 Building Designers  
 Association Victoria

REV:00 DATE:	REV:00 DATE:
REV:00 DATE:	REV:00 DATE:
AUTHORISED BY: .....	DATE: .....
<b>STATUS:</b>	<b>PRELIMINARY</b>
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SHOP AREA: 118.9sq.m	12.79sq's	GARAGE: sq.m	sq's	VERANDAH: sq.m	sq's
ALFRESCO: sq.m	sq's	OUT BUILDING: sq.m		TOTAL HOUSE: sq.m	sq's
<b>OWNERS :MICK STALEY &amp; SAM FRASER</b>					
<b>LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350</b>					

<b>PROPOSED CAFE</b>		SHEET SIZE A3
<b>SITE PLAN</b>		SCALE 1:200
DRAWN DATE: 01/03/2018	JOB No: 2018-09	SHEET 1 of 5
DRAWN BY: R.B	PLOT DATE: 09/05/2018	





**SCHEDULE OF WORKS**  
 REMOVE PART OF THE EXISTING 2200mm HIGH CHAIN MESH FENCE LEAVE POSTS AT 1100mm AND PLANT OUT THE EXISTING FENCE STRUCTURE WITH A COMBINATION OF SMALL HEDGES

REMOVE THE EXISTING INTERNAL NON-LOAD BEARING WALLS AND RE-USE BOTH EXISTING ROLLER DOORS.

A PROPOSED GLAZED SHOP FRONT & ENTRY SHALL BE LOCATED BEHIND THE FIRST ROLLER DOOR. THE ROLLER DOOR WILL PROVIDE SECURITY AFTER HOURS.

**PROPOSED USE**  
 THE PROPOSAL WOULD SEE A CAFE AND COMMUNITY SPACE FOR THE GOLDEN POINT REGION. HIGH QUALITY, LOCALLY SOURCED FOOD AND BEVERAGES WILL BE SERVED FOR BREAKFAST AND LUNCH WITH LIGHT DINNERS SERVED ON THE WEEKEND. OPENING DAYS WILL BE THURSDAY TO SUNDAY :HOURS 7.00am TO 5.00pm ON THURSDAY AND SUNDAY AND 7.00am TO 9.00pm ON FRIDAY AND SATURDAY.

**TRADING DETAILS**

MONDAY: CLOSED  
 TUESDAY: CLOSED  
 WEDNESDAY: CLOSED  
 THURSDAY : 7:00am -5:00pm  
 FRIDAY : 7:00am -9:00pm  
 SATURDAY: 7:00am - 9:00pm  
 SUNDAY: 8:00am - 5:00pm

**PARKING DATA**

REQUIREMENT 4 SPACE PER 100sq.m OF LEASABLE FLOOR AREA UNDER FOOD & DRINK PREMISES.  
 TOTAL PATRONS.....70  
 SPACES REQUIRED.....5  
 SPACES ACHIVED.....5  
 ACCESSIBLE SPACES ACHIVED.....1  
 PARKING REDUCTION REQUIRED.....N/A

**BUILDING DATA**

( SANITARY FACILITIES NCC 2.3 )  
 MALE EMPLOYEES.....1  
 FEMALE EMPLOYEES.....1  
 MALE PATRONS.....35  
 FEMALE PATRONS.....35  
 TOTAL .....72  
 MALE PANS.....2  
 FEMALE PANS.....2  
 URINALS.....-  
 MALE WASH BASINS.....2  
 FEMALE WASH BASINS.....2  
 ACCESSIBLE FACILITIES (UNISEX).....1

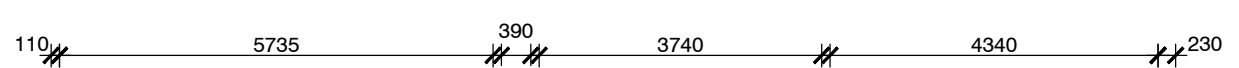
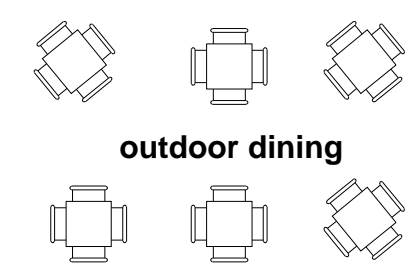
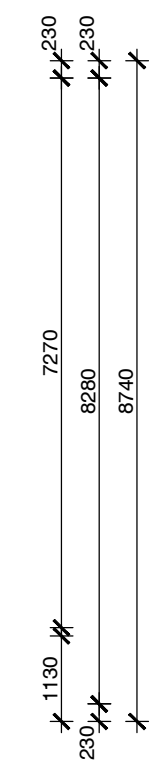
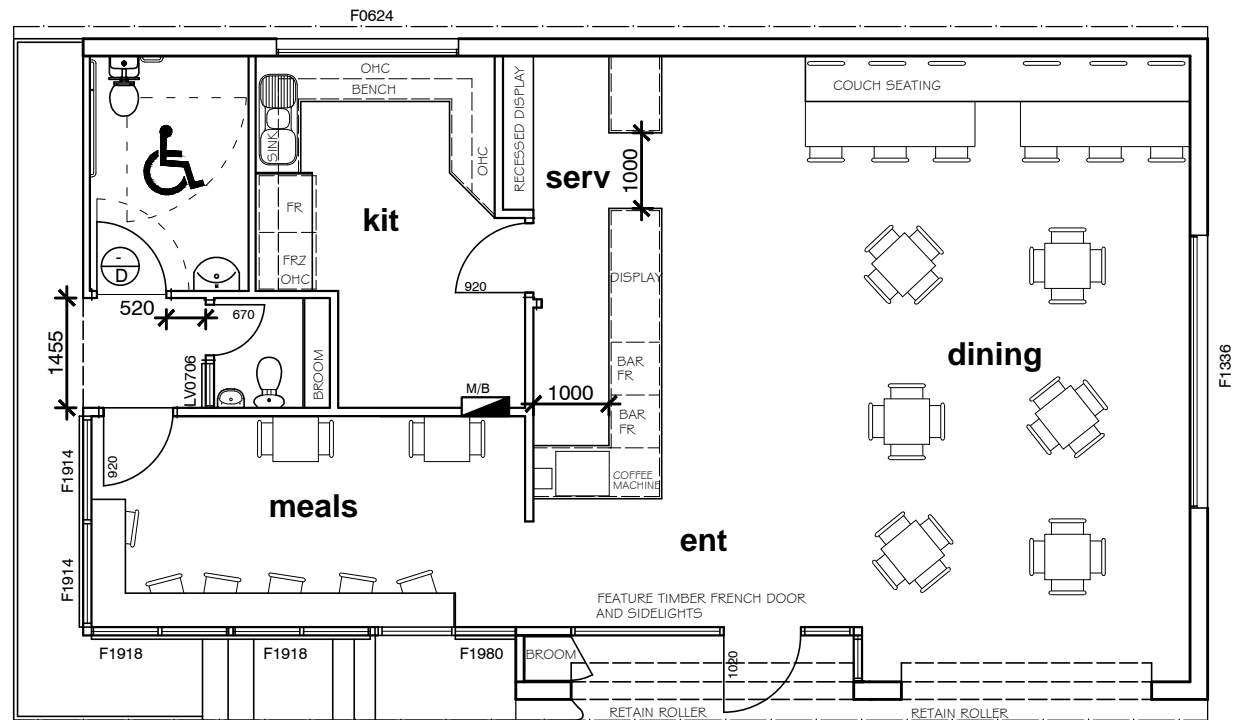
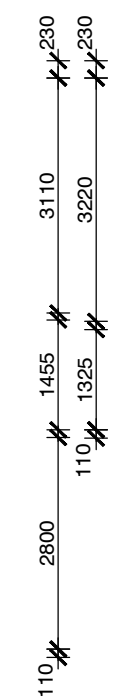
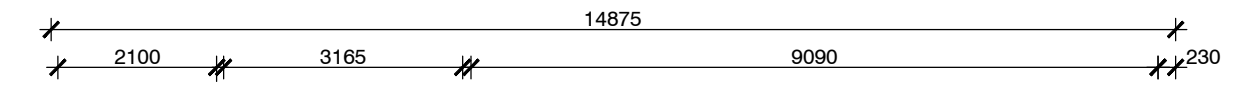
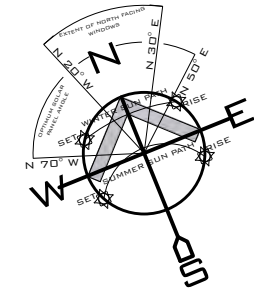
**BUILDING DESIGN**  
 300b Gillies Street  
 WENDOUREE,  
 Victoria, 3355.  
 Telephone: 5339 1114  
 Mob: 0417 54 77 47  
 Email: ryan@rbdsn.com.au  
 A.B.N 47 694 562 217  
 Practitioner Registration: DP-AD 31818



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REV:00 DATE:	REV:00 DATE:
<b>STATUS:</b>	<b>PRELIMINARY</b>
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SHOP AREA: 118.9sq.m 12.79sq's	GARAGE: sq.m sq's	VERANDAH: sq.m sq's
ALFRESCO: sq.m sq's	OUT BUILDING : sq.m	TOTAL HOUSE: sq.m sq's
<b>OWNERS :MICK STALEY &amp; SAM FRASER</b>		
<b>LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350</b>		

<b>EXISTING BUILDING</b>		SHEET SIZE A3
<b>FLOOR PLAN</b>		SCALE 1:100
DRAWN DATE: 01/03/2018	JOB No: 2018-09	SHEET 2 of 5
DRAWN BY: R.B	PLOT DATE: 09/05/2018	



**SCHEDULE OF WORKS**

REMOVE PART OF THE EXISTING 2200mm HIGH CHAIN MESH FENCE LEAVE POSTS AT 1100mm AND PLANT OUT THE EXISTING FENCE STRUCTURE WITH A COMBINATION OF SMALL HEDGES

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**TRADING DETAILS**

MONDAY: CLOSED  
 TUESDAY: CLOSED  
 WEDNESDAY: CLOSED  
 THURSDAY : 7:00am -5:00pm  
 FRIDAY : 7:00am -9:00pm  
 SATURDAY: 7:00am - 9:00pm  
 SUNDAY: 8:00am - 5:00pm

**PARKING DATA**

PARTICULAR PROVISIONS 52.06  
 REQUIREMENT 4 SPACE PER 100sq.m OF LEASABLE FLOOR AREA UNDER FOOD & DRINK PREMISES.

TOTAL PATRONS.....	70
SPACES REQUIRED.....	5
SPACES ACHIVED.....	5
ACCESSIBLE SPACES ACHIVED.....	1
PARKING REDUCTION REQUIRED.....	N/A

**BUILDING DATA**

( SANITARY FACILITIES NCC 2.3 )

MALE EMPLOYEES.....	1
FEMALE EMPLOYEES.....	1
MALE PATRONS.....	35
FEMALE PATRONS.....	35
TOTAL .....	72

TABLE 2.3 FACILITIES REQUIREMENTS

MALE PANS.....	2
FEMALE PANS.....	2
URINALS.....	-
MALE WASH BASINS.....	2
FEMALE WASH BASINS.....	2
ACCESSIBLE FACILITIES (UNISEX).....	1

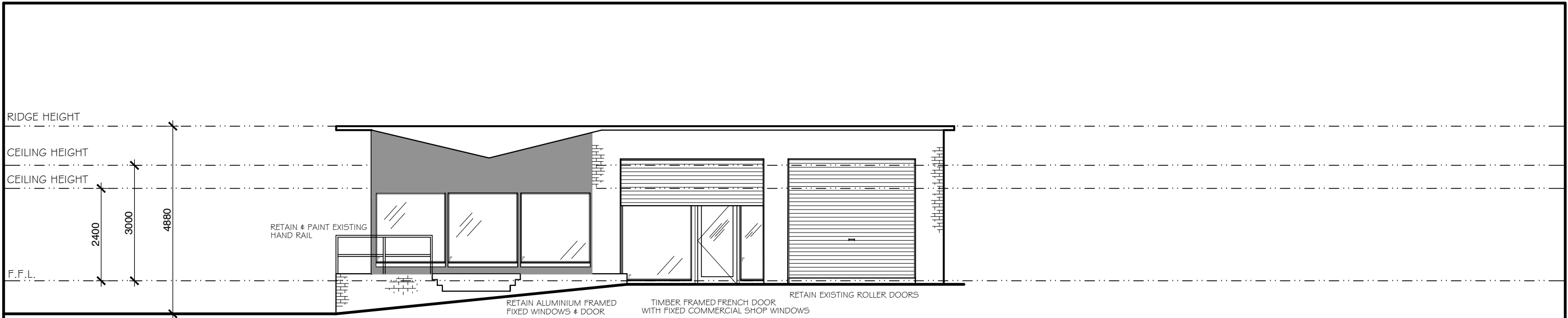
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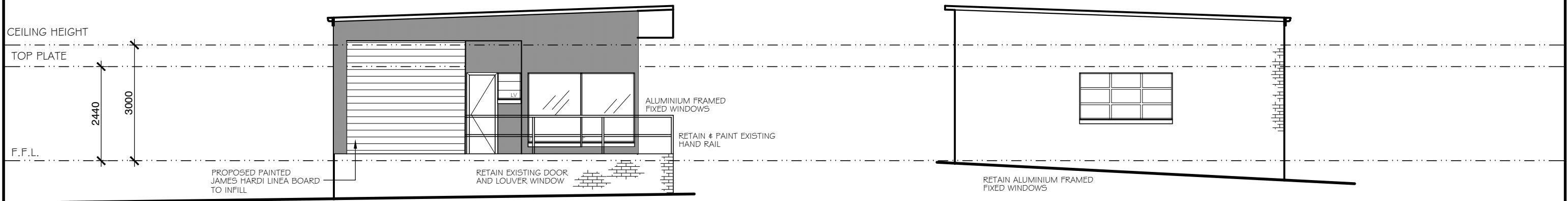
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<b>LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350</b>		

<b>PROPOSED CAFE</b>		<b>SHEET SIZE A3</b>
<b>FLOOR PLAN</b>		<b>SCALE 1:100</b>
DRAWN DATE: 01/03/2018	JOB No: 2018-09	<b>SHEET 3 of 5</b>
DRAWN BY: R.B	PLOT DATE: 09/05/2018	



**SOUTH ELEVATION**



**WEST ELEVATION**

**EAST ELEVATION**



**MATERIALS & FINISHES SCHEDULE**

COMPONENT	MATERIAL	COLOUR	MANUFACTURE
1 ROOF			
2 BRICK WORK			
3 PAINTED FC SHEET			
4 WINDOWS			
5 SPOUT-FASCIA			
6 ROLLER DOORS			
7			

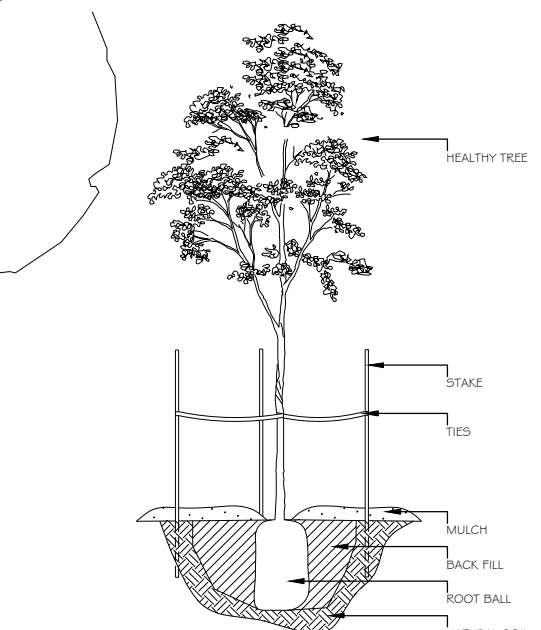
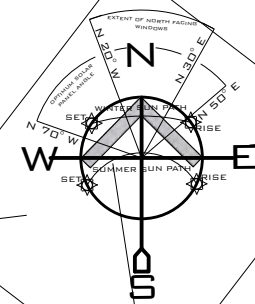
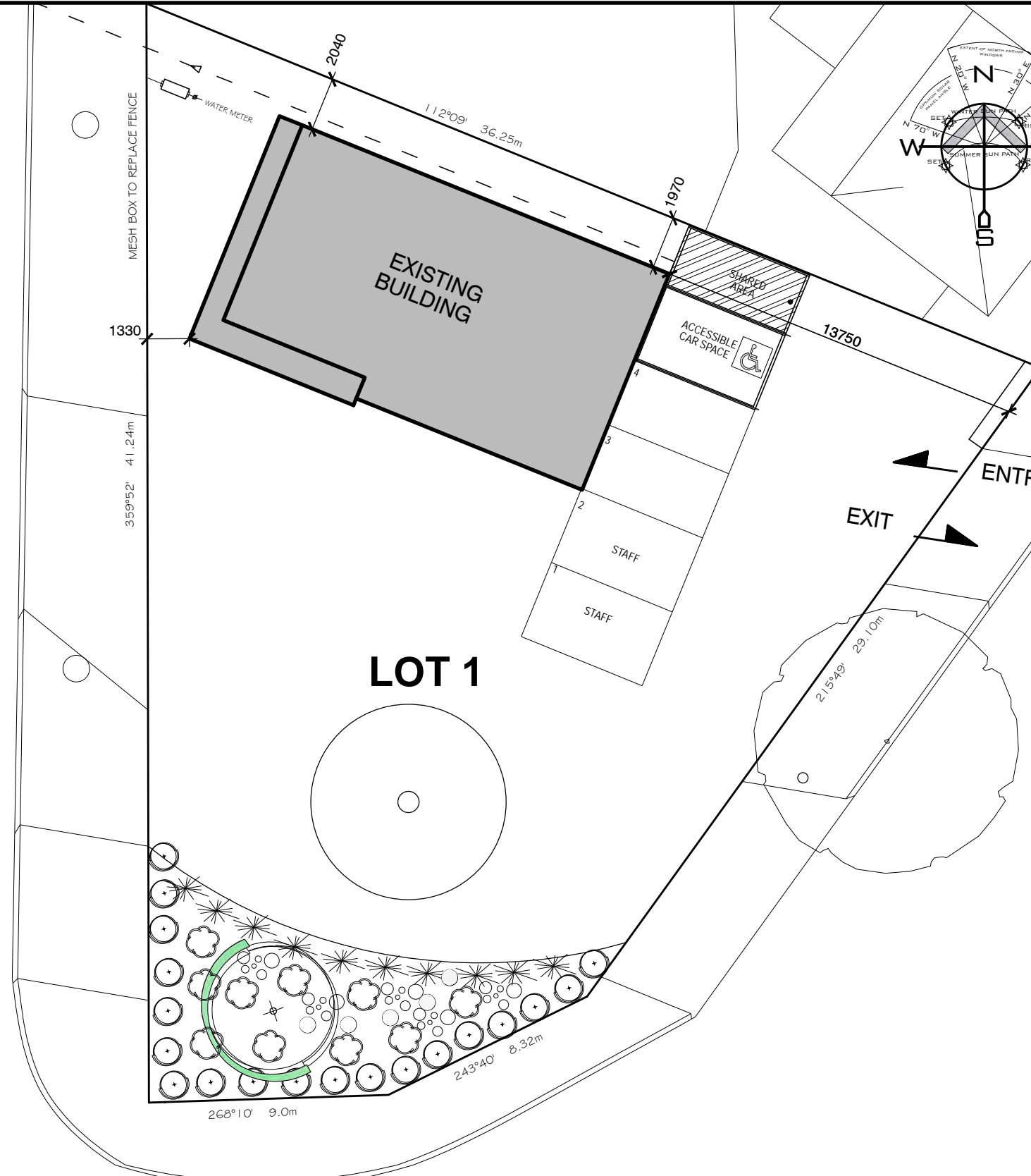
EXISTING FENCE 1.8m HIGH WILL BE REDUCED TO 1.100 HIGH



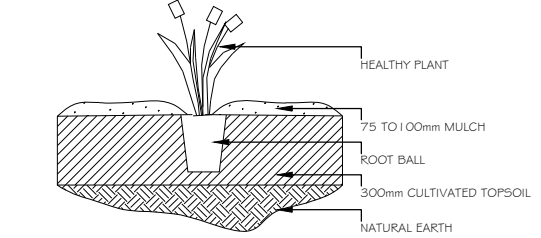
<p>300b Gillies Street WENDOUREE Victoria, 3355. Telephone: 5339 1114 Mob: 0417 54 77 47 Email: ryan@rbdsn.com.au A.B.N 47 694 562 217 Practitioner Registration: DP-AD 31818</p>	<p>Building Designers Association Victoria</p>	REV:00 DATE:	REV:00 DATE:	SHOP AREA: 118.9sq.m 12.79sq's	GARAGE: sq.m sq's	VERANDAH: sq.m sq's	<p><b>PROPOSED CAFE ELEVATIONS</b></p> <p>DRAWN DATE: 01/03/2018    JOB No: 2018-09</p> <p>DRAWN BY: R.B                    PLOT DATE: 09/05/2018</p>	<p>SHEET SIZE A3</p> <p>SCALE 1:100</p> <p>SHEET 4 of 5</p>
		REV:00 DATE:	REV:00 DATE:	ALFRESCO: sq.m sq's	OUT BUILDING : sq.m	TOTAL HOUSE: sq.m sq's		
<p><b>STATUS:</b> <span style="color:red">PRELIMINARY</span></p> <p>© COPYRIGHT - RB Building Design DP-AD 31818 BDAV 1927</p>		<p><b>OWNERS :MICK STALEY &amp; SAM FRASER</b></p> <p><b>LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350</b></p>						

PEEL STREET

BARKLY STREET



TREE PLANTING DETAIL NOT TO SCALE



SHRUB PLANTING DETAIL NOT TO SCALE

**TREE PLANTING REQUIREMENTS**

ALL TREES MUST BE HEALTHY, FREE OF PESTS AND DISEASE, NOT BE ROOT BOUND AND TRUE TO NAME

TREES ARE TO BE WELL WATERED PRIOR TO PLANTING

DIG A HOLE AS DEEP AS THE HEIGHT OF THE SOIL IN THE CONTAINER AND 3 TIMES THE WIDTH OF THE CONTAINER. DO NOT PLANT DEEPER THAN THE ROOT BALL SOIL LEVEL

PROVIDE TWO TO THREE HARDWOOD STAKES SET VERTICALLY AND CLEAR OF THE ROOT BALL CHECK FOR UNDER GROUND SERVICES BEFORE PLACING STAKES IN THE GROUND AT A MINIMUM OF 600mm

GENTLY REMOVE PLANT FROM CONTAINER. PLACE PLANT IN THE PREPARED HOLE AND BACK FILL. SOIL MAY NEED TO BE BROKEN UP TO A FRIABLE TEXTURE COMPOST MAY BE ADDED TO THE TOP SOIL AT A 40/60 RATIO PROGRESSIVELY FIRM TOP SOIL

APPLY MULCH WITH A MINIMUM DEPTH OF 75mm MAXIMUM 100mm KEEP MULCH CLEAR OF TREE TRUNK. FINE OR EUKY MULCH MAY BE USED

THE TIES SHOULD BE WRAPPED AROUND TRUNK AT AN APPROPRIATE HEIGHT AND NAILED TO STAKES TO ALLOW SOME TRUNK MOVEMENT

TREES MUST BE THOROUGHLY WATERED AFTER PLANTING AND A DEEP WATERING EVERY 7 DAYS FOR THE NEXT TWO MONTHS AND THEN WHEN REQUIRED

TREES MUST BE PLANTED AT LEAST 3m FROM STORM WATER AND SEWAGE LINES AND 2m FOR ALL OTHER SERVICES

**LANDSCAPE SPECIFICATION**

GARDEN BED ESTABLISHMENT: ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICES

BEDS SHALL BE DUG TO A MINIMUM DEPTH OF 300mm. IF THERE IS A CLAY SUB SURFACE GYPSUM MAY NEED TO BE ADDED

ALL WORKS ARE TO BE CARRIED OUT UNDER SUITABLE SOIL CONDITIONS, SO SOIL STRUCTURE IS NOT DAMAGED

ALL PLANTS MUST BE HEALTHY, FREE OF PESTS AND DISEASE, NOT BE ROOT BOUND AND TRUE TO NAME

ALL PLANTS ARE TO BE WELL WATERED PRIOR TO PLANTING

GENTLY REMOVE PLANT FROM CONTAINER. PLACE PLANT IN THE PREPARED HOLE AND BACK FILL. SOIL MAY NEED TO BE BROKEN UP TO A FRIABLE TEXTURE COMPOST MAY BE ADDED TO THE TOP SOIL AT A 40/60 RATIO PROGRESSIVELY FIRM TOP SOIL

APPLY MULCH WITH A MINIMUM DEPTH OF 75mm MAXIMUM 100mm. KEEP MULCH CLEAR OF PLANT STEMS. FINE OR EUKY MULCH MAY BE USED

TIMBER EDGING: TO BE THE FLEXIBLE 10 X 90mm HARDWOOD STRIPS. THE TIMBER IS TO BE FIXED TO HARDWOOD STAKES SPACED AT A MAXIMUM DISTANCE OF 500mm G/C WITH GALVANISED SCREWS. DO NOT OVER LAP TIMBER EDGING STAKES ARE 20mm UNDER THE HEIGHT OF TIMBER EDGING

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TIMBER TRELIS IS TO BE ADDED TO BOUNDARY FENCES WHERE CLIMBERS ARE TO BE PLANTED

NO IRRIGATION SYSTEM HAS BEEN INCLUDED IN THIS DESIGN

CONTRACTOR MUST VERIFY LOCATION OF ALL SERVICES PRIOR TO COMMENCEMENT OF ANY WORK

**PLANTING SCHEDULE**

CODE	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT (mm)	MATURE WIDTH (mm)	POT SIZE (mm)	No
<b>TREES</b>						
1	CORYMBIA FICIFOLIA WILD SUNSET	FLOWERING GUM	5/6m	5/6m	250	1
<b>SHRUBS</b>						
2	CHOISYA TERNATA HEDGE	MEXICAN ORANGE BLOSSOM	1.5m	2.0m	50	19
3	LEONOTIS LEONURUS	LIONS TAIL	1/2m	1.0m	50	10
4	MATAPOURI BAY ARTHROPODIUM	NZ ROCK LILY	0.25m	0.42m	50	10
<b>CREEPER PLANTS</b>						
5	MYOPORUM PARVIFOLIUM	BOOBIALLA WHITE	0.15m	2.0m	50	10

POTTED CITRUS WILL BE PROVIDED BY THE CLIENT

**NOTES**

Planting: Water well after planting and every week for the 2 months. Trees must be planted at least 3m from storm water and sewage lines and 2m from other services

Mulch: Fine or Euky mulch to be applied after planting.

Irrigation: No irrigation system has been included in this design.

Edging: Hardwood or treated pine for in-ground use recommended for garden bed edging.

**NOTE:**

THE PLANTING SCHEDULE INDICATES NATIVE PLANTING THE PLANTS SELECTED MAY BE SUBSTITUTED FOR LIKE NATIVES WITH SIMILAR GROWTH HABITS AND GROWTH PREFERENCES.



**BUILDING DESIGN**  
300b Gillies Street  
WENDOUREE  
Victoria, 3355.  
Telephone: 5339 1114  
Mob: 0417 54 77 47  
Email: ryan@rbdsn.com.au  
A.B.N 47 694 562 217  
Practitioner Registration: DP-AD 31818

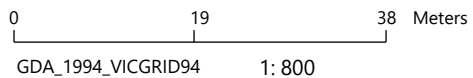
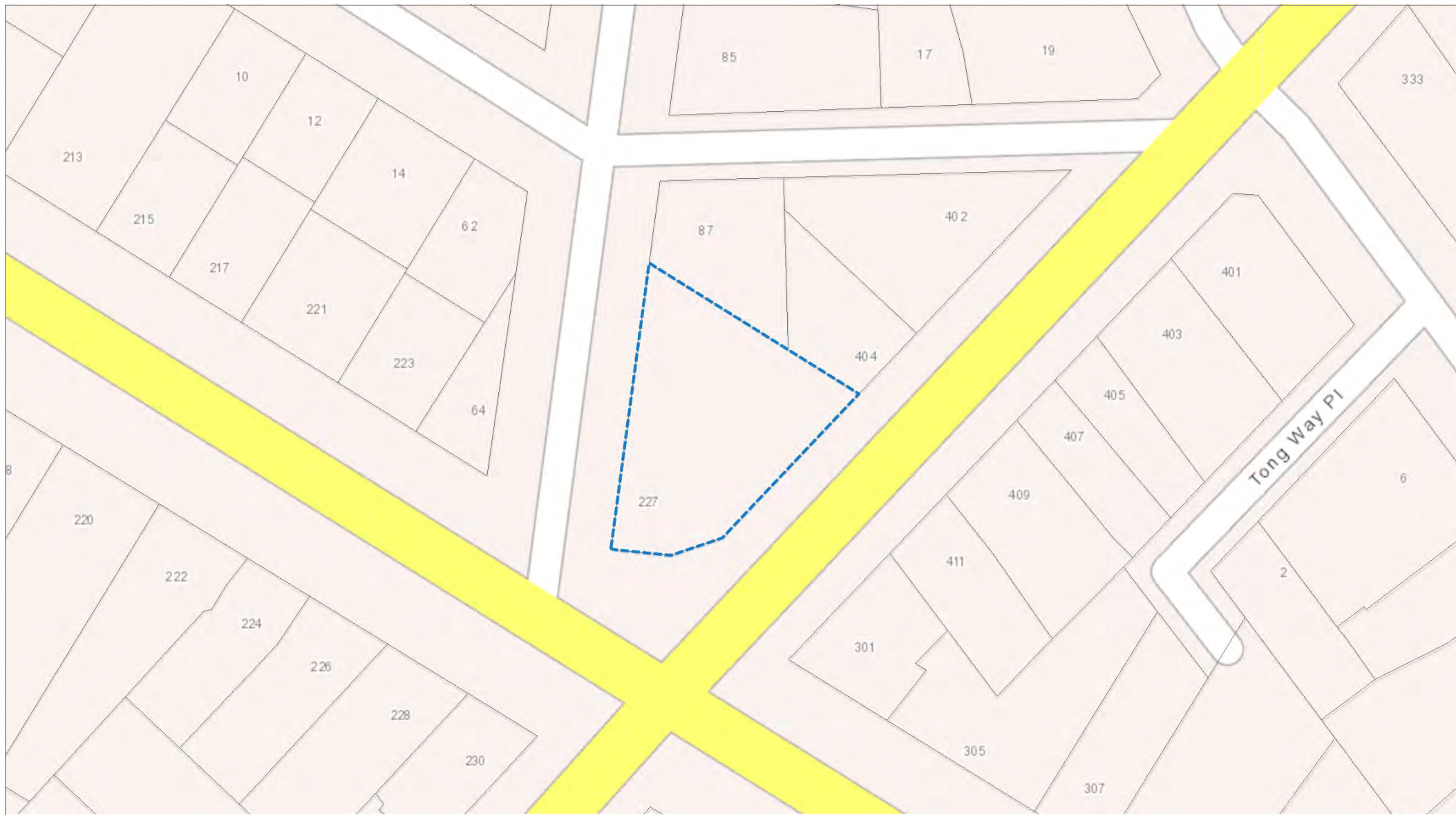
**bdav**  
Building Designers  
Association Victoria

REV:00 DATE:	REV:00 DATE:	SHOP AREA: 118.9sq.m 12.79sq's	GARAGE: sq.m sq's	VERANDAH: sq.m sq's
REV:00 DATE:	REV:00 DATE:	ALFRESCO: sq.m sq's	OUT BUILDING: sq.m	TOTAL HOUSE: sq.m sq's
AUTHORISED BY:	DATE:	STATUS: <b>PRELIMINARY</b>		
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**OWNERS : MICK STALEY & SAM FRASER**  
**LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350**

<b>PROPOSED CAFE LANDSCAPING</b>		<b>SHEET SIZE A3</b>
DRAWN DATE: 01/03/2018	JOB No: 2018-09	<b>SCALE 1:200</b>
DRAWN BY: R.B	PLOT DATE: 09/05/2018	<b>SHEET 5 of 5</b>

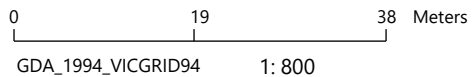
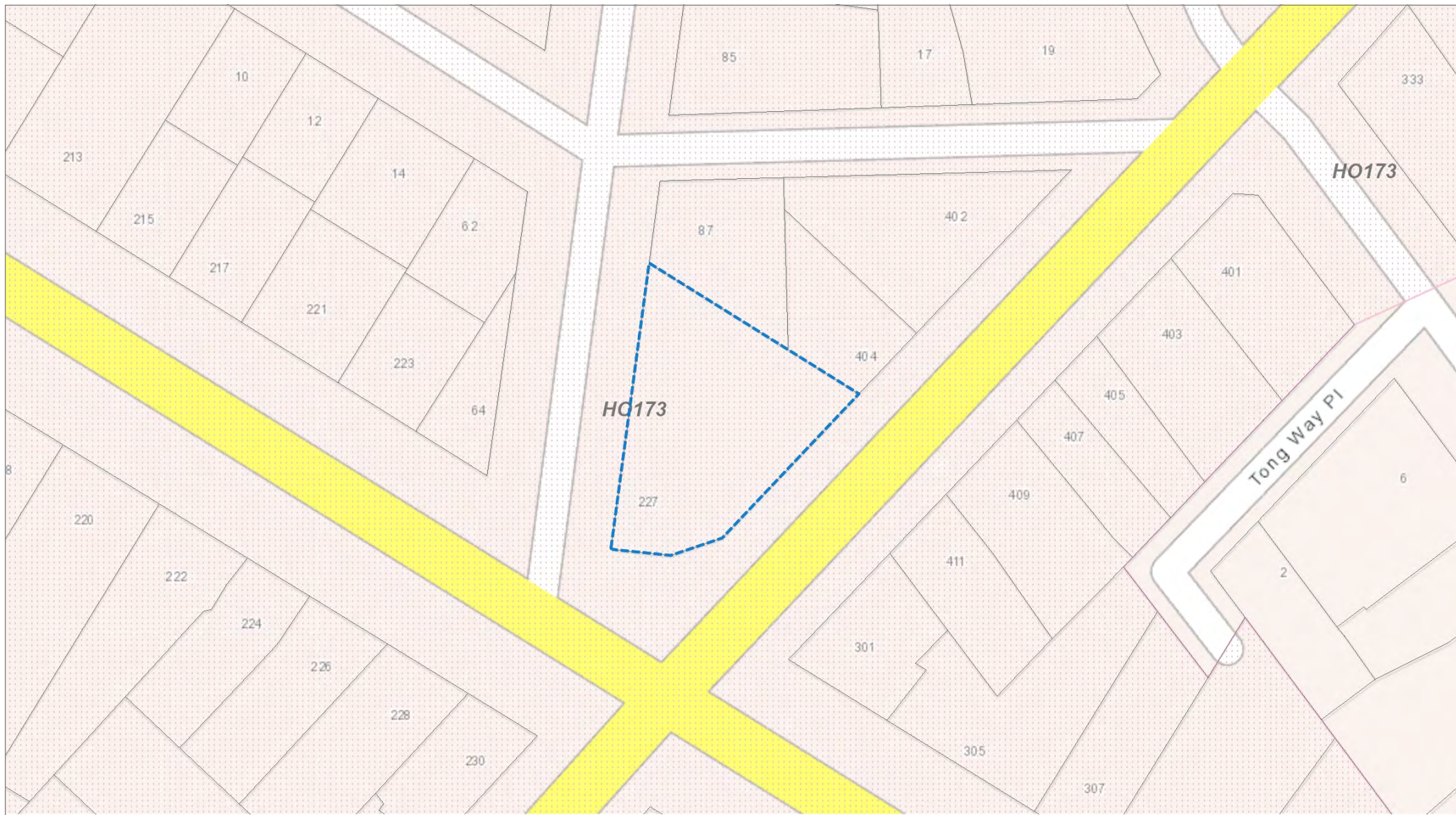




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Map created: 05-Jun-2018





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Map created: 05-Jun-2018





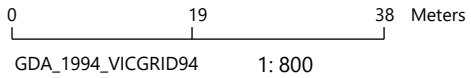
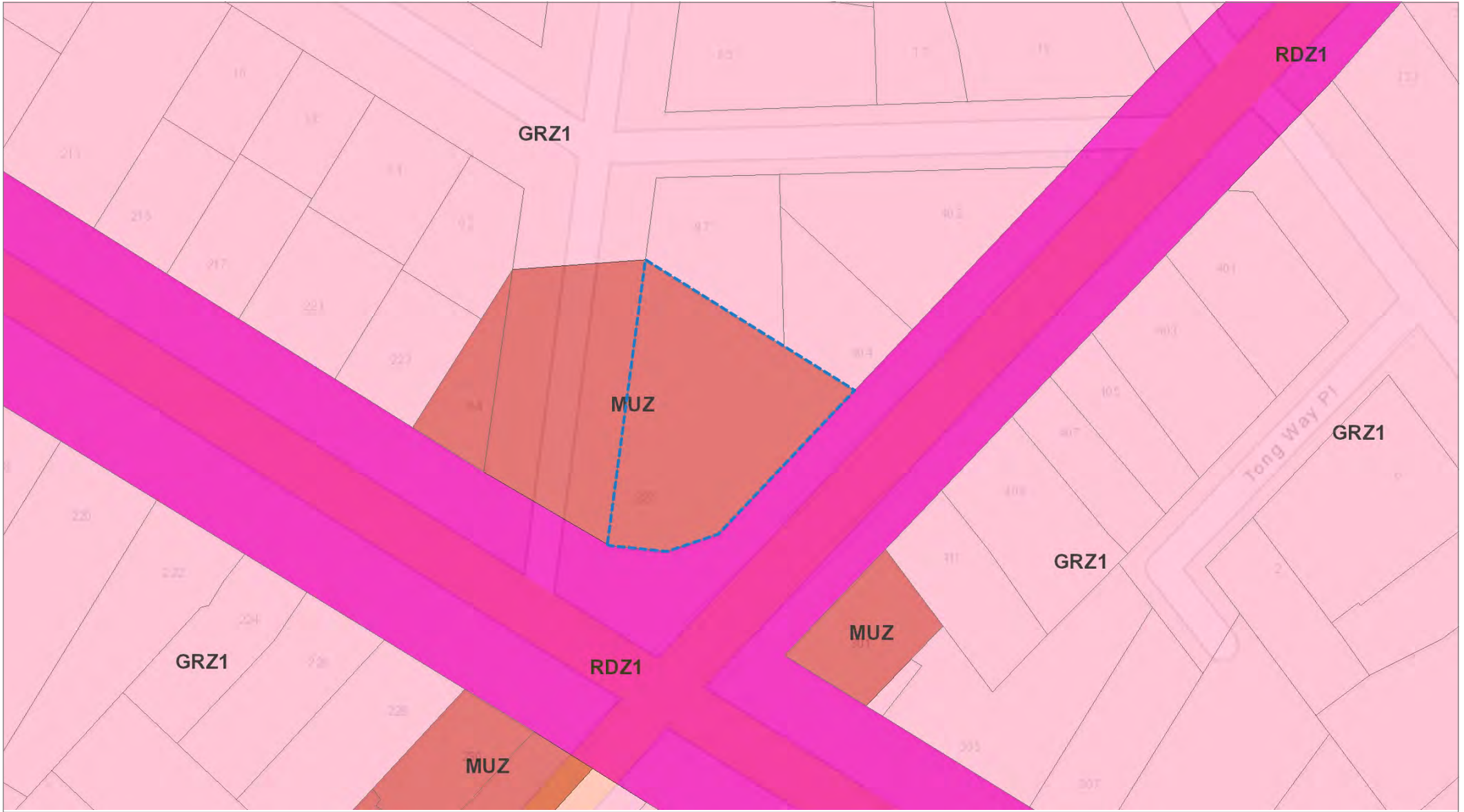
0 19 38 Meters  
GDA\_1994\_VICGRID94 1: 800



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Map created: 05-Jun-2018

**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

VOLUME 08433 FOLIO 111

Security no : 124071721586H  
Produced 10/05/2018 09:16 am

**LAND DESCRIPTION**

Lots 1 and 2 on Title Plan 838270J (formerly known as part of Crown Allotment 28 Section 98 Township of Ballarat East, part of Crown Allotment 29 Section 98 Township of Ballarat East Parish of Ballarat).

**PARENT TITLES :**

Volume 04005 Folio 906      Volume 05495 Folio 934      Volume 06993 Folio 598  
Created by instrument B413435 04/04/1962

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor

BARRY NORMAN PTY LTD of 24 PEEL STREET, SOUTH BALLARAT  
J869128 26/03/1982

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE J869129 26/03/1982  
THE COMMERCIAL BANKING COMPANY OF SYDNEY LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP838270J FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED (59)  
Effective from  
23/10/2016

DOCUMENT END

# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>TP838270J</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>10/05/2018 09:16</b>

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<b>TITLE PLAN</b>	<b>EDITION 1</b>	<b>TP 838270J</b>
-------------------	------------------	-------------------

**Location of Land**

Parish: BALLARAT  
 Township: BALLARAT EAST  
 Section: 98  
 Crown Allotment: 29 (PT) & 28 (PT)

Crown Portion: -  
 Last Plan Reference: -  
 Derived From: VOL.8433 FOL.111  
 Depth Limitation: NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

**Description of Land/Easement Information**

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date: 05/09/05  
 VERIFIED: A. DALLAS  
*Assistant Registrar of Titles*

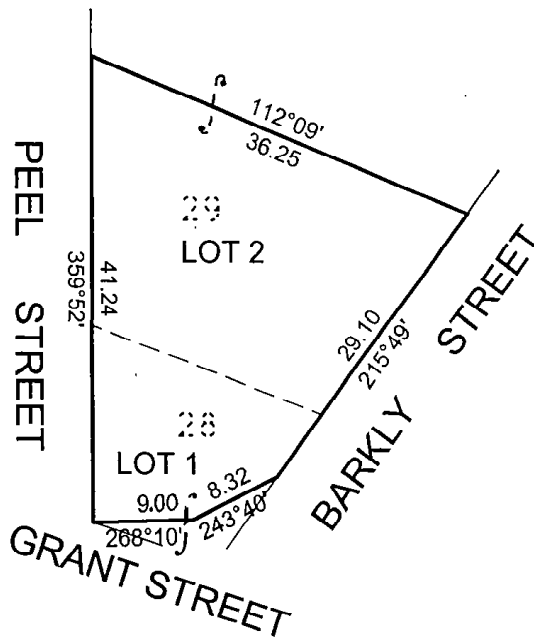


TABLE OF PARCEL IDENTIFIERS	
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962	
LOT 1 =	C.A. 28 (PT)
LOT 2 =	C.A. 29 (PT) SECTION 98

LENGTHS ARE IN METRES  
 Metres = 0.3048 Feet  
 Metres = 0.201168 x Links

# Planning Property Report

from [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 05 June 2018 12:45 PM

**Address:** 227 GRANT STREET GOLDEN POINT (BALLARAT) 3350

**Lot and Plan Number:** Lot 1 TP838270

**Local Government (Council):** BALLARAT **Council Property Number:** 2012682

**Directory Reference:** VicRoads 566 E10

This property has 2 parcels.

For full parcel details get the free Basic Property report at [Property Reports](#)

See next page for planning information

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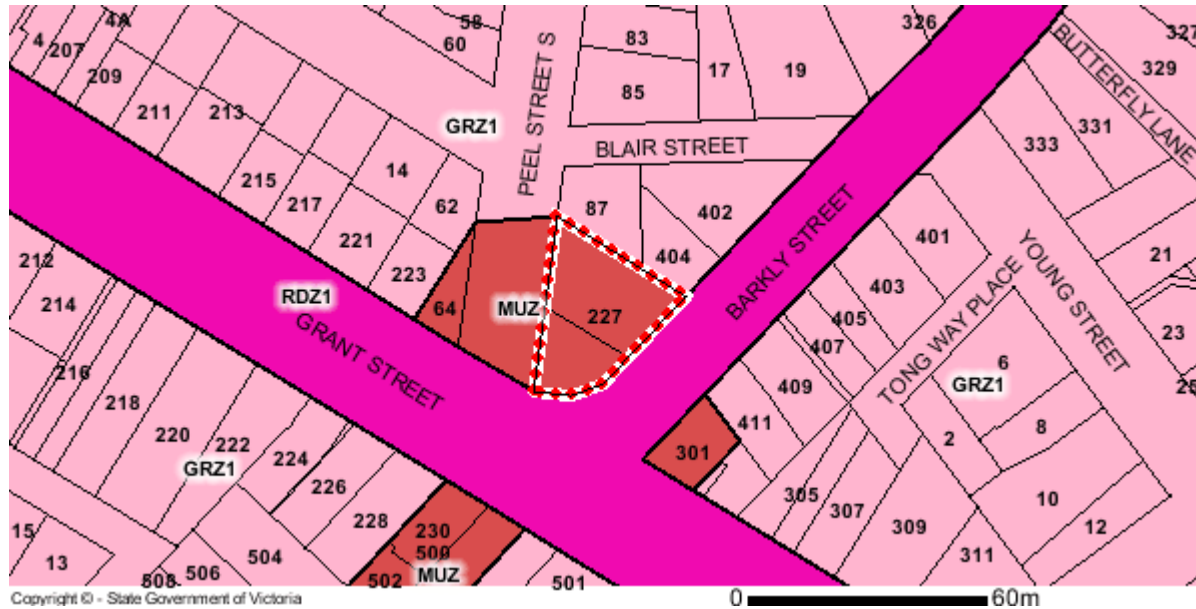
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## Planning Zone

MIXED USE ZONE (MUZ)

SCHEDULE TO THE MIXED USE ZONE (MUZ)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

### Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	
		Urban Growth Boundary
Railway	Tram	River, stream
		Lake, waterbody

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## Planning Overlay

[HERITAGE OVERLAY \(HO\)](#)

[HERITAGE OVERLAY SCHEDULE \(HO173\)](#)



### Overlays Legend

AEO - Airport Environs	IPO - Incorporated Plan
BMO - Bushfire Management	LSIO - Land Subject to Inundation
CLPO - City Link Project	MAEO1 - Melbourne Airport Environs 1
DCPO - Development Contributions Plan	MAEO2 - Melbourne Airport Environs 2
DDO - Design & Development	NCO - Neighbourhood Character
DDOPT - Design & Development Part	PD - Parking
DPO - Development Plan	PAO - Public Acquisition
EAO - Environmental Audit	RO - Restructure
EMO - Erosion Management	RCO - Road Closure
ESO - Environmental Significance	SBO - Special Building
FO - Floodway	SLO - Significant Landscape
HO - Heritage	SMO - Salinity Management
ICPO - Infrastructure Contributions Plan	SRD - State Resource
Railway	VPD - Vegetation Protection
Tram	River, stream
Lake, waterbody	

Note: due to overlaps some colours on the maps may not match those in the legend.

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## Further Planning Information

Planning scheme data last updated on 21 May 2018.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State, local, particular and general provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#)

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the Planning & Environment Act 1987. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to [Titles and Property Certificates](#)

For details of surrounding properties, use this service to get the Reports for properties of interest

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

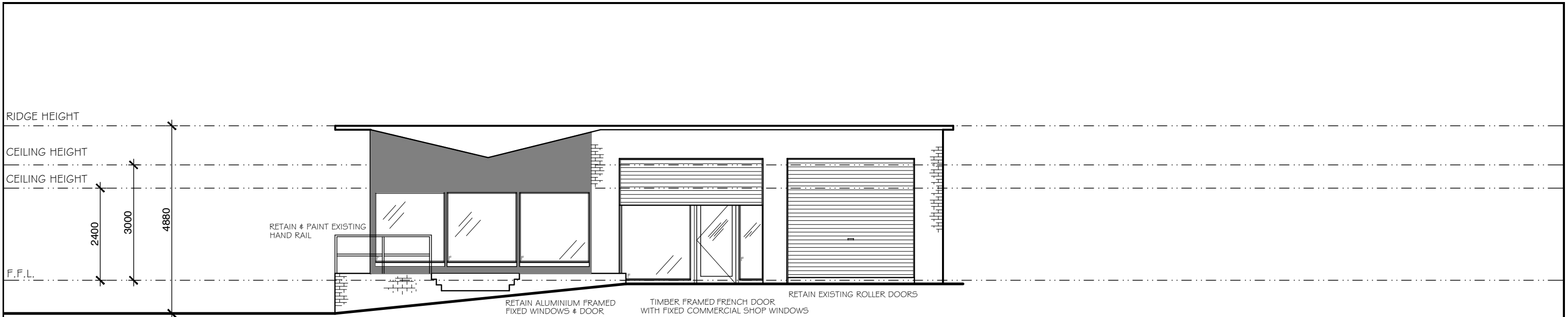
For other information about planning in Victoria visit [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

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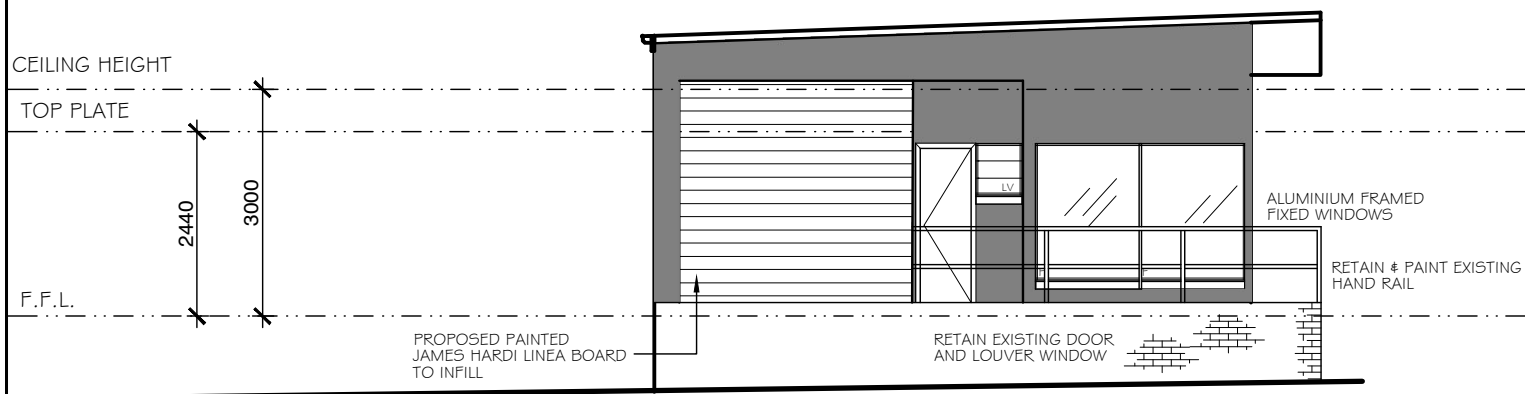
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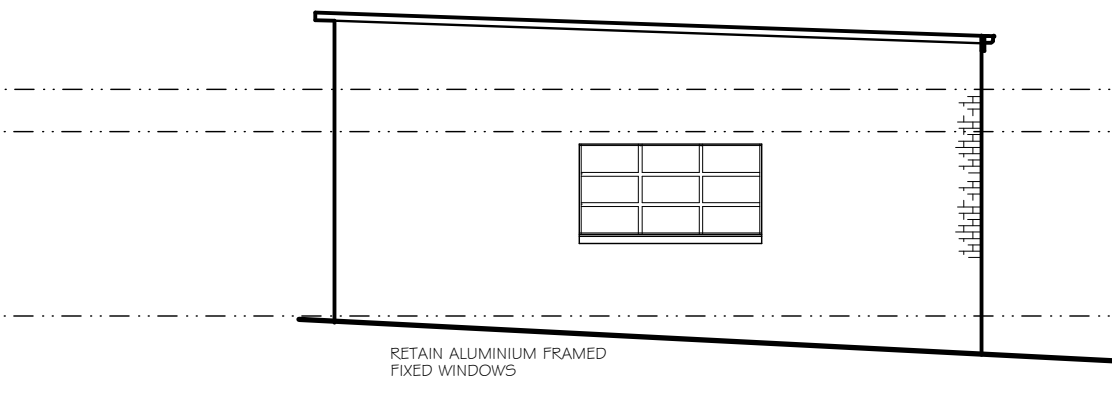




**SOUTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**



MATERIALS & FINISHES SCHEDULE			
COMPONENT	MATERIAL	COLOUR	MANUFACTURE
1	ROOF		
2	BRICK WORK		
3	PAINTED FC SHEET		
4	WINDOWS		
5	SPOUT-FASCIA		
6	ROLLER DOORS		
7			

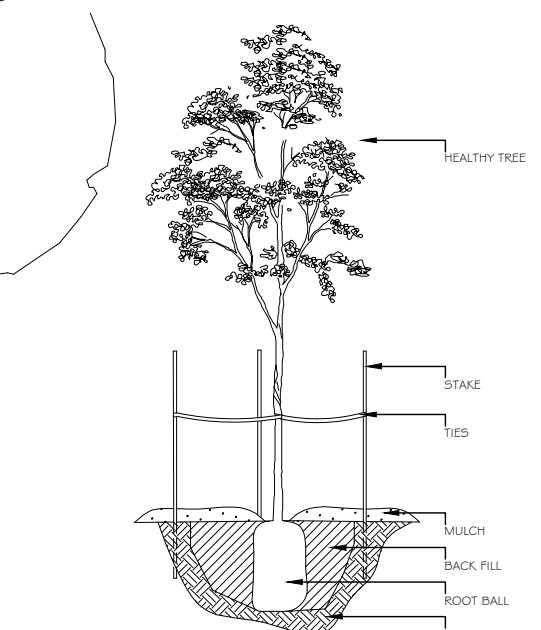
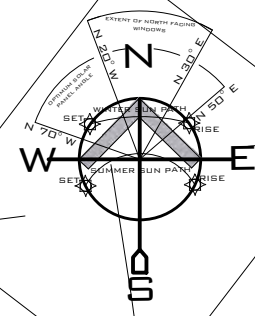
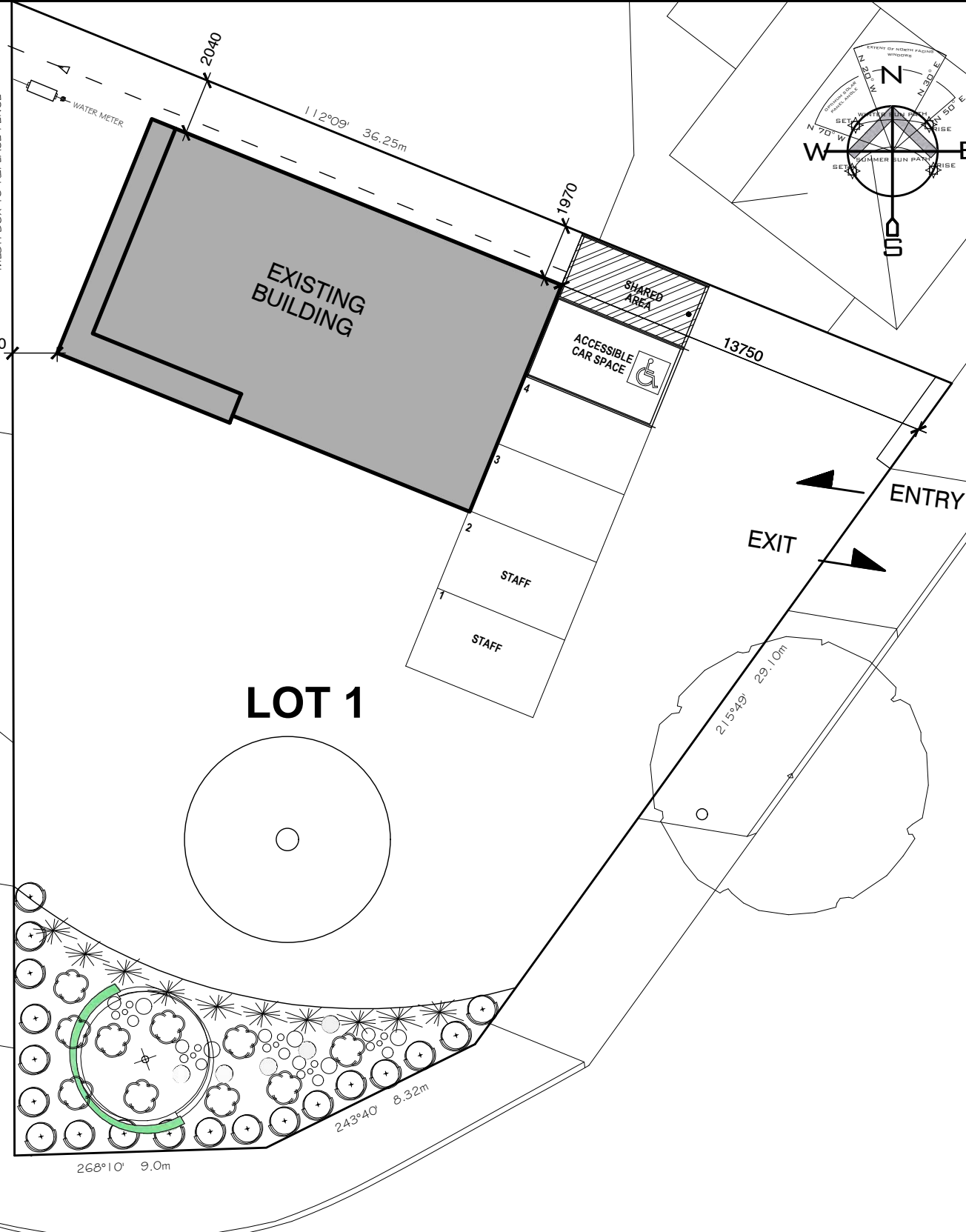
EXISTING FENCE 1.8m HIGH WILL BE REDUCED TO 1.100 HIGH



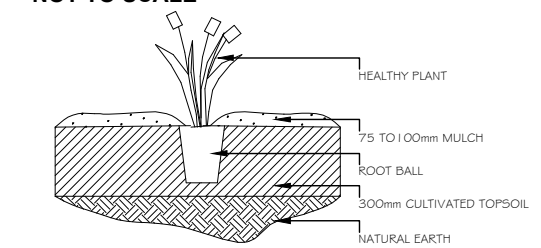
<p>300b Gillies Street WENDOUREE Victoria. 3355. Telephone: 5339 1114 Mob: 0417 54 77 47 Email: ryan@rbdsn.com.au A.B.N 47 694 562 217 Practitioner Registration: DP-AD 31818</p>	<p>Building Designers Association Victoria</p>	REV:00 DATE:	REV:00 DATE:	SHOP AREA: 118.9sq.m 12.79sq's	GARAGE: sq.m sq's	VERANDAH: sq.m sq's	<p><b>PROPOSED CAFE</b></p> <p><b>ELEVATIONS</b></p> <p>DRAWN DATE: 01/03/2018    JOB No: 2018-09</p> <p>DRAWN BY: R.B                    PLOT DATE: 12/06/2018</p>	<p>SHEET SIZE A3</p> <p>SCALE 1:100</p> <p>SHEET 4 of 5</p>
		REV:00 DATE:	REV:00 DATE:	ALFRESCO: sq.m sq's	OUT BUILDING: sq.m	TOTAL HOUSE: sq.m sq's		
<p><b>STATUS:</b> <span style="color: red;">PRELIMINARY</span></p> <p>© COPYRIGHT - RB Building Design DP-AD 31818 BDAV 1927</p>		<p><b>OWNERS :MICK STALEY &amp; SAM FRASER</b></p> <p><b>LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350</b></p>						

PEEL STREET

BARKLY STREET



TREE PLANTING DETAIL  
NOT TO SCALE



SHRUB PLANTING DETAIL  
NOT TO SCALE

**TREE PLANTING REQUIREMENTS**

ALL TREES MUST BE HEALTHY, FREE OF PESTS AND DISEASE, NOT BE ROOT BOUND AND TRUE TO NAME

TREES ARE TO BE WELL WATERED PRIOR TO PLANTING

DIG A HOLE AS DEEP AS THE HEIGHT OF THE SOIL IN THE CONTAINER AND 3 TIMES THE WIDTH OF THE CONTAINER

DO NOT PLANT DEEPER THAN THE ROOT BALL SOIL LEVEL

PROVIDE TWO TO THREE HARDWOOD STAKES SET VERTICALLY AND CLEAR OF THE ROOT BALL

CHECK FOR UNDER GROUND SERVICES BEFORE PLACING STAKES IN THE GROUND AT A MINIMUM OF 600mm

GENTLY REMOVE PLANT FROM CONTAINER

PLACE PLANT IN THE PREPARED HOLE AND BACK FILL. SOIL MAY NEED TO BE BROKEN UP TO A FRABLE TEXTURE

COMPOST MAY BE ADDED TO THE TOP SOIL AT A 40:60 RATIO

PROGRESSIVELY FIRM TOP SOIL

APPLY MULCH WITH A MINIMUM DEPTH OF 75mm MAXIMUM 100mm

KEEP MULCH CLEAR OF TREE TRUNK. FINE OR EUKY MULCH MAY BE USED

THE TIES SHOULD BE WRAPPED AROUND TRUNK AT AN APPROPRIATE HEIGHT AND NAILED TO STAKES TO ALLOW SOME TRUNK MOVEMENT

TREES MUST BE THOROUGHLY WATERED AFTER PLANTING AND A DEEP WATERING EVERY 7 DAYS FOR THE NEXT TWO MONTHS AND THEN WHEN REQUIRED

TREES MUST BE PLANTED AT LEAST 3m FROM STORM WATER AND SEWAGE LINES AND 2m FOR ALL OTHER SERVICES

**LANDSCAPE SPECIFICATION**

GARDEN BED ESTABLISHMENT:

ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTISES

BEDS SHALL BE DUG TO A MINIMUM DEPTH OF 300mm. IF THERE IS A CLAY SUB SURFACE GYPSUM MAY NEED TO BE ADDED

ALL WORKS ARE TO BE CARRIED OUT UNDER SUITABLE SOIL CONDITIONS, SO SOIL STRUCTURE IS NOT DAMAGED

ALL PLANTS MUST BE HEALTHY, FREE OF PESTS AND DISEASE, NOT BE ROOT BOUND AND TRUE TO NAME

ALL PLANTS ARE TO BE WELL WATERED PRIOR TO PLANTING

GENTLY REMOVE PLANT FROM CONTAINER

PLACE PLANT IN THE PREPARED HOLE AND BACK FILL. SOIL MAY NEED TO BE BROKEN UP TO A FRABLE TEXTURE

COMPOST MAY BE ADDED TO THE TOP SOIL AT A 40:60 RATIO

PROGRESSIVELY FIRM TOP SOIL

APPLY MULCH WITH A MINIMUM DEPTH OF 75mm MAXIMUM 100mm. KEEP MULCH CLEAR OF PLANT STEMS. FINE OR EUKY MULCH MAY BE USED

TIMBER EDGING:

TO BE THE FLEXIBLE 10 X 90mm HARDWOOD STRIPS. THE TIMBER IS TO BE FIXED TO HARDWOOD STAKES SPACED AT A MAXIMUM DISTANCE OF 900mm G/C WITH GALVANISED SCREWS. DO NOT OVER LAP

TIMBER EDGING STAKES ARE 20mm UNDER THE HEIGHT OF TIMBER EDGING

GRANITIC SAND OR PEBBLES ARE TO BE SOURCED LOCALLY AND HAVE A MINIMUM DEPTH OF 75mm

PLANTS MUST BE THOROUGHLY WATERED AFTER PLANTING AND A DEEP WATERING EVERY 7 DAYS FOR THE NEXT TWO MONTHS AND THEN WHEN REQUIRED IN ACCORDANCE WITH LOCAL WATER RESTRICTIONS

LAWN AREAS SHOULD HAVE A SANDY LOAM LAYER ADDED

LAWN STARTER MAY BE USED AS WELL AS SATURADE

TIMBER TRELLIS TO BE ADDED TO BOUNDARY FENCES WHERE CLIMBERS ARE TO BE PLANTED

NO IRRIGATION SYSTEM HAS BEEN INCLUDED IN THIS DESIGN

CONTRACTOR MUST VERIFY LOCATION OF ALL SERVICES PRIOR TO COMMENCEMENT OF ANY WORK

**PLANTING SCHEDULE**

CODE	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT (mm)	MATURE WIDTH (mm)	POT SIZE (mm)	No
<b>TREES</b>						
1	CORYMBIA FICIFOLIA WILD SUNSET	FLOWERING GUM	5/6m	5/6m	250	1
<b>SHRUBS</b>						
2	CHOISYA TERNATA HEDGE	MEXICAN ORANGE BLOSSOM	1.5m	2.0m	50	19
3	LEONOTIS LEONURUS	LIONS TAIL	1/2m	1.0m	50	10
4	MATAPOURI BAY ARTHROPODIUM	NZ ROCK LILY	0.25m	0.42m	50	10
<b>CREEPER PLANTS</b>						
5	MYOPORUM PARVIFOLIUM	BOOBIALLA WHITE	0.15m	2.0m	50	10

POTTED CITRUS WILL BE PROVIDED BY THE CLIENT

**NOTES**

Planting: Water well after planting and every week for the 2 months

Trees must be planted at least 3m from storm water and sewage lines and 2m from other services

Mulch: Fine or euky mulch to be applied after planting

Irrigation: No irrigation system has been included in this design

Edging: Hardwood or treated pine for in-ground use recommended for garden bed edging

**NOTE:**

THE PLANTING SCHEDULE INDICATES NATIVE PLANTING

THE PLANTS SELECTED MAY BE SUBSTITUTED FOR LIKE NATIVES WITH SIMILAR GROWTH HABITS AND GROWTH PREFERENCES.



