



Planning Special Committee Meeting

27 November 2019

Trench Room, Town Hall, Ballarat City Council

AGENDA

NOTICE IS HEREBY GIVEN THAT A PLANNING SPECIAL COMMITTEE MEETING WILL BE HELD IN THE TRENCH ROOM, TOWN HALL, BALLARAT CITY COUNCIL ON 27 NOVEMBER 2019 AT 7:00PM.

AGENDA

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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. DECLARATION OF CONFLICT OF INTERESTS

4. CONFIRMATION OF MINUTES

5. OFFICER BRIEFING

6. PLANNING SPECIAL COMMITTEE REPORTS

6.1. LATROBE STREET SALEYARDS HERITAGE OVERLAY

Division: Development and Planning
Director: Angelique Lush
Author/Position: Rex Zhang – Strategic Planner
Lisa Kendal – Manager Strategic Planning

RECOMMENDATION

The Planning Special Committee resolves to:

1. Note that elements of the former Ballarat Saleyards located at 1020 Latrobe Street, Delacombe VIC 3356, have been identified to be of local heritage significance, as detailed in the draft Heritage Citation (November 2019).
2. Seek authorisation from the Minister for Planning to prepare a Planning Scheme Amendment to apply a Heritage Overlay to elements on the site that have been identified to be of local heritage significance at 1020 Latrobe Street, Delacombe, pursuant to Section 8A of the *Planning and Environment Act 1987*, and to place the Amendment on exhibition pursuant to Section 19 of the *Planning and Environment Act 1987*.

EXECUTIVE SUMMARY

In October 2018, the operations at the Ballarat Saleyards relocated to the new Central Victorian Livestock Exchange facility near Miners Rest. The future use and development of the Latrobe Street site is now being considered as part of the Latrobe Street Saleyards Precinct Urban Renewal Plan project.

In November 2019, a draft Heritage Citation was completed (Attachment 1). The Citation reviews and updates an earlier Heritage Assessment undertaken in 2013 (Attachment 2). A Statement of Significance was prepared as part of the Heritage Citation which determines that the site is of historic, representative, aesthetic, social and associative significance at a local level.

This report recommends that Council seek authorisation from the Minister for Planning to proceed with a planning scheme amendment to apply a Heritage Overlay to the identified locally significant elements on the site.

RATIONALE

Background

The Ballarat (Latrobe Street) Saleyards ceased operations in October 2018. The Ballarat Strategy (2015) identifies the saleyards and surrounding area as an urban renewal area.

To plan for the future of the former saleyards and surrounding precinct, the City of Ballarat is currently preparing the Latrobe Street Saleyards Precinct Urban Renewal Plan project. The Urban Renewal Plan seeks to define a vision, a land use and urban design framework and

implementation plan for the precinct and to identify preferred land use options for the Ballarat Saleyards.

Heritage features of the site are not currently protected by a Heritage Overlay. The need for statutory protection of heritage elements of the site have been identified through the urban renewal planning process. This is supported by a draft Heritage Citation (2019) (Attachment 1) which has built on the Heritage Assessment undertaken in 2013 (Attachment 2).

The draft Heritage Citation (Attachment 1) provides evidence that the site is significant to the City of Ballarat at a local level. Significant elements include the 1909 Administration Building, an area of sheep yards adjacent to the Administration Building and the 1963 Selling Pavilion. The report recommends that a Heritage Overlay to be applied to the identified buildings and features.

The Heritage Overlay will seek to ensure that the important heritage elements are retained and protected. In addition, it will provide direction to inform decommissioning works on the site. Design guidelines for the precinct will also be developed as part of the project to ensure that future developments incorporate heritage elements wherever possible.

The report also recommends that the fabric outside the proposed Heritage Overlay is photographically recorded.

Land ownership

The saleyards site comprises two land parcels of Crown Land which are managed by the City of Ballarat, totalling approximately 13.1 hectares in area within a wider precinct of approximately 80ha.

The title of the site has a Queen's caveat restricting uses on the site to saleyards only. The Strategic Planning and Property teams of Council are currently examining options given title restrictions on the use of the site.

On 5 June 2019, City of Ballarat was advised by the Department of Environment Land Water and Planning (DELWP) that a number of processes will apply if the land is determined to no longer be required for the purpose of the caveat. Following any required rehabilitation of the site by City of Ballarat, the following could be considered:

- Kept for public use – revocation of all current reservations. Temporary Reserves by Order in Council and the Restricted Crown Grant by an Act of Parliament. Reservation could then take place for an appropriate public use and appointment of a new committee of management.
- Section 19 of the *Crown Land (Reserves) Act 1978* enables trustees to surrender a restricted Crown Grant to the Crown. It is a Governor in Council process and results in the Crown Grant being revoked, the trustees being discharged and the land remaining permanently reserved.
- Sale for private development – The lands can become unalienated Crown Land with sale by the State Government, as such any proceeds for sale would go to the Crown. Before sale was to be considered, DELWP would require Native Title, soil contamination and heritage value assessments, possible planning scheme rezoning and consideration of traffic management planning. DELWP would also need to consider the site's public benefit as a future strategic connection to the adjoining Victoria Park.

Assessment of Heritage Significance

This section provides a summary of the findings of the *Draft Heritage Citation – Former Central Victorian Livestock Exchange (Ballarat Sale Yards)* (November 2019) (See Attachment 1).



Figure 1: Former Central Victorian Livestock Exchange Administrations Building



Figure 2: Interior view of the Selling Pavilion from tiered seats.



Figure 3: Arrangement of bluestone flooring in the older section of the sheep yard.

What is significant?

Three main elements on the site have been identified for heritage significance at a local level:

- Administration Building, c. 1909.
- Selling Pavilion, c. 1963.
- An area of sheep yards adjacent to the Administration Building, including bluestone and timber paving, ramps, fencing, early signage and sheltered walkways.

How is it significant?

In accordance with the *Victorian Heritage Act 2017*, the Latrobe Street Saleyards satisfies the following criteria for inclusion into the City of Ballarat's Heritage Overlay:

- Criterion A – Importance to the course, or pattern, of Victoria's cultural history.
- Criterion D – Importance in demonstrating the principal characteristics of a class of cultural places and objects.
- Criterion E – Importance in exhibiting particular aesthetic characteristics.
- Criterion G – Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.
- Criterion H – Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

Why is it significant?

The Central Victorian Livestock Exchange (Latrobe Street Saleyards) is historically significant as the longest running Corporation Sale Yards in Victoria. First built in 1863 and officially opened in February 1864, the saleyards have become a regional and state focus for the buying and selling of cattle, sheep and pigs.

The remnant buildings and infrastructure are representative of the working arrangements necessary for overseeing and selling stock, which largely remained unchanged since the early development of Victorian stockyards. Over its 154 years of operation, the site has undergone several redevelopment programs resulting in extensive changes to the saleyard infrastructure, fencing and paving. The site is characterised by 20th century expansions and redevelopments, particularly during the 1960s to 1980s.

The site is socially significant and valued as a centre for agricultural business between farmers, stock agents and others associated with the livestock industry, a practice that has continued on this site for more than 150 years. Its infrastructure remains substantially intact having closed its operations only in 2018.

The Administration Building is architecturally significant as a substantially intact example of Federation design associated with sale yard operations. The building is one of the earliest, substantially built and more intact examples of sale yard Administration buildings in Victoria. Other comparable examples include the Federation era brick buildings at the former Newmarket sale yards and Geelong sale yards.

In the south-east corner of the site is the selling pavilion constructed in 1963. The pavilion is of historic significance as a key development of the 1960s and retains Victoria's sole remaining selling ring with intact theatre seating. The site itself is a physical reflection of major expansions of the saleyards throughout the 20th century.

The Heritage Citation shows the extent of buildings and features of the site (see Figure 4 below – marked in red) to be included in the Heritage Overlay. The area represents the most intact part of the site's layout and function and represents a full understanding of the site's history as former saleyards.



Figure 4: Extent of proposed heritage overlay

SITE REDEVELOPMENT PLANNING

The Latrobe Street Saleyards Precinct Urban Renewal Project: Background Analysis report was released in June 2019, outlining the considerations, opportunities and stakeholder feedback on options for the site. Draft Guiding Principles were also established. Targeted landowner engagement, development of a draft Framework Plan and detailed analysis of this highly complex site is currently underway. Clarity around the heritage elements on the site, as outlined in this report, are one of these important pre-cursor processes to guide future redevelopment.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

Planning and Environment Act 1987 and Ballarat Planning Scheme

The Act requires all municipalities to review their planning scheme regularly. This amendment meets this statutory obligation. State Government Practice Notes guide the review of a Planning Scheme and have guided this amendment.

City of Ballarat Council Plan 2017 – 2021

The amendment implements the objectives of the Ballarat Council Plan to protect, maintain and enhance our built and natural assets. The amendment will assist the City of Ballarat to achieve a built environment that is reflective of the community's needs and aspirations and respects our heritage.

Ballarat Strategy 2015

The Ballarat Strategy identifies the saleyards and surrounding area as an urban renewal area and includes a commitment to protecting heritage places across the city.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	No
Evaluation and Review	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 amendment will have a positive social effect through the preservation of a historically significant place, for the benefit of current and future generations.

Environmental/Sustainability – The amendment will have a positive environmental impact by offering protection to a place of local level heritage significance.

Economic – The amendment will have a positive economic impact through the decommissioning of land occupied by the former saleyards to be used for an alternative land use. The buildings and features addressed in this amendment will form a central component to the precinct proposed in the Urban Renewal Plan being prepared for the precinct.

Financial/Resources – Council will be required to meet costs associated with public exhibition, any Panel hearing and statutory approval fees. There is provision in the Strategic Planning budget to meet the costs of a planning scheme amendment.

Risk Management – The application for heritage controls and associated provisions for the site will ensure protection of the historically significant elements of the site.

CONSULTATION

Department of Environment, Land, Water and Planning (DELWP)

In June 2019 City of Ballarat sought and received advice from DELWP (Crown Lands Management) regarding the restrictions of the existing caveat restricting uses on the site to Saleyards only. Conversations have commenced with DELWP regarding potential acquisition of the site and potential removal of the caveat.

Community Consultation

Two stages of community consultation have been undertaken with the community over the past 12 months to exchange information and seek feedback on issues relating to the proposed Latrobe Street Saleyards Precinct Urban Renewal Plan. Feedback indicates that the heritage of the site is valued by the community and features and significant buildings and protection of these elements should be pursued regardless of future preferred uses of the precinct.

If Council resolves to proceed to a full planning scheme amendment to implement heritage controls, a phase of public consultation will be required through the formal public exhibition stage.

Nearby businesses

Several businesses in the nearby area have expressed interest in the precinct urban renewal plan and rezoning of land surrounding the saleyards to enable future business planning. Businesses show expectations for quick resolution of preferred uses and the establishment of a framework plan for the precinct.

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

- *Draft Heritage Citation – Former Central Victorian Livestock Exchange (Ballarat Sale Yards)* (November 2019).
- *Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe – Heritage Assessment* (September 2013).

ATTACHMENTS

1. Attachment 1 - Draft Heritage Citation - Former Central Victorian Livestock Exchange (Ballarat Sale Yards) (November 2019) [6.1.1 - 20 pages]
2. Attachment 2 - Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe – Heritage Assessment (September 2013) [6.1.2 - 71 pages]

Draft Heritage Citation

Place Name: Former Central Victorian Livestock Exchange (Ballarat Sale Yards)

Address: 1020 La Trobe Street, Delacombe, Ballarat

Date: November 2019



Property Details

The site occupies 12.3 ha of Crown land leased to the City of Ballarat to operate as a livestock sale yard. The site is currently zoned for industrial use. The proposed Heritage Overlay area includes a small but representative portion of the overall site (see Extent of Heritage Overlay, page 16).

Current Heritage Status

None

Recommendation

It is recommended that the place be included in the Heritage Overlay of the City of Ballarat Planning Scheme as an individual heritage place.

Recommended Level of Significance

Local significance

Historical Themes

04: Transforming and managing the land – 4.3 Grazing and raising livestock.

05: Building Victoria's industries and workforce – 5.1 Processing raw materials.

Schedule to the Heritage Overlay

External Paint Controls Should Apply	No
Internal Alteration Controls Should Apply	Yes
Tree Controls Should Apply	No
Fences &/or Outbuildings of note?	Yes
Prohibited Uses May Be Permitted?	Yes

Management Recommendations

Given the relocation of the sale yards operation to Miners Rest, the significance of the sale yards site will be diminished as the heritage value of the place relies (in part) on the continuing original sale yards function. The site is a physical manifestation of major redevelopment programs, mainly in the 20th century and particularly from the 1960s until the 1980s, and so its integrity cannot be neatly defined to one particular era.

As there are more intact 19th century sale yard layouts and fence constructions in Victoria, and given the relocation of the Ballarat yards and the anticipated major changes at the site, it is recommended that the heritage overlay apply to a small portion of the sheep yards adjacent to and including the Administration Building and a section across the site that best encapsulates the earliest-surviving fabric and functionality of the sale yards. In addition, the heritage overlay should apply to the intact selling pavilion building as a key development of the 1960s. The visual connections between these features should be maintained in helping to understand the Sale Yards 150 years of operation.

It is also recommended that the fabric outside the proposed heritage overlay extent is photographically recorded. This information together with testimony of its historic and social values should be used to interpret the site in the future. Potentially, this interpretive material could be displayed in the remaining buildings and elsewhere on site where appropriate.

Given the uniqueness of this place, opportunities for uses that have no adverse effect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

Place History¹

Initial Acquisition of Land for the Ballarat Sale Yards

On 31 December 1862, application was made by the Ballarat Municipal Council for the temporary reservation of 15 acres of land together with additional land west of the Public (Victoria) Park at Ballarat West (Delacombe), for the purpose of establishing cattle yards (these yards were later variously known as the Corporation Yards, sale yards and sheep yards).² The temporary reservation of the 15 acres (the eastern allotment of the existing sale yards) was subsequently gazetted on 7 July 1863 although the Board of Lands and Works 'definitely declined' to 'entertain an application of the reservation of a larger area for Municipal purposes in connexion with the cattle yards than 15 acres.'³ The reservation of the land had resulted from several stock salesmen forcing attention on local councillors on the need for the cattle yards. In return, the salesman promised the patronage of the new yards that were to be erected 'about two miles distant from Lydiard Street.'⁴ The new yards had a southern frontage to Latrobe Street.

Early Development of the Sale Yards

By November 1863, the Ballarat Borough Council had expended £1800 on the development of a portion of the sale yards.⁵ Laid out by the Town Surveyor, Mr Baird, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the new yards were described in detail in *The Star* (Ballarat) newspaper on 19 December 1863. In particular, details were afforded of the layout, number of pens, height of fences and surfacing as described below:

*"The entrances to the yards are from the south, east and north sides, through what are termed the delivery gates, which are each 18 feet in width. There are eight of these gates to as many receiving yards. From the latter the cattle will be drafted into the selling pens by gates which open into the pens. The pens are divided into four divisions or lanes, and rubble-pitched and gravelled all over. The lanes, too, are rubble-pitched and gravelled, and with the pens are surrounded by a four-railed fence 7 feet 6 inches in height, with a hardwood level cap ten inches in width, for sellers and buyers to walk on without danger to themselves from the cattle below. A passage large enough for a man to pass through has been left near each pen, for the purpose of affording facility for escape to any person in the yards in the event of his being attacked by the cattle. The receiving yards are not yet metalled or gravelled, but it would be well if this were done before rainy weather again sets in"*⁶.

In January 1864, Samuel G. Valentine and Simon Cadden were elected as Inspectors of the Cattle Yards at Ballarat West,⁷ in anticipation of the opening of the yards in early February 1864, as described in *The Star* newspaper:

The Ballarat West cattle sale yards may now be looked upon as an accomplished fact and both buyer and seller have already experienced the advantage of having provided for them

¹ This place history is an extract from a report compiled for the City of Ballarat by David Rowe and Wendy Jacobs entitled *Central Victorian Livestock Exchange (Ballarat Sale Yards) Heritage Assessment*, September 2013.

² Joseph Comb, Town Clerk, Ballarat Borough Council, to Commissioner of Crown Lands & Survey, 31 December 1862, Crown Land Reserve file Rs 2900, file 5430, Department of Sustainability & Environment (DSE), Ballarat.

³ File note, Crown Lands & Survey, 31 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁴ *The Star* (Ballarat), 19 December 1863, p.15.

⁵ Cr Robert Lewis, Ballarat Borough Mayor, to Commissioner of Crown Lands & Survey, 11 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁶ *The Star*, op. cit.

⁷ *Ibid.*, 24 January 1864, p.15 & *Warragul Guardian & Buln Buln & Narracan Shire Advocate*, 22 September 1891, p.3.

such market accommodation as will meet every possible requirement. The cattle sale yards erected by the Borough Council of Ballarat West are situated at the south-west end of the town, and about a quarter of a mile from the No. 1 shaft of the Band of Hope Gold Mining Company. They are placed in the midst of the gold field common and the town common, and are well supplied with water from the Swamp, which is pumped by means of a windmill, and conveyed to the yards through pipes. The Council has long been urged by the cattle salesmen of Ballarat to erect such yards;”⁸

By 1867, the Ballarat Borough Council continued to pursue the acquisition of additional land for sale yards purposes. Having expended £5,000 in the erection of the yards, the Council complained to the Crown Lands and Survey Department of a person applying for a residence ‘on a portion of the ground to the injury of the business of the Corporation Yards.’⁹ An officer of the Board of Land and Works visited the site and found the presence of McMahon’s public house in close proximity to the sheep yards and concluded that it ‘would interfere with the working of the same.’¹⁰ At this time, the Council further expanded the operations of the yards and in 1869 the horse and cattle sale yards ‘were nearly completed’ and ‘a portion of the eastern end of the yards [were] to be used for the present as a pig market.’¹¹ Further extensions to the sheep yards were carried out in 1870.¹² The pens were fenced with timber posts and rails using mortise and tenon joints. Small separate office buildings serving the sheep and cattle yards had been built near the southern boundary of the reserve by this time.¹³

McMahon’s public house and the Hand and Band Company No. 4 shaft were situated on land immediately west of the original yards.¹⁴ This land to the west of the yards was subsequently surveyed as a 17acre rectangular allotment initially intended as a public square under the name of Smithfield and later Cardigan Square.

In 1875, the Council sought the eastern portion of Cardigan Square for use as sheep yards and it soon erected 2 acres of yards at a cost of £80.¹⁵ These yards and the adjacent cattle yards (separated by Gillies Street) were shown on an annotated plan dated 23 December 1875. The western portion of Cardigan Square was proposed to be traversed by a branch railway line to the Winters’ Freehold mine to the south of Latrobe Street. It was in 1876 when 7 acres, 2 roods and 11 perches were temporarily reserved from Cardigan Square as an additional site for the Corporation sale yards.¹⁶

Major Changes to the Sale Yards in the 19th Century

In the early 1880s, William Brazenor, neighbouring publican and local architect, had been appointed an Inspector of the Cattle Yards.¹⁷ In his joint capacity as architect and inspector with much experience in the operations of the yards, Brazenor played a key role in extensive improvements to the yards at this time, with the Council borrowing £10,000 for the purpose.¹⁸ Impetus for the major

⁸ *The Star*, 3rd February 1864, p.2.

⁹ Joseph Comb, Town Clerk, Ballarat Borough Council, to President of Crown Lands & Survey, 29 May 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁰ Officer of Board of Land and Works file note, 14 May 1868, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹¹ *Ballarat Star*, 6 January 1869.

¹² Borough of Ballarat Contract No. 3 F, Extension of Sheep Yards, 4 drawings, 1870, Town Hall, City of Ballarat.

¹³ *Ibid.* The offices are shown on a plan of the sale yards site.

¹⁴ See Plan of Cattle Yards and Cardigan Square, 23 December 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁵ File note by District Surveyor of Ballarat, 21 December 1875, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁶ File note by Minister of Lands, 24 March 1876, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁷ *Bendigo Advertiser*, 7 December 1883, p.2.

¹⁸ *The Argus*, 11 March 1864, p.7.

changes at the yards was due to the overwhelming increase in the stock passing through the yards. In 1864, 9,362 cattle and 35,572 sheep passed through the yards.¹⁹ In 1880, this number of jumped to 19,599 cattle and 445,427 sheep.²⁰ The extensive changes by Brazenor included the re-erection of the cattle and sheep yards under a new layout. It included a railway platform for the trucking of stock.²¹

The provision of the railway trucking yards at the sale yards was seen as having great potential for more efficient stock transportation. With Samuel Valentine (original Cattle Yards Inspector) Brazenor invented an 'improved convertible sheep and merchandise wagon' that was registered as patent 4632 on 21 July 1886²² which appears to have been initially intended for use at the Ballarat sale yards as well as elsewhere. Brazenor and Valentine described their invention as follows:

*This invention has been designed for the purpose of constructing a railway wagon of that description which may be used either for sheep or for general merchandise, and its novelties relate first; to the method of constructing the grating floors. Second, to the construction of the movable floor for the upper compartment with an under ceiling and to the means devised for raising and lowering it and for securing it up to the ceiling of the wagon when it is used for goods or merchandise. Third, to the means of hanging the side doors or handles, and fourth, to the method of housing the canvas curtains at the ends of the wagon or carriage on either side of a central louvre panel.*²³

Detailed descriptions of the railway wagon invention were soon published in a number of newspapers, including the Camperdown Chronicle on 28 August 1886.

At this time (1886), the Administration Office for the Salesmen was situated adjacent to the Cattle Yards Hotel on the south side of Latrobe Street. This was the location of the business part of the sale yards operation. Several of Ballarat's early stock and station agents met there, including Norman McLeod and Co., Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., and Dugald Smith and Co.²⁴ Another longstanding stock and station agency was that of Crawford Dowling Pty Ltd that was established in 1856.²⁵

Confidence for carrying out the major and expensive improvements to the sale yards by the Ballarat City Council resulted from the formal Grant of 26 acres 2 roods and 4 perches of the sale yards in 1886.²⁶

Late 19th Century improvements

Further improvements were made to the sale yards in the later 19th century. They included the provision of small metal watering troughs on timber stands in 1893, the design having been based

¹⁹ *City of Ballarat Mayor's Special Report*, 17 January 1881, p.ix, Public Record Office Victoria, Ballarat.

²⁰ *Ibid.*

²¹ W.B. Kimberley (ed.), *Ballarat and Vicinity: a condensed but comprehensive account of her financial, commercial, manufacturing, mining, and agricultural enterprises: her progress and population in the past and possibilities in the future*, F.W. Niven, Ballarat, n.d. [1894], p.129.

²² *Victoria Government Gazette*, no.85, 6 August 1886, p.2258.

²³ W. Brazenor & S. Valentine, 'Sheep truck', International Patent Office, Edward Waters, Amended Specification, patent no. 4632, 1886, State Library of Victoria, MF 367.

²⁴ *Ballarat Star*, 22 December 1869, lists the agents identified.

²⁵ The letter head to a letter by R. Crawford of Crawford Dowling Pty Ltd, Stock and Station Agents, Cattle, Sheep, Pig and Land Salesmen, dated 30 December 1935, states that the company was established in 1856. See VPRS 2500, Unit 183, Public Record Office Victoria, Ballarat.

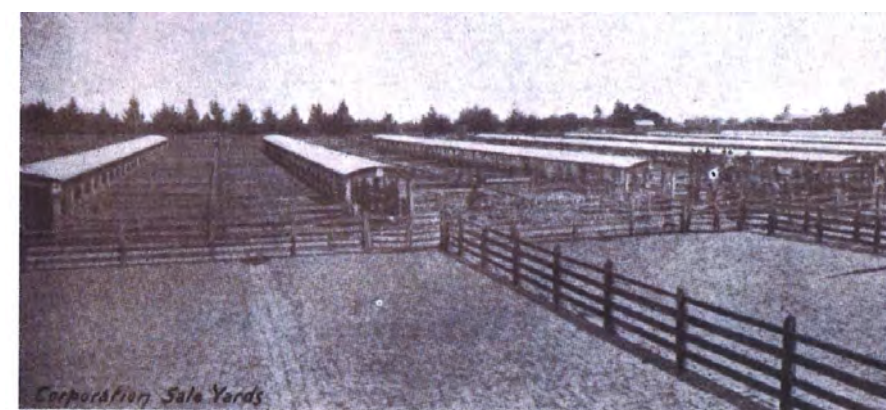
²⁶ See Draft Grant of a Site for Cattle Yards, 1886, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

on the water troughs in the City of Melbourne.²⁷ A small gabled water closet of timber construction was proposed in 1895, and a stable and shed were to be repaired.²⁸

Development of the Sale Yards in the 20th Century

Early 20th Century Changes to the Yards

In 1903, alterations and additions were proposed to the sheep pens, including a subdivision into smaller pens.²⁹ This was followed in 1911 with a proposal to construct abattoirs to the north-west of the cattle yards.³⁰ By 1920, the sale yards were extensive as shown in the following photograph:



Corporation Sale Yards, c.1920. Source: Ballarat Illustrated: for enterprise, education & health, engraved by Wilson Campbell, under the seals of the City & Town Councils of Ballarat, c.1920.

Administration Building

Another important development at the sale yards was the construction of a brick Administration Building near the southern boundary of the original portion of the sale yards (bound by Latrobe, Gillies, Brazenor and Winter Streets). First known as the Cattle Yards Office, the building was not constructed until 1909, probably to a design by the Ballarat City Council. The original drawing for the building was signed by Arthur Farrei, City Surveyor on 13 February 1909.³¹ It showed a hipped roof brick building with a crowning lantern, symmetrical chimneys and brick chimneys with rendered banding. The windows and doors were regularly arranged, continuing the balance to the design. Internally, a cruciform passage separated four groups of four offices in the corners (known as inner and outer offices). The building was completed on 23 September 1909.³²

Caretaker's Dwelling

A caretaker's dwelling was proposed at the sale yards in 1931.³³ The single storey, interwar Californian Bungalow styled dwelling was to be constructed of timber weatherboards and feature a

²⁷ City of Ballarat Contract No. 41.DD, Small Watering Troughs, 17 July 1893, drawing id. 004, Town Hall, City of Ballarat.

²⁸ City of Ballarat Contract No. 25.QQ, For Cattle Yards, Closet, Stable & Shed to be Repaired, 18 February 1896, drawing id. 020, Town Hall, City of Ballarat.

²⁹ City of Ballarat Contract No. 11/1903, Additions and Alterations to Sheep Pens, Corporation Sale Yards, 1903, drawing id. 001, Town Hall, City of Ballarat.

³⁰ Sites Proposed Abattoirs and Nigh Soil Depot, Site Plan, 1911, drawing id. 002, Town Hall, City of Ballarat.

³¹ Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, prepared for the City of Ballarat, 1980, pp.59-60.

³² Ibid.

³³ City of Ballarat Contract No. 22/1931, New W-B Dwelling House Corporation Cattle Yards (Winter Street), 13 May 1931, drawing id. 006, Town Hall, City of Ballarat.

major gabled roof form that was to traverse the site and extend at the front to form a verandah, together with a minor projecting gabled wing. The dwelling was to be located at the north-west corner of Winter and Brazenor Streets.³⁴ It is unclear whether this dwelling was built (there is no physical evidence of the dwelling on the site today).

Wartime Railway Easement

In 1941, a railway easement was created over a portion of the sale yards land (the western allotment originally known as Cardigan Square) to serve the Commonwealth Government's Guncotton Factory to the south of the sale yards.³⁵ In 1962, the Imperial Chemical Industries of Australia and Zealand Company took ownership of a portion of the Guncotton Factory land and the right to use and maintain the railway line that traversed the sale yards.³⁶ This railway reserve soon became redundant and in 1971 the railway reserve throughout the sale yards was revoked.³⁷

Other improvements in the 1940s

In 1946, new calf pens and a sheep loading ramp were proposed. The pens and gates were to be constructed of timber, having timber posts and rails with traditional mortise and tenon joints.

Major changes from the 1960s

Throughout the early and mid-20th century, the Ballarat sale yards continued to provide a location for the buying and selling of cattle, calves, sheep, lambs, horses, pigs and bulls. In 1953, there were 28,510 cattle, 338,793 sheep and 33,654 pigs that passed through the yards.³⁸ Such large numbers of stock resulted in another major redevelopment program of the site over a ten-year period from the early 1960s. In 1964, the *Mayor's Annual Report* described the new development:

*The rebuilding of the Corporation Saleyards, which was fully recorded in the Mayor's Report of 1963, advanced a step further this year with the opening of another section of cattle pens, complete with five loading ramps, 140 selling, holding and drafting pens, and ancillary races. The saleyards have had a busy year, with the completion of the new selling yards, and this trend should continue as the facilities become more widely known. In the sheep and lamb selling sections the progressive renewal of drafting yards and holding pens continued, with the assistance of Government subsidies. The loan programme for next year includes the provision of a vehicle washing bay, and extension to the pig selling pavilion to provide added shade to some of the pens, and protection during the wet season.*³⁹

Much of the works carried out in the 1960s occurred on the western allotment of the sale yards (former Cardigan Square). A feature of the redevelopment was a selling pavilion constructed in the south-east corner. It was built with a broad gabled roof form with projecting skillion dormers, and inside it contained an octagonal sales area with tiered timber seating. Given the increase in popularity in pig sales, an extension was made to the pig selling pavilion in 1963-64. An area was also concreted for use as a truck wash.⁴⁰

³⁴ Cattleyards House at the N.W. Corner of Winter & Brazenor Streets, Ballarat, floor plan, 1931, drawing id. 006A, Town Hall, City of Ballarat.

³⁵ E. Prewett, Chief Estate Officer, Victorian Railways, to the Secretary for Lands, Department of Crown Lands & Survey, 18 August 1971, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

³⁶ Ibid.

³⁷ Ibid.

³⁸ *City of Ballarat Mayor's Annual Report*, 1973-74, Public Record Office Victoria, Ballarat

³⁹ Ibid., 1963-64.

⁴⁰ Ibid., 1964.

By 1966, the Corporation sale yards were claimed to be 'one of the best markets in Victoria.'⁴¹ This led to additional and improved facilities for the selling of sheep and lambs on the eastern allotment of the reserve.⁴² A long term loan of \$20,000 had been taken out by the Ballarat Council for the improvements.⁴³ With unusually dry weather conditions in 1967, the market expanded even further, and a special grant of \$40,500 for rebuilding the sheep yards was made available by the Victorian State Government, being matched on a \$1 for \$1 basis.⁴⁴ It was anticipated that the 'new plans will provide modern selling and yarding facilities and necessary drainage work to build an up-to-date stock selling outlet.'⁴⁵

By 1968-69, the Ballarat City Council had expended almost \$500,000 on rebuilding and extending the facilities at the sale yards.⁴⁶ In 1970, another extension to the pig pavilion had been completed and in the following year a truck unloading area at the western end of the sale yards was sealed.⁴⁷

Major Changes in the 1970s and 1980s

In 1971, the continuing demand at the sale yards brought about a revision of the master plan. Designs were approved for a number of improvements, with new holding pens and delivery ramps proposed in the cattle section, and the truck wash was to be relocated 'within the Gillies Street Depot area to permit additional unloading and drafting facilities, and an extra 24 selling pens will be constructed.'⁴⁸ Bluestone pitcher paving was also replaced in the major selling extensions (a replacement process that appears to have begun in the 1960s), bringing 'all pens to a uniform standard.'⁴⁹ These works were completed during the year of 1973-74.⁵⁰ An aerial photograph of the sale yards site at this time reveals the locations and layouts of the selling pens and yards, pig pavilions (to the right in the foreground) and the Administration building south of the sheep pens (to the right in the background). A row of mature Cypress trees formed the southern boundary to Latrobe Street adjacent to the Administration building.

A further redevelopment and extension program was proposed in 1979. The necessary approvals were given and the cost of the works was estimated at \$500,000.⁵¹ These changes were again due to the increased demand. In 1974, 77,347 cattle, 5,626 calves, 412,691 sheep, 290,863 lambs, 232 horse, 91,551 pigs and 1,435 bulls passed through the yards.⁵² The railway reserve at the northern end of the site was surrendered and new yards constructed in this location.⁵³ The 'old' sheep yards were rebuilt and additional holding pens and unloading ramps constructed by S.J. Weir and Co. Alsteel Constructions were also involved in the holding yard extensions. The works were completed by 1980.⁵⁴

⁴¹ Ibid., 1966-67.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid., 1967-68.

⁴⁵ Ibid.

⁴⁶ Ibid., 1968-69.

⁴⁷ Ibid., 1971-72.

⁴⁸ Ibid., 1972-73.

⁴⁹ Ibid.

⁵⁰ Ibid., 1973-74

⁵¹ Ibid., 1979.

⁵² Ibid., 1973-74.

⁵³ R.J. Meggs, Licensed Surveyor, Department of Crown Lands & Survey, Survey Branch, Division Surveyor's Report, Township of Ballarat, 11 February 1980, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁵⁴ *City of Ballarat Mayor's Annual Report*, 1980, op.cit.



Aerial view of the Sale Yards, 1973-74. Source: Mayor's Annual Report, 1973-74, PROV, Ballarat.

In 1981, cattle scales were installed and they were formally opened by the former Minister of Agriculture, the Hon. T Austin.⁵⁵ Scales for the selling of pigs had also been installed and this was 'the first such installation in Victoria.'⁵⁶ At that time, Ballarat had 'the largest pig sales in Victoria, averaging approximately 2,000 per week, and it is remarkable that these pigs come from the extremities of the State and from New South Wales.'⁵⁷

Further major works occurred in 1988. Costing \$598,000, the redevelopment program included the replacement of 98 cattle selling pens and 38 bull pens, the replacement of drafts at the western end of the sheep yards, the rebuilding of pig loading and unloading ramps, and the purchase of the railway reserve on the northern side of the yards.⁵⁸ By this time, the sale yards operated 'at arms length from Council and all revenue' was returned to the yards operation.⁵⁹

Recent Developments

It appears that the name of the sale yards had changed to the Ballarat Livestock Selling Centre in 1991.⁶⁰ In later years, the sale yards became known as the Central Victorian Livestock Exchange (CVLX) which continued to be owned by the Ballarat City Council but operated by Regional Infrastructure Pty Ltd. On 1 May 2010, the sale yards were purchased from the Ballarat City Council by Palisade Investments and the site continues to be operated and managed by Regional Infrastructure.⁶¹

Towards the end of its existence, the Ballarat sale yards had a reputation as one of the best-known sale yards in Victoria.⁶² In 2006-07, over 1.5 million sheep passed through the sale yards and 56,000 cattle.⁶³ Palisade and Regional Infrastructure have moved to a new facility at Miners Rest.

⁵⁵ Ibid., 1982.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid., 1988.

⁵⁹ Ibid.

⁶⁰ Ibid., 1991.

⁶¹ See <http://www.cvlx.com.au/aboutus.html>

⁶² Ibid.

⁶³ Ibid.

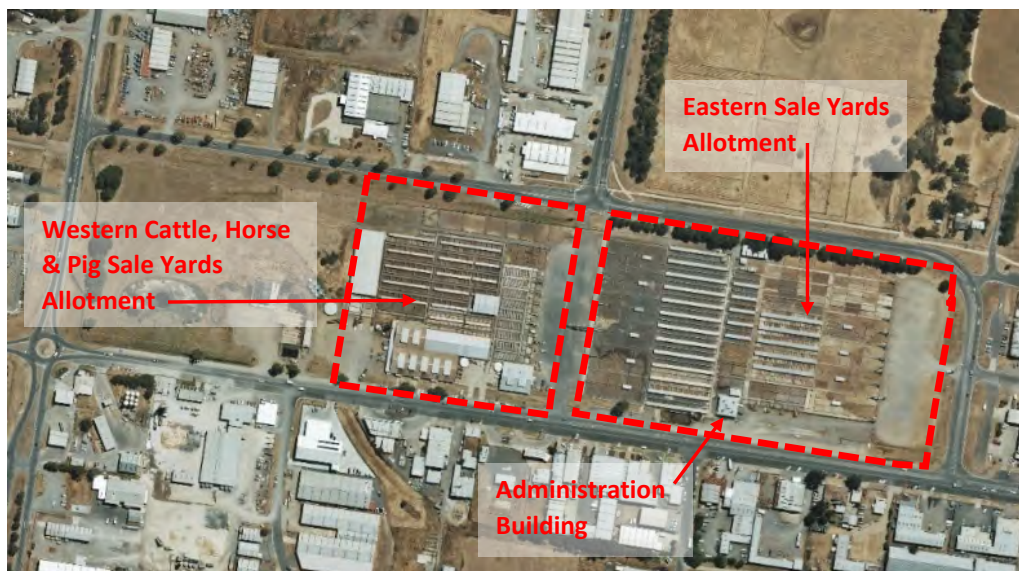
Physical Description

The Central Victorian Livestock Exchange (formerly known as the Ballarat Sale Yards) at 1020 Latrobe Street, Delacombe, comprise approximately 12.3 hectares over two large rectangular allotments separated by Gillies Street South (that is now closed to public traffic). The yards are bound by Winter, Latrobe, Brazenor and Learmonth Streets to the north, south, east and west respectively.

Eastern Sale Yards Allotment

General Setting

The earliest portion of the sale yards is the eastern allotment (east of Gillies Street South). It is largely flat land, although there is an upwards slope at the north end towards Winter Street. This elevated ground is due to the topography of the site as well as a consequence of the former sale yards railway branch line and siding now removed. Outside the northern boundary are a row of Oak trees.



Sheep Yards and Pens

The site is especially characterised by extensive open sheep yards and pens having rectangular and lineal alignments. The eastern and western portions of the yards comprise the drafting pens. Adjoining the draft pens are bays of selling pens arranged in paired rows. The central narrower bay on the site includes additional selling pens together with a pole yard and slightly larger yards. There are also larger yards near the southern boundary. Each paired row of pens is separated by covered walkways having shallow spoon drains (effluent from the adjoining pens drain into the walkways). The covered structures in the narrow central bay of pens appear to be the earliest surviving, having timber posts with mortised tops that take timber beams in which to support curved corrugated sheet metal roofs. These walkways may date from the mid-20th century. The remaining walkways appear to be of late 20th century construction, having steel posts, beams and bays of rafters, and flat sheet metal roofs.



Older style covered walkway (as shown on c1920 photo).



Arrangement of bluestone flooring in the older section of the sheep yard.

Much of the early (19th century) fabric that once comprised the yards and pens has been altered or replaced, the earliest remaining fabric being the bluestone paver paving throughout the western half of the site (shown as darker paving in the aerial image). Portions of the bluestone paving have introduced concrete slurry finishes, with the remainder of the paving being introduced concrete. The selling pens and larger central yards towards the south of the site have timber post and rail fencing and timber gates. The rails are bolted to the large square timber posts, suggesting late 20th century construction (as opposed to the traditional agricultural fencing constructed between the 1860s and 1940s where the posts had narrow vertical mortises that took the horizontal rails). The remaining yards and pens are bound by tubular steel post and rail fences and gates. Particular change is noted throughout the eastern half of the sheep yards, which appear reflect the extensions carried out in 1966-67.



Row of 4 early loading ramps along La Trobe Street (Cattle Yards Hotel in distance)



Intact early loading ramp. Note concrete top to original bluestone base, raised to increase height for later stock trucks.

At the southern end of the sheep yards to the east of the Administration Building are four bluestone and timber stock ramps. These ramps may date from the early 20th century. There are two courses of raised concrete above the bluestone bases, possibly indicating changes in stock transportation and particularly the increased height of stock trucks throughout the 20th century.

Buildings & Other Infrastructure

Administration Building

A landmark feature of the sale yards is the Federation era administration office building that is centrally located near the southern boundary. The symmetrical single storey face red brick Federation styled building has a broad hipped roof form surmounted by a hipped lantern light that is crowned by a square finial. These roof forms are clad in corrugated sheet metal. Four symmetrically arranged face brick chimneys with rendered bases and moulded tops adorn the roof line. Broad overhangs with timber lining board soffits are features of the eaves.



Administration Building (1909), north and east elevations

The symmetry of the design is accentuated in the elevations. The north and south elevations have central timber framed doorways and flanking bays of original timber framed double hung windows. The east and west elevations feature central doorways as well as flanking doorways in the end bays with timber framed double hung windows between. Some doorways have original timber doors and others have introduced timber and glazed doors, and original timber framed transoms. The elevations are distinguished by rendered stringcourse banding and surrounds to the upper sashes of the windows and the openings of the doors. The window sills are understated, being rendered and sloping within the reveals of the openings. Another notable feature of the design is the stop chamfered brick to the building corners and door openings. Early bluestone pitcher paving surrounds the building.

The symmetrical arrangement of the building is carried into the interior. The layout is unusual, with its four groups of four offices in the corners accessed by a cruciform passage culminating in a central hall lit by the lantern light. This light is supported by an exposed stop chamfered timber frame having bays of fixed timber framed two paned windows. The ceiling is coved and lined in beaded edged timber boards. The offices feature corner fireplaces (now blocked up) with bracketed timber mantels. Other intact original fabric includes the timber floor boards, plastered walls, moulded timber skirtings, and window and door architraves, panelled timber doors, and the moulded dados in the passage walls. The interior is enhanced by a sympathetic colour scheme.

Other Buildings

Immediately adjacent the Administration building on the north side is a face-brick, skillion amenities building having wide eaves and corner porches on the south sides. These porches are supported by hollow steel posts. This building appears to date from the 1960s. At the northern end of the narrow central bay of pens are introduced corrugated sheet metal workshop buildings and a small, detached men's toilet outbuilding. These buildings appear to date from the late 20th century.

Other Infrastructure

To the west of the Administration building is a large round concrete effluent tank. The south-east corner and narrow eastern portion of the site are characterised by open gravelled parking areas.

Western Cattle, Horse and Pig Sale Yards Allotment

General Setting

The western portion of the sale yards is bound by Winter, Learmonth, Latrobe and Gillies Streets. It was originally known as Cardigan Square. Today, the eastern portion of the site is characterised by pens and market buildings, with the western portion comprising open grassed land with a dam near the south-west corner. A row of trees defines the western boundary. In the centre of the site appears to be evidence of the former railway reserve and line that traversed the site between Winter and Latrobe Streets. Also centrally situated on the south side of the site is a concrete truck wash area together with a large gravelled parking area, laid out in 1970-71.

Yards and Pens

The north-east portion of the site is defined by yards and pens for cattle, horses and pigs. They are lineally arranged in a similar way to the sheep yards on the east allotment, although they are fenced with tubular steel post and rail fences and gates (with some having timber rails). The yards and pens are paved in fibrous concrete with lines simulating cobblestones. At the east end fronting Gillies Street South are 9 brick stock ramps with concrete platforms and ramps. There are square steel balustrade posts and a combination of timber and hollow steel rails. These yards appear to be those laid out and constructed in the early 1960s.

Covered Areas & Buildings

Covered Areas

Shallow gabled covered yards are also located within the eastern portion of the site. They are constructed of corrugated sheet metal roof cladding and they appear to date from the 1980s or 1990s.

Selling Pavilion Building

In the south-east corner of the site is the selling pavilion building constructed in c.1963. It is characterised by broad gable roof form having projecting skillion dormers on the northern and south roof faces. These roofs are clad in corrugated sheet metal. The building has brick veneer base walls, with the gable ends also being constructed of vertical tray deck fibre cement sheet cladding with the northern and southern walls having openings above the brickwork. Cantilevered porches project on the south and east sides with door openings underneath. There is a circular concrete water storage tank to the north-west of the building.



A broad gabled roof form with projecting skillion dormers built c1963.

The interior of the building is supported by an exposed structural steel portal frame. The northern and southern portions have a series of cattle pens with timber post and rail fences and gates, and concrete floors. The centre piece of the interior is the octagonal sales arena having timber post and rail and vertically boarded fencing and gates, with tiered timber seating arranged at the eastern end. At the western end of the arena is the elevated auctioneer's booth also of timber construction.