**BDV**

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Telephone: 5339 1114  
Mob: 0417 54 77 47  
Email: ryan@rbdsn.com.au  
A.B.N 47 694 562 217  
Practitioner Registration: DP-AD 31818

**bdav**

Building Designers  
Association Victoria

REV:00 DATE:	REV:00 DATE:	SHOP AREA: 118.9sq.m 12.79sq's	GARAGE: sq.m sq's	VERANDAH: sq.m sq's
REV:00 DATE:	REV:00 DATE:	ALFRESCO: sq.m sq's	OUT BUILDING: sq.m	TOTAL HOUSE: sq.m sq's
AUTHORISED BY:	DATE:	<b>STATUS: PRELIMINARY</b>		
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**OWNERS :MICK STALEY & SAM FRASER**

**LOCATION: 227 GRANT STREET, GOLDEN POINT , 3350**

<b>PROPOSED CAFE LANDSCAPING</b>		<b>SHEET SIZE A3</b>
SCALE 1:200	DRAWN DATE: 01/03/2018	JOB No: 2018-09
SCALE 1:200	DRAWN BY: R.B	PLOT DATE: 12/06/2018
SCALE 1:200	<b>SHEET 5 of 5</b>	

#### **9.4. CLIMATE COUNCIL NETWORK MEMBERSHIP**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Quenton Gay - Waste, Water & Energy Officer

#### **OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Write to the Australian Climate Council nominating the City of Ballarat as a member of the Cities Power Partnership (CPP); and**
- 2. Should the nomination be accepted, select 5 actions from the CPP program guide and commit to delivery of those 5 actions over the time frame agreed with the Climate Council.**

#### **EXECUTIVE SUMMARY**

The City of Ballarat has been invited to join the Cities Power Partnership (CPP) of the Australian Climate Council. The CPP is the largest climate program for Local Government in Australia, currently with more than 70-member councils representing 8 million Australians.

It is envisaged that membership of the CPP will build the profile of Ballarat as a green city and leader in sustainability as referenced in the Ballarat Strategy and Council Plan 2017-2021. Membership requires Council to pledge and commit to the delivery of 5 actions from the 40 actions identified in the CPP program guide.

Should Council's nomination be accepted, it is considered that accreditation will be a straightforward process as the CPP aligns with existing works by Council being undertaken as part of the City of Ballarat Carbon Neutrality and 100% Renewables Action Plan.

#### **RATIONALE**

The City of Ballarat has been invited to join the Cities Power Partnership (CPP) of the Australian Climate Council. To join requires a formal letter to the CEO, Dr Martin Rice of the Climate Council confirming Council's participation in the program.

The Climate Council is the largest climate science and climate communication organisation in Australia, with over 100 scientific reports and active in providing Ministerial advisory services. The CPP of the Climate Council celebrates clean energy successes of Australian local governments and aims to accelerate the uptake of renewable energy sources and reduce carbon emissions. The CPP is the largest climate program for Local Government in Australia, currently with more than 70-member councils representing 8 million Australians.

Key membership benefits are summarised as:

- Connects Council with up-to-date reputable science on climate change mitigation and adaptation strategies;
  - Buddy program with other cities and access to visiting domestic and international experts;
-

- Join a united voice on action, providing strength in advocacy work by Council and by the Central Victorian Greenhouse Alliance (CVGA) on behalf of councils across central and northern Victoria; and
- Build the profile of Ballarat as a green city and leader in sustainability.

There is no cost involved in membership. Qualifying for membership requires:



- Council to make a “pledge” toward 5 actions that we strive to achieve from the 40 actions selectable from the CPP program guide;
- Nominate a facilitator to liaise with the Climate Council, expert advisors, buddy councils and work colleagues across Council; and
- Provide progress reports to the Climate Council every 6 months.

Importantly, endorsement of Council’s membership would be a straightforward process. This is because the CPP aligns with existing works by Council through the Carbon Neutrality and 100% Renewables Action Plan and overlaps many other Council strategic priorities such as, but not limited to, the Health and Wellbeing Plan, Urban Forest Strategy, Flood Mitigation Strategy, and CBD parking strategy.




The actions of the CPP span 4 themes.



There are many of the 40 actions from the CPP guide that are already in progress by Council, some which will be completed within the coming year and some that lay down foundations for next steps. The following is a snapshot of actions from the CPP program guide for discussion with the Climate Council as likely choices to target for Council’s pledge,

CPP Theme	CPP Action	Rationale for choice	Estimated completeness 30 June 2019
	Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.	Commenced project with Central Victorian Greenhouse Alliance (CVGA) and Climate Works to conduct fleet assessments, review current policies, and prepare procurement templates for EOI in bulk buy of Electric Vehicles by Council’s and other public sector services in Victoria.	Prepared for EOI to purchase EV
	Provide Council resources to educate and support the uptake of renewable energy, such as by hiring an internal	Existing community support through Council sponsorship / membership likely to qualify. Includes Smart Living Ballarat	Complete



	renewable energy support officer or establishing an independent body(such as the Moreland and Yarra Energy Foundations).	(SLB), Regional Sustainability Alliance Ballarat (RSAB) and the CVGA.	
	Encourage local businesses and residents to take up solar PV, battery storage and solar hot water heating. This can be done through providing incentives (e.g. solar bulk buy schemes or flexible payment options) or streamlining approval processes (e.g. removing planning and heritage barriers to solar PV)	Solar Savers project installing solar electricity to low income households now. Council is continuing to work with CVGA to advocate for state support in bulk buy programs for solar electricity to also include battery storage, solar water heating and efficient circulation pumps. Support mechanisms for business also being investigated (e.g. Energy Upgrade Agreement program by the Sustainable Melbourne Fund).	Ongoing
	Identify opportunities to turn waste to energy.	Heads of Agreement with Malaysian Resources Corporation Berhad (technology partner Babcock & Wilcox – Volund) to deliver feasibility study and business case for Waste to Energy in Ballarat West Employment Zone.	Completed opportunities research
	Implement landfill gas methane flaring or capture for electricity generation	Second electricity generator in partnership with LMS Energy planned for 2 <sup>nd</sup> quarter 2018/19, potentially increasing capacity to approx. 12,000 megawatt hour / year. This is equivalent to about 1,000 homes.	Complete
	Encourage sustainable transport use(public transport, walking and cycling) through Council transport planning and design. Substantial savings in transport energy use can be achieved by designing more compact cities with access to high quality public and active transport services and facilities.	Council are working through the smarter parking plan which will look to partner with PTV around realignment of transport routes and park and ride opportunities to reduce reliance on car based travel into the CBD.  Cycling Action Plan in second year of infrastructure program to deliver key cycling routes. Successful in obtaining \$9.3M (State Government) towards cycling and pedestrian improvements in partnership with VicRoads.	Ongoing
	Set up meetings and attend events, such as the Community Energy Congress	Many summits attended by Council likely qualify. Example, Smart Lighting Summit	Complete

	or the Cities Power Partnership Summit, where like-minded cities can address common concerns and learn from others' experience.	(October 2018) and the next CPP Summit (October 2018)	
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## LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

## REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
<b>Human Rights</b>	Yes	No
<b>Social/Cultural</b>	Yes	No
<b>Environmental/Sustainability</b>	Yes	Yes
<b>Economic</b>	No	No
<b>Financial/Resources</b>	Yes	No
<b>Risk Management</b>	No	No
<b>Implementation and Marketing</b>	Yes	No
<b>Evaluation and Review</b>	Yes	Yes

**Human Rights** – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

**Social/Cultural** – Action on climate change mitigation and adaptation offers many benefits to Council and community. No negative impacts arise from membership to the City Power Partnership program.

**Environmental/Sustainability** – Action on climate change mitigation and adaptation offers many benefits to Council and community. No negative impacts arise from membership to the City Power Partnership program.

**Financial/Resources** – There is not cost involved in membership. Council is required to nominate a facilitator to liaise with the Climate Council, expert advisors, buddy Council's and work colleagues across Council. The potential CPP actions identified are already being undertaken and/or do not require budget allocation.

**Implementation and Marketing** – As outlined in report, the Australian Climate Council is the largest climate science and climate communication organisation in Australia, adding strength to Council's profile.

**Evaluation and Review** – Council's nominated facilitator will provide a progress report to the Climate Council every 6 months and Council's actions under this arrangement will be reported through the Officer's State of the Environment Update on an annual basis.

## **CONSULTATION**

Internal stakeholder consultation to develop the summary table of likely actions to choose to target for Council's pledge. The table demonstrates progress now, estimated progress by 30 June 2018 and the synergy of the selected actions with Council strategies.

## **OFFICERS DECLARATIONS OF INTEREST**

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

## **REFERENCE DOCUMENTS**

- Cities Power Partnership, Round 3: Information for Councils (Climate Council, March 2018)

## **ATTACHMENTS**

Nil

**9.5. BURRUMBEET, CARDIGAN VILLAGE AND LEARMONTH TOWNSHIP PLANS**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Stephanie Durant – Senior Strategic Planner / Lisa Kendal – Manager Strategic Planning

**OFFICER RECOMMENDATION****Council resolves to:**

- 1. Adopt the Burrumbeet Plan: Our Township Plan Towards 2040 and Cardigan Village Plan: Our Township Plan Towards 2040 and proposed Local Planning Policies and Framework Plans.**
- 2. Adopt the proposed changes to the Learmonth Local Planning Policy and removal of the proposed Township Zone schedule.**
- 3. Seek authorisation from the Minister for Planning to prepare a Planning Scheme Amendment to incorporate the Burrumbeet, Learmonth and Cardigan Village Township Plans, and associated Local Planning Policies and Framework Plans, into the Ballarat Planning Scheme, pursuant to section 8A of the *Planning and Environment Act 1987* and place the Amendment on exhibition pursuant to section 19 of the *Planning and Environment Act 1987*.**

**EXECUTIVE SUMMARY**

To ensure that future growth and development protects local values, Council has committed to undertake local area planning for the City's six townships including Learmonth, Cardigan Village, Burrumbeet, Warrenheip, Buninyong and Miners Rest.

Over the past 18 months, Council officers have worked closely with the community to complete the Burrumbeet Township Plan and Cardigan Village Township Plan. The plans include a long-term vision and action plan for each town, and will help the community and the City of Ballarat manage appropriate change into the future. The Learmonth Township Plan was completed and adopted by Council in 2016.

This report recommends adoption of the Burrumbeet and Cardigan Village Plans, and associated Local Planning Policies and Framework Plans. It also recommends adoption of changes to the propose Learmonth Local Planning Policy and removal of the Township Zone Schedule, which were previously adopted at the Council in 2016. This report also recommends a Planning Scheme Amendment be undertaken to incorporate the Township Plans and associated policies and plans into the Ballarat Planning Scheme.

**RATIONALE**

In recognition of the unique nature of Ballarat's township areas, the Ballarat Strategy proposed preparation of a series of six Township Plans intended to provide each township with a long-term vision and action plan to support future growth and development and help the community and the City of Ballarat to manage appropriate change into the future. These six townships include Learmonth, Cardigan Village, Burrumbeet, Warrenheip, Miners Rest and Buninyong.

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Council adopted the Learmonth Township Plan on 24 August 2016, and the next stage of implementation is to undertake an amendment to include it in the Ballarat Planning Scheme.

The Burrumbeet and Cardigan Village plans have recently been completed following extensive community and stakeholder consultation engagement which began in March 2016 (see Attachment 6 for a summary of community feedback).

The plans:

- Give the community a long-term vision and action plan;
- Include actions the community can deliver itself;
- Will assist the community and the City of Ballarat to manage change;
- Provide Council with an understanding of the planning issues which are important to the township and set direction for how to address these;
- Will help community groups make their case when applying for grants or lobbying for funding; and
- Assist the City of Ballarat to prioritise its investment in Burrumbeet and Cardigan Village.

The next stage of implementation is for Council to adopt these plans, and then to undertake an amendment to include these plans in the Ballarat Planning Scheme.

#### Burrumbeet Township Plan (see Attachment 1)

The Plans set out a strategic vision for the town which will be realised through the following priorities and actions relating to:

- Lake Burrumbeet;
- The Landscape and Rural Lifestyle of Burrumbeet; and
- Services, Infrastructure and Amenity.

The action plan provides guidance on how the Burrumbeet community and Council can work together to achieve the strategic vision set by the community. These priorities and actions have been based on the issues and interests identified by the Burrumbeet community.

There are 28 actions identified in the plan and below is a selection of some of the key actions:

- Council will continue to work with the Department of Environment, Land, Water and Planning (DELWP) on issues relating to Lake Burrumbeet and its effective management.
- Review the application of the Significant Landscape Overlay, Environment Significance Overlay and Erosion Management Overlay in the Planning Scheme.
- Investigate establishment of interpretation throughout the Lake reserve, showcasing the cultural, historical and natural attributes and local stories of the lake and the broader landscape.
- Review the Farming Zone on Bo Peep Road to identify other zone options which reflect its rural lifestyle character.
- Investigate the potential to improve walking and cycling route connections to the Freeway Overpass, Avenue of Honour, Lake Learmonth and Cardigan Village.



### Cardigan Village Township Plan (see Attachment 2)

The Plans set out a strategic vision for the town which will be realised through the following priorities and actions relating to:

- An urban lifestyle in a country setting;
- An active and connected community; and
- Access and services.

The action plan provides guidance on how the Cardigan Village communities and Council can work together to achieve the strategic vision set by the community. These priorities and actions have been based on the issues and interests identified by the Cardigan Village.

There are 31 actions identified in the plan and below is a selection of some of the key actions:

- Limit urban growth to the current Township Zone area by introducing policy into the Municipal Strategic Statement to ensure no further rezoning for urban expansion of Cardigan Village.
- Complete the Avenue of Honour Interface Guidelines to ensure that surrounding land use and development is cognisant of and sensitive to the significance of the Avenue.
- Prepare a Park Master Plan for the Cardigan Village Park in consultation with the community in accordance with the requirements of a District Level Park in the Ballarat Open Space Strategy.
- Extend the shared cycling/walking path along Remembrance Drive to the Lake Burrumbeet foreshore to connect Cardigan Village to Lake Burrumbeet.
- Require new stages of residential development to have underground drainage and kerb and channelling.
- Reduce the road width and improve the green central median strip of Windermere Way with boulevard-style tree planting to enhance it as both the major entrance and thoroughfare of Cardigan Village.
- Investigate sites of potential heritage value in the broader Cardigan area as identified through City of Ballarat's Heritage Gaps Master Plan by completing heritage assessments.
- Investigate opportunities to enable the Windermere Hotel to continue to operate as a commercial premises into the future, through the application of correct land use planning controls.

### **Proposed planning scheme amendment**

To ensure that the Township Plans are used to guide future growth and development, they need to be included in the Ballarat Planning Scheme. It is proposed to undertake a planning scheme amendment to introduce a Local Planning Policy and Framework Plan into the planning scheme for each town.

#### Burrumbeet and Cardigan Village Township Plans

In relation to Burrumbeet and Cardigan Village, the following changes are proposed to Municipal Strategic Statement of the planning scheme:

- A local policy specific to Burrumbeet, Cardigan Village and Learmonth Township
- A Framework Plan to guide future development of the town.

The planning scheme controls are included within Attachments 3 and 4.

---

### Learmonth Township Plan

The proposed planning controls for the Learmonth Township have been reviewed and refined since they were adopted by Council on 24 August 2016, and the following changes have been made to the proposed local policy and framework plan:

- The proposed local policy and framework plan includes further detail from the Township Plan and provide greater focus on land use planning actions on neighbourhood character.
- The Township Zone schedule has been removed. The schedule proposed site coverage, permeability and setback requirements. These controls were designed to manage neighbourhood character on larger lots, however as drafted they would only ever apply to lots under 300 square meters, and hence would have extremely limited application. Lot sizes in Learmonth are generally considerably larger than this size, and larger lot sizes are encouraged in local policy. To achieve neighbourhood character outcomes it was considered preferable to include further detail in the local policy, which has been done in the amended local policy.

The proposed amended planning scheme controls are included at Attachment 5.

## **LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS**

### **State Planning Policy Framework (SPPF)**

The Township Plans are consistent with the following sections of the State Planning Policy Framework:

**Clause 11 Settlement** provides specific objectives and strategies relating to settlement and recognises the need for planning to 'anticipate and respond to the need of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

**Clause 11.02-1 Supply of Urban Land** seeks to ensure (amongst other things) the sufficient supply of land for residential uses. The strategies seek to ensure that population growth over at least a 15 year period and provide clear direction on locations where growth should occur.

**Clause 11.05-3 Rural Productivity** seeks to manage land use change and development in rural areas to promote agriculture and rural production by preventing inappropriately dispersed urban activities in rural areas. This Clause also seeks to direct housing growth into existing settlements and discourage development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.

**Clause 11.05-4 Regional Planning strategies and principles** seeks to develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable by strengthening the networks of settlements, directing growth to locations where utility, transport, commercial and social infrastructure and services are available.

### **Local Planning Policy Framework (LPPF)**

The Township Plans are consistent with the following sections of the Local Planning Policy Framework:

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**Clause 21.03-2 Significant environments and landscapes** seeks to protect and enhance the vegetation, biodiversity, habitat, amenity and attractiveness of identified landscape values and significant environmental features.

**Clause 21.06 Built form, heritage and design** seeks to ensure that future development within Ballarat Townships makes a positive contribution towards the high-quality presentation of the City by recognising the character of its setting and preserving valued heritage and natural landscape elements.

**Clause 21.06-2 Heritage** relates to 'Heritage' and seeks to protect places of heritage significance through a variety of objectives, such as discouraging the demolition of buildings and other elements of identified local and state significance and requiring that new development interprets the cultural significance of the place and respects heritage and cultural boundaries.

## REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
<b>Human Right</b>	Yes	No
<b>Social/Cultural</b>	Yes	Yes
<b>Environmental/Sustainability</b>	Yes	Yes
<b>Economic</b>	Yes	Yes
<b>Financial/ Resources</b>	Yes	Yes
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	Yes	Yes
<b>Evaluation and Review</b>	Yes	Yes

**Human Rights** - It is considered that this Report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

**Social/Cultural** – The Township Plans consider the social and cultural impacts through the considered consultation approach to community values within the townships. The engagement program involved wide consultation through various methods to ensure that values of the community were understood and incorporated into the plan.

**Environmental/Sustainability** – The Township Plans take the environmental constraints and opportunities of the area into consideration through the articulation of the various principles and actions outlined within the Plan. The environmentally significant areas as well as the areas identified through the Burrumbeet Flood Study have been identified and discussed. The significance of Lake Burrumbeet and its future is also discussed within the Burrumbeet Plan with a set of priorities and actions identified specifically in regard to the future of the Lake. The sustainability of rural areas surrounding Burrumbeet and Cardigan Village is also identified as important to the area with its protection identified and discussed in the plans.

**Economic** – The Township Plans provide a clear future for the township by providing the community and Council with a long-term vision and an action plan for meeting this vision. It will assist community groups when applying for grants or lobbying for funding.

**Financial/Resources** – The resources required to implement each action are identified at the back of the Township Plans alongside an indication about whether the action is a short, medium or long-term action.

**Risk Management** – Each of the Township Plans are intended to establish a framework to manage land use change, based on an understanding of community values and asset and resource implications. An extensive community engagement process has been undertaken to ensure that community values are understood and reflected, and a planning scheme amendment is proposed to include the outcomes in the planning scheme and minimise risk for future land use growth and development.

**Implementation/Marketing** – The Township Plans include an implementation section at the back of the plan. This section identifies the various priorities and actions alongside the resources required as well as whether the action is a short, medium or long-term action.

**Evaluation and Review** – A future planning scheme amendment will be carried out incorporating the Township Plans into the Ballarat Planning Scheme, and a program of Township Plan implementation review will be established.

## **CONSULTATION**

Development of the Township Plans commenced following community consultation sessions in March 2016, to begin a conversation with the community about the future of their townships. Following these sessions, the community was invited to submit their thoughts on what they love, imagine and wish to retain for their communities via a survey. These responses were used as the foundation of the Township Plans.

The communities were then invited to provide input into the Draft Plan at subsequent community sessions held in September 2016, with submissions invited up until October 2016. The final drafts of the township plans were then released for a final round of comment in early 2018 with submissions invited on the plan for one month. Eleven submissions were received to the Cardigan Village Plan and 9 submissions to the Burrumbeet Township Plan. A summary of submissions and how they have been addressed in the final plans is detailed at Attachment 6. The major change from the draft to the final plans was development of the proposed local planning policies and framework plans.

The proposed planning scheme amendment to include the plans, policies and framework plans into the Ballarat Planning Scheme will require an additional phase of public consultation through the formal public exhibition stage.

## **OFFICERS DECLARATIONS OF INTEREST**

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

## **REFERENCE DOCUMENTS**

Nil

## **ATTACHMENTS**

1. Attachment 1 - Burrumbeet Township Plan **[9.5.1]**
2. Attachment 2 - Cardigan Village Township Plan **[9.5.2]**
3. Attachment 3 - Burrumbeet Local Policy and Framework Plan **[9.5.3]**
4. Attachment 4 - Cardigan Village Local Policy and Framework Plan **[9.5.4]**
5. Attachment 5 - Learmonth Local Policy **[9.5.5]**
6. Attachment 6 - Summary Submissions **[9.5.6]**



# THE BURRUMBEET PLAN

Our Community Towards 2040



## **Our Burrumbeet**

The community of Burrumbeet is located within a wide open agricultural and pastoral landscape. Lake Burrumbeet is the heart of the community as well as an irreplaceable environmental asset, home to a range of significant and endangered flora and fauna. The lake and adjoining reserves also provide for a variety of highly valued passive and active recreational pursuits.

## **Our Community Vision**

We are a strong, friendly, supportive rural community. We value our natural landscape assets and want to protect the flora and fauna which is synonymous with the Burrumbeet area. We want to protect our valued rural lifestyle, farming land and distinctive landscape features and improve the recreation facilities and infrastructure in our community.

## **Our Pathway Forward**

The “Burrumbeet Plan: Our Community Towards 2040” is a plan to empower and guide our community to a vibrant future. Our Plan includes a summary of actions to continue to strengthen our community.



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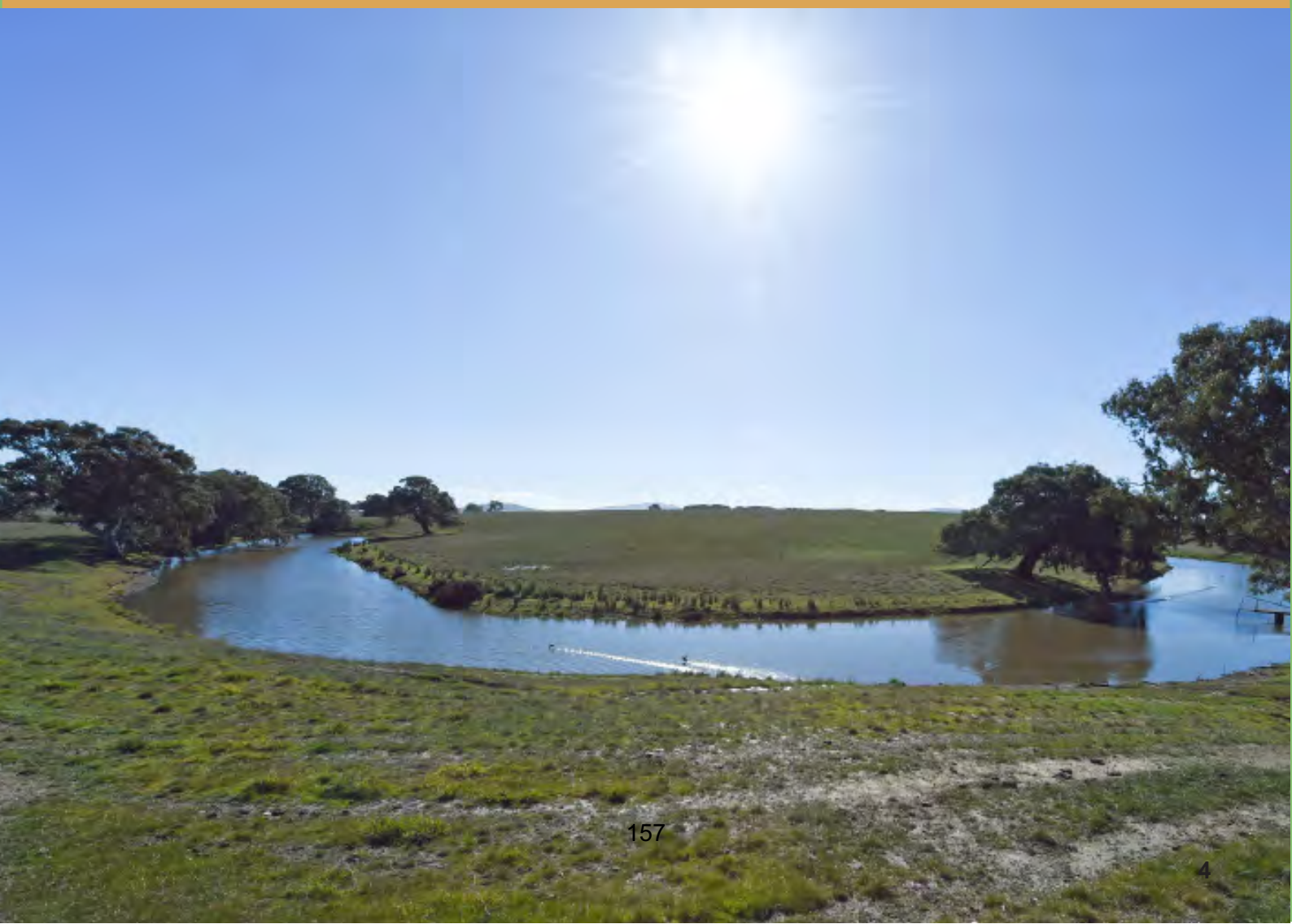
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## ▶ ACKNOWLEDGMENT OF BURRUMBEET'S FIRST PEOPLE'S

**We are proud to acknowledge the Traditional Owners of Country, which includes Burrumbeet, the Wadawurrung peoples, and pay respects to all Elders, past, present and emerging, as well as Elders from other communities that reside here today.**

Lake Burrumbeet is part of the traditional lands of the Burrumbeet Balug clan, who form part of the Wadawurrung people. The name Burrumbeet means 'muddy water' in the Wadawurrung language.

The lake with its sandy embankments, large sheltering trees, freshwater creek and the rich resources available in this environment provided an excellent camp for the Wadawurrung people who were known to inhabit this area. Burrumbeet is part of the cultural fabric of the Wadawurrung people, with ancient stories about this particular landscape surviving and informing the living Aboriginal culture that continues today.





## INTRODUCTION

**Local townships and settlements are valued by residents for their character, sense of community and lifestyle. They represent a different style of living to urban Ballarat and contribute to the lifestyle diversity and choice for residents across Ballarat.**

Townships face very different challenges and enjoy different opportunities to urban communities and need local consideration of their unique situation to appropriately guide their future. Council has a significant role to play in supporting township and settlement areas to manage change and prosper over the long term as important hubs for their local community.

As a key initiative of the City of Ballarat's long-term plan for growth to 2040, Today Tomorrow Together: The Ballarat Strategy, Council is committed to delivering Local Area Plans for six townships and settlements across the municipality in collaboration with local communities.

We know that creating and maintaining places that people love requires ongoing commitment and vigilance to:

- » Protect the characteristics and values that are intrinsic to a community's identity and sense of place;
- » Articulate a collective vision for the future that respects the past but is flexible and dynamic in managing change;
- » Recognise the evolving needs of the community and fostering adaptability and resilience through continued monitoring and resetting of goals and strategies.

The Burrumbeet Plan: Our Settlement Towards 2040 will help to achieve this. This plan has been developed in collaboration with the community of Burrumbeet who have shaped the vision and priorities through their generous contributions to community consultation sessions, online surveys and questionnaires.



## PURPOSE

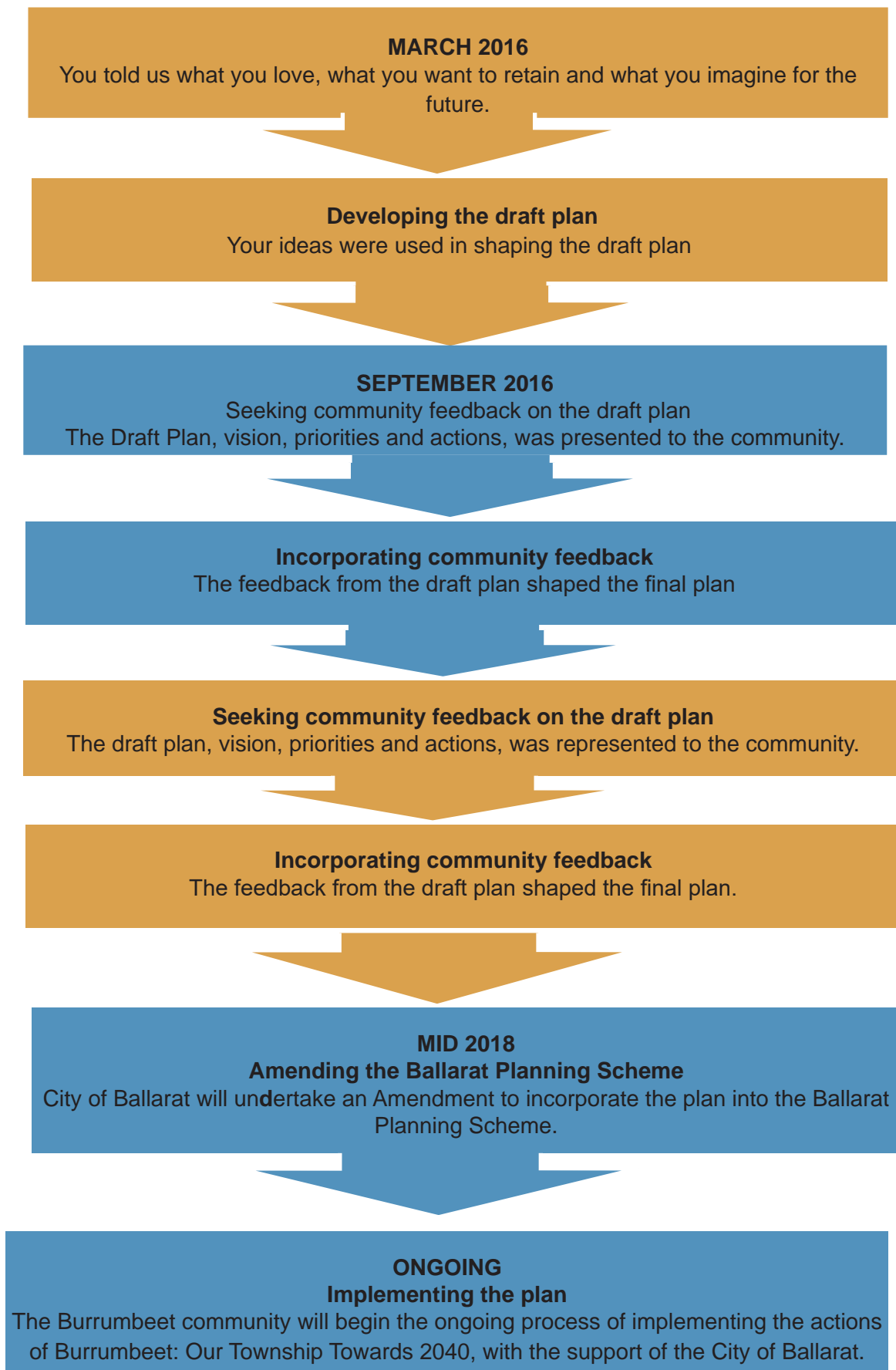
This plan aims to:

- » Inspire active engagement with the Burrumbeet community.
- » Articulate the community's long-term vision and develop an action plan for achieving the vision.
- » Help the community and the City of Ballarat to manage change in Burrumbeet.
- » Identify land use planning actions and potential changes to the Ballarat Planning Scheme.
- » Help community groups make their case when applying for grants and lobbying for funding.
- » Help the City of Ballarat to prioritise investment in Burrumbeet.
- » Identify actions the community can itself achieve.



# PLANNING FOR THE FUTURE OF OUR TOWNSHIP

## Development of the Burrumbeet Plan



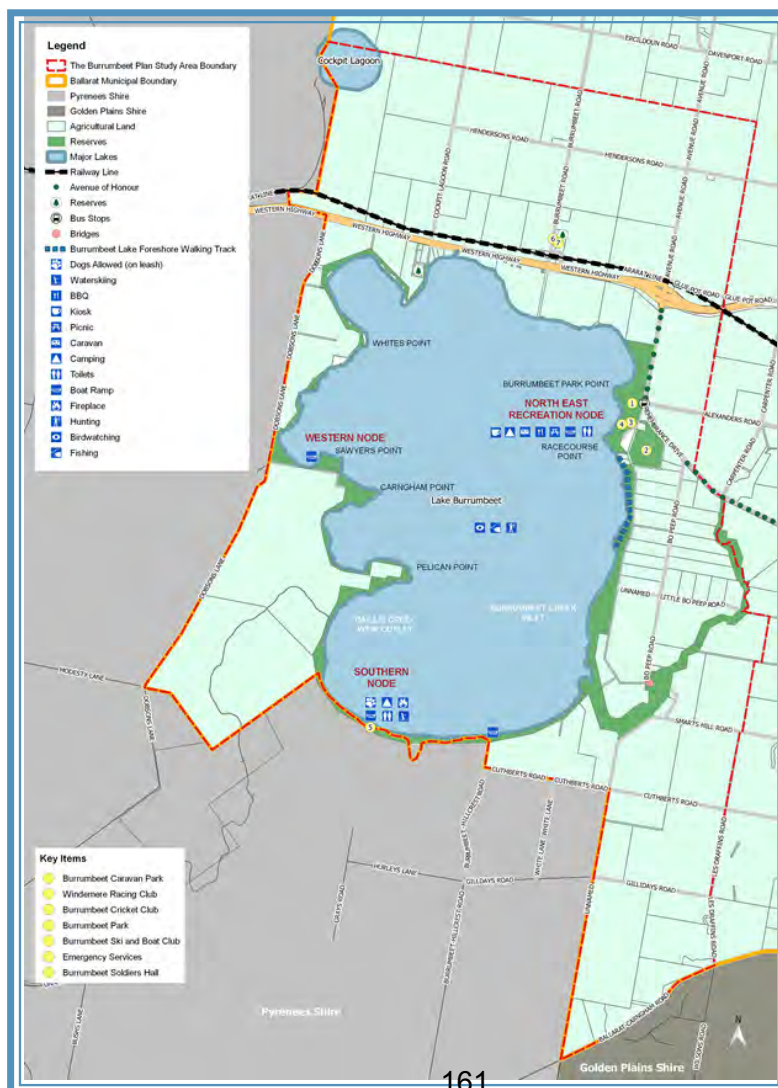
# BURRUMBEET: The Context

Burrumbeet is a small and widely dispersed rural settlement located 20 kilometres west of Ballarat and has a population of approximately 230 people.

The wide open agricultural and pastoral landscape of Burrumbeet is mostly flat with open sky dominating the panoramic views as they extend towards the mountain ranges of the north and west. Lake Burrumbeet is a significant feature within the landscape. It's sheer size (approximately 24 square kilometres) and location, providing a habitat for significant and endangered flora and fauna, make it not only aesthetically important but also culturally significant.

Large, rectangular grazing paddocks characterise the settlement pattern of the area, bordered by a network of drainage channels and post and wire fencing. Small creeks, low lying areas of wet grassland and occasional plantings of small areas of trees also adorn the landscape. The Ballarat Avenue of Honour also exists as a prominent and a highly valued feature of the area connecting the town with the City of Ballarat to the east, and the town of Learmonth to the north.

The area is popular for family activities, camping and recreation with holiday makers and locals visiting the lake for swimming, boating, water skiing and fishing. The water level of the lake significantly fluctuates throughout year, changing the way in which it is used from season to season.



# ▶ BURRUMBEET: The Community

## ▶ PEOPLE



**63.6%** **230** POPULATION  
ARE COUPLES  
WITHOUT CHILDREN

### OUR AGE

0-14 11.7%  
15-24 6.2%  
25- 44 18.8%  
45-64 30.5%  
65 + 32.8%

## ▶ HOUSING



**84.9%**  
OWNED  
OUTRIGHT OR WITH  
A MORTGAGE

**60%**  
SINGLE,  
DETACHED



AVERAGE  
HOUSEHOLD  
SIZE 2.1 PEOPLE

## ▶ EDUCATION & EMPLOYMENT



**21.8%**  
ATTEND AN  
EDUCATIONAL  
INSTITUTION

### EDUCATION

0% Tertiary or Technical  
34.7% Secondary  
37.7% Primary

### EMPLOYMENT

22.6% Management  
14.1% Technicians and  
Trade  
14.1% Professionals

## ▶ DIVERSITY



**81.4%**  
BORN  
IN AUSTRALIA

**97%**  
SPEAK  
ENGLISH  
AT HOME

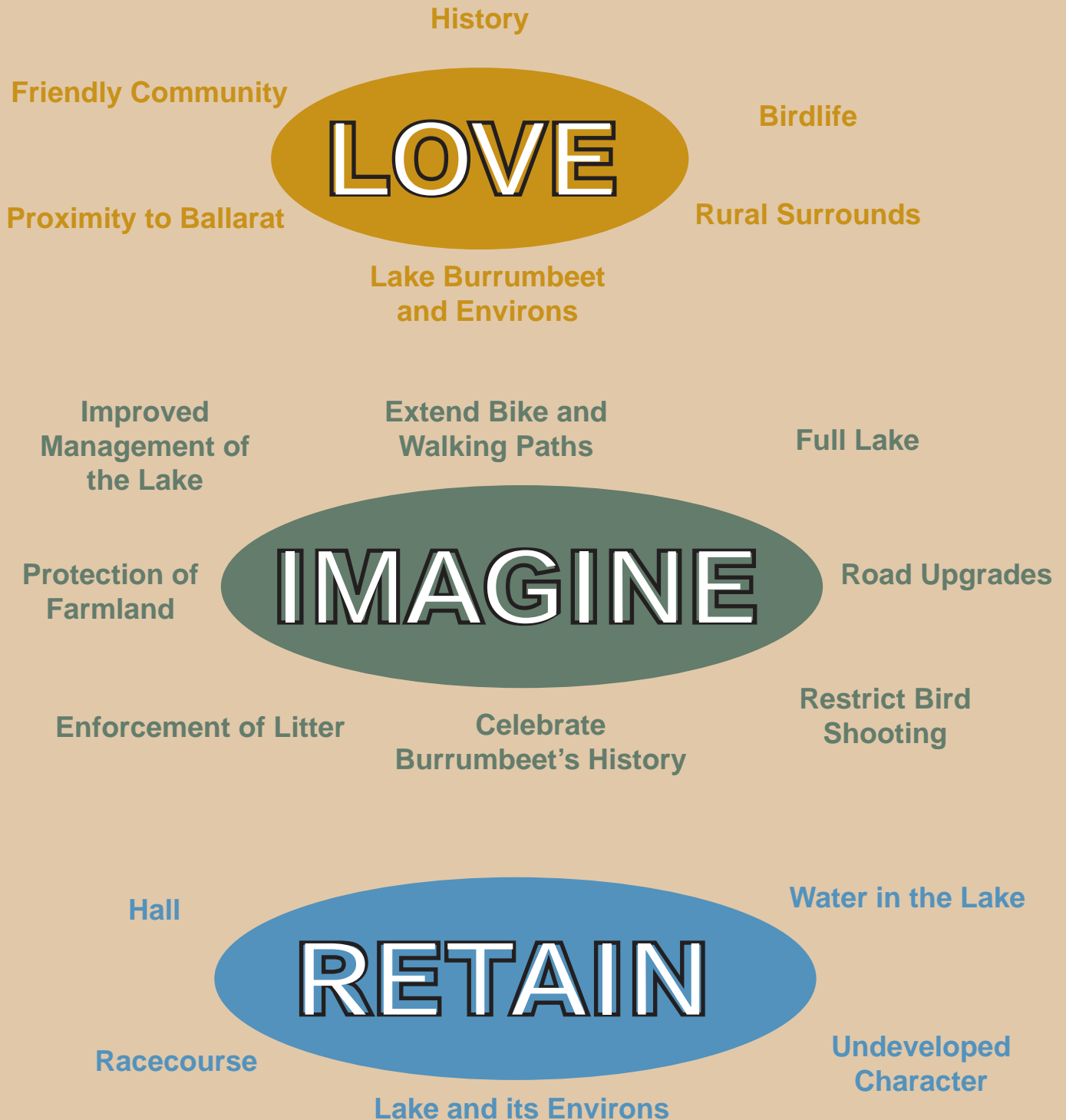
**34%** ARE CATHOLIC

**26%** HAVE NO  
RELIGIOUS  
AFFILIATION



## What you told us

Local people know their community the best, so the City of Ballarat engaged directly with the Burrumbeet community to develop the Burrumbeet plan and identify gaps.





Welcome to

# Burrumbeet Racecourse

country racing It's a Great Day Out

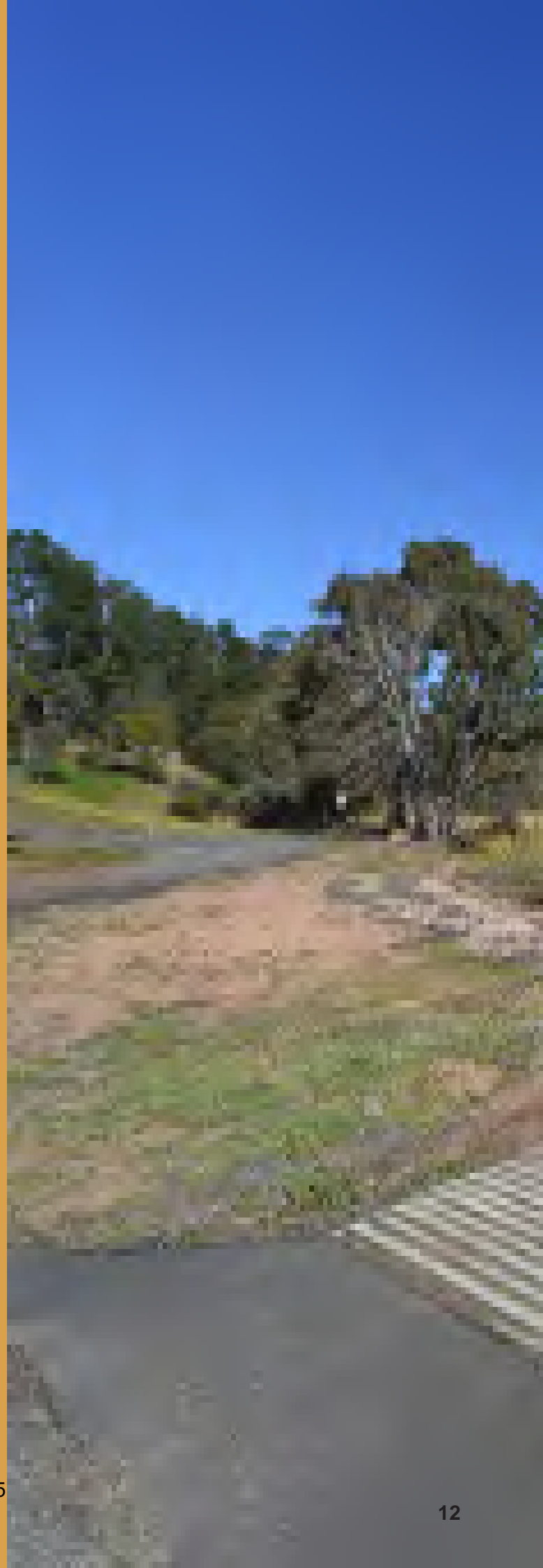
## PRIORITIES AND ACTIONS

The following priorities and actions articulate how the Burrumbeet community and Council will work together to achieve the vision set by the community.

**Priority 1:** Lake Burrumbeet

**Priority 2:** The Landscape and Rural Lifestyle of Burrumbeet

**Priority 3:** Services, Infrastructure and Amenity







## PRIORITY 1

### Lake Burrumbeet

#### COMMUNITY FEEDBACK

The serenity of Lake Burrumbeet and its abundance of wildlife are cherished by the people of Burrumbeet. The lake is the heart of the area, acting as the centre of local community life as well as drawing people towards it from further afield for both passive and active recreation. The natural landscape of the area is valued by the community for its aesthetic beauty, with the lake existing as a significant and distinctive feature in the open landscape of the surrounding agricultural land.

The foreshore and the diverse ecosystems are integral to what makes Lake Burrumbeet the heart of the area, providing surroundings and facilities for relaxation, recreation and the opportunity for people to connect with nature. The community of Burrumbeet has expressed concern for the ongoing maintenance and protection of the foreshore area, raising concerns relating to littering, vehicle access and anti-social behavior. The community that define themselves as part of Burrumbeet would like to see Lake Burrumbeet and its environs protected and enhanced into the future, particularly local flora and fauna which are synonymous with the local area.

#### POLICY

#### RELEVANT STRATEGIES AND PLANS

- » Draft Lake Burrumbeet Management Statement, January 2015
- » Ballarat Planning Scheme

#### CHALLENGES AND OPPORTUNITIES

The majority of the Lake Burrumbeet reserve is managed by Department of Environment Land Water and Planning (DELWP), however Council can advocate to State Government to respond to issues outside of Council's management responsibilities. The water level of Lake Burrumbeet fluctuates throughout year, changing the way in which it is used from season to season. Lake Burrumbeet is also a site of Aboriginal heritage significance and is of high vulnerability.

#### OBJECTIVE 1.1:

**To ensure the effective management of Lake Burrumbeet and its environs.**

#### ACTIONS

- 1.1.1 Council to collaborate with DELWP to work with the community and key partners to develop a vision for the future use and management of Lake Burrumbeet Reserve. (DELWP will be making recommendations on the most sustainable and viable land management model for Lake Burrumbeet which meets community aspirations).
- 1.1.2 Council to collaborate with the community and partners, including DELWP, to communicate with users of the lake and the surrounding reserves in relation to:
  - » Passive and active recreational activities and groups
  - » Access to the lake and its surrounds
  - » Local law requirements for use of the lake and its surrounds

## **OBJECTIVE 1.2**

**To protect and enhance the biodiversity of Lake Burrumbeet, in recognition of it as a significant natural asset of the broader region.**

### **ACTIONS**

- 1.2.1 Enhance and protect biodiversity where possible.
- 1.2.2 Support local Landcare groups in their land management pursuits.
- 1.2.3 Review the application of the Significant Landscape Overlay, Environment Significance Overlay and Erosion Management Overlay in the Planning Scheme.

## **OBJECTIVE 1.3:**

**To maintain the amenity of the foreshore area**

### **ACTIONS**

- 1.3.1 Undertake landscape improvements throughout areas of the Lake Burrumbeet reserve managed by Council.
- 1.3.2 Maintain the foreshore walking trail.
- 1.3.3 Uphold local laws relating to the use of council managed public land and recreational activities; including litter control and encouraging reporting of rubbish dumping.
- 1.3.4 Council to advocate for adequate vehicular access and parking to Lake Burrumbeet for recreational purposes, including seasonal road closures on the western side of the lake during the winter and spring.

## **OBJECTIVE 1.4:**

**To provide opportunities for interpretation and research of Lake Burrumbeet**

### **ACTIONS**

- 1.4.1 Key stakeholders to identify opportunities to research and interpret Lake Burrumbeet's significant cultural, historical and natural attributes and local stories through research partnerships.
- 1.4.2 Investigate establishment of interpretation throughout the Lake reserve, showcasing the cultural, historical and natural attributes and local stories of the lake and the broader landscape.







## PRIORITY 2

# The Landscape and Rural Lifestyle of Burrumbeet

### COMMUNITY FEEDBACK

The Burrumbeet plains are a generally flat, largely pastoral area which extends westward from Ballarat along the basalt plains with Lake Burrumbeet forming an extensive and exceptional water feature within the landscape. The beautiful mature red gums and native vegetation are synonymous with the birdlife that makes Lake Burrumbeet unique.

The landscape is dominated by open skies and long distance panoramic views to the hills and mountain ranges of the north and west. A large regular grid pattern of tracks and roads traverse the large rectangular grazing paddocks of the Burrumbeet area and leave the impression of an extensive flat agricultural landscape. There are very few buildings in the broader landscape and with the exception of occasional small plantation areas, very little tree cover and isolated dwellings along Remembrance Drive. There are some historic landscape features such as old farmsteads, boundary walls and hedges.

The residents of Burrumbeet are widely dispersed across the landscape with the largest assembly of buildings located at the north eastern side of Lake Burrumbeet where the Burrumbeet Caravan Park is located and private properties decrease in size from over one hundred hectares to between three and 12 hectares. The residents of the area value the landscape and the rural lifestyle associated with it. As such the priority for this community is to protect and enhance the elements which make up the landscape and the rural lifestyle which residents value so highly.

### POLICY

#### RELEVANT STRATEGIES AND PLANS

- » Central Highlands Regional Growth Plan, 2014
- » Today, Tomorrow, Together: The Ballarat Strategy, 2015
- » Ballarat Planning Scheme
- » City of Ballarat Council Plan 2017-2021
- » Rural Land Use Strategy, 2010
- » Our People, Culture and Place: A Plan to Sustain Ballarat's Heritage

### CHALLENGES AND OPPORTUNITIES

As the population of the municipality continues to grow into the future, increasing pressure is placed on rural areas to be developed for urban uses. Increasing urban sprawl and ad-hoc development has the potential to significantly and negatively impact the amount of viable agricultural land and the exceptional character of Ballarat's rural landscapes. Climate change also poses a threat to the rural setting of Burrumbeet, with a reduction of rainfall and rising temperatures forecast to have substantial impacts on the biodiversity of vegetation (particularly native species) and on the amenity of residents in increasingly frequent extreme weather events.

Council has a clear policy base for the protection of productive agricultural land which acknowledges the important role this land plays to the economy, liveability and amenity.

## OBJECTIVE 2.1:

### To protect agricultural land and promote sustainable land uses

#### ACTIONS

- 2.1.1 Council to continue to maintain roadside conservation areas and undertake the program of roadside weed control in conjunction with local Landcare groups.
- 2.1.2 Promote access to Council's Community Nursery as a facility for Landcare groups to propagate indigenous native plants or revegetation projects.
- 2.1.3 Support local groups promoting viable farming practices and sustainable land uses.
- 2.1.4 Protect agricultural land by ensuring development occurs in accordance with the rural land use provisions of the Ballarat Planning Scheme.
- 2.1.5 Review the Farming Zone on Bo Peep Road to identify other zone options which reflect its rural lifestyle character.

2.2.2 Protect and maintain the prominence of the Avenue of Honour as a unique landscape feature and gateway to the region through the continued application of the Heritage Overlay and implementation of the Avenue of Honour Interface Guidelines into the planning scheme.

2.2.3 Investigate sites of potential heritage value in the broader Burrumbeet area, as identified through City of Ballarat's Heritage Gaps Master Plan, through completion of heritage assessments.

## OBJECTIVE 2.2:

### To protect and enhance landscape features of historical and environmental value.

#### ACTIONS

- 2.2.1 Introduce a biodiversity corridor along Weighbridge Road to Haddon/Windermere Road area (north/south) that links Lake Burrumbeet and Lake Learmonth, Skipton Rail Trail and Avenue of Honour with safer cycling links for people to connect with these places.



## **PRIORITY 3**

# **Services, Infrastructure and Amenity**

### **COMMUNITY FEEDBACK**

The Soldiers Memorial Hall is the community hub of Burrumbeet. The hall was built in 1935 and is used regularly to host community meetings, social events and private functions. It provides an important asset for the community and plays an important community building role within the area.

The Lake Burrumbeet Caravan Park is located on Crown Land and offers cabin accommodation as well as sites for camping and caravans. Recreational facilities within Burrumbeet include the Burrumbeet Ski and Boat Club, the Burrumbeet Park and Windermere Racing Club along with the Burrumbeet Cricket Club.

The priority for the Burrumbeet community is to continue supporting the Soldiers Memorial Hall, the church and the caravan park as well as improving and enhancing some of the infrastructure in the area.

### **POLICY**

#### **RELEVANT STRATEGIES AND PLANS**

- » Central Highlands Regional Growth Plan, 2014
- » Today, Tomorrow, Together: The Ballarat Strategy
- » Ballarat Planning Scheme

### **CHALLENGES AND OPPORTUNITIES**

Residents of Burrumbeet have easy access to a range of social, health, educational services and retail opportunities within nearby Ballarat and surrounding townships. The completion of Lucas Town Centre and the Glenelg Highway Major Activity Centre will provide the community with a further range of services within easy reach into the future. The community doesn't have local access to services such as retail, a post office or service station.

#### **OBJECTIVE 3.1**

**To offer ongoing opportunities to support, and educate local businesses and community groups**

#### **ACTIONS**

- 3.1.1 Assist and encourage local businesses to access State and Federal funding grants and programs to support productivity, growth, innovation and value add opportunities .
- 3.1.2 Deliver Tenderwrite workshops as part of the Ballarat Industry Participation Program (BIPP) inviting local businesses to help improve their competitiveness.
- 3.1.3 Council to assist and encourage local organisations to access funding grants and programs, including Council's Community Impact Grant Program to support community based events and activities.

## **OBJECTIVE 3.2**

**To continue to maintain Council assets and investigate opportunities for their upgrade.**

### **ACTIONS**

- 3.2.1 Council to continue to maintain Council assets at the Burrumbeet Caravan Park.
- 3.2.2 Investigate the current condition, demand and use of the sporting facilities near the caravan park and determine if upgrades are required.
- 3.2.3 Investigate the quality of Bo Peep Road, particularly its usage and any subsequent need for upgrading, widening, side barriers or signage.

## **OBJECTIVE 3.3**

**To improve accessibility and signage for walkers and cyclists.**












### **ACTIONS**

- 3.2.4 Investigate the potential to improve walking and cycling route connections to the Freeway Overpass, Avenue of Honour, Lake Learmonth and Cardigan Village.
- 3.2.5 Encourage visitation by sports and tourist riders through the development of interpretative and way-finding signage along cycling paths.





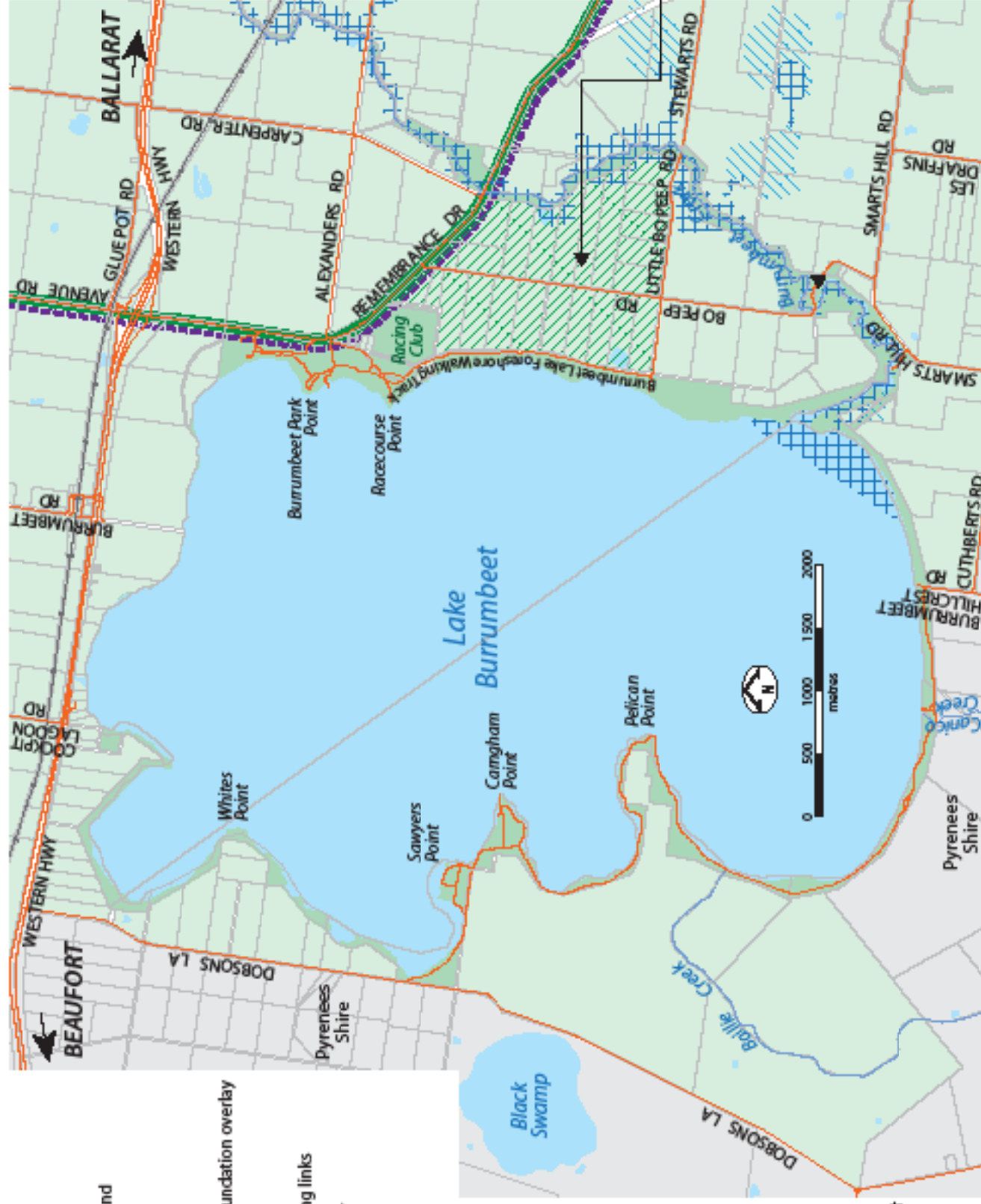
## LEGEND

-  Parcel boundary
-  Agricultural land
-  Reserve / public land
-  Waterbody
-  Flood overlay
-  Land subject to inundation overlay
-  Review zoning
-  Walking and cycling links
-  Avenue of Honour
-  Sealed road
-  Railway line

1 Investigate sites of potential heritage value

Review the existing environmental overlays on and around Lake Burrumbeet

Protect agricultural land by ensuring that development is consistent with rural land use principles



Protect and maintain the Avenue of Honour as a unique landscape feature and gateway to the area

Encourage safer walking and cycling links between Lake Burrumbeet, Lake Learmonth and Cardigan Village

Review the Farming Zone on Bo Peep Road to identify if a rural living zone is more appropriate.