View of auction ring from the tiered seats within the intact interior.



Interior view of pens and tiered seating at the far end.

Additional Pig Selling Pavilion

Of identical design as the selling pavilion building is the neighbouring pig selling pavilion. It has a broad gable roof form with projecting skillion dormers, brick veneer base walls and tray deck fibre cement wall cladding. This building appears to date from 1964. The north-east portion of the building has been altered with a gable extension. There is a circular concrete water tank on the south side of the building.

Condition

Intactness

There have been many changes to the Sale Yards during its 150 plus years of operation with several upgrades in materials and equipment. However, the overall layout and functions of the site have remained in place. The extent of the area to be covered by the Heritage Overlay is the most intact part of this layout and represents a full understanding of the site's history and function.

Integrity

The designated area of the proposed Heritage Overlay provides sufficient physical evidence to interpret the site as a former working Sale Yards for over 150 years.

Condition

The Sale Yards were closed in 2018 but at present its operational facilities, including buildings, stock pens, fencing, walkways, stock ramps, surfacing, loading areas, truck wash and drainage infrastructure remain intact.

The Sale Yards buildings under consideration are intact and in good condition, including their interior layouts, along with the intact bluestone paving, ramps, timber fencing and walkway shelters within the proposed overlay area.

Extent of Heritage Overlay



Comparative Analysis⁶⁴

The former Ballarat Sale Yards was one of the most significant regional sale yards in Victoria, along with stock yards in Geelong and Bendigo. Its infrastructure currently remains intact having closed its operation only in 2018. As such it remains one of the few intact Sale Yards operating since the mid-19th century until recently to remain in Victoria. The most comparable sites would include the former Melbourne Sale Yards at Newmarket, the Geelong Sale Yards in North Geelong and the Bendigo Saleyards.

Melbourne's main stockyard at Newmarket was established in 1859, four years earlier than the Sale Yards in Ballarat. The site was officially closed in 1987 and the sale yards area transformed into a medium density residential estate known as the Kensington Banks. Most of the yards were therefore demolished, although a small area of cattle pens and some fencing survives and repurposed as seating areas with shelters and BBQs. This building now forms part of the Kensington Community High School. The original stock-route has been interpreted through a walk.

The Geelong Sale Yards at 125 Weddell Road, North Geelong were established in 1869 and eventually closed in 2017 and were based on the layouts at both Newmarket (Melbourne) and Ballarat. The site includes 19th century cattle and sheep pens. A landmark feature was the Federation Market Office building built of corrugated sheet metal. It was damaged by fire in 2013 leaving it beyond repair. For the present the site remains as 'the most intact and former functioning 19th century stock yards known in Victoria' as cited in the Geelong local Heritage Overlay⁶⁵. The site is now subject to a Precinct Plan.

The early Sale Yards at Bendigo have been redeveloped and a new Bendigo Sale Yards were built on a new site in 1997.

Comparative administration buildings

Newmarket Saleyards Administration Building (Moonee Valley City, HO262, VHR H1430)

The early administration building, located near the Racecourse Road frontage, was constructed c. 1874. It is a simple and elegant square planned structure with a central courtyard. The slate roof is hipped, and the brick chimneys are intact. The timber verandah posts, which are original, are detailed with cast iron lace-work. Internally minor changes in layout have been made together with alterations to wall finishes. In the open courtyard a clock tower, built c.1939 stands as a prominent feature and a local landmark. On the western side of this building is a series of extensions dating from c. 1911 and c. 1919, sympathetic in form and materials but showing a change in design detailing (Heritage Victoria Registration Report 1988).

Horsham/Wimmera Stock Bazaar (Horsham Shire, VHR H1985)

The Stock Bazaar building, built 1936, is of architectural significance as a rare and late example of the building type of the stock or horse bazaar. It also has significance for its unusual Moderne facade design, which incorporates abstracted Egyptian style pylons on either side of the main entrance. The building has historical significance as the only standing fabric remaining from the livestock saleyards which were a vital aspect of the physical and economic development of Horsham as a centre servicing the agricultural and pastoral region of the Wimmera. Sale yards removed in the 1990s and relocated to new site in 1999.

⁶⁴ An 'Inventory of Sale Yards in Victoria' is included in Rowe and Jacobs Heritage Assessment report for the Ballarat Sale Yards.

⁶⁵ HO1915 Geelong Planning Scheme

The Ballarat Sale Yards Administration Building is a later date than the early building at Newmarket and its functional form differs from the unusual architectural style of the Horsham Stock Bazaar, but its intactness still demonstrates many of the essential attributes necessary to operate a successful Sale Yard.

Comparative selling pavilions and similar structures

Bairnsdale Regional Sale Yards & Rotunda (East Gippsland Shire, HO39)

The Bairnsdale Sales Rotunda, built in 1941, is of State cultural heritage significance because of its historical associations with the pastoral and horse-breeding industries, typological rarity as a pre-1950s livestock selling ring (and saleyards building), and the aesthetic qualities of its unusual construction.

Casterton Sale Yards and Stock Selling Ring Building (Glenelg Shire, VHR H0314)

The Casterton Stock Selling Building, built in 1925, is based on an octagonal plan selling ring, with tiered timber benches on five sides. The upright timbers that support the roof of the sale ring building are square red gum posts with stringybark rafters and battens. The posts of the outside yards are also red gum and the rails are stringybark or other local hardwood timbers. It is one of the few remaining examples of the specialized building type of the stock selling ring, which was once common in the State.

Rochester Sales Ring (Campaspe Shire, HO216)

The Sale Yards, built 1911, consist of rough, wooden, under-cover pens and a separate covered sales ring. The Sale Yards were refurbished in 1954.

Wangaratta Bull Sale Ring (no heritage status)

New pig sale yards were established at Batchelor's Green in 1928. The early Market and stock yards (established in 1864) were relocated to this site in 1934. The Bull Sale Ring building was constructed in c.1938 at the Batchelor's Green site. The Sale Yard operations were again relocated in the 1970s and in c.1980 the Bull Sale Ring was converted into an art studio for the Artists' Society.

Although a later building, the interior intactness and layout of the Ballarat Selling Pavilion, constructed for stud cattle and horse auctions, remains unchanged and compares well with these other buildings.

Statement of Significance

What is significant?

The Central Victorian Livestock Exchange (Ballarat sale yards), 1020 Latrobe Street, Delacombe, has significance as the longest running and one of the best known and largest Corporation sale yards in Victoria, having opened in 1864. Today, the site is reflective of several redevelopment programs resulting in extensive changes to the sheep and cattle pens and fencing and paving - initially between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. Despite these 20th Century developments the lineal arrangement of drafting and selling yards and pens are still reflective of 19th century practice.

Significant elements include:

- The single-storey, face red brick Administration Building built in 1909, (both external and internal features).
- An area of sheep yards, representing surviving 19th and early 20th century fabric, leading out from the Administration Building, including remnant bluestone pitcher paving, bluestone and timber ramps, rough timber fencing, early signage and sheltered walkway structures.
- The Selling Pavilion built c1963, particularly the intact interior layout.

Non-significant elements include:

- The 1970s extension to the Administration Building
- Later structures such as water troughs, outbuildings, garages etc (check on site)

How is it Significant?

The former Central Victorian Livestock Exchange (Ballarat Sale Yards) is of local historic, representative, aesthetic, social and associative significance to the City of Ballarat.

Why is it Significant?

The Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe, is historically significant as the longest running Corporation Sale Yards in Victoria. Built in 1863 having been laid out by Mr Baird, Town Clerk of the Ballarat Council, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the yards were officially opened in February 1864. Since this time, the sale yards have become a regional and state focus for the buying and selling of cattle, sheep and pigs which has manifested in substantial redevelopment programs between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. (Criterion A)

The Administration Building, Selling Pavilion and areas of bluestone pitcher paving, and associated features are representative of the working arrangements necessary for overseeing and selling stock, which has largely remained unchanged since the early development of stockyards in Victoria. (Criterion D)

The Administration Building is aesthetically significant as a substantially intact example of Federation design associated with sale yards operations. The building is also one of the earliest, substantially built and more intact examples of sale yards Administration buildings in Victoria. (Criterion E)

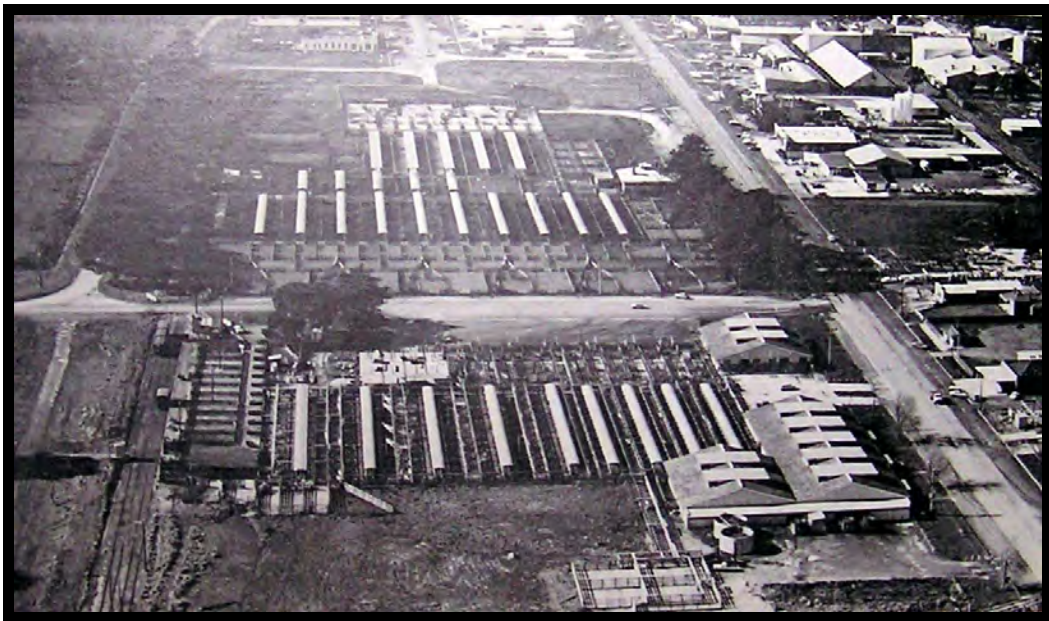
The Ballarat Sale Yards is socially significant as they are valued as a centre for agricultural business between farmers, stock agents and others associated with the livestock industry, a practice that continued on the site for almost 150 years. The sale yards also have associations with a range of 19th and 20th century stock and station agents in Ballarat, including Norman McLeod and Co.,

Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., Crawford Dowling Pty Ltd., and Dugald Smith and Co. (Criterion G)

The sale yards have particular associations with William Brazenor (1832-1916), cattle yards inspector, architect and publican of the nearby Cattle Yards Hotel. Brazenor was responsible for the earliest construction of the cattle pens in 1863 and from this time he retained a longstanding association with the yards (this is now reflected in an adjacent street being named after him). One of his largest contracts as an architect was the redesign and re-erection of the cattle and sheep yards between 1882 and 1886, a consequence of the considerable demands on the yards and the laying out of a branch railway line for the yards (also to his design). With Samuel Valentine (an early cattle inspector of the Ballarat saleyards), Brazenor invented a sheep and merchandise railway wagon that appears to have been specifically designed for the redeveloped sale yards as well as for sheep and merchandise transportation throughout Victoria, New South Wales and Queensland. (Criteria H)

Central Victorian Livestock Exchange (Ballarat Sale Yards)

1020 Latrobe Street, Delacombe



Heritage Assessment

Prepared By

**Dr David Rowe, Authentic Heritage Services Pty Ltd
& Wendy Jacobs, Architect & Heritage Consultant**

September 2013

Central Victorian Livestock Exchange Ballarat Sale Yards

1020 Latrobe Street, Delacombe

Heritage Assessment

Commissioned & Funded by

City of Ballarat

Prepared By

**Dr David Rowe, Authentic Heritage Services Pty Ltd
&
Wendy Jacobs: Architect & Heritage Consultant**

Support Staff:

Pam Jennings, Authentic Heritage Services Pty Ltd

September 2013

Cover Photo: Aerial view of the Ballarat Sale Yards, 1973-74. Source: *City of Ballarat Mayor's Annual Report, 1973-74*, PROV (Ballarat).

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Executive Summary

1.0 Introduction

The City of Ballarat commissioned Dr David Rowe, Authentic Heritage Services Pty Ltd and Wendy Jacobs, Architect and Heritage Consultant in June 2013, to prepare a heritage assessment of the Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe. A draft of the assessment was provided to the City of Ballarat for comment in July 2013.

This Report provides details about the methodology, significance assessment, criteria and thresholds adopted, and heritage assessment, and also gives recommendations for implementing the study results.

2.0 Recommendations

2.1 Heritage Overlay

2.1.1 Extent of Overlay

It is recommended that a heritage overlay is applied to the southern portion of the sheep yards adjacent to and including the Administration Building as shown in the aerial image in the heritage citation (this recommended extent is considered to best encapsulate the earliest-surviving fabric).

2.1.2 Recommended Controls to the Schedule to the Heritage Overlay

- Should External Paint Controls Apply – Yes (Administration Building only).
- Should Internal Alteration Controls Apply – Yes (Administration Building only).
- Should Tree Controls Apply – No.
- Are there Fences &/or Outbuildings of Note – Yes, pen fencing within heritage overlay extent.
- Yes - Given the uniqueness of this place, opportunities for uses that have no adverse affect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

2.2 HERMES

It is recommended that if a planning scheme amendment is gazetted for the inclusion of the Central Victorian Livestock Exchange in the Planning Scheme that the heritage citation given in Section 5 is included in the HERMES database so that the information may be accessed through the Victorian Heritage Database and Council's website (Heritage Places Database).

If the citation is in HERMES, it is recommended that:

- The pdf version of the heritage assessment in this study is included as an attachment (so that all the current and historical photographs, references and other information unable for direct inclusion in HERMES may be accessible).
- Given their large size, the information specifically included in HERMES may be limited to the Statement of Significance and some current photographs, with other fields giving a cross-reference statement to the attachment.

1.0 Introduction

The City of Ballarat commissioned Dr David Rowe, Authentic Heritage Services Pty Ltd and Wendy Jacobs, Architect and Heritage Consultant in June 2013, to prepare a heritage assessment of the Central Victorian Livestock Exchange (Ballarat Sale Yards), 1020 Latrobe Street, Delacombe. A draft of the assessment was provided to the City of Ballarat for comment in July 2013.

This Report provides details about the methodology, significance assessment, criteria and thresholds adopted, and heritage assessment, and also gives recommendations for implementing the study results.

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The Consultants recommend that this Study be implemented within two years. If the Study has not been implemented within that time frame, it is recommended that the Study be peer-reviewed to take account of any changes in condition and integrity of particular heritage places, changes in planning regulations and Council policies. The study should subsequently be updated as necessary.

1.1 The Study Team

The study team was as follows:

- Dr David Rowe, Authentic Heritage Services Pty Ltd – author.
- Wendy Jacobs, Architect & Heritage Consultant – fieldwork and reviewer.
- Pam Jennings, Authentic Heritage Services Pty Ltd – researcher.

1.2 Acknowledgments

The Consultants sincerely appreciated the assistance and support received throughout the course of the Study. Particular appreciation is given to:

- Caroline Reisacher, Strategic Planner, City of Ballarat.
- Susan Fayad, Coordinator Heritage, City of Ballarat.
- Bill Hutcheson, Manager Administration Services, City of Ballarat.
- Aladdin Jamali, Department of Sustainability & Environment, Ballarat.
- Joan Hunt, local historian.
- Liz Dennys, Public Record Office Victoria (Ballarat).

1.3 Project Brief

The Project Brief supplied to the consultants on 1 May 2013 included an heritage assessment of the Ballarat Sale Yards, Delacombe, through fieldwork, research and comparative analysis, leading to the preparation of a statement of significance

1.4 Terminology

The terminology of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (November 1999) is used throughout this study. Refer to Appendix 6.01 for a copy of the *Burra Charter*. The identification and documentation of potential post-contact places of cultural significance has been interpreted using the definitions provided in the *Burra Charter*. Some of the critical definitions identified in the *Burra Charter* and used in this study are:

Article 1.1: *Place* means site, area, building or other work, group of buildings or other works, and may include components, contents, spaces and views. Explanatory Notes: The concept of place should be broadly interpreted. The elements described in Article 1.1 may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.

Article 1.2: *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups. Explanatory Notes: The term cultural significance is synonymous with heritage significance and cultural heritage value. Cultural significance may change as a result of the continuing history of the place. Understanding of cultural significance may change as a result of new information.

2.0 Methodology

The project has involved fieldwork, historical research, comparative analysis and a written heritage assessment (and a peer review of this assessment).

2.1 Fieldwork

The initial basis to the assessment of the heritage citations included in this heritage study was fieldwork. This has involved analyzing and photographing the Ballarat Sale Yards with additional information obtained from Council's aerial imagery.

2.2 Historical Research

Considerable historical research has been carried out for this study. This research has included archival material in the collections of the City of Ballarat, Department of Sustainability and Environment (Ballarat), and the Public Record Office Victoria (North Melbourne and Ballarat). Further research was carried out online for historical maps, Probates of the Estates of previous owners of the subject properties, *Victoria Government Gazettes*, historical photographs and other associated material.

Historic themes have been applied to the heritage assessment. While the 'Ballarat Heritage Study Stage 2' (prepared by Hansen Partnership Pty Ltd in association with Wendy Jacobs Architect and Heritage Consultant and Naga Services, July 2003) included a Thematic History, it did not include the breadth of history to support all the themes relevant to for this project. The Historic Themes adopted are therefore derived from the 'Review of the Ballarat Heritage Study Stage 2 Thematic History and

Regional Thematic History of the Central Victorian Goldfields (prepared by Authentic Heritage Services Pty Ltd, July 2011). The themes adopted in this Review were based on *Victoria's Framework of Historical Themes* (prepared by Context Pty Ltd for Heritage Victoria, February 2010). The Review has also formed an attachment to the brief of a much broader study currently in progress for the City of Ballarat known as 'Mapping Ballarat's Historic Urban Landscape Stage 1'.

2.3 Comparative Analyses

Comparative analyses were carried out for all of the heritage places, using an architectural and/or historical context. The basis of the comparative analysis was the 'Geelong Sale Yards Conservation Management Plan' (Rowe & Jacobs, 2007) and the Victorian Heritage Database online.

2.4 Heritage Citation

A Heritage citation was prepared for the Ballarat Sale Yards (Central Victorian Livestock Exchange). The draft citation was also peer-reviewed prior to the formal drafts being provided to Council. It is provided in Section 5.

A proposed heritage overlay map was prepared using aerial images supplied by the City of Ballarat.

2.5 Consultation

Formal community consultation was outside the scope of the project. It is suggested that consultation with the affected owner and stakeholders is carried out as part of an informal exhibition.

During the preparation of the project, discussions were held with the Operations Manager of the Central Victoria Livestock Exchange.

3.0 Assessment of Significance

3.1 Basis of Assessment Criteria

This project has been prepared in accordance with the *VPP Practice Note 01: Applying the Heritage Overlay* (revised September 2012) (Appendix 6.02). The *Practice Note* states:

"The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria."

The following heritage criteria listed in the *Practice Note* were adopted as part of the assessment of heritage places in this project:

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

In addition, the more detailed Assessment Criteria adopted by the Australian Heritage Commission for the Register of the National Estate (which has formed the basis to the criteria outlined in the *Practice Note*) have formed a foundation to the heritage assessment,¹ as have the principles of the Australia ICOMOS Burra Charter.

3.2 Significance, Condition & Integrity Levels and Thresholds

In addition to the recognition of the heritage values of the Burra Charter and the assessment criteria outlined in the VPP Practice Note, significance, condition and integrity thresholds were also prepared to determine the level of significance for each heritage place and whether they warranted a heritage overlay.

In relation to significance thresholds, the *Practice Note* states:

“The thresholds to be applied in the assessment of significance shall be ‘State Significance’ and ‘Local Significance’. ‘Local Significance’ includes those places that are important to a particular community or locality ...”

A more definitive matrix of how the Burra Charter values, VPP Practice Note Criteria, Australian Heritage Commission Criteria and Thresholds Levels have been employed in this study is as follows:

1 The use of the more detailed Australian Heritage Commission Criteria is considered to be valid, given that the VPP Practice Note: Applying the Heritage Overlay (revised September 2012) states: “The adoption of the above [2012] criteria does not diminish heritage assessment work undertaken before 2012 using older versions of criteria.”

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
<p>Aesthetic &/or Architectural Value: Places where consideration is given to form, scale, colour, texture and material of the fabric.</p>	<p>Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).</p> <p>Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).</p> <p>Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).</p> <p>Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).</p>	<p>AHC B.2: Scarcity may be the result of historical process (ie. few of such places were ever made) or of subsequent destruction or decay. Rarity in some cases may apply to the survival of the combination of characteristics and the place as a whole may lack integrity.</p> <p>AHC D.2: A place must clearly represent the period, method of construction, techniques, way of life, etc. of its Type. A place may be significant because it is characteristic of either an unusual, or a widely practiced Type, style, or method of construction. It may have been innovative or influential, or it may have been traditional or vernacular; the significance of the place is determined by considering it within its context.</p> <p>A place may be considered if one or more of the following apply:</p> <ul style="list-style-type: none"> • It can be regarded as a particularly good example of its Type, by virtue of the combination of characteristics most indicative of the Type, or a significant variant of the Type equally well; • It is one of number of similar places which are all good examples of a Type, but has a higher value by virtue of its integrity, condition, association with other significant places or setting; • It is part of a group of places which collectively include a range or variation within a Type; • It represents the seminal or optimal development of 	<p>STATE THRESHOLD: Places which are considered significant to the State of Victoria and are worthy for inclusion on the Victorian Heritage Register. These places are the most outstanding examples either aesthetically, architecturally, historically, scientifically or socially. The place meets this threshold if it has outstanding and/or unique aesthetic and technical value/s, is highly intact and has been compared to similar places on the Victorian Heritage Register, and/or has unique historical associations with events or persons in the history of the community and Shire, the importance or which are considered to stretch beyond local municipal boundaries.</p> <p>LOCAL THRESHOLD: Places which are considered individually significant to a local area. The Ballarat municipality is defined by a number of urban and rural settings of varying historical developments and cultural identities that are not necessarily related to each other. Traditional municipal boundaries have changed, but the cultural identities of the different local communities that comprise the municipality are largely idiosyncratic. These heritage places are considered to have had a significant impact in shaping the cultural, architectural, historical and/or social identity of the local community and where applicable, have been compared to other places of State or Local significance (or potential</p>

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
		<p>the Type.</p> <p>AHC E.1: A place is eligible if it articulates so fully a particular concept of design that it expresses an aesthetic ideal (eg. A place which epitomizes the design principles of an architectural style, landscape ideal, etc.) or if the place, because of its aesthetic characteristics, is held in high esteem by the community.</p> <p>To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic qualities for which it is nominated.</p> <p>AHC F.1: A place is eligible if it demonstrates clearly a particularly appropriate solution to a technical problem using or expanding upon established technology, or developing new technology, that solution being outstanding due to its conceptual strength. This might occur, for example, in the fields of engineering, architecture, industrial design, landscape design, etc.</p> <p>A place may be considered to be outstandingly creative if it results from the innovative departure from established norms in some field of design or the arts.</p> <p>To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic or technical qualities for which it is nominated.</p>	<p>significance). They are considered to have sufficient significance to warrant a heritage overlay in the Ballarat Planning Scheme.</p> <p>CONTRIBUTORY THRESHOLD: Places which are included in a heritage precinct and which make an important contribution to the historical and/or architectural evolution of the precinct. Collectively, these places are considered to have sufficient significance to warrant a heritage overlay in the Ballarat Planning Scheme.</p> <p>LOCAL INTEREST THRESHOLD: Places directly historically related with the history and development of a heritage precinct. These places may have remnants of the original fabric, but they have been substantially altered. Retention is therefore desirable but is not mandatory.</p> <p>NOT SIGNIFICANT: Places that either do not relate to the significant era of building development of a heritage precinct or have no significance in their own right.</p>

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
<p>Historic Value: Places that have influenced or have been influenced by an historic figure, event, phase or activity. For any given place the significance will be greater where evidence of the association or event survives insitu, or where the settings are substantially intact, than where it has been changed or evidence does not survive.</p>	<p>Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).</p> <p>Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).</p> <p>Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).</p>	<p>AHC A.4: Places associated with events or developments which contribute to or reflect the long-term changes in Shire or local history.</p> <p>Places representing “landmark” cultural phases in the evolving pattern of Shire or local history.</p> <p>A place eligible for its association with a significant scientific theory must have a clear and important relationship to the development of that theory or its early application in the Shire or locality.</p> <p>A place eligible for its history of science associations must have a strong connection with the work of an historically significant scientific figure or with an historically significant scientific exploration/undertaking, or methodological development.</p> <p>AHC C.2: A place with archaeological deposits may be eligible if it can be shown that the deposits are likely to contain evidence of technological, architectural, or cultural value, that evidence not being available through other research techniques. The nature of this research should be specified.</p> <p>A building or engineering item may be eligible if its research value can be defined. For example, a building exhibiting a local variation on a standard design or construction technique may be eligible if study could yield important information such as how local materials</p>	

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
		<p>and construction expertise affect the evolution of local building development, if this information is not available through documentary research.</p> <p>AHC H.1: The person's contribution must be established sufficiently by historical documentation or other firm evidence, and the association of a person with the place established clearly in a similar way.</p> <p>A building designed by a prominent architect may be eligible under this criterion if it expresses a particular phase of the individual's career or exhibits aspects reflecting a particular idea or theme of her/his craft. It is possible that several places may represent different aspects of the productive life of an important person. Similarly, several examples of a person's work may be considered because a different combination of criteria are satisfied.</p> <p>In general, the association between person and place needs to be of long duration, or needs to be particularly significant in the person's productive life.</p> <p>Places which contain fabric that is a direct result of the person's activity or activities, or where the place can be demonstrated to have influenced the person's life or works, are eligible, and such places are more eligible than places which lack such direct and personal associations.</p>	

BURRA CHARTER VALUES	PRACTICE NOTE CRITERIA	AHC CRITERIA INCLUSION GUIDELINES (slightly modified for local assessments)	SIGNIFICANCE THRESHOLDS
Scientific Value: Places where data clearly indicates its rarity, quality or representativeness.	Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).	AHC F.1: A place is eligible if it demonstrates clearly a particularly appropriate solution to a technical problem using or expanding upon established technology, or developing new technology, that solution being outstanding due to its conceptual strength. This might occur, for example, in the fields of engineering, architecture, industrial design, landscape design, etc. A place may be considered to be outstandingly creative if it results from the innovative departure from established norms in some field of design or the arts. To be eligible, a place must have a high degree of integrity so that it fully reflects the aesthetic or technical qualities for which it is nominated.	
Social Value: Places that have a focus on spiritual, political, national or other cultural sentiment to a majority or minority group.	Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).	AHC G.1: Places which are held in high esteem by the Shire or local community or a segment of it, that esteem being demonstrated and special. The value to the community must be beyond normal regard felt by a community for its familiar surroundings. It is necessary to demonstrate that the strong association between a community and place is of a social or cultural nature, and not simply a local assessment of some other value more correctly assessed against another criterion.	

Condition Thresholds

- Excellent Condition (no deterioration of fabric noticeable).
- Good Condition (minor deterioration of fabric noticeable).
- Fair Condition (deterioration of fabric noticeable).
- Poor Condition (deterioration of fabric very noticeable, with possible structural deterioration as well).
- Ruins (small elements of original character & appearance only identified through remaining building ruins).

Integrity Thresholds**Thresholds**

- Substantially Intact (either completely intact or a small number minor modifications noticeable).
- Moderately Intact (original character & appearance clearly discernible, but a number of minor modifications noticeable).
- Altered (original character & appearance discernible but alterations to some original fabric especially noticeable).
- Substantially Altered/Low Integrity (original character & appearance only partly discernible – multiple changes noticeable to the exterior).
- Ruinous (ruinous fabric surviving only).

Building Fabric

The integrity of places (when viewed from the public realm or from the front elevation) may include to varying degrees the following:

- Overall form & composition.
- Construction materials.
- Building details.
- Verandahs.
- Visible windows and doors.
- Front Fencing
- Outbuildings

The place should be discernible to its creation date (or creation dates).

The integrity of landscaped settings, spaces and views may also have been considered.

Additions

Places with additions may continue to have significance if:

- The additions have been identified as contributing to the significance of the building or place (the additions being significant).
- The additions have no significance but are recessive and do not dominate over the building.

Relocated Places

Relocated places may also have significance if they have direct associations to the heritage place.

4.0 Recommendations

4.1 Heritage Overlay

4.1.1 Extent of Overlay

It is recommended that a heritage overlay is applied to the southern portion of the sheep yards adjacent to and including the Administration Building as shown in the aerial image in the heritage citation (this recommended extent is considered to best encapsulate the earliest-surviving fabric).

4.1.2 Recommended Controls to the Schedule to the Heritage Overlay

- Should External Paint Controls Apply – Yes (Administration Building only).
- Should Internal Alteration Controls Apply – Yes (Administration Building only).
- Should Tree Controls Apply – No.
- Are there Fences &/or Outbuildings of Note – Yes, pen fencing within heritage overlay extent.
- Yes - Given the uniqueness of this place, opportunities for uses that have no adverse affect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

4.2 HERMES

It is recommended that if a planning scheme amendment is gazetted for the inclusion of the Central Victorian Livestock Exchange in the Planning Scheme that the heritage citation given in Section 5 is included in the HERMES database so that the information may be accessed through the Victorian Heritage Database and Council's website (Heritage Places Database).

If the citation is in HERMES, it is recommended that:

- The pdf version of the heritage assessment in this study is included as an attachment (so that all the current and historical photographs, references and other information unable for direct inclusion in HERMES may be accessible).
- Given their large size, the information specifically included in HERMES may be limited to the Statement of Significance and some current photographs, with other fields giving a cross-reference statement to the attachment.

5.0 Heritage Assessment: Central Victorian Livestock Exchange (Ballarat Sale Yards)

City of Ballarat Heritage Assessments**2013****PLACE NAME:** Central Victorian Livestock Exchange (Sale Yards)

Place No. DEL01

ADDRESS: 1020 Latrobe Street, Delacombe

Assessment Date: July 2013

Historic Themes:

Subtheme 4.4: Farming – marketing and promoting agricultural products and industries.

Condition: Good (Admin Building)**Integrity:** Substantially Intact (Admin Building)**Photograph Date:** 28 May 2013**CURRENT HERITAGE STATUS ON STATUTORY REGISTERS****Victorian Heritage Register:** No**Victorian Heritage Inventory:** No**Local Planning Scheme:** No**CURRENT HERITAGE STATUS ON OTHER REGISTERS:****National Trust (Victoria) Register:****RECOMMENDED LEVEL OF SIGNIFICANCE:**

Local Significance

RECOMMENDATIONS:Recommended for inclusion in the Victorian Heritage Register: **No**Recommended for inclusion in the Victorian Heritage Inventory: **No**Recommended for inclusion as a Heritage Overlay in the Planning Scheme: **Yes****Schedule to the Heritage Overlay**

External Paint Controls Should Apply?	Yes – Administration Building only.
Internal Alteration Controls Should Apply?	Yes – Administration Building only.
Tree Controls Should Apply?	Yes – Pen fencing within heritage overlay extent.
Fences &/or Outbuildings of Note?	No
Prohibited Uses May Be Permitted?	Yes - Given the uniqueness of this place, opportunities for uses that have no adverse affect on its significance and yet give greater scope for its conservation and viability could be considered if prohibited in the current or future Ballarat Planning Scheme.

Other Recommendations

Given the anticipated relocation of the sale yards operation to Miners Rest in the near future, the significance of the sale yards site will be diminished as the heritage value of the place relies (in part) on the continuing original sale yards function. The site is a physical manifestation of major redevelopment programs, mainly in the 20th century and particularly from the 1960s until the 1980s, and so its integrity cannot be neatly defined to one particular era. As there are more intact 19th century sale yard layouts and fence constructions in Victoria, and given the impending relocation of the Ballarat yards and the anticipated major changes at the site, it is recommended that the heritage overlay apply to a small southern portion of the sheep yards adjacent to and including the Administration Building that best encapsulates the earliest-surviving fabric (as shown on the attached aerial image). The selling pavilion building is also of historic interest as a key development of the 1960s, and its retention could be considered. At the very least, it is recommended that this building is photographically recorded if subject to demolition in the future. It is also recommended that the fabric outside the proposed heritage overlay extent is photographically recorded and this information used to interpret the site in the future. Ideally, this interpretive material should be displayed in the Administration Building.

STATEMENT OF SIGNIFICANCE:**What is Significant?**

The Central Victorian Livestock Exchange (Ballarat sale yards), 1020 Latrobe Street, Delacombe, has significance as the longest running and one of the best known and largest Corporation sale yards in Victoria, having opened in 1864. Today, the site is reflective of several redevelopment programs resulting in extensive changes to the sheep and cattle pens and fencing and paving - initially between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. Contained over two large rectangular allotments separated by Gillies Street (and bound by Latrobe, Winter, Learmonth and Brazenor Streets) the site is therefore especially characterised by 20th century redevelopments, although the lineal arrangement of drafting and selling yards and pens appears to be reflective of 19th century practice. Surviving 19th and early 20th century fabric is confined to remnant bluestone pitcher paving in the sheep yards and notably in the single storey, face red brick Administration Building at the southern end of the sheep yard allotment (this allotment being the location of the original cattle yards laid out in 1863 by the Ballarat Council's Town Clerk, Mr Baird). Built in 1909, the Administration Building is characterised by a broad hipped roof form that is surmounted by a monitor light. This building is substantially intact externally and internally. The interior has a symmetrical arrangement of offices accessed by central passages that culminate in a central hall lit by the monitor light above. The offices also feature corner fireplaces (now blocked up) with bracketed timber mantels.

How is it Significant?

The Central Victorian Livestock Exchange (sale yards), 1020 Latrobe Street, Delacombe, is historically and socially significant at a LOCAL level.

The Administration Building at the Central Victorian Livestock Exchange, 1020 Latrobe Street, Delacombe, is architecturally significant at a LOCAL level. The selling pavilion building has architectural interest.

Why is it Significant?

The Central Victorian Livestock Exchange (sale yards), 1020 Latrobe Street, Delacombe, is historically significant as the longest running Corporation Sale Yards in Victoria (Criterion A & H). Built in 1863 having been laid out by Mr Baird, Town Clerk of the Ballarat Council, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the yards were officially opened in February 1864. Since this time, the sale yards have become a regional and state focus for the buying and selling of cattle, sheep and pigs which has manifested in substantial redevelopment programs between 1882 and 1886, and particularly in the 1960s, 1970s and 1980s. The Administration Building (also known as the Cattle Yards Office) was built in 1909. The sale yards have particular associations with William Brazenor (1832-1916), cattle yards inspector, architect and publican of the nearby Cattle Yards Hotel. Brazenor was responsible for the earliest construction of the cattle pens in 1863 and from this time he retained a longstanding association with the yards (this is now reflected in an adjacent street being named after him). One of his largest contracts as an architect was the redesign and re-erection of the cattle and sheep yards between 1882 and 1886, a consequence of the considerable demands on the yards and the laying out of a branch railway line for the yards (also to his design). With Samuel Valentine (an early cattle inspector of the Ballarat saleyards), Brazenor invented a sheep and merchandise railway wagon that appears to have been specifically designed for the redeveloped sale yards as well as for sheep and merchandise transportation throughout Victoria, New South Wales and Queensland. The sale yards also have associations with a range of 19th and 20th century stock and station agents in Ballarat, including Norman McLeod and Co., Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., and Dugald Smith and Co. Another longstanding stock and station agency was that of Crawford Dowling Pty Ltd.

The Central Victorian Livestock Exchange (sale yards), 1020 Latrobe Street, Delacombe, is socially significant (Criterion G) as they are valued as a centre for agricultural business between farmers, stock agents and others associated with the livestock industry, a practice that has continued on this site for almost 150 years.

The Administration Building at the Central Victorian Livestock Exchange, 1020 Latrobe Street, Delacombe, is architecturally significant (Criteria D & E) as a substantially intact example of Federation design associated with sale yards operations. The building is also one of the earliest, substantially built and more intact examples of sale yards Administration buildings in Victoria. Other comparable examples include the Federation era brick buildings at the former Newmarket sale yards at Flemington, and the Federation era Market Office building at the Geelong sale yards constructed of corrugated sheet metal (this building has very recently been substantially damaged by fire and it is beyond repair).

DESCRIPTION:

The Central Victorian Livestock Exchange (formerly known as the Ballarat Sale Yards) at 1020 Latrobe Street, Delacombe, comprise approximately 12.3 hectares over two large rectangular allotments separated by Gillies Street South (that is now closed to public traffic). The yards are bound by Winter, Latrobe, Brazenor and Learmonth Streets to the north, south, east and west respectively.



Aerial image of Sale Yards showing the locations of yards and buildings.

Source of aerial: City of Ballarat.

Eastern Sale Yards Allotment

General Setting

The earliest portion of the sale yards is the eastern allotment (east of Gillies Street South). It is largely flat land, although there is an upwards slope at the north end towards Winter Street. This elevated ground is due to the topography of the site as well as a consequence of the former sale yards railway branch line and siding now removed. Outside the northern boundary are a row of Oak trees.

Sheep Yards and Pens

The site is especially characterised by extensive open sheep yards and pens having rectangular and lineal alignments. The eastern and western portions of the yards comprise the drafting pens. Adjoining the draft pens are bays of selling pens arranged in paired rows. The central narrower bay on the site includes additional selling pens together with a pole yard and slightly larger yards. There are also larger yards near the southern boundary. Each paired row of pens is separated by covered walkways having shallow spoon drains (effluent from the adjoining pens drain into the walkways). The covered

structures in the narrow central bay of pens appear to be the earliest surviving, having timber posts with mortised tops that take timber beams in which to support curved corrugated sheet metal roofs. These walkways may date from the mid 20th century. The remaining walkways appear to be of late 20th century construction, having steel posts, beams and bays of rafters, and flat sheet metal roofs.

Much of the early (19th century) fabric that once comprised the yards and pens has been altered or replaced, the earliest remaining fabric being the bluestone pitcher paving throughout the western half of the site (shown as darker paving in the aerial image). Portions of the bluestone paving have introduced concrete slurry finishes, with the remainder of the paving being introduced concrete. The selling pens and larger central yards towards the south of the site have timber post and rail fencing and timber gates. The rails are bolted to the large square timber posts, suggesting late 20th century construction (as opposed to the traditional agricultural fencing constructed between the 1860s and 1940s where the posts had narrow vertical mortises that took the horizontal rails). The remaining yards and pens are bound by tubular steel post and rail fences and gates. Particular change is noted throughout the eastern half of the sheep yards, which appear reflect the extensions carried out in 1966-67.



Sheep Yards, 2013.



Sheep Yards, 2013, showing bluestone pitchers adjacent to the Administration Building.



Sheep Yards, 2013.



Sheep Yards, 2013, showing walkway.

At the southern end of the sheep yards to the east of the Administration Building are four bluestone and timber stock ramps. These ramps may date from the early 20th century. There are two courses of raised concrete above the bluestone bases, possibly indicating changes in stock transportation and particularly the increased height of stock trucks throughout the 20th century.



Stock ramps, 2013.



Stock ramp, 2013.

Buildings & Other Infrastructure

Administration Building

A landmark feature of the sale yards is the Federation era administration office building that is centrally located near the southern boundary. The symmetrical, single storey, face red brick Federation styled building has a broad hipped roof form surmounted by a hipped lantern light that is crowned by a square finial. These roof forms are clad in corrugated sheet metal. Four symmetrically arranged face brick chimneys with rendered bases and moulded tops adorn the roof line. Broad overhangs with timber lining board soffits are features of the eaves.

The symmetry of the design is accentuated in the elevations. The north and south elevations have central timber framed doorways and flanking bays of original timber framed double hung windows. The east and west elevations feature central doorways as well as flanking doorways in the end bays with timber framed double hung windows between. Some doorways have original timber doors and others have introduced timber and glazed doors, and original timber framed transoms. The elevations are distinguished by rendered stringcourse banding and surrounds to the upper sashes of the windows and the openings of the doors. The window sills are understated, being rendered and sloping within the reveals of the openings. Another notable feature of the design is the stop chamfered brick to the building corners and door openings. Early bluestone pinner paving surrounds the building.



Administration Building, north & west elevations, 2013.



Administration Building, north & east elevations, 2013.



Administration Building, south & west elevations, 2013.



Administration Building showing early bluestone pitch paving, 2013.

The symmetrical arrangement of the building is carried into the interior. The layout is unusual, with its four groups of four offices in the corners accessed by a cruciform passage culminating in a central hall lit by the lantern light. This light is supported by an exposed stop chamfered timber frame having bays of fixed timber framed two paned windows. The ceiling is coved and lined in beaded edged timber boards. The offices feature corner fireplaces (now blocked up) with bracketed timber mantels. Other intact original fabric includes the timber floor boards, plastered walls, moulded timber skirtings, and window and door architraves, panelled timber doors, and the moulded dados in the passage walls. The interior is enhanced by a sympathetic colour scheme.



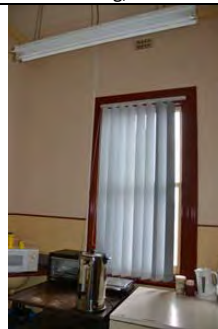
Passage, Administration Building, 2013.



Detail of Monitor Light in central hall of Administration Building, 2013.



Detail of Blocked up corner fireplace in office of Administration Building, 2013.



Window detail in office of Administration Building, 2013.

Other Buildings

Immediately adjacent the Administration building on the north side is a face brick skillion amenities building having wide eaves and corner porches on the south sides. These porches are supported by hollow steel posts. This building appears to date from the 1960s.

At the northern end of the narrow central bay of pens are introduced corrugated sheet metal workshop buildings and a small, detached men's toilet outbuilding. These buildings appear to date from the late 20th century.



Men's Toilet, 2013.



Workshop Buildings, 2013.

Other Infrastructure

To the west of the Administration building is a large round concrete effluent tank. The south-east corner and narrow eastern portion of the site are characterised by open gravelled parking areas.

Western Cattle, Horse and Pig Sale Yards Allotment**General Setting**

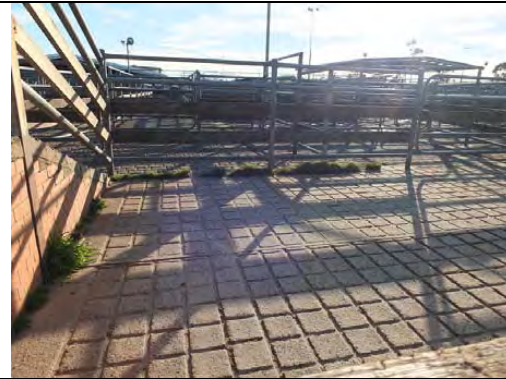
The western portion of the sale yards is bound by Winter, Learmonth, Latrobe and Gillies Streets. It was originally known as Cardigan Square. Today, the eastern portion of the site is characterised by pens and market buildings, with the western portion comprising open grassed land with a dam near the south-west corner. A row of trees defines the western boundary. In the centre of the site appears to be evidence of the former railway reserve and line that traversed the site between Winter and Latrobe Streets. Also centrally situated on the south side of the site is a concrete truck wash area together with a large gravelled parking area, laid out in 1970-71.

Yards and Pens

The north-east portion of the site is defined by yards and pens for cattle, horses and pigs. They are lineally arranged in a similar way to the sheep yards on the east allotment, although they are fenced with tubular steel post and rail fences and gates (with some having timber rails). The yards and pens are paved in fibrous concrete with lines simulating cobblestones. At the east end fronting Gillies Street South are 9 brick stock ramps with concrete platforms and ramps. There are square steel balustrade posts and a combination of timber and hollow steel rails. These yards appear to be those laid out and constructed in the early 1960s.



Cattle Yards, 2013.



Detail of paving in Cattle Pen, 2013.



Stock Ramp, 2013.

Covered Areas & Buildings

Covered Areas

Shallow gabled covered yards are also located within the eastern portion of the site. They are constructed of corrugated sheet metal roof cladding and they appear to date from the 1980s or 1990s.

Selling Pavilion Building

In the south-east corner of the site is the selling pavilion building constructed in c.1963. It is characterised by broad gable roof form having projecting skillion dormers on the northern and south roof faces. These roofs are clad in corrugated sheet metal. The building has brick veneer base walls, with the gable ends also being constructed of vertical tray deck fibre cement sheet cladding with the northern and southern walls having openings above the brickwork. Cantilevered porches project on the south and east sides with door openings underneath. There is a circular concrete water storage tank to the north-west of the building.



Selling Pavilion, north & east elevations, 2013.



Detail of south elevation of Selling Pavilion, 2013.

The interior of the building is supported by an exposed structural steel portal frame. The northern and southern portions have a series of cattle pens with timber post and rail fences and gates, and concrete floors. The centre piece of the interior is the octagonal sales arena having timber post and rail and vertically boarded fencing and gates, with tiered timber seating arranged at the eastern end. At the western end of the arena is the elevated auctioneer's booth also of timber construction.



Interior of Selling Pavilion showing sales arena & tiered seating, 2013.

Additional Pig Selling Pavilion

Of identical design as the selling pavilion building is the neighbouring pig selling pavilion. It has a broad gable roof form with projecting skillion dormers, brick veneer base walls and tray deck fibre cement wall cladding. This building appears to date from 1964. The north-east portion of the building has been altered with a gable extension. There is a circular concrete water tank on the south side of the building.

City of Ballarat Heritage Assessments**2013****PLACE NAME:** Central Victorian Livestock Exchange (Sale Yards)

Place No. DEL01

ADDRESS: 1020 Latrobe Street, Delacombe

Assessment Date: July 2013



Pig Selling Pavilion, west elevation, 2013.



Additional Selling Pavilion, west elevation, 2013.

HISTORY:**Initial Acquisition of Land for the Ballarat Sale Yards**

On 31 December 1862, application was made by the Ballarat Municipal Council for the temporary reservation of 15 acres of land together with additional land west of the Public (Victoria) Park at Ballarat West (Delacombe), for the purpose of establishing cattle yards (these yards were later variously known as the Corporation Yards, sale yards and sheep yards).¹ The temporary reservation of the 15 acres (the eastern allotment of the existing sale yards) was subsequently gazetted on 7 July 1863 although the Board of Lands and Works 'definitely declined' to 'entertain an application of the reservation of a larger area for Municipal purposes in connexion with the cattle yards than 15 acres.'² The reservation of the land had resulted from several stock salesmen forcing attention on local councillors on the need for the cattle yards. In return, the salesman promised the patronage of the new yards that were to be erected 'about two miles distant from Lydiard Street.'³ The new yards had a southern frontage to Latrobe Street.

¹ Joseph Comb, Town Clerk, Ballarat Borough Council, to Commissioner of Crown Lands & Survey, 31 December 1862, Crown Land Reserve file Rs 2900, file 5430, Department of Sustainability & Environment (DSE), Ballarat.

² File note, Crown Lands & Survey, 31 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

³ *The Star* (Ballarat), 19 December 1863, p.1S.



Plan showing Cattle Yards, 1863. Source: Reserve file Rs 2009, DSE, Ballarat.

Early Development of the Sale Yards

By November 1863, the Ballarat Borough Council had expended £1800 on the development of a portion of the sale yards.⁴ Laid out by the Town Surveyor, Mr Baird, and constructed by Messrs. Flanagan and Brazenor (for the cattle yards) and Mr McKenzie (for the sheep pens), the new yards were described in *The Star* (Ballarat) newspaper on 19 December 1863:

"The want of suitable cattle and sheep yards has long been felt in Ballarat. Melbourne, Geelong and Sandhurst have taken the lead of us in this respect, and as a natural consequence the corporations of the towns named receive a handsome remuneration for the money that has been expended in the erection of yards of this description in the towns indicated. The members of the Borough Council of Ballarat have for some time indulged in the idea that yards of this description were much required, but it was not until some six months ago that any definite steps were taken towards the realisation of the idea. About that time the necessity for establishing such yards was forced upon the attention of councillors by several of the local salesmen who gave advice and promised assistance in the way of patronage when the yards were completed. The yards have now been completed. They are situated at the south-west corner of the public park, and about two miles distant from Lydiard Street. From a personal visit, we are enabled to lay the following description before our readers. The contractors were Messrs Flanagan and Brazenor, and the amount of their tender, including extras, was £1865. The yards are well situated, the site having been chosen by the Council and the cattle salesmen. They cover an extent of ground equal to four acres. The entrances to the yards are from the south, east and north sides, through what are termed the delivery gates, which are each 18 feet in width. There are eight of these gates to as many receiving yards. From the latter the cattle will be drafted into the selling pens by gates

⁴ Cr Robert Lewis, Ballarat Borough Mayor, to Commissioner of Crown Lands & Survey, 11 November 1863, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

which open into the pens. The pens are divided into four divisions or lanes, and rubble-pitched and gravelled all over. The lanes, too, are rubble-pitched and gravelled, and with the pens are surrounded by a four-railed fence 7 feet 6 inches in height, with a hardwood level cap ten inches in width, for sellers and buyers to walk on without danger to themselves from the cattle below. A passage large enough for a man to pass through has been left near each pen, for the purpose of affording facility for escape to any person in the yards in the event of his being attacked by the cattle. The receiving yards are not yet metalled or gravelled, but it would be well if this were done before rainy weather again sets in. Some idea may be formed of the solidity of the timber work about the yards when it is stated that some 1800 posts, varying from 12 to 14 inches, have been used in construction, independent of the sawn timber in the gates, of which 17,000 lineal feet have been used in the fashioning of one hundred and forty-two gates. There are strong locks to the whole of the outer gates, and latches to the inner ones. The gates are put together with iron bolts and screws, and the caps are all fixed to the posts with iron hoops and straps. The pitching alone amounts to 6500 yards, and over this has been spread about one thousand loads of gravel. Six ponds have been formed in the yards, which will be fed by pipe laid from the site of a reservoir about to be constructed within the Public Park. The surface water at present is running through these pipes into the ponds. The pipes are composed of iron, and are supplied with stopcocks. The bottoms of these shallow ponds have been pitched with square-dressed bluestone, and gravelled all over. The good result of this arrangement is seen in several fine basins of water as clear as crystal. The excessive water makes its escape by a by-wash, so that a running stream will be kept up all the year. When the cattle are disposed of, they will be driven into a lane, 18 feet in width, securely fenced in, which extends along the entire western side of the yards, and to which there are two ponderous gates. Thence they will be driven away by the owners. The cattle pens have been so formed as to admit of a fall from each for drainage purposes into the intervening avenue. This latter is rubble-pitched and gravelled, and formed so as to carry off the surface water into a gutter than runs into a drain at the west side of the yards. The yards are capable of receiving about 2000 head of cattle at one time. To the west of the cattle yards and in proximity thereto, the Council is now having sheep pens erected. The contractor for this part of the work is Mr McKenzie, and the amount of his tender is £528; so that both the cattle and sheep yards will cost the Council a sum of £2393 when the latter shall be finished. It is confidently expected that the revenue derivable therefrom will reach the handsome sum of £1000 per annum at least. The sheep yards will be fenced with sawn timber, and will cover an extent of upwards of an acre of ground. These yards will be divided into sixty-four pens, and have been successfully planned to suit both buyers and sellers. ... The site of the yards has been rubble pitched and sanded, and the Council anticipates that the speculation will turn out as profitable, if not more so, than the cattle sale yards. ... The Council, we understand, proposes forming a road from Pleasant street through the Public Park to these yards, and already there is some talk of a public-house being erected in proximity to the yards. We should mention that the plan of the yards was prepared by Mr Baird, the Town Surveyor, and the works were executed under the superintendence of Mr W. Gant.”⁵

In January 1864, Samuel G. Valentine and Simon Cadden were elected as Inspectors of the Cattle Yards at Ballarat West,⁶ in anticipation of the opening of the yards in early February 1864, as described in *The Star* newspaper:

The Ballarat West cattle sale yards may now be looked upon as an accomplished fact and both buyer and seller have already experienced the advantage of having provided for them such market accommodation as will meet every possible requirement. The cattle sale yards erected by the Borough Council of Ballarat West are situated at the south-west end of the town, and about a quarter of a mile from the No. 1 shaft of the Band of Hope Gold Mining Company. They are placed in the midst of the gold field common and the town common, and are well supplied with water from the Swamp, which is pumped by means of a windmill, and conveyed

⁵ *The Star*, *op.cit.*

⁶ *Ibid.*, 24 January 1864, p.15 & *Warragul Guardian & Buln Buln & Narracan Shire Advocate*, 22 September 1891, p.3.

to the yards through pipes. The Council has long been urged by the cattle salesmen of Ballarat to erect such yards;”

“The cattle yards and the sheep yards have up to the present date cost the Council £2426 3s 3d, and it is proposed, before the winter sets in to metal four receiving yards at a cost of £360, and to pitch the remaining portion of the sheep yards at an expense of £200. It is also proposed to form that portion of the roadway leading from Pleasant street by way of the Band of Hope Company’s shaft to the yards, which will cost about £600.

... People who saw the cattle yards for the first time on Tuesday, were astonished at their completeness ... Since our previous visit, however, we find that the Council has erected a suite of offices for the cattle salesmen, six in number, in proximity to the yards, and not far from the Cattle Inn, owned by Mr Brazenor, who has been to some trouble and expense in the erection of stables, outhouses, &c., for the accommodation of his visitors.

On Tuesday morning about eleven o’clock the members of the Council and several friends left the town hall and proceeded to the yards. On their arrival they met a goodly crowd of salesmen, butchers, and others. After inspecting the stock in the yards, both sheep and horned cattle, it was announced that the sale would take place after luncheon. The Council provided the luncheon, which was served up by Mr Brazenor in capital style. Some hundred or more persons having partaken of a substantial repast.

... The Council has expended £2400 on the cattle yards, and £540 on the sheep yards. With £500 or £600 more, it was expected that the yards would be the most complete establishment of the kind in the colony, especially when the Council had the road made all the way from Pleasant street to them.⁷

By 1867, the Ballarat Borough Council continued to pursue the acquisition of additional land for sale yards purposes. Having expended £5,000 in the erection of the yards, the Council complained to the Crown Lands and Survey Department of a person applying for a residence ‘on a portion of the ground to the injury of the business of the Corporation Yards.’⁸ An officer of the Board of Land and Works visited the site and found the presence of McMahon’s public house in close proximity to the sheep yards and concluded that it ‘would interfere with the working of the same.’⁹ At this time, the Council further expanded the operations of the yards and in 1869 the horse and cattle sale yards ‘were nearly completed’ and ‘a portion of the eastern end of the yards [were] to be used for the present as a pig market.’¹⁰ Further extensions to the sheep yards were carried out in 1870.¹¹ The pens were fenced with timber posts and rails using mortise and tenon joints. Small separate office buildings serving the sheep and cattle yards had been built near the southern boundary of the reserve by this time.¹²

⁷ *The Star*, 3 February 1864, p.2.

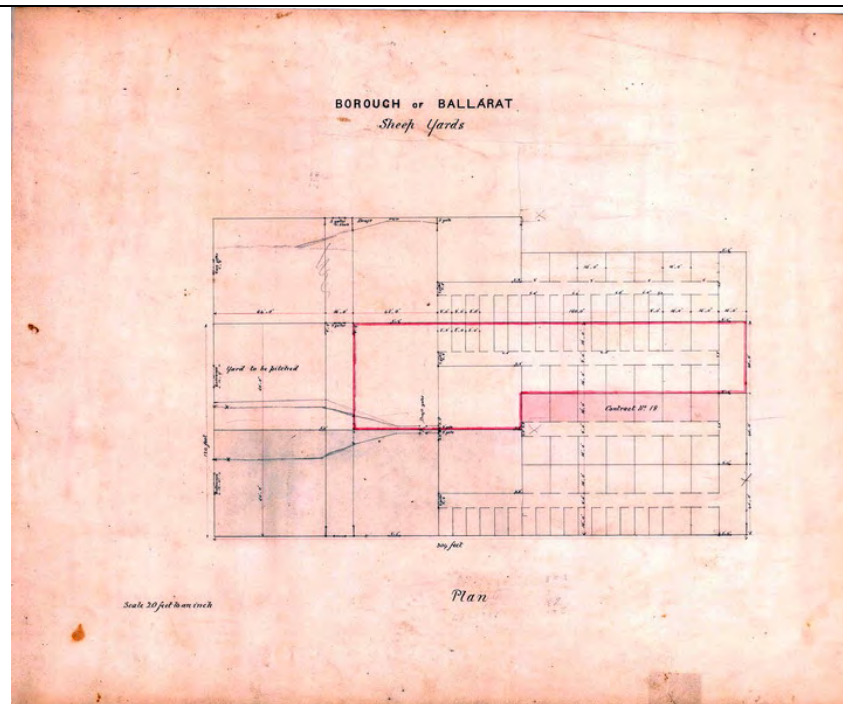
⁸ Joseph Comb, Town Clerk, Ballarat Borough Council, to President of Crown Lands & Survey, 29 May 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁹ Officer of Board of Land and Works file note, 14 May 1868, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁰ *Ballarat Star*, 6 January 1869.

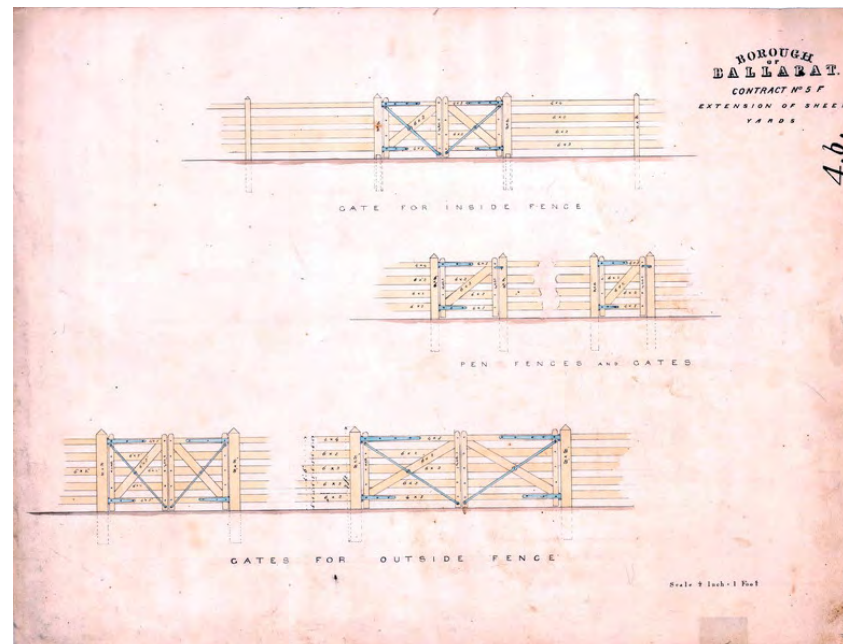
¹¹ Borough of Ballarat Contract No. 3 F, Extension of Sheep Yards, 4 drawings, 1870, Town Hall, City of Ballarat.

¹² *Ibid.* The offices are shown on a plan of the sale yards site.



Plan of Borough of Ballarat Sheep Yards, 1870.

Source: Drawing id. 069-072, Town Hall, City of Ballarat



Gate & Fence Details for Extension of Borough of Ballarat Sheep Yards, 1870.

Source: Drawing id. 069-072, Town Hall, City of Ballarat

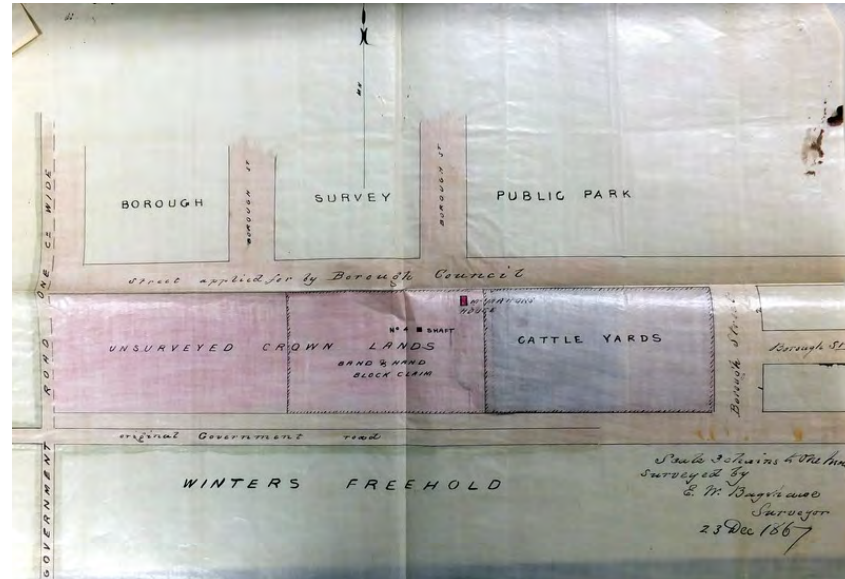
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Assessment Date: July 2013

McMahon's public house and the Hand and Band Company No. 4 shaft were situated on land immediately west of the original yards.¹³ This land to the west of the yards was subsequently surveyed as a 17 acre rectangular allotment initially intended as a public square under the name of Smithfield and later Cardigan Square.



E.W. Bagsizawe, Surveyor, Plan of Cattle Yards & Cardigan Square, 23 December 1867.

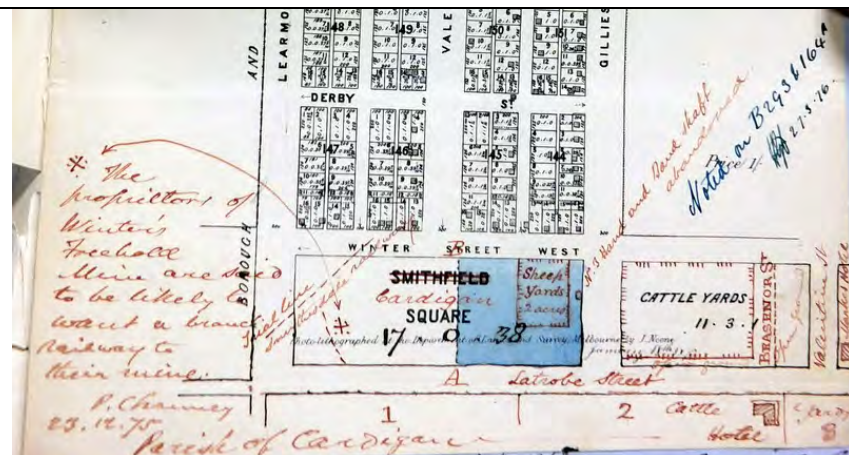
Source: Reserve file Rs 2009, DSE, Ballarat.

In 1875, the Council sought the eastern portion of Cardigan Square for use as sheep yards and it soon erected 2 acres of yards at a cost of £80.¹⁴ These yards and the adjacent cattle yards (separated by Gillies Street) were shown on an annotated plan dated 23 December 1875. The western portion of Cardigan Square was proposed to be traversed by a branch railway line to the Winters' Freehold mine to the south of Latrobe Street. It was in 1876 when 7 acres, 2 roods and 11 perches were temporarily reserved from Cardigan Square as an additional site for the Corporation sale yards.¹⁵

¹³ See Plan of Cattle Yards and Cardigan Square, 23 December 1867, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

¹⁴ File note by District Surveyor of Ballarat, 21 December 1875, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

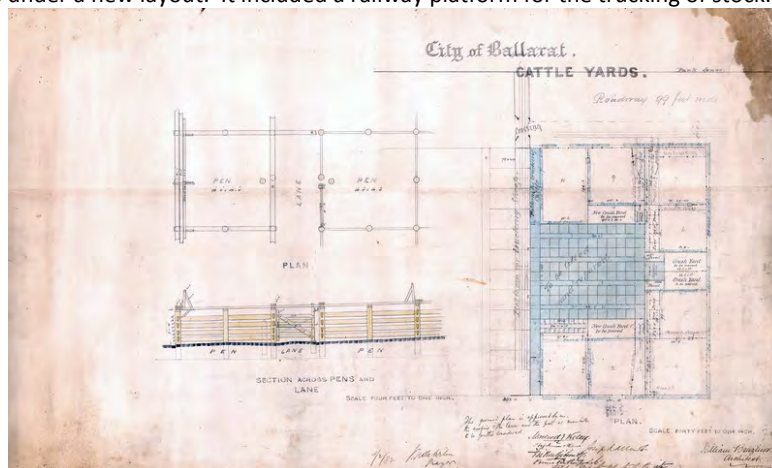
¹⁵ File note by Minister of Lands, 24 March 1876, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.



Annotated Plan showing Cattle Yards & newly laid out sheep yards on Cardigan Square, 23 December 1875. Source: Reserve file Rs 2009, DSE, Ballarat.

Major Changes to the Sale Yards in the 19th Century

In the early 1880s, William Brazenor, neighbouring publican and local architect, had been appointed an Inspector of the Cattle Yards.¹⁶ In his joint capacity as architect and inspector with much experience in the operations of the yards, Brazenor played a key role in extensive improvements to the yards at this time, with the Council borrowing £10,000 for the purpose.¹⁷ Impetus for the major changes at the yards was due to the overwhelming increase in the stock passing through the yards. In 1864, 9,362 cattle and 35,572 sheep passed through the yards.¹⁸ In 1880, this number of jumped to 19,599 cattle and 445,427 sheep.¹⁹ The extensive changes by Brazenor included the re-erection of the cattle and sheep yards under a new layout. It included a railway platform for the trucking of stock.²⁰



W. Brazenor, City of Ballarat Cattle Yards, Plans and Section, 1882.

Source: Drawing id. 018, Town Hall, City of Ballarat.

¹⁶ Bendigo Advertiser, 7 December 1883, p.2.

¹⁷ The Argus, 11 March 1864, p.7.

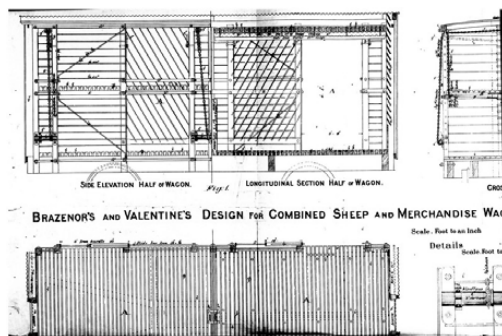
¹⁸ City of Ballarat Mayor's Special Report, 17 January 1881, p.ix, Public Record Office Victoria, Ballarat.

¹⁹ Ibid.

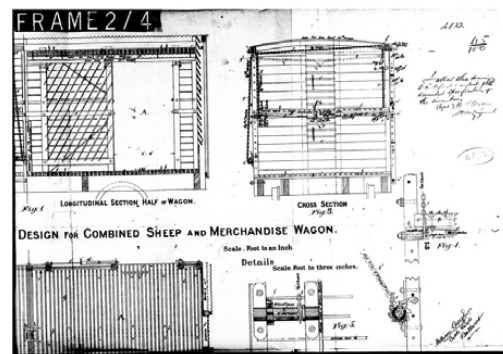
²⁰ W.B. Kimberley (ed.), Ballarat and Vicinity: a condensed but comprehensive account of her financial, commercial, manufacturing, mining, and agricultural enterprises: her progress and population in the past and possibilities in the future, F.W. Niven, Ballarat, n.d. [1894], p.129.

The provision of the railway trucking yards at the sale yards was seen as having great potential for more efficient stock transportation. With Samuel Valentine (original Cattle Yards Inspector) Brazenor invented an 'improved convertible sheep and merchandise wagon' that was registered as patent 4632 on 21 July 1886²¹ which appears to have been initially intended for use at the Ballarat sale yards as well as elsewhere. Brazenor and Valentine described their invention as follows:

This invention has been designed for the purpose of constructing a railway wagon of that description which may be used either for sheep or for general merchandise, and its novelties relate first; to the method of constructing the grating floors. Second, to the construction of the movable floor for the upper compartment with an under ceiling and to the means devised for raising and lowering it and for securing it up to the ceiling of the wagon when it is used for goods or merchandise. Third, to the means of hanging the side doors or handles, and fourth, to the method of housing the canvas curtains at the ends of the wagon or carriage on either side of a central louvre panel.²²



Brazenor & Valentine, Design for Combined Sheep and Merchandise Wagon, 1886. Source: State Library of Victoria, MF 367.



Brazenor & Valentine, Design for Combined Sheep and Merchandise Wagon, 1886. Source: State Library of Victoria, MF 367.

Detailed descriptions of the railway wagon invention were soon published in a number of newspapers, including the *Camperdown Chronicle* on 28 August 1886.

At this time (1886), the Administration Office for the Salesmen was situated adjacent to the Cattle Yards Hotel on the south side of Latrobe Street. This was the location of the business part of the sale yards operation. Several of Ballarat's early stock and station agents met there, including Norman McLeod and Co., Hepburn and Leonard, Powers, Rutherford and Co., Ettorshank Eaglestone and Co., and Dugald Smith and Co.²³ Another longstanding stock and station agency was that of Crawford Dowling Pty Ltd that was established in 1856.²⁴

²¹ *Victoria Government Gazette*, no.85, 6 August 1886, p.2258.

²² W. Brazenor & S. Valentine, 'Sheep truck', International Patent Office, Edward Waters, Amended Specification, patent no. 4632, 1886, State Library of Victoria, MF 367.

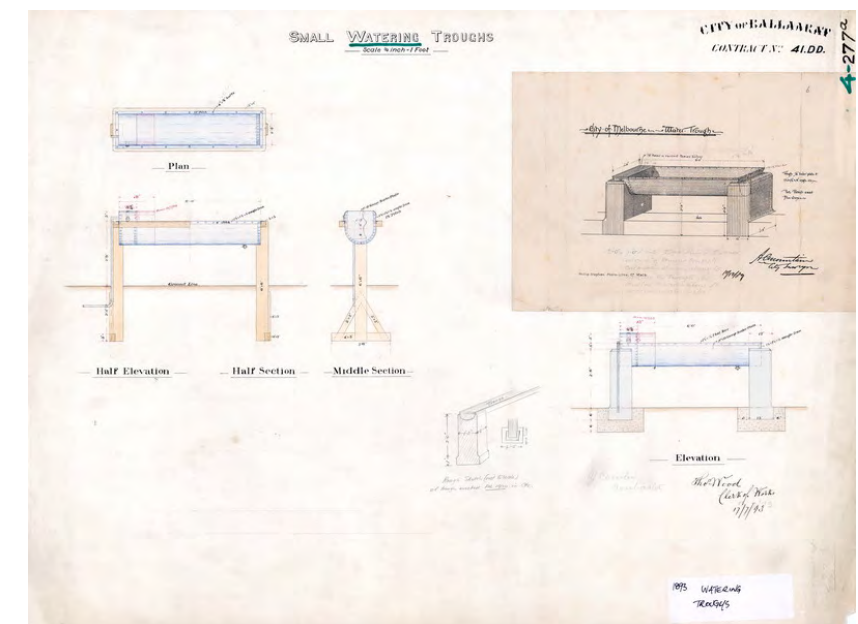
²³ *Ballarat Star*, 22 December 1869, lists the agents identified.

²⁴ The letter head to a letter by R. Crawford of Crawford Dowling Pty Ltd, Stock and Station Agents, Cattle, Sheep, Pig and Land Salesmen, dated 30 December 1935, states that the company was established in 1856. See VPRS 2500, Unit 183, Public Record Office Victoria, Ballarat.

Confidence for carrying out the major and expensive improvements to the sale yards by the Ballarat City Council resulted from the formal Grant of 26 acres 2 roods and 4 perches of the sale yards in 1886.²⁵

Late 19th Century Improvements

Further improvements were made to the sale yards in the later 19th century. They included the provision of small metal watering troughs on timber stands in 1893, the design having been based on the water troughs in the City of Melbourne.²⁶ A small gabled water closet of timber construction was proposed in 1895, and a stable and shed were to be repaired.²⁷



Small Watering Troughs, City of Ballarat, 1893.
Source: Drawing id. 004, Town Hall, City of Ballarat.

Development of the Sale Yards in the 20th Century

Early 20th Century Changes to Yards

In 1903, alterations and additions were proposed to the sheep pens, including a subdivision into smaller pens.²⁸ This was followed in 1911 with a proposal to construct abattoirs to the north-west of the cattle yards.²⁹ By 1920, the sale yards were extensive as shown in the following photograph:

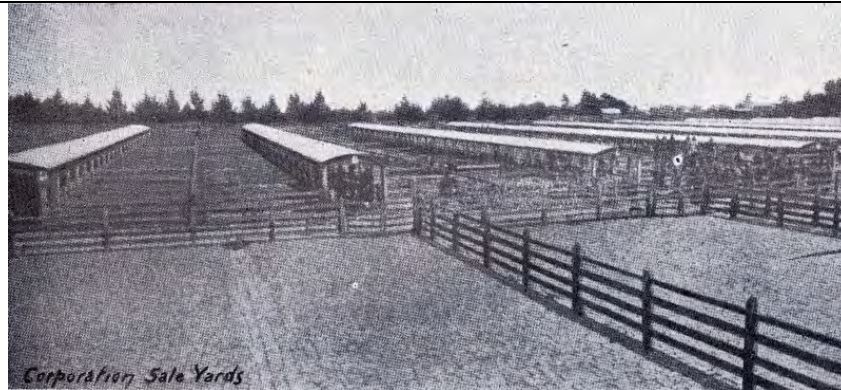
²⁵ See Draft Grant of a Site for Cattle Yards, 1886, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

²⁶ City of Ballarat Contract No. 41.DD, Small Watering Troughs, 17 July 1893, drawing id. 004, Town Hall, City of Ballarat.

²⁷ City of Ballarat Contract No. 25.QQ, For Cattle Yards, Closet, Stable & Shed to be Repaired, 18 February 1896, drawing id. 020, Town Hall, City of Ballarat.

²⁸ City of Ballarat Contract No. 11/1903, Additions and Alterations to Sheep Pens, Corporation Sale Yards, 1903, drawing id. 001, Town Hall, City of Ballarat.

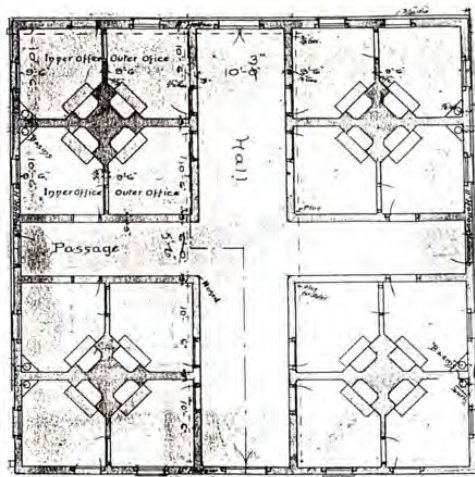
²⁹ Sites Proposed Abattoirs and Nigh Soil Depot, Site Plan, 1911, drawing id. 002, Town Hall, City of Ballarat.



Corporation Sale Yards, c.1920. Source: *Ballarat Illustrated: for enterprise, education & health*, engraved by Wilson Campbell, under the seals of the City & Town Councils of Ballarat, c.1920.

Administration Building

Another important development at the sale yards was the construction of a brick Administration Building near the southern boundary of the original portion of the sale yards (bound by Latrobe, Gillies, Brazenor and Winter Streets). First known as the Cattle Yards Office, the building was not constructed until 1909, probably to a design by the Ballaarat City Council. The original drawing for the building was signed by Arthur Farrei, City Surveyor on 13 February 1909.³⁰ It showed a hipped roof brick building with a crowning lantern, symmetrical chimneys and brick chimneys with rendered banding. The windows and doors were regularly arranged, continuing the balance to the design. Internally, a cruciform passage separated four groups of four offices in the corners (known as inner and outer offices). The building was completed on 23 September 1909.³¹



Plan of Administration Building, 1909. Source: Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, 1980.



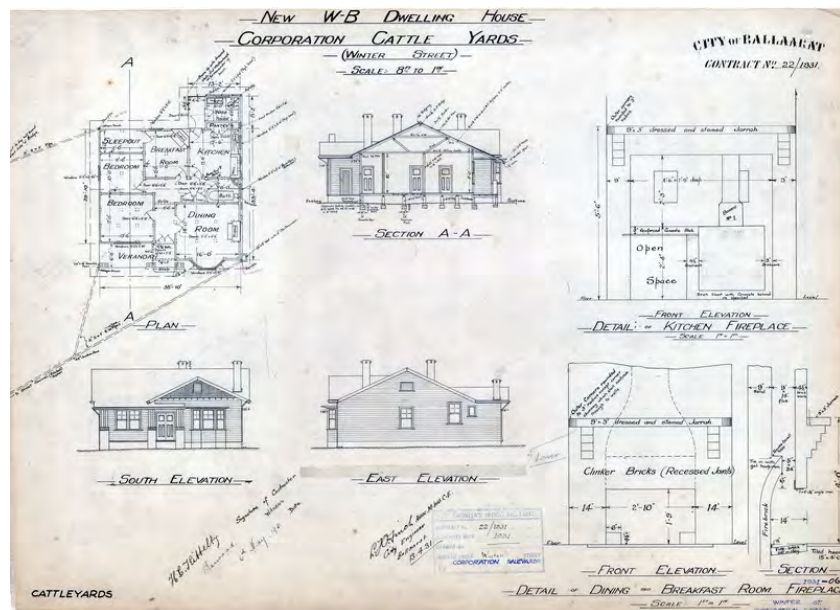
Elevation drawing of the Administration Building, 1909. Source: Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, 1980.

³⁰ Jacobs Lewis Vines, 'Ballarat Conservation Study', Part 2, prepared for the City of Ballarat, 1980, pp.59-60.

³¹ Ibid.

Caretaker's Dwelling

A caretaker's dwelling was proposed at the sale yards in 1931.³² The single storey, interwar Californian Bungalow styled dwelling was to be constructed of timber weatherboards and feature a major gabled roof form that was to traverse the site and extend at the front to form a verandah, together with a minor projecting gabled wing. The dwelling was to be located at the north-west corner of Winter and Brazenor Streets.³³ It is unclear whether this dwelling was built (there is no physical evidence of the dwelling on the site today).



New Weatherboard Dwelling, Corporation Cattle Yards, Plan, Elevation & Section Drawings, 1931.

Source: Drawing id. 006, Town Hall, City of Ballarat.

Wartime Railway Easement

In 1941, a railway easement was created over a portion of the sale yards land (the western allotment originally known as Cardigan Square) to serve the Commonwealth Government's Guncotton Factory to the south of the sale yards.³⁴ In 1962, the Imperial Chemical Industries of Australia and Zealand Company took ownership of a portion of the Guncotton Factory land and the right to use and maintain the railway line that traversed the sale yards.³⁵ This railway reserve soon became redundant and in 1971 the railway reserve throughout the sale yards was revoked.³⁶

Other Improvements in the 1940s

In 1946, new calf pens and a sheep loading ramp were proposed. The pens and gates were to be constructed of timber, having timber posts and rails with traditional mortise and tenon joints.

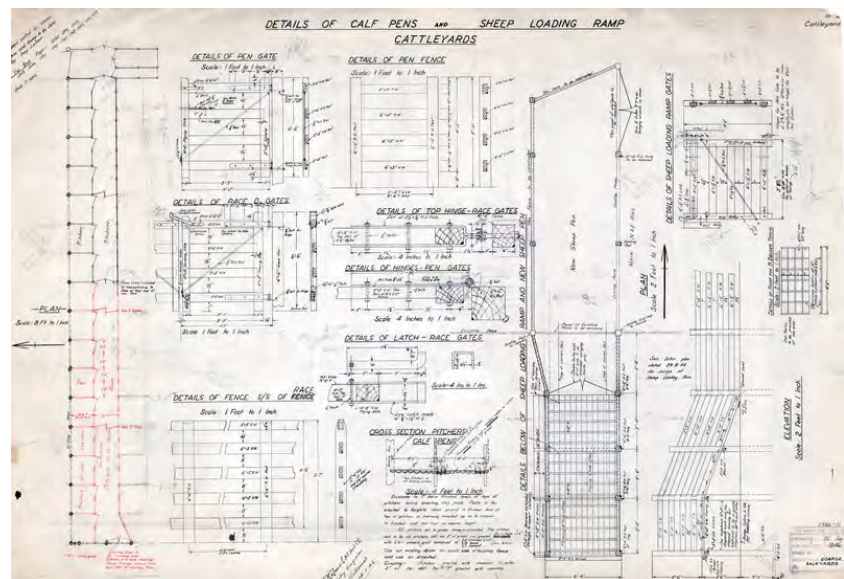
³² City of Ballarat Contract No. 22/1931, New W-B Dwelling House Corporation Cattle Yards (Winter Street), 13 May 1931, drawing id. 006, Town Hall, City of Ballarat.

³³ Cattleyards House at the N.W. Corner of Winter & Brazenor Streets, Ballarat, floor plan, 1931, drawing id. 006A, Town Hall, City of Ballarat.

³⁴ E. Prewett, Chief Estate Officer, Victorian Railways, to the Secretary for Lands, Department of Crown Lands & Survey, 18 August 1971, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

³⁵ Ibid.

³⁶ Ibid.



Details of Calf Pens and Sheep Loading Ramp, Cattleyards, plan, elevation and detail drawings, 1946.

Source: Drawing id. 011, Town Hall, City of Ballarat.

Major Changes from the 1960s

Throughout the early and mid 20th century, the Ballarat sale yards continued to provide a location for the buying and selling of cattle, calves, sheep, lambs, horses, pigs and bulls. In 1953, there were 28,510 cattle, 338,793 sheep and 33,654 pigs that passed through the yards.³⁷ Such large numbers of stock resulted in another major redevelopment program of the site over a ten year period from the early 1960s. In 1964, the *Mayor's Annual Report* described the new development:

The rebuilding of the Corporation Saleyards, which was fully recorded in the Mayor's Report of 1963, advanced a step further this year with the opening of another section of cattle pens, complete with five loading ramps, 140 selling, holding and drafting pens, and ancillary races. The saleyards have had a busy year, with the completion of the new selling yards, and this trend should continue as the facilities become more widely known. In the sheep and lamb selling sections the progressive renewal of drafting yards and holding pens continued, with the assistance of Government subsidies. The loan programme for next year includes the provision of a vehicle washing bay, and extension to the pig selling pavilion to provide added shade to some of the pens, and protection during the wet season.³⁸

Much of the works carried out in the 1960s occurred on the western allotment of the sale yards (former Cardigan Square). A feature of the redevelopment was a selling pavilion constructed in the south-east corner. It was built with a broad gabled roof form with projecting skillion dormers, and inside it contained an octagonal sales area with tiered timber seating. Given the increase in popularity in pig sales, an extension was made to the pig selling pavilion in 1963-64. An area was also concreted for use as a truck wash.³⁹

³⁷ *City of Ballarat Mayor's Annual Report, 1973-74*, Public Record Office Victoria, Ballarat.

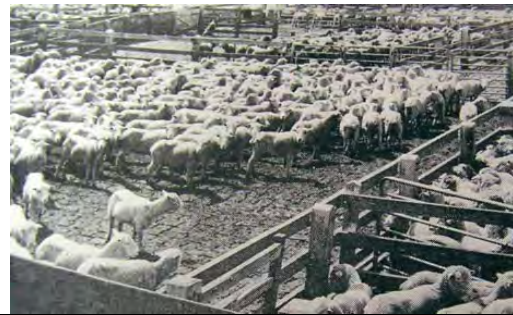
³⁸ *Ibid.*, 1963-64.

³⁹ *Ibid.*, 1964.

By 1966, the Corporation sale yards were claimed to be 'one of the best markets in Victoria.'⁴⁰ This led to additional and improved facilities for the selling of sheep and lambs on the eastern allotment of the reserve.⁴¹ A long term loan of \$20,000 had been taken out by the Ballarat Council for the improvements.⁴² With unusually dry weather conditions in 1967, the market expanded even further, and a special grant of \$40,500 for rebuilding the sheep yards was made available by the Victorian State Government, being matched on a \$1 for \$1 basis.⁴³ It was anticipated that the 'new plans will provide modern selling and yarding facilities and necessary drainage work to build an up-to-date stock selling outlet.'⁴⁴



Cattle Yards at the Sale Yards, 1966-67. Source: *Mayor's Annual Report, 1966-67, PROV, Ballarat.*



Sheep Yards at the Sale Yards, 1967-68. Source: *Mayor's Annual Report, 1967-68, PROV, Ballarat.*

By 1968-69, the Ballarat City Council had expended almost \$500,000 on rebuilding and extending the facilities at the sale yards.⁴⁵ In 1970, another extension to the pig pavilion had been completed and in the following year a truck unloading area at the western end of the sale yards was sealed.⁴⁶

Major Changes in the 1970s and 1980s

In 1971, the continuing demand at the sale yards brought about a revision of the master plan. Designs were approved for a number of improvements, with new holding pens and delivery ramps proposed in the cattle section, and the truck wash was to be relocated 'within the Gillies Street Depot area to permit additional unloading and drafting facilities, and an extra 24 selling pens will be constructed.'⁴⁷ Bluestone picher paving was also replaced in the major selling extensions (a replacement process that appears to have begun in the 1960s), bringing 'all pens to a uniform standard.'⁴⁸ These works were completed during the year of 1973-74.⁴⁹ An aerial photograph of the sale yards site at this time reveals the locations and layouts of the selling pens and yards, pig pavilions (to the right in the foreground) and the Administration building south of the sheep pens (to the right in the background). A row of mature Cypress trees formed the southern boundary to Latrobe Street adjacent to the Administration building.

⁴⁰ *Ibid.*, 1966-67.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ *Ibid.*, 1967-68.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*, 1968-69.

⁴⁶ *Ibid.*, 1971-72.

⁴⁷ *Ibid.*, 1972-73.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*, 1973-74.



Aerial view of the Sale Yards, 1973-74. Source: *Mayor's Annual Report, 1973-74*, PROV, Ballarat.

A further redevelopment and extension program was proposed in 1979. The necessary approvals were given and the cost of the works was estimated at \$500,000.⁵⁰ These changes were again due to the increased demand. In 1974, 77,347 cattle, 5,626 calves, 412,691 sheep, 290,863 lambs, 232 horse, 91,551 pigs and 1,435 bulls passed through the yards.⁵¹ The railway reserve at the northern end of the site was surrendered and new yards constructed in this location.⁵² The 'old' sheep yards were rebuilt and additional holding pens and unloading ramps constructed by S.J. Weir and Co. Alsteel Constructions were also involved in the holding yard extensions. The works were completed by 1980.⁵³

In 1981, cattle scales were installed and they were formally opened by the former Minister of Agriculture, the Hon. T Austin.⁵⁴ Scales for the selling of pigs had also been installed and this was 'the first such installation in Victoria.'⁵⁵ At that time, Ballarat had 'the largest pig sales in Victoria, averaging approximately 2,000 per week, and it is remarkable that these pigs come from the extremities of the State and from New South Wales.'⁵⁶

Further major works occurred in 1988. Costing \$598,000, the redevelopment program included the replacement of 98 cattle selling pens and 38 bull pens, the replacement of drafts at the western end of the sheep yards, the rebuilding of pig loading and unloading ramps, and the purchase of the railway reserve on the northern side of the yards.⁵⁷ By this time, the sale yards operated 'at arms length from Council and all revenue' was returned to the yards operation.⁵⁸

⁵⁰ *Ibid.*, 1979.