Encourage a biodiversity corridor that links Lake Burrumbeet, Lake Learmonth, the Skipton Rail Trail and the Avenue of Honour

# IMPLEMENTATION PLAN

OT = Council

C = Community Led

S = State

PRIORITY 1 LAKE BURRUMBEET		SHORT	MEDIUM	LONG	ONGOING	RESOURCES
Objective 1.1: To ensure the effective management of Lake Burrumbeet and its environs.						
1.1.1	Council will continue to work with the Department of Environment, Land, Water and Planning (DELWP) on issues relating to Lake Burrumbeet and its effective management.				▲	OT
1.1.2	To improve on-ground management of Lake Burrumbeet and surrounds and investigate the appointment of a Committee of Management (CoM) to manage, maintain and improve an area of the overall lake reserve. This CoM would be appointed under the Crown Land (Reserves) Act 1978, administered by the State Government. The CoM may include current and new community members passionate about the Lake Burrumbeet reserve.	▲				S
1.1.3	Develop a joint communication program (flyers, online, social media, onsite) between Council, DELWP and CoM for users of the lake and its surrounds, which could include information about: <ul style="list-style-type: none"> <li>» Passive and active recreational activities and groups</li> <li>» Access to the lake and its surrounds</li> <li>» Local law requirements for use of the lake and its surrounds</li> </ul>		▲			OT/S
Objective 1.2: To protect and enhance the biodiversity of Lake Burrumbeet, in recognition of it as a significant natural asset of the broader region.						
1.2.1	Enhance and protect biodiversity where possible.				▲	OT
1.2.2	Support local Landcare groups in their land management and enhancement pursuits.				▲	OT
1.2.3	Review the application of the Significant Landscape Overlay and Environment Significance Overlay in the Planning Scheme		▲			OT
Objective 1.3: To maintain the amenity of the foreshore area						
1.3.1	Undertake landscape improvements throughout areas of the Lake Burrumbeet reserve managed by Council				▲	OT
1.3.2	Maintain the foreshore walking trail				▲	OT
1.3.3	Uphold local laws relating to the Use of Council managed public land and recreational activities; including litter control and encouraging reporting of rubbish dumping.				▲	OT
1.3.4	Council to advocate for adequate vehicular access to Lake Burrumbeet for recreational purposes, including seasonal road closure on the western side of the lake during the winter and spring.				▲	OT

Objective 1.4: To provide opportunities for interpretation and research of Lake Burrumbeet

1.4.1	Key stakeholders to identify opportunities to research and interpret Lake Burrumbeet's significant cultural, historical and natural attributes and local stories through research partnerships.		▲			C/OT/S
1.4.2	Investigate establishment of interpretation throughout the Lake reserve, showcasing the cultural, historical and natural attributes and local stories of the lake and the broader landscape.		▲			C/OT/S



OT = Council

C = Community-led

PRIORITY 2 THE LANDSCAPE AND RURAL LIFESTYLE OF BURRUMBEET		SHORT	MEDIUM	LONG	ONGOING	RESOURCES
Objective 2.1 To protect agricultural land and promote sustainable land uses						
2.1.1	Council to continue to maintain roadside conservation areas and undertake the program of roadside weed control in conjunction with local Landcare groups				▲	OT/C
2.1.2	Promote access to Council's Community Nursery as a facility for Landcare groups to propagate indigenous native plants for revegetation projects				▲	OT/C
2.1.3	Support local groups promoting viable farming practices and sustainable land uses				▲	OT/C
2.1.4	Protect agricultural land by ensuring development occurs in accordance with the rural land use provisions of the Ballarat Planning Scheme				▲	OT
2.1.5	Review the Farming Zone on Bo Peep Road to identify other zone options which reflect its rural lifestyle character.		▲			C
Objective 2.2 To protect and enhance landscape features of historical and environmental value						
2.2.1	Introduce a biodiversity corridor along Weighbridge Road to Haddon/Windermere Road area (north/south) that links Lake Burrumbeet and Lake Learmonth, Skipton Rail Trail and Avenue of Honour with safer cycling links for people to connect with these places	▲				OT
2.2.2	Protect and maintain the prominence of the Avenue of Honour as a unique landscape feature and gateway to the region through the continued application of the Heritage Overlay and implementation of the Avenue of Honour Interface Guidelines into the planning scheme.				▲	OT
2.2.3	Investigate sites of potential heritage value in the broader Burrumbeet area, as identified through City of Ballarat's Heritage Gaps Master Plan, through completion of heritage assessments		▲			OT

PRIORITY 3 SERVICES, INFRASTRUCTURE AND AMENITY		SHORT	MEDIUM	LONG	ONGOING	RESOURCES
Objective 3.1: To offer ongoing opportunities to support, guide and educate local businesses and community groups						
3.1.1	Assist and encourage local businesses (this may be emerging businesses) to access State and Federal funding grants and programs to support productivity growth, innovation and value add opportunities		▲			OT
3.1.2	Deliver Tenderwrite workshops as part of the Ballarat Industry Participation Program (BIPP) inviting local businesses to help improve their competitiveness				▲	OT
3.1.3	Council to assist and encourage local organisations to access funding grants and programs, including Council's Community Impact Grant Program to support community based events and activities.				▲	OT
Objective 3.2 To offer ongoing opportunities to support, guide and educate local businesses.						
3.2.1	Council to continue to maintain Council assets at the Burrumbeet Caravan Park	▲				OT
3.2.2	Investigate the current condition, demand and use of the sporting facilities near the caravan park and determine if upgrades are required		▲			OT
3.2.3	Investigate the quality of Bo Peep Road, particularly its usage and any subsequent need for upgrading, widening, side barriers or signage.		▲			OT
Objective 3.3: To improve accessibility and signage for walkers and cyclists.						
3.3.1	Investigate the potential to improve walking and cycling route connections to the freeway overpass, Avenue of Honour, Lake Learmonth and Cardigan Village.		▲			OT
3.3.2	Encourage visitation by sports and tourist riders through the development of interpretative and way-finding signage along cycling paths.		▲			OT





## APPENDIX 1: BACKGROUND ANALYSIS

### SOCIO-DEMOGRAPHIC PROFILE

Note: The following demographic summary has been compiled using the results of the 2011 Census as more recent data is not yet available. Census data has been collected for the 'Gazetted Locality' area of Burrumbeet. Changes to area boundaries between 2006 and 2011 for Burrumbeet means that's temporal comparison of data is likely to be inaccurate and as such has not been undertaken for Burrumbeet.

#### POPULATION AND GROWTH

Burrumbeet has a population of approximately 230 people, of which 56.9% were male and 43.1% were female. The median age of residents of Burrumbeet is 55, significantly higher than the median age of 37 across the municipality.

The largest age group within Burrumbeet are the seniors and the elderly (aged over 65), who account for 32.7% of the total population. Children aged under 15 represent 11.7% of the population and those aged between 40-60 account for 39.1%.

There are a total of 101 households in Burrumbeet, 55.4% of which are family households (two or more people), 41.6% are single or lone person households, and 3% are group households.

Of those aged over 15 years, 55% are in a registered marriage. Couple families without children were the most common composition for families (63.6%). Couple families with children comprised 36.4% of households. Overall, Burrumbeet has a much larger proportion of households without children than the municipality in general (38.6%).

#### HOUSING

Of the occupied dwellings in Burrumbeet 60% are separate houses and 39.8% are classified as 'Other'. The large amount of housing classified as other is a result of a significant number of community members living at the Burrumbeet Caravan Park. There is a diversity of housing in Burrumbeet in terms of the number of bedrooms per house, with 27.7% having one bedroom, 13.3% having two, 33.3% having three and 18.1% having four or more bedrooms. The average number of bedrooms per dwelling is 2.4 and the average number of people per household is 2.1.

84.9% of houses within Burrumbeet are owned either outright or with a mortgage, and 12.1% are rented, compared with 67.2% and 29.4% across the municipality of Ballarat respectively.

Rent is relatively affordable for households within the township, with median rent (\$160 weekly) accounting for 26.59% of the median weekly household income (\$658). In contrast, mortgage repayments in Burrumbeet are significantly less affordable, with weekly mortgage repayments (\$250) taking up 38% of weekly household income. As a general rule, households are considered to be in 'housing stress' when payments for housing exceeds 30% of the gross household income. The median weekly income in Burrumbeet is significantly lower than across the municipality more generally (\$988).

## EDUCATION AND EMPLOYMENT

In Burrumbeet, 21.8% of people were attending an educational institution. Of these 37.7% were in primary school, 34.7% in secondary school and 0% in a tertiary or technical institution. Burrumbeet has a significantly lower number of people attending technical, university, tertiary or further education institution than the state and wider municipality, however this is likely to be the result of a much lower number of people aged 15 to 24 years.

56.6% of people aged over 15 in Burrumbeet are employed full-time. This is relatively consistent with the wider municipality. Burrumbeet has a higher rate of unemployment than the municipality with 8.65% of people being unemployed compared with 5.8% across Ballarat. 24% of people in Burrumbeet worked part-time.

The largest occupational group in Burrumbeet is 'Managers' (22.6%), followed by 'Technicians and Trades Workers' (14.1%) and 'Professionals' (14.1%).

69% of people in Burrumbeet travel to work by car compared with 73.6% in the City of Ballarat and 61% in Victoria.

## DIVERSITY

Burrumbeet is relatively homogeneous in terms of cultural diversity. 81.4% of residents were born in Australia (in comparison to 86% in Ballarat and 69% in Victoria), and the most common reported ancestry is Australian (29.8%) and English (29.5%) and Irish (11%). By far the most common religious affiliation in the township is Catholic (34.1%) and 26.5% of people report having no religion. These proportions are relatively consistent with the broader municipality. Lastly, 97% of people in Burrumbeet speak only English at home compared with 92% across Ballarat and 72% in Victoria.





## RURAL LAND AND BIODIVERSITY

The areas surrounding Burrumbeet are dominated by agricultural uses, including pasture, cereal and wool production. Burrumbeet is situated in the Western Victorian volcanic plains and is characterised by flat to gently undulating basalt plains with 0-2° slopes, scattered volcanic cones with 15-40° slopes; and the granite of the Waubra Hills ranging from steep slopes of 16-35° to gentle hill slopes of 5-15° in the north-west of the district.

The geology of the district is a mix of granite, volcanic cones, alluvium, basalt and Ordovician sediment. Newer basalt is the predominant geology in the district. Red basalt soil is highly productive, while alluvium soils have average productivity for agriculture.

The district contains a few small areas of remnant native vegetation, including scattered pockets of:

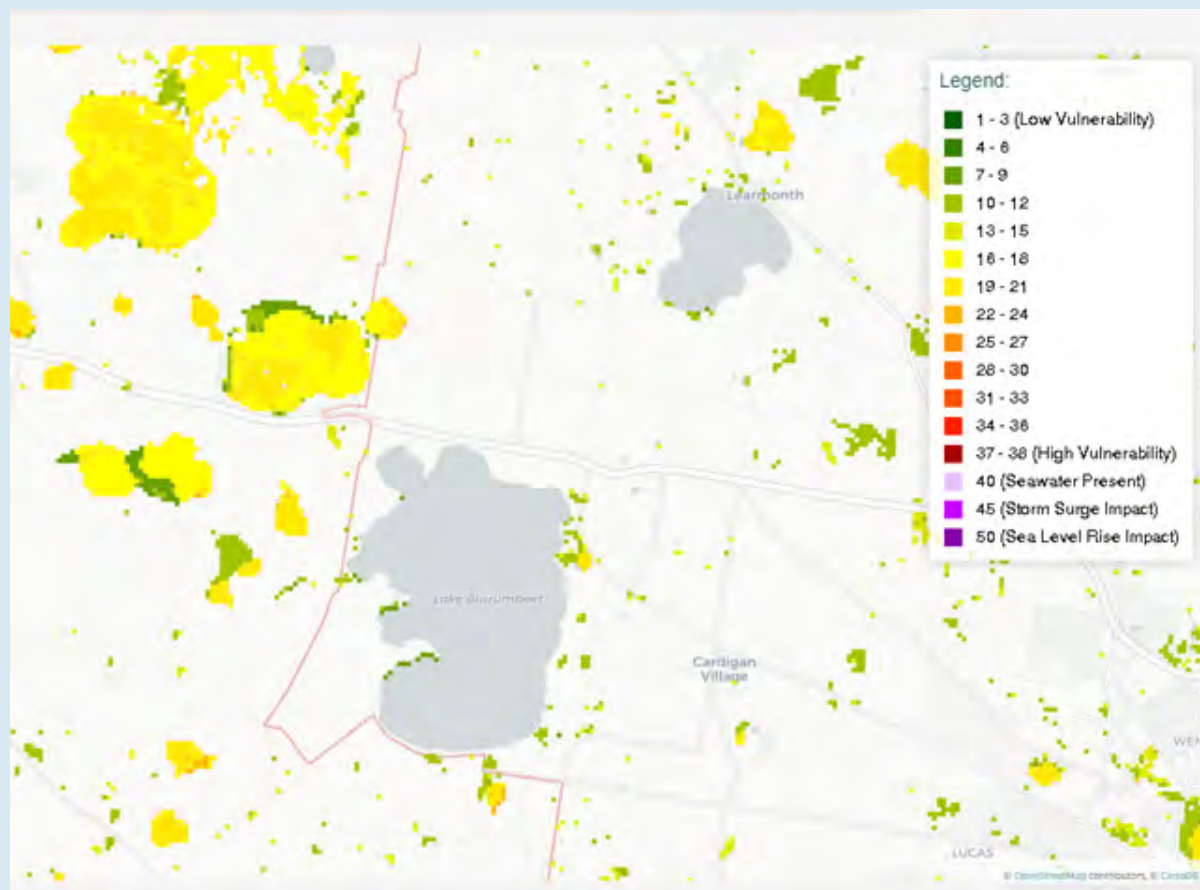
- » Grassy Dry Forest (depleted)
- » Plains Grassy Woodland (endangered)
- » Riparian Woodland (endangered)
- » Plains Grassy Wetland (endangered)
- » Plains Grassland (endangered)

**Figure 1: Native Vegetation**



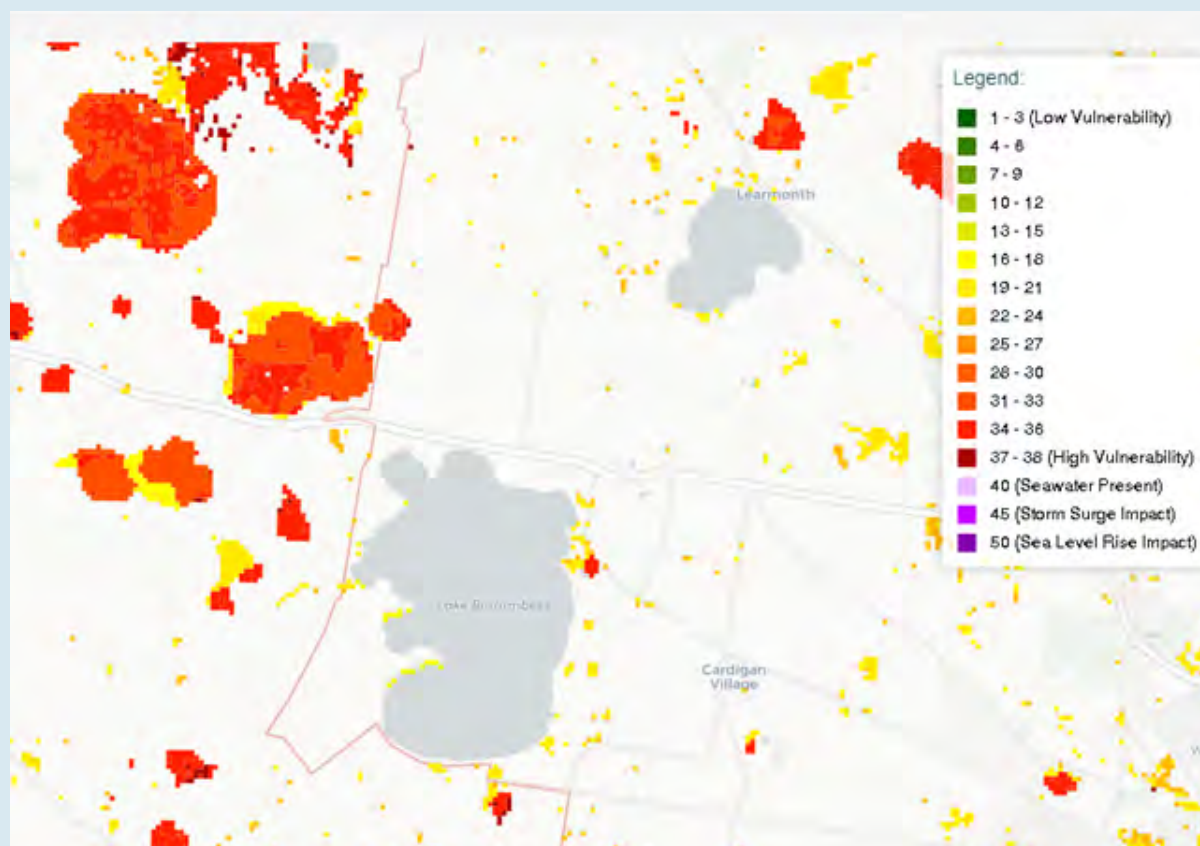
Source: Visualising Victoria's Biodiversity 2017. Grassy Dry Forest (light green), Plains Grassy Woodland (orange), Riparian Woodland (pink), Plains Grassland (yellow), Wetlands (blue)

Figure 2: Vegetation Vulnerability 2050 (RCP 8.5)



Source: cErdi, 2017

Figure 3: Vegetation Vulnerability 2090 (RCP 8.5)



Source: cErdi, 2017



## LAKE BURRUMBEET MANAGEMENT

The large shallow lake of Lake Burrumbeet, as well as its adjoining shoreline reserve, covers an area of 2607ha. The Crown Land is reserved for public park and recreation under the Crown Land (Reserves) Act 1978. The City of Ballarat managed Lake Burrumbeet up until 2013 when the majority of the Lake Burrumbeet management was returned to the Department of Environment, Land, Water and Planning (DELWP). The City of Ballarat is the delegated land manager for the north eastern recreation node which includes the Lake Burrumbeet Caravan Park.

The future management of Lake Burrumbeet is outlined within the Lake Burrumbeet Management Statement. This statement is an agreement between the City of Ballarat and the Department of Environment, Land, Water and Planning (DELWP) regarding the lakes uses, values and management issues, it also sets out management actions to protect the lake's values and recreational opportunities. The involvement of the local community, the Traditional Owners and other stakeholders in the planning and management of Lake Burrumbeet are also included within the Statement.

The majority of the Lake Burrumbeet Reserve is managed by the State Government Department of Land, Water and Planning (DELWP). The area that DELWP manage includes the Southern, Western, Northern and most of the Eastern shore sections of the reserve and the lake basin itself.

The City of Ballarat manages an area of the reserve that includes the Lake Burrumbeet Caravan Park, the sports oval and some natural reserve land to the north of the Lake Burrumbeet Caravan Park. This area is subject to an agreement with the State Government called a Committee of Management Agreement. Council's role is to manage the reserve for the purpose that the land was reserved for and to meet subsequent obligations as Land Manager.

The City of Ballarat is also the Waterway Manager (under the Marine Safety Act 2010) when there is navigable water in the lake and this allows us to regulate water traffic on the lake for safety purposes.

The Lake Burrumbeet Management Statement lists the responsibilities of DELWP as the Lake Management Authority and identifies the issues and management actions which relate to Lake Burrumbeet. The issues include items such as appropriate visitor behaviour, litter disposal, tree hazards and vehicle access amongst others.



Lake Burrumbeet

**Legend**

- Council Managed Land
- DELWP Managed Land
- The City of Ballarat is the waterway manager (under the Marine Safety Act 2010) when there is navigable water in the lake and this allows Council to regulate water traffic on the lake for safety purposes.

## REMEMBRANCE DRIVE

Remembrance Drive is a 22-kilometre roadway that is lined with 3,371 trees and extends from the Arch of Victory in the east to the Weatherboard-Learmonth Road in the west. The site represents a living memorial honouring local men and women who enlisted from Ballarat and surrounding areas for service during World War I. The application of a Heritage Overlay (HO154) in the Ballarat Planning Scheme provides statutory recognition and protection of the historic significance of Remembrance Drive. This section of Remembrance Drive forms part of the Avenue of Honour and Arch of Victory heritage place which is included in the Victorian Heritage Register (Ref H2098).

The registration includes land along Remembrance Drive extending from Learmonth Street to Weatherboard Road and is identified as having historic, architectural, aesthetic, cultural and social significance as the earliest and longest example of a roadside war memorial in Victoria.

Any upgrades or alterations affecting Remembrance Drive or the land adjacent to it are required to respect heritage values. VicRoads is the government authority generally responsible for the management of the Ballarat-Burrumbeet (Remembrance Drive) road reservation.

## SERVICES AND FACILITIES

There are recreational facilities in Burrumbeet which include the Burrumbeet Ski and Boat Club, the Burrumbeet Cricket Club, Burrumbeet Park and Windermere Racing Club as well as the walking track along the lake foreshore.

The Burrumbeet Park and Windermere Racing Club hosts the annual Burrumbeet Cup including the race of the day, the Petrogas Regional Burrumbeet Cup.

Lake Burrumbeet provides the means for various recreational activities and is used for boating, water skiing and fishing.

There is limited pedestrian mobility by way of formal walking paths. The reserve around Lake Burrumbeet provides an informal walking path. The V/Line Nhill to Melbourne bus service operates within Burrumbeet.

The caravan park is located within the north eastern recreation node of Lake Burrumbeet. The caravan park can cater for over 100 people at any one time including annual residents and tourists. The caravan park is serviced by a convenience shop and some sporting facilities.

## ► APPENDIX 2: POLICY ANALYSIS

There are a number of policies at the state, regional and local level that are relevant to planning for the future of Burrumbeet. A brief summary of these is provided below.

These planning policies and broader strategic guidelines have influenced the development of this plan. These documents include:

- » Plan Melbourne, May 2014
- » Central Highlands Regional Growth Plan, May 2014
- » Today Tomorrow Together: The Ballarat Strategy, July 2015
- » Ballarat Planning Scheme
- » Ballarat Rural Land Use Strategy, November 2010
- » Burrumbeet Flood Investigation, December 2013
- » Draft Lake Burrumbeet Management Statement, January 2015
- » Ballarat Open Space Strategy Volume 1 and 2, March 2008

### CENTRAL HIGHLANDS REGIONAL GROWTH PLAN

The Central Highlands Regional Growth Plan (first published in 2010 and updated in 2012) provides a regional approach to land use planning in the Central Highlands. It covers the municipalities of Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees, and identifies opportunities to encourage and accommodate growth and manage change over the next 30 years.

The Plan sets a framework to deliver on the collective aspiration of communities across the region.

The Plan identifies:

Where future development will be supported and assessed at a regional scale;

- » Environmental, economic, community and cultural assets and resources of regional significance that should be preserved, maintained and developed;
- » How the region can respond to opportunities, challenges and long-term drivers of change;
- » Key regional priorities for future infrastructure planning and investment to support growth.

### VISION

'The Central Highlands Regional Strategic Plan identifies that the vision for the Central Highlands region towards 2030 and beyond is to provide a productive, sustainable, and livable region for its people. This plan shares the same vision'.

The content and direction of the Plan is guided by nine overarching principles:

1. Population growth should be planned in sustainable locations throughout the region.
2. The region's economy should be strengthened so that it is more diversified and resilient.
3. The region should capitalise on its close links with other regions and cities.
4. The development of sustainable and vibrant communities should be supported by enhancing the level of access to key services.
5. Land use patterns, development and infrastructure should make the region more self-reliant and sustainable.
6. Planning for growth should be integrated with the provision of infrastructure.
7. The region's land, soil, water and biodiversity should be managed, protected and enhanced.
8. Long-term agricultural productivity should be supported.
9. The importance of cultural heritage and landscapes as economic and community assets should be recognised.

With regards to small towns and rural settlements, the Plan seeks to:

- » Build on local opportunities to support resilience of small towns;
- » Protect and enhance regionally significant environmental assets;
- » Identify and protect the region's significant cultural heritage and landscape assets.

Implications for planning for Burrumbeet:

- » Recognise productive agricultural land and rural landscape character as a regionally significant asset and allow for growth and development in appropriate locations;
- » Recognise the economic benefits of tourism;
- » Plan to enhance biodiversity assets;
- » Plan for development which minimises the risk to property and lives from flood and bushfire risk;
- » When planning for small settlements, ensure consideration is given to the facilities and services, and connection to surrounding townships in order to promote the sharing of resources and promote greater community resilience.

## PLAN MELBOURNE

Plan Melbourne (released in 2014 and refreshed in March 2017) presents the State Government's overarching strategy for managing growth across Greater Melbourne to the year 2050. The Plan seeks to integrate land use, infrastructure and transport planning to meet the city's future environmental, population, housing and employment needs.

## VISION

'A global city of opportunity and choice'



This vision is underpinned by nine key principles:

1. A distinctive Melbourne.
2. A globally connected and competitive city.
3. A city of centres linked to regional Victoria.
4. Environmental resilience and sustainability.
5. Living locally: 20 minute neighbourhoods.
6. Social and economic participation.
7. Strong and healthy communities .
8. Infrastructure investment that supports balanced city growth.
9. Leadership and partnership.

To support these principles, seven outcomes are outlined that, together with the identified policy directions, will achieve the nine overarching principles. Outcome 7 includes specific directions relevant to planning for Burrumbeet, summarised below:

Outcome 7: Regional Victoria is productive, sustainable and supports jobs and economic growth.

Outcome 7 is directed towards promoting investment in regional Victoria to support housing and economic growth, enhancing social and economic participation and growing strong and healthy regional communities. Of particular note in planning for regional townships is:

- » Direction 7.2 – Improve connections between cities and regions.
- » 7.2.1 – improve transport and digital connectivity for regional Victoria

## VICTORIAN HEALTH AND WELLBEING PLAN 2015-2019

The Victorian Health and Wellbeing Plan 2015-2019 establishes an ambitious vision for Victoria, as a state free of the avoidable burden of disease and injury, with the overarching aim of the Plan to reduce inequalities in health and wellbeing. The Plan presents a strong focus on improving inequalities in health and wellbeing, the determinants of health that contribute to those inequalities, and an explicit focus on improving health and wellbeing across the life course.

### VISION

**‘A Victoria free of the avoidable burden of disease and injury so that all Victorian’s can enjoy the highest attainable standards of health, wellbeing and participation at every age’.**

The strategic priorities of the Plan are based on the most significant causes of poor health and wellbeing that are most responsive to preventative action, and that cause the greatest inequalities in health outcomes.

- » Healthier eating and active living
- » Tobacco free living
- » Reducing harmful alcohol and drug use
- » Improving mental health
- » Preventing violence and injury
- » Improving sexual and reproductive health

The Plan emphasises improving health and wellbeing via a range of public health approaches. These are:

1. Supporting healthy and sustainable environments – which is critical to the health and wellbeing of current and future generations. Particular attention is given to climate change adaption and air, food and water quality.
2. Place-based approaches – which emphasise the significance of location in health and focus on a range of settings in which people spend their time.
3. People-centred approaches – which focus on building strong partnerships between health services and other networks, and emphasise prevention, empowerment, education and health literacy.
4. The Plan includes a number of specific strategies that are relevant to planning for the future of Burrumbeet:

### **Healthy and Active Living**

- » Encourage and support people to be as physically active as possible throughout their lives. Strategies may include active transport (such as walking or cycling to work), neighbourhood design that promotes activity and social connectedness, and participation in sport and recreation.
- » Encourage interaction with nature in Victoria’s parks and open spaces.

### **Improving Mental Health**

Enhance and develop strategies to promote mental health and wellbeing and reduce current high levels of psychological distress. Examples include addressing discrimination, encouraging interaction with the natural environment, promoting positive body image, reducing disordered eating, preventing violence against women, tackling stress in the workplace, increasing physical activity and in sport participation, and promoting acceptance of diversity and social-inclusion to build resilient and connected communities.

### **TODAY TOMORROW TOGETHER: THE BALLARAT STRATEGY**

Today, Tomorrow, Together: The Ballarat Strategy outlines the long-term plan for a greener, more vibrant and connected Ballarat. It is supported by key concepts, policies and actions that will underpin land use decision-making in Ballarat over the next 25 years.

The Strategy is based around two key platforms: the “10 Minute City” and the “City in the Landscape.”

The ‘10 Minute City’ concept in Ballarat reflects community aspirations to maintain existing or improved levels of local access to destinations and services as the city grows over time. It is to be achieved by:

- » Making land use decisions so housing growth patterns reinforce a compact city;
- » Developing a network of complete local neighbourhoods;
- » Recognising key precincts for urban renewal and convenience living;
- » Transitioning towards a more sustainable transport network;
- » Supporting the economic transition towards the jobs of tomorrow.

### The 'City in the Landscape':

Supporting Ballarat to be a greener and more vibrant regional city.

The 'City in the Landscape' concept reflects Ballarat's enviable physical, cultural and historical location within its landscape. The concept recognises that nothing should be viewed in isolation of its physical and non-physical context. It is achieved by:

- » Adopting an urban forest approach to better manage our environment, improving the livability and amenity of the City, and making us more resilient to a changing climate;
- » Pursuing a new approach to managing change in our historic city and rural landscape;
- » Local plans for local communities;
- » Embracing the urban and rural landscape;
- » Recognising and responding to a changing climate, and being resilient to environmental impacts and risks.



Strategy	Initiative	Implications for Burrumbeet
Development Infrastructure  Leverage city-shaping and local scale infrastructure	1.17 - Make land use decisions which best utilise existing infrastructure and minimise the cost burden of servicing new development areas.	Limit growth in fringe areas (and alternatively promote growth in existing urban areas) to reduce infrastructure costs to the broader community.
Township Areas  Empower and support rural and township communities	1.22 - Actively engage with township communities to develop and then implement a long-term community vision.  1.23 - Undertake local area planning for townships to support growth and development whilst protecting local values.  1.24 - Continue to support local communities to generate opportunity and employment in township areas.  1.25 - Better connect township areas so people, skills, knowledge and opportunity can move more freely.	Specific Local Area Plans to be undertaken for six township and settlement areas around Ballarat, including Burrumbeet.
10 Minute City  Facilitate better access to local services and facilities	2.1 – Work towards all urban residents being able to access most of their daily needs within 10 minutes' walk or cycling from home.	Street and built environment to make walking and biking preferred ways of accessing public transport and local destinations.  Improve neighbourhood permeability, and encourage people to access neighbourhood centres, parks, schools, natural areas and other key community destinations, by walking, cycling or wheelchair.
Liveability, Health and Wellbeing  Plan for a healthy and inclusive community	2.3 Support health and wellbeing outcomes by ensuring new developments appropriately plan for, and contribute financially towards, community infrastructure required for complete neighbourhoods.  2.4 - Support community-led opportunities for a healthier, safer, more active and inclusive community.	Ensuring any new development occurring in townships encourages active lifestyles by providing permeability, passive surveillance and good amenity.  Enhance walking routes already used informally by the community.  Support community-led initiatives which encourage healthy lifestyles.
Liveability, Health and Wellbeing  Enhance cultural diversity	2.10 - Recognise and adapt our plans, strategies, policies and procedures to engage with an increasingly diverse community.	Working with minority groups for inclusive planning outcomes.  Recognise cultural values, especially Aboriginal.

Strategy	Initiative	Implications for Burrumbeet
Residential Development Guidance on the future of dispersed settlement and township areas	3.10 – Support rural lifestyle development within existing rural living zone and township areas.	Undertake local area planning for township areas to determine their long-term aspirations, opportunities and challenges related to housing growth and change.
Housing Form and Diversity Protect the unique character of Ballarat	3.11 – Promote character and diversity in the design and planning of new housing areas.	Improve the promotion and compliance with landscape character area requirements in all new development.  Ensure that landscape character requirements are clear in policy.
Housing Form and Diversity Plan for affordable and diverse housing appropriate for ageing and changing communities	3.13 – Support a structure to the city and make land use planning decisions to enable ageing in place, support excellent access to public transport and the viability of providing the services needed for an ageing population.	Potential to encourage the provision of diverse housing that can accommodate people with changing needs.  This potential to provide housing diversity in township and settlement areas may be somewhat limited.
A More Sustainable Transport Network Build a less car-dependent community with a more sustainable transport system	4.1 – Transition Ballarat towards a more sustainable transport system.	Investigate alternative and convenient options to give communities greater choice in how they travel.
Historic Urban Landscape Manage Ballarat's unique heritage, landscape and character as an integrated Historic Urban Landscape	5.1- Implement UNESCO's Historic Urban Landscape approach as the guiding framework for managing change in our dynamic, historic city.  5.3 – Identify community values, landscape values and acceptable levels of change for sensitive neighbourhoods, to provide certainty to residents and developers regarding the type of developments to attract and support.  5.4 – Encourage property owners to adaptively reuse heritage places in a sympathetic manner.  5.6 – Better interpret our rich historical, cultural and natural landscape.	Encourage adaptive reuse and sympathetic development of heritage places to enhance heritage values.  Ensure that new developments enhance rather than impact on the values that make a place special.  Embed support for adaptive reuse of heritage buildings in planning controls.  Seek opportunities and partnerships to interpret the rich history of townships and settlement areas.  Develop integrated Local Area Plans and policies that articulate acceptable levels of change in sensitive areas.  Establish a formal mechanism for reviewing implementation of Local Area Plans.  Establish an ongoing role for community in monitoring implementation of Local Area Plans.



Strategy	Initiative	Implications for Burrumbeet
<p>Biodiversity</p> <p>Pursue regional solutions to the management of landscape values and biodiversity</p>	<p>5.8 - Plant more trees and work with the community to more than double Ballarat's canopy cover to 40%.</p> <p>5.9 - Support the management and rehabilitation of a network of living corridors across Ballarat to properly manage our natural values in urban and township areas.</p>	<p>Support local communities to improve streams, habitat areas, and public land in local neighbourhoods.</p> <p>Support development to expand rather than degrade the range of biodiversity assets across the municipality.</p> <p>Review relevant planning controls to ensure they remain relevant, accurate and useful in the appropriate preservation and enhancement of biodiversity assets.</p> <p>Support landowners to improve the biodiversity values of their land.</p>
<p>Water</p> <p>Ensure sustainable water management of the city through urban design and operational programs.</p>	<p>5.15 – Encourage water efficiency and whole-of-cycle water management to be integral; parts of future development and public realm improvements.</p> <p>5.16 - Manage stormwater as part of a renewed focus on green infrastructure.</p>	<p>Embedding whole of water cycle management in future growth and development.</p>
<p>Agriculture</p> <p>Ensure ongoing management of agricultural land for agriculture and food security</p>	<p>5.20 – Engage with rural councils to identify opportunities for better managing rural interface areas.</p>	<p>Protect surrounding agricultural uses and landscapes from encroachment by urban development.</p>

Strategy	Initiative	Implications for Burrumbeet
<p>Climate Change Impacts</p> <p>Collaborate to adapt to a changing climate</p>	<p>5.29 - Collaborate with the State Government and other key partners to deal with climate change and uncertainty.</p> <p>5.30 - Support initiatives to understand Ballarat's vulnerability to disaster, build disaster resilience and better integrate emergency management.</p>	<p>Strategies to support communities to become more resilient to climate change.</p> <p>Undertake research to understand the vulnerability of townships/settlement areas and this historic urban landscape to climate change and prepare a Local Climate Action Plan to put in place proactive strategies.</p> <p>Implement strategies to better manage risk of environmental disaster and to build community resilience.</p>

Goals	Relevant Outcomes	Priorities relevant to planning for Burrumbeet
<p><b>Liveability</b> Improve our community's quality of life.</p> <p>We will provide inclusive and accessible public spaces, quality services; and opportunities for our community to participate, feel safe and be active and healthy.</p>	<p>A welcoming, inclusive, active and socially-connected city for all ages and abilities</p> <p>Healthy cultural life and creative expression through multi-arts, culture and heritage</p> <p>Well-used public spaces for living, learning and social engagement</p> <p>Public sports and recreation facilities to increase passive and active community participation</p> <p>Safe and accessible community spaces and facilities</p>	<p>» Strengthen our city by making Ballarat a people and all-age friendly city via improved access, participation inclusion and respect-based projects and programs</p>
<p><b>Sustainability</b> Protect, maintain and enhance our built and natural assets.</p> <p>We will plan for growth to ensure our community's infrastructure and natural environment are protected and improved, and our city's connectivity is sustainability enhanced.</p>	<p>A built environment that is reflective of the community's needs and aspirations and respects our heritage</p> <p>Improved natural environment, ecosystems and biodiversity</p> <p>Sustainable water management, transport and connectivity</p> <p>Reduced environmental impact and cost to operate community facilities</p>	<p>» Beautification of entrances and boulevards</p> <p>» Deliver and implement climate adaptation initiatives</p>
<p><b>Accountability</b> Provide strong and decisive leadership, and transparent governance.</p> <p>We will provide open and transparent decision making, and lobby and improve our relationships with all levels of government to enhance our ability to deliver key projects and initiatives.</p>	<p>Engaged and informed community and stakeholder groups</p> <p>Reduced government regulation</p>	<p>» Engage and communicate with our community and other stakeholders</p> <p>» Continue to roll out the Engaging Communities Program</p> <p>» Address gender equity and inclusion in all Council plans and strategies</p>

## BALLARAT RURAL LAND USE STRATEGY (RLUS)

The Rural Land Use Strategy was released in 2010 and provides a long-term vision for Ballarat's rural areas. The Strategy recognises the rural areas surrounding Ballarat as some of Victoria's richest agricultural land in terms of soil quality, with some of the highest value for production per hectare in the state. These areas are also viewed as an integral component of Ballarat's rural identity and highly valued for their contributions to the economy, liveability and amenity of the municipality.

The Strategy identifies that these areas are susceptible to the impacts of climate change and population growth and provides a strategic framework to manage rural areas in sustainable manner.

This document identifies that Ballarat's natural resources and farming activities are at significant risk from ad-hoc land use change that has the potential to compromise the viability and growth of agriculture and threaten the health and functioning of natural resources. As a result, the Strategy sets forth a policy framework to manage these areas in a sustainable manner and to provide guidance in limiting expansion of residential development onto productive agricultural land.

### VISION

'Our agricultural land is an important component of our rural identity and we recognise that our productive agricultural land is a finite resource that is valued, supported and will be protected.'

- » Retain productive land in the long-term for farming, particularly existing large parcels;
- » Protect and enhance biodiversity, significant landscape (including significant water bodies) and remnant native vegetation areas;
- » Retain productive lot sizes to provide opportunities to support sustainable farming;
- » Maintain appropriate buffers in between the extractive industries, other intensive industries and residential in the precinct;
- » Housing strategy/structure planning for township areas to respect RLUS and State Planning Policy Framework (SPPF) objectives;
- » Ensure interface of existing township areas are managed in accordance with Ballarat's housing requirements;
- » Recognise and protect the area as a water catchment through managing additional housing and water demands.



## BALLARAT OPEN SPACE STRATEGY (BOSS)

The Ballarat Open Space Strategy (BOSS) recognises the significant contribution that open spaces makes to providing quality neighbourhoods, highlighting the environmental, social, psychological, physical and spiritual benefits to the community.

The BOSS collectively maps and assess the city's open space network based on an analysis of open space provision and the needs of the community. The BOSS provides a strategic tool to guide decisions about the future development and management of the city's open space network. The BOSS:

- » Provides a clear and concise policy framework for the management of, use and development of the municipality's open space assets;
- » Determines the appropriate provision of open space to cater to Ballarat's existing and projected population;
- » Provides environmental management outcomes and solutions for financing the development of open space;
- » Provides a sustainable public landscape and planting vision aimed at responding to the impact of climate change.

## VISION

'Provide a sustainable network of accessible open space which supports the recreational, environmental, social and health needs of the community and connects Ballarat to its past, present and future.'

There are a number of key principles underpinning the vision:

The management and development of open space will acknowledge the high value of the asset to the community.

Open space will continue to meet the needs of the established communities within Ballarat and will face the challenges to meet the needs of the thriving communities within the City of Ballarat through appropriate distribution.

Ballarat's open space network plays an important role in contributing towards the health and wellbeing of the individuals that make up the Ballarat community.

The sustainable provision, development and management of open space must consider the social, environmental and economic factors.

The open space network will contribute towards developing, enhancing and supporting communities that are connected physically, socially and emotionally.

- f. inclusive and accessible for the whole community.
- g. Partnerships with relevant authorities and the community are crucial for the provision of the open space network.
- h. The provision of open space will need to be integrated across the different land owners and managers.
- i. The provision of open space will be responsive to the needs and trends of the Ballarat community through industry best practice.
- j. The open space network is an essential asset that contributes towards tourism and the economy of Ballarat.
- k. A well-balanced open space network across the municipality might require the 'acquisition' and/or 'retirement' of parcels of open space.

## OUR PARTNERS IN HEALTH 2015-2018

In response to the integration of the Municipal Public Health and Wellbeing Plan with the Council Plan from 2013, and to ensure clear recognition of stakeholder priorities, the City of Ballarat initiated a partnership with seven lead health promoting organisations in Ballarat. The Our Partners in Health Plan clearly outlines a collaborative strategy to tackle four key health priorities that each organisation individually identified as critical to improving health outcomes for the people of Ballarat. Each of the priorities identified are complex and multifactorial, and beyond the capacity of any one organisation to respond to fully.

It is recognised the City of Ballarat has a key role in improving health outcomes through its significance influence over local planning, local laws, environmental health, transport and access, community connections and social support, and the built environment – such as parks and gardens, recreational facilities and the connectivity of residents to their local services and shops.

Four key health priority areas are listed in the plan:

1. Increasing rates of physical activity.
2. Reducing tobacco related harms.
3. Improving healthy eating and food security.
4. Promoting gender equity and preventing violence against women.

Objectives relevant to planning for Burrumbeet Village and increasing rates of physical activity:

1. Health partners work collaboratively to support and promote community physical activity programs and increase the involvement and support of a diverse range of organisations.

2. Develop processes that facilitate the engagement of healthy partners in the development and review of Council strategies and plans which influence physical activity.
3. Health partners develop and disseminate, through a range of media, joint messages and health statistics linked to physical activity.

## OUR LIVING CITY

[A discussion paper about greening Ballarat as an urban forest \(Discussion Paper\)](#)

Ballarat's urban forest comprises all the trees, other vegetation, soil and water that support it within the municipality. It relates to both public and private realm trees on land used for the full range of uses.

The City of Ballarat data indicates approximately 17% canopy coverage across the entire municipality. A figure of 40% by 2040 urban canopy coverage was identified as a key target in The Ballarat Strategy and is currently under investigation for public and private land.

Development of the Urban Forest Strategy is currently underway, with the Draft Concepts and Options Paper released in March 2017.



## VISION

'To create an urban forest which continues to contribute to Ballarat's sense of identity, historic character, and charm'

Generally, the Urban Forest approach includes:

- » Increasing the amount of tree canopy coverage over a given area in a given time;
- » Protecting existing established trees in parks, streets, public spaces and private landscapes;
- » Protecting and improving the linking of habitat and support for biodiversity;
- » Increasing shade and the natural cooling of the natural and built environment;
- » Reducing the impacts of heat in urban areas and increasing carbon uptake;
- » Increasing amenity, the livability of neighborhoods and property values;
- » Increasing tree diversity so the forest is more adaptive to changing climatic conditions;
- » Reinforcement of the landscape character of any given area.

Planning implications for Burrumbeet

- » Undertaking tree plantings on land managed by the City of Ballarat;
- » Encouraging the planting of climate-ready trees on private land;
- » Distributing information to the community regarding the social, environmental and economic benefits of trees.

## STATE PLANNING POLICY FRAMEWORK

The State Planning Policy Framework (SPPF) comprises general principles for land use and development across Victoria which all planning authorities and responsible authorities must take account of and give effect to, to ensure integrated decision making. The SPPF includes a number of policies relevant to the planning of townships in regional areas, such as Burrumbeet..

## LOCAL PLANNING POLICY FRAMEWORK

### Municipal Strategic Statement

The Municipal Strategic Statement (MSS) sets out the vision for the municipality centred around the following concepts of 'The 10 Minute City', and 'The City in the Landscape'.

The MSS identifies issues faced by the municipality in relation to eight key topics. The issues most relevant to planning for the future of Burrumbeet are listed below.

### Settlement and Housing

- » Maintaining a compact settlement form as part of Ballarat's '10 Minute City'.
- » Recognising community values and infrastructure limitations unique to townships.
- » Providing quality open space is essential for community health.

### Environmental and Landscape Values

- » Greening the urban area as an urban forest to improve biodiversity, manage heat, improve amenity and enhance Ballarat's rural identity.

- » Protecting and enhancing the distinctive sense of place, cultural identity and the natural, cultural and historic landscape across the Ballarat municipality.

#### Environmental Resilience

- » Protecting the community from the economic, social and environmental risks associated with flooding.

#### Natural Resource Management

- » Protecting productive agricultural land.
- » Preventing ad-hoc and inappropriate use of productive agricultural land for non-agricultural uses, particularly lifestyle housing.
- » Avoid decision making which creates long term conflict with farming operations.
- » Managing water demand including the impact of development and population growth.
- » Managing the impact of climate change and below average rainfall.

#### Built form, Heritage and Design

- » Protecting significant areas and features of the built and natural environment.

#### Transport and Infrastructure

- » Improving the connectivity and quality of walking and cycling networks.
- » Supporting a less car-dependent community.

The MSS includes a number of policies that relate to the planning and development of Burrumbeet. These are summarised in the Table 3 below.

#### Local Planning Policies

Local Planning Policies are derived from the MSS and help to provide a rationale for the zoning and overlay controls which are prescribed in the Scheme.

The Ballarat Planning Scheme includes several specific Local Policies, though none related to the development of Burrumbeet. However, the Rural Dwellings and Subdivision Policy is generally relevant to planning for Burrumbeet.

#### 22.06 Rural dwellings and subdivisions

The Rural Dwellings and Subdivisions Policy applies to all land in the Farming Zone and recognises that rural areas within the City of Ballarat are an integral component of the municipality's rural identity and highly valued for their contribution to the economy, liveability and amenity.

The City of Ballarat acknowledges that subdivision and dwellings in farming areas can potentially restrict the ability to use the land for farming activities and can impact on the ability of neighbouring farms to carry out agricultural production activities. A clear position to manage subdivisions and dwellings in the Farming Zone to provide for the retention of productive agricultural land for farming, providing clear guidance for decision makers in determining such applications.

This policy has implications for the potential for the future expansion of Burrumbeet.

SPPF	Objectives Summary	LPPF	Objectives Summary	What this means for Burrumbeet
<p>Clause 11 Settlement</p>	<ul style="list-style-type: none"> <li>» 11.03-1 Open space planning To assist creation of a diverse and integrated network of public open space commensurate to the needs of the community.</li> <li>» 11.03-2 Open space management To provide for the long-term management of public open space.</li> <li>» 11.05-3 Rural productivity To manage land use change and development in rural areas to promote agricultural and rural production.</li> <li>» 11.06-1 Planning for growth To plan for population growth in sustainable locations throughout the region.</li> <li>» 11.06-8 Agricultural productivity To support long-term agricultural productivity.</li> <li>» 11.06-9 Cultural heritage and landscapes To recognise the importance of cultural heritage and landscapes as economic and community assets.</li> </ul>	<p>21.02 Settlements and Housing (relating to both Clause 11 and Clause 16 of the SPPF)</p>	<ul style="list-style-type: none"> <li>» 21.02-1 Urban growth To support a pattern of growth that reinforces the '10 Minute City'.</li> <li>» 21.02-6 Townships To facilitate development in township areas in accordance with local area planning and the long-term aspirations of the community.</li> <li>» 21.02-6 Open Space To improve the provision and quality of open space.</li> </ul>	<p>Burrumbeet is zoned Farming Zone (FZ). Both State and local policy presents a strong desire to ensure continuing agricultural productivity by limiting the permanent loss of productive agricultural land and the encroachment of incompatible uses.</p>

SPPF	Objectives Summary	LPPF	Objectives Summary	What this means for Burrumbeet
Clause 12 Environment and Landscape Values	<ul style="list-style-type: none"> <li>» 12.01-1 Protection of biodiversity To assist the protection and conservation of Victoria's biodiversity, including important habitat for Victoria's flora and fauna and other strategically valuable biodiversity sites.</li> <li>» 12.04-2 Landscapes To protect landscapes and significant open space that contribute to character, identity and sustainable environments.</li> </ul>	21.03 Environmental and Landscape Values	<ul style="list-style-type: none"> <li>» 21.03-1 Biodiversity To green Ballarat as part of an urban forest.</li> <li>» 21.03-2 Significant Environments and Landscape To rehabilitate, protect and enhance landscapes with identified values.</li> </ul>	Residents of Burrumbeet have identified the agricultural landscapes and Lake Burrumbeet environs as significant to their sense of community identity and sense of place. The planning scheme supports resident's desire to protect these features.
Clause 14 Natural Resource Management	<ul style="list-style-type: none"> <li>» 14.01-1 Protection of agricultural land To protect productive farmland which is of strategic significance to the local or regional context.</li> </ul>	21.05 Natural Resource Management	<ul style="list-style-type: none"> <li>» 21.05-1 Agriculture To ensure that productive agricultural land remains available for agricultural resource use.</li> </ul>	Burrumbeet is zoned Farming Zone (FZ). Both State and local policy presents a strong desire to ensure continuing agricultural productivity by limiting the permanent loss of productive agricultural land and the encroachment of incompatible uses.
Clause 15 Built Environment and Heritage	<ul style="list-style-type: none"> <li>» 15.01-1 Urban design To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.</li> <li>» 15.01-4 Design for safety To improve community safety and encourage neighbourhood design that makes people feel safe.</li> <li>» 15.01-5 Cultural identity and neighbourhood character To recognise and protect cultural identity, neighbourhood character and sense of place.</li> <li>» 15.03-1 Heritage conservation To ensure the conservation of places of heritage significance.</li> </ul>	21.06 Built Form Heritage and Design	<ul style="list-style-type: none"> <li>» 21.06-1 Urban design To increase the vitality, amenity and experience of the public realm.</li> <li>» 21.06-2 Heritage To protect, conserve and enhance areas, features, structures and sites of historic, Aboriginal, natural and cultural significance.</li> </ul>	Through consultation residents have expressed a desire to protect Lake Burrumbeet and other sites of natural, historical significance.
Clause 16 Housing	<ul style="list-style-type: none"> <li>» 16.02-1 Rural residential development To identify land suitable for rural residential development.</li> </ul>	Addressed above under Clause 21.02 Settlements and Housing		

Table 4: Summary of Controls

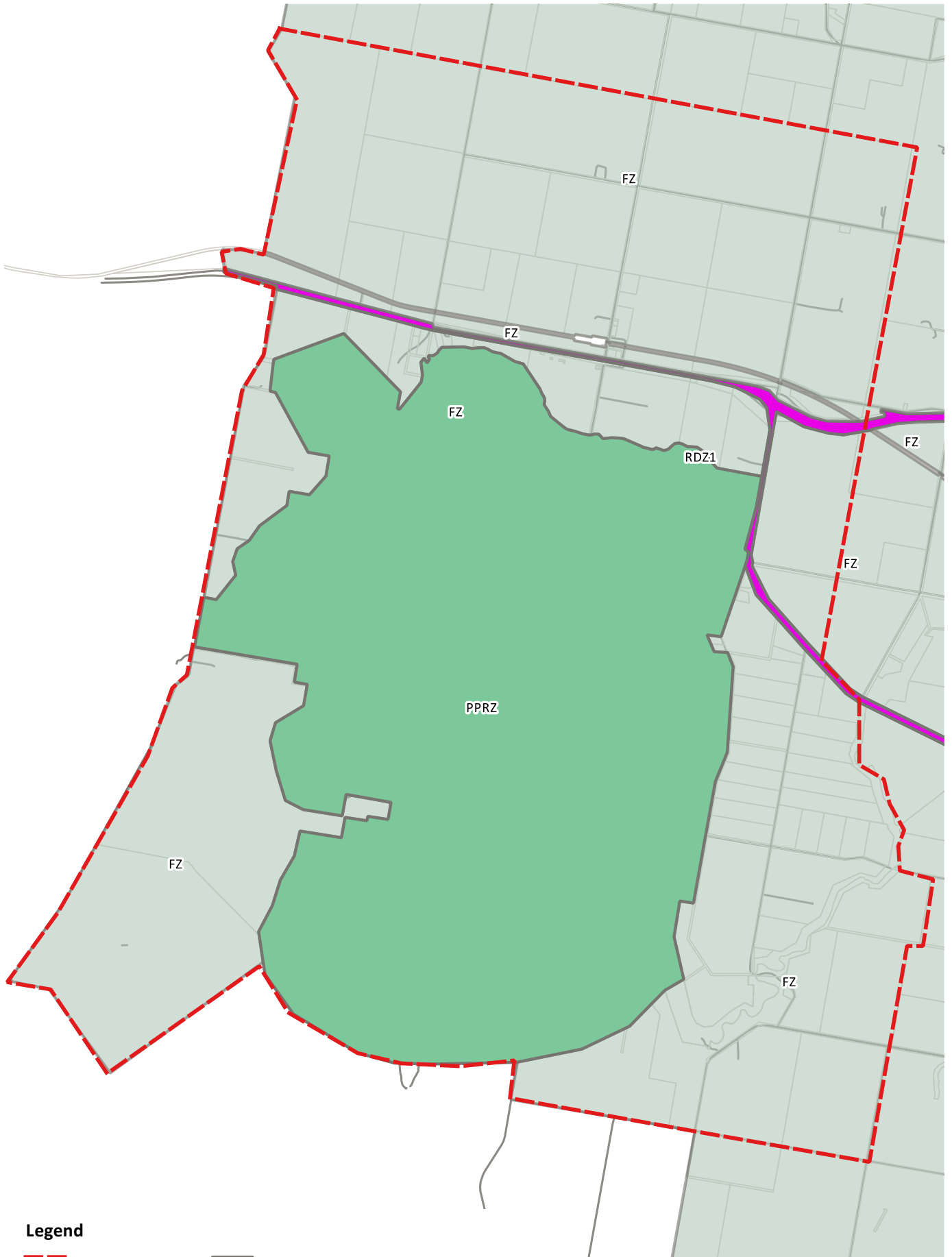
Control	Purpose	Zone Location
Farming Zone (FZ)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To provide for the use of land for agriculture.</li> <li>» To encourage the retention of productive agricultural land.</li> <li>» To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.</li> <li>» To encourage the retention of employment and population to support rural communities.</li> <li>» To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.</li> </ul>	With the exception of Lake Burrumbeet, Burrumbeet is located entirely within the Farming Zone (FZ).
Public Park Recreation Zone (PPRZ)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To recognise areas for public recreation and open space.</li> <li>» To protect and conserve areas of significance where appropriate.</li> <li>» To provide for commercial uses where appropriate</li> </ul>	Lake Burrumbeet and its foreshore including the caravan park.
Road Zone (RDZ1)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify significant existing roads.</li> <li>» To identify land which has been acquired for a significant proposed road.</li> </ul>	Remembrance Drive
Heritage Overlay (Schedule 154 - Ballarat Avenue of Honour) (HO154)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To conserve and enhance heritage places of natural or cultural significance.</li> <li>» To conserve and enhance those elements which contribute to the significance of heritage places.</li> <li>» To ensure that development does not adversely affect the significance of heritage places.</li> <li>» To conserve specifically identified 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.</li> </ul>	Ballarat Avenue of Honour and road reserve of Ballarat-Burrumbeet Road.
Significant Landscape Overlay (Schedule 1)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify significant landscapes.</li> <li>» To conserve and enhance the character of significant landscapes.</li> </ul>	Lake Burrumbeet and surrounding land.






Control	Purpose	Zone Location
Environmental Significance Overlay (Schedule 2 Streamside and Watercourse Protection ESO2)	<ul style="list-style-type: none"> <li>» To maintain the quality and quantity of water within watercourses.</li> <li>» To maintain the ability of streams and watercourses to carry natural flows.</li> <li>» To prevent erosion of banks, stream beds and adjoining land and the situation of watercourses, drains and other features.</li> <li>» To protect and support the long term future of flora and fauna habitats along watercourses.</li> <li>» To ensure that development does not occur on land liable to flooding.</li> </ul>	Covers Burrumbeet Creek and surrounding land.
Environmental Significance Overlay (Schedule 5 Koala and Koala Habitat Protection ESO5)	<ul style="list-style-type: none"> <li>» To maintain and enhance koala habitat.</li> <li>» To ensure the type, density, design and layout of new development is such as to minimise any adverse impacts on koala movements that occur or are likely to occur throughout areas of koala habitat and associated areas and on koala behaviour and health generally.</li> <li>» To coordinate the protection of koala habitat with the protection of native vegetation generally throughout Ballarat</li> </ul>	Scattered locations along the Lake Burrumbeet foreshore.
Land Subject to Inundation Overlay (LSIO)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.</li> <li>» To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.</li> <li>» To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.</li> <li>» To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).</li> <li>» To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.</li> </ul>	Flood prone areas in the Burrumbeet Creek Catchment.
Erosion Management Overlay (EMO)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.</li> </ul>	Land surrounding Lake Burrumbeet.

Control	Purpose	Zone Location
Flood Overlay (FO)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.</li> <li>» To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.</li> <li>» To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.</li> <li>» To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).</li> <li>» To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.</li> </ul>	Flood prone areas in the Burrumbeet Creek Catchment.