⁵¹ *Ibid.*, 1973-74.

⁵² R.J. Meggs, Licensed Surveyor, Department of Crown Lands & Survey, Survey Branch, Division Surveyor's Report, Township of Ballarat, 11 February 1980, Crown Land Reserve file Rs 2900, file 5430, DSE, Ballarat.

⁵³ *City of Ballarat Mayor's Annual Report*, 1980, op.cit.

⁵⁴ *Ibid.*, 1982.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*, 1988.

⁵⁸ *Ibid.*

Recent Developments

It appears that the name of the sale yards had changed to the Ballarat Livestock Selling Centre in 1991.⁵⁹ In recent years, the sale yards became known as the Central Victorian Livestock Exchange (CVLX) which continued to be owned by the Ballarat City Council but operated by Regional Infrastructure Pty Ltd. On 1 May 2010, the sale yards were purchased from the Ballarat City Council by Palisade Investments and the site continues to be operated and managed by Regional Infrastructure.⁶⁰

Today, the Ballarat sale yards has a reputation as one of the best known sale yards in Victoria.⁶¹ In 2006-07, over 1.5 million sheep passed through the sale yards and 56,000 cattle.⁶² Palisade and Regional Infrastructure have commenced the development of a new facility at Miners Rest to replace the existing yards.

William Brazenor

William Brazenor was born in 1832 in Shropshire, England, where he was initially educated.⁶³ He later went to Birmingham where he was articled to an architect and surveyor.⁶⁴ For the next ten years he worked as an architect and in 1857 at the age of 25 he emigrated to Australia where he accepted a position as a draftsman under the city surveyor of Melbourne.⁶⁵ Three years later, he resigned from his Government appointment and began contracting work. Throughout the early 1860s he worked on a Government tender for the erection of railway station yards as well as the Ballarat Corporation cattle yards.⁶⁶ During his work at the Ballarat cattle yards, he built a hotel nearby that became known as the Cattle Yards Inn.⁶⁷ As this investment proved highly profitable, he did not return to Melbourne, living instead at the Cattle Yards Inn where he continued a strong interest in the cattle yards and more broadly agricultural practices. Simultaneously, Brazenor practised as an architect and he combined his interest in the agricultural sphere through the re-erection of the Ballarat cattle and sheep yards in the 1880s, as well as H. Bath's carriage factory, offices in Lydiard Street, and Mr. Coghlan's carriage factory in Mair Street.⁶⁸ Between the 1880s and 1900, he designed a show shed, hall, exhibition dog shed and grandstand at the Ballarat Showgrounds for the Ballarat Agricultural and Pastoral Society.⁶⁹ In conjunction with Samuel Valentine, Brazenor won first prize for the Melbourne cattle and sheep yards at Flemington and in 1886 they patented a sheep railway wagon invention.⁷⁰ In 1901, he designed improvements to the Hampden and Heytesbury Pastoral and Agricultural Society showgrounds.⁷¹ Warehouses, stabling and stores were also designed for private properties in Ballarat between 1903 and 1911.⁷² Brazenor also designed many other buildings in Ballarat, including the North Grant Hotel in Bridge Street and Kelsall's Buildings at the corner of Mair and Lydiard Streets (which featured a

59 *Ibid.*, 1991.

60 See <http://www.cvlx.com.au/aboutus.html>

61 *Ibid.*

62 *Ibid.*

63 Kimberley, *op.cit.*

64 *Ibid.*

65 *Ibid.*

66 *Ibid.*

67 *Ibid.*

68 *Ibid.*

69 *Ibid.*. See also *The Argus*, 17 September 1881, p.11, 12 November 1891, p.6 & the *Ballarat Courier*, 22 September 1916, p.7.

70 Kimberley, *op.cit.* & *Victoria Government Gazette*, *op.cit.*

71 *Camperdown Chronicle*, 1 October 1901, p.2.

72 Kimberley, *op.cit.* & G. Sweely, Database of City of Ballarat Building Permit Books, 1900-1912, City of Ballarat.

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telescopic lift).⁷³ Brazenor had taken into partnership Arthur Tweedie until Tweedie's untimely death in 1892 at the age of 24.⁷⁴



William Brazenor, c.1888. Source: Album of security identity portraits of members of the Victorian Court, Centennial International Exhibition, Melbourne, 1888, Latrobe Picture collection, State Library of Victoria, accession H28190/402.

In addition to his involvements with the Ballarat sale yards, Cattle Inn Hotel and his architectural practise, Brazenor was a keen follower of the hounds, being one of the founders of the Ballarat Coursing Club. He filled the position of flag steward for many years. In 1894, Brazenor was described as follows:

In appearance Mr Brazenor is a typical English huntsman, and it is from the old country probably that he inherits his love for that oldest noble English pastime. He is a hearty, happy gentleman, full of good-will and laughter. As an architect he holds a prominent position; as a huntsman he is pre-eminent; and as a man he is widely known and respected.⁷⁵

Brazenor died on 21 September 1916, at the age of 84.⁷⁶

COMPARATIVE:**Contextual Background to Early Markets in Ballarat⁷⁷**

Influential on the development of markets was the Municipal Institutions Act of 1854 related to the conducting of markets, being one of the most important roles of fledgling municipal governments. In Ballarat, Ben Hepburn commenced a livestock selling business in 1856 when he organized cattle and horse sales at the Turf Yards in Creswick Road, beyond the cemetery. After 1860, Hepburn went into partnership with John Leonard and later H.E. Rowe. A horse bazaar had also been established by O'Farrell and by 1870 it was conducted by Hepburn and O'Farrell.

⁷³ Kimberley, *op.cit.*

⁷⁴ *The Argus*, 22 April 1891, p.1.

⁷⁵ Kimberley, *op.cit.*

⁷⁶ *Ballarat Courier*, *op.cit.*

⁷⁷ Taken from A. Begg Sunter, 'Ballarat Cattleyards and Markets', manuscript, provided June 2007.

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A market was established in the centre of town in Stuart Street in the location of the Thomas Moore statue. In the 1880s, the market was relocated to Armstrong Street next to the Town Hall. There was also a market reserve between Curtis and Mair Streets in 1861 as well as a reserve in the present Civic Hall Site.

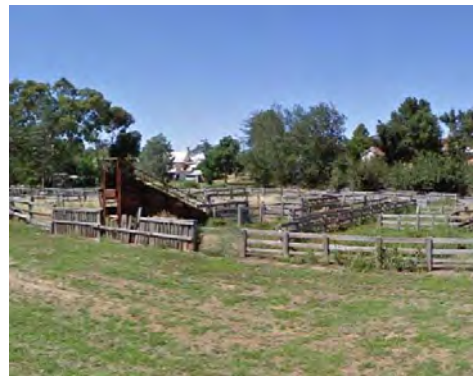
Inventory of Sale Yards in Victoria

The following inventory is taken from the 'Geelong Sale Yards' Conservation Management Plan prepared by the authors in 2007. It has relied on the table prepared by R.J. Kaufman of LRGM – Services in the 'Conservation Management Plan and Interpretation Plan for the Rotunda (Sales Ring), Bairnsdale Regional Saleyards', prepared for the Eastern Gippsland Shire Council in 2003. Other rural sale yards have also been identified, particularly through responses from heritagechat (online heritage chat group) in 2007.

Avoca Stock Yards, Avoca, built from 1926. Pyrenees Shire, HO202, municipal yards.

Initially built from bush timber, the Avoca Stock Yards have significance for their associations and characteristic qualities. The stockyards and their unusually close proximity to the main street, clearly illustrate the importance of farming in the local economy. Their construction of bush timber, is typical of a period before iron or aluminium was widely used in fencing structures.

Source: W. Jacobs & K. Twigg, 'The Pyrenees Shire Avoca Shire Heritage Study 1864-1994', prepared for the Pyrenees Shire, 1995, vol.3. Image: Googlemaps, 2010.



Bairnsdale Regional Sale Yards & Rotunda, built 1941.

East Gippsland Shire, HO39, municipal yards. The Bairnsdale Sales Rotunda is of State cultural heritage significance because of its historical associations with the pastoral and horse-breeding industries, typological rarity as a pre-1950s livestock selling ring (and saleyards building), and the aesthetic qualities of its unusual construction.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.



Photo source: Opening Day, Bairnsdale Sale Yards, 1941, La Trobe Picture Collection, State Library of Victoria, image no. b.51134.

Benambra Sale Yards, possibly established during the interwar period. East Gippsland Shire, no heritage status, private yards.

Source: Linda Barraclough, Gippsland Heritage Journal, June 2007.

Photo source: Benambra Sale Yards, 1947, La Trobe Picture collection, State Library of Victoria, image no. b51063.



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Bendigo Sale Yards, built 1997 on new site. City of Greater Bendigo, no heritage status, municipal yards.

Early Sale Yards and Abattoirs site redeveloped.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Photo source: Original Bendigo Sale Yards, 1924, La Trobe Picture collection, State Library of Victoria, image no. b14818.



Camperdown Regional Livestock Selling Centre, built in more recent times. Corangamite Shire, no heritage status, municipal yards.

Source: Huefner & Associates Pty Ltd, Camperdown Regional Livestock Selling Centre - Business Plan, December 2006.

Casterton Sale Yards & Stock Selling Ring Building, built 1925. Glenelg Shire, State significance, VHR314.

The centrepiece of the Casterton Sale Yards is the octagonal plan selling ring having tiered timber benches on five sides. The upright timbers that support of the roof of the sale ring building are square red gum posts with stringybark rafters and battens. The posts of the outside yards are also red gum and the rails are stringybark or other local hardwood timbers.

Source (including photos): T. Hubbard, Heritage Matters Pty Ltd, 'Glenelg Shire Heritage Study', Stage 2, 2006.



Cobram Sale Yards, established 1939. Moira Shire, no heritage status, municipal yards.

Cobram Sale Yards were remodeled between 1960-69.

Source (including photo): K. Rogers, *The Story of Cobram: A Social History*, Cobram Historical Society, Cobram, 2002, 155-266.



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Colac Livestock, built in 1977. Colac Otway Shire, no heritage status, municipal yards.

The cattle yards have been extensively extended since 1977.

Source: Huefner & Associates Pty Ltd, Geelong Sale Yards – Risk Analysis, prepared for the City of Greater Geelong, March 2004, pp.1-2.

Corryong Sale Yards, building date not known. Towong Shire, no heritage status. Apparently municipal yards in 1985.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Dalgety Sale Yards, Duverney Street, Cressy, built 1906.

Colac Otway Shire, private yards.

Dalgety & Co. opened a sub-branch at Cressy in 1906, in conjunction with the sale yards. Fortnightly sales were conducted for fat and store sheep and cattle by 1912. In 1957, the yards saw the largest sale of sheep in Cressy, when 30,000 sheep passed through. The original yards have been replaced by modern construction materials.

Source: M. Sheehan, Colac Otway Heritage Study, prepared for the Colac Otway Shire.

Dingee Sale Yards, Dingee, building date not known.

Loddon Shire, no heritage status, possibly private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Echuca Sale Yards, built in 20th century. Campaspe Shire, no heritage status. The yards were to be relocated in 2004.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Photo source: Echuca Sale Yards, 1949, La Trobe Picture collection, State Library of Victoria, image no. a 27813.



Ensley Sale Yards, building date not known. East

Gippsland Shire, no heritage status.

Helen Martin, Shearwater Associates Pty Ltd, June 2007.

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Geelong Sale Yards, 125 Weddell Road, Norht Geelong, first established on this site in 1869. City of Greater Geelong, State Significance, included as an HO. The site includes 19th century cattle and sheep pens, the layout and design having been modelled on the Newmarket yards at Kensington and the Ballarat yards. A landmark feature is the Federation Market Office building built of corrugated sheet metal. It was damaged by fire in 2013 and is beyond repair.



Source: D. Rowe & W. Jacobs, 'Geelong Sale Yards' Conservation Management Plan, prepared for the City of Greater Geelong, September 2007.

Photo of restored Market Office building in 2010.

Source: David Rowe.

Gelantipy Sale Yards, Gelantipy, building date not known. East Gippsland Shire, no heritage status, private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Goldsbrough Mort-Elder Smith Sale Yards & Sale Rooms, Moyhu, built c.1940s. Wangaratta Rural City, no heritage status (proposed), municipal yards.



Consists of a large block of steel sale yards, with a substantial loading ramp at the south end. The yards are built with welded wire mesh and posts of reclaimed double-headed railway line (dated 1886). The yard is set about with many mature Locust trees for shade in the summer. The gable roofed sale room shed at the south end of the yards contains a bull ring having a semi-circular fence with tiered bench seating behind it around the walls at one end.

The yards, covered sale ring, water tank & toilet are thought to be the only stock yards surviving in the Rural City of Wangaratta.

Source (including photo): C. & M.J. Doring Pty Ltd, 'Rural City of Wangaratta Heritage Study', Inventory, May 2004, study item no. 095.

Hamilton Sale Yards, building date not known. Southern Grampians Shire, municipal yards.

Resources Inventory, Public Land Assets - Historic Places, DSE, June 2007.

Henty Sale Yards, Casterton, built 19th century [?]. Glenelg Shire, private yards.

Source: Mandy Jean, June 2007.

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Heyfield Sale Yards, Heyfield, building date not known.

Wellington Shire, private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Heywood Sale Yards, Heywood, building date not known. Glenelg Shire, no heritage status, privately operated.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Horsham/Wimmera Stock Bazaar, Horsham, built 1936. Horsham Shire, VHR H1985.

The Stock Bazaar building is of architectural significance as a rare and late example of the building type of the stock or horse bazaar. It also has significance for its unusual Moderne facade design, which incorporates abstracted Egyptian style pylons on either side of the main entrance. The building has historical significance as the only standing fabric remaining from the livestock saleyards which were a vital aspect of the physical and economic development of Horsham as a centre servicing the agricultural and pastoral region of the Wimmera. Sale yards removed in the 1990s and relocated to new site in 1999.



Source (including photo): Victorian Heritage Register online, H1985, June 2007.

Kilmore Sale Yards, Derrimut, built c.1959. Mitchell Shire, no heritage status, private yards.

Earlier yards relocated in 1933 and again to Derrimut in the 1950s.

Resources Inventory, Public Land Assets - Historic Places, DSE, June 2007.

Koonawarra Sale Yards, Koonawarra, building 1980-81. South Gippsland Shire.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Kyneton Sale Yards, built 1986. Macedon Ranges Shire, no heritage status, municipal yards.

Covered timber pens with a computerized selling ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Mildura Sale Yards, building date not known. Mildura Rural City, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

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Morang Sale Yards, Mernda, built c.1880s. Whittlesea Shire, HO66.

Source: Meredith Gould Architects, 'Whittlesea Heritage Study 1991 Part 2', prepared for the City of Whittlesea.

Mortlake Sale Yards, building date not known. Moyne Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Murrayville Sale Yards, Murrayville, building date not known. Mildura Rural City, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Myrtleford Sale Yards, Myrtleford, built c.1970s. Alpine Shire, no heritage status.

Private yards upgraded approximately 30 years ago. The c.1970s sales ring survives, although the tiered seating may be older, with new building and ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Newmarket Sale Yards & Abattoirs (former), Kensington, built 1859. Moonee Valley City, HO262, VHR H1430.

In January 1859, the first sales were held at the newly-completed Newmarket sale yards. By 1888, almost half a million animals passed annually through the markets and in the 20th century it became the world's largest livestock auction market. The sale yards were situated on 10 hectares of land. An early brick administration building constructed in c.1874 survives on the sale yards site today. It is a square-planned building designed with a central courtyard in which is a clock tower built in c.1939.

On 26 March 1987, the Newmarket Sale Yards were officially closed and the site was transformed into a medium density residential estate known as the Kensington Banks. Most of the yards were therefore demolished, although a small area of cattle pens and some fencing survives. This building now forms part of the Kensington Community High School. The original stock-route has been interpreted through a walk.

Source: Victorian Heritage Database online.



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Numurkah Sale Yards, Numurkah, building date not known. Moira Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Ormeo Sale Yards, building date not known. East Gippsland Shire, no heritage status, private yards.

Open pens only.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Orbost Sale Yards, building date not known. East Gippsland Shire, no heritage status, private yards.

Small timber and metal pens with an under-cover, open-sided selling pavilion having auctioneer's stand but no seating.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Ouyen Sale Yards, building date not known. Mildura Rural City, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Pakenham Sale Yards, built in 1999, Cardinia Shire, no heritage status.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Rochester Sales Ring, built 1911. Campaspe Shire, HO216, municipal yards.

The sale yards were refurbished in 1954. They consist of rough, wooden, under-cover pens and a separate covered sales ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Shepparton Regional Sale Yards, built in 20th century with covered cattle pens, City of Greater Shepparton, no heritage status.

Source (including photo): David Rowe, 2007.



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South Gippsland Regional Sale Yards, Korumburra,
construction date not known. South Gippsland Shire, no
heritage status.

Apparently the largest bullock market in Victoria. Leased
from Shire to a private company.

Source: R.J. Kaufman, LRGM Services, 'Conservation
Management Plan, Bairnsdale Regional Saleyards', 2003.

Swan Hill Municipal Sale Yards, built 1995. Swan Hill
Shire.

Source: R.J. Kaufman, LRGM Services, 'Conservation
Management Plan, Bairnsdale Regional Saleyards', 2003.

**Swifts Creek Sale Yards, Swifts Creek, building date not
known.** East Gippsland Shire.

Source: Helen Martin, Shearwater Associates Pty Ltd,
June 2007. Linda Barraclough, East Gippsland Journal,
June 2007.

Thorpdale Sale Yards, Thorpdale, built c.1930-40s [?].
Baw Baw Shire, no heritage status, private yards.

Source (including photos): Anne Napier Architect Pty Ltd,
June 2007.



Trafalgar Sale Yards, Trafalgar, building date not known,
Baw Baw Shire, no heritage status, municipal.

Source: R.J. Kaufman, LRGM Services, 'Conservation
Management Plan, Bairnsdale Regional Saleyards', 2003.

Traralgon Sale Yards, built in 20th century, Latrobe City,
private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation
Management Plan, Bairnsdale Regional Saleyards', 2003.

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Wangaratta Bull Sale Ring (former), built c.1938.

Wangaratta Rural City, no heritage status (proposed).

New pig sale yards were established at Batchelor's Green in 1928. The early Market and stock yards (established in 1864) were relocated to this site in 1934. The Bull Sale Ring building was constructed in c.1938 at the Batchelor's Green site. The Sale Yard operations were again relocated in the 1970s and in c.1980 the Bull Sale Ring was converted into an art studio for the Artists' Society.



Source (including photo): C. & M.J. Doring Pty Ltd, 'Rural City of Wangaratta Heritage Study', Inventory, May 2004, study item no. 517.

Warrnambool Livestock Exchange, built 1970.

Warrnambool City, municipal yards.

These are the largest yards in the south-west Victoria and were redesigned in the late 1990s.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Warragul Sale Yards, built c.1940s, Baw Baw Shire, no heritage status, municipal yards.

Source (including photos): Anne Napier Architect, June 2007.



Wellington Livestock Exchange, built in later 20th century. Wellington Shire, no heritage status municipal yards.

Includes an enclosed undercover selling ring.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

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Wodonga Livestock Exchange, built in the late 20th century, Wodonga Rural City, no heritage status, municipal yards.

Claimed to be Australia's largest cattle sale yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.
See also K. Skeen, *Wodonga Saleyards: The Story 1935-1980*.

Wycheproof Sale Yards, building date not known,
Buloke Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Yarram Sale Yards, Yarram, building date not known.
Wellington Shire, private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Yarrawonga Sale Yards, building date not known. Moira Shire, no heritage status, municipal yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

Yea Sale Yards, building date not known. Murrundindi Shire, no heritage status, possibly private yards.

Source: R.J. Kaufman, LRGM Services, 'Conservation Management Plan, Bairnsdale Regional Saleyards', 2003.

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- Drawings of Ballarat Sale Yards, 1867-1959, City of Ballarat collection.
- Heritage Matters P/L, 'Glenelg Shire Heritage Study', Stage 2, 2006.
- Huefner & Assoc. P/L, Camperdown Regional Livestock Selling Centre – Business Plan, December 2006.
- Huefner & Assoc. P/L, Geelong Sale Yards – Risk Analysis, prepared for the City of Greater Geelong, March 2004.

City of Ballarat Heritage Assessments

2013

PLACE NAME: Central Victorian Livestock Exchange (Sale Yards)

Place No. DEL01

ADDRESS: 1020 Latrobe Street, Delacombe

Assessment Date: July 2013

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Jacobs Lewis Vines,	'Ballarat Conservation Study', Part 2, prepared for the City of Ballarat, 1980.
Kaufman, R.J.,	'Conservation Management Plan, Bairnsdale Regional Saleyards', LRGM Services, 2003.
Kimberley, W.B. (ed.).	Ballarat and Vicinity: a condensed but comprehensive account of her financial, commercial, manufacturing, mining, and agricultural enterprises: her progress and population in the past and possibilities in the future, F.W. Niven, Ballarat, n.d. [1894]. La Trobe Picture Collection, State Library of Victoria.
Meredith Architects,	Gould 'Whittlesea Heritage Study 1991 Part 2', prepared for the City of Whittlesea. Resources Inventory, Public Land Assets – Historic Places, Department of Sustainability and Environment, Melbourne.
Rogers, K.,	<i>The Story of Cobram: A Social History</i> , Cobram Historical Society, Cobram, 2002.
Rowe, D. & Jacobs, W.,	'Geelong Sale Yards' Conservation Management Plan, prepared for the City of Greater Geelong, September 2007.
Sheehan, M.,	'Colac Otway Heritage Study', prepared for the Colac Otway Shire.
Skeen, K.,	<i>Wodonga Saleyards: The Story 1935-1980</i> . <i>The Star</i> (Ballarat) newspaper. <i>Victoria Government Gazette</i> . http://www.cvlx.com.au/aboutus.html Victorian Heritage Database online. <i>Warragul Guardian & Buln Buln & Narracan Shire Advocate</i> newspaper.

RECOMMENDED EXTENT OF HERITAGE OVERLAY

The recommended extent of the heritage overlay is shown in the red lines surrounding the Administration Building and a portion of the sheep yards.



6.0 Appendices

6.01 Australia ICOMOS Burra Charter

6.02 VPP Practice Note: Applying the Heritage Overlay

6.01 Australia ICOMOS Burra Charter

The Burra Charter

(The Australia ICOMOS Charter for Places of Cultural Significance)

Preamble

Considering the International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), and the Resolutions of the 5th General Assembly of the International Council on Monuments and Sites (ICOMOS) (Moscow 1978), the Burra Charter was adopted by Australia ICOMOS (the Australian National Committee of ICOMOS) on 19 August 1979 at Burra, South Australia. Revisions were adopted on 23 February 1981, 23 April 1988 and 26 November 1999.

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australia ICOMOS members.

Conservation is an integral part of the management of places of cultural significance and is an ongoing responsibility.

Who is the Charter for?

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

Using the Charter

The Charter should be read as a whole. Many articles are interdependent. Articles in the Conservation Principles section are often further developed in the Conservation Processes and Conservation Practice sections. Headings have been included for ease of reading but do not form part of the Charter.

The Charter is self-contained, but aspects of its use and application are further explained in the following Australia ICOMOS documents:

- Guidelines to the Burra Charter: Cultural Significance;

- Guidelines to the Burra Charter: Conservation Policy;
- Guidelines to the Burra Charter: Procedures for Undertaking Studies and Reports;
- Code on the Ethics of Coexistence in Conserving Significant Places.

What places does the Charter apply to?

The Charter can be applied to all types of places of cultural significance including natural, indigenous and historic places with cultural values.

The standards of other organisations may also be relevant. These include the Australian Natural Heritage Charter and the Draft Guidelines for the Protection, Management and Use of Aboriginal and Torres Strait Islander Cultural Heritage Places.

Why conserve?

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, that are important as tangible expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations.

The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Articles

Article 1. Definitions

For the purposes of this Charter:

- 1.1 *Place* means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.
- 1.2 *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*.

Places may have a range of values for different individuals or groups.
- 1.3 *Fabric* means all the physical material of the *place* including components, fixtures, contents, and objects.
- 1.4 *Conservation* means all the processes of looking after a *place* so as to retain its *cultural significance*.
- 1.5 *Maintenance* means the continuous protective care of the *fabric* and *setting* of a *place*, and is to be distinguished from repair. Repair involves restoration or reconstruction.
- 1.6 *Preservation* means maintaining the *fabric* of a *place* in its existing state and retarding deterioration.
- 1.7 *Restoration* means returning the existing *fabric* of a *place* to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- 1.8 *Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material into the *fabric*.
- 1.9 *Adaptation* means modifying a *place* to suit the existing use or a proposed use.
- 1.10 *Use* means the functions of a place, as well as the activities and practices that may occur at the place.
- 1.11 *Compatible use* means a use which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.
- 1.12 *Setting* means the area around a *place*, which may include the visual catchment.
- 1.13 *Related place* means a place that contributes to the *cultural significance* of another place.

Explanatory Notes

The concept of place should be broadly interpreted. The elements described in Article 1.1 may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.

The term cultural significance is synonymous with heritage significance and cultural heritage value.

Cultural significance may change as a result of the continuing history of the place.

Understanding of cultural significance may change as a result of new information.

Fabric includes building interiors and sub-surface remains, as well as excavated material.

Fabric may define spaces and these may be important elements of the significance of the place.

The distinctions referred to, for example in relation to roof gutters, are:

- maintenance — regular inspection and cleaning of gutters;
- repair involving restoration — returning of dislodged gutters;
- repair involving reconstruction — replacing decayed gutters.

It is recognised that all places and their components change over time at varying rates.

New material may include recycled material salvaged from other places. This should not be to the detriment of any place of cultural significance.

Articles

- 1.14 *Related object* means an object that contributes to the *cultural significance* of a *place* but is not at the place.
- 1.15 *Associations* mean the special connections that exist between people and a *place*.
- 1.16 *Meanings* denote what a *place* signifies, indicates, evokes or expresses.
- 1.17 *Interpretation* means all the ways of presenting the *cultural significance* of a *place*.

Conservation Principles

Article 2. Conservation and management

- 2.1 *Places of cultural significance* should be conserved.
- 2.2 The aim of *conservation* is to retain the *cultural significance* of a *place*.
- 2.3 *Conservation* is an integral part of good management of *places of cultural significance*.
- 2.4 *Places of cultural significance* should be safeguarded and not put at risk or left in a vulnerable state.

Article 3. Cautious approach

- 3.1 *Conservation* is based on a respect for the existing *fabric, use, associations and meanings*. It requires a cautious approach of changing as much as necessary but as little as possible.
- 3.2 Changes to a *place* should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 4. Knowledge, skills and techniques

- 4.1 *Conservation* should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the *place*.
- 4.2 Traditional techniques and materials are preferred for the *conservation* of significant *fabric*. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate.

Explanatory Notes

Associations may include social or spiritual values and cultural responsibilities for a place.

Meanings generally relate to intangible aspects such as symbolic qualities and memories.

Interpretation may be a combination of the treatment of the fabric (e.g. maintenance, restoration, reconstruction); the use of and activities at the place; and the use of introduced explanatory material.

The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.

The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Articles

Article 5. Values

- 5.1 *Conservation* of a *place* should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.
- 5.2 Relative degrees of *cultural significance* may lead to different *conservation* actions at a place.

Article 6. Burra Charter process

- 6.1 The *cultural significance* of a *place* and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy.
- 6.2 The policy for managing a place must be *based* on an understanding of its *cultural significance*.
- 6.3 Policy development should also include consideration of other factors affecting the future of a *place* such as the owner's needs, resources, external constraints and its physical condition.

Article 7. Use

- 7.1 Where the *use* of a place is of *cultural significance* it should be retained.
- 7.2 A *place* should have a *compatible* use.

Article 8. Setting

Conservation requires the retention of an appropriate visual *setting* and other relationships that contribute to the *cultural significance* of the *place*.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Explanatory Notes

Conservation of places with natural significance is explained in the Australian Natural Heritage Charter. This Charter defines natural significance to mean the importance of ecosystems, biological diversity and geodiversity for their existence value, or for present or future generations in terms of their scientific, social, aesthetic and life-support value.

A cautious approach is needed, as understanding of cultural significance may change. This article should not be used to justify actions which do not retain cultural significance.

The Burra Charter process, or sequence of investigations, decisions and actions, is illustrated in the accompanying flowchart.

The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change, to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of practices which contribute to the cultural significance of the place.

Aspects of the visual setting may include use, siting, bulk, form, scale, character, colour, texture and materials.

Other relationships, such as historical connections, may contribute to interpretation, appreciation, enjoyment or experience of the place.

Articles

Explanatory Notes

Article 9. Location

- 9.1 The physical location of a *place* is part of its *cultural significance*. A building, work or other component of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.
- 9.2 Some buildings, works or other components of *places* were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other components do not have significant links with their present location, removal may be appropriate.
- 9.3 If any building, work or other component is moved, it should be moved to an appropriate location and given an appropriate use. Such action should not be to the detriment of any *place* of *cultural significance*.

Article 10. Contents

Contents, fixtures and objects which contribute to the *cultural significance* of a *place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring their security and *preservation*; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.

Article 11. Related places and objects

The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained.

Article 12. Participation

Conservation, *interpretation* and management of a *place* should provide for the participation of people for whom the place has special *associations* and *meanings*, or who have social, spiritual or other cultural responsibilities for the place.

Article 13. Co-existence of cultural values

Co-existence of cultural values should be recognised, respected and encouraged, especially in cases where they conflict.

For some places, conflicting cultural values may affect policy development and management decisions. In this article, the term cultural values refers to those beliefs which are important to a cultural group, including but not limited to political, religious, spiritual and moral beliefs. This is broader than values associated with cultural significance.

Articles

Explanatory Notes

Conservation Processes

Article 14. Conservation processes

Conservation may, according to circumstance, include the processes of: retention or reintroduction of a *use*; retention of *associations* and *meanings*; *maintenance*, *preservation*, *restoration*, *reconstruction*, *adaptation* and *interpretation*; and will commonly include a combination of more than one of these.

There may be circumstances where no action is required to achieve conservation.

Article 15. Change

- 15.1 Change may be necessary to retain *cultural significance*, but is undesirable where it reduces cultural significance. The amount of change to a *place* should be guided by the *cultural significance* of the place and its appropriate *interpretation*.
- 15.2 Changes which reduce *cultural significance* should be reversible, and be reversed when circumstances permit.
- 15.3 Demolition of significant *fabric* of a *place* is generally not acceptable. However, in some cases minor demolition may be appropriate as part of *conservation*. Removed significant fabric should be reinstated when circumstances permit.
- 15.4 The contributions of all aspects of *cultural significance* of a *place* should be respected. If a place includes *fabric*, *uses*, *associations* or *meanings* of different periods, or different aspects of cultural significance, emphasising or interpreting one period or aspect at the expense of another can only be justified when what is left out, removed or diminished is of slight cultural significance and that which is emphasised or interpreted is of much greater cultural significance.

When change is being considered, a range of options should be explored to seek the option which minimises the reduction of cultural significance.

Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.

Article 16. Maintenance

Maintenance is fundamental to *conservation* and should be undertaken where *fabric* is of *cultural significance* and its maintenance is necessary to retain that *cultural significance*.

Articles

Article 17. Preservation

Preservation is appropriate where the existing *fabric* or its condition constitutes evidence of *cultural significance*, or where insufficient evidence is available to allow other *conservation* processes to be carried out.

Article 18. Restoration and reconstruction

Restoration and *reconstruction* should reveal culturally significant aspects of the *place*.

Article 19. Restoration

Restoration is appropriate only if there is sufficient evidence of an earlier state of the *fabric*.

Article 20. Reconstruction

- 20.1 *Reconstruction* is appropriate only where a *place* is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the *fabric*. In rare cases, reconstruction may also be appropriate as part of a use or practice that retains the *cultural significance* of the place.
- 20.2 *Reconstruction* should be identifiable on close inspection or through additional *interpretation*.

Article 21. Adaptation

- 21.1 *Adaptation* is acceptable only where the adaptation has minimal impact on the *cultural significance* of the place.
- 21.2 *Adaptation* should involve minimal change to significant fabric, achieved only after considering alternatives.

Article 22. New work

- 22.1 New work such as additions to the *place* may be acceptable where it does not distort or obscure the *cultural significance* of the place, or detract from its *interpretation* and appreciation.
- 22.2 New work should be readily identifiable as such.

Explanatory Notes

Preservation protects fabric without obscuring the evidence of its construction and use. The process should always be applied:

- where the evidence of the fabric is of such significance that it should not be altered;
- where insufficient investigation has been carried out to permit policy decisions to be taken in accord with Articles 26 to 28.

New work (e.g. stabilisation) may be carried out in association with preservation when its purpose is the physical protection of the fabric and when it is consistent with Article 22.

Adaptation may involve the introduction of new services, or a new use, or changes to safeguard the place.

New work may be sympathetic if its siting, bulk, form, scale, character, colour, texture and material are similar to the existing fabric, but imitation should be avoided.

Articles

Article 23. Conserving use

Continuing, modifying or reinstating a significant *use* may be appropriate and preferred forms of *conservation*.

Article 24. Retaining associations and meanings

- 24.1 Significant *associations* between people and a *place* should be respected, retained and not obscured. Opportunities for the *interpretation*, commemoration and celebration of these associations should be investigated and implemented.
- 24.2 Significant *meanings*, including spiritual values, of a *place* should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

Article 25. Interpretation

The *cultural significance* of many places is not readily apparent, and should be explained by *interpretation*. Interpretation should enhance understanding and enjoyment, and be culturally appropriate.

Conservation Practice

Article 26. Applying the Burra Charter process

- 26.1 Work on a *place* should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.
- 26.2 Written statements of *cultural significance* and policy for the *place* should be prepared, justified and accompanied by supporting evidence. The statements of significance and policy should be incorporated into a management plan for the place.
- 26.3 Groups and individuals with *associations* with a place as well as those involved in its management should be provided with opportunities to contribute to and participate in understanding the *cultural significance* of the place. Where appropriate they should also have opportunities to participate in its *conservation* and management.

Article 27. Managing change

- 27.1 The impact of proposed changes on the *cultural significance* of a *place* should be analysed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes following analysis to better retain cultural significance.
- 27.2 Existing *fabric*, *use*, *associations* and *meanings* should be adequately recorded before any changes are made to the *place*.

Explanatory Notes

These may require changes to significant fabric but they should be minimised. In some cases, continuing a significant use or practice may involve substantial new work.

For many places associations will be linked to use.

The results of studies should be up to date, regularly reviewed and revised as necessary.

Statements of significance and policy should be kept up to date by regular review and revision as necessary. The management plan may deal with other matters related to the management of the place.

Articles

Explanatory Notes

Article 28. Disturbance of fabric

- 28.1 Disturbance of significant *fabric* for study, or to obtain evidence, should be minimised. Study of a *place* by any disturbance of the fabric, including archaeological excavation, should only be undertaken to provide data essential for decisions on the *conservation* of the place, or to obtain important evidence about to be lost or made inaccessible.
- 28.2 Investigation of a *place* which requires disturbance of the *fabric*, apart from that necessary to make decisions, may be appropriate provided that it is consistent with the policy for the place. Such investigation should be based on important research questions which have potential to substantially add to knowledge, which cannot be answered in other ways and which minimises disturbance of significant fabric.

Article 29. Responsibility for decisions

The organisations and individuals responsible for management decisions should be named and specific responsibility taken for each such decision.

Article 30. Direction, supervision and implementation

Competent direction and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.

Article 31. Documenting evidence and decisions

A log of new evidence and additional decisions should be kept.

Article 32. Records

- 32.1 The records associated with the *conservation* of a *place* should be placed in a permanent archive and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.
- 32.2 Records about the history of a *place* should be protected and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.

Article 33. Removed fabric

Significant *fabric* which has been removed from a *place* including contents, fixtures and objects, should be catalogued, and protected in accordance with its *cultural significance*.

Where possible and culturally appropriate, removed significant fabric including contents, fixtures and objects, should be kept at the place.

Article 34. Resources

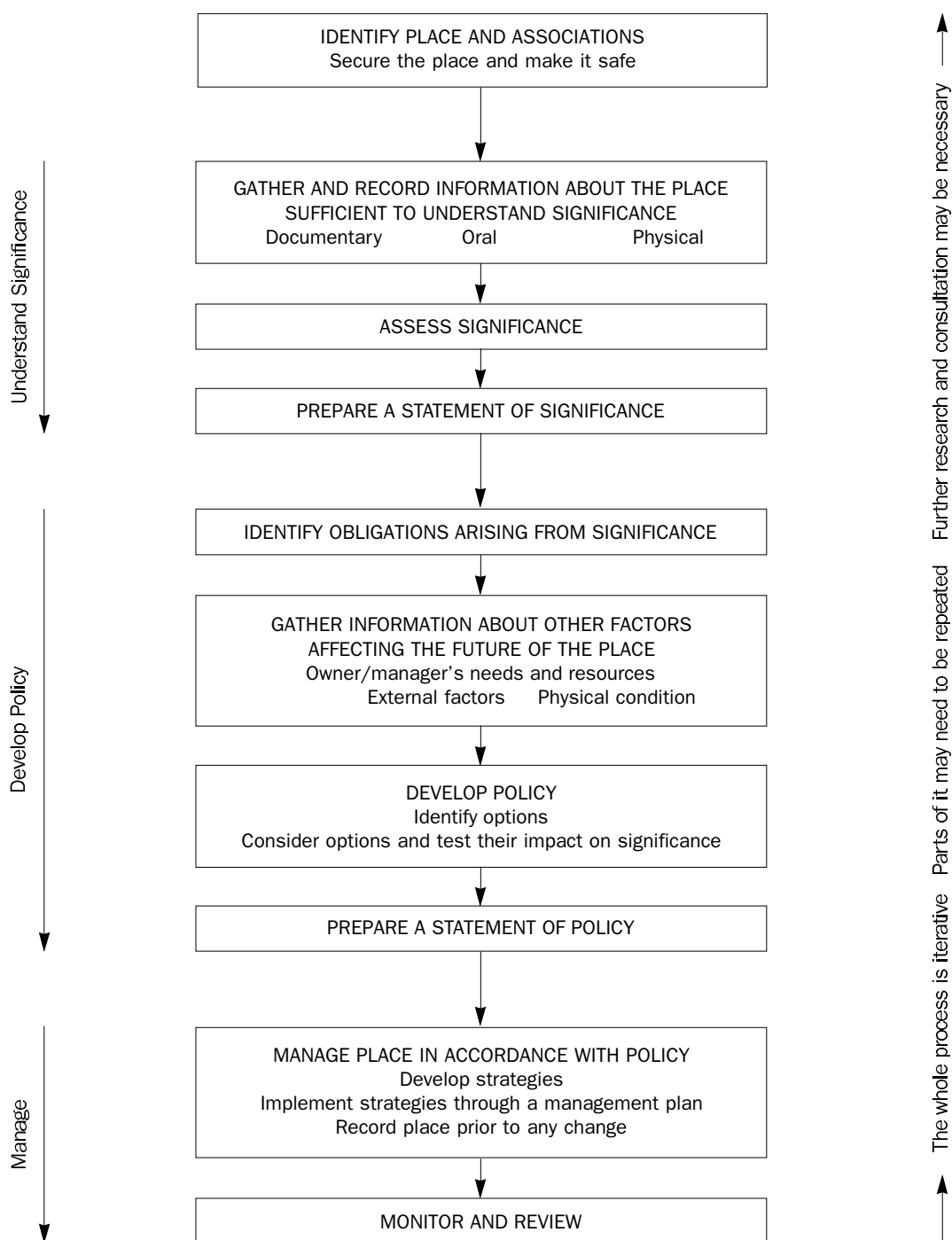
Adequate resources should be provided for conservation.

Words in italics are defined in Article 1.

The best conservation often involves the least work and can be inexpensive.

The Burra Charter Process

Sequence of investigations, decisions and actions



6.02 VPP Practice Note: Applying the Heritage Overlay

Applying the Heritage Overlay

This practice note provides guidance about the use of the Heritage Overlay.

What places should be included in the Heritage Overlay?

- Any place that has been listed on the Australian Heritage Council's now closed *Register of the National Estate*.
- Any place that has been referred by the Heritage Council for consideration for an amendment to the planning scheme.
- Places listed on the *National Trust Register of the National Trust of Australia (Victoria)*, provided the significance of the place can be shown to justify the application of the overlay.
- Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Places listed on the former *Register of the National Estate* or on the *National Trust Register of the National Trust of Australia (Victoria)* do not have statutory protection unless they are protected in the planning scheme.

The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place

shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria.

What are recognised heritage criteria?

The following recognised heritage criteria shall be used for the assessment of the heritage values of the heritage place. These model criteria have been broadly adopted by heritage jurisdictions across Australia and should be used for all new heritage assessment work.

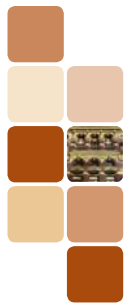
Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).



Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The adoption of the above criteria does not diminish heritage assessment work undertaken before 2012 using older versions of criteria.

The thresholds to be applied in the assessment of significance shall be 'State Significance' and 'Local Significance'. 'Local Significance' includes those places that are important to a particular community or locality. Letter gradings (for example, "A", "B", "C") should not be used.

In order to apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those that have previously been included in a heritage register or overlay. Places identified to be of potential State significance should undergo limited analysis on a broader (Statewide) comparative basis.

Places of significance for historical or social reasons

Planning is about managing the environment and changes to it. An appropriate test for a potential heritage place to pass in order to apply the Heritage Overlay is that it has 'something' to be managed. This 'something' is usually tangible but it may, for example, be an absence of built form or the presence of some other special characteristic. If such things are present, there will be something to manage and the Heritage Overlay may be applied. If not, a commemorative plaque is an appropriate way of signifying the importance of the place to the local community.

Group, thematic and serial listings

Places that share a common history and/or significance but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place. Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay Schedule and a single Heritage Overlay number.

This approach has been taken to the listing of Chicory Kilns on Phillip Island in the Bass Coast Planning Scheme. The kilns are dispersed across the island but share a common significance. Group listing of the kilns also draws attention to the fact that the kilns are not just important on an individual basis, but are collectively significant as a group.

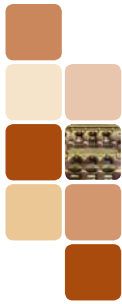
The group approach has also been used for the former Rosella Factory Complex in the Yarra Planning Scheme. This important factory complex had become fragmented through replacement development making it hard to justify a precinct listing. The group listing, with a single Heritage Overlay number, has meant that the extent and significance of the complex can still be appreciated.

Writing statements of significance

For every heritage place (that is, a precinct or individual place) a statement of significance should be prepared using the three-part format of 'What is significant?'; 'How is it significant?' and 'Why is it significant?'.

What is significant? - This section should be brief, usually no more than one paragraph or a series of dot points. There should be no doubt about the elements of the place that are under discussion. The paragraph should identify features or elements that are significant about the place, for example, house, outbuildings, garden, plantings, ruins, archaeological sites, interiors as a guide to future decision makers. Mention could also be made of elements that are not significant.