# ZONES

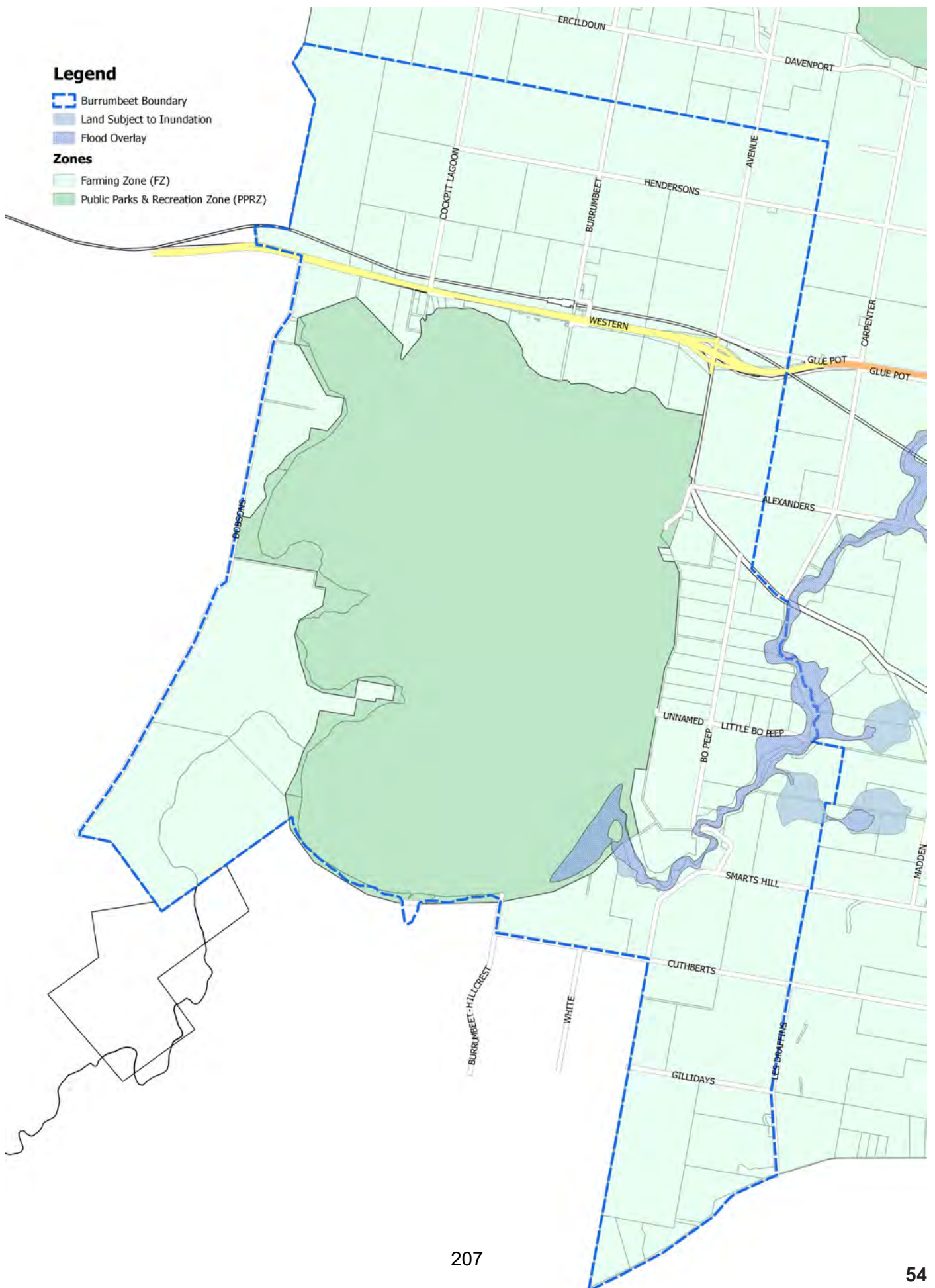


## Legend

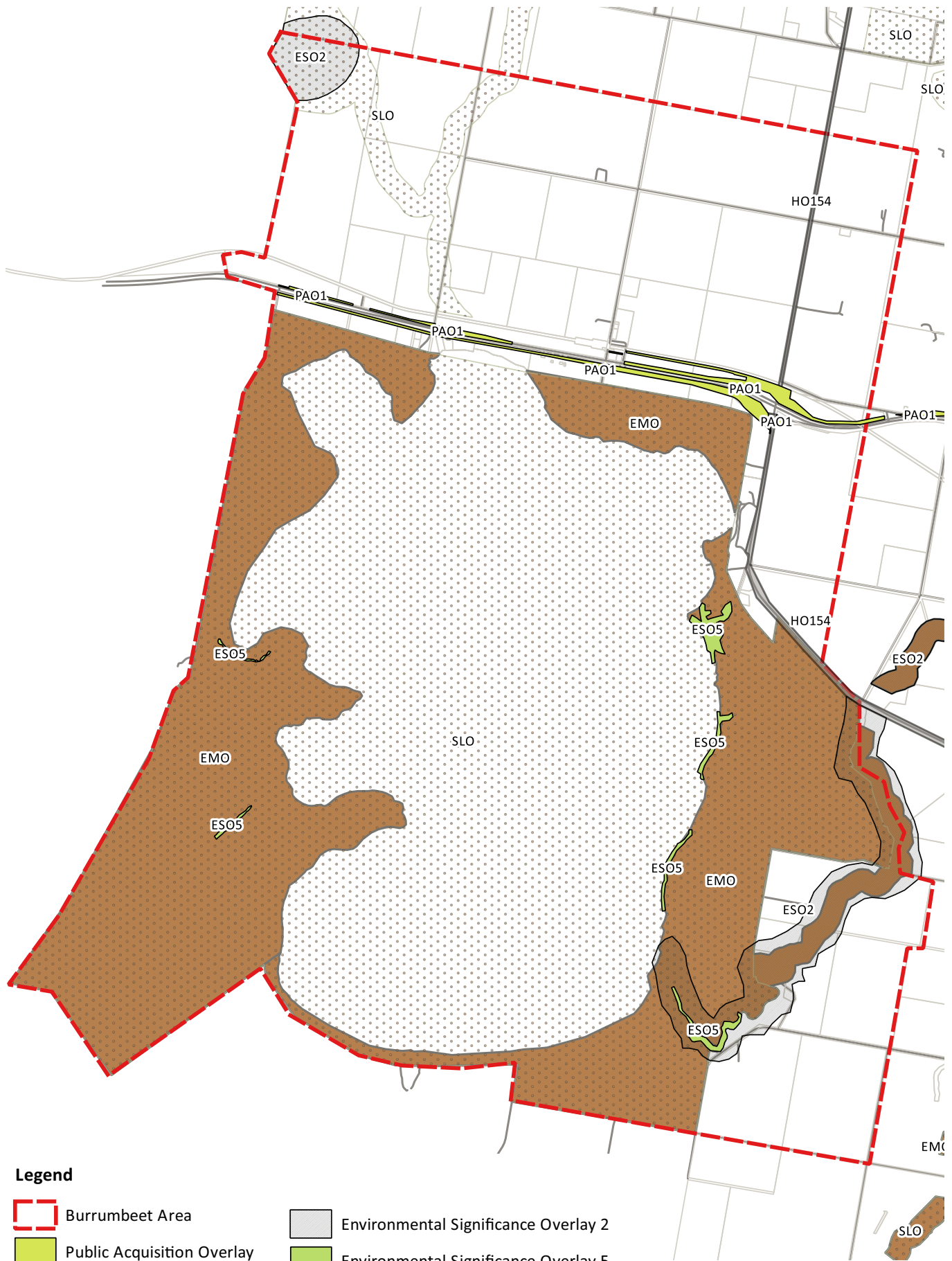
-  Burrumbeet Area
-  Public Park and Recreation Zone
-  Farming Zone
-  Road Zone Category 1

206

# OVERLAYS



# OVERLAYS



## Legend

- Burrumbeet Area
- Public Acquisition Overlay
- Heritage Overlay
- Erosion Management Overlay
- Environmental Significance Overlay 2
- Environmental Significance Overlay 5
- Significant Landscape Overlay







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# THE CARDIGAN VILLAGE PLAN

Our Township Towards 2040



## Our Cardigan Village

Cardigan Village is a friendly and unique community. The people of Cardigan Village are proud of where they live. Cardigan Village is surrounded by vast rural landscapes and distant views to the mountain ranges of the north and west.

## Our Community Vision

Cardigan Village will be a township where the community's strong sense of belonging and connection continues to grow. The open spaces, recreational facilities and Community Centre will provide residents of all ages and abilities with frequent opportunities to interact, connect and share. The streets will be green, safe and accessible, and the rural setting and small town feel – valued by many residents – will be protected. Cardigan Village will be a peaceful place that continues to offer its community a unique lifestyle within easy reach of day-to-day activities and services.

## Our Pathway Forward

Our 'Cardigan Village: Our Township Towards 2040' is a tool to empower and guide our community to a vibrant future. Our Plan represents a summary of actions to continue to strengthen our close-knit community.

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## ▶ ACKNOWLEDGEMENT OF CARDIGAN VILLAGE'S FIRST PEOPLE'S

We are proud to acknowledge the Traditional Owners of Country, which includes Cardigan Village, the Wadawurrung peoples, and pay respects to all Elders, past, present and emerging, as well as Elders from other communities that reside here today.

"The land on which Cardigan Village stands is the traditional land of the Wadawurrung peoples, situated on the important travel route between Ballarat (the 'resting place') and Lake Burrumbeet.

The Wadawurrung peoples made two significant journeys across this landscape throughout the year. During the summer they travelled from Ballarat to the 'food bowls' of Lake Burrumbeet and Lake Learmonth, via the creeks and wetlands. During the winter the Wadawurrung returned to Ballarat, where shelter from the wind and the harsh winter weather conditions of the western basalt plains was provided by the natural depression of the land at the area now known as Bakery Hill.

To ensure holistic planning and development outcomes, Traditional Owners see it as crucially important to understand Cardigan Village as part of the much broader context of intersecting landscapes, rather than viewing the township in isolation. Working to improve the natural environmental values of the land is seen as vital in ensuring the health and wellbeing of all people".

(Uncle Bryon Powell, Wadawurrung Elder, 2017)

## ▶ INTRODUCTION

Local townships and local settlements in the municipality are valued by residents for their character, sense of community and lifestyle. They represent a different style of living to urban Ballarat and contribute to the lifestyle diversity and choice for residents across Ballarat.

Townships face very different challenges and enjoy different opportunities to urban communities, and need local consideration of their unique situation to appropriately guide their future. Council has a significant role to play in supporting townships to manage change and prosper as important hubs for their local community.

As a key initiative of the City of Ballarat's long-term plan for growth to 2040, Today Tomorrow Together: The Ballarat Strategy, Council is committed to delivering Local Area Plans for six townships and settlements across the municipality in collaboration with local communities.

We know that creating and maintaining places people love requires ongoing commitment and vigilance to:

- » Protect the characteristics and values that are intrinsic to a community's identity and sense of place;
- » Articulate a collective vision for the future that respects the past but is flexible and dynamic in managing change;
- » Recognise the evolving needs of the community, as well as fostering adaptability and resilience through continued monitoring and resetting of goals and strategies.

The Cardigan Village Plan: Our Township Towards 2040 will help to achieve this. This plan has been developed in collaboration with the people of Cardigan Village who have shaped the vision and priorities through their generous contributions to community consultation sessions, online surveys and questionnaires.

## ▶ PURPOSE

This plan aims to:

- » Inspire active engagement with the Cardigan Village community.
- » Articulate the community's long-term vision and develop an action plan for achieving the vision.
- » Help community groups make their case when applying for grants and lobbying for funding.
- » Help the City of Ballarat to prioritise investment in Cardigan Village.
- » Identify actions the community itself can achieve.
- » Help the community and the City of Ballarat to manage change in Cardigan Village.
- » Identify land use planning actions and potential changes to the Ballarat Planning Scheme.

While the Cardigan Village Plan is independent from other City of Ballarat Township Plans, there are opportunities for local townships to work together.



▶ **PLANNING THE FUTURE OF OUR TOWNSHIP**  
**Development of the Cardigan Village Plan**



## ▶ CARDIGAN VILLAGE: THE CONTEXT

Cardigan Village is a small township located 7.5 kilometres west of Ballarat and has a population of approximately 660 people.

It is separated from urban Ballarat by an expansive, flat agricultural landscape with little tree cover apart from an occasional small plantation area. Large, rectangular grazing paddocks bordered by a network of drainage channels and post and wire fencing surround the Village. Lake Burrumbeet, located to the west of

the Village, forms an extensive and exceptional water feature in the area. The openness of the surrounding landscape affords many residents of Cardigan Village clear skies and long panoramic views to the hills and mountain ranges to the north and west.





## ▶ CARDIGAN VILLAGE: THE DEVELOPMENT

Cardigan Village was established as a small subdivision of 100 lots in the 1970s and formed a satellite township of Ballarat.

The Village was developed in three distinct areas, with the most established area being the Cardigan Village Central Estate, which is bounded by Madden Road, Windermere Way and Remembrance Drive.

The area to the south-east of the Central Estate, is formally known as The Avenue Estate. It was subdivided in 2003, providing the Village with an additional 124 residential lots. Today, only a small number of lots remain without dwellings.

In late 2012, land adjoining the township to the east was rezoned from Farming Zone to Township Zone to allow for further expansion of the Village. This land is to be subdivided in seven stages,

and will add a total of 130 residential lots to the township.

Once the development of this land is complete, the Cardigan Village population will remain relatively stable as land surrounding the Township is zoned as Farming Zone.

Housing lot sizes vary from conventional density sizes of 500 square metres to large, lifestyle lots of approximately 15,000 square metres, with smaller lots are typically concentrated in the older, Central Estate area. The average lot size is 2,010 square metres.



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**Carefully planned 20-year growth**  
 The development of Cardigan Village is a carefully planned 20-year growth project...  
 The project is located on a beautiful 100-acre site...  
 The development is designed to provide a high quality of life for its residents...  
 The project is a true community living project...  
 The development is a true investment opportunity...  
 The project is a true community living project...  
 The development is a true investment opportunity...

**CARDIGAN VILLAGE** community living  
**Earsight in ambitious project:**  
**Land and homes for sale this weekend**  
 The development of Cardigan Village is a carefully planned 20-year growth project...  
 The project is located on a beautiful 100-acre site...  
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**These men provide quality joinery at competitive prices . . .**  
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**R.B. & J.E. Lumsden**

Builder of Top Quality Homes  
18000 Highway 101, Mission  
Phone 361-1111

We are pleased to have been selected by the City of Cardigan Village, P.O. Ltd.

Two up in the woods look, water feature, balling pit, garden, lighting, three new houses are situated at 101 St and 101 St in Mission, B.C. and will be completed shortly.

We are pleased to be able to provide you with a complete package of services and facilities, and will be glad to respond to your inquiries.

**PRESTIGE MODERN HOMES**

DESIGN FOR BUILDING COMPLETELY AFFORDABLE  
**THE "COMMISSIONER"**

- 1. 2 1/2 storey modern design
- 2. 10' x 12' x 10' x 12' x 10' x 12'
- 3. 10' x 12' x 10' x 12' x 10' x 12'
- 4. 10' x 12' x 10' x 12' x 10' x 12'
- 5. 10' x 12' x 10' x 12' x 10' x 12'
- 6. 10' x 12' x 10' x 12' x 10' x 12'
- 7. 10' x 12' x 10' x 12' x 10' x 12'
- 8. 10' x 12' x 10' x 12' x 10' x 12'
- 9. 10' x 12' x 10' x 12' x 10' x 12'
- 10. 10' x 12' x 10' x 12' x 10' x 12'

# It's taken a lot of muscle...

from tractors to scrapers, back-hoes, bulldozers, vibrating rollers, cranes and manpower to prepare the groundwork at Cardigan Village. We've been as busy as beavers to provide the basis for the unique concepts of total community living.



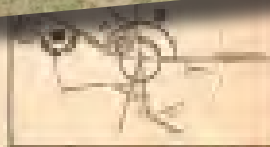
Cardigan Village. We have provided all the services for roads, drainage, concrete, etc. and about 20 permanent residents, providing a total community living.

Independent water supply. Call us today.  
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**INSPECTION THIS WEEK**

**SUPERB HOME SITES**  
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City: \_\_\_\_\_  
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# CARDIGAN VILLAGE

developed for **Total Community Living**

## Land For Sale



## Houses For Sale



### ALL THESE FACILITIES ARE NOW AVAILABLE AT CARDIGAN VILLAGE

- Full range of roads
- Sewerage system
- Water supply system
- Storm water system
- Landscaping
- Professional landscaping services
- Community centre & other social facilities
- Shopping facilities in convenient area

Cardigan Village has everything for people looking for the best in living. Call us today. We'll be glad to provide you with a complete package of services and facilities, and will be glad to respond to your inquiries.

• COME ON OUT AND INSPECT THIS WEEKEND 11

*If you love living life*





# ▶ CARDIGAN VILLAGE: THE COMMUNITY

## ▶ PEOPLE

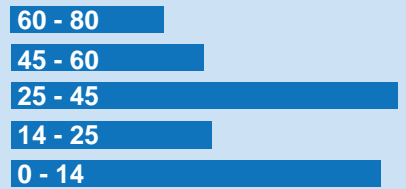


**55.4%**  
OF FAMILIES ARE  
COUPLES WITH  
CHILDREN

### POPULATION

**667** **1,011**  
NOW FORECAST

### OUR AGE



## ▶ HOUSING



**90.7%**  
OWNED  
OUTRIGHT OR  
WITH A MORTGAGE

**100%**  
SINGLE,  
DETACHED



**98%** 3 OR MORE  
BEDROOMS  
**2%** 2 BEDROOMS

## ▶ EDUCATION & EMPLOYMENT

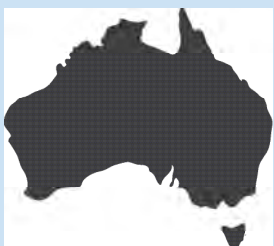


**35%** ATTEND AN EDUCATIONAL  
INSTITUTION

9% Tertiary or Technical  
32% Secondary  
33% Primary

**18%** CLERICAL AND  
ADMINISTRATION  
**16%** PROFESSIONAL  
**16%** TECHNICIANS AND  
TRADE WORKERS

## ▶ DIVERSITY



**88%**  
BORN  
IN AUSTRALIA

**94%**  
SPEAK  
ENGLISH  
AT HOME

**26%** ARE CATHOLIC  
**39%** HAVE NO  
RELIGIOUS  
AFFILIATION







# ▶ WHAT YOU TOLD US

Local people know their community the best, so the City of Ballarat engaged directly with the Cardigan Village community to develop The Cardigan Village Plan and identify any gaps.



Rural Surrounds



Recreational Facilities



Peace & Quiet



Access to Services in Ballarat & Lucas



Large Block Sizes



Friendly Neighbours



Footpaths



Traffic Calming



More Trees



Emergency Exit



Shop/General Store



Another Playground



BMX Track



Playground



Community Centre



Peace and Quiet



Rural Atmosphere



Large Block Sizes

## ► PRIORITIES AND ACTIONS

The following Priorities and Actions articulate how the Cardigan Village community and Council will work together to achieve the vision set by the community.

---

Priority 1: An urban lifestyle in a country setting

Priority 2: An active and connected community

Priority 3: Access and services

---





# PRIORITY 1

## An urban lifestyle in a country setting

### COMMUNITY FEEDBACK

Cardigan Village offers a unique lifestyle for residents. It provides many of the valued aspects of urban living – close proximity to friendly neighbours, facilities for recreation and opportunities for community interaction – in peaceful rural surrounds.

Cardigan Village residents love the rural feel of their township, and the quiet and tranquil nature of the setting. In particular, the expanse of agricultural land surrounding the township, the long and unobstructed views to Mt Buninyong, Mt Warrenheip, Mt Bolton and the larger lot sizes contribute to the community's strong sense of place.

Residents recognise the contribution that trees make to the rural character of the township and they highlight the Avenue of Honour as a prominent and highly-valued feature of the township and surrounding landscape. Many community members, however, have noted that the number of plantings in the streets and on private property is limited – particularly in the more recently developed areas.

### POLICY

#### RELEVANT STRATEGIES AND PLANS:

- » Central Highlands Regional Growth Plan
- » Today, Tomorrow, Together: The Ballarat Strategy
- » Municipal Strategic Statement, Ballarat Planning Scheme
- » City of Ballarat Council Plan 2017-2021
- » Rural Land Use Strategy
- » Our People, Culture and Place: A Plan to Sustain Ballarat's Heritage

Our Living City: A discussion paper about greening Ballarat as an urban forest Policy at both regional and local levels recognises the rural areas surrounding Ballarat as some of Victoria's richest agricultural lands. With local farming activities generating among the highest value of production per hectare in the State and agricultural production across the municipality acknowledged as a significant contributor to the regional economy. Consequently, policy has sought to provide clear guidance for the identification and protection of productive farming land.

Not only is the economic importance of the municipality's agricultural land recognised, but the significant contribution rural landscapes make to the identity, liveability and amenity of the municipality is acknowledged. The Ballarat Strategy aims to embrace both the urban and rural landscape. The City of Ballarat's Heritage Plan presents an innovative approach (based on UNESCO's Historic Urban Landscape) to understanding 'sense of place' - the combination of characteristics that make a place special and unique - and focuses on the human experience of the landscape. Unique skylines and views contribute significantly to the feel of an area and the Heritage Plan promotes the protection of landscapes that are highly valued by the community.

Our Living City acknowledges how trees and vegetation can reinforce a community's sense of place, as well as provide a myriad of environmental, social and economic benefits. It seeks to drastically increase tree canopy coverage across the municipality to improve vegetation health and diversity and promote community and environmental resilience in the face of climate change.

Policy at all levels recognises the continuing depletion in biodiversity across the region as a significant issue and is focused promoting the protection and enhancement of the region's natural assets.

### CHALLENGES AND OPPORTUNITIES

As the population of the municipality continues to grow there is increasing pressure on rural areas to be developed for urban uses. Urban sprawl and ad-hoc development have the potential to significantly and negatively impact on the amount of viable agricultural land and the distinctiveness of Ballarat's rural landscapes.



Climate change poses a threat to the rural setting of the township. A reduction in rainfall and rising temperatures with increasingly frequent extreme weather events, will have substantial impact on biodiversity - particularly native plants - and on the amenity of residents,

The plentiful availability of land across the municipality zoned for urban and rural living uses provides a strong foundation to justify the protection of Cardigan Village township's boundaries in accordance with the Rural Land Use Strategy.

The Cardigan Village community is passionate about enhancing and protecting their township and, together with the City of Ballarat, will act to green Cardigan Village and protect the municipality's natural assets.

#### OBJECTIVE 1.1:

To protect agricultural land and maintain the rural character of Cardigan Village.

#### ACTIONS

- 1.1.1 Limit urban growth to the current Township Zone area by introducing policy into the Municipal Strategic Statement to ensure no further rezoning for urban expansion of Cardigan Village.
- 1.1.2 Ensure rural dwelling development occurs in accordance with the strong rural land use planning provisions of the Ballarat Planning Scheme (Clause 22.13).

#### OBJECTIVE 1.2:

To improve township amenity, biodiversity and resilience in the context of climate change.

#### ACTIONS

- 1.2.1 City of Ballarat to introduce more street and park plantings that support and enhance biodiversity and amenity of the streetscape.

- 1.2.2 Support and encourage residents to undertake tree planting on their properties by distributing practical information regarding:
  - the benefits of tree planting
  - best practice planting techniques
  - advice on climate change-ready plant species.

- 1.2.3 Introduce a biodiversity corridor along Weighbridge Road to the Haddon/Windermere Road area (north/south), linking Lake Burrumbeet and Lake Learmonth, the Skipton Rail Trail and the Avenue of Honour.

#### OBJECTIVE 1.3:

To protect and maintain the prominence of the Avenue of Honour as a unique landscape feature and gateway to Cardigan Village and the broader region.

#### ACTIONS

- 1.3.1 Ensure the continued appropriate application of the Heritage Overlay as it applies to the Avenue of Honour.
- 1.3.2 Complete the Avenue of Honour Interface Guidelines to ensure that surrounding land use and development is cognisant of and sensitive to the significance of the Avenue.
- 1.3.3 No additional permanent road access to Ballarat-Burrumbeet Road / Remembrance Drive due to the location of the Avenue of Honour, in accordance with the Avenue of Honour Conservation Management Plan.



# PRIORITY 2

## An active and connected community

### COMMUNITY FEEDBACK

Cardigan Village residents describe their township as a close community, made up of good neighbours and friendly people. They feel connected to their neighbourhood and appreciate local opportunities for recreation and community gatherings.

Many residents describe the Community Centre and Park as the heart of the township, with these facilities hosting community events and activities and spaces for children to play and families to connect.

Open green spaces and outdoor facilities such as the playground, tennis courts, small oval and BMX track are particularly popular among local families. While residents value these amenities highly, many have identified the need for upgrades to existing facilities, additional open recreational spaces, and improved pedestrian and cycling connectivity.

### POLICY

#### RELEVANT STRATEGIES AND PLANS:

- » Victorian Public Health and Wellbeing Plan 2015-2019
- » Central Highlands Regional Growth Plan
- » Today, Tomorrow, Together: The Ballarat Strategy
- » Municipal Strategic Statement, Ballarat Planning Scheme
- » Ballarat Open Space Strategy
- » City of Ballarat Council Plan 2017-2021
- » Recreation Strategy
- » Our Partners in Health Plan 2015-2018
- »
- »
- »

Policy at State, regional and local levels recognises that an individual's health is influenced by a range of factors including physical, social and economic environment, as well as personal characteristics and behaviours.

It is recognised that Ballarat is facing significant challenges with obesity, poor health and lifestyle-related issues. Several policies seek to promote improved health outcomes by encouraging increased rates of physical activity. The Our Partners in Health Plan and the Ballarat Strategy promote the creation of urban environments that inspire people to be active on a daily basis. They encourage improvements to the public realm that allow people to move around safely and conveniently and promote walking and cycling as a means of transport.

The Recreation Strategy has a specific focus on improving the provision of sport, recreation and leisure opportunities, and ensuring public facilities are accessible, well-maintained and will continue to meet the changing needs of Ballarat's population into the future. The Ballarat Open Space Strategy aims to ensure all residents have good access to nature and opportunities for passive and organised recreation.

The promotion of community-led events and the establishment of local community groups that engage people regardless of age, stage of life or ability are seen as essential to improving health outcomes by fostering greater community connectedness. The Council Plan supports the creation of a welcoming, inclusive, and socially-connected city for all through the provision of spaces that encourage living, learning and social engagement.

### CHALLENGES AND OPPORTUNITIES

Cardigan Village is a well-established township with a strong sense of community. The Community Centre is frequently used by residents for community events and activities, with recent upgrades providing increased capacity.

The Cardigan Village Park provides residents - particularly families - with opportunities for play and recreation within easy walking distance of many homes. The electric BBQ and accessible public toilet facility add to the park's amenity, and these facilities are highly valued by the community.

The Avenue Hill Estate to the east of the township is currently undergoing subdivision and is planned to include a significant passive recreation space that will be an important asset for the community in the future. This will ensure future residents have the same level of access to open space that existing residents enjoy.

While Cardigan Village has sufficient open space for recreation, pedestrian connectivity and accessibility is poor due to the lack of a consistent network of footpaths. Without convenient connections, residents are likely to be deterred from walking or cycling to recreational spaces. To address this issue, Avenue Hill Estate is planned to include granitic sand paths across all property frontages.

#### OBJECTIVE 2.1

To support the Cardigan Village community deliver events and programs to ensure a strong sense of connectedness is maintained.

#### ACTIONS

- 2.1.1 Assist and encourage local organisations to access funding opportunities, including the City of Ballarat's grant program to support community-based events and activities.
- 2.1.2 Continue to support and encourage the community to use the Community Centre for community events, including festivals, arts, storytelling and other gathering and sharing opportunities, to foster opportunities for capacity and relationship - building, and establish connections between new and existing residents.
- 2.1.3 Provide assistance for community-led public art initiatives.

#### OBJECTIVE 2.2:

To provide additional and improved facilities for recreation.

#### ACTIONS

- 2.2.1 Reclassify the Cardigan Village Park from a 'Neighbourhood Park' to 'District Park'. In view of recent improvements.
- 2.2.2 Prepare a Park Master Plan for the Cardigan Village Park in consultation with the community in accordance with the requirements of a District Level Park in the Ballarat Open Space Strategy.

2.2.3 Provide appropriate signage for the Cardigan Village Park and Community Centre to reinforce their status as the heart of the township.

2.2.4 Assess the current use and condition of the tennis courts to determine appropriate maintenance, including the option to retrofit the courts for multi-functional use.

#### OBJECTIVE 2.3:

To improve the accessibility of Cardigan Village, both within the township and to destinations beyond to encourage residents to lead more active and sustainable lives.

#### ACTIONS

- 2.3.1 Provide an improved path network in Cardigan Village to enhance pedestrian accessibility.
- 2.3.2 Ensure the shared cycling/walking path that extends from Lucas to Cardigan Village is maintained.
- 2.3.3 Extend the shared cycling/walking path along Remembrance Drive to the Lake Burrumbeet foreshore to connect Cardigan Village to Lake Burrumbeet.
- 2.3.4 Investigate the long-term potential to connect Cardigan Village to Lake Burrumbeet via Stewarts Road and Burrumbeet Creek.

#### OBJECTIVE 2.4:

To improve the safety and amenity of the public realm to encourage active lifestyles.

#### ACTIONS

- 2.4.1 Require new stages of residential development to have underground drainage and kerb and channelling.
- 2.4.2 install underground drainage, kerb and channeling to manage issues relating to drainage identified in the existing, developed areas of Cardigan Village.
- 2.4.3 Reduce the road width and improve the green central median strip of Windermere Way with boulevard-style tree planting to enhance it as both the major entrance and thoroughfare of Cardigan Village.

## OBJECTIVE 2.5:

To protect features of cultural heritage value in the broader Cardigan area.

- 2.5.1 Investigate sites of potential heritage value as identified in City of Ballarat's Heritage Gaps Master Plan by completing heritage assessments.

**Planning Scheme Action:** Potential additional application of the Heritage Overlay, following site specific heritage assessments.



## PRIORITY 3

### Access and services

#### COMMUNITY FEEDBACK

Cardigan Village residents love their township for its tranquil rural surrounds, quiet streets and ease of access to services and facilities in nearby Lucas and Ballarat.

Many residents have noted that opportunities to meet their day-to-day needs locally are limited, with some expressing a strong desire for businesses to be established in Cardigan Village, such as a supermarket, petrol station, general store and restaurant. There are, however, many residents who think that the establishment of such businesses may impact the peaceful feel of the township.

While residents appreciate the close proximity to Ballarat and the ease with which they can access the city by car, some residents expressed the desire for better access to alternative and more sustainable methods of transport. Residents identified the need to provide an emergency access point towards the eastern edge of the township, and to address inconsistencies in locality signage.

#### POLICY

##### RELEVANT STRATEGIES AND PLANS:

- » Central Highlands Regional Growth Plan, 2014
- » Today, Tomorrow, Together: The Ballarat Strategy
- » Municipal Strategic Statement, Ballarat Planning Scheme

The Central Highlands Regional Growth Plan, The Ballarat Strategy and the Planning Scheme are the key policy documents guiding the provision of, and access to, services across the municipality and the broader Central Highlands region. These policies recognise that the development of vibrant and sustainable communities is supported by improving the level of access to key services.

Policy at the regional level recognises small townships as part of a broader network of settlements across the region. It promotes the sharing of resources, facilities and services to help better support and enhance the viability of each community. This approach is strongly promoted for townships such as Cardigan Village as its limited population and proximity to Ballarat significantly limits its potential to provide a full range of services locally.

A key platform of The Ballarat Strategy is the '10 Minute City' concept, which advocates the community's aspiration for existing or improved access to services as the municipality grows. The Strategy outlines that the '10 Minute City' will be achieved through the development of neighbourhoods that allow residents to access most of their day-to-day needs and services locally. Other key initiatives include promoting the transition towards a more sustainable transport network and supporting local communities to generate opportunities and employment in township areas, particularly in the growing accommodation, food services and tourism industries.

#### CHALLENGES AND OPPORTUNITIES

Cardigan Village residents have easy access to a range of social, health, retail and educational services in Ballarat and surrounding townships. The completion of the Lucas Town Centre and the Glenelg Highway Major Activity Centre will offer a further range of services within easy reach into the future. Limited commercial offerings are available in the township itself (the Windermere Hotel and the Cardigan Lodge Motel). The three-year-old kindergarten program is the only existing community service.

While Windermere Hotel is currently situated within the Farming Zone; a zoning which is restrictive of uses that are allowed on the land to which it applies. However, the Windermere Hotel has been operating as a hotel long before the current planning controls were implemented, with its ongoing use as a hotel is permitted to continue under 'existing use rights'. In order to ensure the hotel can continue to operate as a commercial property - with the potential to change or expand its services into the future - change to the zoning or other planning controls would be required.



The ability of the township's current population to support significant commercial uses or community services in Cardigan Village is limited. However there is potential for small local businesses to operate in the Village. This is supported by existing land use planning controls that currently apply to the township area.

Public transport access to Cardigan Village is provided by the V/Line bus route connecting Melbourne and Ararat, with one service operating in the morning and one in the evening. A shared walking / cycling path that extends from Lucas to Cardigan Village offers an alternative transport option and enhances opportunities for people at both ends of the path to pursue active lifestyles. This shared path is unlikely to be frequently used by residents to access everyday services due to the distance from Lucas to Cardigan Village.

#### OBJECTIVE 3.1:

To provide a regulatory environment that is flexible and supportive of commercial and community enterprises.

#### ACTIONS

- 3.1.1 Investigate opportunities to enable the Windermere Hotel to continue to operate as a commercial premises into the future, through the application of correct land use planning controls.
- 3.1.2 Continue to lobby and advocate for improved regional connectivity with particular focus on IT infrastructure to provide increased opportunities for at-home business start-ups.
- 3.1.3 Continue the application of the Township Zone to Cardigan Village to allow the establishment of businesses in the Village.

#### OBJECTIVE 3.2:

To offer ongoing opportunities to support, guide and educate local businesses.

#### ACTIONS

- 3.2.1 Assist and encourage existing and emerging local business (may be emerging businesses) to access State and Federal Government funding to support productivity, growth, innovation and value-add opportunities.
- 3.2.2 Deliver Tenderwrite workshops, as part of the Ballarat Industry Participation Program (BIPP) to help local businesses improve their competitiveness.

#### OBJECTIVE 3.3:

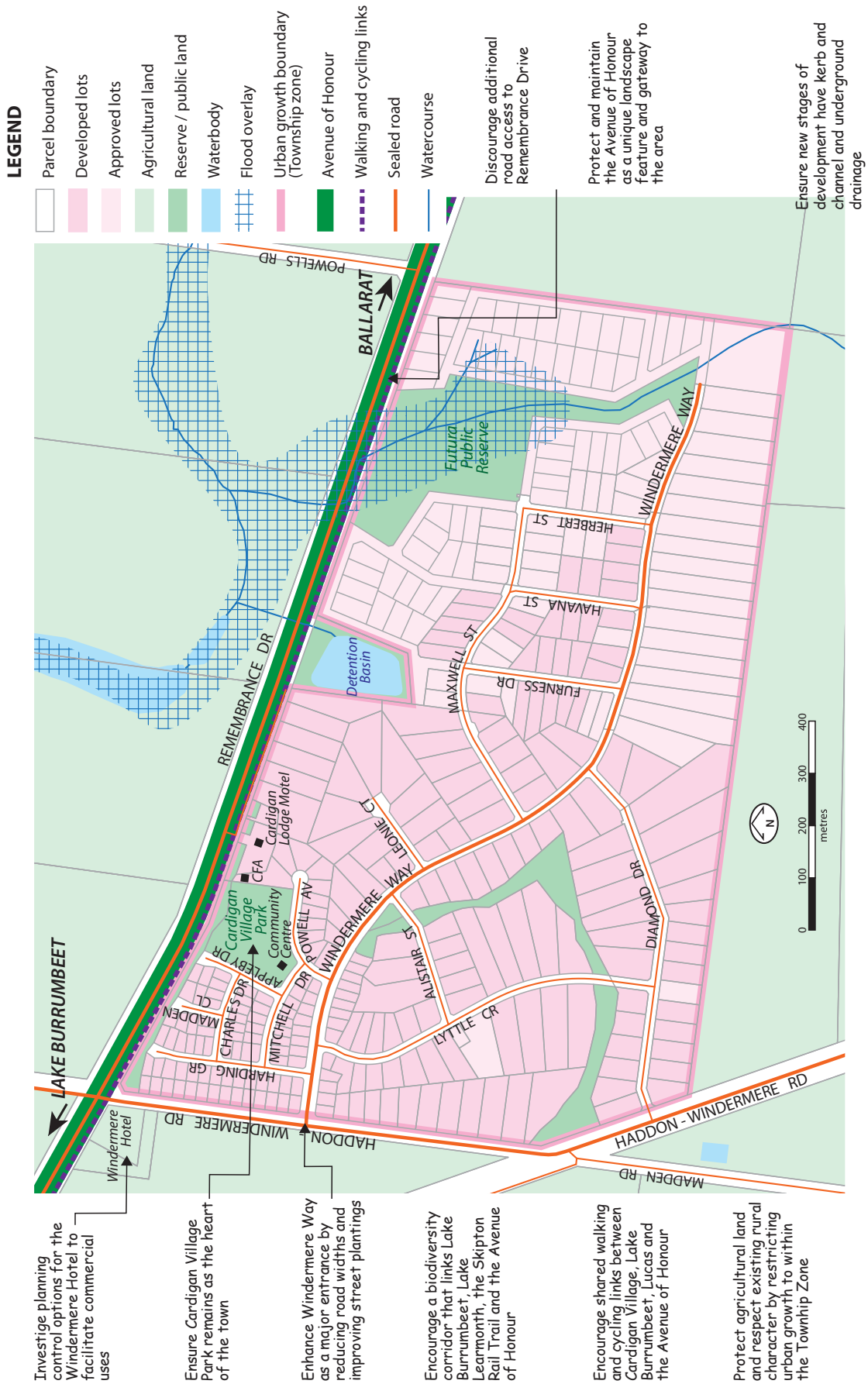
To support local business opportunities in Cardigan Village by capitalising on the natural assets and rural identity of the surrounding area to encourage tourist visitation.

#### ACTIONS

- 3.3.1 Promote the popular road cycling connection from Cardigan Village to Lake Burrumbeet and on to Lake Learmonth to encourage visitation by sports and tourist riders.
- 3.3.2 Develop interpretative and way-finding signage along cycling paths to encourage visitation by sports and tourist riders.
- 3.3.3 Rectify any inconsistencies in locality signage.



# FRAMEWORK PLAN



## CARDIGAN VILLAGE FRAMEWORK PLAN

# ▶ IMPLEMENTATION PLAN

OT = Council Officer C = Community-led

PRIORITY 1 AN URBAN LIFESTYLE IN A COUNTRY SETTING		SHORT	MEDIUM	LONG	ONGOING	RESOURCES
Objective 1.1: To protect agricultural land and maintain the rural character of Cardigan Village.						
1.1.1	Limit urban growth to the current Township Zone area by introducing policy into the Municipal Strategic Statement to ensure no further rezoning for urban expansion of Cardigan Village.		▲			OT
1.1.2	Ensure rural dwelling development occurs in accordance with the strong rural land use planning provisions of the Ballarat Planning Scheme (Clause 22.13).				▲	OT
Objective 1.2: To improve township amenity, biodiversity and resilience in the context of climate change.						
1.2.1	City of Ballarat to introduce more street and park plantings that support and enhance biodiversity and amenity of the streetscape.	▲				OT
1.2.2	Support and encourage residents to undertake tree planting on their properties by distributing practical information regarding: <ul style="list-style-type: none"> <li>» Benefits of tree planting</li> <li>» Best practice planting techniques</li> <li>» Advice on climate change ready plant species</li> </ul>					
1.2.3	Introduce a biodiversity corridor along Weighbridge Road to the Haddon/Windermere Road area (north/south), linking Lake Burrumbeet and Lake Learmonth, the Skipton Rail Trail and the Avenue of Honour.			▲		OT
Objective 1.3: To protect and maintain the prominence of the Avenue of Honour as a unique landscape feature and gateway to Cardigan Village and the broader region.						
1.3.1	Ensure the continued appropriate application of the Heritage Overlay as it applies to the Avenue of Honour.				▲	OT
1.3.2	Complete the Avenue of Honour Interface Guidelines to ensure that surrounding land use and development is cognisant of and sensitive to the significance of the Avenue.	▲				OT
1.3.3	No additional permanent road access to Ballarat-Burrumbeet Road/Remembrance Drive due to the location of the Avenue of Honour, in accordance with the Avenue of Honour Conservation Management Plan.				▲	OT

OT = Council Officer C = Community Land

PRIORITY 2 AN ACTIVE AND CONNECTED COMMUNITY		SHORT	MEDIUM	LONG	ONGOING	RESOURCES
Objective 2.1 To support the Cardigan Village community to deliver events and programs to ensure a strong sense of connectedness is maintained.						
2.1.1	Assist and encourage local organisations to access funding opportunities, including the City of Ballarat's grant program to support community-based events and activities.				▲	OT/C
2.1.2	Continue to use the Community Centre for community events, including festivals, arts, storytelling and other gathering and sharing opportunities, to foster opportunities for capacity and relationship-building, and establish connections between new and existing residents.				▲	OT/C
2.1.3	Provide assistance for community-led public art initiatives.				▲	OT/C
Objective 2.2 To provide additional and improved facilities for recreation.						
2.2.1	Reclassify the Cardigan Village Park from a 'Neighbourhood Park' to 'District Park'. In view of recent improvements.	▲				OT
2.2.2	Prepare a Park Master Plan for the Cardigan Village Park in consultation with the community in accordance with the requirements of a District Level Park in the Ballarat Open Space Strategy.	▲				OT
2.2.3	Provide appropriate signage for the Cardigan Village Park and Community Centre to reinforce their status as the heart of the township.		▲			OT
2.2.4	Assess the current use and condition of the tennis courts to determine appropriate maintenance, including the option to retrofit the courts for multi-functional use.	▲				OT
Objective 2.3: To improve the accessibility of Cardigan Village, both within the township and to destinations beyond to encourage residents to lead more active and sustainable lives.						
2.3.1	Provide an improved path network in Cardigan Village to enhance pedestrian accessibility.			▲		OT
2.3.2	Ensure shared cycling / walking path that extends from Lucas to Cardigan Village is maintained.				▲	OT
2.3.3	Extend the shared cycling/walking path along Remembrance Drive to the Lake Burrumbeet foreshore to connect Cardigan Village to Lake Burrumbeet.			▲		OT
2.3.4	Investigate the long-term potential to connect Cardigan Village to Lake Burrumbeet via Stewarts Road and Burrumbeet Creek.				▲	OT



PRIORITY 2 AN ACTIVE AND CONNECTED COMMUNITY		SHORT	MEDIUM	LONG	ONGOING	RESOURCES
Objective 2.4: To improve safety and amenity of the public realm to encourage active lifestyles.						
2.4.1	Require new stages of residential development to have underground drainage and kerb and channelling.				▲	OT
2.4.2	install underground drainage, kerb and channeling to manage issues relating to drainage identified in the existing, developed areas of Cardigan Village.		▲	▲		OT
2.4.3	Reduce the road width and improve the green central median strip of Windermere Way with boulevard-style tree planting to enhance it as both the major entrance and thoroughfare of Cardigan Village.			▲		OT
Objective 2.5: To protect features of cultural heritage value in the broader Cardigan area.						
2.5.1	Investigate sites of potential heritage value in the broader Cardigan area as identified through City of Ballarat's Heritage Gaps Master Plan by completing heritage assessments.  Planning Scheme Action: Potential additional application of the Heritage Overlay, following site specific heritage assessments.		▲			OT



PRIORITY 3 ACCESS AND SERVICES		SHORT	MEDIUM	LONG	ONGOING	RESOURCES
Objective 3.1 To provide a regulatory environment that is flexible and supportive of commercial and community enterprises.						
3.1.1	Investigate opportunities to enable the Windermere Hotel to continue to operate as a commercial premises into the future, through the application of correct land use planning controls.		▲			OT
3.1.2	Continue to lobby and advocate for improved regional connectivity with particular focus on IT infrastructure to provide increased opportunities for at-home business start-ups.				▲	OT
3.1.3	Continue the application of the Township Zone to Cardigan Village to allow the establishment of businesses in the Village.				▲	OT
Objective 3.2 To offer ongoing opportunities to support, guide and educate local businesses.						
3.2.1	Assist and encourage local business (may be emerging businesses) to access State and Federal Government funding grants to support productivity, growth, innovation and value-add opportunities.	▲				OT
3.2.2	Deliver Tenderwrite workshops, as part of the Ballarat Industry Participation Program (BIPP), helping local businesses improve their competitiveness.					
Objective 3.3: To support local business opportunities in Cardigan Village by capitalising on the natural assets and rural identity of the surrounding area to encourage tourist visitation.						
3.3.1	Promote of the popular road cycling connection from Cardigan Village to Lake Burrumbeet and on to Lake Learmonth, encouraging visitation by sports and tourist riders.		▲			OT
3.3.2	Develop interpretative and way-finding signage along cycling paths to encourage visitation by sports and tourist riders.		▲			OT
3.3.3	Rectify any inconsistencies in locality signage.	▲				OT



# ▶ APPENDIX 1: BACKGROUND ANALYSIS

## SOCIO-DEMOGRAPHIC PROFILE

(Note: the township of Cardigan Village is paritically located within the localilty of Cardigan Village, as well as extending into the neighbouring locality of Cardigan. The following demographic summary has been compiled using data for the locality of Cardigan Village only due to the large area of Cardigan and the number of households it contains, beyond the boundaries of the township of Cardigan Village).

### POPULATION AND GROWTH

In 2016 Cardigan Village had a population of approximately 667. The population of the township experienced significant growth from 2006 to 2016, increasing by 96% (an average of 9.56% per annum) from 341 residents. This high growth rate is the result of a relatively large number of lots coming onto the market and being taken up following the subdivision of the (formerly) Avenue Estate in 2003.

The recent 2013 (and ongoing) subdivision of land to the east of Cardigan Village is likely to result in the continuing growth of the Village, with the population projected to reach around 1,011 people (based on the current average household size) when development is complete.

### PEOPLE AND FAMILIES

Cardigan Village has a young population in comparison to the rest of the municipality, with a median age of 34 compared to 37 for the wider Ballarat area.

The two largest age groups within the community are children aged 0 to 14 (29.2%) and adults aged 25 to 44 (30.5%). People aged over 65 years made up 10% of the population - increasingly from 5.7% in 2011. The percentage of children has remained relatively stable since 2006, while the number of people of childbearing age has decreased over time (from 34.6% in 2006).

There is a total of 214 households in Cardigan Village, including 178 family households (two or more people), 33 single-person households and three group households.

Of those aged over 15 years, the majority are in a registered marriage (62.4%) or de facto (10.3%). 'Couple family with children' households are the most common composition for family households (55.4%), increasing from 50% in 2011. 'Couple family without children' households comprise 33.1% of households and single-parent families just 11.4%. The average number of children per family is 2.2. Overall, Cardigan Village has a larger proportion of couple families with children, and a lower proportion of one-parent families than the municipality in general.

### HOUSING

All houses in Cardigan Village are single, detached houses; 98% of houses have three or more bedrooms, with just four houses with two bedrooms and no houses with one bedroom. In comparison, across the municipality, 79% of houses have three or more bedrooms, 17.2% have two bedrooms and 3.6% have one bedroom – demonstrating a much greater diversity of housing choice.

In Cardigan Village, 90.7% of houses are owned outright or with a mortgage, while 7.8% are rental properties. This is compared with 67.2% and 29.4% respectively across the municipality. Median rent in the township is \$260 per week, the median monthly mortgage repayment is \$1,733.

The City of Ballarat's Affordable Housing Review 2012 assessed levels of 'housing stress' across the municipality. The Review utilised a measure of housing stress referred to as the '30/40' rule, which defines housing stress as experienced when households in the lowest 40 per cent of household income distribution pay more than

30% of income on housing costs. It was identified that 3.8% of households in Cardigan Village with a mortgage were experiencing 'mortgage stress', while 50% of rental households were in 'rental stress'.

## EDUCATION AND EMPLOYMENT

In Cardigan Village, 34.7% of people attend an educational institution. Of those people, 33% are in primary school, 31.8% in secondary school (increasing from 14% in 2011), and 9% in a tertiary or technical institution (decreasing from 15.2% in 2011). Cardigan Village has a significantly lower number of people attending a technical, university, tertiary or further education institution than the state average and the wider municipality; however this is likely to be the result of a much lower number of people aged 15 to 24 years.

Cardigan Village has a high rate of people employed full-time (62% compared with 52.9% across the municipality) and an unemployment rate relatively consistent with that of both Ballarat and Victoria. 28.2% of people in Cardigan Village work part-time.

The largest occupational group in Cardigan Village is 'Clerical and Administrative Workers' (18.2), followed by 'Professionals' (15.5%) and 'Technical and administrative Workers' (15.5%). However, in 2011 'Technicians and Trades Workers' (20.7%) comprised the largest occupational group in Cardigan Village, followed by 'Professionals' (15.9%) and 'Clerical and Administrative Workers' (13.1%).

In Cardigan Village 79.7% of people travel to work by car to work (a decrease from 81.4% in 2006) compared with 75.1% in the City of Ballarat and 65.8% in Victoria. This high rate of vehicle dependency is the result of the absence of employment opportunities in Cardigan Village, combined with the lack of public and active transport commuter options available to residents.

## DIVERSITY

Cardigan Village is relatively homogenous in terms of cultural diversity; 88% of residents were born in Australia (in comparison to 83.7% in Ballarat and 64% in Victoria). The overall number of Cardigan Village residents born in Australia has decreased from 92% in 2011.

The most commonly reported ancestry is Australian (33.8%), followed by English (29%), Irish (10.7%), Scottish (7.9%) and German (3%).

By far the most common religious affiliation in the township is No Religion (39.1) and Catholic (26.4%). This is a relatively significant change from 2011, in which Catholic was the most commonly reported religious affiliation at 30% and 29% of people reported having no religion.

In Cardigan Village 93.5% of people speak only English at home (a decrease from 97% in 2011) compared with 88% across Ballarat and 67.9% across Victoria.

## DISADVANTAGE – SEIFA ANALYSIS

The Socio Economic Indexes for Areas (SEIFA) is a score of relative disadvantage derived from factors that reflect disadvantage such as low income, low educational attainment, high unemployment, and jobs in relatively unskilled occupations. A higher score on the index means a lower level of disadvantage, and a lower score on the index means a higher level of disadvantage.

In 2011, Ballarat had a lower than average level of disadvantage, with a score of 981 compared with 1,009.6 for Victoria. Cardigan Village scored higher than across the municipality more generally, with a score of 1,030, indicating a relatively lower level of disadvantage.



## RURAL LAND AND BIODIVERSITY

The areas surrounding Cardigan Village are dominated by agricultural uses, including pasture, cereal and wool production. The Village is situated in the Western Victorian Volcanic Plains and is characterised by flat to gently undulating basalt plains with 0-2° slopes, scattered volcanic cones with 15-40° slopes; and the granite of the Waubra Hills ranging from steep slopes of 16-35° to gentle hill slopes of 5-15° in the north-west of the district. The geology of the district is a mix of granite, volcanic cones, alluvium, basalt and Ordovician sediment. Newer basalt is the predominant geology in the district. Red basalt soil is highly productive, while alluvium soils have average productivity for agriculture.

The district contains a few small areas of remnant native vegetation, including scattered pockets of:

- » Grassy Dry Forest (depleted)
- » Plains Grassy Woodland (endangered)
- » Riparian Woodland (endangered)

Research has indicated that, under a 'business as usual' climate scenario, these areas of identified native vegetation in and surrounding Cardigan Village are likely to experience a low to moderate level of vulnerability towards 2050, and moderate to high vulnerability towards 2090<sup>1</sup>.

Figure 1: Native Vegetation



Source: Visualising Victoria's Biodiversity 2017. Grassy Dry Forest (light green), Plains Grassy Woodland (orange), Riparian Woodland (pink)

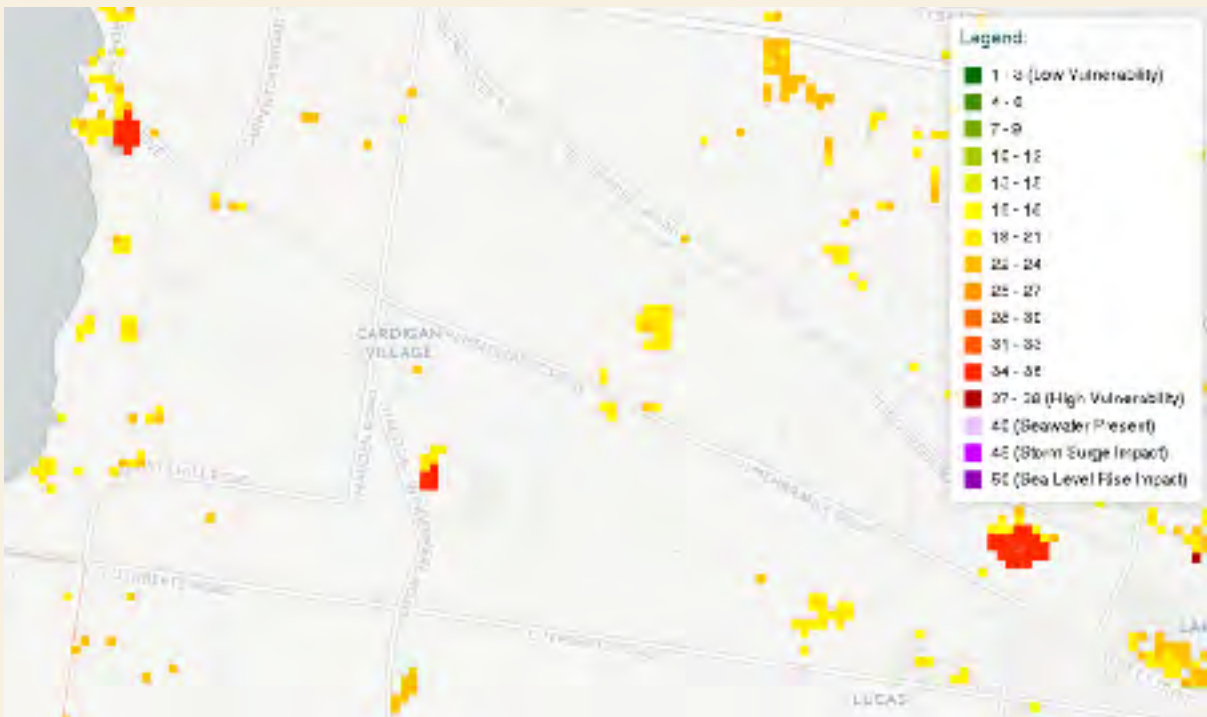
<sup>1</sup> CeRDI (South West Climate Change Portal) 2017, Vulnerability and Impact on NRM Assets, viewed 6 April 2017, [http://www.swclimatechange.com.au/nrm\\_layers\\_map.php](http://www.swclimatechange.com.au/nrm_layers_map.php)

Figure 2: Vegetation Vulnerability 2050 (RCP 8.5)



Source: CeRDI 2017

Figure 3: Vegetation Vulnerability 2090 (RCP 8.5)



Source: CeRDI 2017

## INFRASTRUCTURE SERVICES

Properties in Cardigan Village have access to a full range of utility infrastructure services including sewerage, reticulated water supply, power, stormwater drainage, gas and telecommunications, and broadband cabling.

Water is supplied from a single water main extended along the Ballarat–Burrumbeet Road (Remembrance Drive) from Alfredton which is supplemented by a storage tank in Cardigan Village.

## WASTE WATER TREATMENT PLANT

Central Highlands Water owns and operates the Cardigan Village Wastewater Treatment Plant (WWTP) located approximately 760 metres south-east of Cardigan Village. The WWTP was constructed to serve Cardigan Village and has a design capacity for 4,000 people.

This facility is a significant piece of regional infrastructure for the Ballarat community and has planning protection from the encroachment of sensitive land uses (for example, residences, schools, kindergartens). The area surrounding the facility is currently subject to an Environmental Significance Overlay to assist in achieving this objective.

## REMEMBRANCE DRIVE

Remembrance Drive forms the northern edge of Cardigan Village. It is a 22-kilometre roadway that is lined with 3,371 trees and extends from the Arch of Victory in the east to the Weatherboard-Learmonth Road in the west. The site represents a living memorial honouring local men and women who enlisted from Ballarat and surrounding areas for service during World War I.

The application of a Heritage Overlay (HO154) in the Ballarat Planning Scheme provides statutory recognition and protection of the historic significance of Remembrance Drive. This section of Remembrance Drive forms part of the Avenue of Honour and Arch of Victory heritage place which is included in the Victorian Heritage Register (Ref H2098). The registration includes land along Remembrance Drive extending from Learmonth Street to Weatherboard Road and is identified as having historic, architectural, aesthetic, cultural and social significance as the earliest and longest example of a roadside war memorial in Victoria.

Any upgrades or alterations affecting Remembrance Drive or the land adjacent to it are required to respect heritage values. VicRoads is the government authority generally responsible for the management of the Ballarat-Burrumbeet (Remembrance Drive) road reservation.

## ► APPENDIX 2: POLICY ANALYSIS

There are a number of policies at the state, regional and local levels that are relevant to planning for the future of Cardigan Village. A brief summary of these is provided below.

These planning policies and broader strategic guidelines have influenced the development of this plan. These documents include:

- » Central Highlands Regional Growth Plan, May 2014
- » Plan Melbourne, March 2017
- » Victorian Health and Wellbeing Plan 2015-2019
- » Today Tomorrow Together: The Ballarat Strategy, July 2015
- » City of Ballarat Council Plan 2017-2021
- » Ballarat Open Space Strategy Volume 1 and 2, March 2008
- » Ballarat Rural Land Use Strategy, November 2010
- » Our Partners in Health 2015-2018
- » Our Living City: A discussion paper about greening Ballarat as an urban forest (Discussion Paper), March 2017
- » Recreation Strategy 2014
- » Ballarat Planning Scheme

### CENTRAL HIGHLANDS REGIONAL GROWTH PLAN

The Central Highlands Regional Growth Plan (first published in 2010 and updated in 2012) provides a regional approach to land use planning in the Central Highlands. It covers the municipalities of Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees, and identifies opportunities to encourage and accommodate growth and manage change over the next 30 years.

The Plan sets a framework to deliver on the collective aspiration of communities across the region.

The Plan identifies:

- » Where future development will be supported and assessed at a regional scale;
- » Environmental, economic, community and cultural assets and resources of regional significance that should be preserved, maintained and developed;
- » How the region can respond to opportunities, challenges and long-term drivers of change;
- » Key regional priorities for future infrastructure planning and investment to support growth.

## VISION

'The Central Highlands Regional Strategic Plan identifies that the vision for the Central Highlands region towards 2030 and beyond is to provide a productive, sustainable, and liveable region for its people. This plan shares the same vision.'

The content and direction of the Plan is guided by nine overarching principles:

1. Population growth should be planned in sustainable locations throughout the region.
2. The region's economy should be strengthened so that it is more diversified and resilient.
3. The region should capitalise on its close links with other regions and cities.
4. The development of sustainable and vibrant communities should be supported by enhancing the level of access to key services.
5. Land use patterns, development and infrastructure should make the region more self-reliant and sustainable.
6. Planning for growth should be integrated with the provision of infrastructure.
7. The region's land, soil, water and biodiversity should be managed protected and enhanced.
8. Long-term agricultural productivity should be supported.
9. The importance of cultural heritage and landscapes as economic and community assets should be recognised.

With regards to small towns and rural settlements, the Plan seeks to:

- » Build on local opportunities to support resilience of small towns;
- » Protect and enhance regionally significant environmental assets;
- » Identify and protect the region's significant cultural heritage and landscape assets.

Implications for planning for Cardigan Village:

- » Recognise productive agricultural land and rural landscape character as a regionally significant asset and allow for growth and development in appropriate locations;
- » Recognise the economic benefits of tourism;
- » Plan to enhance biodiversity assets;
- » Plan for development which minimises the risk to property and lives from flood and bushfire risk;
- » When planning for small settlements, ensure consideration is given to the facilities and services, and connection to surrounding townships in order to promote the sharing of resources and promote greater community resilience.



## PLAN MELBOURNE

Plan Melbourne (released in 2014 and refreshed in March 2017) presents the State Government's overarching strategy for managing growth across Greater Melbourne to the year 2050. The Plan seeks to integrate land use, infrastructure and transport planning to meet the city's future environmental, population, housing and employment needs.

## VISION

'A global city of opportunity and choice'

This vision is underpinned by nine key principles:

1. A distinctive Melbourne.
2. A globally connected and competitive city.
3. A city of centres linked to regional Victoria.
4. Environmental resilience and sustainability.
5. Living locally: 20 minute neighbourhoods.
6. Social and economic participation.
7. Strong and healthy communities .
8. Infrastructure investment that supports balanced city growth.
9. Leadership and partnership.

To support these principles, seven outcomes are outlined that, together with the identified policy directions, will achieve the nine overarching principles.

Outcome 7 includes specific directions relevant to planning for Cardigan Village, summarised below:

**Outcome 7: Regional Victoria is productive, sustainable and supports jobs and economic growth**

Outcome 7 is directed towards promoting investment in regional Victoria to support housing and economic growth, enhancing social and economic participation and growing strong and healthy regional communities. Of particular note in planning for regional townships is:

- » Direction 7.2 – Improve connections between cities and regions.
  - 7.2.1 – improve transport and digital connectivity for regional Victoria

## VICTORIAN HEALTH AND WELLBEING PLAN 2015-2019

The Victorian Health and Wellbeing Plan 2015-2019 establishes an ambitious vision for Victoria, as a state free of the avoidable burden of disease and injury, with the overarching aim of the Plan to reduce inequalities in health and wellbeing.

The Plan presents a strong focus on improving inequalities in health and wellbeing, the determinants of health that contribute to those inequalities, and an explicit focus on improving health and wellbeing across the life course.

### VISION:

**'A Victoria free of the avoidable burden of disease and injury so that all Victorians can enjoy the highest attainable standards of health, wellbeing and participation at every age.'**

The strategic priorities of the Plan are based on the most significant causes of poor health and wellbeing that are most responsive to preventative action, and that cause the greatest inequalities in health outcomes.

- » Healthier eating and active living
- » Tobacco free living
- » Reducing harmful alcohol and drug use
- » Improving mental health
- » Preventing violence and injury
- » Improving sexual and reproductive health

The Plan emphasises improving health and wellbeing via a range of public health approaches. These are:

1. Supporting healthy and sustainable environments – which is critical to the health and wellbeing of current and future generations. Particular attention is given to climate change adaptation and air, food and water quality.

2. Place-based approaches – which emphasise the significance of location in health, and focus on a range of settings in which people spend their time.
3. People-centred approaches – which focus on building strong partnerships between health services and other networks, and emphasise prevention, empowerment, education and health literacy.

The Plan includes a number of specific strategies that are relevant to planning for the future of Cardigan Village:

### Healthy and Active Living

- » Encourage and support people to be as physically active as possible throughout their lives. Strategies may include active transport (such as walking or cycling to work), neighbourhood design that promotes activity and social connectedness, and participation in sport and recreation.
- » Encourage interaction with nature in Victoria's parks and open spaces.

### Improving Mental Health

- » Enhance and develop strategies to promote mental health and wellbeing and reduce current high levels of psychological distress. Examples include addressing discrimination, encouraging interaction with the natural environment, promoting positive body image, reducing disordered eating, preventing violence against women, tackling stress in the workplace, increasing physical activity and in sport participation, and promoting acceptance of diversity and social-inclusion to build resilient and connected communities.