How is it significant? - A sentence should be included to the effect that the place is important because of its historical significance, its rarity, its research potential, its representativeness, its



aesthetic significance, its technical significance and/or its associative significance. These descriptors are shown in brackets at the end of the heritage criteria listed above. The sentence should indicate the threshold for which the place is considered important.

Why is it significant? - This should elaborate on the criteria that makes the place significant. A separate point or paragraph should be used for each criterion satisfied. The relevant criterion should be inserted in brackets after each point or paragraph. Each point or paragraph may include the threshold for which the place is considered important.

Saving and displaying statements of significance

All statements of significance should be securely stored in the Department of Planning and Community Development's HERMES heritage database.

Where a place (either a precinct or individual place) is included in the Heritage Overlay, the statement of significance for that place should be publicly viewable through the Department of Planning and Community Development's Victorian Heritage Database.

Additional resources may be required

When introducing the Heritage Overlay, a council should consider the resources required to administer the heritage controls and to provide assistance and advice to affected property owners. This might include providing community access to a heritage adviser or other technical or financial assistance.

Drafting the Heritage Overlay schedule

What is a heritage place?

A heritage place could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land. It cannot include movable or portable objects such as machinery within a factory or furniture within a house.

What is the planning scheme map reference number?

In column one of the schedule, the Planning Scheme Map Reference prefix should read HO1, HO2, HO3 and so on. Each heritage place in the schedule will have its own identifying number. The planning scheme maps should also record these numbers as a cross reference between the maps and the schedule.

Street numbers and location descriptions

Street numbers and locality addresses should be included for properties wherever possible. Where a street address is not available, plan of subdivision details (for example, Lot 1 of PS12345) should be used. Avoid using Crown Allotment details, Certificate of Title details or obscure location descriptions if possible.

How should the Heritage Overlay schedule be arranged?

There are two preferred options for arranging the schedule. Heritage places may be grouped according to their suburb, town or location and then arranged alphabetically by street address within each grouping. Alternatively, all places may be listed alphabetically by their street address irrespective of their location. Use the method which most assists users of the planning scheme to find the relevant property by a simple search through the schedule.

Applying external painting controls

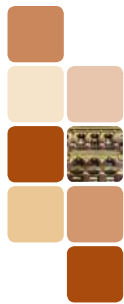
External painting controls over particular heritage places can be applied in the schedule by including a 'yes' in the External Paint Controls Apply? column.

Applying internal alterations controls

Internal alteration controls over specified buildings can be applied in the schedule by including a 'yes' in the Internal Alteration Controls Apply? column. This provision should be applied sparingly and on a selective basis to special interiors of high significance. The statement of significance for the heritage place should explain what is significant about the interior and why it is important.

Applying tree controls

The schedule can apply tree controls over heritage places. The tree controls could apply to



the whole of a heritage place (for example, over a house site or an area) or a tree or group of trees could be specifically nominated as the heritage place. Tree controls are applied by including a 'yes' in the Tree Controls Apply? column.

The control is designed to protect trees that are of intrinsic significance (such as trees that are included on the National Trust Register or trees that contribute to the significance of a heritage place (for example, trees that contribute to the significance of a garden or area). The control is not meant to protect trees for their amenity value. See Practice note 7 – *Vegetation Protection in Urban Areas* for alternative methods of vegetation protection.

How should places on the Victorian Heritage Register be treated in the schedule?

Under Clause 43.01-3, places on the *Victorian Heritage Register* are subject to the requirements of the *Heritage Act 1995* and not the planning provisions of the Heritage Overlay. Places included on the *Victorian Heritage Register* should be listed in the schedule.

A dash should be recorded in columns three (external paint controls), four (internal alteration controls), five (tree controls) and six (outbuildings and fences) to avoid any possible confusion as to whether planning provisions apply to these properties. In column seven ('Included on the *Victorian Heritage Register* ...') the reference number of the property on the *Victorian Heritage Register* should be included as an aid to users of the planning scheme.

Allowing a prohibited use of a heritage place

It is possible to make a prohibited use permissible at specific places by including a 'yes' in the Prohibited uses may be permitted? column.

This provision should not be applied to significant areas because it might result in the *de facto* rezoning of a large area. The provision should only be applied to specific places. For example, the provision might be used for a redundant church, warehouse or other large building complex where it is considered that the normally

available range of permissible uses is insufficient to provide for the future conservation of the building. Currently this provision applies in the metropolitan area of Melbourne to places that are included on the *Victorian Heritage Register*.

Aboriginal heritage places

Scarred trees, stone arrangements and other places significant for their Aboriginal associations can be identified by including a 'yes' in the Aboriginal Heritage Place? column. As with any place listed in the Schedule to the Heritage Overlay, supporting justification is expected to apply this provision.

The standard permit requirements of Clause 43.01-1 of the Heritage Overlay apply to Aboriginal heritage places included in the schedule. Clause 43.01-6 reminds a responsible authority that the requirements of the *Aboriginal Heritage Act 2006* apply to these places.

How are heritage precincts and areas treated?

Significant precincts and areas should be identified in the schedule as well as being mapped.

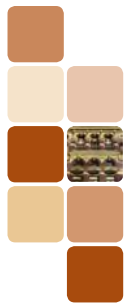
How are individual buildings, trees or properties of significance located within significant areas treated?

The provisions applying to individual buildings and structures are the same as the provisions applying to areas, so there is no need to separately schedule and map a significant building, feature or property located within a significant area.

The only instance where an individual property within a significant area should be scheduled and mapped is where it is proposed that a different requirement should apply. For example, external painting controls may be justified for an individual building of significance but not over the heritage precinct surrounding the building.

Alternatively, tree controls may be justified for a specific tree or property within a significant precinct but not over the whole precinct. In such situations the individual property or tree should be both scheduled and mapped.

Significant buildings or structures within a significant precinct can be identified through a local planning policy.



How is a building, tree or feature on a large parcel of land listed and mapped?

The Heritage Overlay applies to both the listed heritage item and its associated land (refer Clause 43.01 - Scope). It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any new development does not adversely affect the setting or context of the significant feature. In most situations, the extent of the provision will be the whole of the property (for example, a suburban dwelling and its allotment).

However, there will be occasions when the area to which the provision applies should be reduced so that it does not apply to the whole of the property. Examples might include:

- a homestead on a large pastoral property where only the buildings and their immediate surroundings are important but not the remainder of the property
- a significant specimen tree on an otherwise unimportant property
- a horse-trough, fountain or monument in a road reservation
- a grandstand or shelter in a large but otherwise unimportant public park.

Where a heritage place does not encompass the whole of the property, care should be taken to accurately show the area to which the provision applies. For instance, if a homestead is affected by the Heritage Overlay but not the whole of the farm, a polygon should be allocated to the area of affected buildings and associated land. The wording to describe the Heritage Place in the schedule should be specific to identify the area covered by the overlay. (See the example of Heritage Place HO4 in the attached schedule.)

Mapping Heritage places

All heritage places must be both scheduled and mapped.

In each case, care should be taken to ensure that there is an accurate correlation between the Heritage Overlay schedule and the Heritage Overlay map.

If there is a discrepancy between the schedule and the map, the description of the place given in the schedule to the Heritage Overlay, supported by the statement of significance, should be the predominant means of identifying the areas to which the overlay applies.

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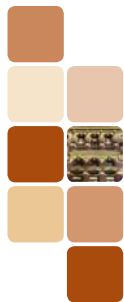
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Schedule to the Heritage Overlay

The requirements of this overlay apply to both the heritage place and its associated land.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are Not exempt under Clause 43.01-3?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2
H01	House 1 Albert Street, Belmont	Yes	No	No	No	No	No	
H02	Athol House 57 Albert Street, Belmont	-	-	-	-	-	Yes	
H03	Jones Foundry 4 William Street, Breakwater		Yes	No	No	No	No	
H04	Moreton Bay Fig Tree 26 Bryant Street, Ceres The heritage place is the Moreton Bay Fig Tree and land beneath the canopy edge of the tree for a distance of five metres from the canopy edge.	No	No	Yes	No	No	No	
H05	House 13 Albert Street, Geelong	Yes	No	No	Yes	No	No	
H06	Bay Villa 122 Middle Street, Geelong	Yes	Yes	No	No	No	No	
H07	Barwon River Bridge Station Street, Geelong	-	-	-	-	Yes Ref No H789	No	
H08	William Street Precinct William Street, Geelong	Yes	No	No	No	No	No	
H09	Mount Rothwell Stone Arrangement Mount Rothwell Station Little River-Ripley, Little River	No	No	No	No	No	No	

6.2. PLP/2019/409 11 DAVEY STREET, BALLARAT CENTRAL

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Rachel Blackwell - Principal Statutory Planner

RECOMMENDATION

The Planning Special Committee resolves to:

Issue a Notice of Decision to Grant Planning Permit PLP/2019/409 for land located at 11 Davey Street, Ballarat Central for demolition of an existing building, development of residential apartments, use and development of food and drink premises, sale and consumption of liquor, reduction in car parking requirements and development of a vehicle crossover and solar energy facility subject to the following conditions:

1. **Amended Plans Required**

Before the 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) The finished floor levels of dwellings G02, G03, G04, the commercial premises and the basement crest amended to 300mm above the applicable flood level as advised by the Corangamite Catchment Management Authority in Condition 37. The revisions to the floor levels should not increase the overall height of the proposed building and any revisions will be to the satisfaction of the Responsible Authority.
- b) Submission of materials and colour details including samples in accordance with Condition 3 contained herein.
- c) Submission of a Green Travel Plan to accord with the requirements of Condition 32, contained herein.
- d) The landscape scheme prepared by Openwork & Akas (June 2019) revised to include nomination of species and numbers of plantings allocated to the various landscaping areas. A revised plant schedule is required with species and quantity clearly stated. The landscape scheme is also to include details on who will be responsible for the maintenance of landscaping including garden walls/trellis, required maintenance tasks, access requirements/agreements and methods of irrigation, plant nutrition, etc.
- e) Deletion of the public art on the northern elevation. This will require separate planning approval for the display of artwork.
- f) Reinstatement or restoration of the heritage sign to the southern elevation of the building at 13 Davey Street. Consideration of the reinstatement or restoration of this sign is to be undertaken in consultation with Council's Public Art and Heritage Interpretation Officers to the satisfaction of the Responsible Authority.

- g) Retention of the existing hedge where possible to the north of the driveway of the dwelling at 9 Davey Street. All other existing planting to the northern side of the driveway to be retained or reinstated where possible.
- h) Fencing on the western and southern title boundaries increased to a height of 1.8 metres above the finished ground level of the relevant boundary.
- i) The provision of additional screen planting along the rear boundary of 112 and 114 Lyons Street North and along the northern boundary of 110 Lyons Street North to be agreed between the permit applicant and the relevant owner to the satisfaction of the Responsible Authority.

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. **Buildings and works**

The use and/or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. All buildings and works must 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. All buildings and works must be located clear of any easements or water and sewer mains unless written approval is provided by the relevant authority.

3. **Materials & Colour Details**

Before the 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. **Boundary walls**

The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.

5. **Plant/Equipment or Features on Roof**

No plant, equipment or related services other than those shown on the approved plans are permitted above the roof level of the building hereby approved without the further written consent of the Responsible Authority.

6. **Concealment of Pipes, etc.**

All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

7. **Lighting**

Prior to the occupation of the development external lighting must be installed to the satisfaction of the Responsible Authority. The lighting system must operate automatically between dusk and dawn and must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

8. Heritage (Demolition)

Demolition is permitted to sections of the building as identified in the approved demolition plan to the satisfaction of the Responsible Authority.

9. Construction/alterations to Vehicle Crossings HO

The location of the proposed crossing as shown on the approved plans must not be altered without the further written approval of the Responsible Authority.

The proposed crossing detail must be completed in accordance with the standard drawings prepared and issued by Council's Design and Survey Department and with regard to the requirements of condition 37(d)(v) to the satisfaction of the Responsible Authority.

10. 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.

11. Approved Plans - Licensed Premises

The serving and consumption of liquor associated with the food and drink premises 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.

12. Sale and Consumption of Liquor - Food & Drink

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

13. Sale and Consumption of Liquor – Hours

Without the prior written consent of the Responsible Authority, the sale and consumption of liquor associated with the food and drink premises shall only occur within the licensed area between the following hours:

- 7am – 9pm Monday-Sunday.

14. Limit on Number of Patrons

Without the prior written consent of the Responsible Authority, not more than 45 patrons may be present within the food and drink 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.

15. Hours of Operation

The food and drink premises use may operate only between the hours of

- 7am -9pm Monday-Sunday.

Hours must not be amended without the further written consent of the Responsible Authority.

16. Regulation of Delivery Times

Deliveries to and from the site (including waste collection) associated with the food and drink premises must only take place between:

- 8am and 8pm Monday to Friday
- 8am and 8pm Saturday

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

17. Management of Waste - Food and Drink

No emptying of bottles into external waste bins is permitted after 8pm on any night or before 8am on any day.

18. Patron Management Plan

Before the food and drink premises 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) Collection of rubbish from roads, car parks and public reserves in the vicinity of the premise and external areas used by premise patrons.
- f) documented complaint response procedure to the satisfaction of the responsible authority including the provision of a:
 - Contact point during hours of operation
 - Investigation and assessment process
 - Record management of complaints and corrective action taken to resolve the concern.
- g) Any other measures or requirements.

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

19. Noise Emissions

No sound shall be emitted from any device or from any source or activity so as to become a nuisance to occupiers of adjoining properties or impair or impinge upon the amenity of occupiers of properties within the near vicinity to the satisfaction of the Responsible Authority.

20. Noise from Premises SEPP N1 and N2

The licensee of the food and drink premises 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;

21. Amenity Reminder

Prior to the commencement of the use/occupation of the food and drink premises, the applicant must display a sign at the exit of the premises advising patrons of the proximity of residential dwellings and the need to respect the amenity of the area, to the satisfaction of the Responsible Authority.

22. Waste Storage

The Waste Management Plan (One Mile Grid June 2019) will be endorsed to form part of this permit. The Bin Requirements section of the plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

23. Footpath Construction

An asphalt surfaced footpath shall be constructed along the frontage of the lot within Davey Street.

Prior to works commencing on site, plans must be submitted to and approved by the Responsible Authority. The plans must accord with the Infrastructure Design Manual. All works must be constructed in accordance with the approved plans and completed to a standard satisfactory to the Responsible Authority prior to the commencement of the use hereby approved.

24. Engineering Plans and Construction

Prior to the commencement of works or use hereby approved, engineering plans and specifications must be submitted to and approved by the Responsible Authority. The engineering plans must accord with the Infrastructure Design Manual and Council's Standard Cross-sections. All engineering works must be constructed in accordance with the approved plans and completed to a standard satisfactory to the Responsible Authority prior to the commencement of the development/use hereby approved.

At the completion of the works one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.

The engineering plans must also detail:

- An asphalt surfaced footpath to be constructed along the frontage of the subject site.
- Concrete kerb and channel for the frontage of the subject site;

28. Drainage Plans and Construction

Prior to works commencing on the site, drainage plans (inclusive of onsite stormwater detention and treatment measures) must be submitted to and approved by the Responsible Authority. The drainage plans must accord with the Infrastructure Design Manual and Council's Site Stormwater Management Systems Policy. All drainage works must be constructed in accordance with the approved plans and completed to a standard satisfactory to the Responsible Authority prior to the commencement of the development/use hereby approved. At the completion of the works 'as constructed' civil plans shall be submitted to the Responsible Authority by a suitably experienced and qualified engineer.

Any proposed discharge of stormwater requiring a direct and/or modifying an existing connection to a designated waterway (as defined by the *Water Act 1989*) will require approval by the relevant Catchment Management Authority.

29. Contamination Assessment

Prior to works commencing on site and the issue of a Building Permit, a Preliminary Site Investigation Report prepared in accordance with AS4482.1-2005 shall be submitted to the Responsible Authority.

Should the Preliminary Site Investigation Report indicate that contaminating activities took place on the site or that contaminants are present, a Detailed Site Investigation in accordance with AS4482.1–2005 shall be undertaken. The Detailed Site Investigation report shall include any recommended remediation works.

If the report is accepted by the Responsible Authority, the remediation works shall be completed by the applicant to the satisfaction of the Responsible Authority prior to the use hereby permitted commencing.

If there are concerns about the nature and extent of the contamination found in the Preliminary and Detailed Site Investigation reports, the Responsible Authority reserves the right to require a statutory environmental audit to be undertaken. In this case either:

- a) A certificate of environmental audit shall be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970* prior to the issue of the Statement of Compliance; OR
- b) An environmental auditor appointed under the *Environmental Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the intended use prior to the use hereby permitted commencing on the site.
- c) Where a Statement of Environmental Audit is issued for the land, the development including subdivision hereby approved must comply with all the directions and conditions contained within the Statement.
- d) Where a Statement of Environmental Audit is issued for the land, prior to the issue of a Statement of Compliance for each stage, a letter prepared by an Environmental Auditor appointed under Section 53S of the *Environment Protection Act 1970* or such other qualified person to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority to verify that the directions and conditions contained within the statement have been satisfied.
- e) Unless otherwise approved in writing by the Responsible Authority, where a Statement of Environmental Audit is issued for the land, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, prior to the issue of a Statement of Compliance for any stage of the subdivision authorised by this permit, the permit holder must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*. All costs associated with setting up the Agreement must be borne by the owner. The Agreement must be registered on Title and run with the land, and must provide to the satisfaction of the Responsible Authority:
 - That the registered proprietor will undertake all required maintenance and/or monitoring in accordance with the statement.
 - Prior to the development commencing, application must be made to the Registrar of Titles to Register the Section 173 Agreement on the title to the land under Section 181 of the *Planning and Environment Act 1987*.

30. Sediment on Roadways

No material shall be deposited on any road external to the site by any means including construction vehicles or associated plant entering or leaving the land subject to this permit. Any material deposited on the road shall be removed by mechanical or manual means to the satisfaction of the Responsible Authority.

Note 1: Depositing such material on Responsible Authority's Roads is an offence under the *Environment Protection (Resource Efficiency) Act 1970* and penalties may apply.

Note 2: Any costs associated with a clean up of road surfaces borne by the Responsible Authority must be met by the permit holder.

31. Sustainability Management

The development must incorporate the sustainability commitments in accordance with the sustainability report (grunconsulting (sic) August 2019) to the satisfaction of the Responsible Authority.

Prior to the occupation of the development the author of the approved Sustainability Report or similarly qualified person or company must submit a report to the Responsible Authority. The report must confirm that all measures specified in the Sustainability Report have been implemented in accordance with the approved plan to the satisfaction of the Responsible Authority.

32. Green Travel Plan

Before the development starts, a Green Travel 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. The Green Travel Plan is to include details of the proposed design initiatives and sustainable management practices to reduce car usage and improve sustainable transport options (including walking, cycling, public transport and care share services) available to residents of the residential component of the building and operators and patrons of the food and drink premises. The Green Travel Plan should include, but not be limited to the following:

- a) An analysis of the development, car parking, cycle provision and access and how this is to be managed and implemented.**
- b) An analysis of the site location, public transport, cycling, pedestrian facilities, car share and taxi services in the surrounding context.**
- c) An action plan as to how green travel initiatives will be implemented in association with the development of the site. This may include:**
 - i. Signage and communication to be used to encourage responsible green-travel behaviour by residents/staff;**
 - ii. Education and awareness initiatives and incentives for residents/staff to encourage more sustainable modes of travel to/from the site;**
 - iii. Management practices identifying sustainable transport alternatives;**
 - iv. Details of the location of bicycle spaces for residents/staff;**
 - v. Implementation of car share 'Go Get' scheme;**
 - vi. New resident/employee information packs to advise on the Green Travel Plan;**
 - vii. Any other initiatives.**
- d) The plan should include a mechanism to review green travel initiatives and amend or implement new initiatives as warranted.**

The Green Travel Plan will be endorsed to form part of the permit. Upon occupation of the development the Green Travel Plan must be implemented to the satisfaction the Responsible Authority. Ongoing implementation, management and monitoring of the Plan must be undertaken to the

satisfaction of the Responsible Authority to ensure that ongoing commitment to alternative modes of transport are addressed.

33. Construction Management Plan

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

- a) Hours of demolition and construction to accord with Local Laws;
- b) Management of Davey Street to ensure that the street is kept free of parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to abutting benefitting properties at all times, unless with the written consent of the Responsible Authority;
- c) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing;
- d) Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties;
- e) Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensuring routes to and from the site minimise disruption to residential properties;
- f) Minimising disruption to pedestrian access along footpaths;
- g) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours;
- h) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors;
- i) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced; and
- j) A communication strategy to specify how the developer and site manager will liaise with the surrounding community. This should include contact details of the developers and relevant site manager, agreed methods of communication (i.e. notices, letter drop, email etc), who will be notified, time frames for notification and a method for dealing with concerns raised.

All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

34. Infrastructure and Services

Any modification to existing infrastructure and services within the road reserve (including but not limited to electricity supply, telecommunications services, gas supply, water supply, sewerage services and stormwater drainage) necessary to provide the required access to the site must be undertaken by the applicant/developer to the satisfaction of the relevant servicing authority. All cost associated with any such modification must be borne by the applicant/developer.

35. Section 173 Agreement

Unless otherwise agreed in writing by the Responsible Authority, prior to the Certificate of Occupancy being issued, the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning & Environment Act 1987* to provide the following:

- a) must construct six (6) one/two/three-bedroom dwellings on the Subject Land for use as Affordable Housing, strictly in accordance with:
 - i) the Plans and Specifications;
 - ii) all applicable laws;
 - iii) the terms of applicable permits and approvals; and
 - iv) using all due care and skill, and specifically identify the relevant dwellings in a written notice given to the Responsible Authority, for use in monitoring performance of the Owner's Affordable Housing obligations.
- b) must, subject to condition 35(c), either:
 - i. only sell a Dwelling referred to in condition 35(a) to a Registered Housing Agency or any other housing provider or trust that is approved by the Responsible Authority, or, a person or persons who is or are eligible for provision of Affordable Housing accommodation, as determined by the Registered Housing Agency or any other housing provider or trust that is approved by the Responsible Authority and on such terms and conditions (including terms as to the quantum and payment of the sale price) as determined by a Registered Housing Agency or any other housing provider or trust that is approved by the Responsible Authority.
 - ii. place the Affordable Housing under the management of a Registered Housing Agency or any other housing provider or trust that is approved by the Responsible Authority - pursuant to a management or other agreement on terms which are satisfactory to a Registered Housing Agency or any other housing provider or trust that is approved by the Responsible Authority; and
- c) Delivery timeframe must comply with condition 35(b) within three months of the last to occur of:
 - i. registration of the plan of subdivision which creates the Affordable Housing Lots; and
 - ii. completion of construction of the Affordable Housing, as signified by:
 - a. the issuing of an occupancy permit by a licensed building surveyor for each of the Lots comprising the Affordable Housing; and Agreement under s 173 of the *Planning and Environment Act 1987*.
 - b. compliance by the Owner with the Plans and Specifications in connection with the built form on the Affordable Housing Lots, to the reasonable satisfaction of the Responsible Authority.

Prior to the Certificate of Occupancy being issued an application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under section 181 of the Act.

The Responsible Authority may release the owner from these obligations and/or vary the requirements upon the written request of the owner. The Responsible Authority must be satisfied that the release and/or variation to the agreement will result in a better planning outcome or that the agreement is no longer required.

All costs associated with the preparation, signing, lodgment, registration, amending and ending of the Agreement must be borne by the owner, including all notification costs and legal fees.

36. Section 173 Agreement (Refuse)

Unless otherwise agreed in writing by the Responsible Authority, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning & Environment Act 1987* to provide the following prior to the occupation of the dwellings hereby approved:

- a) Refuse must be appropriately stored and removed from the site every week by a recognised waste removal contractor in accordance with the endorsed waste management plan forming part of this permit.
- b) The Responsible Authority may resolve to release the owner from these obligations if the Responsible Authority is satisfied that an appropriate alternative arrangement can be made.

Before the occupation of the dwellings hereby approved, an application must be made to the Register of Titles to register the Section 173 agreement on the title to the land under section 181 of the *Planning & Environment Act 1987*.

The Responsible Authority may release the owner from these obligations and/or vary the requirements upon the written request of the owner. The Responsible Authority must be satisfied that the release and/or variation to the agreement will result in a better planning outcome or that the agreement is no longer required.

All costs associated with the preparation, signing, lodgment, registration, amending and ending of the Agreement must be borne by the owner, including all notification costs and legal fees.

37. Corangamite Catchment Management Authority

- a. The finished floor level of any proposed apartment must be no lower than 300 mm above the flood level at that location.
- b. The finished floor level of the commercial building must be no lower than 439.90 metres to Australian Height Datum (300mm above the flood level at that location).
- c. Any entrances to the Basement must be no lower than 300 mm above the flood level at the location of the entrance.
- d. Prior to the commencement of the development, 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 then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show the following:
 - i. The finished floor level of apartment G02 is no lower than 440.50 metres to Australian Height Datum (AHD).
 - ii. The finished floor level of apartment G03 is no lower than 440.70 metres to Australian Height Datum (AHD).
 - iii. The finished floor level of apartment G04 is no lower than 440.70 metres to Australian Height Datum (AHD).

- iv. The finished floor level of the proposed commercial building is no lower than 439.90 metres to Australian Height Datum.
- v. The entrance to the Basement incorporates a continuous apex (crest) of no lower than 440.30 metres to Australian Height Datum (AHD).

38. Permit Expiry

This permit expires if one of the following circumstances applies:

- a) The development or any stage of it does not start within two (2) years of the date of this permit; or
- b) The development or any stage of it is not completed within four (4) years of the date of this permit; or
- c) The use, including the sale and consumption of liquor, does not start within two (2) years after the completion of the development; or
- d) The use is discontinued for a period of two years.

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 2019*.

ResCode

ResCode has been assessed as part of this planning application.

- **Flood Prone**

This property may be subject to flooding, however insufficient information is available to enable a flood level to be specified at this time. The location and floor level of any building works on the land may be subject to further approval by the Responsible Authority.

- **Works within Road Reserve**

The construction or altering of a vehicle crossing, footpath and/or any other works or alterations within a road reserve or any other Council asset may require either a Crossover Permit (which includes a driveway and new crossover), a Road Opening Permit (ie. opening up a road for installation of infrastructure), Asset Protection Permit (Temporary Crossing Permit i.e. providing for temporary site access) or other

approval to be obtained from the City of Ballarat. This Planning Permit does not constitute such approval. Failure to obtain an appropriate permit or damaging Council infrastructure, including footpaths, kerbs, drains, street trees, nature strips etc or failing to remove redundant crossings and reinstate the kerb, drain, footpath, nature strip or other part of the road is a breach of the Ballarat City Council Community Local Laws (10 Penalty Units). For further information, please contact Council's Asset Protection Officer in relation to Road Opening or Asset Protection permits and Council's Infrastructure Planning & Development Unit via Council's Customer Service Officers and the Arborist relating to Street trees.

- **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.

- **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.

- **Background Music**

The provision of music and entertainment associated with the food and drink 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.

- **Containment of Refuse and Disposal**

Under the provisions of the Ballarat City Council Community Local Law 2017 (Clause 50) an on-site facility for containment of all builders' refuse is required to be provided on any land where any building work within the meaning of the *Building Act 1993* is being carried out.

- ***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.

- **Loudspeakers**

No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.

- **Heritage Note**

Under the terms of the *Heritage Act 2017* there is blanket protection for all historical archaeological sites in Victoria, including sites that are not included in the Victorian Heritage Register or Heritage Inventory. Section 123 of the *Heritage Act 2017* stipulates that it is an offence to knowingly or negligently disturb any historical archaeological site unless Consent has been obtained from the Executive Director, Heritage Victoria. Penalties apply.

If historical archaeological remains, including artefacts, are uncovered at any time during works, it is necessary for all activities to cease and for the City of Ballarat and Heritage Victoria to be notified immediately. In this case, a program of archaeological investigations and recording may be required in consultation with Heritage Victoria.

EXECUTIVE SUMMARY

On 28 June 2019 an Application was lodged for Demolition of an existing building, development of residential apartments, use and development of food and drink premises, sale and consumption of liquor, reduction in car parking requirements and development of a vehicle crossover and solar energy facility on land at 11 Davey Street, Ballarat Central.

The Application was advertised, and Council has received eleven (11) objections. Six (6) letters of support have also been received. A consultation meeting was held with objectors on 29 October 2019.

Revised plans were submitted to Council on 11 November 2019, a copy of which were distributed to objectors on 12 November 2019. A copy of the proposed revised plans is provided as **Attachment 1**. Having considered the proposed changes it is recommended that Council issue a Notice of Decision to Grant a Planning Permit subject to conditions.

RATIONALE

APPLICATION DETAILS

Applicant	Niche Planning Studio
Date Lodged	28 June 2019, Amended 11 November 2019
Subject Site	11 Davey Street Ballarat Central
Current Use	Warehouse
Zone	Residential Growth Zone
Overlays	Heritage Overlay, Schedule 166 (HO166 – Ballarat Central Heritage Precinct)
Permit Triggers	<p>Residential Growth Zone</p> <ul style="list-style-type: none"> • 32.07-5 (RGZ1) - Two or more dwellings on a lot, use of the land for food and drink premises <p>Heritage Overlay</p> <ul style="list-style-type: none"> • 43.01-1 (HO166) - Demolition, buildings and works, solar energy facility, vehicle crossover <p>Car Parking</p>

	<ul style="list-style-type: none"> 52.06 (Car Parking) - Reduce the car parking requirements of the planning scheme <p>Licensed Premises</p> <ul style="list-style-type: none"> 52.27 (Licensed Premises) - Use of the land for the sale and consumption of liquor
Ward	Central
Number of Objections	11 objections
Mediation Meeting	Yes – 29 October 2019
Council Referral Trigger	Significant proposal of public interest
Covenant or Section 173	No
CHMP Area	No

PROPOSAL

The proposal seeks planning approval to develop a four storey residential apartment building, including 27 dwellings. A food and drink premises is proposed to the ground level. Both car and cycle parking are provided at basement level. A dispensation of 24 car parking spaces is required. The key details of the proposal are as follows:

- Demolition of the existing warehouse building on the land. The building is non-contributory to the Ballarat Central Heritage Precinct.
- The existing vehicle crossover to Davey Street will be removed and reinstated central to the site to provide access to the proposed basement car park. Footpath and kerb and channel will be reinstated providing for additional on-street car parking.
- The proposed building will comprise four levels of residential apartments. This includes:
 - A basement containing 14 car parking spaces, provision for motorcycle parking, 54 cycle spaces, storage, refuse and building services.
 - Ground level comprising the vehicle and pedestrian entrance to the building, 6 residential apartments (1 and 2 bedroom) and a commercial space proposed as a licensed food and drink premises. A central landscaped core is provided at ground level. Apartments 3-6 feature ground level private open space oriented to the west.
 - Level 1 comprising 8 residential apartments (1 and 2 bedroom), each with a balcony private open space area in excess of 8m².
 - Level 2 comprising 5 residential apartments (2 and 3 bedroom) each with a balcony private open space area in excess of 8m².
 - Level 3 comprising 5 residential apartments (1, 2 and 3 bedroom) each with a balcony private open space area in excess of 8m².
 - Level 4 comprising 3 residential apartments (1 and 2 bedroom) each with a balcony private open space area in excess of 8m². A communal rooftop space is provided at level 4, which includes a meeting space with barbeque facilities, a productive garden, laundry and clothes drying facilities.
- Materials include, use of recycled brick, textured façade with light grey/white finish, white painted grooved and strapped façade finish, vertical trellis to balconies for climbing plants, double glazed windows and doors, metal rodged and coloured metal balustrades, chain wire mesh and use of external blinds.
- Provision of a solar energy facility to the roof of the building.
- The food and drink premises at ground level activates the building to Davey Street. The proposed licensed food and drink premises has an area of 67.7m² with the space suitable for approximately 45 patrons. The use is proposed to operate 7 days per week, 7am-11pm.

- A detailed landscape proposal (Openwork + Akas June 2019) forms part of the application documentation. The proposal details landscaping treatments for all private and communal open space areas within the development including balcony spaces.
- A Sustainability Report (grunconsulting (sic) August 2019) forms part of the application documentation. The report demonstrates that the proposal exceeds planning requirements for sustainability. The development is committed to achieve a Nabers Rating of 7.5 stars, will be fossil free and exceeds solar PV generation.
- A Waste Management Plan (One Mile Grid June 2019) forms part of the application documentation. A private contractor will manage the collection and disposal of all waste associated with the development.
- The floor plans and elevations are provided as **Attachment 1**. An Image of the proposal to Davey Street is provided below:



Nightingale Model

- The proposal is based on the Nightingale Model of Housing which seeks to develop high quality multi residential housing that is socially, environmentally and financially sustainable.
- The model delivers homes at 'cost' to purchasers with any savings given back to residents. It also prioritises housing for disadvantaged groups.
- The model seeks better standards in apartment design by engaging future occupants about how they want to live with future residents being involved in the design, planning and development process.
- Nightingale buildings are 100 per cent fossil fuel free and include rainwater harvesting and solar arrays feeding back into the building.
- Nightingale buildings are generally well located in terms of public transport and services thereby reducing the need for car parking. Active transport including public transport, walking, cycling and car share services are encouraged.
- They seek to create a strong sense of community by only selling to owner occupiers. There is a focus on communal spaces and the social and environmental benefits that the model provides.
- In the local context the permit applicant submits that Ballarat has been chosen as the location of the first Nightingale in regional Victoria, which will seek to achieve the vision

for growth in Ballarat and will contribute to the city's prosperity as a regional location and provide confidence in the market that medium density development and sustainable living are viable in Ballarat Central.

SITE & SURROUNDS

The subject site is located on the western side of Davey Street, at a central point between Webster Street to the north and Mair Street to the south. The site is located on the periphery of the Ballarat CBD.

The rectangular shaped site has a frontage of 25.65 metres to Davey Street and a depth of approximately 37 metres, giving an overall area of 945m².

The land is sloped, with the topography falling from Mair Street in the south to Webster Street to the north.

Lot sizes in Davey Street vary from 90m² to 1300m² which reflects the diversity in land use, including residential and commercial/industrial land use.

Residential development in Davey Street is predominantly located to the south of the street. Dwellings are typically single storey in form comprising single frontage cottages with minimal front setbacks, and low brick fencing.

The central and northern portions of Davey Street are characterised by larger lot sizes and 1-3 storey brick warehouse style buildings which historically would have accommodated industry or uses of a commercial nature. As noted, some of the buildings are still being utilised for this purpose.

The subject site at 11 Davey Street currently contains a warehouse which is setback from Davey Street. Car parking is provided within the frontage of the site. The site features a wide crossover (access) to Davey Street of approximately 21 metres.

The land is located immediately to the west of the Ballarat CBD. Surrounding properties are developed for a mixture of residential and commercial purposes. The site is located in the Residential Growth Zone.

The site is located on the periphery of the Ballarat CBD and is well located in relation to services, facilities, recreation and employment amenities such as the Ballarat Base and St John of God Hospitals, Ballarat Clarendon College, Australian Catholic University, the Gov Hub, Lake Wendouree and Ballarat Train Station.

The site has excellent public transport, cycle and pedestrian access. Ballarat Train Station is located 600 metres to the east. Bus Services 12 (Wendouree – Ballarat Central) and 30 (Midland Highway – Ballarat Central) are available in the immediate vicinity.

On the opposite side of Davey Street to the east is a mixture of residential and commercial development which are contained within warehouses and attached dwellings. This includes workshops occupied by Federation University and Ballarat Toyota.

Immediately to the north of the site on Davey Street is an existing warehouse. The historical warehouse has a height of approximately 2 storeys. Further to the north of the warehouse is land comprising parking associated with 3 storey terrace dwellings fronting Webster Street. Webster Street to the north of the site surrounding the junction with Davey Street comprises a mixture of residential and commercial development, including office and service uses. Webster Street is tree lined with an intact heritage streetscape. Building height varies between 1-3 storeys.

Immediately to the south of the site is residential development fronting to Davey Street which comprises single storey detached weatherboard dwellings. Further to the north on Mair Street is a mixture of dwellings and commercial premises.

Immediately to the west of the site is residential development (within General Residential Zone) on Lyons Street North. Development on Lyons Street North comprises detached weatherboard and brick dwellings on the eastern side with the western side of the street containing Ballarat Clarendon College Junior School. Dwellings on Lyons Street North have varied front setbacks, with large rear setbacks featuring outbuildings.

An aerial map and image of the site is below detailing the site context. Further detail on the site context can be found in the Urban Context Report provided as **Attachment 2**.





RESPONSE TO NOTICE OF APPLICATION

The application was required to be advertised pursuant to Section 52 of the *Planning and Environment Act 1987*. The following forms of advertising were undertaken:

- Notices sent to owners and occupiers of adjoining land (includes opposite);
- A2 signs were placed on the land. Council has received 11 objections in response to advertising.
- The key issues raised in the objections can be summarised as follows:
 - Neighbourhood character, including density, building height, heritage streetscape and wall on boundary.
 - Amenity including overlooking, overshadowing, noise, lighting, licensed food and drink premises, hours of operation
 - Traffic and car parking, pedestrian safety and waste management.
 - Construction impacts including servicing and infrastructure.
- A mediation meeting was undertaken on 29 October 2019. The mediation meeting did not result in any resolutions being reached. The application was amended, and revised plans were provided to objectors on 12 November 2019 and asked to provide comments within 7 days or make submissions to the Planning Special Committee.
- The grounds of objection will be addressed throughout the discussion on the key issues relating to the proposal.

REFERRAL OF APPLICATION

External Referral

Referral (S52)	Advice/Response/Conditions	Response
Corangamite Catchment Management Authority CCMA	No objection. The Authority understands the application relates to demolition of an existing building and construction of a 5- storey apartment building with attached café. Mapping available to the Authority indicates parts of	Acknowledged. Include conditions as listed relating to minimum floor levels.

	<p>the subject property will be inundated by stormwater in the event of a 1% AEP storm event. Flood levels at the property range from 438.8 to 440.4 metres AHD. Note the flood levels change quite rapidly across the site as the mechanism of flooding here is stormwater surcharge. This information comes from the Lyon Street Flood Study (2012).</p> <p>The plans submitted with the application include finished floor levels. Some of these levels are below the estimated 1% AEP flood level for the location of interest. The Authority cannot support development of dwellings or commercial buildings below modelled 1% AEP flood levels.</p> <p>The CMA understands the City of Ballarat may have more up to date information than the 2012 study. In this case, the City of Ballarat as the Responsible Authority may decide to update the flood levels and floor levels recommended herein. The CMA recommends that this response be referred to the Engineering Department of the City of Ballarat for their consideration.</p>	
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Internal Referrals

Referral	Advice/Response/Conditions	Response
Design & Survey	Vehicle Crossing Permit required for proposed vehicle crossing. Proposed vehicle crossing to be constructed in accordance with an issued Vehicle Crossing Permit. Condition applies.	Acknowledged. Include conditions as recommended.
Engineering	Consent subject to conditions.	Acknowledged. Include conditions as recommended.
Environmental Health	<p>The proposal for a food business at the north eastern ground floor corner of the building may have an impact. Subject to the nature of the food business that operates from the site, I provide the following for your consideration:</p> <ul style="list-style-type: none"> • Hours of operation; • Waste management facilities for the business; • Odour, smoke and noise amenity impacts caused by patrons, deliveries and business; • Exhaust canopy design, installation and compliance given features of the site and build. 	Acknowledged. Include conditions as recommended.

	I have no comment on the residential component but would assume the build will be supported by a detailed EMP/CMP Times, traffic, all noise types, dust/dirt emissions, stormwater management, contact and residential comms/CR plan should assist in delivering the project.	
Heritage	The proposal is not considered to be an acceptable heritage outcome as it will have a detrimental impact on the identified values, attributes and significance of the Central Ballarat Heritage Precinct as identified in the Statement of Significance. In particular, the five-storey scale is considered overly large given the predominately single storey residential building stock, with buildings of two and three storey scale presenting as landmark buildings within the precinct. The size, height and scale of the new building will likely overwhelm the contributory elements of the precinct in its immediate context, as well as interrupting internal and external views within the precinct, identified as significant.	Acknowledged. See discussion below.
Local Laws	Consent.	Acknowledged.
Social Planning	In principle the Health and Social planning team are supportive of the Nightingale scheme. There is alignment with Councils Social Policy Framework, in particular the affordable housing position statement.	Acknowledged.
Traffic & Transport	<p>1 That the proposal to develop a multi-storey 'Nightingale' residential complex at 11 Davey Street, Ballarat Central is supported in principle.</p> <p>2 That the proposed parking for 14 vehicles is set out and delineated to Council approval in conformance with the approved plans and Clause 52.06-9 Design Standards and that dispensation is offered for the notional shortfall.</p> <p>3 That secure parking for at least 54 bicycles is provided to council approval.</p> <p>4 That parking dispensation is offered for the notional shortfall in statutory parking required.</p> <p>5 No loading or unloading is permitted in any street unless from a designated loading zone.</p> <p>6 A separate vehicle crossing permit application shall be made to Council for the required vehicle crossings and reinstatements in Davey Street. All works</p>	Acknowledged. Include conditions as recommended.

	<p>required shall be arranged by and be at the cost of the Applicant.</p> <p>7 That any associated road upgrade works required in the fronting street to effect suitable access is to Council approval and at the Applicant's cost.</p> <p>8 That waste is managed to Council approval in accordance with the Waste Management Plan developed for the complex.</p>	
Vegetation	<p>The layout of the landscaping and use of canopy trees in the proposal is supported. The relevant species require nomination of the plan. A plant schedule is required with species and quantity clearly stated.</p>	<p>Acknowledged. A plan schedule can be requested as a condition of approval.</p>

KEY ISSUES

The proposal generally accords with the PPF including the LPPF of the Ballarat Planning Scheme. The principal issues are as follows:

- Strategic Justification;
- Residential Growth Zone;
- Built Form and Urban Design;
- Heritage;
- Affordable Housing;
- Licensed Food & Drink Premises;
- Amenity;
- Traffic and Car Parking;
- Stormwater; and
- Construction Management

Strategic Justification

Planning policy expressly supports urban consolidation through the provision of medium density housing in appropriate locations. Urban consolidation facilitates the efficient use of existing infrastructure and services, as encouraged by the Planning Policy Framework (PPF), specifically:

- Clause 11 Settlement
- Clause 15 Built Environment & Heritage
- Clause 16 Housing
- Clause 17 Economic Development
- Clause 18 Transport

Relevant objectives include:

Settlement

- *Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Support urban consolidation, particularly in Ballarat's Central Business District.*

Built Environment & Heritage

- *Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and*

neighbourhoods. Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*
- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm*
- *To achieve neighbourhoods that foster healthy and active living and community wellbeing.*
- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*
- *To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.*
- *To ensure the conservation of places of heritage significance.*

Housing

- *To promote a housing market that meets community needs.*
- *To locate new housing in designated locations that offer good access to jobs, services and transport.*
- *To provide for a range of housing types to meet diverse needs.*
- *To deliver more affordable housing closer to jobs, transport and services.*

Economic Development

- *To strengthen and diversify the economy.*
- *Support the growth of key regional employment assets including the Ballarat Technology Park, Ballarat Central Business District and Ballarat West Employment Zone.*
- *To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.*

Transport

- *To create a safe and sustainable transport system by integrating land use and transport.*
- *To promote the use of sustainable personal transport.*
- *To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.*

The proposal is considered to support urban consolidation and the principal policy platforms of the planning policy framework. The proposed development will facilitate a high quality built form outcome which responds to site features, including the heritage context. The site presents an infill opportunity which will deliver housing to meet community needs in a regional location, which is well serviced by existing infrastructure and transport services and has been identified as a focus of investment and growth in the state context.