## THE BALLARAT STRATEGY TODAY TOMORROW TOGETHER:

Today, Tomorrow, Together: The Ballarat Strategy outlines the long-term plan for a greener, more vibrant and connected Ballarat towards the year 2040. It is supported by key concepts, policies and actions that will underpin land use decision-making in Ballarat over the next 25 years.

The Strategy is based around two key platforms: the “10 Minute City” and the “City in the Landscape”.

### The ‘10 Minute City’:

Supporting complete, liveable neighbourhoods within a compact city

The ‘10 Minute City’ concept in Ballarat reflects community aspirations to maintain existing or improved levels of local access to destinations and services as the city grows over time. It is to be achieved by:

- » Making land use decisions so housing growth patterns reinforce a compact city;
- » Developing a network of complete local neighbourhoods;
- » Recognising key precincts for urban renewal and convenience living;
- » Transitioning towards a more sustainable transport network;
- » Supporting the economic transition towards the jobs of tomorrow.

### The ‘City in the Landscape’:

Supporting Ballarat to be a greener and more vibrant regional city

The ‘City in the Landscape’ concept reflects Ballarat’s enviable physical, cultural and historical location within its landscape. The concept recognises that nothing should be viewed in isolation of its physical and non-physical context. It is achieved by:

- » Adopting an urban forest approach to better manage our environment, improving the liveability and amenity of the City, and making us more resilient to a changing climate;
- » Pursuing a new approach to managing change in our historic city and rural landscape;
- » Local plans for local communities;
- » Embracing the urban and rural landscape;
- » Recognising and responding to a changing climate, and being resilient to environmental impacts and risks.

Table 1: Directions and recommendations relevant to planning for Cardigan Village:

Strategy	Initiative	Implications for Cardigan Village
Development Infrastructure  Leverage city-shaping and local scale infrastructure	1.17 - Make land use decisions which best utilise existing infrastructure and minimise the cost burden of servicing new development areas.	Limit growth in fringe areas (and alternatively promote growth in existing urban areas) to reduce infrastructure costs to the broader community.
Township Areas  Empower and support rural and township communities	1.22 - Actively engage with township communities to develop and then implement a long-term community vision.  1.23 - Undertake local area planning for townships to support growth and development whilst protecting local values.  1.24 - Continue to support local communities to generate opportunity and employment in township areas.  1.25 - Better connect township areas so people, skills, knowledge and opportunity can move more freely.	Specific Local Area Plans to be undertaken for six township and settlement areas around Ballarat, including Cardigan Village.
10 Minute City  Facilitate better access to local services and facilities	2.1 – Work towards all urban residents being able to access most of their daily needs within 10 minutes' walk of cycling from home.	Street and built environment to make walking and biking preferred ways of accessing public transport and local destinations.  Improve neighbourhood permeability, and encourage people to access neighbourhood centres, parks, schools, natural areas and other key community destinations, by walking, cycling or wheelchair.
Liveability, Health and Wellbeing  Plan for a healthy and inclusive community	2.3 Support health and wellbeing outcomes by ensuring new developments appropriately plan for, and contribute financially towards, community infrastructure required for complete neighbourhoods.  2.4 - Support community-led opportunities for a healthier, safer, more active and inclusive community.	Ensuring any new development occurring in townships encourages active lifestyles by providing permeability, passive surveillance and good amenity.  Enhance walking routes already used informally by the community.  Support community-led initiatives which encourage healthy lifestyles.
Liveability, Health and Wellbeing  Enhance cultural diversity	2.10 - Recognise and adapt our plans, strategies, policies and procedures to engage with an increasingly diverse community.	Working with minority groups for inclusive planning outcomes.  Recognise cultural values, especially Aboriginal.

Strategy	Initiative	Implications for Cardigan Village
Residential Development Guidance on the future of dispersed settlement and township areas	3.10 – Support rural lifestyle development within existing rural living zone and township areas.	Undertake local area planning for township areas to determine their long-term aspirations, opportunities and challenges related to housing growth and change.
Housing Form and Diversity Protect the unique character of Ballarat	3.11 – Promote character and diversity in the design and planning of new housing areas.	Improve the promotion and compliance with landscape character area requirements in all new development.  Ensure that landscape character requirements are clear in policy.
Housing Form and Diversity Plan for affordable and diverse housing appropriate for ageing and changing communities	3.13 – Support a structure to the city and make land use planning decisions to enable ageing in place, support excellent access to public transport and the viability of providing the services needed for an ageing population.	Potential to encourage the provision of diverse housing that can accommodate people with changing needs.  This potential to provide housing diversity in township and settlement areas may be somewhat limited.
A More Sustainable Transport Network Build a less car-dependent community with a more sustainable transport system	4.1 – Transition Ballarat towards a more sustainable transport system.	Investigate alternative and convenient options to give communities greater choice in how they travel.
Historic Urban Landscape Manage Ballarat’s unique heritage, landscape and character as an integrated Historic Urban Landscape	5.1- Implement UNESCO’s Historic Urban Landscape approach as the guiding framework for managing change in our dynamic, historic city.  5.3 – Identify community values, landscape values and acceptable levels of change for sensitive neighbourhoods, to provide certainty to residents and developers regarding the type of developments to attract and support.  5.4 – Encourage property owners to adaptively reuse heritage places in a sympathetic manner.  5.6 – Better interpret our rich historical, cultural and natural landscape.	Encourage adaptive reuse and sympathetic development of heritage places to enhance heritage values.  Ensure that new developments enhance rather than impact on the values that make a place special.  Embed support for adaptive reuse of heritage buildings in planning controls.  Seek opportunities and partnerships to interpret the rich history of townships and settlement areas.  Develop integrated Local Area Plans and policies that articulate acceptable levels of change in sensitive areas.  Establish a formal mechanism for reviewing implementation of Local Area Plans.  Establish an ongoing role for community in monitoring implementation of Local Area Plans.



Strategy	Initiative	Implications for Cardigan Village
<p>Biodiversity</p> <p>Pursue regional solutions to the management of landscape values and biodiversity</p>	<p>5.8 - Plant more trees and work with the community to more than double Ballarat’s canopy cover to 40%.</p> <p>5.9 - Support the management and rehabilitation of a network of living corridors across Ballarat to properly manage our natural values in urban and township areas.</p>	<p>Ensure that township and settlement areas are incorporated into the City’s Urban Forest Strategy.</p> <p>Support local communities to improve streams, habitat areas, and public land in local neighbourhoods.</p> <p>Support development to expand rather than degrade the range of biodiversity assets across the municipality.</p> <p>Review relevant planning controls to ensure they remain relevant, accurate and useful in the appropriate preservation and enhancement of biodiversity assets.</p> <p>Off-road linkages to satellite townships including Cardigan Village provide significant opportunity for more enjoyable and inclusive communities, and potential for implementing Living Corridors.</p> <p>Support landowners to improve the biodiversity values of their land.</p>
<p>Open Space</p> <p>Improve the provision of quality open space to improve environmental, cultural, social and economic benefits.</p>	<p>5.10 – Ensure that all residents of urban Ballarat are within a 10-minute walk of appropriate open space, and rural residents can access open space areas.</p>	<p>Possibility to upgrade the status of, and develop a masterplan for, Cardigan Village Park.</p>
<p>Water</p> <p>Ensure sustainable water management of the city through urban design and operational programs.</p>	<p>5.15 – Encourage water efficiency and whole-of-cycle water management to be integral; parts of future development and public realm improvements.</p> <p>5.16 - Manage stormwater as part of a renewed focus on green infrastructure.</p>	<p>Embedding whole of water cycle management in future growth and development.</p>
<p>Agriculture</p> <p>Ensure ongoing management of agricultural land for agriculture and food security</p>	<p>5.20 – Engage with rural councils to identify opportunities for better managing rural interface areas.</p>	<p>Protect surrounding agricultural uses and landscapes from encroachment by urban development.</p> <p>Clear intent as to potential future growth, or lack thereof, of township and settlement areas.</p>
<p>Waste and Contamination</p> <p>Reduce waste taken to landfill and associated community impacts</p>	<p>5.24 – Work with the community to reduce waste sent to landfill by 65%.</p>	<p>Strategies to encourage better waste management within all township and settlement area communities.</p>

Strategy	Initiative	Implications for Cardigan Village
<p>Climate Change Impacts</p> <p>Collaborate to adapt to a changing climate</p>	<p>5.29 - Collaborate with the State Government and other key partners to deal with climate change and uncertainty.</p> <p>5.30 - Support initiatives to understand Ballarat's vulnerability to disaster, build disaster resilience and better integrate emergency management.</p>	<p>Strategies to support communities to become more resilient to climate change.</p> <p>Undertake research to understand the vulnerability of townships/settlement areas and this historic urban landscape to climate change and prepare a Local Climate Action Plan to put in place proactive strategies.</p> <p>Implement strategies to better manage risk of environmental disaster and to build community resilience.</p>



## CITY OF BALLARAT COUNCIL PLAN (DRAFT) 2017-2021

The Council Plan is a strategic document outlining the actions the City of Ballarat will undertake to achieve the vision of the Ballarat City Council and the community for the city, and is underpinned by The Ballarat Strategy: Today Tomorrow Together.

The 2017-2021 Plan details Council's priorities and outcomes for its four-year term and how each of these will be resourced. The Plan guides the City of Ballarat's annual budget, and ultimately determines the projects, services, events and other initiatives that will be funded and delivered in the upcoming financial year.

### VISION

'A proud city that is bold, vibrant and thriving'

Table 2: Goals and priorities relevant to planning for Cardigan Village:

Goals	Relevant Outcomes	Priorities relevant to planning for Cardigan Village
<p><b>Liveability</b> Improve our community's quality of life.</p> <p>We will provide inclusive and accessible public spaces, quality services; and opportunities for our community to participate, feel safe and be active and healthy.</p>	<p>a. A welcoming, inclusive, active and socially-connected city for all ages and abilities</p> <p>b. Healthy cultural life and creative expression through multi-arts, culture and heritage</p> <p>c. Well-used public spaces for living, learning and social engagement</p> <p>d. Public sports and recreation facilities to increase passive and active community participation</p> <p>e. Safe and accessible community spaces and facilities</p>	<p>» Strengthen our city by making Ballarat a people and all-age friendly city via improved access, participation inclusion and respect-based projects and programs</p>
<p><b>Sustainability</b> Protect, maintain and enhance our built and natural assets.</p> <p>We will plan for growth to ensure our community's infrastructure and natural environment are protected and improved, and our city's connectivity is sustainably enhanced.</p>	<p>a. A built environment that is reflective of the community's needs and aspirations and respects our heritage</p> <p>b. Improved natural environment, ecosystems and biodiversity</p> <p>c. Sustainable water management, transport and connectivity</p> <p>d. Reduced environmental impact and cost to operate community facilities</p>	<p>» Beautification of entrances and boulevards</p> <p>» Deliver and implement climate adaptation initiatives</p>
<p><b>Accountability</b> Provide strong and decisive leadership, and transparent governance.</p> <p>We will provide open and transparent decision making, and lobby and improve our relationships with all levels of government to enhance our ability to deliver key projects and initiatives.</p>	<p>a. Engaged and informed community and stakeholder groups</p> <p>b. Reduced government regulation</p>	<p>» Engage and communicate with our community and other stakeholders</p> <p>» Continue to roll out the Engaging Communities Program</p> <p>» Address gender equity and inclusion in all Council plans and strategies</p>

## BALLARAT RURAL LAND USE STRATEGY (RLUS)

The Rural Land Use Strategy was released in 2010 and provides a long-term vision for Ballarat's rural areas. The Strategy recognises the rural areas surrounding Ballarat as some of Victoria's richest agricultural land in terms of soil quality, with some of the highest value for production per hectare in the State. These areas are also viewed as an integral component of Ballarat's rural identity and highly valued for their contributions to the economy, liveability and amenity of the municipality.

The Strategy identifies that these areas are susceptible to the impacts of climate change and population growth and provides a strategic framework to manage rural areas in sustainable manner.

This document identifies that Ballarat's natural resources and farming activities are at significant risk from ad-hoc land use change that has the potential to compromise the viability and growth of agriculture and threaten the health and functioning of natural resources. As a result, the Strategy sets forth a policy framework to manage these areas in a sustainable manner and to provide guidance in limiting expansion of residential development onto productive agricultural land.

### VISION

'Our agricultural land is an important component of our rural identity and we recognise that our productive agricultural land is a finite resource that is valued, supported and will be protected.'

(including Cardigan Village):

- » Retain productive land in the long-term for farming, particularly existing large parcels;
- » Protect and enhance biodiversity, significant landscape (including significant water bodies) and remnant native vegetation areas;
- » Retain productive lot sizes to provide opportunities to support sustainable farming;
- » Maintain appropriate buffers in between the extractive industries, other intensive industries and residential in the precinct;
- » Housing strategy/structure planning for township areas to respect RLUS and State Planning Policy Framework (SPPF) objectives;
- » Ensure interface of existing township areas are managed in accordance with Ballarat's housing requirements;
- » Recognise and protect the area as a water catchment through managing additional housing and water demands.

Key objectives for the North-West precinct

## BALLARAT OPEN SPACE STRATEGY (BOSS)

The Ballarat Open Space Strategy (BOSS) recognises the significant contribution that open spaces makes to providing quality neighbourhoods, highlighting the environmental, social, psychological, physical and spiritual benefits to the community.

The BOSS collectively maps and assess the city's open space network based on an analysis of open space provision and the needs of the community. The BOSS provides a strategic tool to guide decisions about the future development and management of the city's open space network. The BOSS:

- » Provides a clear and concise policy framework for the management of, use and development of the municipality's open space assets;
- » Determines the appropriate provision of open space to cater to Ballarat's existing and projected population;
- » Provides environmental management outcomes and solutions for financing the development of open space;
- » Provides a sustainable public landscape and planting vision aimed at responding to the impact of climate change.

## VISION

**'Provide a sustainable network of accessible open space which supports the recreational, environmental, social and health needs of the community and connects Ballarat to its past, present and future.'**

There are a number of key principles underpinning the vision:

- a. The management and development of open space will acknowledge the high value of the asset to the community.
- b. Open space will continue to meet the needs of the established communities within Ballarat and will face the challenges to meet the needs of the thriving communities within the City of Ballarat through appropriate distribution.
- c. Ballarat's open space network plays an important role in contributing towards the health and wellbeing of the individuals that make up the Ballarat community.
- d. The sustainable provision, development and management of open space must consider the social, environmental and economic factors.
- e. The open space network will contribute towards developing, enhancing and supporting communities that are connected physically, socially and emotionally.
- f. The provision of open space will be inclusive and accessible for the whole community.
- g. Partnerships with relevant authorities and the community are crucial for the provision of the open space network.
- h. The provision of open space will need to be integrated across the different land owners and managers.
- i. The provision of open space will be responsive to the needs and trends of the Ballarat community through industry best practice.
- j. The open space network is an essential asset that contributes towards tourism and the economy of Ballarat.
- k. A well-balanced open space network across the municipality might require the 'acquisition' and/or 'retirement' of parcels of open space.



### Planning implications for Cardigan Village

In reference to open space provision in settlements and townships surrounding Ballarat, the Strategy notes that residents in rural areas generally have large residential blocks, which results in fewer requirements for open space. It is thus more acceptable for rural residents to address their open space requirements, similar to other services, by travelling short distances to township centres. As such, open space in townships should be provided and offer a range of opportunities for play, sport, and the passive enjoyment of parkland to service the open space needs of its residents and the surrounding rural population.

There is a need to ensure that open space and recreation facilities available in Cardigan Village reflect the role of the township in servicing the needs of the residents in the broader surrounding area.

### Specific actions relevant to Cardigan Village

» Develop pathways within Cardigan Village along the Windemere Linear Reserve to provide connections to Cardigan Village Reserve (Recreation Parkland), and where possible, create safe pedestrian linkages to Lake Burrumbeet foreshore and to Ballarat's western suburbs and growth corridor through Alfredton.

## OUR PARTNERS IN HEALTH 2015-2018

In response to the integration of the Municipal Public Health and Wellbeing Plan with the Council Plan from 2013, and to ensure clear recognition of stakeholder priorities, the City of Ballarat initiated a partnership with seven lead health promoting organisations in Ballarat. The Our Partners in Health Plan clearly outlines a collaborative strategy to tackle four key health priorities that each organisation individually identified as critical to improving health outcomes for the people of Ballarat. Each of the priorities identified are complex and multifactorial, and beyond the capacity of any one organisation to respond to fully.

It is recognised the City of Ballarat has a key role in improving health outcomes through its significance influence over local planning, local laws, environmental health, transport and access, community connections and social support, and the built environment – such as parks and gardens, recreational facilities and the connectivity of residents to their local services and shops.

Four key health priority areas are listed in the plan:

1. Increasing rates of physical activity.
2. Reducing tobacco related harms.
3. Improving healthy eating and food security.
4. Promoting gender equity and preventing violence against women.

Objectives relevant to planning for Cardigan Village and increasing rates of physical activity:

1. Health partners work collaboratively to support and promote community physical activity programs and increase the involvement and support of a diverse range of organisations.
2. Develop processes that facilitate the engagement of healthy partners in the development and review of Council strategies and plans which influence physical activity.
3. Health partners develop and disseminate, through a range of media, joint messages and health statistics linked to physical activity.

## OUR LIVING CITY

A discussion paper about greening Ballarat as an urban forest (Discussion Paper)

Ballarat's urban forest comprises all the trees, other vegetation, soil and water that support it within the municipality. It relates to both public and private realm trees on land used for the full range of uses.

The City of Ballarat data indicates approximately 17% canopy coverage across the entire municipality. A figure of 40% by 2040 urban canopy coverage was identified as a key target in The Ballarat Strategy and is currently under investigation for public and private land.

Development of the Urban Forest Strategy is currently underway, with the Draft Concepts and Options Paper released in March 2017.

## VISION

'To create an urban forest which continues to contribute to Ballarat's sense of identity, historic character, and charm'

Generally, the Urban Forest approach includes:

- » Increasing the amount of tree canopy coverage over a given area in a given time;
- » Protecting existing established trees in parks, streets, public spaces and private landscapes;
- » Protecting and improving the linking of habitat and support for biodiversity;
- » Increasing shade and the natural cooling of the natural and built environment;
- » Reducing the impacts of heat in urban areas and increasing carbon uptake;
- » Increasing amenity, the livability of neighborhoods and property values;
- » Increasing tree diversity so the forest is more adaptive to changing climatic conditions;
- » Reinforcement of the landscape character of any given area.

Planning implications for Cardigan Village

- » Undertaking tree plantings on land managed by the City of Ballarat;
- » Encouraging the planting of climate-ready trees on private land;
- » Distributing information to the community regarding the social, environmental and economic benefits of trees.

## STATE PLANNING POLICY FRAMEWORK

The State Planning Policy Framework (SPPF) comprises general principles for land use and development across Victoria which all planning authorities and responsible authorities must take account of and give effect to, to ensure integrated decision making. The SPPF includes a number of policies relevant to the planning of townships in regional areas, such as Cardigan Village.

## LOCAL PLANNING POLICY FRAMEWORK

### Municipal Strategic Statement

The Municipal Strategic Statement (MSS) sets out the vision for the municipality centred around the following concepts of 'The 10 Minute City', and 'The City in the Landscape'.

The MSS identifies issues faced by the municipality in relation to eight key topics. The issues most relevant to planning for the future of Cardigan Village are listed below.

#### Settlement and Housing

- » Maintaining a compact settlement form as part of Ballarat's '10 Minute City'.
- » Recognising community values and infrastructure limitations unique to townships.
- » Providing quality open space is essential for community health.

#### Environmental and Landscape Values

- » Greening the urban area as an urban forest to improve biodiversity, manage heat, improve amenity and enhance Ballarat's rural identity.

- » Protecting and enhancing the distinctive sense of place, cultural identity and the natural, cultural and historic landscape across the Ballarat municipality.

#### Environmental Resilience

- » Protecting the community from the economic, social and environmental risks associated with flooding.

#### Natural Resource Management

- » Protecting productive agricultural land.
- » Preventing ad-hoc and inappropriate use of productive agricultural land for non-agricultural uses, particularly lifestyle housing.
- » Avoid decision making which creates long term conflict with farming operations.
- » Managing water demand including the impact of development and population growth.
- » Managing the impact of climate change and below average rainfall.

#### Built form, Heritage and Design

- » Protecting significant areas and features of the built and natural environment.

#### Transport and Infrastructure

- » Improving the connectivity and quality of walking and cycling networks.
- » Supporting a less car-dependent community.

The MSS includes a number of policies that relate to the planning and development of Cardigan Village. These are summarised in the Table 3 below.

#### Local Planning Policies

Local Planning Policies are derived from the MSS and help to provide a rationale for the zoning and overlay controls which are prescribed in the Scheme.

The Ballarat Planning Scheme includes several specific Local Policies, though none related to the development of Cardigan Village. However, the Rural Dwellings and Subdivision Policy is generally relevant to planning for Cardigan Village.

#### 22.06 Rural dwellings and subdivisions

The Rural Dwellings and Subdivisions Policy applies to all land in the Farming Zone and

recognises that rural areas within the City of Ballarat are an integral component of the municipality's rural identity and highly valued for their contribution to the economy, liveability and amenity.

The City of Ballarat acknowledges that subdivision and dwellings in farming areas can potentially restrict the ability to use the land for farming activities and can impact on the ability of neighbouring farms to carry out agricultural production activities. A clear position to manage subdivisions and dwellings in the Farming Zone to provide for the retention of productive agricultural land for farming, providing clear guidance for decision makers in determining such applications.

This policy has implications for the potential for the future expansion of Cardigan Village.

Table 3: State and local policies relevant to Cardigan Village

SPPF	Objectives Summary	LPPF	Objectives Summary	What this means for Cardigan Village
Clause 11 Settlement	<ul style="list-style-type: none"> <li>» 11.03-1 Open space planning To assist creation of a diverse and integrated network of public open space commensurate to the needs of the community.</li> <li>» 11.03-2 Open space management To provide for the long-term management of public open space.</li> <li>» 11.05-3 Rural productivity To manage land use change and development in rural areas to promote agricultural and rural production.</li> <li>» 11.06-1 Planning for growth To plan for population growth in sustainable locations throughout the region.</li> <li>» 11.06-8 Agricultural productivity To support long-term agricultural productivity.</li> <li>» 11.06-9 Cultural heritage and landscapes To recognise the importance of cultural heritage and landscapes as economic and community assets.</li> </ul>	21.02 Settlements and Housing (relating to both Clause 11 and Clause 16 of the SPPF)	<ul style="list-style-type: none"> <li>» 21.02-1 Urban growth To support a pattern of growth that reinforces the '10 Minute City'.</li> <li>» 21.02-6 Townships To facilitate development in township areas in accordance with local area planning and the long-term aspirations of the community.</li> <li>» 21.02-6 Open Space To improve the provision and quality of open space.</li> </ul>	Cardigan Village is surrounded by land zoned as Farming Zone (FZ). Both State and local policy presents a strong desire to ensure continuing agricultural productivity by limiting the permanent loss of productive agricultural land and the encroachment of incompatible uses. This combined with a desire to direct growth to areas within proximity of existing services (such as Ballarat's CBD) means that the continued future expansion of Cardigan Village into the surrounding area is unlikely to be supported from a policy perspective.

SPPF	Objectives Summary	LPPF	Objectives Summary	What this means for Cardigan Village
Clause 12	<ul style="list-style-type: none"> <li>» 12.01-1 Protection of biodiversity To assist the protection and conservation of Victoria's biodiversity, including important habitat for Victoria's flora and fauna and other strategically valuable biodiversity sites.</li> <li>» 12.04-2 Landscapes To protect landscapes and significant open space that contribute to character, identity and sustainable environments.</li> </ul>	21.03	<ul style="list-style-type: none"> <li>» 21.03-1 Biodiversity To green Ballarat as part of an urban forest.</li> <li>» 21.03-2 Significant Environments and Landscape To rehabilitate, protect and enhance landscapes with identified values.</li> </ul>	Residents of Cardigan Village have identified the agricultural landscapes and the long views to the mountain ranges to the north and west as significant to their sense of community identity and sense of place. The planning scheme supports resident's desire to protect these features, as well as their desire for additional tree plantings to be accommodated within the streetscape.
Clause 14 Natural Resource	<ul style="list-style-type: none"> <li>» 14.01-1 Protection of agricultural land To protect productive farmland which is of strategic significance to the local or regional context.</li> </ul>	21.05 Natural Resource Management	<ul style="list-style-type: none"> <li>» 21.05-1 Agriculture To ensure that productive agricultural land remains available for agricultural resource use.</li> </ul>	Cardigan Village is surrounded by land zoned as Farming Zone (FZ). Both State and local policy presents a strong desire to ensure continuing agricultural productivity by limiting the permanent loss of productive agricultural land and the encroachment of incompatible uses. This means that the continued future expansion of Cardigan Village into the surrounding area is unlikely to be supported from a policy perspective.
Clause 15 Built	<ul style="list-style-type: none"> <li>» 15.01-1 Urban design To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.</li> <li>» 15.01-4 Design for safety To improve community safety and encourage neighbourhood design that makes people feel safe.</li> <li>» 15.01-5 Cultural identity and neighbourhood character To recognise and protect cultural identity, neighbourhood character and sense of place.</li> <li>» 15.03-1 Heritage conservation To ensure the conservation of places of heritage significance.</li> </ul>	21.06 Built Form Heritage and Design	<ul style="list-style-type: none"> <li>» 21.06-1 Urban design To increase the vitality, amenity and experience of the public realm.</li> <li>» 21.06-2 Heritage To protect, conserve and enhance areas, features, structures and sites of historic, Aboriginal, natural and cultural significance.</li> </ul>	Through consultation residents have expressed a desire for improved street amenity including through the provision of additional footpaths and street trees and the improvement of significant drainage issues.
Clause 16 Housing	<ul style="list-style-type: none"> <li>» 16.02-1 Rural residential development To identify land suitable for rural residential development.</li> </ul>	Addressed above under Clause 21.02 Settlements and Housing <b>263</b>		



## Planning Controls

The following tables summarise the land use zones and overlays that apply to Cardigan Village and surrounds.

Table 4: Summary of Controls

Control	Purpose	Zone Location
Township Zone (TZ)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To provide for residential development and a range of commercial, industrial and other uses in small towns.</li> <li>» To encourage development that respects the neighbourhood character of the area.</li> <li>» To implement neighbourhood character policy and adopted neighbourhood character guidelines.</li> <li>» To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.</li> </ul>	The current township of Cardigan Village, as well as the adjoining land currently undergoing staged subdivision to the east, is largely covered by the township zone (137.5 hectares). A small section of Farming Zone (2.5 hectares) is located on the northern boundary.
Farming Zone (FZ)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To provide for the use of land for agriculture.</li> <li>» To encourage the retention of productive agricultural land.</li> <li>» To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.</li> <li>» To encourage the retention of employment and population to support rural communities.</li> <li>» To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.</li> </ul>	Land directly adjoining the township to the east, south and west, and beyond the RDZ1 to the north. A small section within the township, at the centre of the northern boundary, as well as applying to the retaining basin at the northern edge of the township.
Road Zone (RDZ1)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify significant existing roads.</li> <li>» To identify land which has been acquired for a significant proposed road.</li> </ul>	Remembrance Drive
Heritage Overlay (Schedule 154 - Ballarat Avenue of Honour)(HO154)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To conserve and enhance heritage places of natural or cultural significance.</li> <li>» To conserve and enhance those elements which contribute to the significance of heritage places.</li> <li>» To ensure that development does not adversely affect the significance of heritage places.</li> <li>» To conserve specifically identified 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.</li> </ul>	Ballarat Avenue of Honour and road reserve of Ballarat-Burrumbeet Road.
Environmental Significance Overlay (Schedule 4 - Wastewater Treatment Plant Buffer Area)(ESO4)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify areas where the development of land may be affected by environmental constraints.</li> <li>» To ensure that development is compatible with identified environmental values</li> </ul>	Cardigan Village Wastewater Treatment Plant and land within surrounding 300m buffer area.

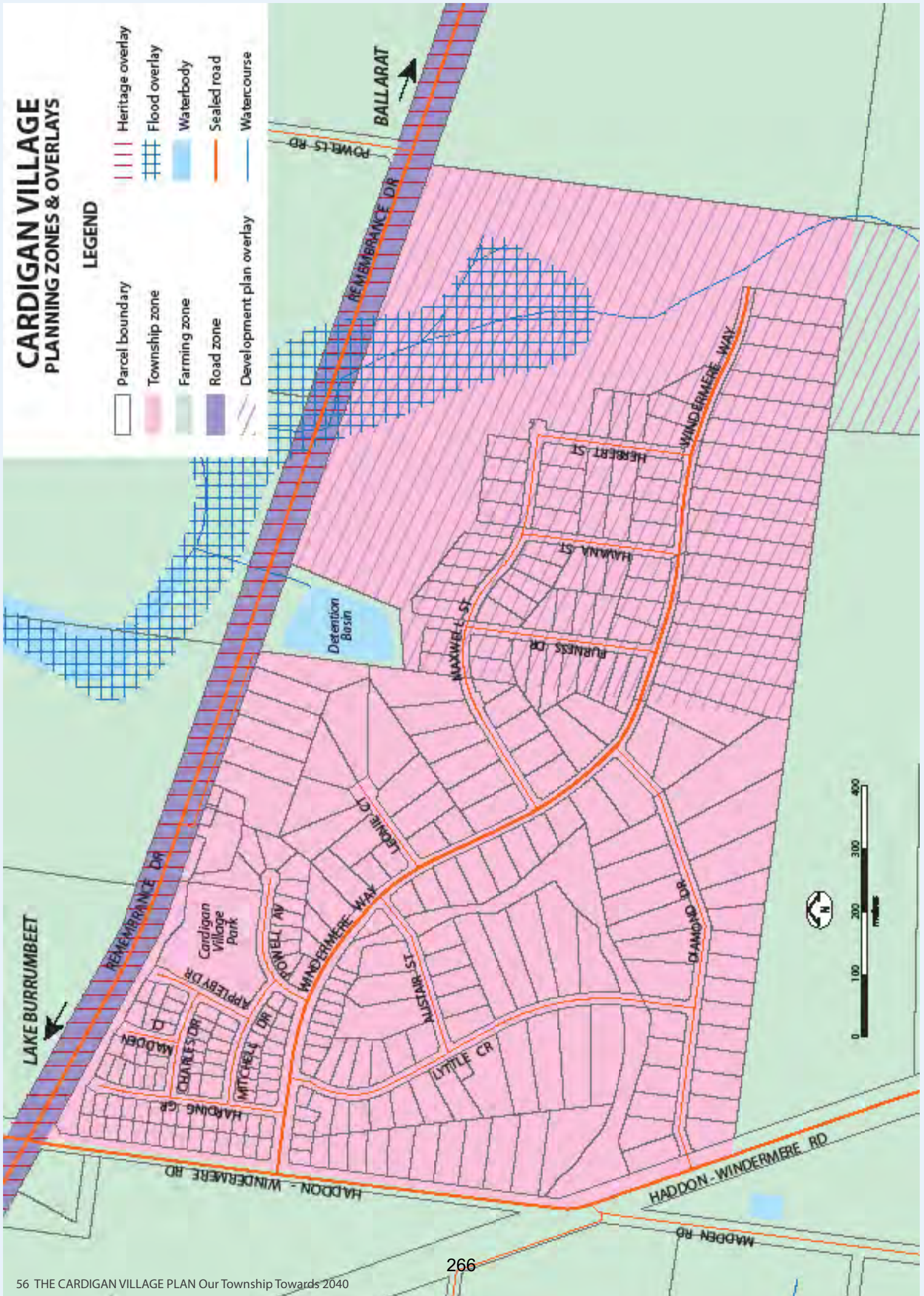
Control	Purpose	Overlay Location
Floodway Overlay (FO)	<ul style="list-style-type: none"> <li>» To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.</li> <li>» To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.</li> <li>» To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.</li> <li>» To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).</li> <li>» To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.</li> </ul>	Flood prone areas in the Burrumbeet Creek Catchment.
Land Subject to Inundation Overlay (LSIO)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.</li> <li>» To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.</li> <li>» To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.</li> <li>» To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).</li> <li>» To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.</li> </ul>	Flood prone areas in the Burrumbeet Creek Catchment.
Development Plan Overlay (Schedule 6 – Cardigan Village Development Plan)(DPO6)	<ul style="list-style-type: none"> <li>» To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</li> <li>» To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.</li> <li>» To exempt an application from notice and review if it is generally in accordance with a development plan.</li> </ul>	78 hectares of land to the east and south east of Cardigan Village.



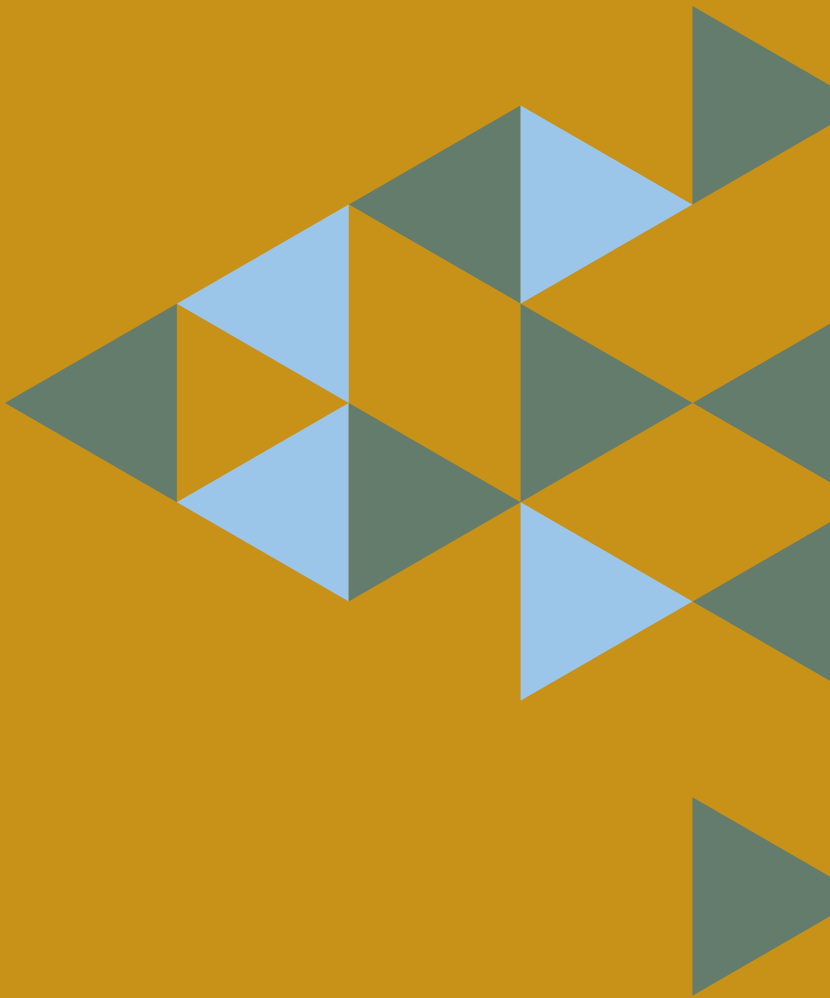
# CARDIGAN VILLAGE PLANNING ZONES & OVERLAYS

## LEGEND

-  Parcel boundary
-  Township zone
-  Farming zone
-  Road zone
-  Development plan overlay
-  Heritage overlay
-  Flood overlay
-  Waterbody
-  Sealed road
-  Watercourse







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**21.09-7 Burrumbeet**

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**Proposed**  
**C---**

Burrumbeet is a small and widely dispersed rural settlement located approximately 20 kilometres west of Ballarat with a population of approximately 230 people.

The residents of Burrumbeet are widely dispersed across the agricultural landscape which is predominately zoned for Farming purposes. The largest assembly of buildings and population is located around the caravan park at the north eastern side of Lake Burrumbeet which has approximately 100 permanent residents. Private properties range in size from 3ha to over 100ha. Nine new house permits have been issued in the area in the last decade.

The wide, open productive agricultural and pastoral landscape of Burrumbeet is mostly flat with panoramic views to the north and west. Lake Burrumbeet is a significant feature within the landscape and its size and biodiversity features make it both aesthetically and culturally significant. In recent years the lake has experienced reduced water levels and outbreaks of blue-green algae. The lake is part of the traditional lands of the Burrumbeet Balung clan who form part of the Wadawurrung people. Significant Aboriginal heritage places and important flora and fauna assets contribute to the character of the settlement.

The Burrumbeet community value the environmental and heritage assets around the lake, their rural lifestyle, farming land use and distinctive landscape features. Services within the area are focussed around recreation with ski, boat, race and cricket clubs. With the exception of the convenience shop at the caravan park there are no formal retail services such as a post office or service station.

**Objective**

To protect the landscape and environmental qualities of Burrumbeet.

**Strategies**

- |              |   |
|--------------|---|
| Strategy 1.1 | Ensure future development is consistent with the Burrumbeet Framework Plan.   |
| Strategy 1.2 | Encourage a biodiversity corridor that links Lake Burrumbeet, Lake Learmonth, the Skipton Rail Trail and the Avenue of Honour.  |
| Strategy 1.3 | Protect and maintain the Avenue of Honour as a unique landscape feature and gateway to the area.                                |
| Strategy 1.4 | Ensure appropriate interfaces with the Avenue of Honour through application of the Ballarat Avenue of Honour Design Guidelines. |

**Objective 2**

To protect the rural lifestyle of Burrumbeet.

**Strategies**

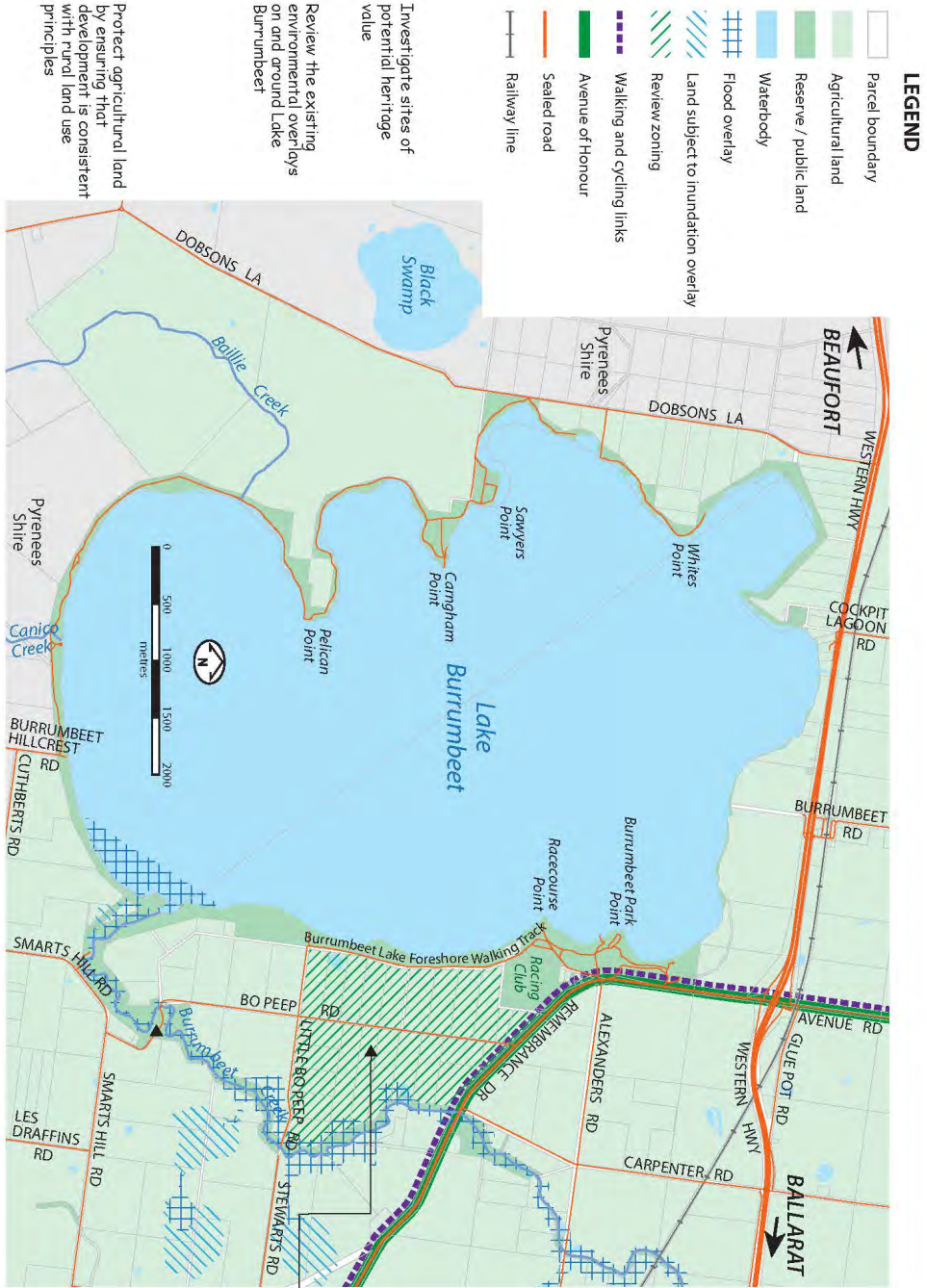
- |              |   |
|--------------|---|
| Strategy 2.1 | Protect agricultural land by ensuring that development is consistent with rural land use principles.  |
| Strategy 2.2 | Ensure new rural dwellings comply with Clause 22.06.  |
| Strategy 2.3 | Encourage safer walking and cycling links between Lake Burrumbeet, Lake Learmonth, Cardigan Village, the Skipton Rail Trail, the Freeway Overpass and the Avenue of Honour. |

**Specific Implementation**

- Investigate sites of potential heritage value in the Burrumbeet area as part of the Heritage Gaps Master Plan.

- Review the Farming Zone on Bo Peep Road to identify whether a Rural Living Zone is more appropriate.
- Review the existing environmental overlays on and around Lake Burrumbeet.

**Burrumbeet Framework Plan**



**LEGEND**

- Parcel boundary
- Agricultural land
- Reserve / public land
- Waterbody
- Flood overlay
- Land subject to inundation overlay
- Review zoning
- Review zoning
- Review zoning
- Walking and cycling links
- Avenue of Honour
- Sealed road
- Railway line

Investigate sites of potential heritage value

Review the existing environmental overlays on and around Lake Burrumbeet

Protect agricultural land by ensuring that development is consistent with rural land use principles

Protect and maintain the Avenue of Honour as a unique landscape feature and gateway to the area

Encourage safer walking and cycling links between Lake Burrumbeet, Lake Learmonth and Cardigan Village

Review the Farming Zone on Bo Peep Road to identify if a rural living zone is more appropriate.

Encourage a biodiversity corridor that links Lake Burrumbeet, Lake Learmonth, the Skipton Rail Trail and the Avenue of Honour

**BURRUMBEET  
FRAMEWORK PLAN**

**21.09-6 Cardigan Village**

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 Proposed  
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Cardigan Village is a small settlement located about 7 kilometres west of Ballarat with a total population of approximately 500 people. The town is separated from urban Ballarat to the east and Lake Burrumbeet to the west by an expansive and flat agricultural landscape which provides long panoramic views to the hills to the north and west.

The Village was developed in the 1970's and there have been three phases of subdivision with approximately 130 lots yet to be developed within the existing Township Zone. As surrounding land is all within the Farming Zone, this will be the extent of the township. Lot sizes vary considerably within the village and range from 500m<sup>2</sup> to 1.5 hectares with an average of 2010m<sup>2</sup>. The Village has a tranquil rural character that is complemented by its landscape setting and the Avenue of Honour.

**Objective 1**

To preserve the rural character and amenity of Cardigan Village.

**Strategies**

- |              |   |
|--------------|---|
| Strategy 1.1 | Respect the existing rural character and protect agricultural land by restricting urban growth to within the boundary of the existing Township Zone as shown on the attached Cardigan Village Framework Plan. |
| Strategy 1.2 | .   |
| Strategy 1.3 | Ensure Cardigan Village Park remains as the heart of the town.  |
| Strategy 1.4 | Ensure new stages of development have kerb and channel and underground drainage.  |
| Strategy 1.5 | Enhance Windermere Way as a major entrance by reducing road widths and improving street plantings.  |

**Objective 2**

To protect the landscape and environmental qualities of Cardigan Village.

**Strategies**

- |              |   |
|--------------|---|
| Strategy 2.1 | Encourage landscape and vegetation improvements in the public and private realm that enhance amenity and biodiversity.                              |
| Strategy 2.2 | Encourage a biodiversity corridor that links Lake Burrumbeet, Lake Learmonth, the Skipton Rail Trail and the Avenue of Honour.                      |
| Strategy 2.3 | Protect and maintain the Avenue of Honour as a unique landscape feature and gateway to the area.  |
| Strategy 2.4 | Ensure appropriate interfaces with the Avenue of Honour through application of the Ballarat Avenue of Honour and Arch of Victory Design Guidelines. |

**Objective 3**

To improve the accessibility of Cardigan Village.

**Strategies**

- |              |   |
|--------------|---|
| Strategy 3.1 | Encourage shared walking and cycling links between Cardigan Village, Lake Burrumbeet, Lucas and the Avenue of Honour. |
| Strategy 3.2 | Discourage additional road access to Remembrance Drive.   |

**Specific Implementation**

- Implement the Ballarat Avenue of Honour and Arch of Victory Design Guidelines
- Investigate potential heritage sites as part of the Heritage Gaps Master Plan.
- Investigate planning control options for the Windermere Hotel to facilitate commercial uses.





**21.09-8 Learmonth**

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Proposed  
C---

Learmonth is a small rural settlement located about 15 kilometres north-west of Ballarat with a total population of just under 400 people.

The town has grown by about 100 persons over the last ten years and, based on growth forecasts and average lot size, there is ample residentially zoned land in the township for decades to come.

The rural atmosphere of the Learmonth township is enhanced due to the large residential lots, an abundance of significant trees, green open spaces, large open space and established gardens. It is essential that any future change in the township responds to Learmonth's valued character and distinct identity.

The historic township includes 19th century buildings and established exotic trees, parks and gardens which are highly valued by the community. Lake Learmonth forms a special feature of the town and adds considerably to the landscape character of the area.

Learmonth sits within an extensive and productive agricultural area with standout conical hills creating an exceptional feature in the otherwise low-lying landscape. There are sweeping and distant views in all directions to the surrounding hills, lake and ranges.

**Objective 1**

To restrict the expansion of Learmonth township.

**Strategies**

- |              |   |
|--------------|---|
| Strategy 1.1 | Limit the township area to within the boundary of the existing Township Zone as shown on the attached Learmonth Framework Plan. |
| Strategy 1.2 | Protect agricultural land by ensuring that new residential development occurs within the existing Township Zone.                |
| Strategy 1.3 | Avoid inappropriate rural dwelling development outside the Township Zone.   |

**Objective 2**

To respect the existing character of Learmonth.

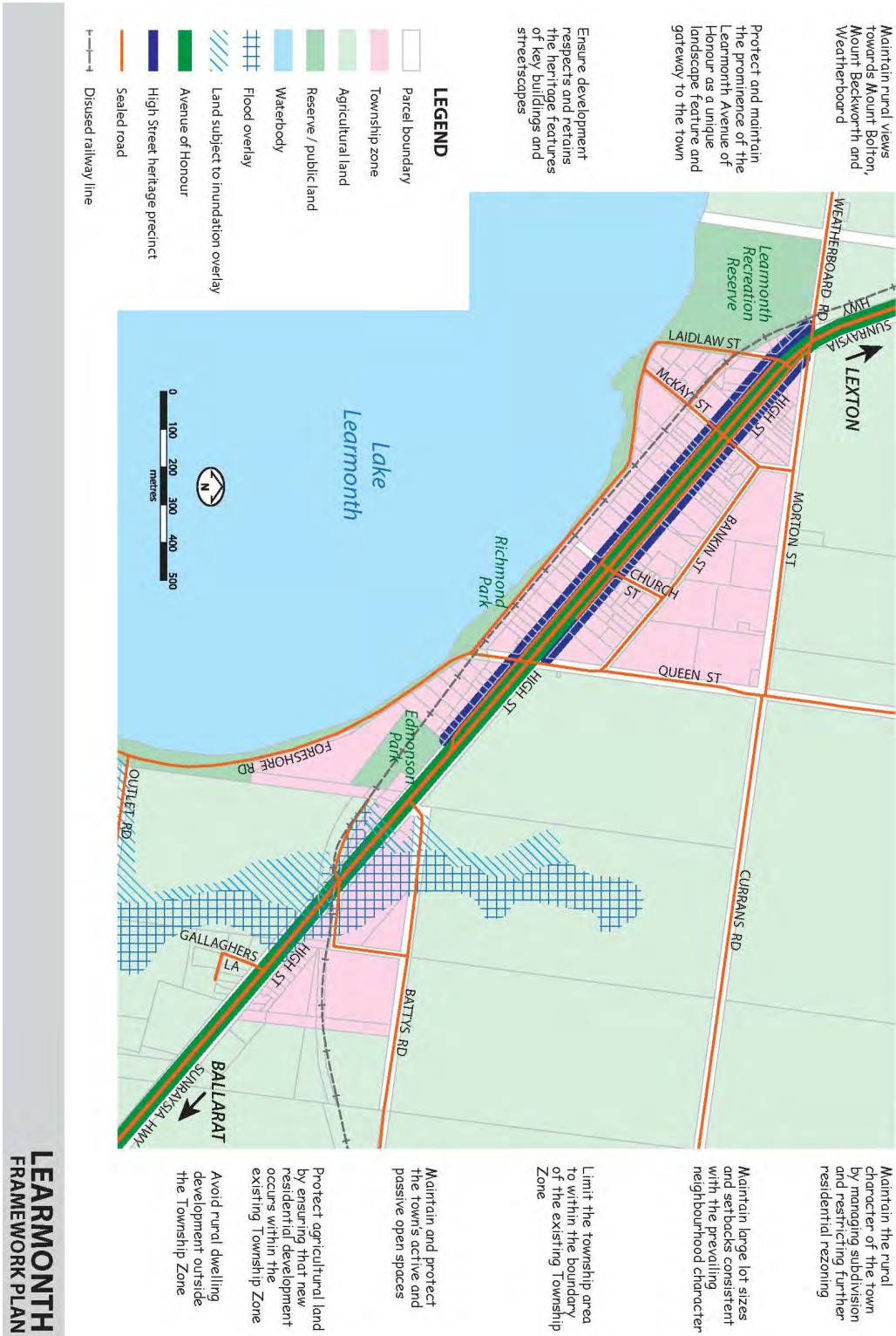
**Strategies**

- |              |  |
|--------------|--|
| Strategy 2.1 | Maintain the rural character of the town by managing subdivision and restricting further residential rezoning.               |
| Strategy 2.2 | Ensure subdivisions maintain large lot sizes consistent with the prevailing settlement pattern and neighbourhood character.  |
| Strategy 2.3 | Maintain the spacious front and side setbacks and garden areas that are characteristic of the town                           |
| Strategy 2.4 | Ensure development respects and retains the heritage features of key buildings and streetscapes.                             |
| Strategy 2.5 | Protect and maintain the prominence of the Learmonth Avenue of Honour as a unique landscape feature and gateway to the town. |
| Strategy 2.6 | Maintain and protect the town's active and passive open spaces.  |
| Strategy 2.7 | Maintain rural views towards Mount Bolton, Mount Beckworth and Weatherboard.   |

**Specific Implementation**

- Investigate the application of a Significant Landscape Overlay (SLO) to protect the rural views of Mount Bolton, Mount Beckworth and Weatherboard.
- Investigate further sites of potential heritage value.

**Learmonth Framework Plan**



**LEARNMOUTH FRAMEWORK PLAN**

<b>Cardigan Village Township Plan</b>	
<b>Summary of Submission</b>	<b>Comment</b>
<p>Cardigan Village would be improved with a couple of shops, milk bar/post office.</p> <p>A second entry point to Remembrance Drive should be constructed towards the eastern edge of the township as it is inconvenient having the only access to the west.</p>	<p>The plan encourages the establishment of local businesses and the current Township Zone facilitates this. The plan also has an action to investigate opportunities to enable the Windermere Hotel to continue to operate as a commercial premise through the application of correct land use planning controls.</p> <p>A second entry point to Remembrance Drive is not possible due to the Avenue of Honour. This is a specific direction of the Avenue of Honour Conservation Management Plan.</p>
<p>The plan should not restrict growth. There are no details for provision of major public transport or provision for community welfare provision, doctors, shops.</p>	<p>State Planning Policy requires that residential land supply is to be considered on a municipal, rather than a town-by-town, basis. The City of Ballarat currently has a residential land supply well beyond the recommended 15 years, with strategic investigations currently being undertaken to determine the most suitable location for long-term growth.</p> <p>The plan encourages the establishment of local businesses and the current Township Zone facilitates this.</p>
<p>A second entry point to Remembrance Drive should be constructed towards the eastern edge of the township</p> <p>A milk bar/ takeaway which includes an Aust Post outlet should be provided.</p>	<p>A second entry point to Remembrance Drive is not possible due to the Avenue of Honour. This is a specific direction of the Avenue of Honour Conservation Management Plan.</p> <p>The plan encourages the establishment of local businesses and the current Township Zone facilitates this.</p>
<p>Footpaths throughout the town should be a priority.</p> <p>A second entry point to Remembrance Drive should be constructed towards the eastern edge of the township</p>	<p>An action of the plan is to provide an improved path network in Cardigan Village to enhance pedestrian accessibility.</p> <p>A second entry point to Remembrance Drive is not possible due to the Avenue of Honour. This is a specific direction of the Avenue of Honour Conservation Management Plan.</p>
<p>More tree planting within road reserves.</p>	<p>An action of the plan is to reduce the road width and improve the green central median strip of Windermere Way with boulevard-style tree planting to enhance it as both the major entrance and thoroughfare of Cardigan Village</p>



<p>Curb and channel is essential.</p>	<p>There are two actions in the plan which state new stages of residential development must have underground drainage and kerb and channelling and in the established areas where there are drainage issues within the established areas.</p>
<p>More native landscaping and footpaths within new development areas. These should also be maintained.</p> <p>A second vehicle/bike lane entry point to Remembrance Drive should be constructed towards the eastern edge of the township as it is inconvenient having the only access to the west.</p>	<p>An action of the plan is to provide an improved path network in Cardigan Village to enhance pedestrian accessibility.</p> <p>An action of the plan is to reduce the road width and improve the green central median strip of Windermere Way with boulevard-style tree planting to enhance it as both the major entrance and thoroughfare of Cardigan Village</p> <p>A second entry point to Remembrance Drive is not possible due to the Avenue of Honour. This is a specific direction of the Avenue of Honour Conservation Management Plan.</p>
<p>Cardigan Village township boundary should be expanded toward Chisholmes Road as this would give more opportunities for small business to develop and solve access issue at the eastern end of township as Windermere Road could be extended. Underground drainage should be a priority</p>	<p>State Planning Policy requires that residential land supply is to be considered on a municipal, rather than a town-by-town, basis. The City of Ballarat currently has a residential land supply well beyond the recommended 15 years, with strategic investigations currently being undertaken to determine the most suitable location for long-term growth.</p>
<p>The granitic sand paths put in by the developer are not conducive to walking. Additionally trees are planted too close to the path.</p> <p>Tennis courts need immediate attention to make them safe and attractive to use</p> <p>The Windermere pub currently stands empty and an eyesore and should be utilised.</p>	<p>An action of the plan is to provide an improved path network in Cardigan Village to enhance pedestrian accessibility.</p> <p>An action of the plan is to assess the current use and condition of the tennis courts to determine appropriate maintenance, including the option to retrofit the courts for multi-functional use.</p> <p>The plan also has an action to investigate opportunities to enable the Windermere Hotel to continue to operate as a commercial premise through the application of correct land use planning controls.</p>
<p>Include the land at 2 Chisholmes Road as being designated Future Residential Growth on the Proposed Framework Plan.</p>	<p>State Planning Policy requires that residential land supply is to be considered on a municipal, rather than a town-by-town, basis. The City of Ballarat currently has a residential land supply well beyond the recommended 15 years, with strategic investigations currently being undertaken to</p>

	determine the most suitable location for long-term growth.
Issue with providing an additional access point to Remembrance Drive as CFA were not consulted and there may be issues with legal responsibility and traffic management.	The inclusion of an emergency access near the eastern end of Cardigan Village has been removed from the plan as consultation with CFA has not occurred.

<b>Burrumbeet Township Plan</b>	
<b>Summary of Submission</b>	<b>Comment</b>
Council should take back jurisdiction of the lake and its riparian zone	City of Ballarat is the waterway manager for boating, navigation, leisure and blue algae monitoring.
Delighted to see an action plan for Burrumbeet. Offroad access from Remembrance Drive and a complete lap trail around the lake would add greatly to its appeal to locals and visitors.	A bike track around the lake is something which can be considered as part of the management plan for Lake Burrumbeet which DELWP is about to commence.
The plan does not have priorities for management of the lake and the current challenges and access issues. There is no financial accounting to allow for an understanding of what the lake area costs to manage nor does it list the actual works that may be required to allow the site to be collectively sustainably managed while addressing potential competing interests.	DELWP is about to commence preparation of a management plan, in collaboration with Council, for the Lake Burrumbeet reserve where many of these issues will be addressed. Council will work closely with DELWP throughout this process.
<p>There is opportunity to grow this area to be a sporting precinct with the racecourse and cricket oval.</p> <p>The Burrumbeet Soldiers Memorial Hall is also a Council asset, therefore should also be maintained and improvements made when necessary.</p> <p>The plan is focused on Lake Burrumbeet and there is more to Burrumbeet than the lake.</p>	<p>The plan has an action which states to investigate the current condition, demand and use of the sporting facilities near the caravan park and determine if upgrades are required.</p> <p>The memorial hall is highlighted in the plan as the community hub. There are several actions in the plan that related to other areas than the Lake.</p>
Broadly support the plans however is centred on the Lake and its environs with little reference to the actual township.	There are several actions in the plan that related to other areas than the Lake.
DELWP The plan should amended to show that City of Ballarat is the waterway manager for boating, navigation, leisure and blue algae monitoring.	This change has been made.
CHW We note the Plan's emphasis on maintaining rural lifestyle and farming whilst enhancing and protection the landscape and environmental qualities of the area.	Noted.

<p>Other than the Burrumbeet Caravan Park, that is connected to sewerage via a pressure pipeline to Cardigan Village, Central Highland Water (CHW) does not supply water or sewerage facilities in the study area.</p> <p>Should the emphasis of the study be amended to include a greater focus on residential style development, requiring reticulated water and or sewerage facilities, we recommend further consultation with CHW.</p>	
<p>Since management of Lake Burrumbeet has been taken over by DELWP, the riparian zone of the Lake has been environmentally vandalised</p> <p>The township plan makes no mention of the occasional blue-green algae outbreaks: neither its cause nor prevention.</p> <p>There are no measurable strategic objectives for the management of the Burrumbeet Caravan Park.</p> <p>A proper economic analysis of the potential of Lake Burrumbeet for the municipality is missing. Recent food and beverage improvements to the local hotel go unmentioned.</p> <p>Agree that a CoM should be created for Lake Burrumbeet. However, having Lake Burrumbeet under State management hasn't worked in the last few years. Council should resume control of the lake and form a LG Act Ss 86 Special Committee. .</p>	<p>DELWP is about to commence preparation of a management plan, in collaboration with Council, for the Lake Burrumbeet reserve where many of these issues will be addressed. Council will work closely with DELWP throughout this process.</p> <p>City of Ballarat is the waterway manager for boating, navigation, leisure and blue algae monitoring.</p>
<p>DELWP have responsibility for Lake management and they did a Management Plan with stakeholder consultation as recent as 2015, and they are about to embark on a further consultation with stakeholders about the management of the lake and its future and therefore there may be overlap.</p> <p>Several roads indicated on the framework plan are not roads and should be removed.</p>	<p>DELWP is about to commence preparation of a management plan, in collaboration with Council, for the Lake Burrumbeet reserve where many of these issues will be addressed. Council will work closely with DELWP throughout this process.</p> <p>The roads mentioned have been removed from the framework plan.</p>

**9.6. BALLARAT PLANNING SCHEME REVIEW 2018**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Stephanie Durant – Senior Strategic Planner / Lisa Kendal – Manager Strategic Planning

**OFFICER RECOMMENDATION****Council resolves to:**

- 1. Adopt the *Ballarat Planning Scheme Review (September 2018)* as the review required by section 12B(1) of the *Planning and Environment Act 1987* and forward the report to the Minister for Planning as required by section 12B(5) of the *Planning and Environment Act 1987*.**
- 2. Request the Minister for Planning to prepare and approve a Planning Scheme Amendment to implement the new Planning Policy Framework into the Ballarat Planning Scheme under Section 20(4) of the *Planning and Environment Act 1987*.**
- 3. Seek authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to correct anomalies and update the form and content of zone and overlay schedules of the Ballarat Planning Scheme as required by the new Ministerial Direction on Form and Content of Planning Schemes (2017), pursuant to Section 8A of the *Planning and Environment Act 1987*.**

**EXECUTIVE SUMMARY**

As required by the *Planning and Environment Act 1987*, City of Ballarat staff have completed a review of the Ballarat Planning Scheme. The Ballarat Planning Scheme Review Report (2018 Review) provides Council with:

- an overview of the performance of the Ballarat Planning Scheme (BPS) since the last review in 2015;
- an understanding of the state, regional and local policy changes that have occurred since the last review;
- an 'audit' of the existing strategic and statutory provisions in the BPS;
- a review of relevant VCAT decisions and Panel reports; and
- a program for implementing future strategic work.