This is reiterated at Clause 21.02-1 (Urban Growth) of the Local Planning Policy Framework (LPPF) which sets out that Ballarat is forecast to grow significantly towards 160,000 people by 2040. Much of this increased population is to be accommodated through infill development within established areas close to public transport and amenities. This policy stipulates that maintaining a compact, efficient and productive settlement form is crucial to Ballarat's long-term future as a 10 Minute City. The Housing Framework Plan identifies the subject site as being within an area of Convenience Living where it is an objective to establish a sufficient number of residents to support a high frequency public transport network

Clause 21.02-2 (Areas of Convenience Living) states that 'Convenience Living Areas' are areas of housing close to public transport and services where growth in density and diversity of housing supports the long-term potential for a rapid-transit style public transport network in Ballarat. More residential development along defined corridors is a pre-requisite to viable high

frequency public transport services and the concept of a 10 minute city. Davey Street is well situated within the Residential Growth Zone with a mixture of uses evident. The site has excellent access to a full range of services and infrastructure as demonstrated. In this respect, the re-development of this large vacant site offers an appropriate infill development opportunity.

Clause 21.02-7 (Housing Diversity) recognises that social diversity is an important factor in the social health of the city. A diverse population needs a mixture of housing sizes and types. The proposal offers a diversity in housing types and sizes which will be suitable to changing housing needs, including the needs of a diversifying population and specific social housing requirements.

Health, Knowledge and City Living Precinct Plan DRAFT

The Health Knowledge and City Living Precinct Plan is a Draft strategy currently being prepared by Council's Strategic Planning Team. The subject land forms part of this precinct and the work that has been done to date, while not an adopted Council policy or incorporated into the planning scheme, does have some relevance to consideration of the proposal.

The vision for the area as identified in the precinct plan states that:

"The Health, Knowledge and City Living Precinct will support and drive the social, cultural, environmental and economic success of Ballarat. With a large variety of residential options and encompassing the region's premier health and education institutions, the diverse Precinct will provide a healthy, thriving and people-focused environment for residents, visitors and workers to live, work, learn and play. It will be an accessible, vibrant, safe and inviting place that is active during both day and night and a place that inspires pride in the community."

The highly valued heritage and landscape features of the Precinct will continue to be treasured, setting a high-quality benchmark for the design of innovative and sustainable uses that will support the future of the thriving Precinct. The Health, Knowledge and City Living Precinct will ensure that Ballarat is a highly liveable city attracting the best professionals, researchers and students."

The urban design framework forming part of the precinct plan identifies the subject land at 11 Davey Street as within the CBD interface where there is redevelopment potential for higher density, mixed use living. Building forms of 4-5 storeys are encouraged with a two storey frontage and a transitional interface to finer grained residential development to the west. The proposal directly responds to these aspirations.

Residential Growth Zone

Planning Policy objectives encourage development that improves housing choice and accommodates future housing needs. This approach is supported by the purpose of the Residential Growth Zone, which encourages:

- *Housing at increased densities in buildings up to and including four storey buildings.*
- *A diversity of housing types in locations offering good access to services and transport including activity centers and town centers.*
- *A scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
- *Educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

In the zone a planning permit is required pursuant to Clause 32.07-5 (RGZ1) to construct two or more dwellings on a lot and to use of the land for food and drink premises.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58. The permit applicant has provided an urban context report and design response as required. A copy of this report is provided as **Attachment 2**. An assessment against Clause 58 is provided as **Attachment 3**.

Clause 32.07-9 (RGZ1) specifies a maximum building height requirement for a dwelling or residential building. The clause states that the building height should not exceed 13.5 metres. Consideration of building height will be addressed in the section of the report entitled *Built Form and Urban Design*, below.

Clause 32.07-10 (GRZ1) states that any buildings or works constructed on a lot that abuts land which is in a General Residential Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary. An assessment against these relevant provisions of Clause 55 is provided as **Attachment 4**. These clauses are also addressed in a section of the report relating to *Amenity*, below.

The proposal directly addresses the purpose of the zone by facilitating a development which provides for housing at increased density in a multi storey building form which is well located on the periphery of Ballarat's Principal Activity Centre – Ballarat CBD.

The design response of the building is considered to respond appropriately to the surrounding context and proposes an acceptable transition between the site and surrounding properties, including dwellings within the General Residential Zone to the west. This will be discussed in more detail in relation to Built Form and Amenity.

The proposal also proposes non-residential use on the site in the form of a café (licensed food and drink premises) which will form a focal point of the development which will cater for future residents and the wider community and will activate the building and the wider context of Davey Street.

Built Form and Urban Design

Both the State and LPPF in relation to Built Environment (Clauses 15 and 21.06) require new development to respond to landscape and character values to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

The proposed built form has been independently reviewed by David Lock & Associates who specialise in Town Planning and Urban Design and who provided the following assessment of the built form with relation to the bulk and height:

“The existing Ballarat Planning Policy Framework provides limited built form guidance specifically for Davey Street. In the absence of specific built form controls Clause 21.02 sets the level of expected changes and the RGZ seeks increased housing densities in buildings up to and including four storeys.

The built form character of Davey Street is a mix of existing warehouse buildings and one and two storey detached dwellings from varied eras. The property directly to the north (13 Davey Street) and opposite are examples of original warehouse building, constructed in red brick and built to the front property boundary.”

The proposed 2-storey (approx. 7.6m) street wall to Davey Street is an appropriate response to the existing and preferred character. It will sit comfortably next to the existing two storey heritage façade of the warehouse building to the north. The street wall height also creates an appropriate transition in scale from the existing detached dwelling directly south (9 Davey Street). This is further supported by the upper level setbacks from the south.

To Davey Street, above the street wall, levels 3 and 4 are setback approximately 2m, with level 4 setback approximately 5m.

The proposed built form is considered to be responsive to the site context and the character of the surrounding area for the following reasons:

- The building height and form provides an appropriate transition between the low scale dwellings to the south and industrial warehouse forms to the north and on the eastern side of Davey Street as reiterated in the expert advice.
- The proposed 2 storey street wall of the building to Davey Street at 7.6 metres high is consistent with the height of the warehouse to the north. This street wall extends along the frontage with the northern portion of the building setback 4.7 metres, allowing for the exposure of the heritage facade of the warehouse and a visual break in the building form to the street. This break also enhances the public realm which will be discussed further below.
- Levels 1 and 2 of the building are setback 2.2 metres from the frontage, to accommodate private open space (balconies). Levels 2 – 4 are also setback 4.3 metres from the southern boundary providing a transition to the dwelling to the south.
- Levels 3 and 4 are further setback, 4.6 metres from the frontage. This setback coupled with lighter materials to level 4 minimises the impact of the building form to the street.
- The Residential Growth Zone applies a discretionary height control of 13.5 metres or 4 storeys. This does not preclude development from achieving greater height if amenity impacts to the public realm and neighbouring properties can be ameliorated.

In relation to the development's response to the surrounding urban context and public realm, the independent review undertaken by David Lock & Associates stated that:

"The proposal provides for appropriate levels of activation and surveillance to the public realm. The setback proposed in front of the café is supported as it ensures the heritage features of the brick wall to the north are visible. It also creates space for alfresco dining in front of the café, activating the space.

In relation to the composition and materiality, the street wall consists of arched brick colonnades. The use of recycled red brick responds well to the existing character directly to the north and east of the site."

The ground level of the building and its frontage to Davey Street will support activation and integration with the street.

The café/outdoor space will directly interface with the street, with the setback creating a landscaped courtyard contributing to a sense of community for future residents and the wider area.

Revisions to the Davey Street façade, including additional openings to north and south boundary walls, the lowering of the upper façade height and increasing the opening of the arches to level 1 proposed as part of the amendments to the application will further assist in addressing the scale of the building to the street.

The development will also result in streetscape improvements to Davey Street including an upgrade to footpaths along the site frontage and underground power supply which will provide an impetus for future growth and investment within Davey Street and the wider area.

Heritage

The subject site is affected by Heritage Overlay HO166, Ballarat Central Heritage Precinct.

Both State and Local planning policies also seek to protect areas of heritage significance, including Clauses 15, 21.06 and 22.05.

The Ballarat Central Heritage Precinct is described as:

"The Precinct is architecturally important for the significant numbers of quality houses that date to 1880s. The area experienced a period of brisk development between 1861 and 1871, when a number of lucrative deep leads were mined. The reputation of the area as a fashionable town address, especially within the vicinity of Webster Street after the mid 1860s attracted a number of local mining magnates to the area. Houses along Webster Street were characterized by their large allotments and emphasis on formally designed private gardens with plantings of exotic trees. This street character, along with sections of neighbouring Drummond Street, remains largely intact and reflects the prosperity of Ballarat in the 1870s-1880s. Baileys's Mansion' (1883), on the corner of Mair and Drummond Streets and now part of St. John of God Hospital, is a visual reminder of the prosperity of this section of West Ballarat in the late 1870s-1880s. While it is a fairly typical example of a 'boom-time' mansion, complete with tower, it is a rare style for Ballarat and more common to Melbourne."

The Statement of Significance states that:

"The residential architecture of the area is aesthetically significant for its high degree of integrity and condition, and forms an important collection of Victorian, Federation, Inter-War and early Post-War buildings. While there is considerable variety across the area due in part to different allotment sizes, within the same street or sections of streetscapes, groups of houses are quite similar in size, scale, set back, with a unity of materials as well as design characteristics."

"Housing in the northern sections of the precinct while still timber were more characteristic of workers cottages. The more modest homes can be attributed to the decline of mining from the 1870's, leading to a substantial increase in rented homes. The establishment of the railway workshops in 1914 may have been an added influence for the provision of affordable housing, within walking distance of the workshops."

Ballarat Heritage Precincts – Statements of Significance 2006.

Council's Heritage Advisor does not support the proposal, for reasons relating to the height and scale of the proposed building and its impact to the immediate heritage context and the wider heritage precinct. The application was also accompanied by a Heritage Impact Assessment (John Briggs Architect and Conservation Consultant - August 2019) a copy of which is provided as **Attachment 5**.

It is considered that the Heritage Advisor's analysis of the proposal does not give sufficient regard to the context of the site or the extent of development that is anticipated by the Residential Growth Zone. Heritage is only one aspect for consideration in the assessment of the proposal. As demonstrated, the proposal meets and exceeds a majority of the other aspects that planning must consider.

Davey Street, as described by Council's Heritage Advisor, is "a narrow street with modest lot sizes running between the larger and more affluent Webster and Mair Streets. The heritage streetscape context of Davey Street and Lyons Street North, with its high proportion of Interwar timber dwellings and brick industrial buildings (Davey Street) and Victorian, Federation and Interwar timber dwellings (Lyons Street North) demonstrates attributes and values which are set out in the Statement of Significance. The Statement of Significance states that historical change within Ballarat was reflected in housing, and the use of timber as the predominant material in building construction is a reflection of the ease and low cost of timber due to the thriving local timber industry. The construction of modest timber worker's housing, such as is evident in both Davey and Lyons Street North are likely to be associated with the brick industrial buildings in Davey Street."

The proposed design of the building is considered to respond to the heritage context, predominately the semi industrial nature of the site and the industrial character of Davey Street. The front facade of the building in its presentation to Davey Street will be two storey in form, in direct response to the neighbouring warehouse to the north. The use of recycled brick to this facade and the incorporation of arches seeks to respond directly to the adjoining building, the historical semi industrial context and the wider context of the Ballarat Central Heritage Precinct.

As the building rises to the upper levels, the floors are recessive. Setbacks have been provided to Davey Street to maintain the heritage setting of the industrial warehouse to the north. This setback allows for the commercial space (food and drink premises) to have a direct relationship to the street and for future potential users to enjoy the space which also relates to the historical warehouse.

Setbacks are also provided to the residential interface to the west to respond to the context of heritage dwellings on Lyons Street North and ensure that their amenity is maintained. The generous setback of 5.1 metres will allow for ground level private open space for dwellings as well as provide for deep rooted tree planting which will seek to soften the development in the wider context.

As the building rises, levels 3 and 4 are setback 4.7 metres from Davey Street and 4.3 metres from the southern boundary to ensure that the scale of the street and the heritage dwelling to the south is maintained. At level 4 the building form is further recessed with only three dwellings on this level and a large communal open space area. The recession and variation in materials to this level will seek to soften the impact of the form with minimal impact to the heritage streetscape of Davey Street and the wider heritage context.

The building form responds to both its immediate and heritage wider context by virtue of its high quality design which is further enhanced through its materiality, use of brick and light weight cladding, its level of articulation which includes a wide variation in setbacks, the use of balconies and openings all provide for visual interest and allow the building to relate to its context.

Extensive landscaping including deep root planting to the west and, landscaping to majority of balconies, the central landscape core and rooftop and incorporation of vegetated trellis seeks to address the wider heritage precinct in terms of its green amenity.

Council's Heritage Adviser also notes that *"The Statement of Significance also identifies the internal and external views from within the Precinct as being of aesthetic significance. In particular, note is made of framed and panoramic views along streets and laneways, across the predominately single storey rooftops with a 'forest of chimneys' with a variety of finishes, and the views to significant landscape features and landmarks including Mount Buninyong, Black Hill and Soldiers Hill."*

In relation to the impact of the building to the wider Ballarat Central Precinct the applicant has submitted perspective images which detail the building in its context from both Webster Street to the North and Mair Street to the south. The images are provided within **Attachment 1**.

The impacts demonstrate that the building sits comfortably within its heritage context and will not detract from its immediate heritage streetscape or the wider precinct. The permit applicant explored other significant views throughout Ballarat Central, including impacts to the railway station, the Town Hall and other landmarks and streetscapes such as Sturt Street. The impact of the building when viewed from these perspectives was negligible.

On this basis the proposal is supported by Council planning officers from a heritage perspective. Both State and Local Planning policy anticipate change (residential growth) for this area. While the proposed building will be a new form in the heritage landscape, it is a high quality architectural response and it has been demonstrated that it responds appropriately to the streetscape and the wider heritage context.

Affordable Housing

Clause 16 Housing of the PPF specifically states that planning for housing should include the provision of land for affordable housing, this includes well designed integrated and social housing to meet specific community needs (Clause 16.01-1S).

The proposed development directly implements Clause 16 of the PPF and Clause 21.02-7 (LPPF) by providing for more affordable housing, closer to jobs, transport and services.

The Nightingale Model of housing proposed seeks to provide an affordable and sustainable housing product with improved housing choice and mix (including social housing) in an area which is designated for residential growth.

The proposed social housing component within the development will comprise a total of 6 dwellings or 20% of the overall provision of housing on the site. The social housing is proposed to be delivered in association with Housing Choices Australia, a registered housing association in Victoria under the *Housing Act 1983*.

The social housing dwellings will be provided for a range of people in housing need within the Ballarat region. This includes people with a disability and ageing residents.

The social housing component of the development will be secured via a Section 173 Agreement which will ensure delivery and ongoing provision of social housing stock on the site.

A letter of support for the proposal submitted by Housing Choices Australia is provided as **Attachment 6**.

Licensed Food and Drink Premises

The zone and the proposed mixed-use nature of the area and the development proposed supports the proposed use of the land for food and drink premises.

The proposal also supports economic policy of the Planning Strategy and the Local Planning Policy Framework as it will provide for additional employment opportunities and will lead to an increase in the economic viability of the area and contribute to activation and vibrancy within Davey Street.

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, within a mixed use development located on the periphery of the Ballarat CBD. The granting of a planning permit for this licence will directly implement the objectives and strategies for activity centres as outlined at Clause 21.07 Economic Development of the Ballarat Planning Scheme as demonstrated above. It will also contribute to the city's economic strengths and provide additional employment opportunities.

Clause 52.27 Licensed Premises is relevant to this application in consideration of the licensed food and drink premises to the ground floor of the building. 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 food and drink premises and the associated 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 Planning Practice Note 61 (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 food and drink premises which is not proposed to operate beyond 11pm. Further the premises is not contained within an area which is subject to a cluster of licensed venues, nor will the addition of the proposed licence lead to a cluster of licensed premises.

The application was accompanied by a Cumulative Impact Assessment which outlines the licensed premises within 300 metres of the subject site. These premises include:

- 38 Doveton Street North - Mitchell Harris Wines
- Webster Street – Websters Market & Café
- 401 Mair Street - Inexterior

In support of the Liquor Licence, 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 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.
- The proposed trading hours are not considered as high risk, being limited to 11pm.
- The proposed trading hours reflect the area in which the food and drink premises is located and are sensitive to the residents within proximity to the site.
- Background music only will be played within the food and drink premises at a level to allow for social interactions between patrons.

The following is also noted in response to Clause 22.01 Non Residential Uses in Residential Areas:

- The site has direct access to the road network (Davey Street).
- The proposed food and drink premises will not result in a concentration of non-residential uses within the residential area or the isolation of residential properties.
- The design of the food and drink premises component in the context of the overall development has been designed to a residential scale (single storey) and contributes positively to the streetscape and character at this location.
- Disabled access is provided to the premises.
- Cycle parking is provided to the site frontage.
- The loading and unloading of vehicles will be restricted to the hours of 8.00am - 8.00pm as a condition of approval.

- The hours of operation of the use will be restricted as a condition of approval. Proposed 7.00am-11.00pm, revised to 9pm closing to address potential amenity impacts to residential properties within the development and in the surrounding area.
- Signage is not proposed as part of this application. A future planning permit will be required for signage.
- Amenity to the site and surrounding properties will be managed by a reduction in the hours of operation and future efficient management. A patron management plan will be required as a condition of approval as will conditions relating to noise management relating to both the use and any servicing requirements.
- The management of waste associated with the use will be guided by the Waste Management Plan for the overall development which is discussed in detail below.
- Landscaping is proposed within the front setback to Davey Street including the planting of an advanced canopy tree.

Amenity

Both State and Local Policy in relation to built environment seeks to ensure that the scale, bulk and quality of new development positively contributes to the local context, and the character and amenity of the built environment.

The test for assessing amenity is measured by a number of Standards and Objectives contained within Clauses 55 and 58 of the planning scheme. The test is not based on whether there will be amenity impact, but whether it is at a level acceptable when assessed against the objectives and standards. The following provides a discussion on the development's responsiveness to the relevant Standards within these Clauses. A full assessment of the applicable objectives and standards of Clause 55 and 58 is provided at **Attachments 3 and 4**.

Building Setbacks (58)

The objectives of Standard D14 are:

- *To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.*
- *To allow adequate daylight into new dwellings.*
- *To limit views into habitable room windows and private open space of new and existing dwellings.*
- *To provide a reasonable outlook from new dwellings. To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents*

The proposed height and setbacks of the building reflect the aspirations of the zone and provides for appropriate setbacks as demonstrated in relation to built form and urban design above.

The proposed dwellings are also provided with a high standard of internal amenity with adequate daylight to habitable room windows and cross ventilation.

Direct views into habitable room windows both within the development and the private open space of existing dwellings has been addressed via the assessment of internal views and overlooking. Screening has been reduced to provide for an improved internal amenity within the development thereby maintaining a visual connection with the surrounding environment while also minimising amenity impacts.

Internal Views (58)

The objective of Standard D15 is:

- *To limit views into the private open space and habitable room windows of dwellings within a development*

Windows and balconies within the development have been designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development. This is achieved by incorporating deep root planting at ground level, balustrading and creepers to address overlooking impacts to the ground level private open space of dwellings G03-G06 and residential development to the west.

Concern was raised by council officers and objectors in relation to the effectiveness of creepers in addressing overlooking, given the climatic conditions in Ballarat. In response, amended plans detailing planters have been included on the western balconies of level 3 of the building. The planters have a minimum depth of 400mm which will further preclude overlooking to properties to the west.

Noise (58)

The objectives of Standard D16 are:

- *To contain noise sources in developments that may affect existing dwellings.*
- *To protect residents from external and internal noise sources.*

The layout of the proposed development will minimise noise transmission to and from the site. Noise sources, such as mechanical plant within the development is located in the proposed basement and on level 4 within the communal garden area and have been sited to minimise impact to existing and proposed dwellings. Vehicle access to the proposed basement is sited centrally to the Davey Street frontage to minimise impact to adjacent development.

Energy Efficiency (55)

The objective of Standard B10 are:

- *To achieve and protect energy efficient dwellings and residential buildings.*
- *To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.*

The proposed setbacks of the building at ground (5.1 metres) and upper levels (7.9 metres) will ensure that the impact of the energy efficiency of dwellings within the General Residential Zone is minimised.

The proposed development is designed and oriented to make appropriate use of solar energy and energy efficiency.

Davey Street has a north-south orientation. The proposed building has been designed with the private open space and east/west aspects and an internalised aspect forming an internal courtyard allowing for light penetration and cross ventilation. A communal outdoor area is provided on the rooftop which will receive full daylight

The building will be designed to achieve 7.5 natHERS rating. A solar array will be provided on the roof of the building. the development will be fossil fuel free.

Side and Rear Setback (55)

The objective of Standard B17 is:

- *To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.*

The proposed height and setbacks of the building reflect the aspirations of the zone and provides for appropriate setbacks to the residential interface to the west in accordance with the requirements of the standard. It is noted that the balconies of the dwellings do encroach into the setback. The encroachment is however less than 0.5 metres and meets the standard. A section (Section A/B, TP18/19) of the building demonstrating the relevant setbacks is provided in the floor plans and elevations at **Attachment 1**.

Walls on Boundaries (55)

The objective of Standard B18 is:

- *To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.*

There are no walls proposed on the western elevation of the proposed development.

Daylight to Existing Windows (55)

The objective of Standard B19 is:

- *To allow adequate daylight into existing habitable room windows*

The development will have minimal impact to daylight penetration to existing habitable room windows of dwellings to the west given the setbacks proposed to the ground and upper levels of the building (as noted above) and the generous rear setbacks of existing dwellings to Lyons Street North.

Overshadowing Open Space (55)

The objective of Standard B21 is:

- *To ensure buildings do not significantly overshadow existing secluded private open space.*

The shadow diagrams forming part of the floor plans and elevation (20-22) **Attachment 1** demonstrate that there will be no significant impact on the amenity of the private open space of properties to the west as a result of overshadowing. The shadow diagrams identifying very minimal impact.

Overlooking (55)

The objective of Standard B22 is:

- *To limit views into existing secluded private open space and habitable room windows.*

The proposed development has been designed to avoid views into existing secluded private open spaces of existing dwellings, incorporating measures such as deep root planting at ground level, balustrading, fixed battens, raised planters and vertical trellis to address overlooking.

It is noted that views to several of the properties to the west on Lyons Street North will be obscured by existing outbuildings.

Concern was raised into the effectiveness of trellis in addressing overlooking, given the climatic conditions in Ballarat. In response revised plans detailing planters on the western balconies of level 3 of the building have been submitted. The planters have a minimum depth of 400mm which will further preclude overlooking to properties to the west. Additional planting within residential properties to the west is also detailed in the conditions of approval. This planting is to be agreed between the applicant and relevant property owner to the satisfaction of the Responsible Authority.

Traffic & Car Parking

The proposal directly implements the objectives of state policy in relation to Transport (Clause 18) through the integration of land use and transport in the form of increased development in proximity of public transport routes and promotion of sustainable personal transport, including public transport utilisation, walking, cycling and car share services which all offer an alternative to personal vehicle use.

This reinforces the idea of the 10 minute city as aspired to in Councils LPPF (Transport and Infrastructure) which seeks consolidation of development with a mix of uses in areas of

Convenience Living, along future high frequency bus corridors, around activity centres, in urban renewal areas and the CBD.

Car and bicycle parking requirements are designated in Clause 52.06 and Clause 52.34 of the planning scheme, and these provisions require that a use must not commence, or the floor area of an existing use must not be increased, until the required car spaces have been provided on the land.

The purpose of Clause 52.06 (Car Parking) is:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the 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.*

The purpose of Clause 52.34 (Bicycle Facilities) is:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities*

The car parking and cycle requirements for the proposed development as required by the planning scheme can be summarised by:

- Residential, including six (6) x 1 bedroom, seventeen (17) x 2 bedroom and four (4) x 3 bedroom dwellings – 31 car parking spaces/5 resident and 3 visitor bicycle spaces.
- Food and Drink Premises, 68m², 2 car parking spaces, 0 bicycle spaces.

It is proposed to provide a total of 14 car parking spaces within the proposed basement car park. A total of 54 bicycle spaces are proposed throughout the development, this includes 38 spaces within the basement and throughout the ground floor of the development to cater for residents and visitors, including patrons of the food and drink premises.

The proposal therefore seeks a reduction in the car parking requirements of the planning scheme. A reduction of 24 spaces is required. Bicycle provision meets and exceeds planning scheme requirements.

The proposed basement car park is to be accessed via a single width ramp and crossover to Davey Street. The existing wide crossover to Davey Street will be partially reinstated which will provide for 3 additional on street car parking spaces. The applicant proposes to allocate three on street spaces to 'Go Get' a car share provider which will be a service available to residents of the development and the general public.

Loading to the development including both the residential dwellings and the small commercial tenancy is proposed to be provided on street. It is anticipated that any loading/unloading will be conducted via small vans and delivery vehicles which can be accommodated in the existing/proposed on street car parking area. This is also applicable to taxi and ride share services. No concerns have been raised by Council's Traffic Engineers in relation to this arrangement.

The reduction in the car parking requirements of the planning scheme is considered acceptable having regard to the following:

- Availability of restricted on-street car parking to cater for visitors to the site;
- The reduction in car parking on site in line with the Nightingale Model of housing will encourage sustainable transport to the site, including bus, cycling and train;
- The development provides well in excess of the required bicycle spaces to encourage residents, and visitors to the site to cycle as their predominant form of transport;
- The Ballarat Integrated Transport Strategy (July 2015) seeks to provide for a more sustainable transport network in order to reduce car dependence. The proposal would directly implement this strategy.
- The site has excellent access to public transport including trains and buses, namely:
 - Ballarat Railway Station – 600 metres;
 - Bus Services 12 (Wendouree – Ballarat Central) and 30 (Midland Highway – Ballarat Central) - less than 400 metres;
- Council's Traffic and Transport Unit do not object to the proposal.
- A Green Travel Plan will be required as a condition of approval to encourage the use of a range of transport modes.

A Copy of the Transport Impact Assessment (One Mile Grid – June 2019) is provided as **Attachment 7**.

Waste Management

A Waste Management Plan (One Mile Grid – June 2019) forms part of the application. A private contractor will manage the collection and disposal of waste associated with the development, including the food and drink premises.

A dedicated bin storage will be provided within the basement of the building. A dual bin system for both landfill and recycling will be provided as well as composting and green waste. Bins will be transferred by the private contractor from the storage room to Davey Street where they will be emptied into a waiting truck.

A copy of the Waste Management Plan (One Mile Grid – June 2019) is provided as **Attachment 8**.

Stormwater/Flooding

Clause 53.18 Stormwater Management in Urban Development is relevant to consideration of the proposal. The objective of this particular provision is *"to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits."*

A Stormwater Management Strategy (Creo Consultants – June 2019) forms part of the application. The strategy identifies that the development will be served by an inground stormwater drainage system that will be designed for a 20% storm event. This system will include an inground detention system that will manage the limit of flow from the applicable storm events.

The Stormwater Management Strategy for the development has been reviewed by Council Development Engineers who deem it to be satisfactory in addressing Planning Scheme Requirements. The stormwater strategy is to be implemented as a recommended condition of approval in addition to standard engineering requirements.

The site is also partially flood prone to the north. The application has been referred (Section 52 Notice) to the Corangamite Catchment Management Authority who have no objection to the proposal subject to conditions requiring minimum floor levels for certain dwellings, access and the commercial tenancy.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017 – 2021
- Planning and Environment Act 1987
- Ballarat Planning Scheme.

REPORTING AND COMPLIANCE STATEMENTS

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

Human Rights/Social/Cultural - The application has been assessed in accordance with the requirements of the *Planning and Environment Act 1987* and the Ballarat Planning Scheme. The assessment is considered to accord with the *Charter of Human Rights and Responsibilities Act 2006*. Specifically:

- Freedom of Expression (part 2 section 15)
- A fair hearing (part 2 section 24)
- Entitlement to participate to public life (part 2 section 18)

Environmental/Sustainability – The development proposed meets the environmental and sustainability standards set out in the Ballarat Planning Scheme.

Economic – The proposed development including the proposed licenced food and drink premises will positively contribute to the prosperity of the Ballarat Economy both during the construction stage and post development. Further, as a significant additional medium density proposal in the CBD fringe of Ballarat, it will provide an example of higher density development which will potentially provide a stimulus for other similar development in line with Council's CBD redevelopment policy.

Financial/Resources – Council's assessment of the application and management of the planning permit process has been partially met by the fees paid pursuant to the *Planning and Environment Act 1987*. In relation to the construction program, there will be incidental costs to Council in the management of the construction program and the like

Risk Management – There are no significant risks associated with the issue of a planning permit for this proposal. The construction program will necessitate risk assessment at each stage which will be factored into the required construction management plan. The concerns

raised by objectors in relation to construction impacts are matters that have been considered and have been reasonably dealt with, such that there are no major risks identified.

Implementation and Marketing – The advice of Council's decision in this regard will be made public through a press release following the Council meeting

Evaluation and Review – The construction process will be subject to review throughout the course of the programme and the specific build form will further be reviewed upon completion.

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

- Ballarat Planning Scheme
- *Planning and Environment Act 1987*
- Department of Transport Planning and Local Infrastructure Practice Note 61: Licensed Premises – Assessing Cumulative Impact 2011.
- Ballarat Heritage Precincts Study Part A, July 2006; Dr David Rowe: Authentic Heritage Services Pty Ltd and Wendy Jacobs: Architect and Heritage Consultant Ballarat Heritage Study (Stage 2), July 2003; Hansen Partnership

ATTACHMENTS

1. PLP/2019/409 11 Davey Street Ballarat Central Plans, including sections shadow diagrams and perspectives [6.2.1 - 30 pages]
2. PL P 2019409 11 Davey Street Ballarat Central FI Urban Context and Design Response [6.2.2 - 65 pages]
3. PLP/2019/409 11 Davey Street Ballarat Central Clause 58 Assessment [6.2.3 - 12 pages]
4. PLP/2019/409 11 Davey Street Ballarat Central Clause 55 Assessment [6.2.4 - 7 pages]
5. PL P 2019409 11 Davey Street Ballarat Central FI Heritage Impact Statement [6.2.5 - 12 pages]
6. PL P 2019409 11 Davey Street Ballarat Central Housing Choices Support Letter [6.2.6 - 2 pages]
7. PL P 2019409 11 Davey Street Ballarat Central Traffic Impact Assessment [6.2.7 - 27 pages]
8. PL P 2019409 11 Davey Street Ballarat Central Waste Management Report [6.2.8 - 15 pages]

Nightingale Ballarat

11 Davey Street Ballarat Central VIC 3350



DRAWING SCHEDULE

No.	Layout Name	Rev
TP01	Location Plan and Drawing Schedule	4
TP02	Site Plan	2
TP03	Land Survey	2
TP04	Demolition Plan	2
TP05	Basement Plan	3
TP06	Ground Floor Plan	4
TP07	Level 1 Plan	4
TP08	Level 2 Plan	4
TP09	Level 3 Plan	4
TP10	Level 4 / Rooftop Plan	3
TP11	Lift Overrun	2
TP12	North Elevation	3
TP13	East Elevation	3
TP14	South Elevation	3
TP15	West Elevation	3
TP16	Courtyard Eastern Elevation	2
TP17	Courtyard Western Elevation	2
TP18	Section A	2
TP19	Section B	2
TP20	Shadow Diagrams 10 - 11am	2
TP21	Shadow Diagrams 12 - 1pm	2
TP22	Shadow Diagrams 2 - 3pm	2
TP23	BADS Compliance Schedule	2
TP24	BADS Typical Plans	2
TP25	BADS Typical Plans	2
TP26	Materials Schedule	2
TP27	Red Line Plan	2
TP28	Local Context Views	2
TP29	Local Context Views	2
TP30	Local Context Views	2

APARTMENT MIX		LEVEL	GFA
1BR	6	Basement	663.72
2BR	17	Ground	907.29
3BR	4	Level 1	716.19
27		Level 2	529.11
		Level 3	498.11
		Level 4	475.94
TOTAL BIKE SPACES			3,790.36 m²
Guest Spaces		4	
Resident Spaces		50	

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THE COMMONS

9 FLORENCE ST

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REV	COMMENTS	DATE
1	Town Planning	21/6/19
2	Town Planning	14/8/19
3	Town Planning	17/10/19
4	Town Planning	8/11/19

Submission to Council

RFI Response #1

RFI Response #1 Amendment

Final Permit Submission

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE	
4	1908	8/11/19	JM	CB	1:200 @ A3	N

PROJECT
Nightingale Ballarat

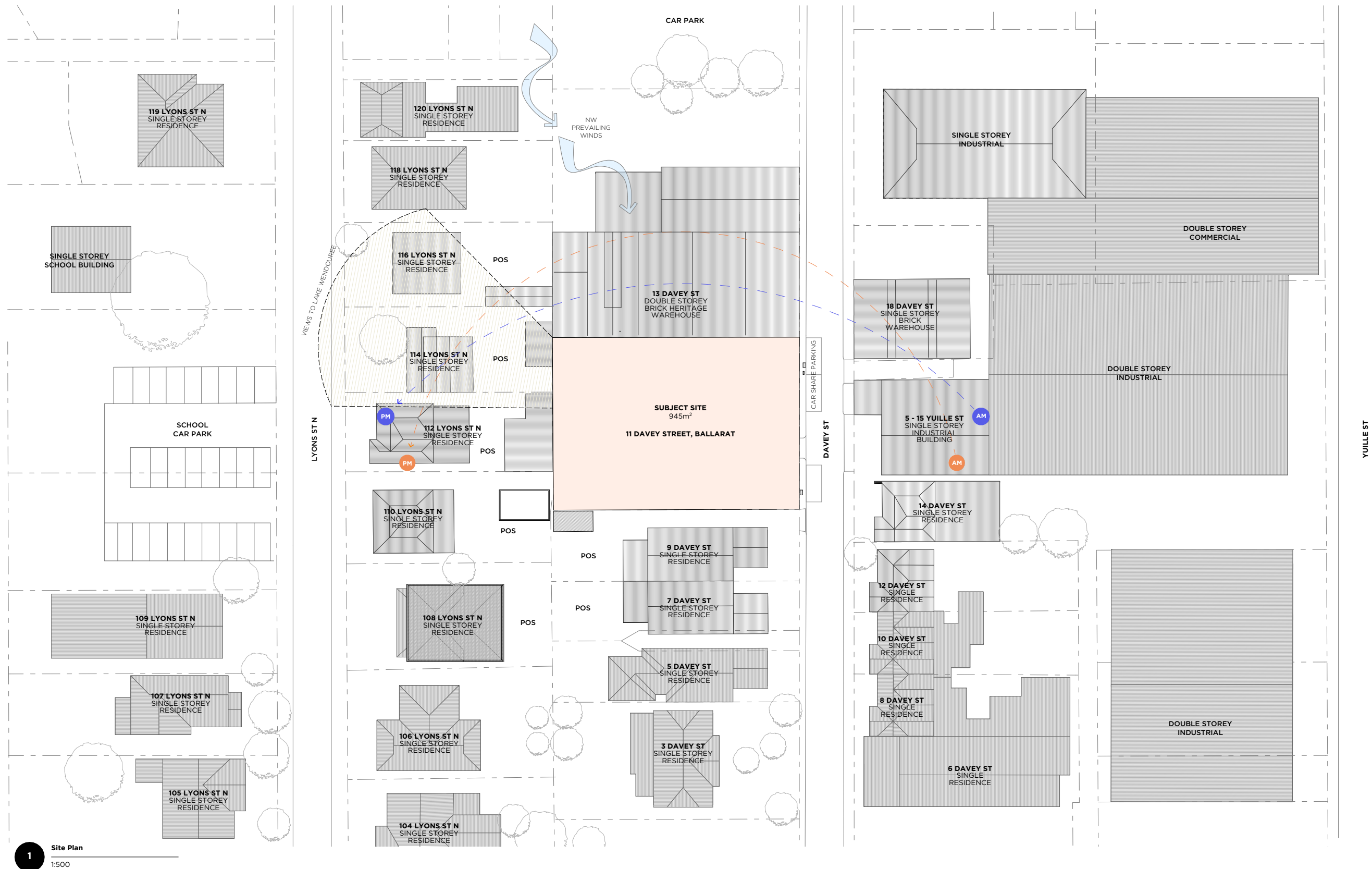
DRAWING TITLE
Location Plan and Drawing Schedule

DRAWING

TP01

CHECK ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS, CONSULTANTS DOCUMENTS AND SPECIFICATIONS. SEEK CLARIFICATION OF INCONSISTENCIES / CONFLICTS FROM ARCHITECT. FIGURED DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE DRAWINGS.

FILE PATH: /Volumes/Breathe HQ/Projects/2019/1908_Nightingale Ballarat/05 Design_Research_Tendering/5d_Town Planning/02 Working drawings/1908_TP_RFI_20191107_Councillor



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REV	COMMENTS	DATE
1	Town Planning	21/6/19
2	Town Planning	8/11/19
	Submission to Council	
	Final Permit Submission	

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
2	1908	8/11/19	JM	CB	1:500 @ A3



PROJECT
Nightingale Ballarat

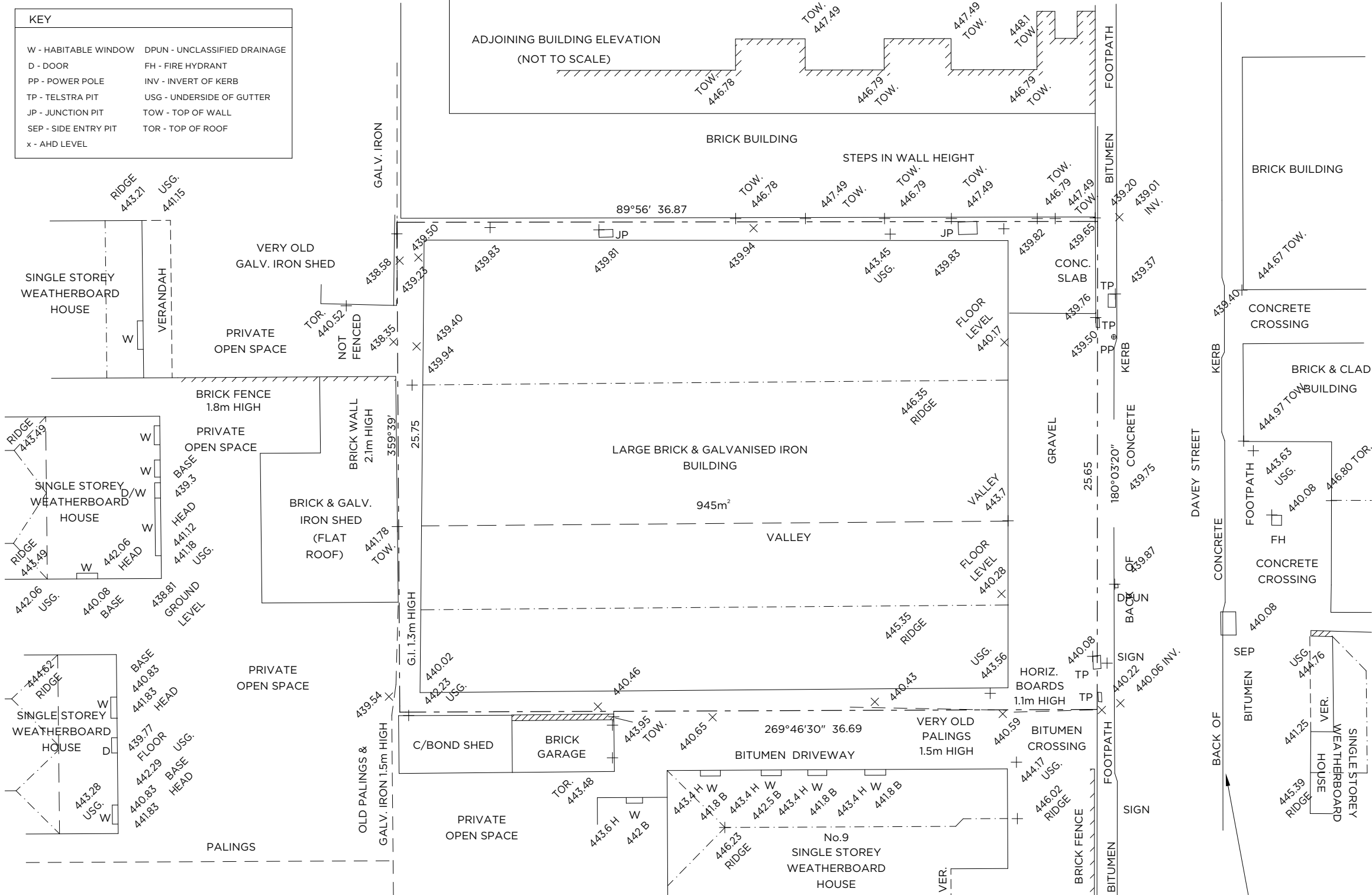
DRAWING TITLE
Site Plan

DRAWING

TP02

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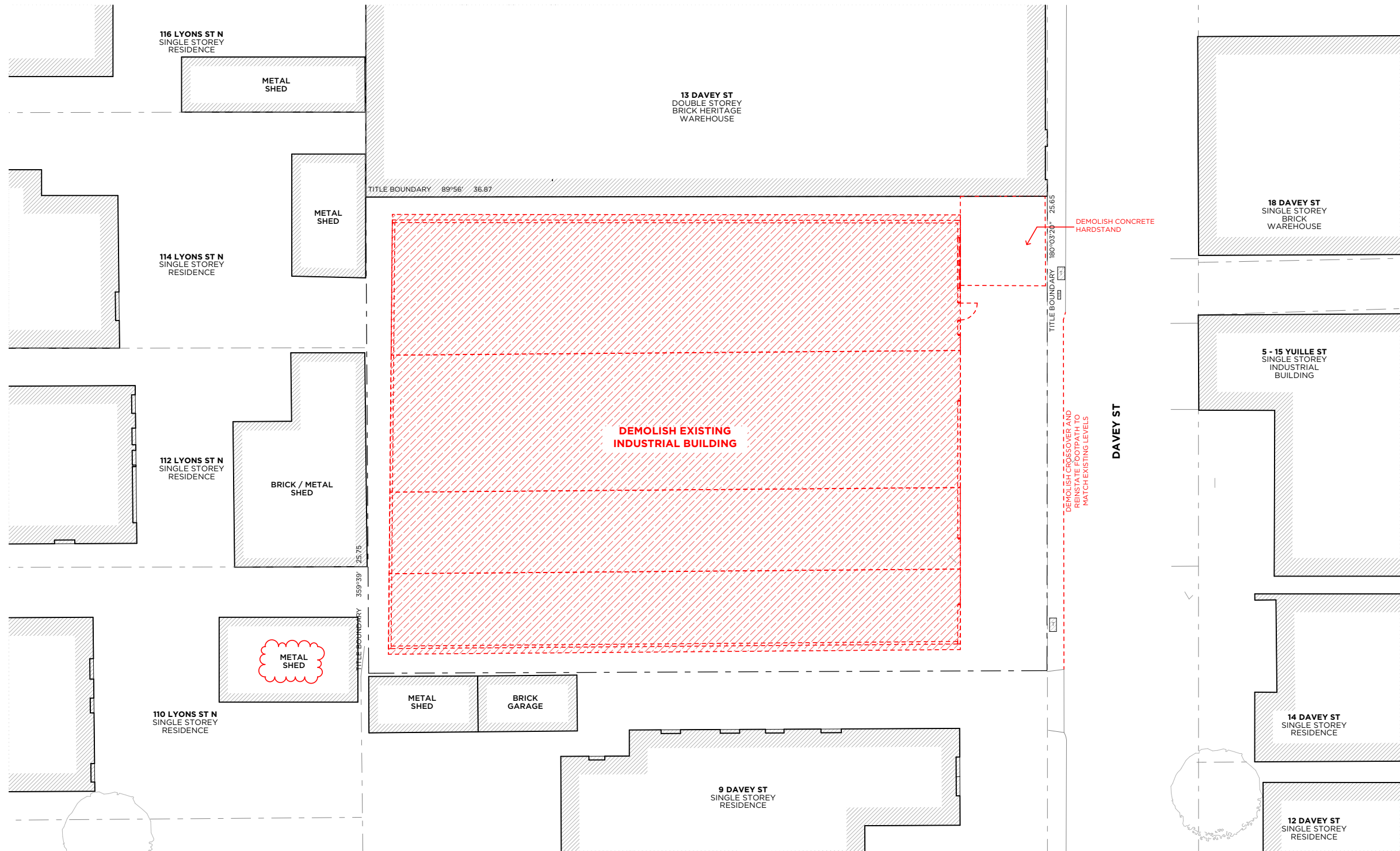
1 Feature Survey
1:200