The 2018 Review found that the Local Planning Policy Framework (Municipal Strategic Statement and Local Policies) is generally consistent with the objectives and strategies contained within the State Planning Policy Framework (SPPF) and does not need significant review. It was however identified that there are number of deficiencies with specific controls, including zone and overlay schedules and mapping, that need to be amended or corrected to provide more effective tools for decision-making.

The 2018 Review also includes a future strategic work program to respond to issues identified through the consultation and review of VCAT decisions, such as heritage and neighbourhood character controls and the structure and content of zone and overlay schedules.

As part of its Smart Planning program to make the planning process more streamlined and efficient, the State Government recently introduced a new structure - Planning Policy Framework (PPF) via amendment VC148. The City of Ballarat will need to restructure its Local Planning Policy Framework to align with this new structure. Ballarat recently participated as a pilot Council to test this new structure and is well placed to implement the restructure immediately.

It is recommended that Council adopt the 2018 Review Report and immediately commence preparation of an amendment to implement the restructured PPF into the planning scheme. It also recommends that Council seek authorisation to prepare and exhibit a planning scheme amendment to correct zoning and overlay anomalies, and to update schedules to ensure consistency with the Ministerial Direction on *Form and Content of Planning Schemes* (2017).

## **RATIONALE**

Council is required by legislation to undertake a review of its planning scheme every four years. The review process commenced in October 2017 and has been conducted in accordance with the *Practice Note (32): Review of Planning Schemes (June 2015)* from the Department of Environment, Land, Water and Planning (DELWP).

The 2018 Review (see Attachment 1) provides an assessment of the performance of the Ballarat Planning Scheme and includes recommendations for future strategic planning priorities. The review has been based on:

- consultation with planning staff and stakeholders;
- review of the Municipal Strategic Statement (MSS) and local planning policy;
- review of changes to legislation and planning practice notes/guidelines;
- review of VCAT and Planning Panel Victoria decisions; and
- an audit of the strategic planning work.

The key findings of the 2018 Review include:

### Work undertaken since the last review

The 2015 Review recommended that Council prepare and implement two amendments to the planning scheme:

1. A rewrite of the Municipal Strategic Statement (MSS) to implement the content of the Ballarat Strategy; and
2. A revision of the other ordinance and controls in the Ballarat Planning Scheme, including Zones, Overlays and Schedules to improve the quality of the planning scheme and assist decision-making.

A number of changes and priority actions have been implemented since the 2015 Review, including:

- Rewriting the MSS and sections of the Local Planning Policy Framework (LPPF) to implement the Ballarat Strategy (amendment C194);
- Implementation of the Burrumbeet Flood Study (C178);
- Implementation of the Sebastopol Heritage Study (C200); and
- 50 amendments to the planning scheme (33 State and regional amendments and 17 City of Ballarat amendments).



### Panel findings and VCAT Decisions

The 2018 Review concludes that whilst there have not been many VCAT hearings and Planning Panels, the decisions indicate that decision making could be improved with greater guidance on neighbourhood character. Consequently, the further strategic work program of the 2018 Review recommends preparing and implementing a neighbourhood character study for inner residential Ballarat areas which reviews all urban character Design and Development Overlay (DDO), Vegetation Protection Overlay-Urban Character Trees (VPO2) and all heritage incorporated plans and statements of significance.

### Local Strategic Context and Key Planning Issues

This section of the 2018 Review includes consideration of the Council Plan 2017-2021, the Municipal Public Health and Wellbeing Plan, and other strategic work undertaken by Council. The following key priorities have relevance to planning:

- Complete township plans for Miners Rest, Buninyong and Warrenheip;
- Advance major projects including Latrobe Street Saleyards Renewal;
- Develop and implement a Bakery Hill Master Plan and key renewal sites; and
- Implement headline actions from the Ballarat Strategy including Urban Forest Strategy, Growth Front Plan and 10 Minute City.

Work has progressed on completing a number of these projects, with several due for completion in 2019 - 2020.

### Planning Scheme/Policy Gaps Arising from Consultations

The consultation undertaken as part of the 2018 Review identified a range of issues or gaps for consideration as part of any future rewrite of the Planning Scheme or in undertaking further strategic work. These included:

- The importance of the Growth Area Investigations work in providing clarification on where the next growth front will be;
- Implementation of city wide flood mapping;
- The need for clearer guidance on neighbourhood character and heritage;
- The need to review and rewrite several overlay and zone schedules;
- The need to direct more planning applications into VicSmart such as planning applications for licensed premises; and
- The need to correct a range of mapping and ordinance anomalies.

### New Planning Policy Framework (PPF)

A review of the SPPF has been undertaken by the State Government as part of the 'Smart Planning' program to ensure that all state policy matters align with the key strategic directions. To make it easier to understand and apply the policy framework, the new structure integrates the State Planning Policy Framework (SPPF) with the Local Planning Policy Framework (LPPF) into a consolidated and rationalised Planning Policy Framework (PPF).

To test the appropriateness of the model, a pilot project was undertaken by DELWP in early 2018 to evaluate the performance of the proposed Planning Policy Framework (PPF). Ballarat was chosen as a regional Council to participate in the pilot.

The main observation arising from the pilot project was that the new PPF model was considered preferable to the current SPPF/LPPF model. Instead of having state and local policy in separate sections, a rationalised and well-structured policy framework with a focus on land use planning directions, could be delivered much more succinctly and was much

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easier to understand. Through the pilot process it was identified that the City of Ballarat's local planning policy framework could be distributed to other parts of the planning scheme with no loss of direction.

The 2018 Review recommends that Council immediately rewrite its LPPF in accordance with the new PPF model and prepare and exhibit an amendment to implement the new PPF into the planning scheme through a 20(4) amendment.

#### Zones and Overlays Schedules

The 2018 Review found that many of the schedules (particularly the overlay schedules) required review and further work including exemptions, application requirements, decision guidelines and map changes. In the context of the recent state initiatives to streamline the planning process and remove unnecessary permits, there are opportunities to minimise applications by including some realistic exemptions in many of the schedules. Additionally, the new Ministerial Direction on *Form and Content of Planning Schemes* (2017) requires changes to the format of most schedules.

The 2018 Review recommends:

- As soon as practicable, prepare and exhibit an 'anomalies' amendment and an amendment to modify all zone and overlay schedules to ensure compliance with the Ministerial Direction on Form and Content; and
- That the Significant Landscape Overlay – Schedule 1 (SLO1) be revised to include all currently mapped volcanic cones and to include application requirements and decision guidelines.

#### Specific Provisions

The 2018 Review assessed the effectiveness of each significant Particular Provision and found that there remains significant opportunity for Council to use these schedules. For example, the schedules to Clauses 66.04 and 66.06 should be updated to include referral and notice provisions.

#### Further Strategic Work Program

A review of the current strategic work program in the planning scheme found that many of these projects were either underway and nearing completion, no longer relevant or could be consolidated. Other strategic work that has been identified through consultation and a review of VCAT decisions has also been listed. The prioritised strategic work program is listed below:

<b>High Priority (First – Second Year)</b>
<ul style="list-style-type: none"> <li>• Rewrite the Local Planning Policy Framework in accordance with the new Planning Policy Framework model and request the Minister to authorise an amendment to implement the new Planning Policy Framework into the planning scheme through a 20(4) amendment.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and exhibit an 'anomalies' amendment and an amendment to modify all schedules to ensure compliance with the Ministerial Direction on Form and Content (2017).</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Compact City Activation Plan to encourage 50% of future housing development to occur in established neighbourhoods.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Structure Plan for the Latrobe Street Saleyards Precinct.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Master Plan for the Bakery Hill Precinct.</li> </ul>
<ul style="list-style-type: none"> <li>• Implement the heritage gaps review work including:</li> </ul>

<ul style="list-style-type: none"> <li>– developing and reviewing statements of significance for sites, places and features of cultural significance that do not currently have or have inadequate statements of significance; and</li> <li>– apply the Heritage Overlay or another appropriate overlay to sites, places and features of cultural significance that do not currently have protection.</li> </ul>
<ul style="list-style-type: none"> <li>• Streamline planning applications for licenced premises within the CBD by moving applications to VicSmart.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and implement city-wide flood mapping and FO, SBO, LSIO schedule changes into the planning scheme.</li> </ul>
<ul style="list-style-type: none"> <li>• Implement recommendations of the Ballarat Airport Safeguarding Study.</li> </ul>
<p><b>Medium Priority (Third Year)</b></p>
<ul style="list-style-type: none"> <li>• Review and implement improved neighbourhood character controls for inner residential Ballarat areas which addresses the following: <ul style="list-style-type: none"> <li>– all ‘urban character’ based Design and Development Overlays (DDO) be reviewed and rationalised;</li> <li>– the Vegetation Protection Overlay Schedule 2 Urban Character Trees (VPO2) in backyards be reviewed and rationalised; and</li> <li>– All heritage incorporated plans and statements of significance be reviewed and rationalised.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Investigate applying the Environment Audit Overlay to contaminated sites.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and implement an advertising sign policy.</li> </ul>
<p><b>Lower Priority (Fourth Year)</b></p>
<ul style="list-style-type: none"> <li>• Revise the Significant Landscape Overlay – Schedule 1 (SLO1) to include all currently mapped volcanic cones and to include application requirements and decision guidelines.</li> </ul>
<ul style="list-style-type: none"> <li>• Review Clause 52.28 Gaming Schedule to ensure all applicable shopping complexes are listed within the prohibition table.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Township Plan for Warrenheip.</li> </ul>
<ul style="list-style-type: none"> <li>• Investigate a new local policy for introducing environmentally sustainable design guidelines.</li> </ul>

## RECOMMENDATIONS

The Planning Scheme Review Report makes 19 recommendations. These are as follows:

### Review Report

- That Council adopt this report as the Ballarat Planning Scheme Review required pursuant to section 12B (1) of the Planning and Environment Act 1987.
- That Council forward the report to the Minister for Planning as required by section 12B (5) of the Planning & Environment Act 1987.

### Planning Policy Framework

- That Council immediately rewrite its LPPF in accordance with the new PPF model and request the Minister to prepare and adopt an amendment to implement the new PPF into the planning scheme.

### Zones and Overlays

- As soon as practicable, Council to prepare and request authorisation from the Minister to undertake an amendment to correct identified anomalies and errors within the scheme (see Appendix 4) and to modify all schedules to comply with the Ministerial Direction on Form and Content of Planning Schemes.

- That the Significant Landscape Overlay – Schedule 1 (SLO1) is revised to include all currently mapped volcanic cones and to include application requirements and decision guidelines.
- All schedules be modified to comply with the Ministerial Direction on Form and Content. As a guide, the following schedules are non-compliant:
  - Environmental Significance Overlay (ESO) Schedules currently have multiple objectives. These need to be reduced to one objective.
  - Erosion Management Overlay (EMO) and Salinity Management Overlay (SMO) Schedules need to be revised to include objectives, statement of risk, application requirements and decision guidelines.
  - Land Subject to Inundation Overlay (LSIO) and Flood Overlay (FO) Schedules need to be revised to include objectives and a statement of risk. This work could be included within the city-wide flood amendment.
  - Special Use Zone (SUZ) schedules 1-10 need to be amended to include permit requirements and decision guidelines.

#### Particular Provisions

- That Clause 52.28 Gaming Schedule is reviewed to ensure all applicable shopping complexes are listed within the prohibition table.

#### Strategic Work Program

- Prepare a Compact City Activation Plan to encourage 50% of future housing development to occur in established neighbourhoods.
  - Prepare a Structure Plan for the Latrobe Street Saleyards Precinct.
  - Prepare a Master Plan for the Bakery Hill Precinct.
  - Prepare a Township Plan for Warrenheip.
  - Implement the heritage gaps review work including:
    - developing and reviewing statements of significance for sites, places and features of cultural significance that do not currently have or have inadequate statements of significance; and
    - apply the Heritage Overlay or another appropriate overlay to sites, places and features of cultural significance that do not currently have protection.
  - Investigate applying the Environment Audit Overlay to contaminated sites.
  - Streamline planning applications for licenced premises within the CBD by moving application to VicSmart.
  - Review and implement improved neighbourhood character controls for inner residential Ballarat areas which addresses the following:
    - all ‘urban character’ based Design and Development Overlays (DDO) be reviewed and rationalised.
    - the Vegetation Protection Overlay Schedule 2 Urban Character Trees (VPO2) in backyards be reviewed and rationalised.
    - All heritage incorporated plans and statements of significance be reviewed and rationalised.
  - Prepare and implement an advertising sign policy.
  - Prepare and implement city-wide flood mapping and FO, SBO, LSIO schedule change.
  - Investigate a new local policy for introducing environmentally sustainable design guidelines into the planning scheme.
  - Implement recommendations of the Ballarat Airport Safeguarding Study.
-

## LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS

The *Planning and Environment Act 1987* requires all municipalities to review their planning schemes regularly. This review meets this statutory obligation. State Government Practice Notes guide the review of a Planning Scheme and have guided this review.

## REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
<b>Human Right</b>	Yes	Yes
<b>Social/Cultural</b>	Yes	Yes
<b>Environmental/Sustainability</b>	Yes	Yes
<b>Economic</b>	Yes	Yes
<b>Financial/ Resources</b>	Yes	Yes
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	Yes	No
<b>Evaluation and Review</b>	Yes	No

**Human Rights** - It is considered that this Report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

**Social/Cultural** - The review is expected to have positive social and cultural benefits for the City of Ballarat. These benefits will accrue from the introduction of land use strategies and policies that will support improved housing, local area planning and protection of Ballarat's valued neighbourhood character.

**Environmental/Sustainability** – The review is expected to deliver positive environmental, outcomes by ensuring valued environmental and landscape features adequately protected in the planning scheme and opportunities for environmentally sustainable design are explored and land subject to inundation or flooding is identified within the planning scheme.

**Economic** – The review will achieve economic benefits associated with improving strategic direction for future land use and development across Ballarat and updating, simplifying and clarifying policies and addressing policy gaps in the current planning scheme.

**Risk Management** – The review addresses any current errors and gaps in the planning scheme which reduces risk in decision making.

**Financial/Resources** - Funds for this review have already been allocated in this current year's budget.

## CONSULTATION

There is no prescribed formal consultation processes associated with the performance review of the Ballarat Planning Scheme under the provisions of the *Planning and Environment Act 1987*. However, as Council considers consultation to be an important part of the monitoring and review process general and targeted consultation has taken place with council staff, agencies and other key stakeholders.



## **OFFICERS DECLARATIONS OF INTEREST**

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

## **REFERENCE DOCUMENTS**

- Nil

## **ATTACHMENTS**

1. Attachment 1 - Ballarat Planning Scheme Review Report 2018 - Final **[9.6.1]**



# **Planning Scheme Review Report**

**September 2018**

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## **EXECUTIVE SUMMARY**

This Ballarat Planning Scheme Review Report (2018 Review) provides Council with:

- an overview of the performance of the Ballarat Planning Scheme (BPS) since the last review in 2015
- an understanding of the state, regional and local policy changes that have occurred since the last review
- an 'audit' of the existing strategic and statutory provisions in the BPS
- a review of relevant Victorian Civil and Administrative Tribunal (VCAT) decisions and Planning Panel Victoria (PPV) reports; and
- a program for implementing future action.

This 2018 Review report contains five key sections including:

- Strategic Context
- Review Consultation
- Planning Scheme Performance Audit
- Future Strategic Work Program; and
- Conclusions and Recommendations.

### **2018 Review Conclusions**

The review report found that the Ballarat Planning Scheme and Municipal Strategic Statement (MSS) are generally consistent with the objectives and strategies contained within the State Planning Policy Framework (PPF) and do not currently need significant review. Recurrent issues emerging throughout the consultation process related to heritage and neighbourhood character controls and the structure and content of zone and overlay schedules. These issues have been addressed through the future strategic work program.

The recently approved Amendment C194, to include the Ballarat Strategy in the scheme, has provided the most significant 'content' change to the planning scheme since its inception.

Following this 2018 Review, there will need to be a restructure of local policies within the BPS to align with the recently introduced restructured State Government Planning Policy Framework (PPF). As Ballarat was one of the two PPF pilot Councils over the past 6 months, it is well placed to implement that restructure immediately.

### **2018 Review Recommendations**

Based on the analysis and the feedback during the consultation processes, the following recommendations are made.

#### **Adoption of 2018 Review**

- That Council adopt this report as the Ballarat Planning Scheme Review as required pursuant to section 12B (1) of the Planning and Environment Act 1987.



- That Council forward the report to the Minister for Planning as required by section 12B (5) of the Planning & Environment Act 1987.

### **Policy Framework**

- That Council immediately rewrite its LPPF in accordance with the new PPF model and request the Minister to prepare and adopt an amendment to implement the new PPF into the planning scheme.

### **Zone and Overlay (and schedule) Changes**

- As soon as practicable, Council to prepare and request authorisation from the Minister to undertake an amendment to correct identified anomalies and errors within the scheme (see Appendix 4) and to modify all schedules to comply with the Ministerial Direction on Form and Content of Planning Schemes. As a guide, the following schedules are non-compliant:
  - Environmental Significance Overlay (ESO) Schedules currently have multiple objectives. These need to be reduced to one objective.
  - Erosion Management Overlay (EMO) and Salinity Management Overlay (SMO) Schedules need to be revised to include objectives, statement of risk, application requirements and decision guidelines.
  - Land Subject to Inundation Overlay (LSIO) and Flood Overlay (FO) Schedules need to be revised to include objectives and a statement of risk. This work could be included within the city-wide flood amendment.
  - Special Use Zone (SUZ) schedules 1-10 need to be amended to include permit requirements and decision guidelines.
- That the Significant Landscape Overlay – Schedule 1 (SLO1) be revised to include all currently mapped volcanic cones and to include “application requirements” and “decision guidelines”.

### **Particular Provisions**

- That Clause 52.28 Gaming Schedule be reviewed to ensure all applicable shopping complexes are listed within the prohibition table.

### **Further Strategic Work**

- Prepare a Compact City Activation Plan to encourage 50% of future housing development to occur in established neighbourhoods.
- Prepare a Structure Plan for the Latrobe Saleyards Precinct.
- Prepare a Master Plan for the Bakery Hill Precinct.
- Prepare a Township Plan for Warrenheip.
- Implement the heritage gaps review work including:
  - developing and reviewing Statements of Significance for sites, places and features of cultural significance that do not currently have or have inadequate Statements of Significance,
  - apply the Heritage Overlay or another appropriate overlay to sites, places and features of cultural significance that do not currently have protection

- Investigate applying the Environment Audit Overlay to contaminated sites and former landfills.
- Streamline planning applications for licenced premises within the CBD by moving application to VicSmart.
- Review and implement improved neighbourhood character controls, including:
  - all ‘urban character’ based Design and Development Overlays (DDO) be reviewed and rationalised.
  - the Vegetation Protection Overlay Schedule 2 Urban Character Trees (VPO2) in backyards be reviewed and rationalised
  - All heritage Incorporated Plans and Statements of Significance be reviewed and rationalised
- Prepare and implement an advertising sign policy.
- Prepare and implement the city-wide flood mapping and FO, SBO, LSIO schedule change.
- Investigate a new local policy for introducing environmentally sustainable design guidelines into the planning scheme.

The prioritised strategic work program is detailed in the table below.

#### **Prioritised strategic work program**

<b>High Priority (First and Second Year)</b>
<ul style="list-style-type: none"> <li>• Rewrite the LPPF in accordance with the new PPF model and request the Minister to prepare and approve an Amendment to the Ballarat Planning Scheme under 20(4) of the Planning and Environment Act 1987 to implement the PPF.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and exhibit an ‘anomalies’ amendment and an amendment to modified all schedules to ensure compliance with the Ministerial Direction on Form and Content (2017).</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Compact City Activation Plan to encourage 50% of future housing development to occur in established neighbourhoods.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Structure Plan for the Latrobe Saleyards Precinct.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Master Plan for the Bakery Hill Precinct.</li> </ul>
<ul style="list-style-type: none"> <li>• Implement the heritage gaps review work including:           <ul style="list-style-type: none"> <li>– developing and reviewing statements of significance for sites, places and features of cultural significance that do not currently have or have inadequate statements of significance,</li> <li>– apply the Heritage Overlay or another appropriate overlay to sites, places and features of cultural significance that do not currently have protection</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Streamline planning applications for licenced premises within the CBD by moving application to VicSmart.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and implement the city wide flood mapping and FO, SBO, LSIO schedule changes into the planning scheme.</li> </ul>

<b>Medium Priority (Third Year)</b>
<ul style="list-style-type: none"> <li>• Review and implement improved neighbourhood character controls for inner residential Ballarat areas which addresses the following: <ul style="list-style-type: none"> <li>– all ‘urban character’ based Design and Development Overlays (DDO) be reviewed and rationalised.</li> <li>– the Vegetation Protection Overlay Schedule 2 Urban Character Trees (VPO2) in backyards be reviewed and rationalised</li> <li>– All heritage incorporated plans and statements of significance be reviewed and rationalised.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Investigate applying the Environment Audit Overlay to contaminated sites and former landfills.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and implement an advertising sign policy.</li> </ul>
<ul style="list-style-type: none"> <li>• Implement recommendations of the Ballarat Airport Safeguarding Study.</li> </ul>
<b>Low Priority (Fourth Year)</b>
<ul style="list-style-type: none"> <li>• Revise the Significant Landscape Overlay – Schedule 1 (SLO1) to include all currently mapped volcanic cones and to include application requirements and decision guidelines.</li> </ul>
<ul style="list-style-type: none"> <li>• Review Clause 52.28 Gaming Schedule to ensure all applicable shopping complexes are listed within the prohibition table.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Township Plan for Warrenheip.</li> </ul>
<ul style="list-style-type: none"> <li>• Investigate a new local policy for introducing environmentally sustainable design guidelines.</li> </ul>

# 1. INTRODUCTION

## 1.1 The requirement to undertake the Planning Scheme Review

The 'new format' Ballarat Planning Scheme and Municipal Strategic Statement (MSS) was approved by the Minister for Planning in November 1998.

Section 12B of the Planning and Environment Act 1987 requires a Council to regularly review its planning scheme. On 25 September 2007, Section 12B of the Planning and Environment Act was changed to provide a timeframe in which a Planning Scheme (and not only the MSS) must be reviewed. Clause 12B of the Planning and Environment Act 1987 now states that:

*A planning authority which is a municipal council must review its planning scheme –*

- *no later than one year after each date by which it is required to approve a Council Plan under section 125 of the Local Government Act 1989; or*
- *within such longer period as is determined by the Minister.*

Once finalised and adopted by Council, this report will constitute the formal "Planning Scheme Review" of the Ballarat Planning Scheme as required under Section 12B of the Planning and Environment Act.

The planning scheme review process has included consultation with Council staff, agencies and key stakeholders as well as a detailed desk top review of relevant reports and strategic documents.

This Planning Scheme Review Report contains five key sections including:

- Strategic Context
- Review Consultation
- Planning Scheme Performance Audit (Summary)
- Future Strategic Work Program
- Conclusions and Recommendations

The report provides Council with an overview of the performance of the Ballarat Planning Scheme since its last formal planning scheme review report in 2015.

## 1.2 The Scope of the Review

The 'Continuous Improvement Review Kit 2006' (DPCD) states that a Planning Scheme Review Report must:

- Identify the major planning issues facing the municipality;
- Demonstrate how the MSS implements State Planning Policy;
- Assess the strategic performance of the scheme;
- Document the strategic work that has been completed and any additional work required to strengthen the strategic direction of the planning scheme;
- Audit the application and performance of the zones in the scheme;
- Audit the application and performance of the overlays in the scheme;
- Investigate whether the schedules in the scheme have been appropriately applied.
- Articulate the monitoring and review which has been carried out;
- Outline the consultation process and its outcomes;

- Make recommendations arising from the review including:
  - suggested changes to the objectives and strategies of the LPPF.
  - suggested changes to the use of VPP tools to achieve the strategies and ensure the objectives and desired outcomes are being met;
  - new strategic work necessary to support future policy development or changes to the provisions of the scheme;
  - suggested changes to improve operational and process practices;
  - identifying any data on planning permit applications, or other data, that may need to be collected to inform the next review.

This Ballarat Planning Scheme Review (the '2018 Review') report responds to these matters.

### **1.3 The Review process**

The Ballarat Planning Scheme Review commenced in October 2017. The Review was managed by Council's Strategic Planning Department. The review was undertaken having regard to the following key documents (among others):

- Ballarat Planning Scheme (as at 1 January 2018)
- The Planning and Environment Act (1987).
- DELWP Continuous Improvement Review Kit (February 2006).
- Ministerial Direction on the Form and Content of Planning Schemes (2017).
- DELWP Practice Note (4): Writing a Municipal Strategic Statement (2015).
- DELWP Practice Note (8): Writing a Local Planning Policy (June 2015).
- DELWP Practice Note (10): Writing Schedules (May 2000).
- DELWP Practice Note (32): Review of Planning Schemes (June 2015).
- DELWP Practice Note (46): Strategic Assessment Guidelines (May 2017).

## **2. BACKGROUND**

The Ballarat Planning Scheme (BPS) was first approved in Victoria under the new state-wide planning system in November 1998. A number of subsequent reviews and amendments have influenced its development.

### **2.1 The 'New Format' Ballarat Planning Scheme (1998)**

The first Victorian Planning Provision compliant Ballarat Planning Scheme was approved on 26 November 1998. It was one of the earlier Schemes to be developed in Victoria as part of the 'New Format' Planning Scheme process. Notably, it was developed prior to the introduction of the Departmental Practice Note on the Format of Municipal Strategic Statements, February 1999, and at a time when Councils across the state adopted a variety of approaches to format and content issues.

The original Municipal Strategic Statement (MSS), which forms Clause 21.0 of the scheme, included the key elements identified in the above Practice Note such as:

- Descriptive and background material
- Reference to Council's Corporate Plan
- An overview of Council's vision for the municipality
- Statements of issues, objectives, strategies and means of implementation under ten land use themes
- Seventeen local policies
- Strategic Framework Plans; and
- A program for monitoring the performance of the Local Planning Policy Framework (LPPF).

In approving the planning scheme in 1998, the then Minister for Planning identified a number of matters requiring the further attention of Council.

### **2.2 The First Review (2003)**

The MSS was continually reviewed over its first few years and the first Review Report was submitted to the then Department of Sustainability and Environment (DSE) in June 2003.

The review resulted in Amendment C65 to the Planning Scheme which proposed substantial revisions to the content and format of the MSS (arising from the new Practice Note). The Amendment was the subject of a comprehensive panel hearing process that recommended various elements be rewritten and restructured prior to adoption.

### **2.3 The Second Review (2008)**

By the time of the next review of the BPS, the legislation had been modified so that Section 12B(1)(a) of the Planning and Environment Act now aligned the planning scheme review with the approval of the Council Plan. The Act now requires the planning authority to review its entire planning scheme (and not just its MSS) no later than one year after each date by which it is required to approve a Council Plan under section 125 of the Local Government Act 1989.

The outcomes of the 2008 Review included:



*In terms of the current review it remains clear that while the MSS is structurally sound it is strategically limited in identifying a clear direction on many of the recurrent, day-to-day issues confronting the Council and the community including rural living, medium density housing, the natural environment, tensions between heritage and development, the various activity centres, agriculture and some social issues. Council has either commissioned, completed (or is completing) strategic work on some of these issues and such research now needs to be absorbed into the scheme as the highest priority, once it is adopted.*

*Additionally, in the course of the review it has become apparent that there is no clear link between the MSS (and therefore the whole planning scheme) and key strategic documents such as the Council Plan and Blueprint Ballarat.*

*Very few of the directions in these documents are reflected in the current MSS and, at the very least, a new MSS is needed which dovetails better with these documents. On top of this, important and recently adopted strategic work now needs to be reflected in the scheme. Inclusion of adopted strategic material will provide Council and its community with a contemporary planning document.*

*While the review process has also identified that the zoning and overlay regime in the Ballarat Planning Scheme needs to be reviewed especially in terms of its selection, these considerations logically will flow from resolution of the strategic directions in the MSS and would need to be part of a more comprehensive amendment. For instance, in the event of a clear strategic position on the medium density housing issue, zones and overlays can be selected from the new planning scheme menu of modified residential zones to reflect this position.*

Amendment C137 was undertaken in 2010 to implement a 'policy neutral' update to the MSS in response to the conclusions and recommendations of the 2008 review.

Another outcome of the second review was the commitment to prepare an 'Integrated Ballarat Strategy Plan'.

## **2.4 The Third Review (2015)**

The 2015 Review reflected on the commitment to prepare an integrated plan, and extensively commented on the 'inter-review' preparation of The Ballarat Strategy.

The 2015 Review noted that:

*The development of Today, Tomorrow, Together: The Ballarat Strategy is particularly important as it has provided new strategic direction for the full range of land use issues in the Ballarat Municipality. Having considered more than 6,500 ideas and submissions over almost two years of engagement the Ballarat Strategy articulates the long-term community vision for managing growth and change.*

*This Planning Scheme Review has assessed the new strategic direction arising from the 'Ballarat Strategy' against the current content in the Ballarat Planning Scheme.*

*The main outcome of this Planning Scheme Review is to ensure that the MSS is re-written to implement the new strategic direction of the 'Ballarat Strategy' into the planning scheme.*

*The review identifies a range of deficiencies in the current controls, and the need for a comprehensive re-write of the MSS to bring it in line with contemporary practice and the strategic direction of Ballarat Strategy.*

The 2015 Review recommended that:

*Council prepare and implement two Amendments to the Ballarat Planning Scheme: a re-write of the Municipal Strategic Statement to implement the content of the Ballarat Strategy, and a revision of other ordinance and controls in the Ballarat Planning*

*Scheme, including Zones, Overlays and Schedules to improve the quality of the scheme and assist decision-making.*

#### **2.4.1 The outcome of the Third Review (Amendment C194)**

It was, however, decided to prepare just the one amendment being Amendment C194 in 2016. In summary (and according to its Explanatory Report), Amendment C194 proposed to implement a key recommendation arising from the 2015 Ballarat Planning Scheme Review. In particular, the amendment provided an entirely new Local Planning Policy Framework (LPPF) based on the implementation of Today, Tomorrow, Together: The Ballarat Strategy (2015).

The 'Strategy' is Ballarat's new long-term land use strategy for managing change towards 2040 and it replaces the Ballarat Strategy Plan (1998) providing comprehensive contemporary land use direction and local planning policy guidance. The Ballarat Economic Program 2015-2019 (fully integrated with the Strategy) provided complementary economic guidance relevant to long-term growth.

Amendment C194 is discussed in greater detail at Section 11.2. Amendment C194 was approved by the Minister and gazetted in December 2016.

## **3. STRATEGIC CONTEXT**

### **3.1 State Strategic Context**

Since the preparation of the previous BPS review, there has been considerable change to policy at the state level, including the introduction of various planning policies and initiatives.

Current Government initiatives that have been developed or are being considered include:

- Introduction of the Integrated Planning Policy Framework (PPF) which integrates state and regional planning policies combined into a single policy source
- The 'Smart Planning' program to electronically restructure the VPPs.
- 'VicSmart' system which introduces standard State-wide requirements for low impact planning permit applications
- Review and inclusion of new zones including revised Rural Zones, Residential Zones, Industrial Zones and Business Zones (now Commercial Zones)
- Central Highlands Regional Growth Plan
- Melbourne Metropolitan Plan ('Plan Melbourne Refresh')
- Bushfire protection provisions including new areas contained within the Bushfire Management Overlay (BMO).
- The review of the local development contributions system.
- Introduction of a revised Native Vegetation Framework.

These initiatives will have significant implications for the BPS and may require consequential amendments in the future.

Appendix One provides greater detail on some of the notable state initiatives since the last review.

#### **3.1.1 Practice Notes**

The state government has released a large number of new or modified Practice Notes that are aimed at explaining the role of recent zone changes or which explain how certain applications will be assessed. The new and modified Practice Notes since the last Review are listed in Appendix Two.

## **3.2 LOCAL STRATEGIC CONTEXT**

Key land use strategic directions, initiatives and actions are included in a number of strategic and governance documents of Council that have been adopted since the last planning scheme review. Some of these strategies and documents are discussed below.

### **3.2.1 Council Plan 2017 - 2021**

A revised Council Plan (2017-2021) was endorsed by Council in June 2017 and it articulates the Vision for the municipality as follows:

*A proud city that is bold, vibrant and thriving.*

It incorporates four key goals, each with supporting objectives and strategies that are aimed at achieving the aspirational vision of the Council towards 2021. The key goals outlined in the Council Plan are Liveability, Prosperity, Sustainability and Accountability.

Each goal includes a series of objectives designed to advance the Vision for each of the key themes within the Council Plan. Priorities which have relevance to planning include:

- Complete township plans for Miners Rest, Buninyong and Warrenheip
- Advance major projects including Latrobe Street Saleyards Renewal
- Developing and implementing a Bakery Hill Master Plan and renewing key sites
- Implementing headline actions from the Ballarat Strategy including Urban Forest Strategy, Growth Front Plan, 10 Minute City

### **3.2.2 Municipal Public Health and Wellbeing Plan (2017-2021)**

In 2008 there were changes to the Health and Wellbeing Act (2008) to bring the planning process for Health & Wellbeing Plan in line with council election cycles and to seek enhanced linkages between the Municipal Public Health & Wellbeing Plan, the Council Plan and Municipal Strategic Statement. The clear intention is to place health and wellbeing at the forefront of Council business.

The purpose of the Municipal Public Health and Wellbeing Plan is to demonstrate how Council would work with the community to promote the health and wellbeing of all residents through creating supportive and inclusive built, social, economic and natural environments.

A revised Municipal Public Health and Wellbeing Plan (2017-2021) was endorsed by Council in June 2017 and has three priorities Healthy Eating and Active Living, Improving Mental Health and Preventing Violence and Injury.

### 3.2.3 Current Strategic Projects

Planning is a dynamic process and inevitably further work will be commissioned and completed by Council. This will then need to be included in the Ballarat Planning Scheme. Some of that work will be done within Council, while other work will be from external sources. Relevant Council projects that are currently in preparation include:

Project	Detail	Completion Date
Township Plans	Small town framework plans are currently being prepared for Miners Rest, Burrumbeet, Learmonth, Cardigan Village and Buninyong to guide their long-term direction to 2040. The plans will result in a local policy and framework plan for each township which will be incorporated into the planning scheme.	It is anticipated these plans will be completed by the end of 2018, with planning scheme amendments to incorporate the recommendations into the planning scheme occurring in 2019.
Local Area Plans	Local area plans are currently being developed for Ballarat East and Brown Hill. Local area plans are being developed to assist in managing change in these areas. The Brown Hill Local Area Plan also includes an infrastructure assessment.	The local area plans will be completed by the end of 2018 with amendments to implement their recommendations into the planning scheme occurring in 2019.
Long Term Growth Options Investigation	The project identifies the next growth area for future expansion in order to maintain the 15-year land supply.	The work will be completed in 2018 with an amendment occurring in 2019.
Health, Knowledge and City Living Precinct Masterplan	The project creates a masterplan for the precinct to guide future growth, enhancement and investment in the short, medium and long term.	The masterplan will be completed in 2018 with a planning scheme amendment occurring in 2019.

Wendouree Railway Station Precinct Masterplan	The masterplan identifies a number of development opportunities, provides an action plan for infrastructure upgrades as well as a framework for the delivery of projects currently underway.	The masterplan will be completed in 2018 with a planning scheme amendment occurring in 2019-2020.
Flood Study	Flood mapping is currently being prepared to inform an amendment to the planning scheme to apply the Flood Overlay, Land Subject Inundation Overlay and Special Building Overlay.	The amendment will commence in late 2018/early 2019.
Ballarat Airport Safeguarding Study	With an aim to safeguard the airport over the long term, particularly the potential development of an Aviation Emergency Services Hub (AESH) at the airport, Council commissioned an assessment of whether the current airport safeguarding environment, including the existing planning policies and controls applying to the airport and its surrounds, adequately protects the future development of Ballarat Airport.	<p>The work was completed in July 2018 and made 10 recommendations. In summary the report recommended that the current planning controls (DDO and AEO) needed to be amended however this should not occur until there is certainty around the Airport Emergency Services Hub (AESH) and the length of the runway extension that should be protected.</p> <p>The report also recommended that Council should consider reviewing and updating the Ballarat Airport Master Plan when the AESH proposal and funding for it is confirmed and any planning scheme amendment relating to the airport should incorporate referencing the Master Plan and N contours in the Ballarat MSS giving them statutory status as guidance documents for assessment of planning proposals around the airport.</p>



## **4. Review Program**

### **4.1 Program of continuous review**

This section of the report assesses the performance of the BPS in terms of the stakeholder consultations.

Council has maintained a rolling program of reviewing the performance of its scheme through the day to day monitoring and update of the Planning Scheme. Council recognises that the dynamic nature of strategically based planning schemes requires a constant and ongoing monitoring and review. The monitoring and review since the introduction of the planning scheme has consisted of:

- Community consultation on all strategic work
- Adopted planning scheme amendments
- Current planning scheme amendments
- Commissioning of further strategic work
- Development of an on-going strategic work program; and
- Developer/stakeholder forums.

### **4.2 Purpose of consultation**

There is no prescribed formal consultation processes associated with the performance review of the BPS under the provisions of the Planning and Environment Act 1987. However, Council considers that consultation is an important part of the monitoring and review process.

In the preparation of this report, general and targeted consultation has taken place with the following stakeholders:

- Council Officers
- Agencies including
  - Department of Environment Land Water and Planning
  - Environmental Protection Authority
  - Ausnet
  - Country Fire Authority
  - Central Highlands Water Authority
  - Catchment Management Authorities
  - Water Authorities
  - Department of Economic Development Jobs Transport and Resources
  - Department of Environment and Energy
  - Grampians Waste and Resource Recovery Group
  - Heritage Victoria
  - VicRoads
  - Public Transport Victoria
  - Civil Aviation Safety Authority

- Department of Health and Human Resources
- Downer Utilities Australia
- National Trust of Australia
- Native Title Services Australia
- Office Aboriginal Affairs Victoria
- Powercor
- Victoria Police
- Victorian Commission for Gambling and Liquor Regulations
- VicTrack
- Wadawurrung
- Worksafe
- Stakeholders who frequently use the planning scheme.

### 4.3 Consultation Process

So as to engage with its 'frequent users', Council wrote to key stakeholders and all relevant agencies inviting their contribution in the following terms:

*Council is undertaking its formal review of the Ballarat Planning Scheme. Council is required by the Planning and Environment Act to undertake a regular review of its scheme. As part of its review process, Council sees the input from relevant stakeholders and agencies as critical.*

*The key elements of Council's planning scheme that are being reviewed and which Council would appreciate your comments on include:*

- *Does the Municipal Strategic Statement (MSS) provide the overall strategic direction that you think is appropriate for Ballarat?*
- *Are the local planning policies still relevant or are more needed?*
- *Are the zones and schedules appropriate?*
- *Are the overlays and schedules appropriate?*
- *Should the list of VicSmart applications be expanded?*
- *Is the Strategic Work Program of Council appropriate?*

*In addition, issues of Strategic Direction which Council would appreciate advice from you include:*

- *Confirmation that the key issues and influences in the planning scheme are still relevant to you or your organisation.*
- *Identification of new factors which have emerged since the previous review including (but not limited to) the various structure plans within the scheme, the growth boundaries of the City, water management issues, infrastructure provision, native vegetation controls, biodiversity mapping, the modified residential, commercial, rural and industrial zones, the implementation of the Ballarat Strategy??*
- *Where are the pressure points for development or environmental sensitivity in the municipality?*
- *Are these adequately addressed in the scheme?*

*Council would also appreciate your advice on any further Strategic Work undertaken by your organization including identification of:*

- *What further work has been done?*
- *Has previously identified work been completed?*
- *Are there any specific agency issues relating to Section 55 referrals which Council needs to address?*

The outcome of these consultations is included in Section 6.

#### **4.4 Community Consultation**

Council regularly engages with the community on the preparation of all strategic work. Foremost among these was the community consultation that was undertaken as part of the preparation of the Council Plan which was developed through a collaborative process involving Councillors, key stakeholders, community organisations and members of the community.

## 4.5 CONSULTATION OUTCOMES

A diverse range of planning issues and gaps have been identified through the consultation with Council staff and key stakeholders.

The following provides a summary of the major planning issues that arose during consultations.

### 4.5.1 Agencies

Agency	Comments
Central Highlands Water	<ul style="list-style-type: none"> <li>• Include Ballarat City Integrated Water Management Plan" as reference document.</li> <li>• Under Clause 21.05-2 Water include a new strategy stating water management will be consistent with the IWMP</li> <li>• Insert a trigger in SUZ14 Ballarat West Employment Zone (BWEZ) under buildings and works and decision guidelines to ensure connection to the fit for purpose water supply. (proposed wording included within submission)</li> <li>• Include existing CHW assets not included within PUZ1 (locations in submission)</li> <li>• Amendments to the ESO3 statement of environmental significance and referral requirements.</li> <li>• Insert trigger for referral for Ballarat West Groundwater Bores and for WWTP identified in ES04</li> <li>• Investigate applying ESO as buffer around Clunes Groundwater Bores</li> </ul>
Department of Economic Development, Jobs, Transport and Resources	<ul style="list-style-type: none"> <li>• Reference could be made to existing quarries, extractives, mining activities within MSS.</li> <li>• Further detail on the contribution that resources make to housing development and broader economy could be included within Clause 21.07</li> <li>• Mapping should be updated to identify the location of existing resources</li> </ul>
Department of Environment and Energy	<ul style="list-style-type: none"> <li>• Potential to include further detail under clause 21.03-2 about the critically endangered Natural Temperate Grassland of the Victorian Volcanic Plains</li> </ul>

Environment Protection Agency	<ul style="list-style-type: none"> <li>• specific reference should be made to key areas of existing or potential future land use conflict. These areas are listed in the submission.</li> <li>• consideration should be given to the application of overlays to protect industry buffers around key sites</li> </ul>
Glenelg Hopkins Catchment Management Authority	<ul style="list-style-type: none"> <li>• Potential for there to be an amendment to adjust flood mapping around Miners Rest once the flood mitigation works are completed in this area.</li> </ul>
Grampians Central West Waste and Resource Recovery Group	<ul style="list-style-type: none"> <li>• Clause 21.07-4 Add following additional strategy under objective 7- Encourage the consolidation of waste infrastructure that aggregates waste streams, support resource recovery and a waste to energy facility to maximise increased recycling and minimise waste to landfill.</li> <li>• Clause 21.08-3 add in following new objective and strategies- <ul style="list-style-type: none"> <li>- Objective- To encourage efficient resource use, waste reduction and resource recovery in the City.</li> <li>- Strategy Ensure provision of facilities that will enable building users and occupants to reduce waste sent to landfill, maximise the recycling and reuse of materials and lead to improved waste collection efficiency. Ensure sufficient space is allocated for future change in waste management needs. Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffers areas are defined, protected and maintained. Promote waste avoidance, reuse and recycling during the design, construction and operation stages of development.</li> </ul> </li> </ul> <p>Ensure Waste Management Plans prepared for developments reflect the outcomes stipulated in any adopted waste and resource recovery strategy of Council.</p> <ul style="list-style-type: none"> <li>• Clause 22.02-2 Policy Objectives To ensure provision and protection of sites for waste and resource recovery to service the current and future needs of the community.</li> <li>• Clause 22.02-3 Policy Update second bullet point under Buffer Requirements to New industry that requires significant buffers will be accommodated in areas where there are relatively</li> </ul>

	<p>few operational constraints and compliance with best practice guidelines can be achieved.</p> <p>Implementation of the relevant actions from the Grampians Central West Waste and Resource Recovery Implementation Plan 2017.</p>
Transport for Victoria	<ul style="list-style-type: none"> <li>• Objective of clause 21.08-1 should note the broader visual quality of streetscapes in Ballarat not just Victoria and Sturt Streets.</li> <li>• Objective 2 clause 21.08-1 be altered to do the following: <ul style="list-style-type: none"> <li>– specifically discourage car dominated shopping centre designs that are hostile to walking and accessing the bus network</li> <li>– improve provision of footpaths and accessibility to bus stops</li> </ul> </li> <li>• Alter strategy 3.1 to encourage bicycle connectivity throughout the municipality</li> </ul>
Country Fire Authority	<ul style="list-style-type: none"> <li>• Further commentary on bushfire risk in Clause 21.04.</li> <li>• Potential for an additional policy on Ballarat West in Clause 22</li> <li>• Some overlays have competing objectives and can conflict with each other</li> <li>• Further works needs to be done in relation to development adjacent to the Woookarung Regional Park and bushfire risk.</li> </ul>

#### 4.5.2 Stakeholders

Regular users of the planning system were invited to make comment on the effectiveness of the planning scheme and identify what was working well and if there were any gaps. The majority of respondents stated that the MSS was fundamentally up to date and did not require any substantial modification. Most respondents did highlight the importance of the Growth Area Investigations in providing clarification on where the next growth front would be. The importance of the Miners Rest Township Plan, Airport Study and flood mapping were raised as particular projects of importance as well as site specific requests for rezoning. Some of these aspects are being addressed with the current strategic work program and some of the site-specific rezoning requests will be dealt with through an anomalies amendment.



### 4.5.3 Council Staff

Key issues in relation to the operation of the planning scheme that were identified by the Council staff were mainly in relation the operation of overlays, in particular the operation of heritage controls and urban character controls. Considerable discussion around the effectiveness of these controls in achieving good planning outcomes occurred including lack of statements of significance for individual buildings, heritage incorporated documents being unclear and difficult to understand and lack of policy on signage in heritage areas.

In relation to urban character it was raised that the Design and Development Overlays were out of date and not very effective and it was questioned whether these were the most appropriate tool in achieving good planning outcomes in the areas where they are applied.

Improvements to the Special Use Zone, Environmental Significance Overlay-Schedule 5, Vegetation Protection Overlay-Schedule 2 and Salinity Management Overlay application requirements and decision guidelines were also raised as were fast-tracking liquor licencing applications in the CBD through the Vicsmart process. A range of planning scheme ordinance and mapping and anomalies and corrections were also raised.

Some Council staff raised concerns about the prevalence of fast food outlets across the City and the need to regulate access to supply in order to promote the healthy community aspects of Council's vision. The ability of the planning scheme to regulate the location of fast food outlets is very limited as food and drink premises are an 'as of right' use in commercial zones and therefore there is not currently an opportunity to address this concern within the planning scheme.

Implementing the regulatory recommendations within the Heritage Plan was also raised by council officers as a priority. The recommendations that are applicable to the planning scheme include implementing the Heritage Gaps Review, identifying and fixing anomalies in heritage overlay mapping, consolidating heritage policies and promoting adaptive reuse, mixed use and planning offsets. The review of existing Heritage Overlays and identification of Heritage Gaps is currently being included within the Local Area Plans for Ballarat East and Brown Hill.

## **5. Effectiveness of the Ballarat Planning Scheme**

### **5.1 State Planning Policy Framework**

The Planning Policy Framework (PPF) is made up of the following sections;

- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risks and Amenity
- Clause 14 – Natural Resource Management
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 17 – Economic Development
- Clause 18 – Transport
- Clause 19 – Infrastructure.

Much greater clarity and consistency between the state and local sections was achieved in 2016 by Amendment C194 which restructured the MSS using the key themes linked to the State Planning Policy Framework.

Not surprisingly therefore, analysis reveals that the Ballarat Planning Scheme and MSS are now generally consistent with the objectives and strategies contained within the PPF.

It is apparent that there is a very strong correlation between state and local issues such as Settlement (at Clause 11.01 of the PPF) and Clause 21.02. There are also strong parallels between the PPF and the LPPF concerning the Environment (at Clause 12 and Clause 13 with Clauses 21.03 and 21.04) and Economic Development (at Clause 17 and Clause 21.07).

### **5.2 Local Planning Policy Framework**

#### **5.2.1 The role of the Municipal Strategic Statement (MSS)**

Practice Note (No. 4), “Writing a Municipal Strategic Statement” discusses the role of the Municipal Strategic Statement (MSS). The MSS establishes the strategic framework for the municipality and it should support and implement the PPF. The PPF and MSS together provide the strategic basis for the application of zones, overlays and particular provisions in the Ballarat Planning Scheme.

The MSS provides the broad local policy basis for making decisions under the planning scheme. The MSS should be continually refined as the planning authority develops and revises its strategic direction and as new issues arise in the municipality. The MSS must be taken into account when preparing amendments to a planning scheme or making decisions under a scheme.

#### **5.2.2 MSS Structure**

The following is a comparison of the planning policy framework format and the current Ballarat format. The Ballarat format has been revised as part of the PPF Pilot and will be incorporated into the PPF as part of a future amendment.

<b>Planning Policy Framework Format</b>	<b>Ballarat Format</b>
2 Municipal Planning Strategy	21.01 Municipal Overview
11 Settlement	21.02 Settlement and Housing
12 Environment and Landscape Values	21.03 Environmental and Landscape Values
13 Environmental Risks and Amenity	21.04 Environmental Resilience
14 Natural Resource Management	21.05 Natural Resource Management
15 Built Environment and Heritage	21.06 Built Form, Heritage and Design
16 Housing	21.07 Economic Development
17 Economic Development	21.08 Transport and Infrastructure
18 Transport	21.09 Local Areas
19 Infrastructure	21.10 Reference Documents

As noted earlier, it is evident from the above analysis that the format of the Ballarat MSS has a very strong relationship to that of the PPF. While a number of PPF 'themes' are merged (Settlement and Housing; Transport and Infrastructure), all of the PPF themes and issues are dealt with.

### **5.2.3 Municipal Strategic Statement (MSS) Content**

As the MSS has only been operational since Amendment C194 was approved in late 2016 and as the MSS is informed by the Ballarat Strategy, not surprisingly, the review has found that there are no pressing issues of existing content that need to be addressed at the moment.

### **5.2.4 Role of Local Policies**

A Local Planning Policy (LPP) has a defined role in the planning schemes that is quite different to the MSS. A Local Planning Policy guides decision making in relation to a specific discretion in a zone or overlay. It helps the responsible authority and other users of the scheme to understand how a particular discretion is likely to be exercised.

A Local Planning Policy is not a control in itself and cannot remove the discretion under the relevant zone, overlay or particular provision. However, a Local Planning Policy gives a planning authority an opportunity to state how discretion should or will be exercised under the planning scheme.

### **5.2.5 Existing Local Policies**

The Local Policies in the current Ballarat Planning Scheme are:

- Clause 22.01 Non-Residential Uses in Residential Areas
- Clause 22.02 Industry
- Clause 22.03 Mt. Helen Technology Park
- Clause 22.04 Koala and Koala Habitat Protection

- Clause 22.05 Heritage Conservation
- Clause 22.06 Rural Dwellings and Subdivision
- Clause 22.07 Gaming
- Clause 22.08 Park Signage

Unlike the MSS, the local policies were not significantly modified by Amendment C194.

While the review has found that all of the local policies (to varying degrees) remain relevant, the PPF Pilot Project (see Section 8.2) was able to absorb all of the policies into the new PPF structure.

For instance, the new PPF has a state policy position that would enable Clause 22.01 and Clause 22.06 to be reflected within it. The PPF Pilot assumes new schedules to Clause 43.01 (Heritage) and Clause 52.28 (Gaming) which will enable Clauses 22.05 and 22.07 to be absorbed within them.

Clause 22.04 repeats much of the material already in (or better placed in) the existing schedule to Environmental Significance Overlay 5 (ESO5) while Clause 22.08 can be included in the schedule to the Public Park and Recreation Zone (PPRZ).

Both 22.02 and 22.03 are more 'strategy' than 'policy' and were able to be easily absorbed into the new PPF structure.

### **5.2.6 SPPF and LPPF Merger – the 'PPF' Project**

The State Policy Planning Framework (SPPF) is a foundation element of the Victorian planning system and the Victoria Planning Provisions (VPP). It sets the key policy directions for state planning issues.

The Local Policy Planning Framework (LPPF) is the other central element of the Victorian planning system that was introduced at the same time as the Victoria Planning Provisions (VPP). The LPPF consists of two parts being the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22.

The LPPF is intended to give local expression to the range of state policy issues identified in the PPF. The MSS identifies key local issues and includes objectives and strategies to address these issues. The MSS also identifies the implementation tools (zones and overlays) that will be used by Council to deliver the objectives and strategies.

'Local policies' are another form of implementation tool in addition to zones and overlays. Local policies enable the Council to indicate how they will typically exercise the discretion provided on specific use and development applications.

At about the time of the last BPS Review, the state government announced a review of the State Planning Policy Framework and it appointed an Advisory Committee to conduct this review. As part of this review, the state government asked the same Advisory Committee to advise on how a revised LPPF structure might dovetail with any possible new PPF structure. The Committee was specifically asked to advise on:

- The role, structure and format of a revised LPPF, including MSS and local policy. The revised MSS must align with and compliment the revised PPF.
- How a revised LPPF could be implemented across Victoria.
- The committee released its preferred PPF model in 2014 for consultation. The revised PPF format included:
- Consolidating state, regional and local policy on specific themes rather than split across different parts of the planning scheme.

- Making the PPF easier to navigate
- Removing outdated policy
- Updating the framework to reflect Plan Melbourne and Regional Growth Plans

All state, regional and local policy on a particular issue was intended to sit within the one Clause, rather than being spread across the SPPF, MSS and Local Policies.

It was anticipated in the 2015 BPS Review that the PPF would be introduced. It was not. However, another review of the SPPF has been undertaken as part of the 'Smart Planning' program so as to ensure that all state policy matters align with the key strategic directions.

The new policy framework involves the integration of the State Planning Policy Framework and the Local Planning Policy Framework into a consolidated and rationalised Planning Policy Framework (PPF).

To test the appropriateness of the model, a pilot project was undertaken in early 2018 to evaluate the performance of the PPF model proposed in the Reforming the Victoria Planning Provisions - Discussion Paper (October 2017).

The project involved the translation of two existing Local Planning Policy Frameworks from selected planning schemes (one metropolitan; one regional) into the new PPF.

The pilot project sought to evaluate the functionality of the proposed PPF and associated draft planning system tools, with a view to identifying any gaps or other issues emerging prior to the full implementation of the PPF. The pilot project ultimately sought to facilitate:

- a useable PPF framework
- clear and comprehensive support tools / documents
- the development of a functional LPPF translation process
- an understanding of the time and resources required to undertake a PPF translation.

The Ballarat Planning Scheme was chosen to be the regional planning scheme for the purposes of the pilot. Council officers actively participated in the pilot project.

Among other things the pilot confirmed that the PPF translation provided a very valuable planning scheme review tool. Over the 20 year period of the VPPs, the requirement to review planning schemes has been haphazardly done, and has been only superficially sanctioned. Apart from those who have conducted a review and 'started again' (such as Ballarat), many others had just augmented the LPPF in response to a 'review' issue, rather than conducting a wholesale rewrite to keep the document contemporary. As a result, numerous parts of many LPPFs across the state contain either dated, unnecessary or unused parts.

One of the key findings of the Pilot Project was the degree to which the methodology required for translating the LPPF into the PPF forced Councils to confront every word in its LPPF. This revealed (among other things), dated material, repetition with other parts of the scheme, poor language, matters outside the control of the scheme, descriptive material of no assistance to decision making, 'wish lists' of further strategic work, embedded prescription and irrelevant external documents. While Ballarat has less examples of these than most (owing to its recent rewrite), there were still a number of instances of unnecessary material.

Another apparent positive outcome of the pilot was the degree to which it highlighted and focused attention on state policy. Having state, regional and local policy presented together under a nominated theme was found to be preferable to the present regime of scattered policy directions throughout both the PPF and the LPPF.

The major observation arising from the Pilot Project was that the PPF model was considered preferable to the SPPF/LPPF model. Instead of having state and local policy separated and spread over hundreds of disjointed pages, the pilot revealed that a rationalized and well-structured policy framework, with a focus on land use planning directions, could be delivered much more succinctly.

The ultimate pilot outcome for both Councils was a tighter policy framework focused on the most critical land use issues for each municipality. The 'casualties' in the edit were typically matters of repetition, irrelevant narrative, elements that should be located elsewhere in the planning scheme, outdated material and matters beyond the scope of planning.

Overall, it was considered that the outcome of the Pilot provided a policy framework that was more faithful to the original intent of the VPP structure of state and local policy directions and helpful maps framing the choice of zones and overlays elsewhere in the scheme.

DELWP launched the findings of the trial program in a statewide 'live streaming' event in April 2018. The planning policy framework was introduced as part of VC148 which was gazetted on 31 July 2018. Municipal councils will be required to transition their LPPFs to the new PPF and a new MPS in the future. Ballarat will be well placed to be one of the 'leaders' in the PPF implementation. Further details on VC148 is provided in Appendix 1.

### **5.2.7 Conclusions Regarding the MSS and Local Policies**

The structure and format of the MSS was significantly modified by Amendment C194 to better reflect state current government 'best practice' and to better reflect adopted strategic work of Council.

Despite this, the structure now needs to be significantly changed as a result of the State Review to establish an integrated PPF, as discussed above.

In terms of local policy, none of the important content in Clause 22 should be removed and the PPF Pilot revealed that it could all be distributed into other parts of the planning scheme with no loss of direction.



### 5.3 Ballarat Planning Scheme STATUTORY PROVISIONS

The Planning Scheme Review Kit requires an analysis of the application and effectiveness of zones, overlays, particular provisions and schedules.

#### 5.3.1 Zones and Schedules

There is a total of 20 zones in the Ballarat Planning Scheme as follows:

Low Density Residential	One schedule
Mixed Use	One schedule
General Residential	One schedule
Residential Growth	One schedule
Neighbourhood Residential	Two schedules
Township	One schedule
Industrial 1	One schedule
Industrial 3	One schedule
Commercial 1	One schedule
Commercial 2	No schedule
Rural Living	One schedule
Rural Conservation	Three schedules
Farming	One schedule
Public Use	One schedule
Public Park and Recreation	One schedule
Public Conservation and Resource	One schedule
Road	No schedule
Special Use	Sixteen schedules
Comprehensive Development	One schedule
Urban Growth	Two schedules

#### 5.3.2 Overlays and Schedules

There is a total of 16 overlays in the Ballarat Planning Scheme as follows:

Environmental Significance	Five schedules
Vegetation Protection	Three schedules
Significant Landscape	One schedule
Heritage	One schedule
Design and Development	Twenty schedules
Development Plan	Eleven schedules
Erosion Management	One schedule
Salinity Management Overlay	One schedule
Floodway Overlay	One schedule

Land Subject to Inundation Overlay	One schedule
Bushfire Management Overlay	Two schedules
Public Acquisition Overlay	One schedule
Airport Environs	Two schedules
Environmental Audit Overlay	No schedule
Road Closure Overlay	No schedule
Development Contributions Plan Overlay	One schedule

### 5.3.3 Specific Provisions and Schedules

There are ten opportunities in Clause 52 of the Ballarat Planning Scheme for Council to specify local variations to the Particular Provisions as follows:

Clause		Schedule Used?	Revision Required?
52.02	Easements, Restrictions and Reserves	No	No
52.05	Advertising Signs	No	No
52.16	Native Vegetation Precinct Plan	Yes	No
52.17	Native Vegetation	Yes	No
52.27	Licensed Premises	No	No
52.28	Gaming	Yes	Yes- need to review the schedule to consider the prohibition of additional shopping complexes in the schedule
52.32	Wind Energy	Yes	No
52.37	Post Boxes and Dry Stone Walls	No	No

### **5.3.4 Conclusions regarding the Statutory Provisions**

The 2015 Review included a detailed analysis of the zones, overlays, provisions and schedules and there has been no significant change since then. Appendix 3 includes an extract from the 2015 Review, updated to reflect the existing situation.

Appendix 4 includes a list of zoning and overlay errors and anomalies which can be immediately addressed in a Planning Scheme amendment.

A new (2017) Ministerial Direction on Form and Content will also require changes to most schedules. This could be done as part of the 'anomalies' amendment.

Notably, most of the schedules (particularly the overlay schedules) in the Ballarat Planning Scheme require review and further work including possible deletion, exemptions, decision guidelines, map changes and the like. In the context of the recent state initiatives to streamline the planning process and remove unnecessary permits, it appears that Council could minimise applications by including some realistic exemptions in many of the schedules.

While Council has taken the opportunity to include local content in many of the Specific provision schedules, there remains some opportunity to modify these schedules, including revision of existing information. Obvious candidates for review include reviewing the gaming schedule to ensure all shopping complexes are listed in the prohibition. Currently Stockland Wendouree and Central Square are the only shopping complexes listed.

The Schedules to Clauses 66.04 and 66.06 include referral and notice requirements. These schedules may need modification and updating to reflect other recommendations arising from the review (especially from agencies) and to reflect the changes introduced by the amendments to the Planning and Environment Act which introduce concepts of a determining and recommending referral authority.

## 6. REVIEW OF VCAT DECISIONS AND PANEL REPORTS

Council is conscious of the importance of learning from state government review forums that have occurred during the review period. A summary of VCAT and PPV reports decisions and reports during this period is provided below.

### 6.1 Victorian Civil and Administrative Tribunal (VCAT)

Since the last review of Ballarat Planning Scheme, approximately 24 cases have been heard before the Planning and Environment List at the Tribunal dealing with matters determined by Council. These cases predominantly reviewed Council decisions on the merits of planning permit applications, but also included some applications to review conditions, reimbursement of fees and extensions of time.

Upon review of merits proceedings where Council had determined to refuse or approve an application the Tribunal set aside the Council decision in about 23% of all applications for review in this class.

There were a total of 9 matters before the Tribunal which related to Council's Refusal to Grant A Planning Permit. Of these 9 matters, the Tribunal set aside the Council's decision on 4 occasions.

A recurring theme within the review of VCAT cases was neighbourhood character which was raised within the following cases:

- Vernon v Ballarat CC [2015] VCAT 1515
- Molnar Jarrett Property Pty Ltd v Ballarat CC [2016] VCAT 273
- Bell v Ballarat CC [2016] VCAT 559
- Evans v Ballarat CC [2016] VCAT 2054
- Nojuron Pty Ltd v Ballarat CC [2017] VCAT 132
- Densley v Ballarat CC [2017] VCAT 928
- Jenkin v Ballarat CC [2017] VCAT 1614

In *Molnar Jarrett Property Pty Ltd v Ballarat CC [2016] VCAT 273* in which the Tribunal overturned Council's refusal (officers had recommended approval) for the construction of an eleven dwelling and subdivision of land into twelve lots in Mount Pleasant, the Tribunal stated that:

*There is nothing in planning law or the provisions of the planning scheme (including there being an absence of neighbourhood character guidelines) to dictate per se that a development of the type proposed on this large urban review site is not appropriate.*

*The absence of any of a neighbourhood character recognition on the planning scheme, and a significant landscape or vegetation protection overlay covering the site has contributed to my decision on this matter.*

The absence of any neighbourhood character study or guidelines within the planning scheme was also identified within *Bell v Ballarat CC [2016] VCAT 559*.

### 6.2 Planning Panels Victoria (PPV)

Since the last planning scheme review, eight (8) separate planning scheme amendments were referred to an Independent Panel for consideration. Broadly, the panel supported these planning scheme amendments, either as exhibited or subject

to minor modifications. The following is a summary of the most significant of those amendments.

### **6.2.1 Amendment C185 - Saleyards**

Amendment C185 proposed to rezone land bounded by the Sunraysia Highway to the north and east, Western Highway to the south and private property to the west from the Farming Zone to Special Use Zone (Schedule 15), in order to facilitate the establishment of a regional livestock exchange (saleyard).

The amendment was intended to provide the policy framework to facilitate the relocation of the existing Central Victoria Livestock Exchange from its current location in Latrobe Street, Ballarat. The proposed Special Use Zone Schedule 15 (SUZ15) requires completion of a Development Plan before the use can commence. No further public consultation would be required if the Development Plan met the requirements of SUZ15.

The Amendment also sought to introduce the 'Central Victoria Livestock Exchange, Ballarat December 2014' Incorporated Document into the Schedules to Clauses 53.02 and 81.01 and sought to exclude the land from certain controls in order to facilitate the ongoing use and development of the land for a livestock exchange facility.

The amendment was a combined Planning Scheme Amendment and Works Approval Application. A Works Approval Application has been prepared and processed concurrent to the Planning Scheme Amendment. The Works Approval Application was required as the livestock saleyards is a 'scheduled premises' under B02, pursuant to the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007.

The Amendment was exhibited in February and March 2015 with (eventually) 184 submissions being received. The main issues raised in submissions included:

- Proximity to houses and Miners Rest
- Odour and noise
- Trucks and traffic
- Operational matters
- Flooding and water quality concerns
- Current saleyards should continue

In recommending that the Amendment be approved the Panel concluded:

*The benefits of relocating the saleyards for animal welfare improvements, operational improvements and broader community and economic benefits are clear. The impacts on nearby residents must meet or exceed relevant standards and will be subject to an EPA licence. It is not surprising that a saleyard proposal attracts community concern but the impacts on Miners Rest have been overstated and community sensitivities enflamed by misinformation despite Council's and the Proponent's attempts to communicate the actual impacts of the proposal.*

*There are no credible reasons why this project should not proceed*

The Minister approved the amendment, generally in accordance with the Panel recommendations in January 2016.

## 6.2.2 Amendment C178 – Burrumbeet Flood Study

Amendment C178 was prepared by the City of Ballarat and the Glenelg Hopkins Catchment Management Authority. It applied to land in the Burrumbeet Creek Catchment that is affected by floodwater during a 1 in 100 year average recurrence interval flood event. The amendment applied to a large area in the west of the municipality.

The amendment proposed to implement the findings of the Burrumbeet Flood Investigation Water Technology Pty Ltd December 2013 by introducing planning controls that seek to improve the performance of the Ballarat Planning Scheme in responding to issues relevant to flooding.

The Burrumbeet Flood Study identified areas in the Burrumbeet Creek Catchment that are affected by flooding and these areas were mapped as either Floodway Overlay (FO) or Land Subject to Inundation Overlay (LSIO). These overlays trigger planning permits for development, works and subdivision on land affected by flooding. Modified schedules to the FO and LSIO were prepared which removed some unnecessary controls by providing exemptions for some buildings and works. The schedules also specified Application requirements, Decision guidelines and Referral obligations. The schedules cross reference to the Burrumbeet Creek Local Floodplain Development Plan October 2015 which is an Incorporated Document at Clause 81.

Amendment C178 was placed on public exhibition between 12 November and 18 December 2015, attracting 33 submissions of which 23 were opposed to the proposed changes. Key issues raised in submissions related to:

- Inaccuracies in the flood modelling and mapping
- The absence of flood mitigation measures that would make the need for flood overlays unnecessary
- Flood mitigation measures having been completed or agreed under approved developments that render the flood overlays unnecessary
- Land devaluation attributed to the application of flood controls

The Panel noted that the need for Amendment C178 was generally not disputed, given the flood events that affected Miners Rest in 2010 and 2011. The main concern of submitters was the extent of coverage of flood mapping and the lack of action regarding on-ground flood mitigation works. Commensurate with these concerns was whether the extent of mapped areas liable to flooding and inundation was necessary if mitigation was to be carried out in the near future.

Having considered all submissions, the Panel concluded that:

*Amendment C178 is strategically justified and supports State policy for floodplain management by identifying areas liable to flood risk hazard based on a 1 in 100 year probability.*

*The flood modelling undertaken to support Amendment C178 was based on accurate ground levels and data, calibration and modelling and is appropriate to use for the application of the Floodway Overlay and Land Subject to Inundation Overlay.*

*The form and content of the proposed changes to local policy, overlay schedules and the incorporated document; Burrumbeet Creek Local Floodplain Development Plan are generally consistent with relevant Ministerial Guidelines and Planning Practice Notes and appropriate for managing development that warrant assessment with respect to effects on and from flood processes and environmental values and hazards associated with flood processes.*



*The structure of the overlay schedules and the Burrumbeet Creek Local Floodplain Development Plan are appropriate and offer a useful guide in the useability of the controls by practitioners of the controls and decision makers.*

*The post exhibition changes to the schedules to the Floodway Overlay and Land Subject to Inundation Overlay and to the Burrumbeet Creek Local Floodplain Development Plan arising from Council's consideration of submissions and during the Panel Hearing are generally supported.*

*The Department of Environment, Land, Water and Planning should review the merits of exempting from the need for a permit Dependent Person's Units within the Floodway Overlay where the risk to life is high due to increased risks from deep and fast flowing floodwaters.*

The Minister approved the amendment generally in accordance with the Panel recommendations and it was gazetted in July 2017.

### **6.2.3 Amendment C194 – New Municipal Strategic Statement (MSS)**

Amendment C194 implemented a key recommendation arising from the Ballarat Planning Scheme Review (2015). The amendment provided a new Local Planning Policy Framework based on the implementation of Today, Tomorrow, Together: The Ballarat Strategy (2015).

The 'Strategy' is Ballarat's new long-term land use strategy for managing change towards 2040. It replaced the Ballarat Strategy Plan (1998) and provided comprehensive contemporary land use direction and local planning policy guidance. The Ballarat Economic Program 2015-2019 (which is fully integrated with Ballarat Strategy) provided complementary economic guidance relevant to long-term growth and change.

Amendment C194 updated the Ballarat Planning Scheme to recognise the Ballarat Strategy and Ballarat Economic Program by:

- Re-writing the LPPF by deleting clauses 21.01 – 21.09 of the Local Planning Policy Framework (LPPF) and replacing them with new clauses 21.01 – 21.09 to implement Today, Tomorrow, Together: Ballarat Strategy (2015) (in accordance with the recommendations of the Ballarat Planning Scheme Review Report 2015).
- Replacing existing Clause 21.10 with a new Clause 21.10 which updates the list reference documents.
- Combining Clause 22.05 – 22.12 into one heritage local policy (22.06).
- Inserting a new Clause 22.08 – Park Signage, based on existing content in Clause 21.06. Introducing two new reference documents into the MSS – 'Today Tomorrow Together: The Ballarat Strategy Our Vision for 2040' and 'Ballarat Economic Program 2015-2019' at Clause 21.10.
- Making minor ancillary changes to clause numbers in Clause 22.

The Ballarat Strategy was underpinned by two key concepts which were the foundation elements of the new MSS being:

- The '10 Minute City': Supporting complete, liveable neighbourhoods within a compact city
- The 'City in the Landscape': Supporting Ballarat to be a greener and more vibrant regional city

The '10 Minute City' concept in Ballarat reflected community aspirations to maintain existing or improved levels of local access to destinations and services as the city grows over time. It is to be achieved by:

- Making land use decisions so housing growth patterns reinforce a compact city;
- Developing a network of complete local neighbourhoods;
- Recognising key precincts for urban renewal and convenience living;
- Transitioning towards a more sustainable transport network; and
- Supporting the economic transition towards the jobs of tomorrow.

The 'City in the Landscape' concept reflected Ballarat's enviable physical, cultural and historical location within its landscape. The concept recognises that nothing should be viewed in isolation of its physical and non-physical context. It is achieved by:

- Adopting an urban forest approach to better manage our environment, improve the liveability and amenity of the City, and make us more resilient to a changing climate;
- Pursuing a new approach to managing change in our historic city and rural landscape;
- Local plans for local communities;
- Embracing the urban and rural landscape; and
- Recognising and responding to a changing climate and being resilient to environmental impacts and risks.

The amendment was exhibited in February and March 2015 and it attracted 25 submissions, 23 of whom expressed support for the amendment.

Having heard the submissions, the Panel noted that most submitters supported the comprehensive strategic planning framework proposed by the Amendment. The Panel felt that it was 'notable' that there were only two opposing submissions that related to specific sites. They further noted that:

*Council is commended for adopting best practice in the rewrite of the LPPF. The alignment with SPPF themes will facilitate integration of State and local policy, particularly if Planning Policy Framework reforms are advanced by the State Government.*

In relation to the two opposing submissions (the 'Tiga' site and the 'Rifle Range' site) the Panel noted:

*While the Panel makes no finding about the relative merits of potential growth options, identification of the TIGA land as a Greenfield Investigation Areas (GIA) in the MSS (and the Strategy) is appropriate in recognition of:*

*The planning history of the TIGA land and confirmation by two ministers that the land has an urban future.*

*The view expressed in the Long-Term Growth Options Study that the TIGA land 'is considered to have a similar status to the Ballarat West GIA; in that it could potentially constitute a logical long term growth option for Ballarat, given its general location adjacent to the Ballarat West Growth Area'.*

*The Panel is not convinced that the former rifle range site should be identified in the MSS or listed in Clause 21.02-9 under Further Strategic Work. This does not preclude a further proponent led proposal for the site, however, it would need to address the significant site constraints.*

The Panel recommended approval of the amendment subject to a number of changes. The Amendment was approved, generally in accordance with the Panel recommendations in December 2016.

#### **6.2.4 Amendment C200- Sebastopol Heritage Study**

The amendment implements the recommendations of the Sebastopol Heritage Study Stage 2 which applies the Heritage Overlay to 22 individual places, 4 precincts, 3 serial listings as well as reviewing 5 existing entries in the Heritage Overlay schedule.

The amendment was placed on public exhibition between 4 February 2016 to 4 March 2016, attracting 16 submissions. The panel found the methodology of the Heritage Study was sufficient and the findings of the study were largely accepted and recommended approval subject to minor changes. The Amendment was approved generally in accordance with the Panel recommendations on 6 April 2017.

## 7. FURTHER STRATEGIC WORK PROGRAM

Council is already committed to undertaking a range of strategic projects within the next review period. Some of these projects are listed below.

### 7.1 Existing MSS Work Program

The existing MSS has an extensive program for further strategic work listed at Clauses 21.02 to 21.09 (inclusive). The status of this work and whether it should be included within the future strategic work program is detailed in the table below.

Further Strategic Work	C	P	Y	Include in future strategic work program?
<b>Legend: C-Completed P-In Progress Y-Yet to be Commenced</b>				
Prepare structure plans for urban renewal areas, greenfield areas, infill corridors and convenience living corridors to facilitate greater population densities.				No. Some of this work will be covered in the Latrobe Saleyards/Bakery Hill Master Plans Compact Cities work and housing strategy. Other sites will be addressed in future strategic work programs.
Investigate the potential future uses of strategic investigation areas.				No. Greenhill Road SIA will be considered through a planning scheme amendment and the other areas will be considered in future strategic work programs.
Clarify the preferred long-term direction for greenfield investigation areas, following Ballarat West.				No. This is covered in Growth Area Investigations work.
Prepare local area plans or community plans for Buninyong, Burrumbeet, Cardigan Village, Learmonth, Miners Rest and Warrenheip.				No, except for Warrenheip which will remain in the program. All other plans will be completed in 2018.
Review the Mount Rowan area for the application of the Rural Activity Zone				No. This work is no longer required.
Review the land between the urban areas of Mount Clear and Mount Helen, on the east side of the Geelong Road, to determine the most appropriate planning control.				No. This will be covered by the Greenhill Road SIA.
Develop an appropriate planning control that encourages the consolidation of sites within the Sebastopol North neighbourhood centre and prevents commercial development fronting Yarrowee Street.				No. This will be addressed in future strategic work programs.

Further Strategic Work	C	P	Y	Include in future strategic work program?
<b>Legend: C-Completed P-In Progress Y-Yet to be Commenced</b>				
Investigate a policy to facilitate laneway housing where laneways already exist in the urban fabric of residential areas.				No. This will be covered in Compact Cities work.
Develop master plans for key areas of open space, including Lake Wendouree, Victoria Park, Yarrowee River and tributaries, high conservation roadsides, Sturt Street, Victoria Street, Eureka Stockade Reserve and Ballarat Botanical Gardens.				No. Lake Wendouree and Victoria Park Masterplans completed. Other projects sit outside of strategic work program.
Investigate appropriate means by which significant native vegetation and habitat on undeveloped land zoned Residential 1 can be protected.				No. This can be addressed through Local Area Plans and the neighbourhood character study.
Prepare a Significant Landscape Overlay for the Canadian Valley corridor				No. Can be addressed through wider SLO review.
Investigate application of the Rural Conservation Zone (RCZ) to areas of significant native grasslands and heavily vegetated privately owned land.				No. Not currently a strategic planning priority as current native vegetation framework at local and federal levels provides protection for grasslands and vegetation.
Investigate the further application of the Environmental Significance Overlays Schedule 3, Water Catchment Areas (ESO3) to include all water catchment areas.				No. Completed.
Work with Aboriginal stakeholders and agencies to deal with climate change impact on indigenous sites and cultural elements.				No. This piece of work would sit outside of the planning scheme and therefore should not be included within the strategic work program.
Investigate a new local policy for introducing environmentally sustainable design guidelines.				Yes. The background work for this is currently underway however the local policy is yet to be written.
Prepare management plans for tree management in heritage precinct areas for their incorporation into the planning scheme.				No. This piece of work could be covered by Heritage Gaps Work.
Prepare a paint colour scheme in consultation with property owners and traders in key commercial areas where the heritage overlay applies.				No. This work sits outside of the planning scheme and is an action in the Heritage Plan.

Further Strategic Work	C	P	Y	Include in future strategic work program?
<b>Legend: C-Completed P-In Progress Y-Yet to be Commenced</b>				
Utilise UNESCO historic urban landscape approach to assist managing change.				No. The HUL approach is now being used in the development of local area plans and township plans and will continue to be used in future projects.
Prepare local area plans for regionally significant precincts.				No. Local area plans are currently being prepared for Ballarat East and Brown Hill.
Review and map the Local Activity Centre network.				No. This was completed as part of the Ballarat Strategy.
Prepare structure plans for all Major and Large Neighbourhood Activity Centres				No. These structure plans have either been completed or are underway.
Undertake investigations as to the best use of the land along Howitt Street between the Wendouree Major Activity Centre and Doveton Street North.				No. This is not currently a strategic planning priority and therefore should not be in the future work program.
Review the extent of the Mixed Use Zone as applied to the Miners Rest Activity Centre.				No. This is being addressed through the Miners Rest Township Plan.
Work with education facility providers to plan for the provision of new facilities and the expansion of existing education facilities.				No. This is partially being addressed through the Health, Knowledge and City Living Precinct Masterplan and individual planning scheme amendments.
Assist the Ballarat Base Hospital and St John of God Hospital to develop master plans.				No. This is being addressed through the Health, Knowledge and City Living Precinct Masterplan.
Review the operation of the Special Use Zone Schedule 13 (SUZ13) surrounding the Dowling Forest Racecourse in conjunction with the Ballarat Turf Club, Racing Victoria Ltd. and Country Racing Victoria.				No. Completed as part of Dowling Forest Precinct Property Market Review and Options Analysis.
Facilitate discussions between the Ballarat Turf Club, VicRoads and surrounding land owners for the development of an access plan to facilitate the safe movement of horses to and from the Dowling Forest Racecourse.				No. Completed as part of Dowling Forest Precinct Property Market Review and Options Analysis.
Establish a system for monitoring industrial land absorption rates and lot sizes in industrial subdivisions to				No. Completed as part of industrial land demand was assessed within the Review of



Further Strategic Work	C	P	Y	Include in future strategic work program?
<b>Legend: C-Completed P-In Progress Y-Yet to be Commenced</b>				
inform the timing and sequencing of land release.				Future Industrial Areas work completed in 2009.
Develop a local policy in relation to applications for planning approval for licensed premises which seeks to: <ul style="list-style-type: none"> <li>- protect residential amenity;</li> <li>- discourage extended hours of operation within residential areas;</li> <li>- encourage licensed premises within the Central Business District; and</li> <li>- encourage the proper management of licensed premises and patrons entering and leaving the venue.</li> </ul>				No. This is no longer required. Licenced premises have adequate policy guidance within the particular provision.
Consider applying the Design and Development Overlays to areas requiring specific design solutions.				No. This will be considered within the Neighbourhood Character Study.
Review the Ballarat Car Parking Strategy as relevant to the Ballarat CBD to determine the requirement for a local planning policy or Parking Precinct Plan.				No. Car parking in the CBD is currently being addressed outside of the planning scheme.
Explore opportunities for increasing the supply of onstreet and offstreet public car parking within the Ballarat CBD in line with the City of Ballarat Car Parking Strategy				No. Car parking in the CBD is currently being addressed outside of the planning scheme.
Review the buffer applied to the Ballarat North Wastewater Treatment Plant to ensure that it meets current and future needs.				No. This will be considered within the Growth Area Investigations work.

## 7.2 Prioritised Strategic Work Program

High Priority (First and Second Year)
<ul style="list-style-type: none"> <li>• Rewrite the LPPF in accordance with the new PPF model and prepare and exhibit an amendment to implement the new PPF into the planning scheme through a 20(4) amendment.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and exhibit an 'anomalies' amendment.</li> </ul>
<ul style="list-style-type: none"> <li>• Modified all schedules to comply with the Ministerial Direction on Form and Content.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Compact City Activation Plan to encourage 50% of future housing development to occur in established neighbourhoods.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Structure Plan for the Latrobe Saleyards Precinct.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Master Plan for the Bakery Hill Precinct.</li> </ul>

<ul style="list-style-type: none"> <li>• Implement the heritage gaps review work including: <ul style="list-style-type: none"> <li>– developing and reviewing statements of significance for sites, places and features of cultural significance that do not currently have or have inadequate statements of significance,</li> <li>– apply the Heritage Overlay or another appropriate overlay to sites, places and features of cultural significance that do not currently have protection</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Streamline planning applications for licenced premises within the CBD by moving application to VicSmart.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and implement city wide flood mapping and FO, SBO, LSIO schedule changes into the planning scheme.</li> </ul>
<ul style="list-style-type: none"> <li>• Implement recommendations of Ballarat Airport Safeguarding Study</li> </ul>
<p><b>Medium Priority (Third Year)</b></p>
<ul style="list-style-type: none"> <li>• Review and implement improved neighbourhood character controls for inner residential Ballarat areas which reviews and addresses the following: <ul style="list-style-type: none"> <li>– all ‘urban character’ based Design and Development Overlays (DDO) be reviewed and rationalised.</li> <li>– the Vegetation Protection Overlay Schedule 2 Urban Character Trees (VPO2) in backyards be reviewed and rationalised</li> <li>– All heritage incorporated plans and statements of significance be reviewed and rationalised</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Investigate applying the Environment Audit Overlay to contaminated sites and former landfills.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare and implement an advertising sign policy.</li> </ul>
<p><b>Lower Priority (Fourth Year)</b></p>
<ul style="list-style-type: none"> <li>• Revise the Significant Landscape Overlay – Schedule 1 (SLO1) to include all currently mapped volcanic cones and to include application requirements and decision guidelines.</li> </ul>
<ul style="list-style-type: none"> <li>• Review Clause 52.28 Gaming Schedule to ensure all applicable shopping complexes are listed within the prohibition table.</li> </ul>
<ul style="list-style-type: none"> <li>• Prepare a Township Plan for Warrenheip</li> </ul>
<ul style="list-style-type: none"> <li>• Investigate a new local policy for introducing environmentally sustainable design guidelines.</li> </ul>

## **8. CONCLUSIONS AND RECOMMENDATIONS**

### **8.1 2018 Review Conclusions**

The Ballarat Planning Scheme remains a sound basis for decision making on land use and development in the City. It has been continually reviewed and modified to reflect changes in Ballarat, most recently and significantly by Amendment C194 in 2016.

In many respects, the recently approved Amendment C194 has provided the most significant 'content' change to the planning scheme since its inception with the Ballarat Strategy absorbed into the scheme. While current strategic work will need to be absorbed, the approval of Amendment C194 means that Council has a very 'fresh' MSS in terms of content and structure.

There will need to be a restructure the 'front end' of the planning scheme to align with the new state government PPF structure Ballarat, being one of the two PPF pilot Councils, is well placed to implement that restructure.

It has been identified that there are a number of deficiencies with regard to zone and overlay schedules and mapping which impact on decision-making and require correction or amendment

A range of further strategic work has been identified to address a range of issues identified within consultations and VCAT decisions such as heritage and neighbourhood character controls and the structure and content of zone and overlay schedules.

### **8.2 2018 Review Recommendations**

Based on the analysis and the feedback during the consultation processes, the following recommendations are made:

#### **Review Report**

- That Council adopt this report as the Ballarat Planning Scheme Review required pursuant to section 12B (1) of the Planning and Environment Act 1987.
- That Council forward the report to the Minister for Planning as required by section 12B (5) of the Planning & Environment Act 1987.

#### **Planning Policy Framework**

- That Council immediately rewrite its LPPF in accordance with the new PPF model and prepare and exhibit an amendment to implement the new PPF into the planning scheme through a 20(4) amendment.

#### **Zones and Overlays**

- Following the implementation of the PPF into the planning scheme Council immediately prepare and exhibit an 'anomalies' amendment to implement the Planning Scheme changes identified in Appendix 4.
- That the Significant Landscape Overlay – Schedule 1 (SLO1) is revised to include all currently mapped volcanic cones and to include application requirements and decision guidelines.
- All schedules be modified to comply with the Ministerial Direction on Form and Content. As a guide, the following schedules are non-compliant:

- Environmental Significance Overlay (ESO) Schedules currently have multiple objectives. These need to be reduced to one objective.
- Erosion Management Overlay (EMO) and Salinity Management Overlay (SMO) Schedules need to be revised to include objectives, statement of risk, application requirements and decision guidelines.
- Land Subject to Inundation Overlay (LSIO) and Flood Overlay (FO) Schedules need to be revised to include objectives and a statement of risk. This work could be included within the city-wide flood amendment.
- Special Use Zone (SUZ) schedules 1-10 need to be amended to include permit requirements and decision guidelines.

### **Particular Provisions**

- That Clause 52.28 Gaming Schedule is reviewed to ensure all applicable shopping complexes are listed within the prohibition table.

### **Strategic Work Program**

- Prepare a Compact City Activation Plan to encourage 50% of future housing development to occur in established neighbourhoods.
- Prepare a Structure Plan for the Latrobe Saleyards Precinct.
- Prepare a Master Plan for the Bakery Hill Precinct
- Prepare a Township Plan for Warrenheip
- Implement the heritage gaps review work including:
  - developing and reviewing statements of significance for sites, places and features of cultural significance that do not currently have or have inadequate statements of significance,
  - apply the Heritage Overlay or another appropriate overlay to sites, places and features of cultural significance that do not currently have protection
- Investigate applying the Environment Audit Overlay to contaminated sites and former landfills.
- Streamline planning applications for licenced premises within the CBD by moving application to VicSmart.
- Review and implement improved neighbourhood character controls for inner residential Ballarat areas which addresses the following:
  - all ‘urban character’ based Design and Development Overlays (DDO) be reviewed and rationalised.
  - the Vegetation Protection Overlay Schedule 2 Urban Character Trees (VPO2) in backyards be reviewed and rationalised
  - All heritage incorporated plans and statements of significance be reviewed and rationalised
- Prepare and implement an advertising sign policy.
- Prepare and implement city wide flood mapping and FO, SBO, LSIO schedule change
- Investigate a new local policy for introducing environmentally sustainable design guidelines into the planning scheme.
- Implement the recommendations of the Ballarat Airport Safeguarding Study

## 9. APPENDICIES

### 9.1 Appendix 1: Notable State Initiatives During the Review Period

#### **Introduction of the Integrated Planning Policy Framework (PPF) which integrates state and regional planning policies combined into a single policy source**

Amendment VC148 was gazetted on 31 July 2018 and:

- introduces a new Planning Policy Framework (PPF)
- enables the future introduction of a Municipal Planning Strategy (MPS)
- simplifies the VPP structure by:
  - restructuring particular provisions
  - integrating VicSmart into applicable zones, overlays and particular provisions
  - consolidating operational and administrative provisions
  - amends specific zones, overlays and particular provisions to improve their structure and operation, and to support the future translation of Local Planning Policy Frameworks (LPPFs) to the MPS and PPF
- introduces a new Specific Controls Overlay to replace Clause 52.03 Specific Sites and Exclusions
- deletes outdated particular provisions
- deletes permit requirements for low-impact uses in industrial zones
- reduces car parking requirements for uses in commercial areas and for land within walking distance of high-quality public transport.

#### **The ‘Smart Planning’ program to electronically restructure the VPPs.**

Smart Planning is a reform program to make Victoria’s planning system more efficient and accessible.

Over the past 20 years, multiple reviews of the planning system have identified ideas and areas for improvement.

Smart Planning aims to address the issues inherent in the planning system by simplifying planning rules and delivering a suite of modern digital tools.

#### **‘VicSmart’ system which introduces standard State-wide requirements for low impact planning permit applications**

VicSmart is a streamlined assessment process for straightforward planning permit applications. Classes of application are identified in the planning scheme as being VicSmart and have specified requirements for information, assessment processes and decision guidelines.

Key features of VicSmart include:

- a 10 day permit process
- applications are not advertised
- information to be submitted with an application and what council can consider is pre-set

- the Chief Executive Officer of the council or delegate decides the application.

The government has made two extensions and one minor modification to VicSmart since its original introduction.

In March 2017, Amendment VC135 introduced new VicSmart classes for:

- building and works up to \$1 million in industrial areas
- building and works up to \$500,000 in commercial and some special purpose areas
- a range of low impact developments in rural areas (up to \$500,000 in agricultural settings and \$250,000 in more sensitive rural settings)
- small scale types of buildings and works in selected overlays
- subdivision, advertising signs and car parking.

In July 2017, Amendment VC137 introduced new VicSmart classes for:

- a single storey extension to a single dwelling where specific design criteria are met
- buildings and works up to \$100,000 in residential zones, where not associated with a dwelling.

In January 2018, Amendment VC142 further modified VicSmart by:

- deleting the Loading and unloading of vehicles class of application
- including additional classes of development under the Heritage Overlay, including an electric vehicle charging station and services normal to a building (other than a dwelling).

These changes have now been incorporated into planning schemes.

### **Plan Melbourne 2017-2050**

Plan Melbourne 2017-2050 is the metropolitan planning strategy to manage Melbourne's growth and change over the next three decades.

Integrating long-term land use, infrastructure and transport planning, Plan Melbourne 2017-2050 sets out the strategy for supporting jobs and growth, while building on Melbourne's legacy of distinctiveness, liveability and sustainability.

The strategy contributes to the overall vision for the state and includes links with regional Victoria.

The updated plan builds on the extensive work and consultation underpinning Plan Melbourne 2014 and previous metropolitan strategies and guiding policy documents including Melbourne 2030 and Melbourne@5million.

Plan Melbourne 2017-2050 has been given statutory effect through amendments to the State Planning Policy Framework within the Victoria Planning Provisions.

### **Updated Mapping for the Bushfire Management Overlay**

Bushfire Management Overlay (BMO) mapping was updated in planning schemes across Victoria. The updated mapping came into effect on 3 October 2017, via amendment GC13.



In accordance with Recommendation 37 of the 2009 Victorian Bushfires Royal Commission, the BMO mapping update was led by the Department of Environment, Land, Water and Planning (DELWP) in partnership between the Country Fire Authority (CFA) and consultation with councils, who provided feedback on local conditions. The amendment deletes redundant references to the Wildfire Management Overlay (WMO), replacing it with reference to the Bushfire Management Overlay (BMO). The amendment also introduces BMO schedules, which streamline the planning permit process for applicants and councils by pre-setting bushfire protection measures and not requiring referral to the relevant fire authority if all of the requirements are met.

### **Animal Industries Reforms**

In September 2015, the Minister for Planning appointed the Animal Industries Advisory Committee to investigate how the planning system could better support animal industries in Victoria, while balancing environmental outcomes and community expectations.

In April 2016, the Animal Industries Advisory Committee released a final report which identified a broad range of issues that have affected Victoria's farmers, local government and the community in recent years. The report made 37 recommendations for improving the way Victoria's planning system regulates animal industries.

In October 2016, the Minister for Agriculture and Minister for Planning released Planning for sustainable animal industries, the Victorian Government's cross-departmental response to the Animal Industries Advisory Committee's Final Report. Planning for sustainable animal industries sets out 12 actions outlining the Victorian Government's strategic direction for planning for animal industries in Victoria.

The reforms are expected to come into operation in September 2018 to allow councils, industry and other stakeholders time to familiarise themselves with the new planning requirements.

### **Infrastructure Contributions Plan**

Amendment VC146 implements Victoria's new Infrastructure Contributions Plan (ICP) public land contributions model by introducing a new overlay, Clause 45.11 (Infrastructure Contributions Overlay), into the Victoria Planning Provisions (VPP). The new overlay allows a planning authority to incorporate an ICP into their planning scheme, impose a monetary levy for infrastructure, and secure land for public purposes. The amendment includes consequential changes to the State Planning Policy Framework (SPPF) to recognise the new ICP system.

The Planning and Environment Amendment (Public Land Contributions) Act 2018 introduced a land contribution model for the ICP system. The land contribution model requires land identified for public purposes to be provided as part of an infrastructure contribution when land is developed, which replaces the monetary public land component of the standard levy. Amendment VC146 is necessary to implement the ICP land contribution model in the VPP.

Amendment C146 was gazetted on 15 August 2018

### **Better Apartment Design Standards**

Planning provisions for all apartment developments were introduced in clauses 55.07 and 58 of the VPP and all planning schemes on 17 April 2017. The new standards seek to improve apartment living and provide attractive and affordable living opportunities in Victoria. The Amendment introduces the Apartment Design

Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017) to assist applicants, architects, building designers and planners when designing and assessing apartment developments.

### **Revised Native Vegetation Framework**

In 2015, the Victorian Government commenced a review into the operation of native vegetation clearing provisions in the VPP. The Department of Environment, Land, Water and Planning undertook an extensive review and consultation process to develop reforms to better protect sensitive native vegetation. The Amendment implements the outcomes of this review providing a clear and consistent approach for the removal of native vegetation within the VPP.

The review found that there was a need to streamline the processes and procedures for the preparation and assessment of an application to remove, destroy or lop native vegetation. The review also found that changes were required to:

strengthen the provisions by enabling a broader range of native ecological values and for site specific assessment information to be considered in planning and decision making; better account for the environmental value of large scattered trees, endangered vegetation types and sensitive wetlands and coastal areas in decision making;

make the system fairer, by allowing some site based information to supplement mapped information, and ensuring the information used in the regulations better reflects the vegetation on the ground; and

improve monitoring and reporting on the implementation of the regulations.

The review identified the need to clarify existing exemptions from the requirement to obtain a permit to remove, destroy or lop native vegetation for certain activities. These updates also address concerns raised during the consultation process regarding the operation of the previous exemptions, in particular, activities undertaken by public authorities and municipal councils.

The changes were brought in through Amendment VC138 on 12 December 2017. The Amendment changed the Victoria Planning Provisions (VPP) and planning schemes in Victoria to implement reforms relating to the Victorian Government's review of the planning provisions relating to native vegetation removal following the release of Protecting Victoria's Environment Biodiversity 2037.

### **Managing Residential Development**

Implements the government's response to the recommendations of the Managing Residential Development Advisory Committee by amending Clause 72 to introduce a new general term, garden area and amending the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone.

The amendment was gazetted on the 27 March 2017.

## **9.2 Appendix 2: New and Modified Practice Notes**

### **PPN01: Applying the Heritage Overlay Date published January 2018**

Guidance about the use of the Heritage Overlay

### **PPN02: Public Land Zones-Date published January 2018**

Guidance about the appropriate use of the public land zones.

### **PPN03: Applying the Special Use Zone Date published May 2017**

Advice about the appropriate use of the Special Use Zone.

### **PPN11: Applying for a Permit Under the Flood Provisions Date published August 2015**

Provides guidance on applying for a planning permit where flooding is a consideration and explains how an application will be assessed.

### **PPN15: Assessing an application for One or More Dwellings in a Residential Zone-Date published January 2018**

Provides guidance to responsible authorities assessing a planning application for one or more dwellings on a lot and for residential buildings.

### **PPN16: Making a Planning Application for One or More Dwellings in a Residential Zone Date published January 2018**

Helps applicants make a planning permit application for one or more dwellings or a residential building. Provides advice on the things to look for in the planning scheme that may affect your application, the operation of the residential development provisions and information that needs to be provided with the application.

### **PPN18: Planning Considerations for Horticultural Structures- Date published July 2015**

Provides guidance for: the consideration of horticultural structures under planning schemes; how and when policy can be used to improve design outcomes; key considerations to help assessment of development applications; applicant guidance to help develop site-responsive design; and guidance on appropriate planning permit conditions.

### **PPN23: Applying the Incorporated Plan and Development Plan Overlays-Date published August 2015**

Explains the functions of the Incorporated Plan Overlay (IPO) and Development Plan Overlay (DPO) – the preferred tools for supporting plans – and provides advice about when these tools should be used and guidance on how to use them to achieve site planning requirements.

### **PPN24: Shipping Container Storage- Date published 2015**

Provides guidance to councils, applicants and the community about the consideration of shipping container storage under planning schemes

**PPN36: Implementing a Coastal Settlement Boundary -November 2016**

Provides guidance on implementing a coastal settlement boundary in a planning scheme for settlements outside metropolitan Melbourne.

**PPN43: Understanding Neighbourhood Character-Date published January 2018**

Explains for applicants, the community and responsible authorities what is meant by neighbourhood character. Provides guidance on preparing or assessing a proposed residential development so that it meets the neighbourhood character requirements of the residential development provisions in planning schemes.

**PPN46: Strategic Assessment Guidelines-Date published August 2018**

Minister's Direction No. 11 Strategic Assessment of Amendments requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. This planning practice note explains what should be considered as part of the direction.

**PPN55: Planning in Open Drinking Water Catchments- Date published February 2018**

Informs a responsible authority, water corporation and land owner about how open drinking water catchments are protected through guidelines, codes of practice, legislation, subordinate legislation (planning schemes) and model permit conditions.

**PPN74: Availability of Planning Documents- Date published July 2016**

Provides guidance on making planning documents available under the Planning and Environment Act 1987 (PE Act). Public access to these documents promotes a transparent and accountable planning system that encourages informed public participation. At the same time, the requirements of the PE Act must be balanced with rights that are protected by other legislation such as the Privacy and Data Protection Act 2014, Freedom of Information Act 1982 and the Copyright Act 1968.

**PPN81: Live Music and Entertainment Noise-Date published May 2016**

Provides guidance on the operation of Clause 52.43 - Live Music and Entertainment Noise.

**PPN82: Applying the Metropolitan Planning Levy- Date published May 2016**

Explains how the Metropolitan Planning Levy works, provides guidance on what is a leviable planning permit, and assists applicants and councils in calculating estimated development costs and the levy amount.

**PPN83: Assessing External Noise Impacts for Apartments -Date published August 2017**

This practice note provides guidance about the operation of Clause 55.07-6 (Noise impacts) and Clause 58.04-3 (Noise impacts) for apartment developments.

**PPN84: Applying the Minimum Garden Area Requirement - Date published May 2018**

This practice note gives guidance about the operation of the minimum garden area requirement in the Neighbourhood Residential Zone and General Residential Zone

### **9.3 Appendix 3: Analysis of Zones and Overlay Provisions and Schedules**

There are a total of 20 zones in the Ballarat Planning Scheme. All of these zones have attached schedules which vary in complexity from the standard 'default' schedules in the Township Zone to modified schedules in the Rural Conservation Zone and schedule to the Public Park and Recreation Zone, for example. There are sixteen tailored schedules for the Special Use Zone which address flora and fauna, emergency services, Sovereign Hill Museum Association, Ballarat Showgrounds, Private education, Ballarat Airfield, Racecourse, Miming and related activities, Eureka Precinct, Recreation, Ballarat Golf Course, St John of God Hospital and more recently Thoroughbred Horse Training Facilities, Ballarat West Employment Zone, Ballarat Railway Precinct and Central Victoria Livestock Exchange.

A number of deficiencies have been identified with regard to zone and overlay schedules and mapping which impact on decision-making and require correction or amendment. A review of relevant zone and schedule controls have identified:

#### **Zone Schedules**

##### **Residential Zones**

The new Residential Zones came into effect in 2014. They were applied across Ballarat in a policy neutral implementation, guided by the Reformed Zones Residential Advisory Committee (RZSAC). At that time, implementation of the reformed zones was limited to only areas fully supported by existing strategic policy. The Ballarat Strategy identifies the strategic direction for increasing infill development in defined corridors and encouragement of urban renewal opportunities. Additional implementation of the reformed residential zones will be highly likely required as part of this strategic housing direction. Future work will be needed to identify exact boundaries and zoning recommendations, and changes to the location of residential zones may then be required. This will occur through local area planning and therefore no changes are proposed as part of this review.

##### **Commercial Zones**

Specific issues have not been identified for the Commercial Zones as part of this review.

##### **Industrial Zones**

Some industrially zoned land was identified in the Review of Industrial Areas (2009) as being significantly constrained by surrounding sensitive uses, and that transition of these uses to non-industrial uses should be supported. Ballarat Strategy reinforces this support for landowners to engage with Council on transitioning areas compromised for industry to less intensive uses. These opportunities remain valid, although no specific Council led changes have been identified for the Industrial Zones as part of this review.

##### **Rural Zones**

The controls which apply to rural land was fully reviewed as part of the Ballarat Rural Land Use Strategy (2010). Specific issues have not been identified for the Rural Zones as part of this review.

## Public Use Zones

Specific issues have not been identified for the Public Use Zones as part of this review. Several publicly owned sites are proposed to be rezoned to PUZ and are detailed in the mapping in appendix 4.

## Special Purpose Zones

Control	Description	Recommendation
UGZ - Schedule 1	Incorrect references and text errors – e.g. outdated references to Business Zones 1 and 2	Revise text to align with current zones, and correct content deficiencies
UGZ – Schedule 2	Incorrect references and text errors – e.g. outdated references to Business Zones 1 and 2,	Revise text to align with current zones, and correct content deficiencies
Special Use Zone Schedules (SUZ) - general	Decision-guidelines frequently absent, poorly phrased or not in accordance with relevant practice notes.	Revise decision-guidelines for schedules to the SUZ to improve decision-making and clarity of the controls
	Incorrect references, text errors and content deficiencies – e.g. need for inclusion of text under Use of Land, restructure of application requirements and decision guidelines, inclusion of permit requirement to subdivide land, deletion of Exemption and inclusion of Exemption from Notice and Review, inclusion of permit requirements under Buildings and Works	Correct content deficiencies
SUZ – Schedule 4	Incorrect references, text errors and content deficiencies in structure and phrasing under ‘Use of Land’; ‘Application Requirements’ and ‘Subdivision’	Correct content deficiencies and restructure content to improve readability
SUZ – Schedule 5	Incorrect references, text errors and content deficiencies e.g. need for clarity of Use of Land, inclusion of permit requirement to subdivide land, restructure of Exemption from Notice or Review, inclusion of	Correct content deficiencies and restructure content to improve decision-making



	Application Requirements inclusion of Decision Guidelines	
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The issues identified above are indicative only, and it should be noted that detailed review and re-drafting of the text may identify additional issues to be resolved.

### Overlay Schedules

There are a total of sixteen Overlays in the Ballarat Planning Scheme. All of these Overlays (excluding the Road Closure Overlay and Environmental Audit Overlay) have at least one attached schedule which varies in complexity. A brief overview of the Overlays and Schedules is provided below:

### Environmental Significance Overlay

This Overlay includes five Schedules:

- Schedule 1 – Invermay Land Protection Area
- Schedule 2 – Streamside and Watercourse Protection
- Schedule 3 – Water Catchment Areas
- Schedule 4 – Wastewater Treatment Plan Buffer Areas
- Schedule 5 – Koala and Koala Habitat Protection

Control	Description	Recommendation
ESO - Schedule 1	Deficiencies in current drafting, particularly related to 3.0 Permit Requirements, and 4.0 Application Requirements	Revise content to provide appropriate clarity and guidance for decision-making
ESO – Schedule 2	Deficiencies in current drafting, particularly related to Permit Requirements for removal, destruction or lopping of vegetation	Revise content to provide appropriate clarity and guidance for decision-making
ESO – Schedule 5	Deficiencies in current drafting and repetition with local planning policy.	Revise content to provide appropriate clarity and guidance for decision-making

### Vegetation Protection Overlay

This Overlay includes three Schedules:

- Schedule 1 – Native Vegetation Protection Areas
- Schedule 2 – Urban Character Vegetation
- Schedule 3 – Ballarat Golf Club Redevelopment

Noted issues:

Control	Description	Recommendation
VPO - Schedule 2	Deficiencies in current drafting, particularly related to Permit Requirements	Revise content to provide appropriate clarity and guidance for decision-making

### **Heritage Overlay**

This Overlay contains one Schedule:

- Schedule to the Heritage Overlay

There are no identified issues with the content of the Heritage Overlay Schedule. However, if issues are subsequently identified, they may form part of the planning scheme amendment.

### **Design and Development Overlay**

This Overlay contains 20 Schedules:

- Schedule 1 – Bridge Mall
- Schedule 2 - Western Highway – Leigh Creek to Woodman’s Hill
- Schedule 3 – Urban Character Area 1
- Schedule 4 – Urban Character Area 4
- Schedule 5 – Urban Character Area 5 (Part)
- Schedule 6 – Urban Character Area 9
- Schedule 7 – Urban Character Area 11
- Schedule 8 – Urban Character Area 14
- Schedule 9 – Urban Character Area 16
- Schedule 10 – Urban Character Area 17 (East of Pleasant Street)
- Schedule 11 – Urban Character Area 17 (West of Pleasant Street)
- Schedule 12 – Urban Character Area 18
- Schedule 13 – Urban Character Area 20
- Schedule 14 – Urban Character Area 22
- Schedule 15 – Urban Character Area 23
- Schedule 16 – Former Broodeseinde Barracks, Russel Street, Newington
- Schedule 17 – Ballarat Airfield – Building Height Above 5 Metres
- Schedule 18 – Ballarat Airfield – Building Height Above 15 Metres
- Schedule 19 – Ballarat Base Hospital Helicopter Flight Paths Protection Area (Inner Area)
- Schedule 20 - Ballarat Base Hospital Helicopter Flight Paths Protection Area (Outer Area)

Noted issues:

Control	Description	Recommendation
DDO - Schedule 2	Deficiencies in current drafting, particularly related to Buildings and Works	This will be considered in a review of neighbourhood character controls (listed under future strategic work).

### Development Plan Overlay

This Overlay contains 10 Schedules:

- Schedule 1 – Former Redemptorist Monastery Site
- Schedule 2 - Learmonth Road, Wendouree
- Schedule 3 – Vacant Residential Land
- Schedule 4 – Undeveloped Industrial Land
- Schedule 5 – Ballarat Golf Club Redevelopment
- Schedule 6 – Cardigan Village Development Plan
- Schedule 7 – Cuthberts Road, Alfredton
- Schedule 8 – University of Ballarat Technology Park Expansion
- Schedule 9 – Former Ballarat Orphanage – 200, 200A, 200B Victoria Street, Ballarat East
- Schedule 10 – Ballarat West Employment Zone

There are currently no identified issues with the Schedules to the Development Plan Overlay. If issues are subsequently identified, they may form part of a Planning Scheme Amendment.

### Erosion Management Overlay

This Overlay contains 1 Schedule.

Control	Description	Recommendation
EMO - Schedule	Deficiencies in current drafting, particularly related to Permit Requirements, Application Requirement, Decision Guidelines	Revise content to provide appropriate clarity and guidance for decision-making

### Salinity Management Overlay

This Overlay contains 1 Schedule.

Noted issues:

Control	Description	Recommendation
SMO - Schedule	Deficiencies in current drafting, particularly related to Permit	Revise content to provide appropriate clarity and

	Requirements, Application Requirement, Decision Guidelines	guidance for decision- making
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Floodway Overlay and Land Subject to Inundation Overlay Each Overlay contains 1 Schedule.

Noted issues:

Control	Description	Recommendation
LSIOI - Schedule	Need to incorporate Permit Requirement, Application Requirements, Decision Guidelines	This will be addressed in city wide flood mapping amendment.
FO - Schedule	Need to incorporate Permit Requirement, Application Requirements, Decision Guidelines	This will be addressed in city wide flood mapping amendment.

**Significant Landscape Overlay This Overlay contains 1 Schedule.**

Noted issues:

Control	Description	Recommendation
SLO – Schedule1	There are multiple SLO's mapped and only one schedule	This will be addressed in overall review of SLO mapping and ordinance which is listed in further strategic work.

### **Public Acquisition Overlay**

This Overlay contains 1 Schedule.

There are no identified issues with the content of the Public Acquisition Overlay Schedule. If issues are subsequently identified, they may form part of a Planning Scheme Amendment.

### **Environmental Audit Overlay**

There is no Schedule to the EAO.

### **Airport Environs Overlay**

This Overlay contains 2 Schedules.

There are no identified issues with the content of the Airport Environs Overlay Schedules that will be included within the review. Any changes to the AEO will be informed by the Airport Study and form part of a separate amendment.

### **Road Closure Overlay**

There is no Schedule to the RXO.

## **Development Contributions Plan Overlay**

This Overlay contains 1 Schedule.

There are no identified issues with the content of the Development Contributions Plan Overlay Schedule.

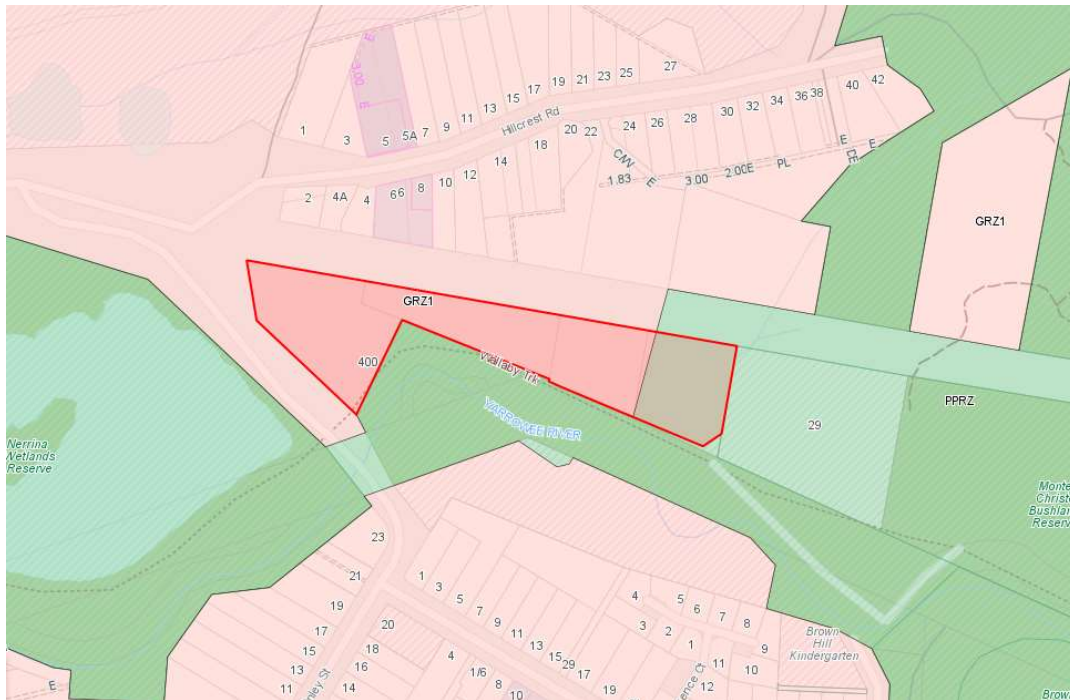
## 9.4 Appendix 4: List of Zoning and Overlay Anomalies and Corrections

Below is a list of anomalies, errors and minor rezoning that have been identified within the review period and will form part of the amendment-

### Mapping anomalies

**Property Location:** 400 Duggan Street Nerrina (PN:2008551) CA 21 Sec 221A

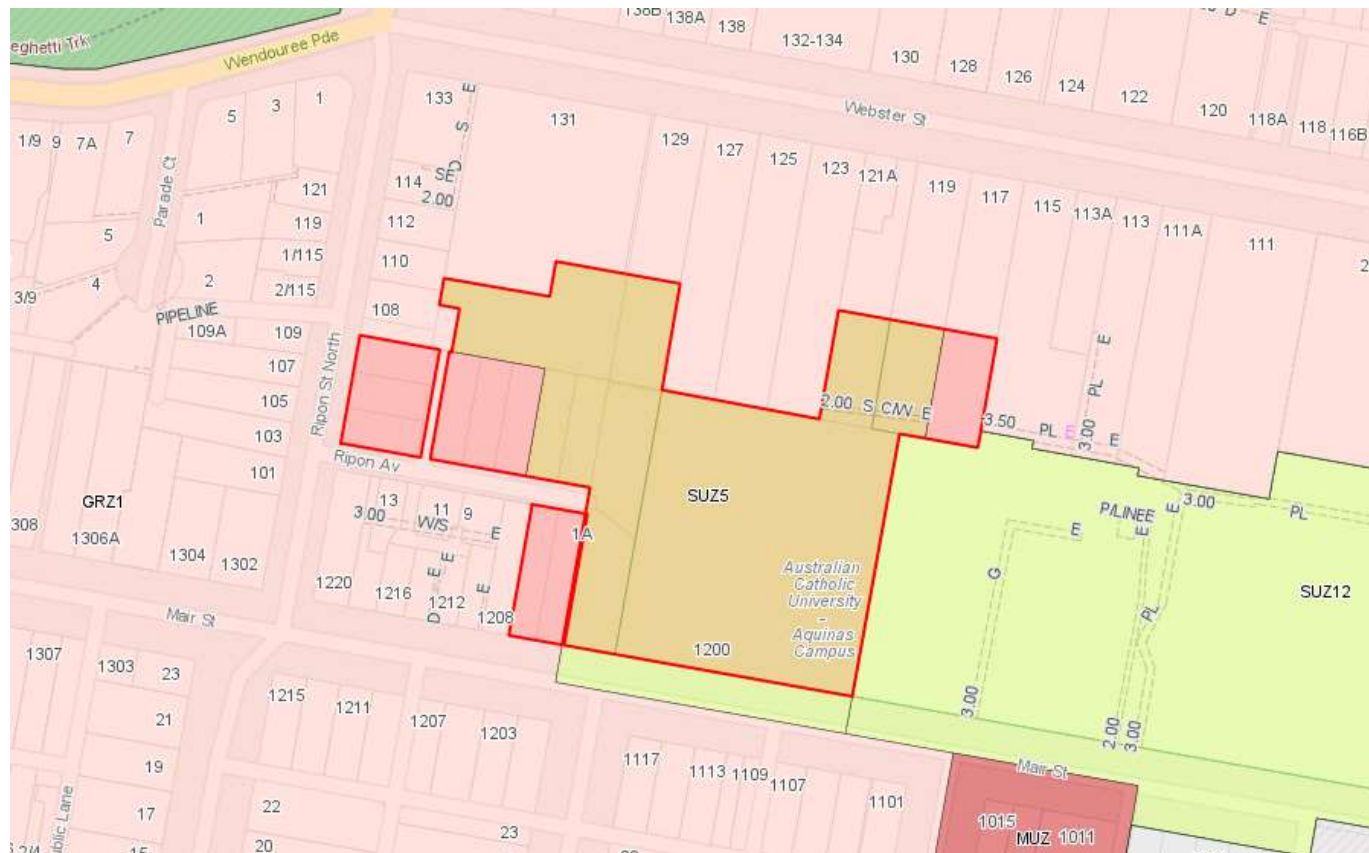
**Correction:** Private land zoned PPRZ. Rezone to GRZ1 in line with surrounding private land.





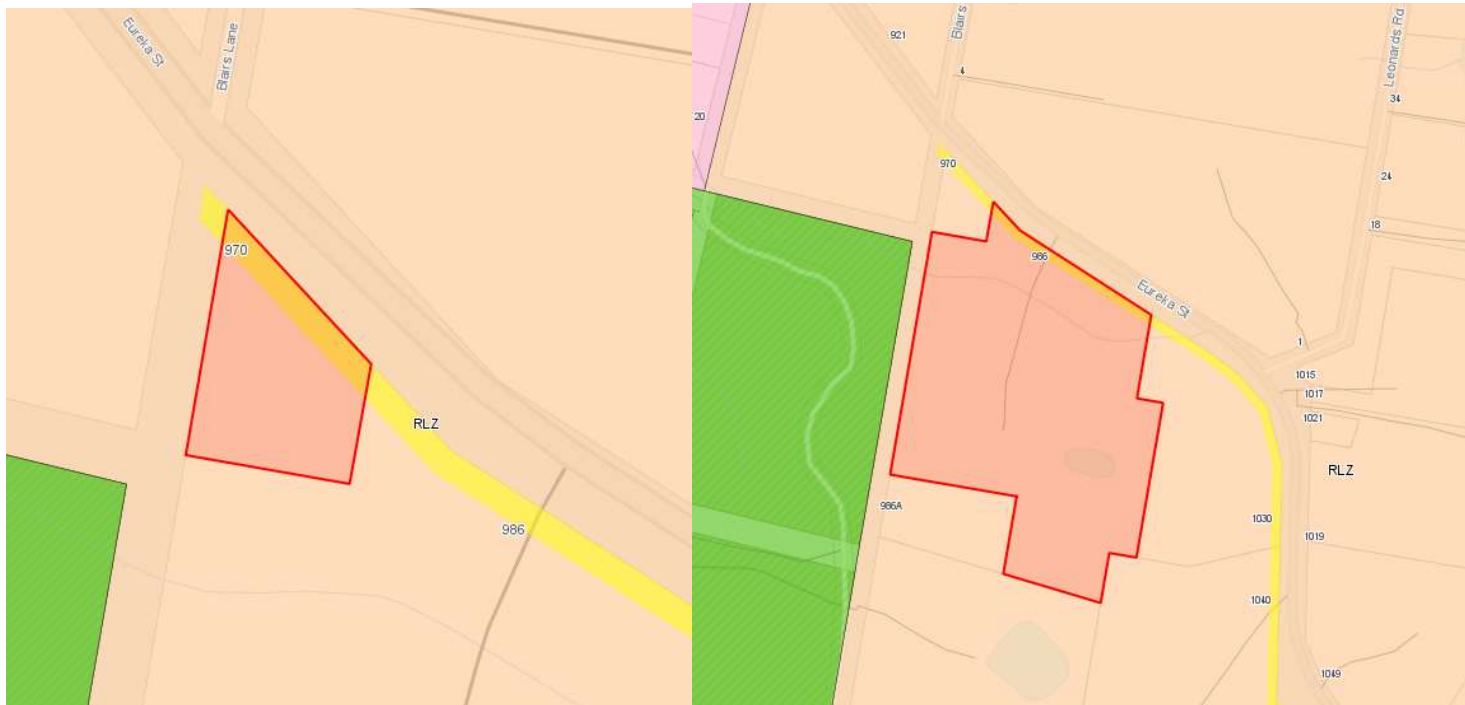
**Property Location:** Australian Catholic University Lots 1, 2, 3, 4, 5 & 6 Lodged Plan No. 1906, 102-106 Ripon Street North and 2-6 Ripon Avenue and 1204, 2016 & 1208 Mair Street, Lake Wendouree"

**Correction:** Rezone land from GRZ1 to SUZ5 in line with remainder of University



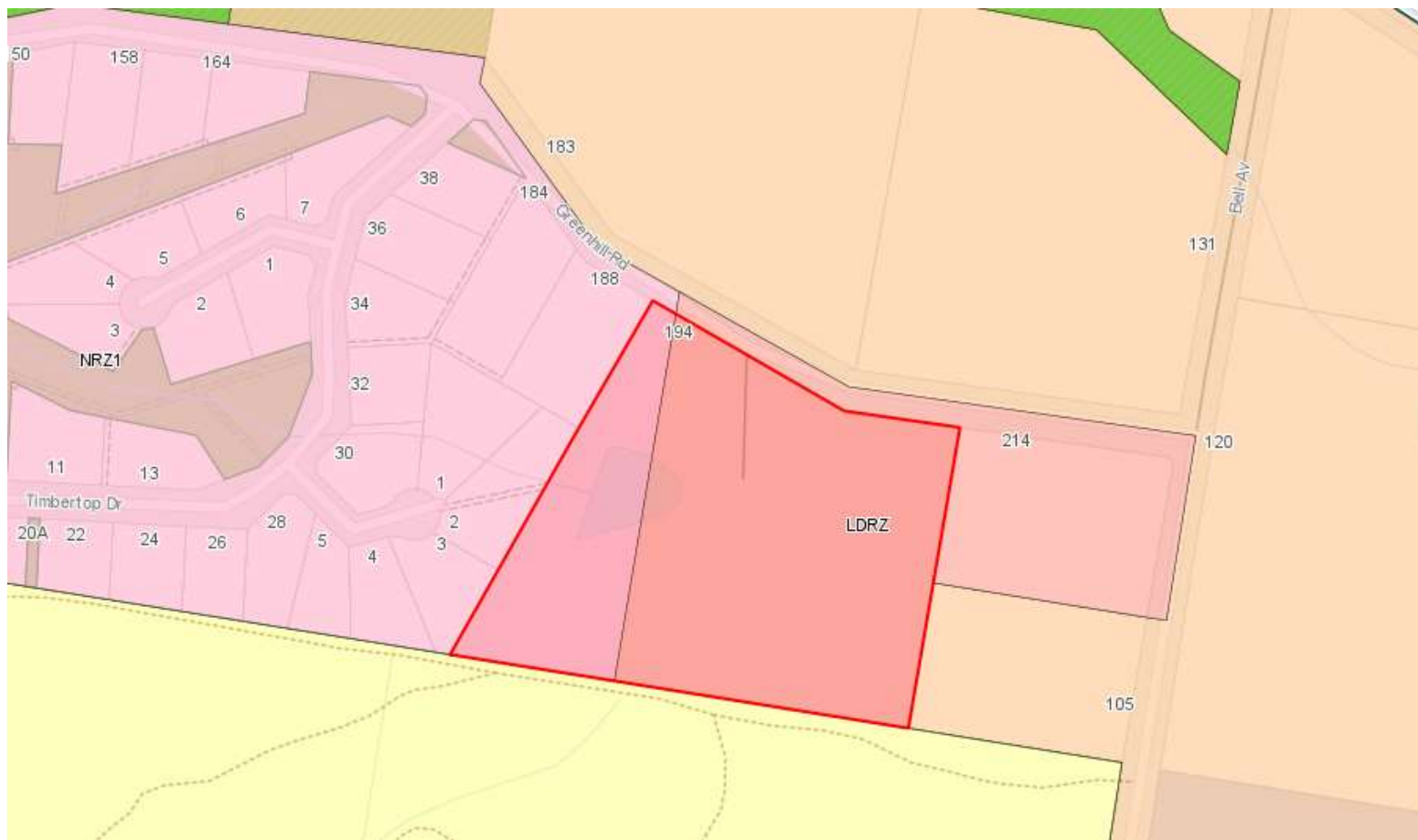
**Property:** 970 and 1086 Eureka Street Warrenheip

**Correction:** Remove PAO2 from these properties as no longer required as council has no plans to utilise PAO2.



**Property:** 194 Greenhill Road Mount Helen

**Correction:** Property in two zones- LDRZ and NRZ. Rezone entire land to LDRZ.



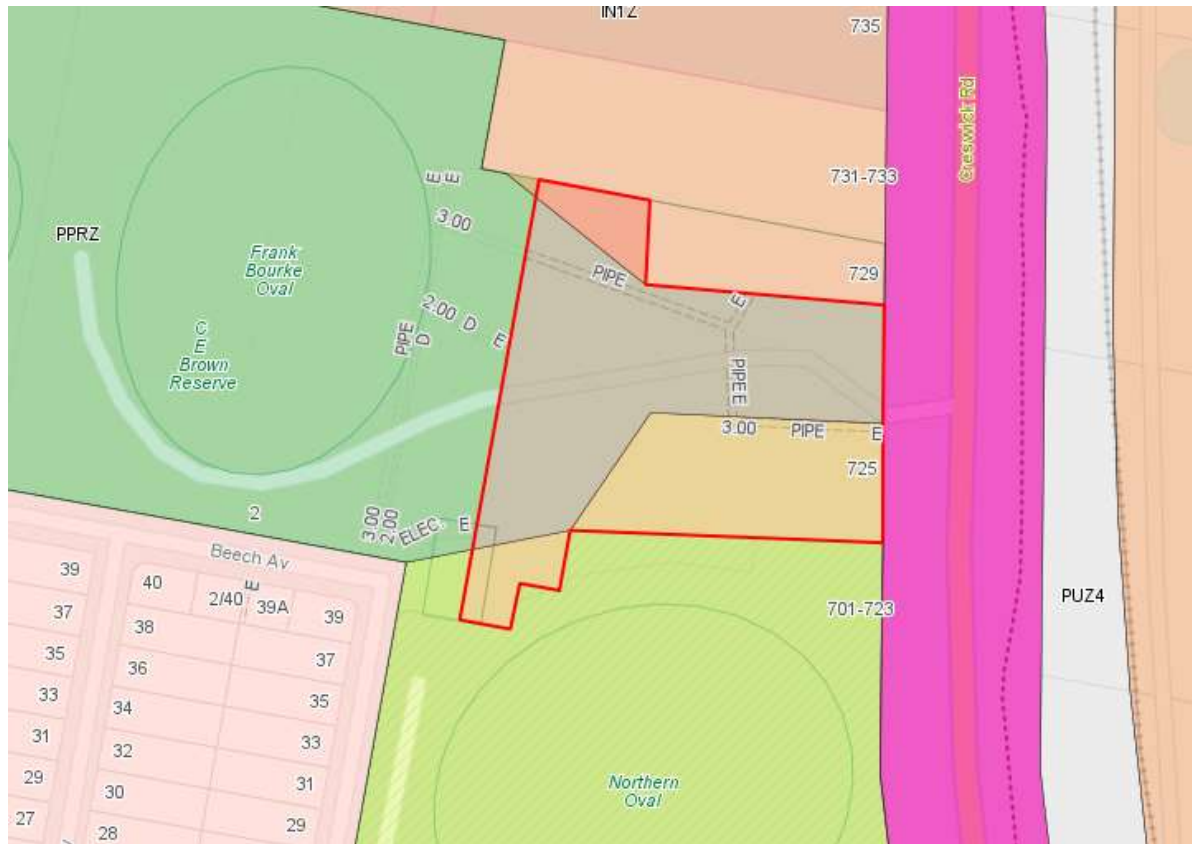
**Property:** 43,45,47 Insignia Blvd Alfredton

**Correction:** SUZ11 (Ballarat Golf Club) partially covers these private residential properties. Rezone to GRZ1 in line with remainder of property.