REV	COMMENTS	DATE
1	Town Planning	14/8/19
2	Town Planning	8/11/19
Final Permit Submission		

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE	DRAWING TITLE
2	1908	8/11/19	JM	CB	1:200 @ A3	Land Survey

PROJECT
Nightingale Ballarat



1 Demolition Plan
1:200

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REV	COMMENTS	DATE
1	Town Planning Submission to Council	21/6/19
2	Town Planning Final Permit Submission RFI Response #1 Amendment	8/11/19

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
2	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

DRAWING TITLE
Demolition Plan

DRAWING

TP04

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- OP** OPERABLE WINDOW
VTI VEGETATED TRELLIS

1 Ground Floor
1:200

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REV	COMMENTS	DATE
1	Town Planning	21/6/19
2	Town Planning	14/8/19
3	Town Planning	17/10/19
4	Town Planning	8/11/19

Submission to Council
RFI Response #1
RFI Response #1 Amendment
Final Permit Submission

TOWN PLANNING						PROJECT	DRAWING TITLE
REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE	Nightingale Ballarat	Ground Floor Plan
4	1908	8/11/19	JM	CB	1:200 @ A3		

DRAWING
TP06

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VTI VEGETATED TRELLIS

1 Level 1
1:200

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1	Town Planning	21/6/19
2	Town Planning	14/8/19
3	Town Planning	17/10/19
4	Town Planning	8/11/19

TOWN PLANNING

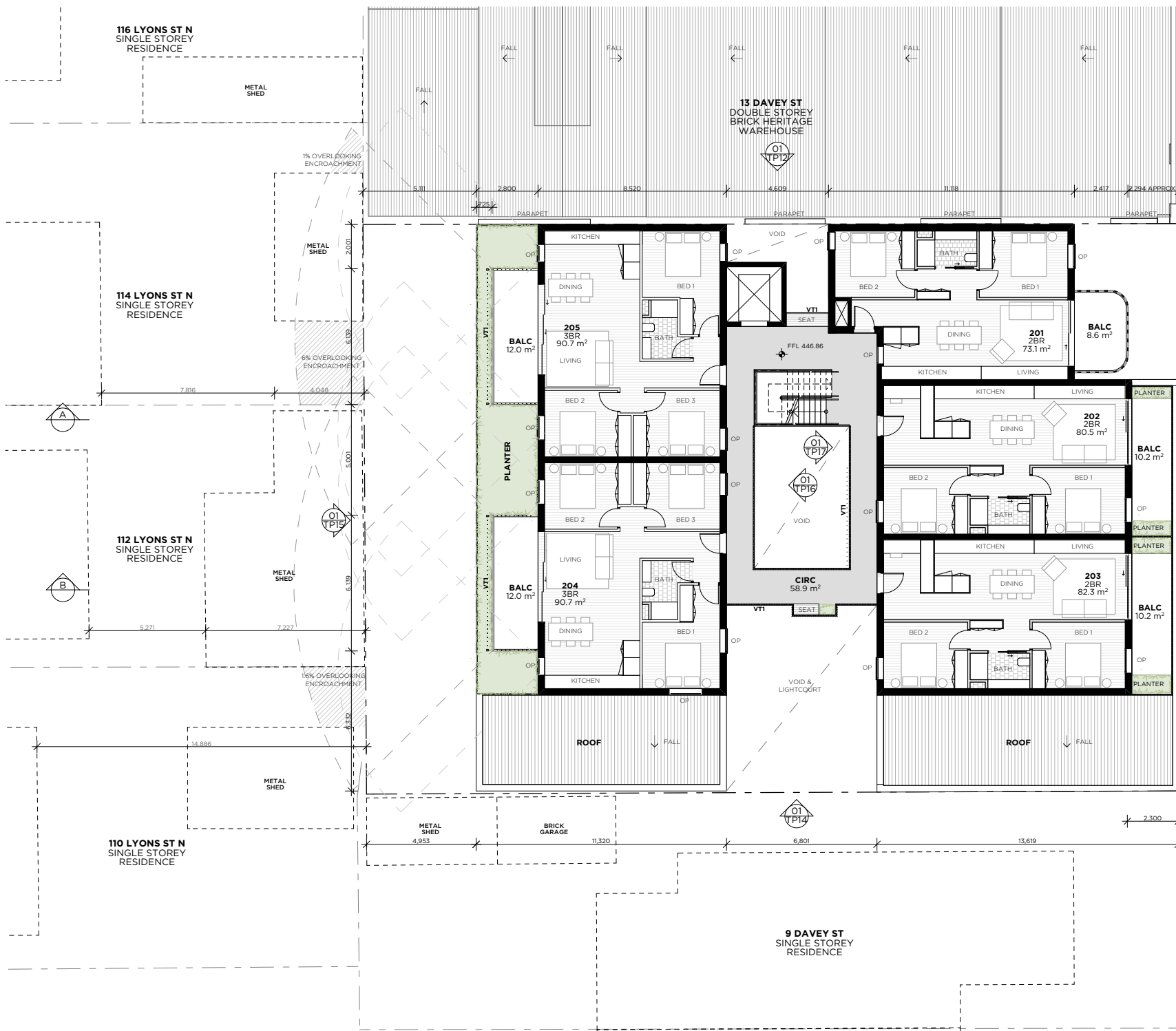
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4	1908	8/11/19	JM	CB	1:200 @ A3	N

PROJECT
Nightingale Ballarat
DRAWING TITLE
Level 1 Plan

DRAWING
TP07

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OP OPERABLE WINDOW
VTI VEGETATED TRELLIS

1 Level 2
1:200

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3	Town Planning	17/10/19
4	Town Planning	8/11/19

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
4	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

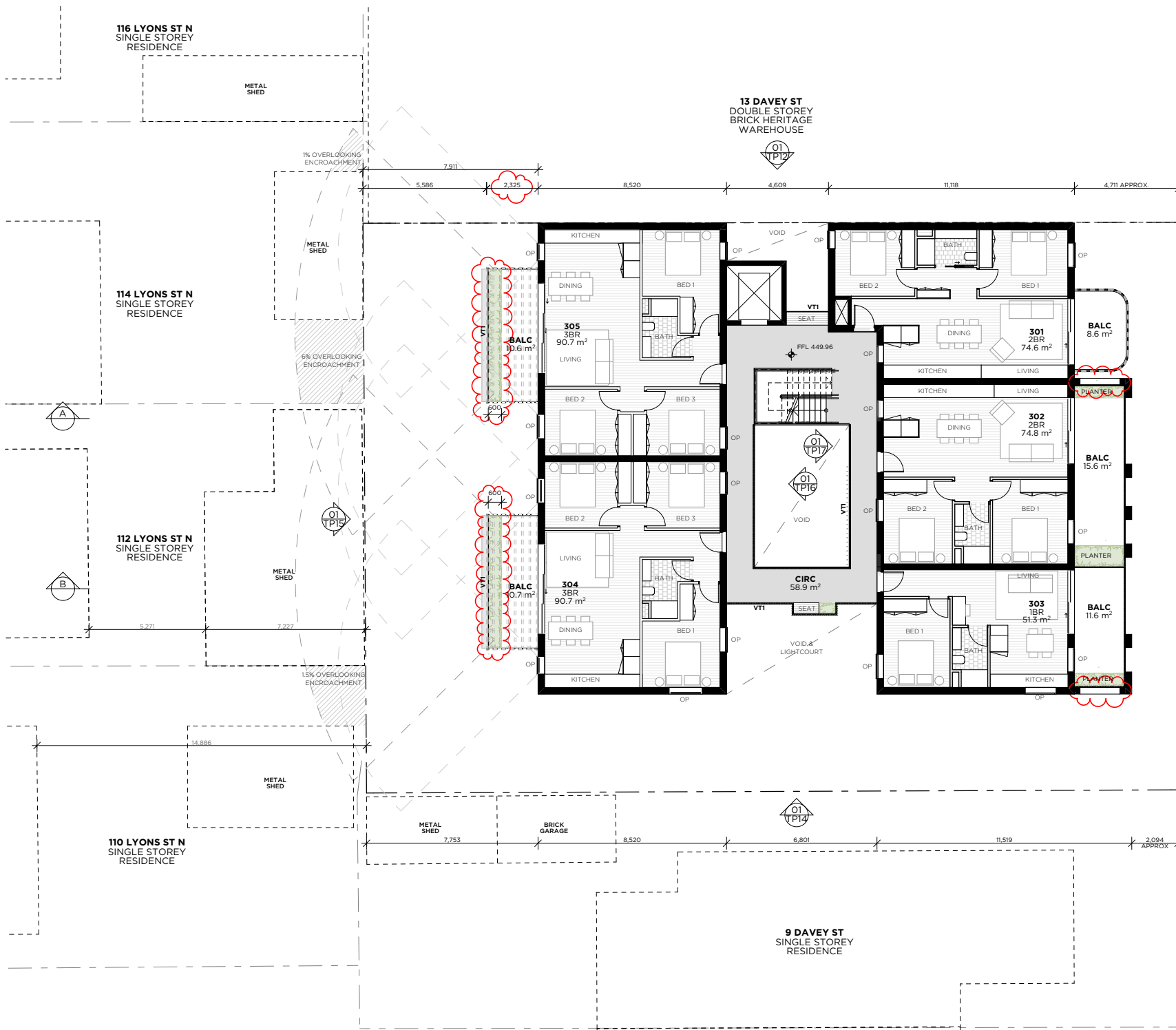
DRAWING TITLE
Level 2 Plan

DRAWING

TP08

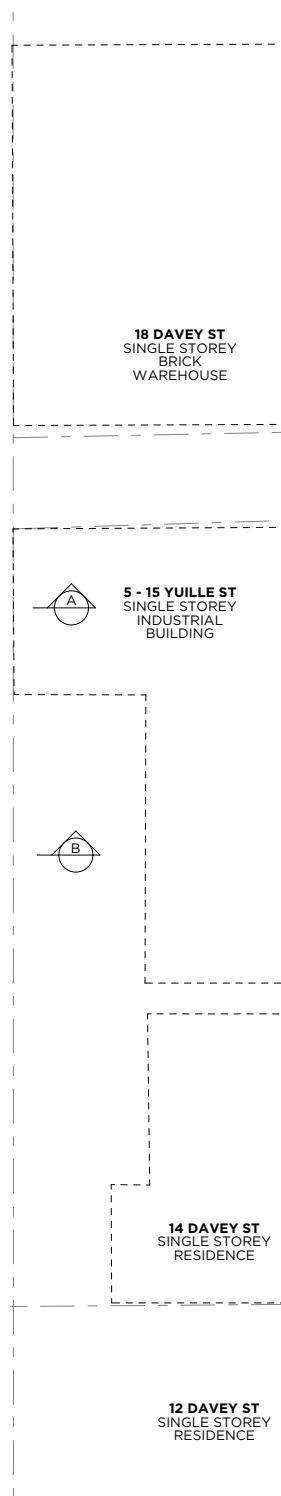
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DAVEY ST

14.270
4.329



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OP OPERABLE WINDOW
VTI VEGETATED TRELLIS

1 Level 3
1:200

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2	Town Planning	14/8/19
3	Town Planning	17/10/19
4	Town Planning	8/11/19

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RFI Response #1
RFI Response #1 Amendment
Final Permit Submission

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
4	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

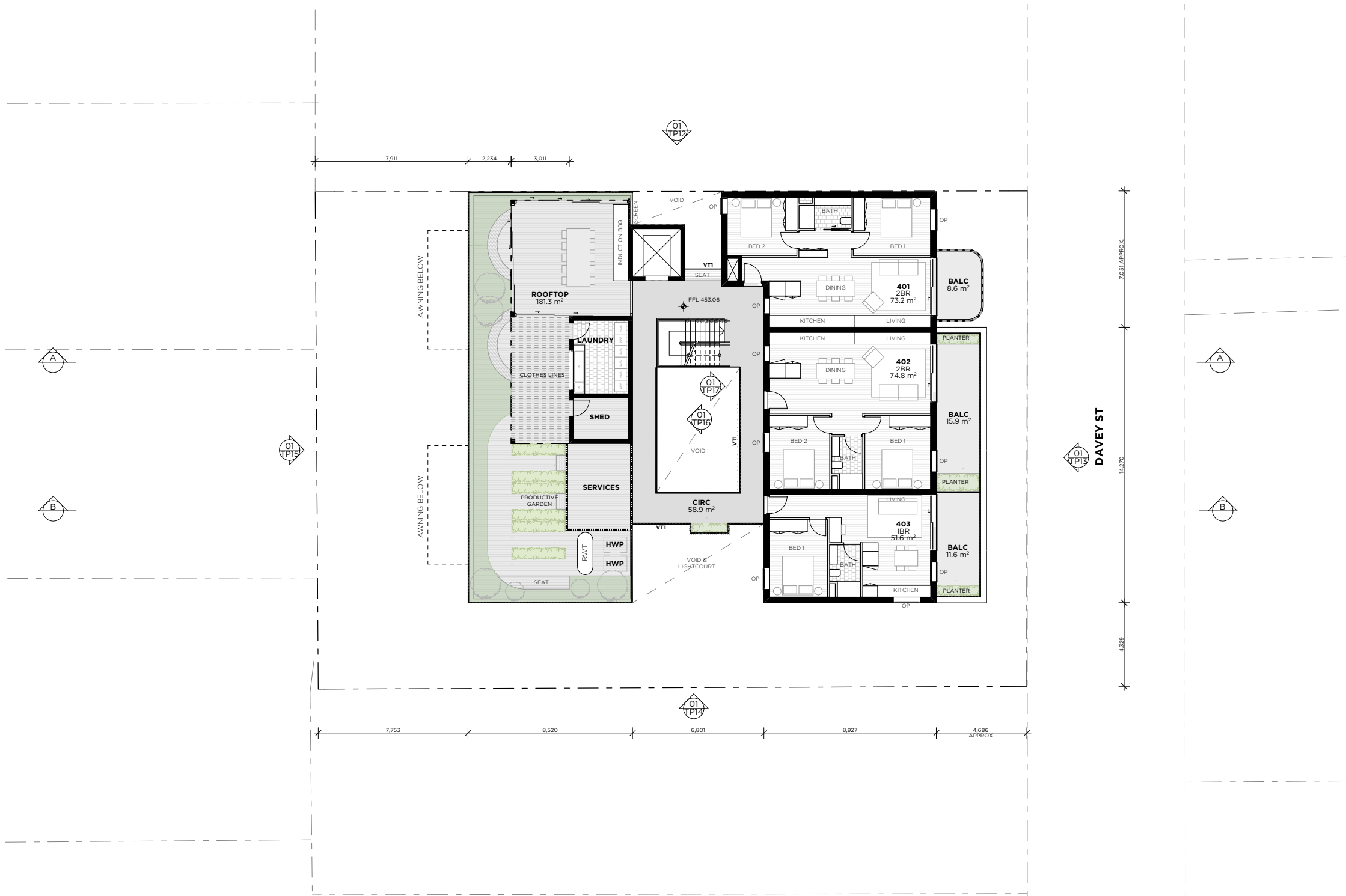
DRAWING TITLE
Level 3 Plan

DRAWING

TP09

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VTI VEGETATED TRELLIS

1 Level 4
1:200

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1	Town Planning Submission to Council	21/6/19
2	Town Planning RFI Response #1	14/8/19
3	Town Planning Final Permit Submission	8/11/19

TOWN PLANNING

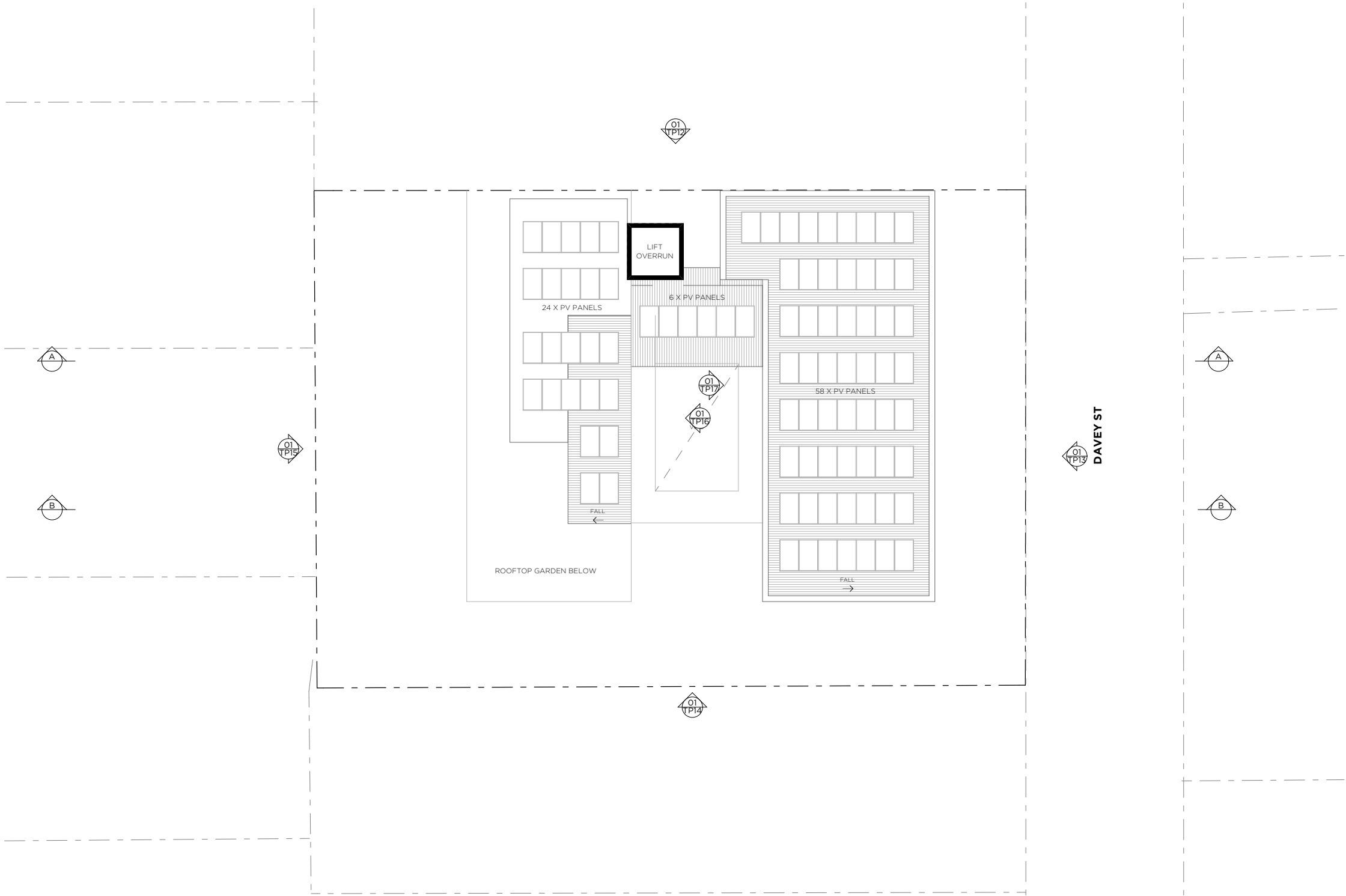
REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
3	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

DRAWING TITLE
Level 4 / Rooftop Plan

DRAWING
TP10

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- OP** OPERABLE WINDOW
VTI VEGETATED TRELLIS

1 Roof
1:200

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2	Town Planning	8/11/19

TOWN PLANNING

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2	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

DRAWING TITLE
Lift Overrun

DRAWING

TP11

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MATERIALS LEGEND

- WF1

WF2

WF3

WF4

WF5

VT1

W1

BA1

BA2

BA3

CM1

EB1
- RECYCLED BRICK

TEXTURED FACADE

WHITE GROOVED FACADE

WHITE PAINTED FACADE

WHITE STAPPED CLADDING

VERTICAL TRELLIS

DOUBLE GLAZED WINDOWS AND DOORS

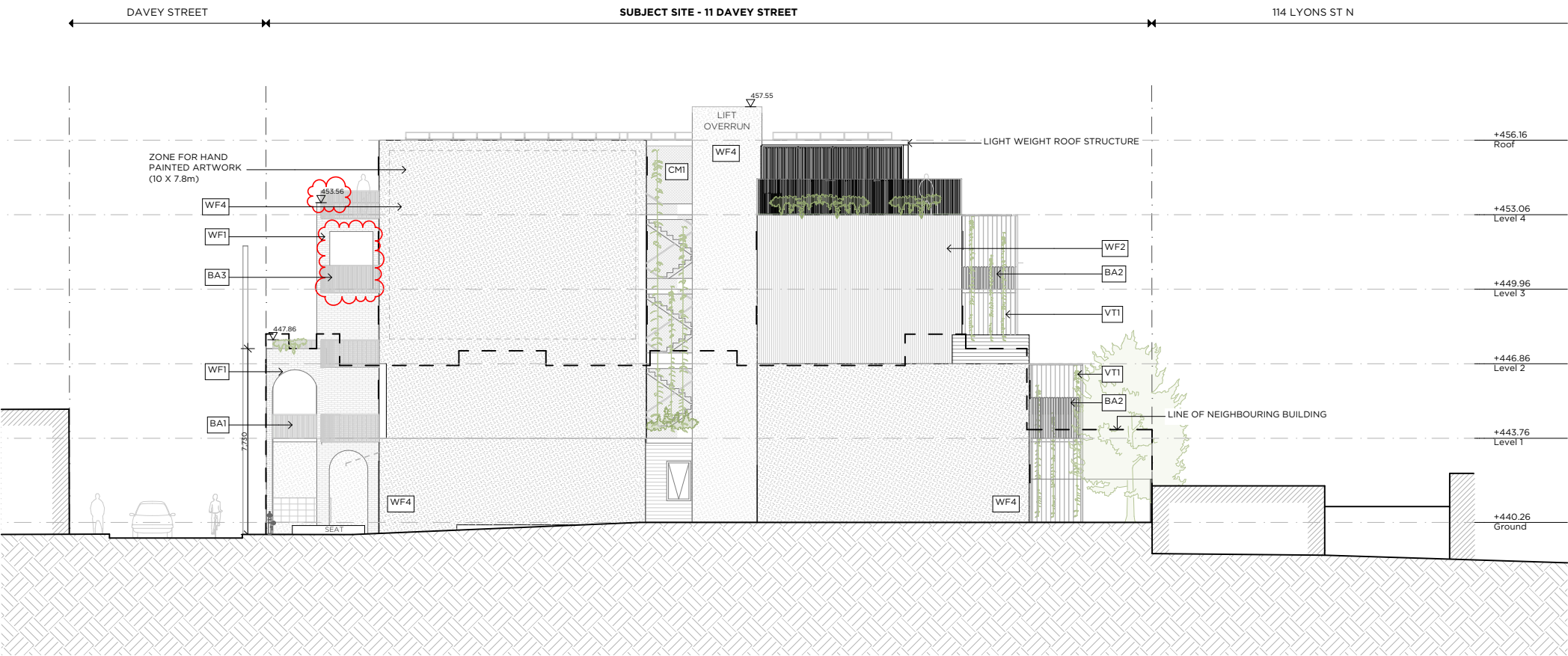
METAL RODDED BALUSTRADE

PICKET FENCE STYLE BALUSTRADE

COLOURED METAL BALUSTRADE

CHAINWIRE MESH

EXTERNAL BLIND



1 North Elevation
1:200

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1	Town Planning	21/6/19
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3	Town Planning	8/11/19

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RFI Response #1
Final Permit Submission

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
3	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

DRAWING TITLE
North Elevation

DRAWING

TP12

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MATERIALS LEGEND

- WF1

WF2

WF3

WF4

WF5

VT1

W1

BA1

BA2

BA3

CM1

EB1
- RECYCLED BRICK

TEXTURED FACADE

WHITE GROOVED FACADE

WHITE PAINTED FACADE

WHITE STAPPED CLADDING

VERTICAL TRELLIS

DOUBLE GLAZED WINDOWS AND DOORS

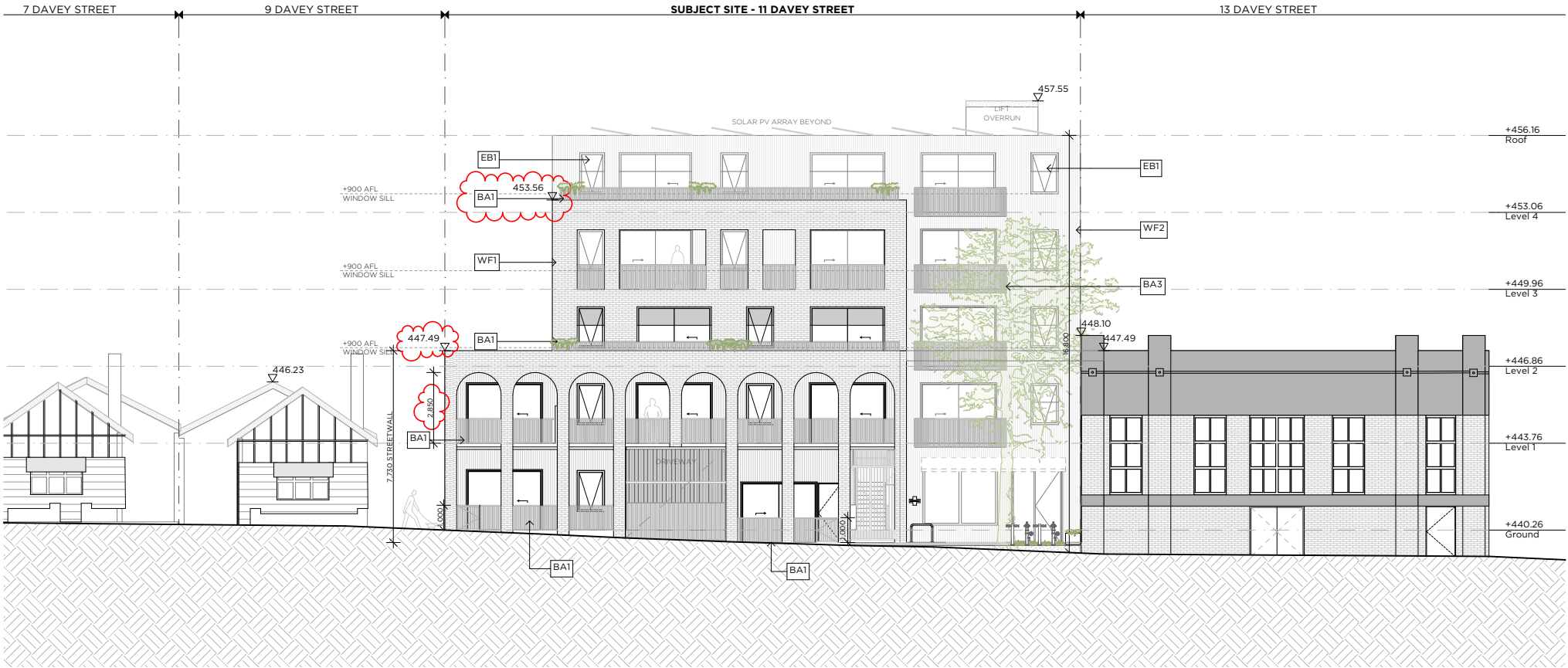
METAL RODDED BALUSTRADE

PICKET FENCE STYLE BALUSTRADE

COLOURED METAL BALUSTRADE

CHAINWIRE MESH

EXTERNAL BLIND



1 East Elevation
1:200

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1	Town Planning Submission to Council	21/6/19
2	Town Planning RFI Response #1	14/8/19
3	Town Planning Final Permit Submission	8/11/19

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE	
3	1908	8/11/19	JM	CB	1:200 @ A3	N

PROJECT
Nightingale Ballarat

DRAWING TITLE
East Elevation

DRAWING

TP13

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MATERIALS LEGEND

- WF1

WF2

WF3

WF4

WF5

VT1

W1

BA1

BA2

BA3

CM1

EB1
- RECYCLED BRICK

TEXTURED FACADE

WHITE GROOVED FACADE

WHITE PAINTED FACADE

WHITE STAPPED CLADDING

VERTICAL TRELLIS

DOUBLE GLAZED WINDOWS AND DOORS

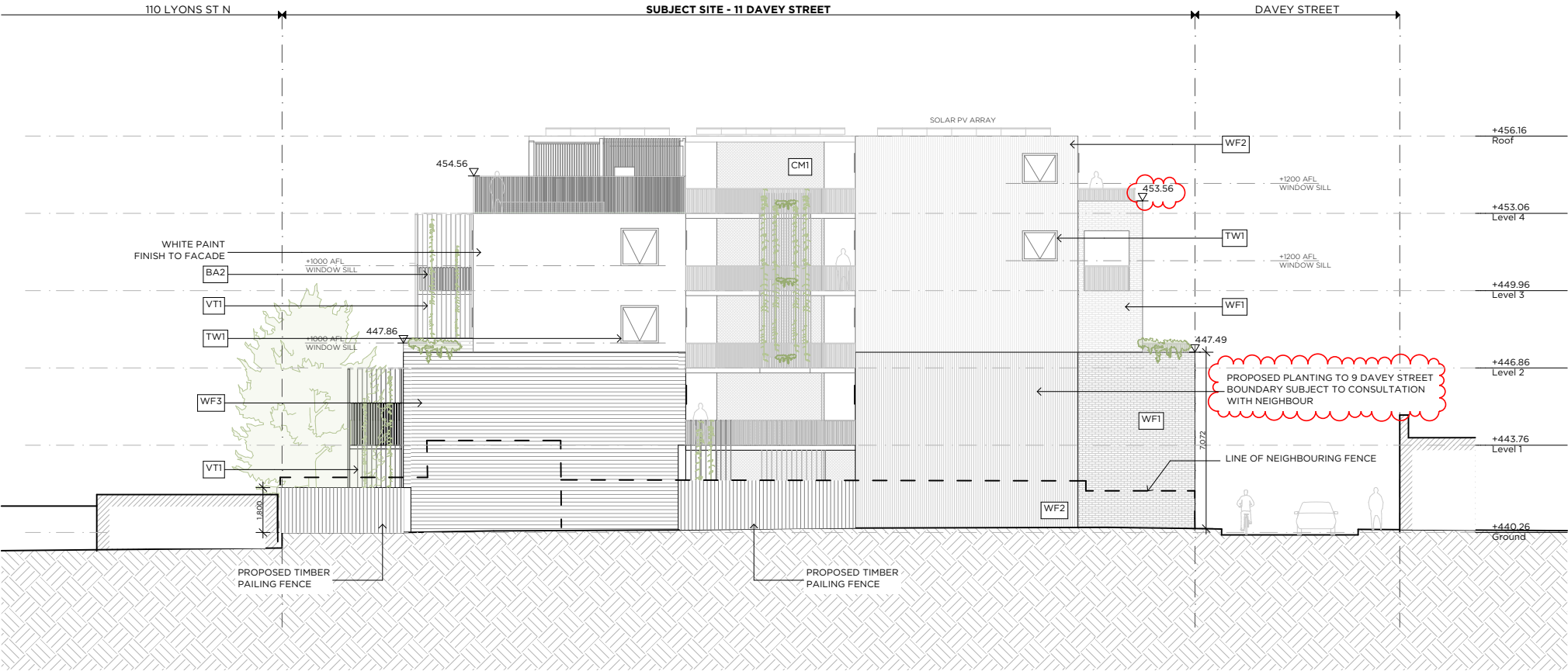
METAL RODDED BALUSTRADE

PICKET FENCE STYLE BALUSTRADE

COLOURED METAL BALUSTRADE

CHAINWIRE MESH

EXTERNAL BLIND



1 South Elevation
1:200

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TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
3	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

DRAWING TITLE
South Elevation

DRAWING

TP14

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MATERIALS LEGEND

- WF1

WF2

WF3

WF4

WF5

VT1

W1

BA1

BA2

BA3

CM1

EB1
- RECYCLED BRICK

TEXTURED FACADE

WHITE GROOVED FACADE

WHITE PAINTED FACADE

WHITE STAPPED CLADDING

VERTICAL TRELLIS

DOUBLE GLAZED WINDOWS AND DOORS

METAL RODDED BALUSTRADE

PICKET FENCE STYLE BALUSTRADE

COLOURED METAL BALUSTRADE

CHAINWIRE MESH

EXTERNAL BLIND



1 West Elevation
1:200

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1	Town Planning	21/6/19
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Submission to Council
RFI Response #1
Final Permit Submission

TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
3	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

DRAWING TITLE
West Elevation

DRAWING

TP15

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MATERIALS LEGEND

- WF1

WF2

WF3

WF4

WF5

VT1

W1

BA1

BA2

BA3

CM1

EB1
- RECYCLED BRICK

TEXTURED FACADE

WHITE GROOVED FACADE

WHITE PAINTED FACADE

WHITE STAPPED CLADDING

VERTICAL TRELLIS

DOUBLE GLAZED WINDOWS AND DOORS

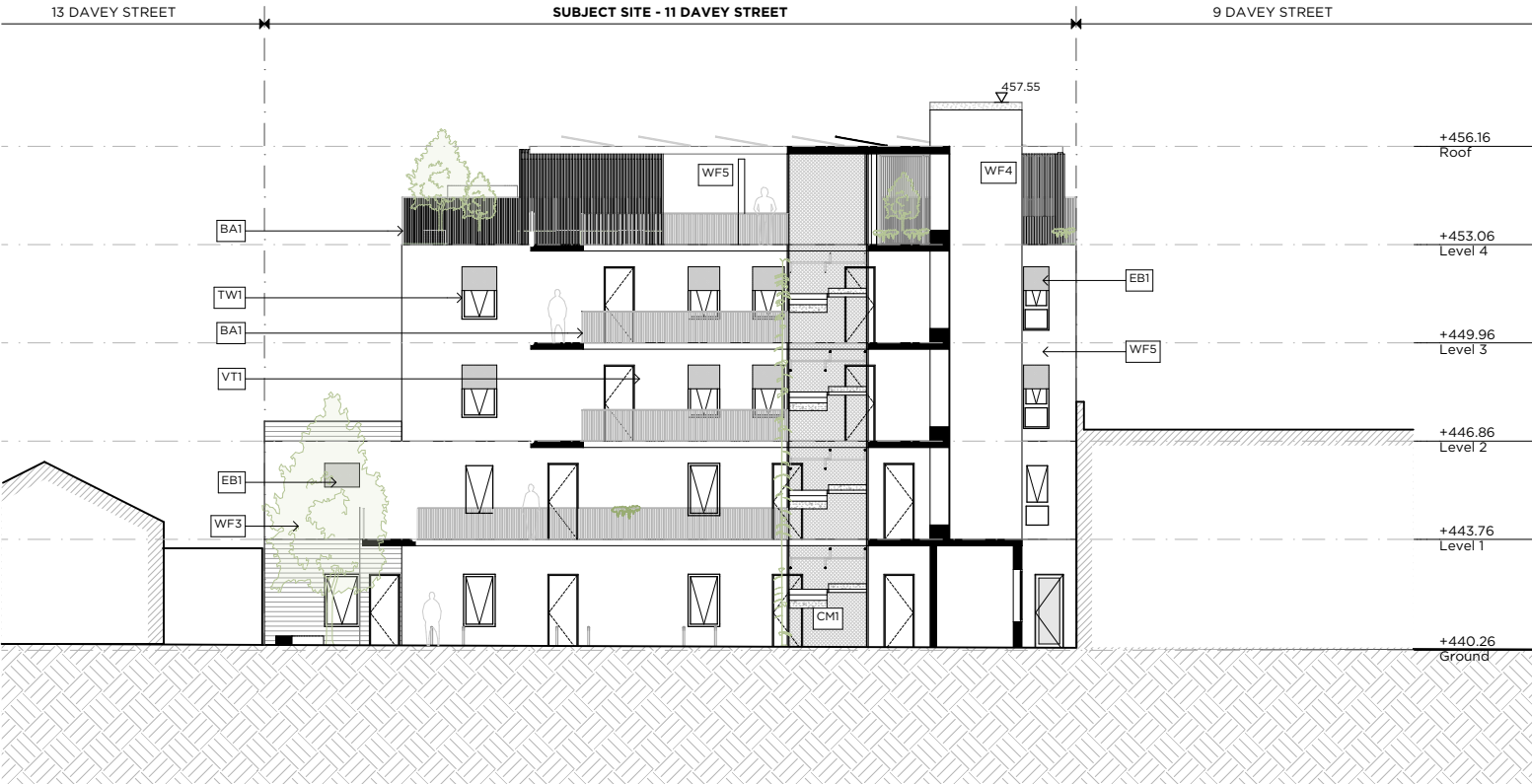
METAL RODDED BALUSTRADE

PICKET FENCE STYLE BALUSTRADE

COLOURED METAL BALUSTRADE

CHAINWIRE MESH

EXTERNAL BLIND



1 Courtyard Eastern Elevation
1:200

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2	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

DRAWING TITLE
Courtyard Eastern Elevation

DRAWING

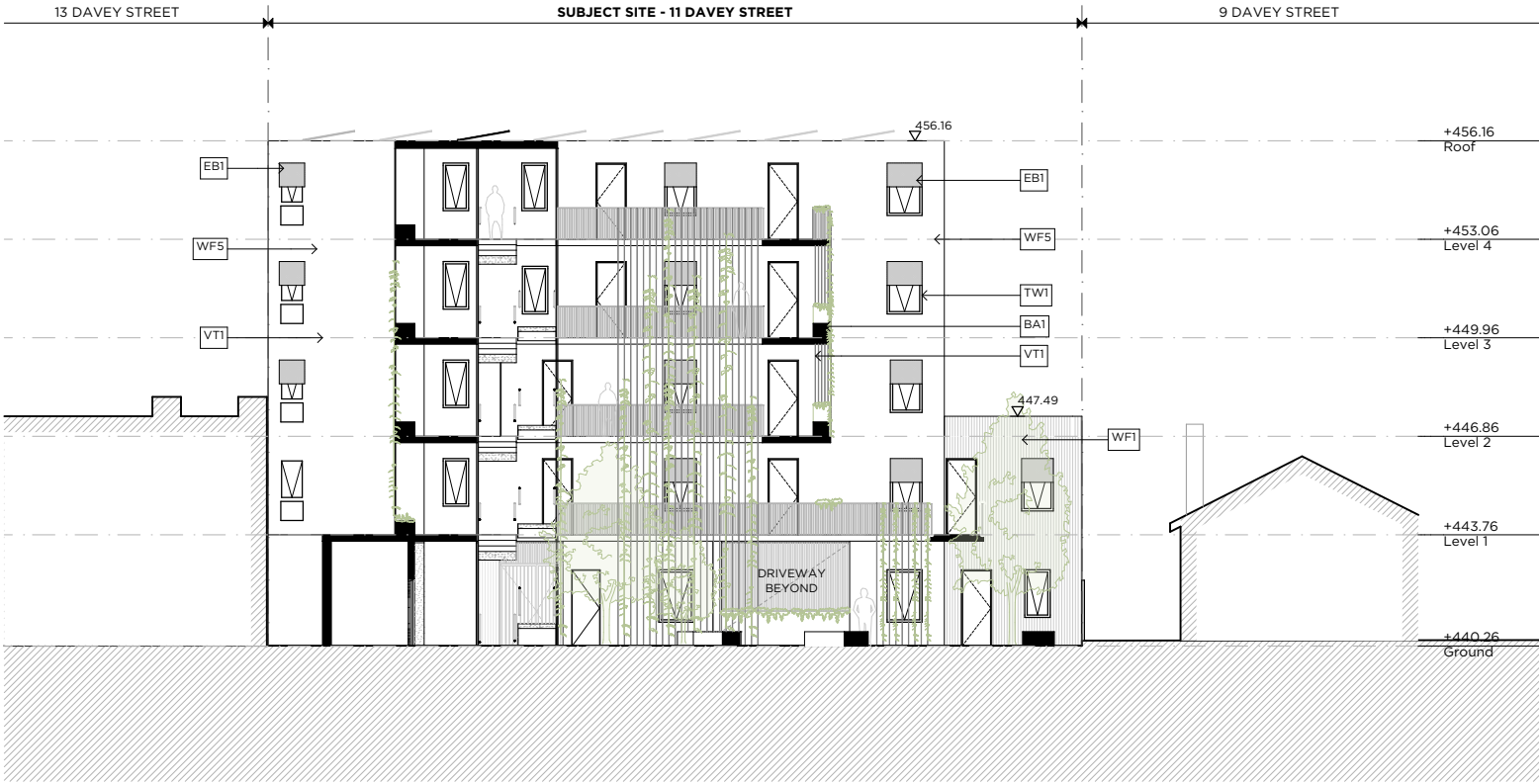
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MATERIALS LEGEND

- WF1 RECYCLED BRICK
- WF2 TEXTURED FACADE
- WF3 WHITE GROOVED FACADE
- WF4 WHITE PAINTED FACADE
- WF5 WHITE STAPPED CLADDING
- VT1 VERTICAL TRELLIS
- W1 DOUBLE GLAZED WINDOWS AND DOORS
- BA1 METAL RODDED BALUSTRADE
- BA2 PICKET FENCE STYLE BALUSTRADE
- BA3 COLOURED METAL BALUSTRADE
- CM1 CHAINWIRE MESH
- EB1 EXTERNAL BLIND



1 Courtyard Western Elevation

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TOWN PLANNING

REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE
2	1908	8/11/19	JM	CB	1:200 @ A3