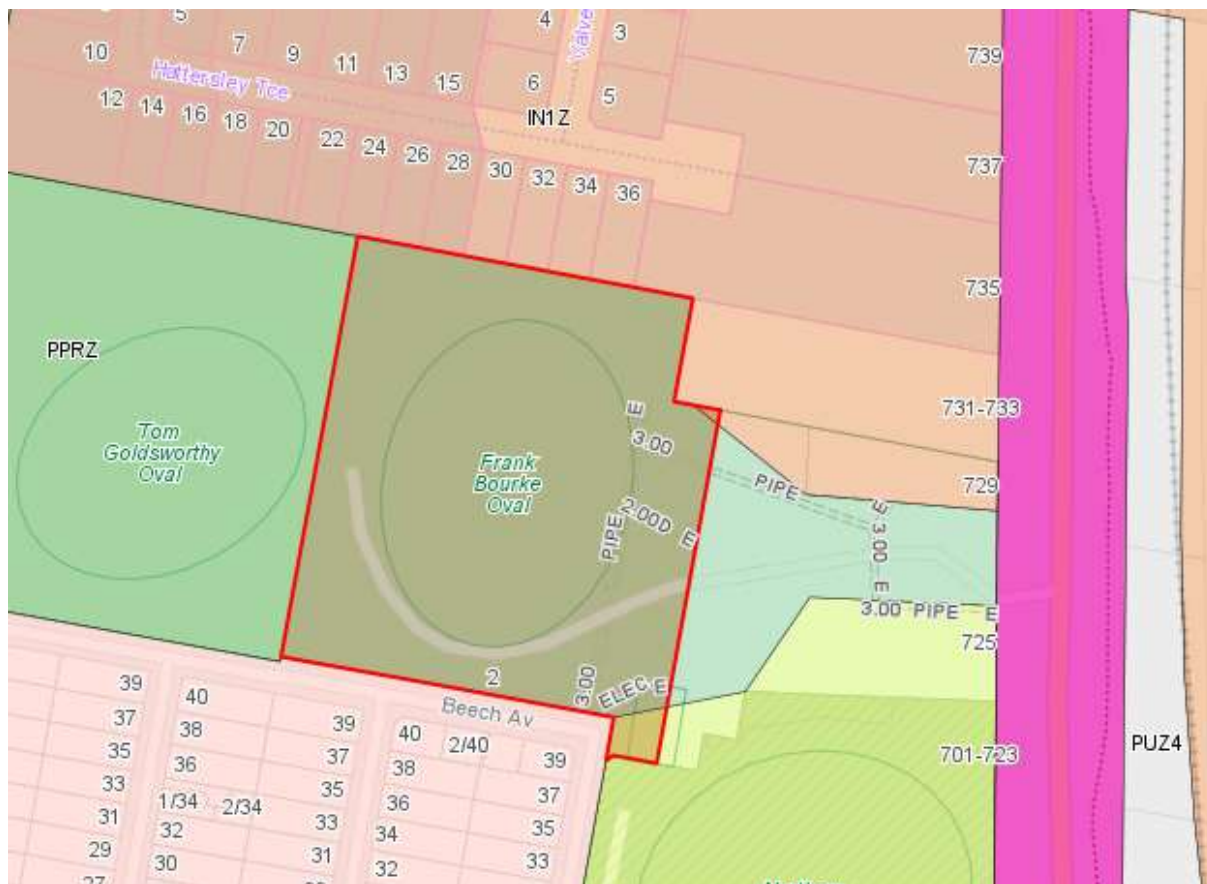
**Property:** North Ballarat Sports Club 725 Creswick Road Wendouree

**Correction:** Land is in three zones- IN1Z, PPRZ, SUZ4. Should be rezoned SUZ10 (Recreation)



**Property:** CE Brown Reserve (CoB owned) 2 Beech Avenue Wendouree

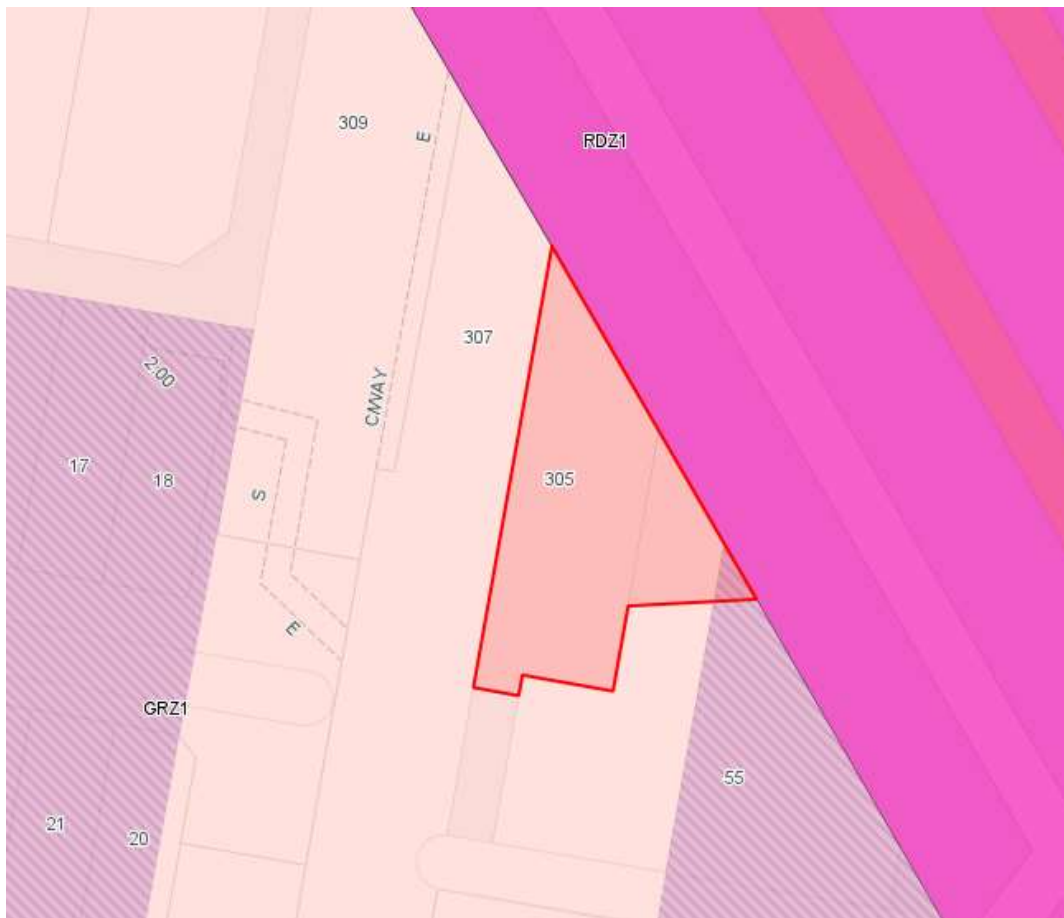
**Correction:** Land is in three zones- IN1Z, PPRZ, SUZ4. Rezone so all land PPRZ.





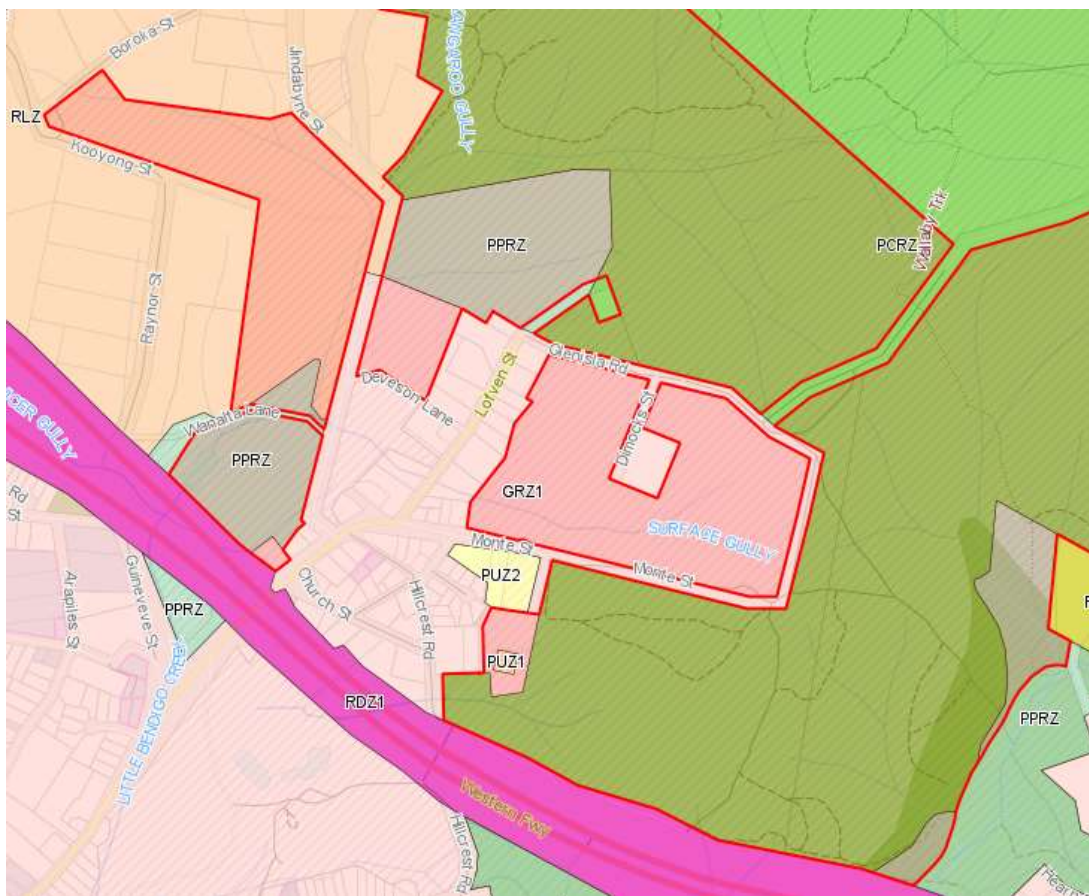
**Property:** 305 Creswick Road Ballarat

**Correction:** DDO7 applies to a small portion of this property. Remove DDO7 from this property.



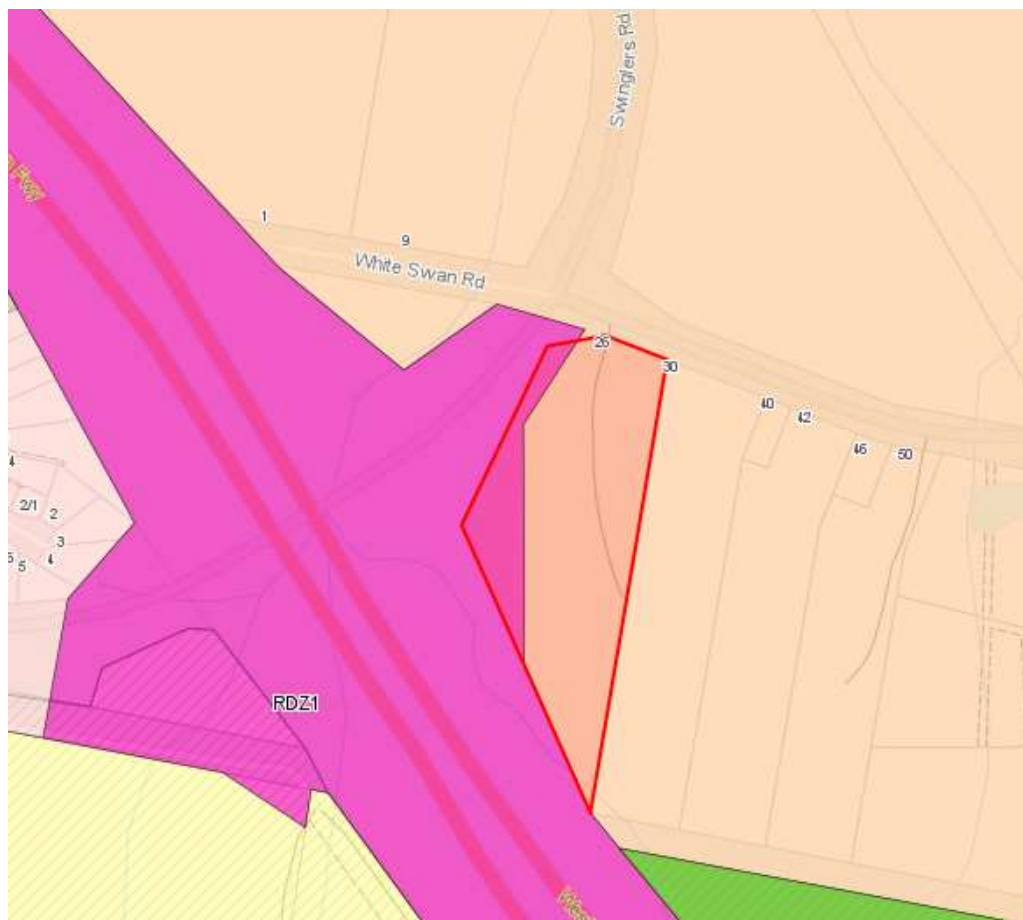
**Property:** CA18A Glenisla Road Nerrina

**Correction:** Land is owned by DELWP and partially in the GRZ1. Rezone this land to PPRZ to reflect ownership.



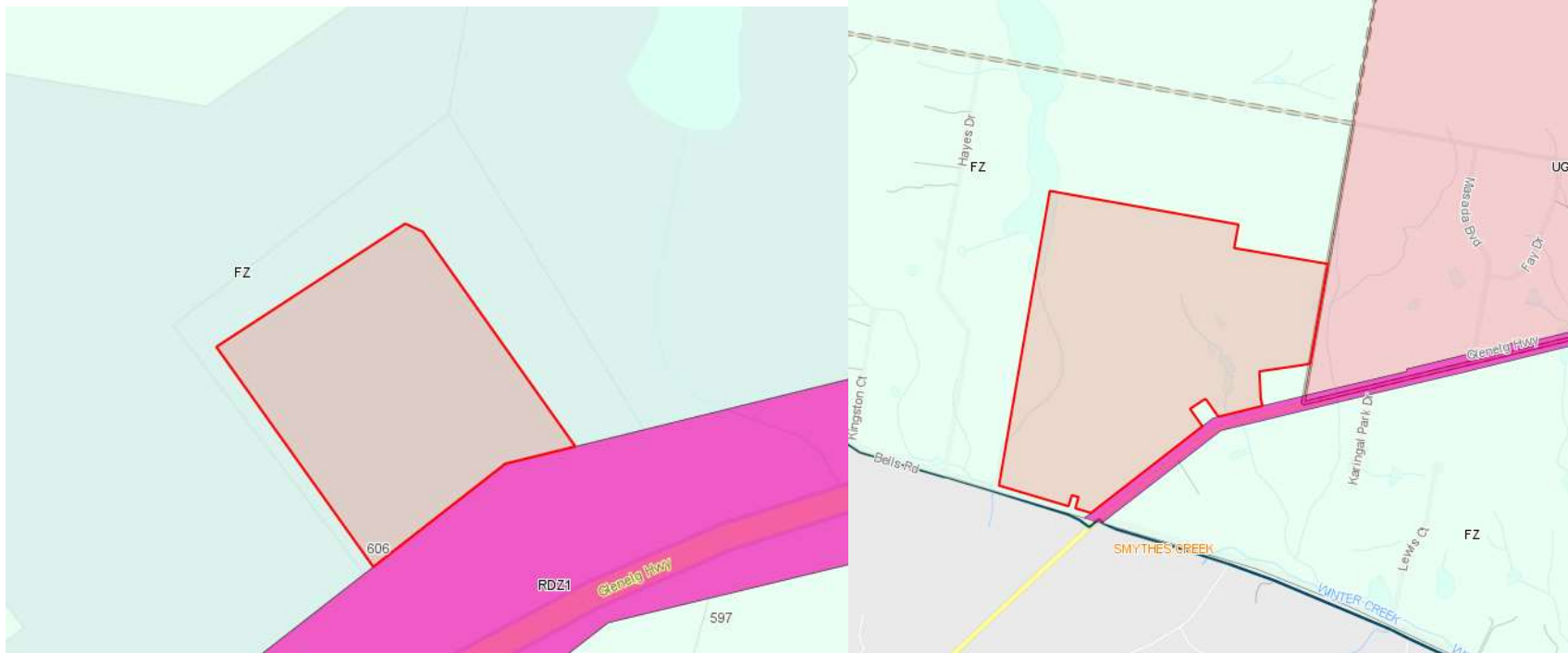
**Property:** 26 White Swan Road Invermay

**Correction:** Land in two zones-RDZ1 and RLZ1. The land in RDZ1 should be rezoned to RLZ as Vicroads confirmed this is an error.



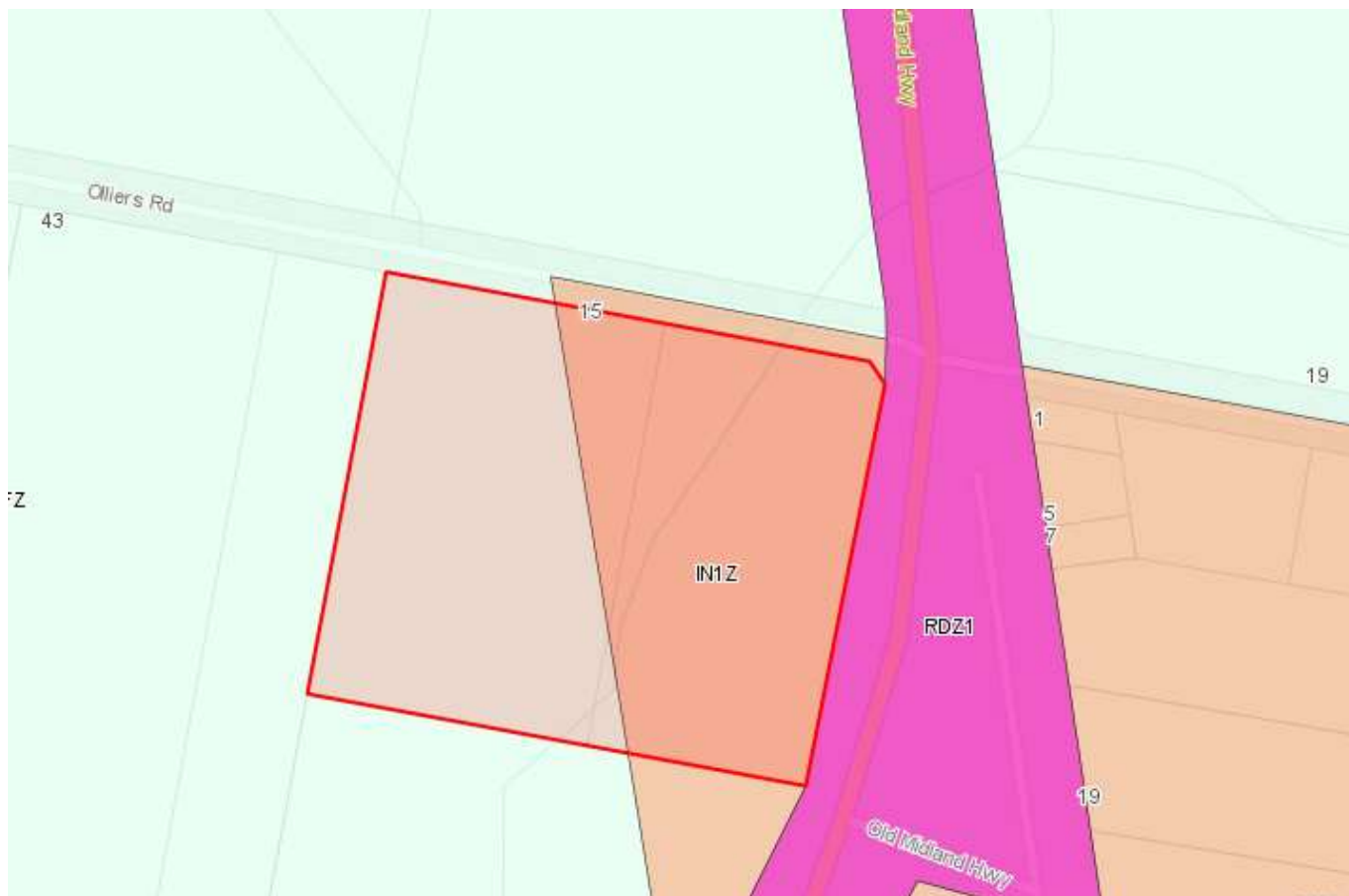
**Property:** 606 and 624 Glenelg Highway Smythes Creek

**Correction:** ESO5 (Koala Overlay) has been applied to cyprus trees which aren't Koala Habitat. Site visit has confirmed. Remove the ESO5 from these properties.



**Property:** 15 Olliers Road and 1 Noble Court

**Correction:** Both properties in two zones- FZ and IN1Z Rezone to IN1Z to FZ1 as this is predominant land use and land is flood prone.



**Property:** 2 Holmes Street Ballarat

**Correction:** Land is in IN1Z but consists of dwelling. Surrounding land is dwellings in C1Z. Rezone land to C1Z to reflect land use.





**Property:** CFA 531 Ti Tree Road, Mt. Warrenheip

**Correction:** In PUZ1, rezone to SUZ2 (Emergency Services)



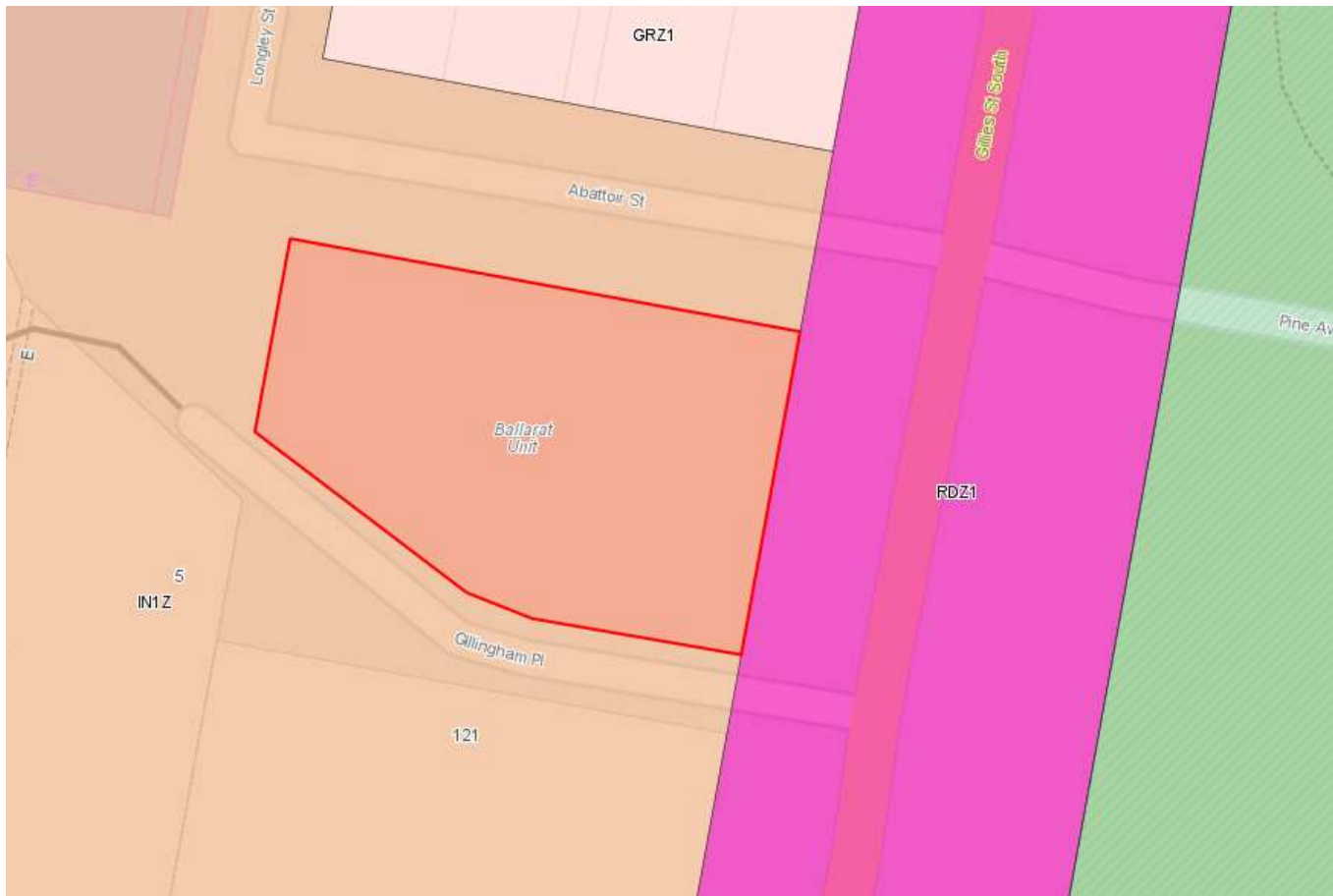
**Property:** 749 Remembrance Drive Cardigan Village

**Correction:** CoB land with park, kinder and hall. In TZ, rezone to PUZ6



**Property:** SES 115B Gillies Street South Alfredton

**Correction:** In IN1Z rezone to SUZ2



**Property:** Police Station 734 Norman Street Ballarat North

**Correction:** Land in PUZ2, rezone to SUZ2



**Property:** 46 Burrumbeet Road Burrumbeet

**Correction:** CoB owned land. Currently Farming zone, rezone to PUZ6



**Property:** CFA 50 Burrumbeet Road Burrumbeet

**Correction:** Currently in FZ, rezone to SUZ2





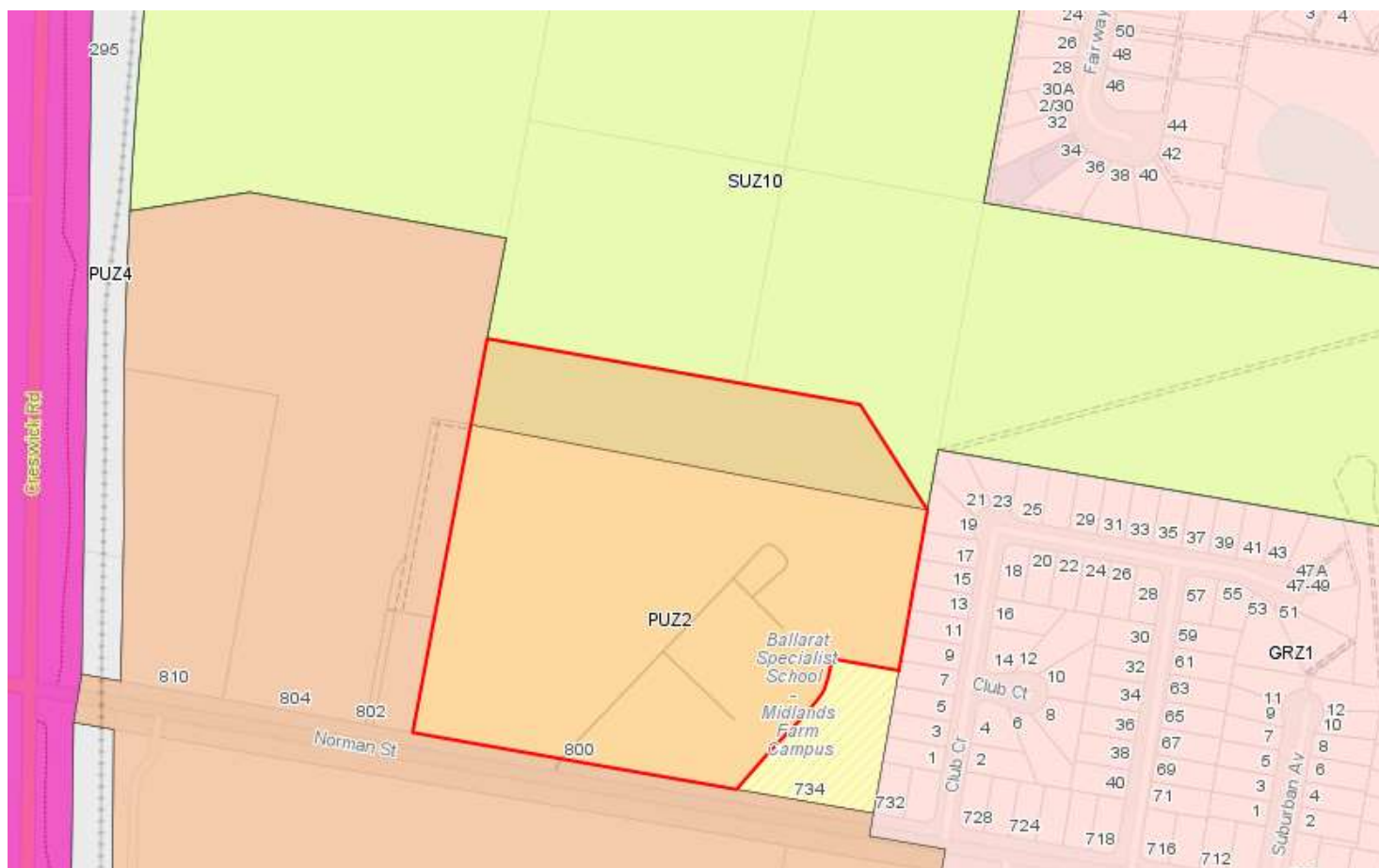
**Property:** Ballarat Secondary College 453-457 Forest Street Wendouree

**Correction:** Land in two zones, rezone land GRZ to PUZ2



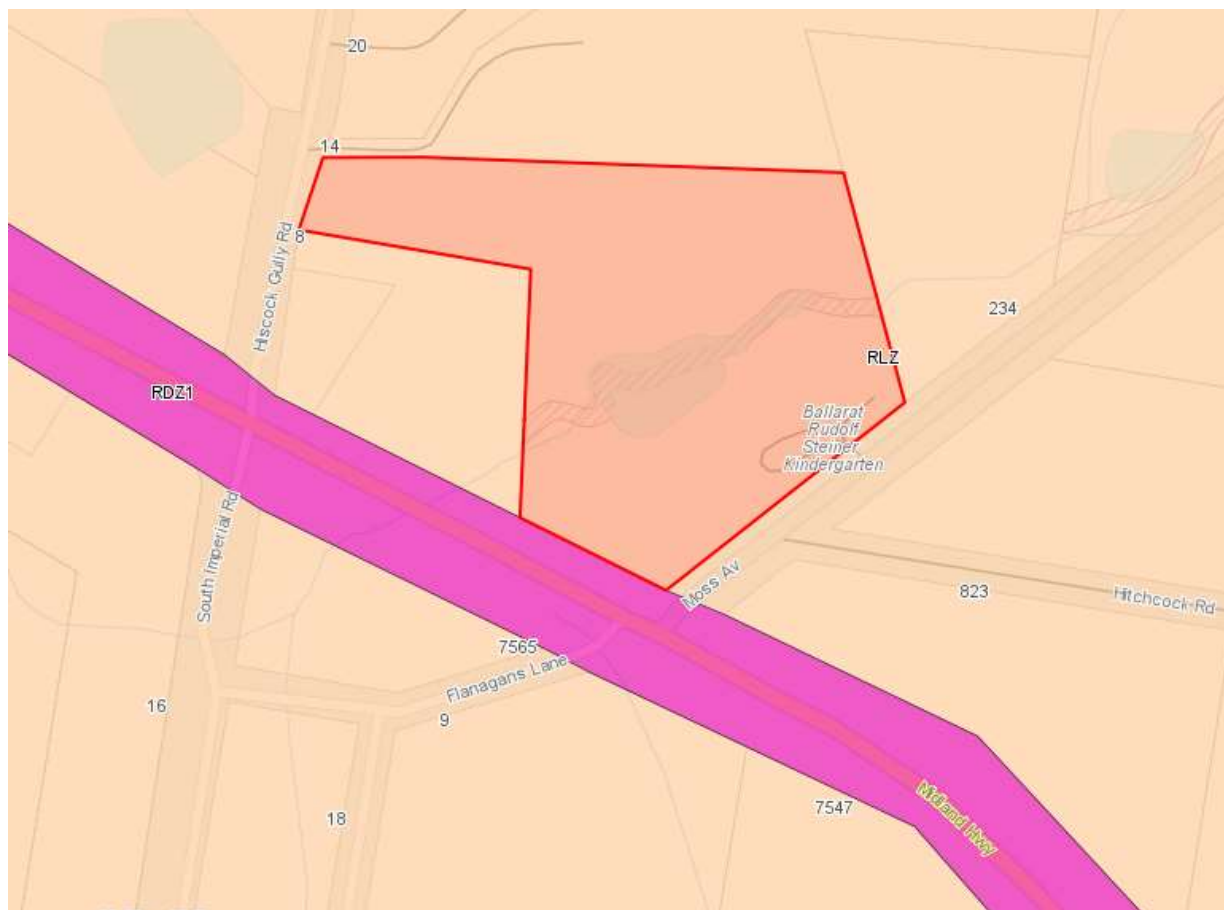
**Property:** Ballarat Specialist School- Midlands Farm Campus 800 Norman Street Invermay Park

**Amendment:** Land in two zones rezone land in SUZ10 to PUZ2



**Property:** Ballarat Steiner School and Kinder Mount Helen 244 Moss Avenue Mount Helen

**Amendment:** In RLZ, rezone to SUZ5



**Property:** Buninyong Primary School-Scotsburn Campus 6859 Midland Highway Scotsburn  
**Amendment** Currently in FZ rezone to PUZ2



**Property** Buninyong Primary School 202 Simpson Street Buninyong

**Amendment:** Land currently in multiple zones, rezone all land to PUZ2





**Property:** Dana Street Primary School, 401 Dana Street Ballarat

**Amendment:** Land in PUZ2 and GRZ1, rezone all land to PUZ2.





**Property:** Miners Rest Primary School 10 Dundas Street Miners Rest

**Amendment:** Land in GRZ1, rezone to PUZ2



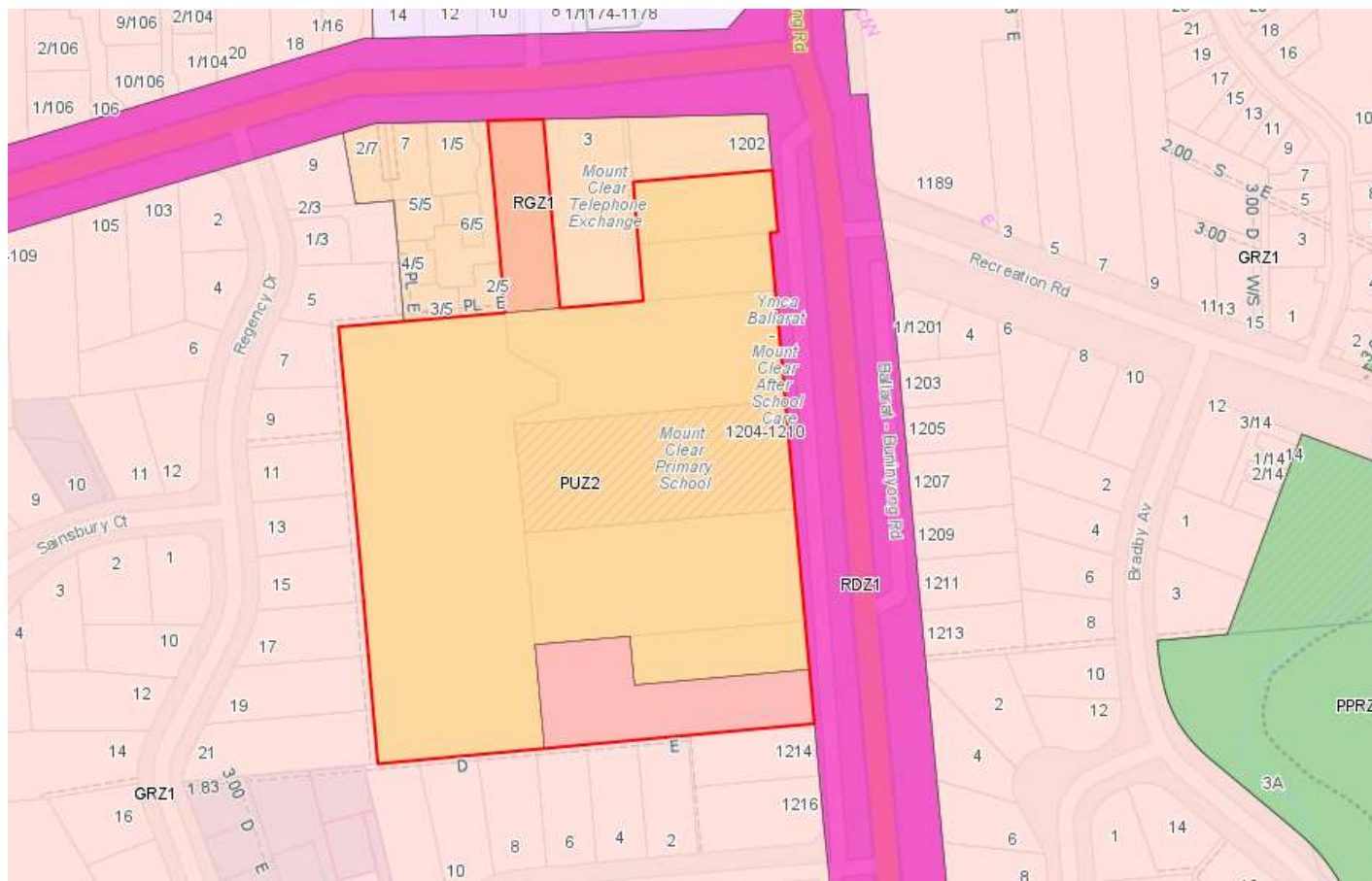
**Property:** Mount Blowhard Primary Schoo 527 Millers Road Blowhard

**Amendment:** Land in FZ , rezone to PUZ2



**Property:** Mount Clear Primary School 1204-1210 Geelong Road Mount Clear

**Amendment:** Land in multiple zones, rezone land to PUZ2



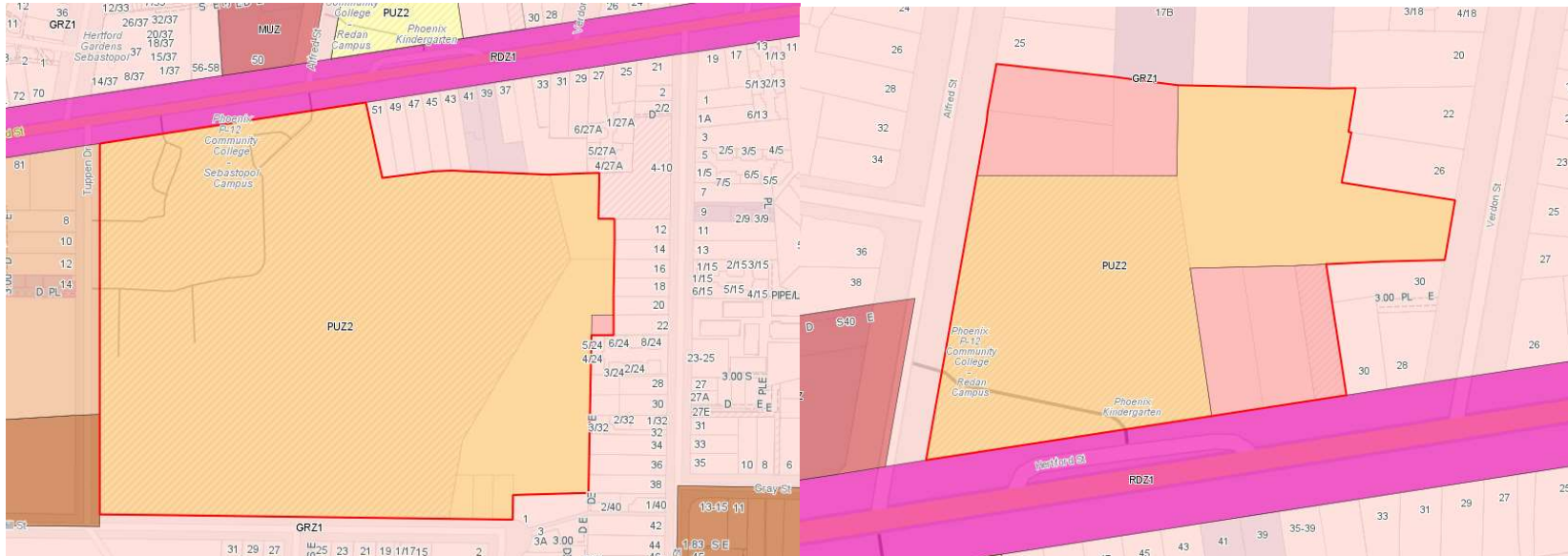
**Property:** Mount Pleasant Primary School 401 Cobden Street Ballarat

**Amendment:** Land in PUZ2 and GRZ1, rezone all land to GRZ1



**Property:** Phoenix P-12 Community College Redan Campus, 32-48 Hertford Street Sebastopol and Sebastopol Campus 53-71 Hertford Street Sebastopol

**Amendment:** Land in PUZ2 and GRZ1, rezone all land to PUZ2





**Property:** St Columbas School 306 Howard Street Soldiers Hill

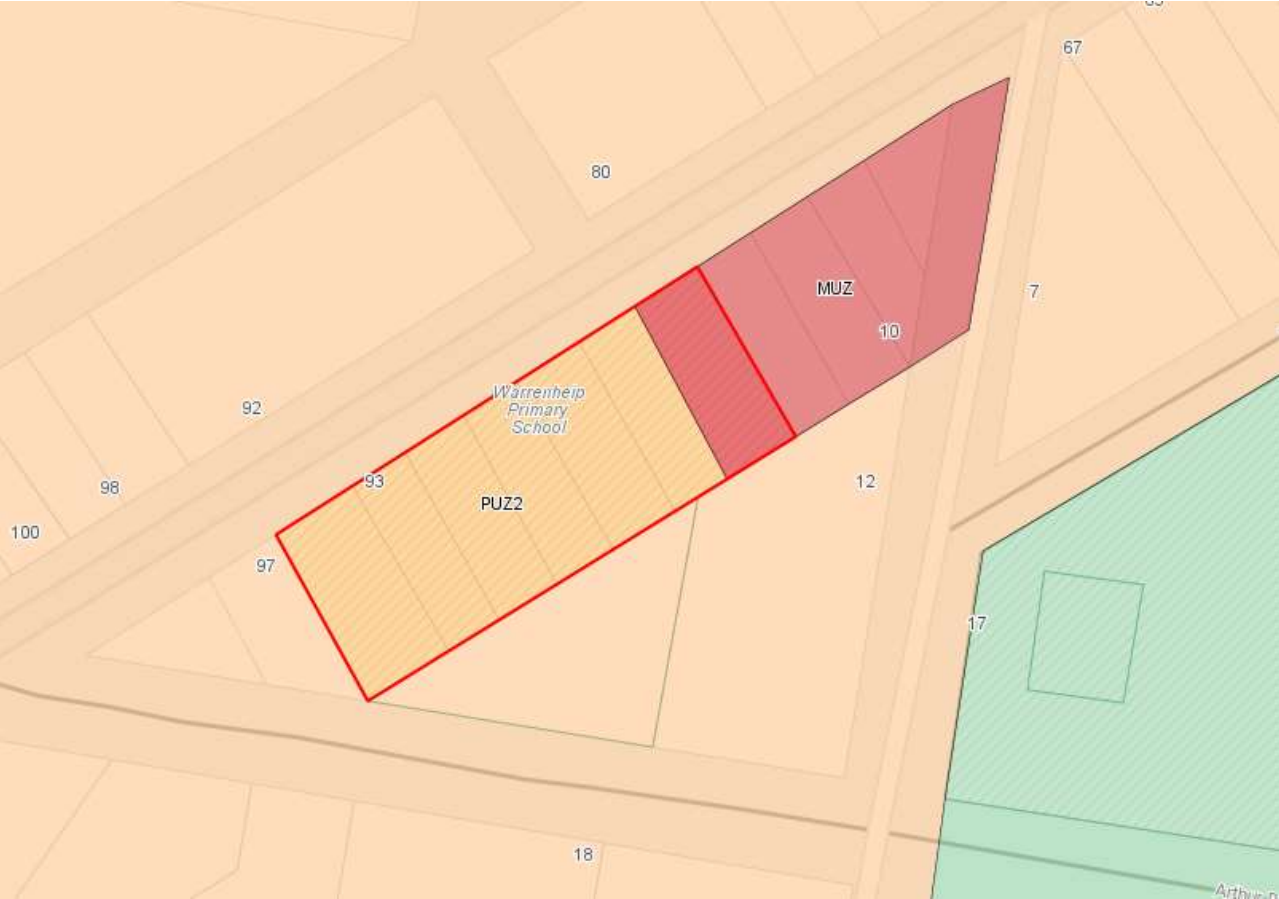
**Amendment:** Land is in SUZ5 and GRZ1, rezone all land to SUZ5





**Property:** Warrenheip Primary School 93 Warrenheip Road Warrenheip

**Amendment:** Land in PUZ2 and MUZ, rezone all land to PUZ2



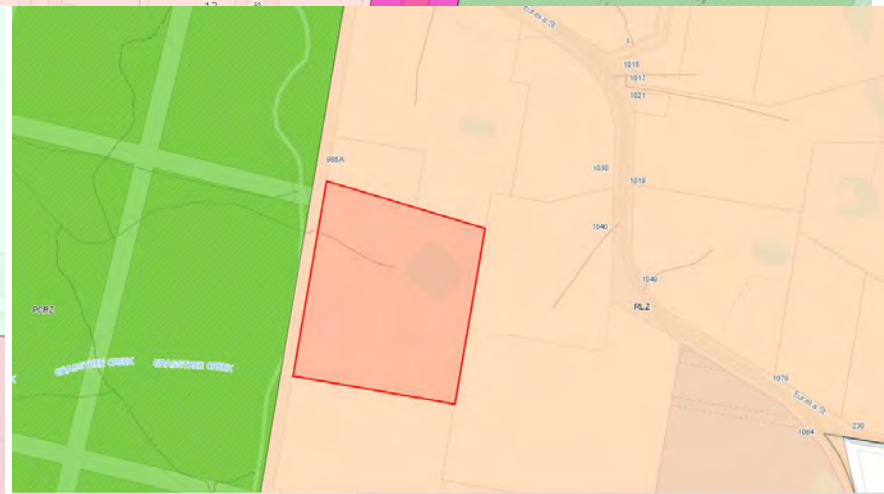
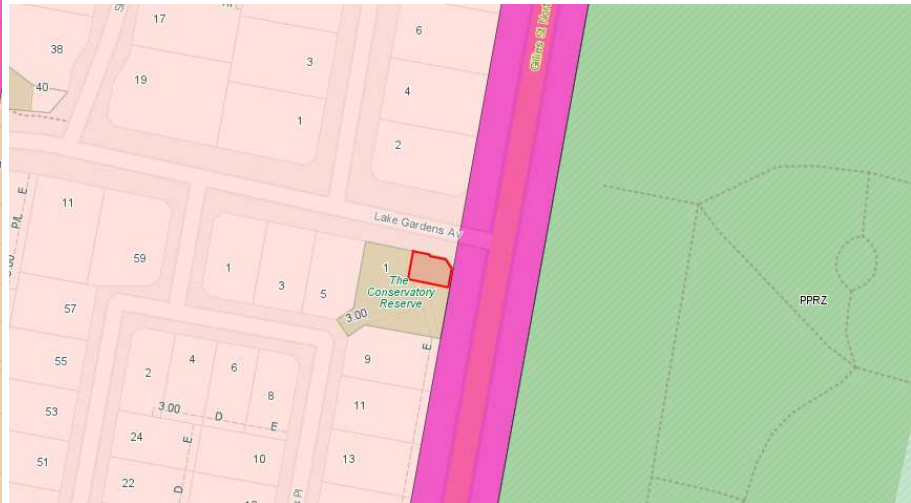
**Properties:** Central Highlands Water Assets (various locations)

**Amendment:** Rezone to Public Use Zone 1- Service and Utility









## 9.5 Zone, Overlay Schedule Anomalies and Corrections

Area of Planning Scheme	Correction/Anomaly
Clause 21.01 Reference Documents	Ballarat Open Space Strategy should be dated 2008 not 2009.
Special Use Zone Schedules 1-12	A range of changes are required to the ordinance including adding in permit triggers, application requirements and decision guidelines.
Environmental Significance Overlay Schedules 1-2	A range of changes are required to the ordinance including adding in permit triggers and application requirements.
Vegetation Protection Overlay Schedule 2	Reword permit trigger to <i>"A permit is required to remove, destroy or lop vegetation of a tree that is at least 4 metres high located in a private garden or within the road reserve."</i>
Salinity Management Overlay and Erosion Management Overlay Schedules	Schedule needs to be rewritten to include management objectives, statement of risk, permit requirements, application requirements and decision guidelines.
Urban Growth Zone Schedules 1&2	Update references to Business 1 Zone with Commercial 1 Zone.
Clause 72.04 Incorporated Documents	Remove Ballarat Strategy Plan 1998
All overlay and zone schedules	Reword, restructure and reformat to ensure that they comply with the Ministerial Direction on Form and Content of Planning Schemes



**9.7. BALLARAT GOLF CLUB - ELECTRONIC GAMING MACHINE APPLICATION TO VCGLR**

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Pete Appleton - Executive Manager Engaged Communities

**OFFICER RECOMMENDATION**

**Council resolves to submit a social and economic impact assessment to the Victorian Commission for Gambling and Liquor Regulation with regard to the application submitted by the Ballarat Golf Club to increase the number of electronic gaming machines by 6 at the Ballarat Golf Club, 1800 Sturt Street, Ballarat.**

**EXECUTIVE SUMMARY**

On 20 August 2018 Council received a copy of an application to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) from the Ballarat Golf Club to increase the number of Electronic Gaming Machines (EGMs) by 6 at the Ballarat Golf Club, 1800 Sturt Street, Ballarat.

Section 3.4.19 of the *Gambling Regulation Act 2003*, provides Council with the opportunity to make a submission to the Commission in respect of:

- The social and economic impact of the proposed amendment on the wellbeing of the community of the municipal district in which the approved venue is located; and
- Taking into account the impact of the proposed amendment on the surrounding municipal districts.

Council has until close of business on 10 October 2018 to advise the VCGLR if it intends to make a social and economic impact assessment submission on the proposal to the VCGLR. Council then has until the close of business on 2 November 2018 to submit a social and economic impact assessment to the VCGLR.

**RATIONALE**

Pursuant to Section 3.3.5 of the *Gambling Regulation Act 2003*, the VCGLR and Council received the following documentation in relation to the application.

1. Application Form for Amendment to Venue Operator's Licence;
2. Social and Economic Impact Assessment prepared by Colleen Peterson of Ration Consultants (August 2018)
3. Expenditure Analysis prepared by Tim Stillwell of ShineWing Australia (26 July 2018)
4. Witness Statement of Leigh Barrett (17 June 2018)
5. Witness Statement of John King (August 2018)
6. Witness Statement of Michael Phillips (August 2018)
7. Witness Statement of Hannah Mead (August 2018)

In October 2005 the Ballarat Golf Club received permission from the VCGLR to increase the number of EGMs at the venue from 28 to 36. The Planning permit (required for the land use components of any EGM application) remains in place from the 2005 process.

To date the club has not been in a position to install any additional EGMs at the venue because of the State Government regional cap which limits the total number of machines in the municipality to 663.

Currently there are 657 EGMs across 15 Ballarat venues.

The application for 6 new EGMs is based on the recent withdrawal of 6 EGMs from the Miners Tavern in the CBD.

If permitted, the increase would take the number of EGMs in Ballarat back up to 663, the maximum permitted within the State Government regional cap for Ballarat.

### **Council's Policy Position**

Council's adopted policy position from the 2011 Gaming Machine Community Policy articulates six policy statements. Particularly relevant in considering this application is Policy statement 4 which states:

*The City of Ballarat will limit accessibility of EGMs by:*

- *Advocating to the Victorian State Government for a reduction in the Regional Cap (currently 663 EGMs) back to the Victorian State Average.*
- *Assessing applications, and selectively and strategically seeking to reduce the numbers of EGMs in Ballarat, taking into consideration: the location of the venue, harm minimisation measures adopted by the venue, and the likely impact on the community.*
- *Further developing a framework that clearly defines the suitability or otherwise of proposed EGM venue locations to be detailed as a schedule to the Gaming Policy.*

### **Options**

#### Option A

That Council submit a social and economic impact assessment to the Victorian Commission for Gambling and Liquor Regulation with regard to the application made to locate 6 EGMs at the Ballarat Golf Club (**recommended**).

#### Option B

Inform the Victorian Commission for Gambling and Liquor Regulation that Council will not be making a social and economic impact assessment submission with respect to the application made by the Ballarat Golf Club.

### **Application Considerations:**

If Council resolves to undertake an assessment and submit to the VLGR the following points will be further investigated and included in the submission, namely:

- The Ballarat community is concerned by the prevalence and accessibility of EGMs in the Ballarat area and the potential harmful impacts this has.
  - Preventing this proposal from taking place would leave Ballarat with 6 less EGMs.
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- Even if this were only for a short period of time, 6 less EGMs in the city would reduce local expenditure and harm by a significant figure.
- In the City of Ballarat, there is an average of \$149,500 lost by players on EGMs every day with over \$56 million in 2017/18. 'Gambling expenditure' (also known as 'player loss' that is regularly reported at a municipal level refers to the amount wagered less the amount won, or in other words, the gross profit of operators.
- EGM Regional Caps are a legal limit on how many gaming machine entitlements are available within specific geographic areas of Victoria. In Ballarat the number of EGMs equates to 8.3 machines per 1000 adults, the 13<sup>th</sup> highest ratio in Victoria, and higher than ratios seen in other regional cities and centres including Geelong, Bendigo and Shepparton.
- There is a large body of evidence that demonstrates the adverse consequences resulting from problem gambling including financial loss, relationship breakdown, increased crime and reduced health and wellbeing.
- While the application showcases community benefit through the proposal, there is contrary evidence available to indicate that only a very small percentage of player losses are provided back to the community through benefit initiatives.
- One of the benefits ascribed to EGM gambling is the employment generated in gambling venues, however, evidence indicates that expenditure on EGM gambling creates fewer jobs in gambling venues than those lost from other sectors of the economy (Brown 2018).

Council should also be cognisant of the following counter points in support of the application to increase the number of EGMs, namely:

- In October 2005, the Ballarat Golf Club, as part of its redevelopment received permission from the then VCGR to increase the number of EGMs at the venue from 28 to 36. This approval was in conjunction with the approval of the new clubhouse as a suitable gaming venue.
- The planning permit for the process is already in place.
- The application is within the State Government regional cap.
- The application is for EGMs to be added to an existing venue rather than new venue.
- The suburb of Alfredton is not a recognised area of disadvantage compared to other more vulnerable communities across the city.
- Challenging the application through a written submission would trigger a VCGLR hearing. Legal fees as part of the hearing process are estimated to be \$20,000-\$50,000.
- Successfully preventing this proposal from taking place could potentially trigger an application for 6 EGMs from another venue / location in Ballarat.

## **LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

- *Charter of Human Rights and Responsibilities Act 2006*
  - City of Ballarat Council Plan 2017-2021
  - Municipal Public Health and Wellbeing Plan 2017-2021
  - Gaming Machine Community Policy 2011
  - Ballarat Gaming Policy Framework 2011
  - Draft Social Policy Framework – Preventing Gambling Harm Policy Position Statement 2018
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**REPORTING AND COMPLIANCE STATEMENTS**

Implications	Considered in Report?	Implications Identified?
<b>Human Rights</b>	No	No
<b>Social/Cultural</b>	Yes	Yes
<b>Environmental/Sustainability</b>	No	No
<b>Economic</b>	Yes	Yes
<b>Financial/Resources</b>	Yes	Yes
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	No	No
<b>Evaluation and Review</b>	No	No

**Human Rights** – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

**Social/Cultural** – The Ballarat community is concerned by the prevalence and accessibility of EGMs in the Ballarat area and the potential harmful impacts this has. There is a large body of evidence that demonstrates the adverse consequences which result from problem gambling including financial loss, relationship breakdown and reduced health and wellbeing, and is concerned by the prevalence and accessibility of EGMs in the Ballarat area and the potential harmful impacts this has.

**Economic** – In the City of Ballarat, there is an average of \$149,500 lost by players on EGMs every day with over \$56 million in 2017/18. Preventing this proposal from taking place would leave Ballarat with 6 less EGMs. Even if this were only for a short period of time, 6 less EGMs in the city would reduce local player loss and harm by a significant figure.

**Financial/Resources** – Challenging the application through a written submission would trigger a VCGLR hearing. Legal fees as part of the hearing process are estimated to be \$20,000-\$50,000.

**Risk Management** – Opting to not oppose the application could carry reputational risk for Council from community members and welfare-based agencies concerned by continued gaming machine losses across the city and the potential harmful impacts this has.

**CONSULTATION**

In preparing this report Council has consulted with the Victorian Local Government Association and the Ballarat Interagency Taskforce on Gambling.

**OFFICERS DECLARATIONS OF INTEREST**

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

## **REFERENCE DOCUMENTS**

- Gaming Machine Community Policy 2011
- Ballarat Gaming Policy Framework 2011
- Draft Social Policy Framework – Preventing Gambling Harm Policy Position Statement 2018
- A Review of Gambling-Related Issues (Brown 2018) City of Greater Dandenong

## **ATTACHMENTS**

1. VCGLR Application **[9.7.1]**