PROJECT
Nightingale Ballarat

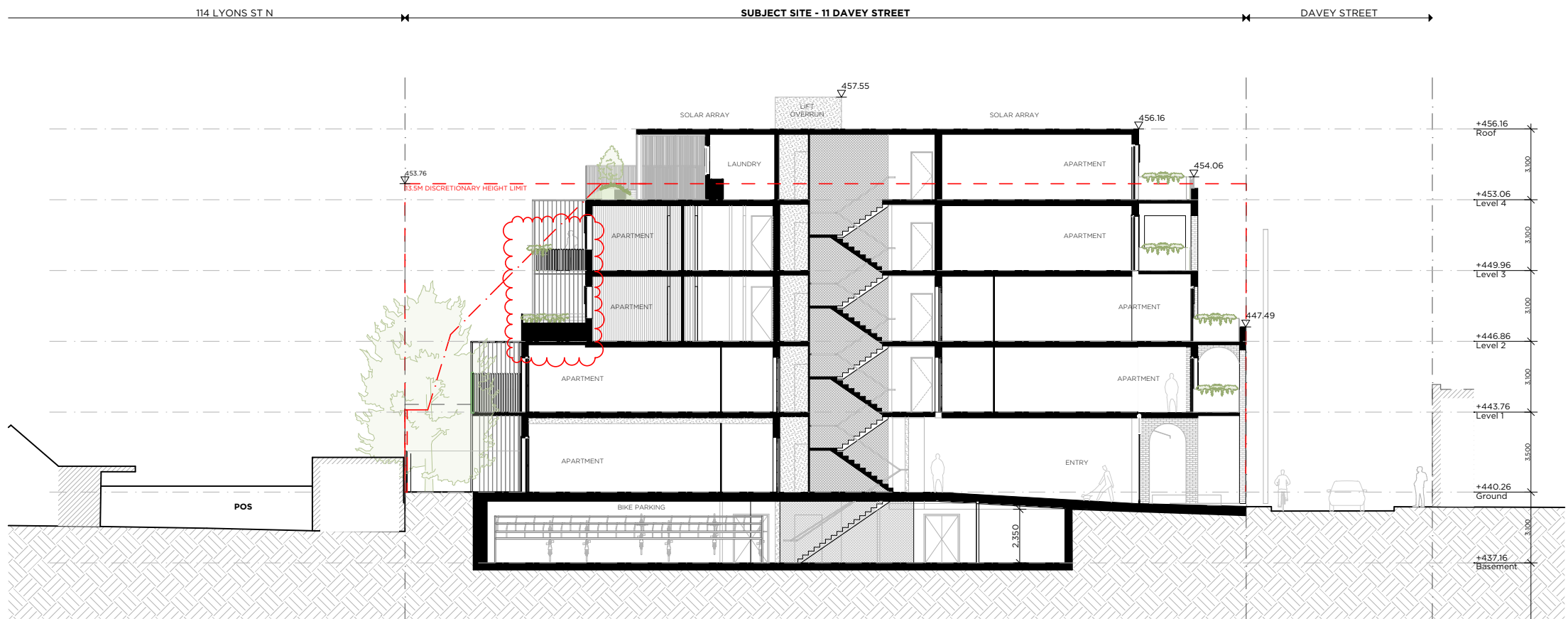
DRAWING TITLE
Courtyard Western Elevation

DRAWING

TP17

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1 Section A
1:200

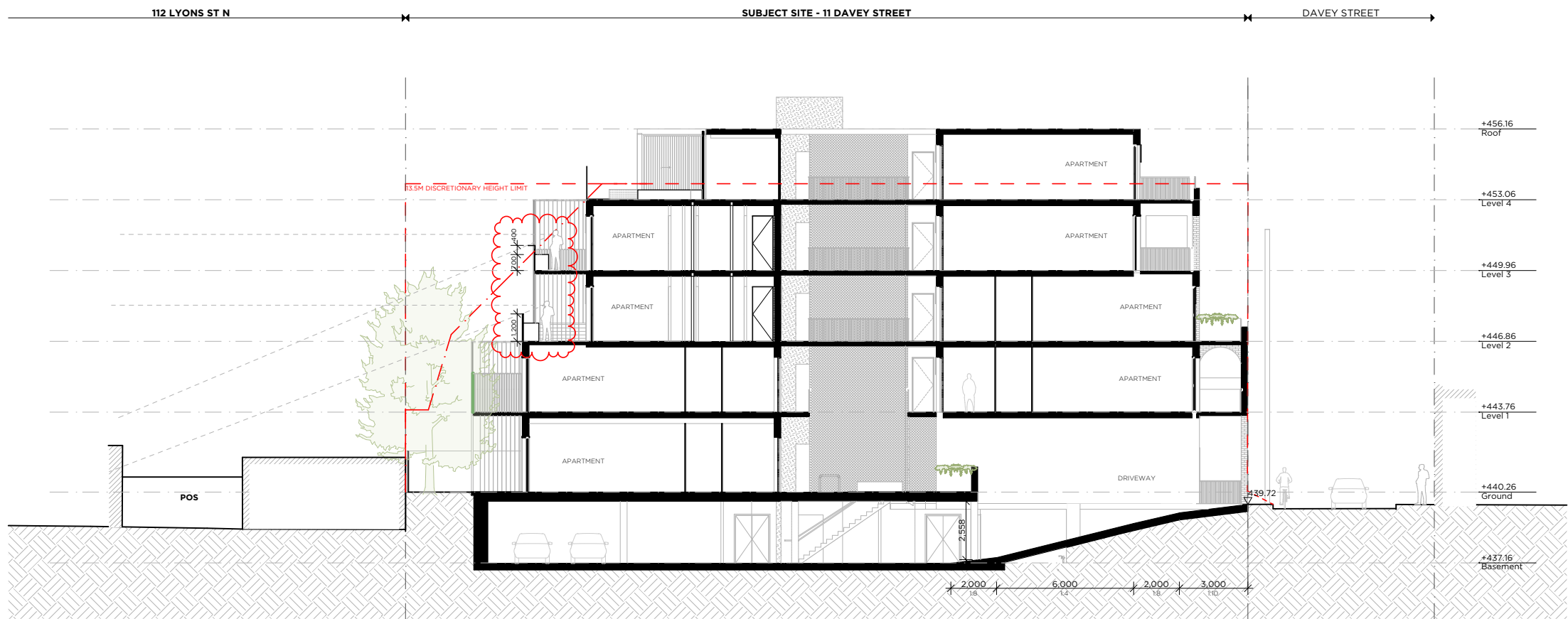
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1	Town Planning	21/6/19
2	Town Planning	8/11/19

TOWN PLANNING						PROJECT
						Nightingale Ballarat
REVISION	JOB	PLOT DATE	ARCHITECT	CAD	SCALE	DRAWING TITLE
2	1908	8/11/19	JM	CB	1:200 @ A3	Section A

DRAWING
TP18

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1 Section B
1:200

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PROJECT
Nightingale Ballarat

DRAWING TITLE
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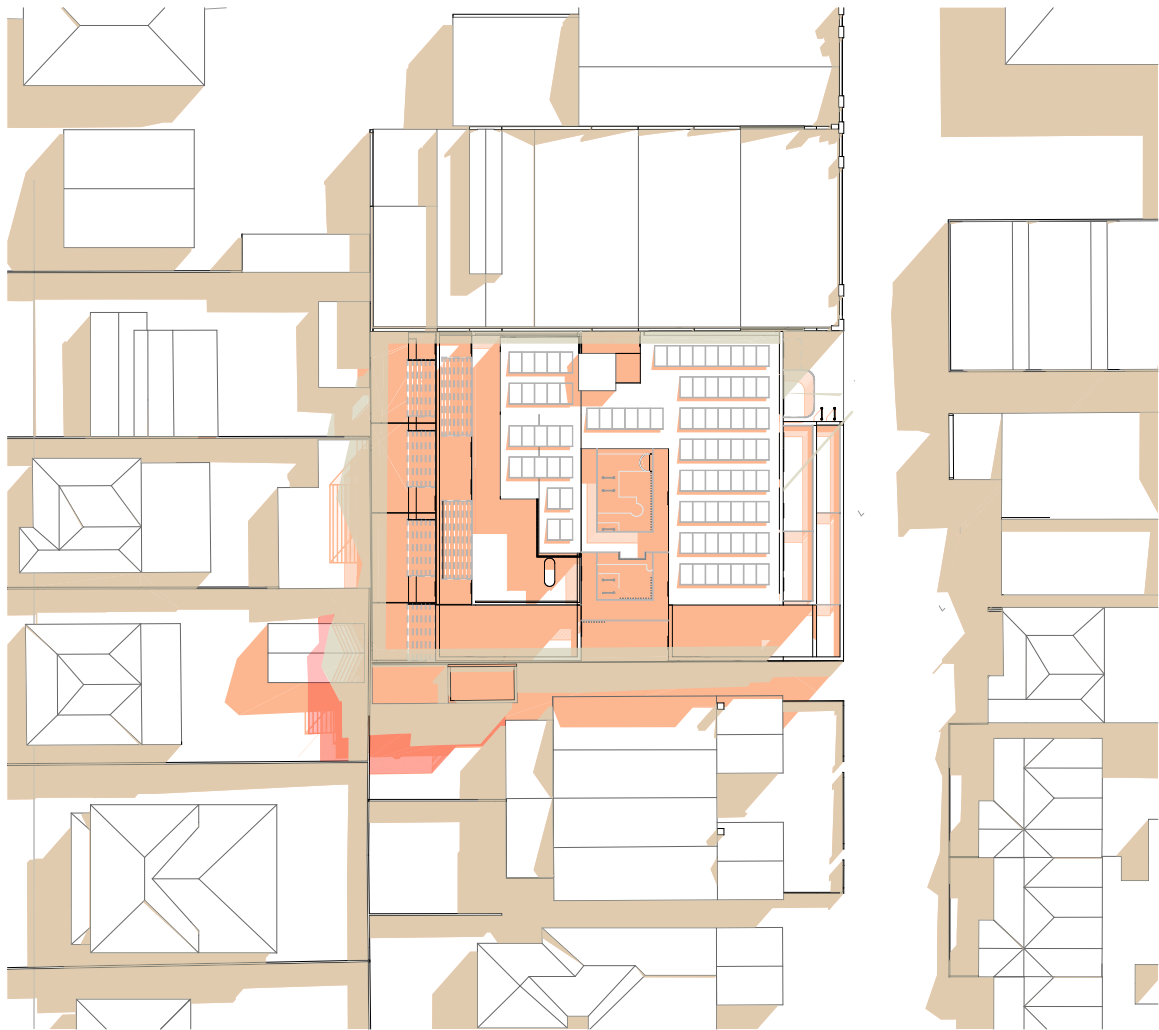
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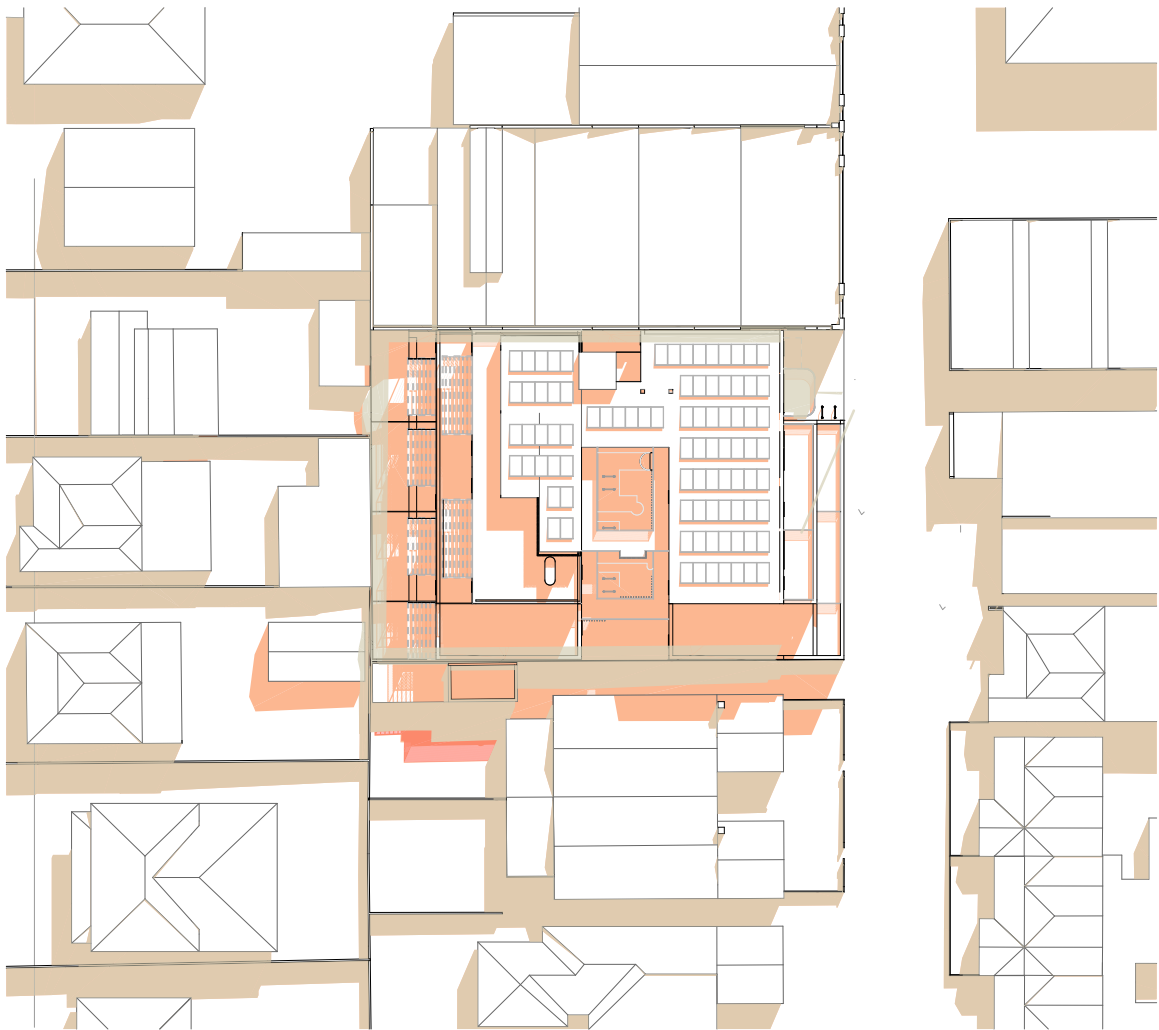
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- LEGEND**
- EXISTING SHADOWS
 - PROPOSED SHADOWS
 - ADDITIONAL SHADOW TO NEIGHBOURING PRIVATE OPEN SPACE



1 10am Shadow Studies
1:500



2 11am Shadow Studies
1:500

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PROJECT
Nightingale Ballarat

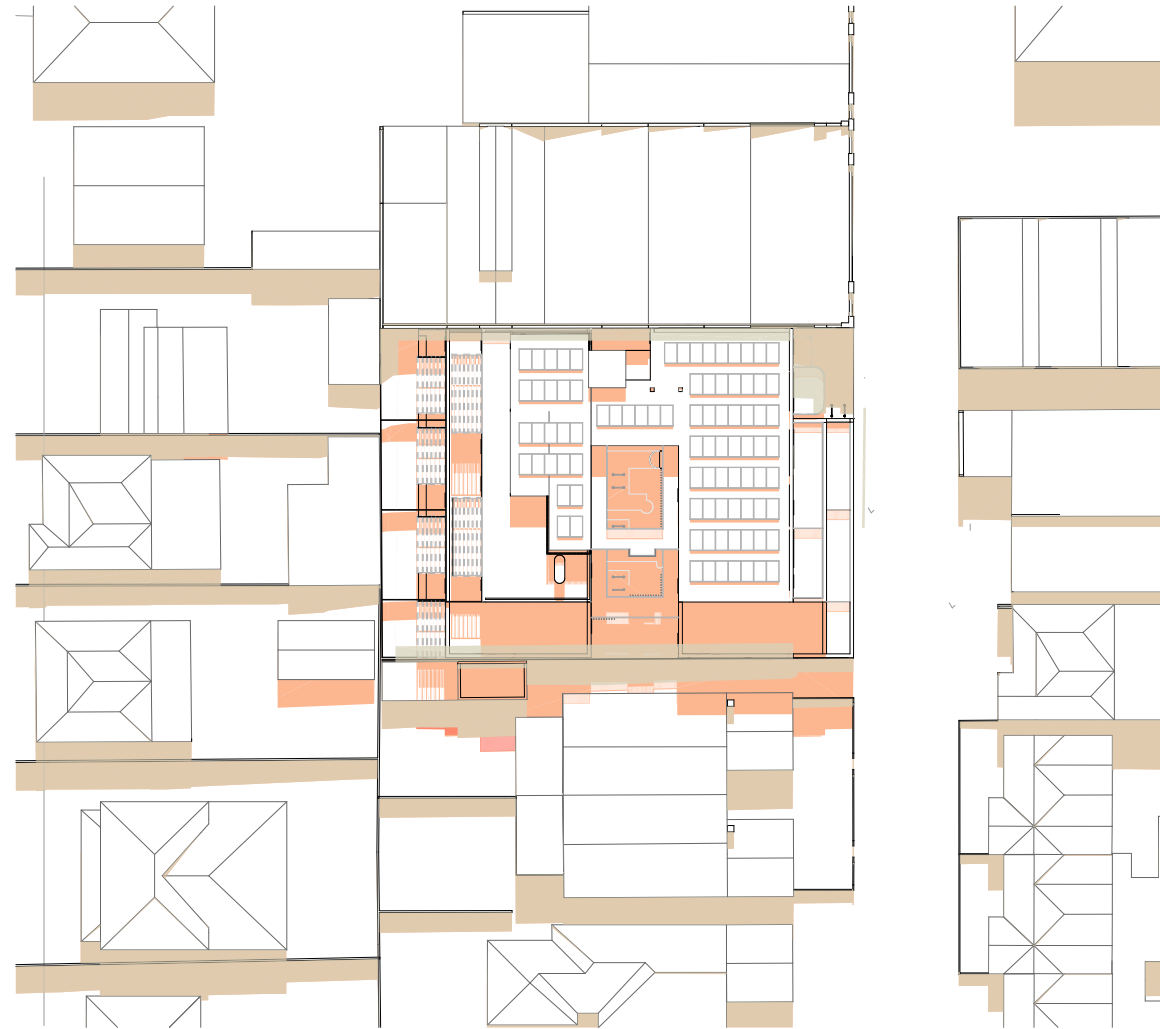
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Shadow Diagrams 10 - 11am

DRAWING

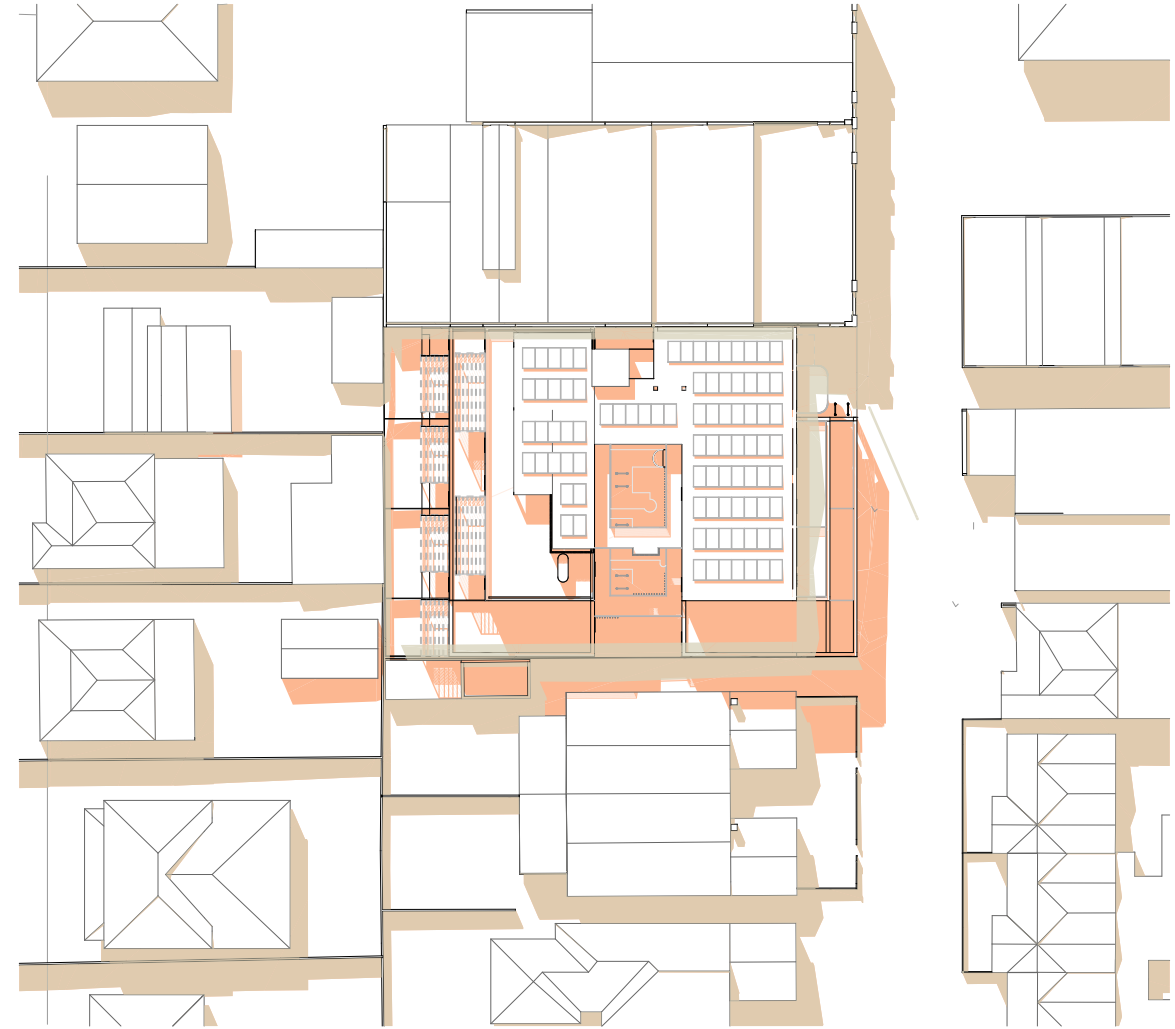
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1 12pm Shadow Studies
1:500



2 1pm Shadow Studies
1:500

- LEGEND**
- EXISTING SHADOWS
 - PROPOSED SHADOWS
 - ADDITIONAL SHADOW TO NEIGHBOURING PRIVATE OPEN SPACE

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2	1908	8/11/19	JM	CB	1:200 @ A3



PROJECT
Nightingale Ballarat

DRAWING TITLE
Shadow Diagrams 12 - 1pm

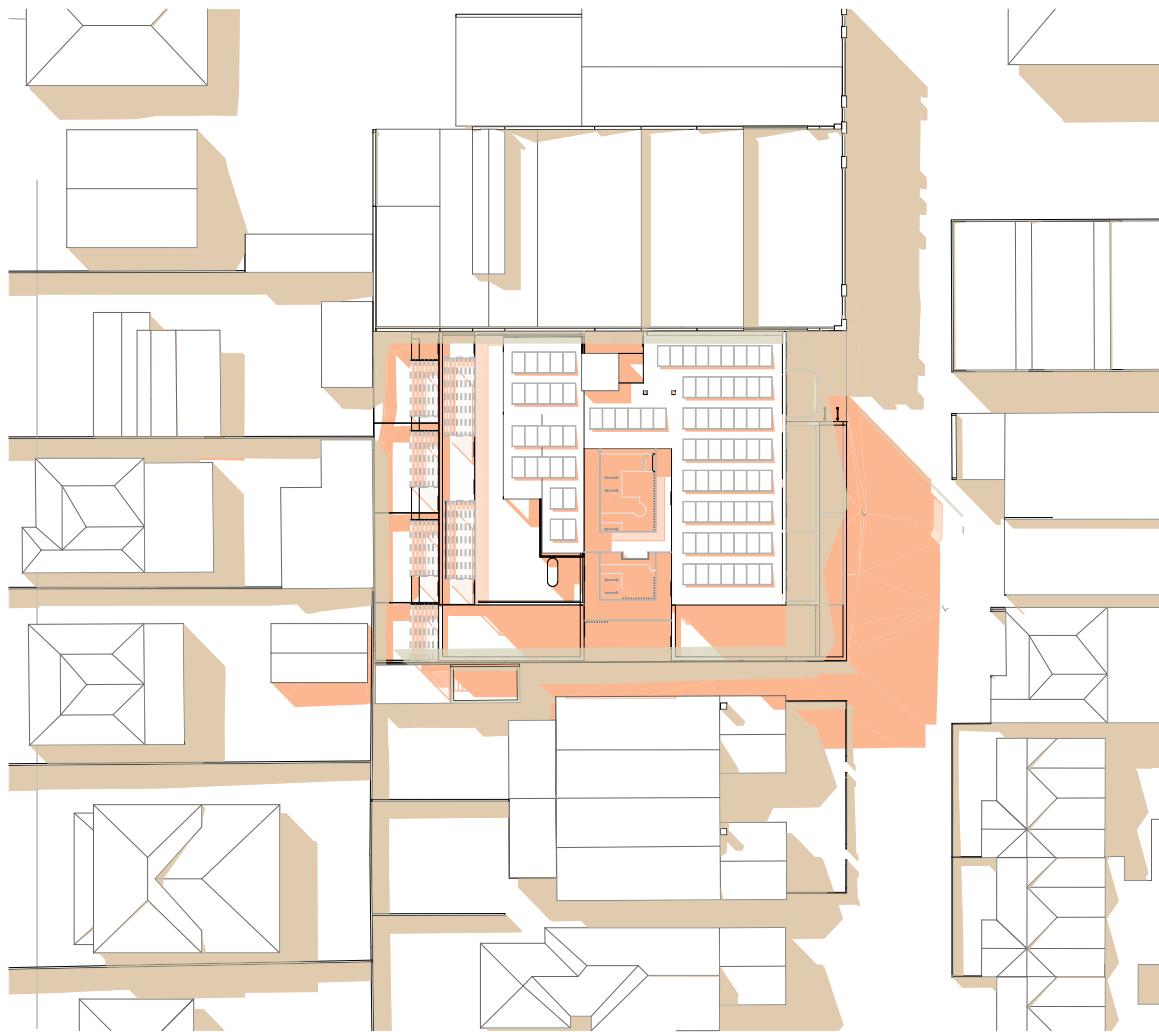
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TP21

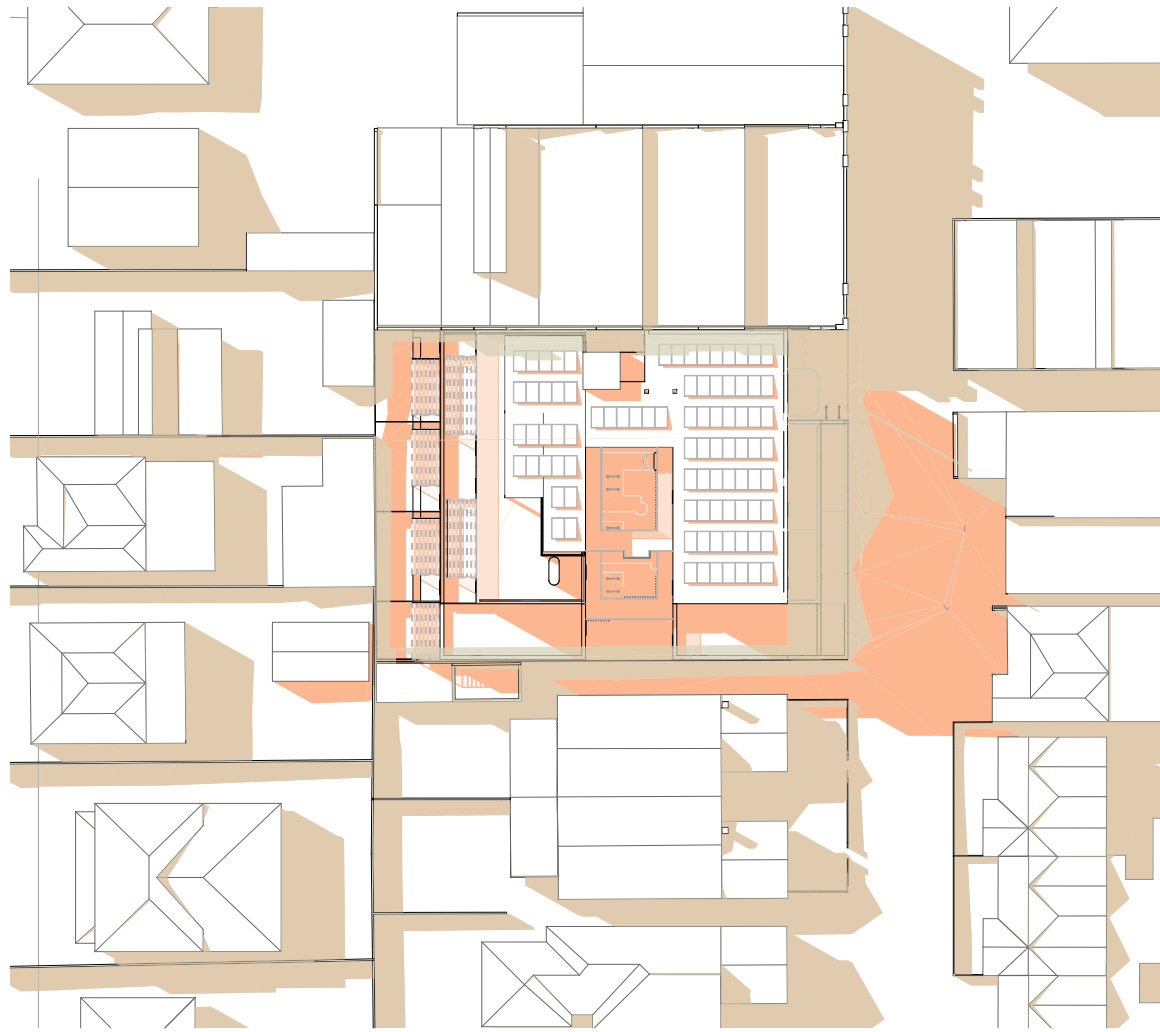
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- LEGEND**
- EXISTING SHADOWS
 - PROPOSED SHADOWS
 - ADDITIONAL SHADOW TO NEIGHBOURING PRIVATE OPEN SPACE



1 2pm Shadow Studies
1:500



2 3pm Shadow Studies
1:500

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PROJECT
Nightingale Ballarat

DRAWING TITLE
Shadow Diagrams 2 - 3pm

DRAWING

TP22

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BADS Assessment Schedule										
Apartment Type	Typical Ceiling Height (m)	Cross Ventilation Compliance Achieved	DDA Compliance Achieved	Living Area Compliance Achieved	Deck Area Compliance Achieved	Bedroom Area Compliance Achieved	Storage Area Compliance Achieved	Zone Category	Area (m2)	Volume (m3)
Type A 1 BED Apartments G01										
	2800	Yes	Yes	Yes	Yes	Yes	Yes	Apt NSA	55.98	
								Private Open Space	8.29	
								Storage (External)	5.00	
								Storage (Internal)	8.12	
Type B 1 BED Apartments G03, 104, 105										
	2800	Yes	No	Yes	Yes	Yes	Yes	Apt NSA	50.87	
								Private Open Space	8.03	
								Storage (External)	5.00	
								Storage (Internal)	6.11	
Type C 2 BED Apartments G02										
	2800	Yes	Yes	Yes	Yes	Yes	Yes	Apt NSA	84.20	
								Private Open Space	12.33	
								Storage (Internal)	14.04	
Type D 2 BED Apartments G04, G05, G06, 102, 103, 106, 107, 108, 202, 203										
	2800	Yes	Yes	Yes	Yes	Yes	Yes	Apt NSA	79.06	
								Private Open Space	8.03	
								Storage (Internal)	14.00	
Type E 2 BED Apartments 101, 201, 301, 401										
	2800	Yes	Yes	Yes	Yes	Yes	Yes	Apt NSA	74.60	
								Private Open Space	8.07	
								Storage (External)	5.00	
								Storage (Internal)	11.45	
Type F 3 BED Apartments 204, 205, 304, 305										
	2800	Yes	Yes	Yes	No	Yes	Yes	Apt NSA	90.71	
								Private Open Space	11.98	
								Storage (External)	5.00	
								Storage (Internal)	12.22	
Type G 2 BED Apartments 302, 402										
	2800	Yes	Yes	Yes	Yes	Yes	Yes	Apt NSA	74.85	
								Private Open Space	15.59	
								Storage (External)	5.00	
								Storage (Internal)	11.25	
Type H 1 BED Apartments 303, 403										
	2800	Yes	Yes	Yes	Yes	Yes	Yes	Apt NSA	51.31	
								Private Open Space	11.58	
								Storage (External)	5.00	
								Storage (Internal)	6.01	

TOTAL

NUMBER OF APARTMENTS

VENTILATION COMPLIANCE

ACCESSIBILITY COMPLIANCE

DECK COMPLIANCE

LIVING ROOM COMPLIANCE

27

100% (27 of 27)

89% (24 of 27)

85% (23 of 27)

100% (27 of 27)

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PROJECT

Nightingale Ballarat

DRAWING TITLE

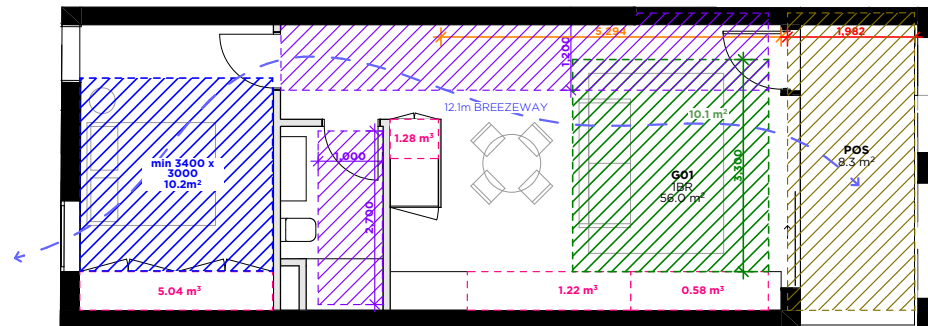
BADS Compliance Schedule

DRAWING

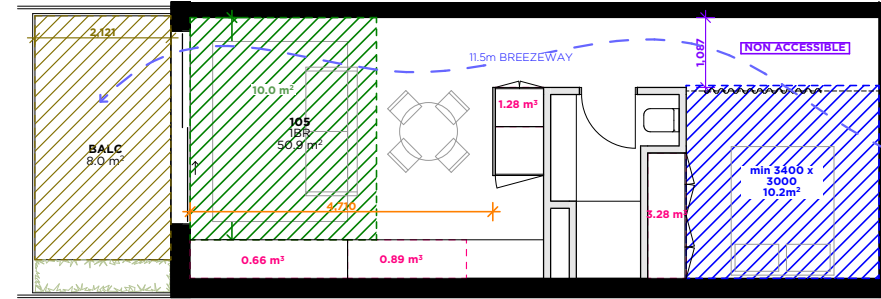
TP23

BADS ASSESSMENT LEGEND

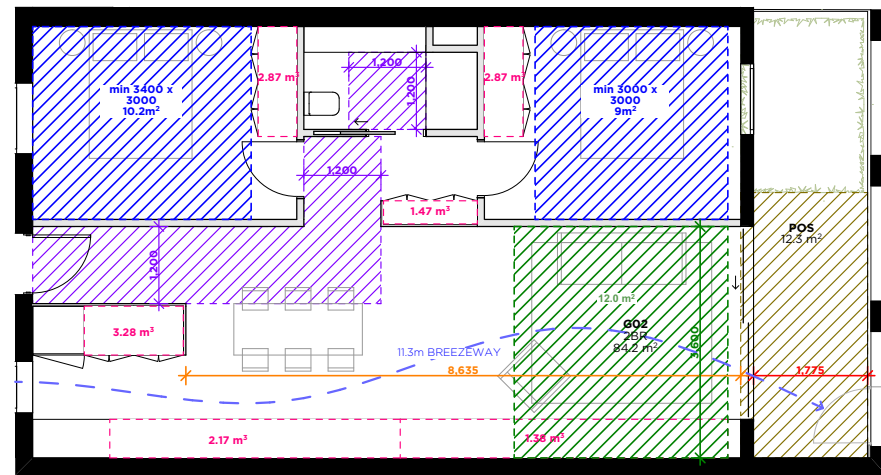
- MINIMUM BEDROOM DIMENSIONS
- MINIMUM LIVING ROOM DIMENSIONS
- MINIMUM PRIVATE OPEN SPACE DIMENSIONS
- CIRCULATION
- APARTMENT STORAGE
- BREEZE PATH
- NON-COMPLIANCE



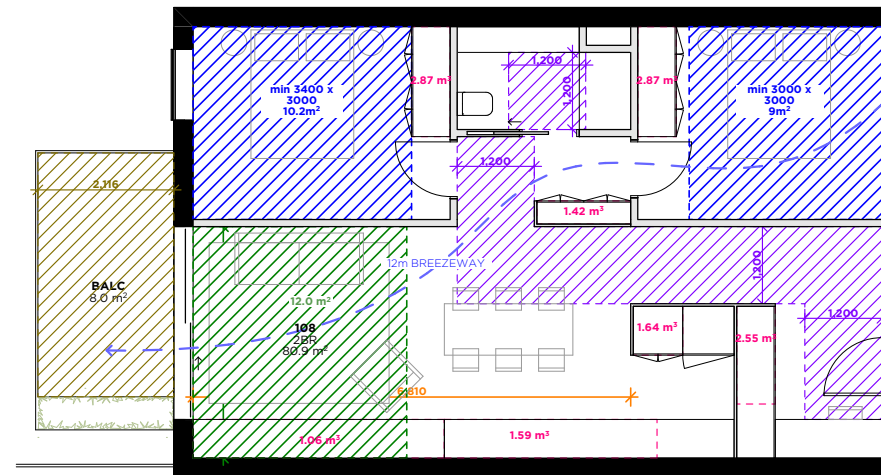
1 TYP A - 1 BR



2 TYP B - 1 BR



3 TYP C - 2 BR



4 TYP D - 2 BR

1:100

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PROJECT
Nightingale Ballarat

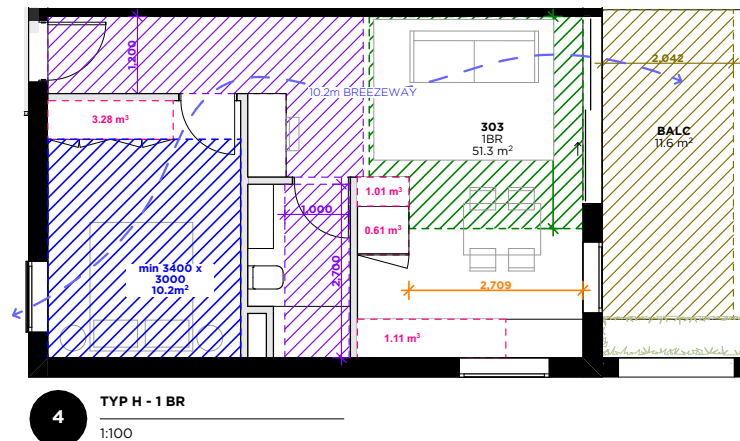
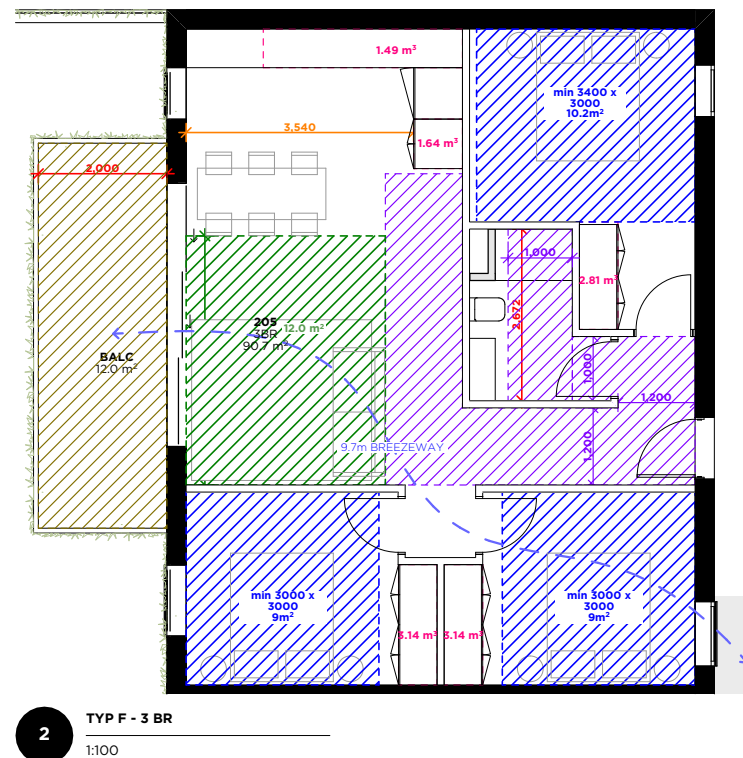
DRAWING TITLE
BADS Typical Plans

DRAWING







TP24

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BADS ASSESSMENT LEGEND

	MINIMUM BEDROOM DIMENSIONS
	MINIMUM LIVING ROOM DIMENSIONS
	MINIMUM PRIVATE OPEN SPACE DIMENSIONS
	CIRCULATION
	APARTMENT STORAGE
	BREEZE PATH
	NON-COMPLIANCE

REV	COMMENTS	DATE
1	Town Planning Submission to Council	21/6/19
2	Town Planning Final Permit Submission	8/11/19

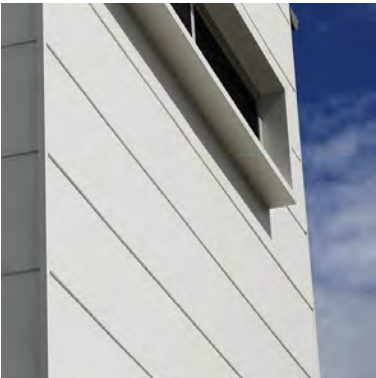
WF1 - Recycled brick



WF2 - Textured facade with light grey / white finish



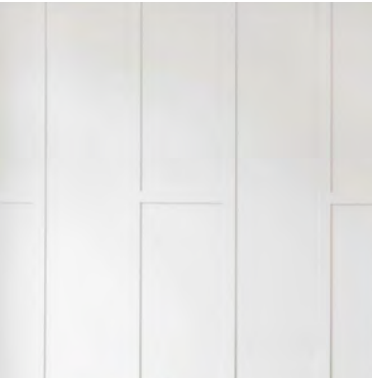
WF3 - White painted grooved facade finish



WF4 - White painted facade finish



WF5 - White painted strapped facade cladding



VT1 - Vertical trellis to pergolas for climbing plants



W1 - Double glazed windows and doors



BA1 - Metal rod balustrade



BA2 - Picket fence style balustrade



BA3 - Coloured metal rod balustrade



CM1 - Chainwire mesh



EB1 - External blind



- NOTES**
- DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ASSOCIATED CONSULTANT REPORTS
 - LIVING AREAS TO EACH APARTMENT HAVE EXTERNAL SLIDING DOORS WHICH CAN BE OPENED AS REQUIRED TO MAXIMISE CROSS VENTILATION
 - CEILINGS FANS TO BE PROVIDED TO ALL LIVING AREAS AND BEDROOMS
- OP** OPERABLE WINDOW
VTI VEGETATED TRELLIS
- PROPOSED LICENSED AREA**

1 Red Line Plan (Ground)
1:200

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TOWN PLANNING						PROJECT	DRAWING
						Nightingale Ballarat	TP27
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1 Outline of Proposal
Davey x Webster Street



2 Artist Impression
Davey x Webster Street

NOTE
The above images are artist impressions and provided for illustrative purposes only.

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PROJECT
Nightingale Ballarat

DRAWING TITLE
Local Context Views

DRAWING

TP28

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1 Outline of Proposal
Davey x Mair Street



2 Artist Impression
Davey x Mair Street

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PROJECT
Nightingale Ballarat

DRAWING TITLE
Local Context Views

DRAWING

TP29

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1 Outline of Proposal
Webster x Lyons Street



2 Artist Impression
Webster x Lyons Street

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PROJECT
Nightingale Ballarat

DRAWING TITLE
Local Context Views

DRAWING

TP30

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11 DAVEY STREET, BALLARAT CENTRAL

URBAN CONTEXT REPORT & DESIGN RESPONSE



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STUDIO



URBAN CONTEXT REPORT & DESIGN RESPONSE

Nightingale Ballarat

Prepared by: Niche Planning Studio

Input from: Breathe Architecture

Version: 2 [21/08/2019]



NIGHTINGALE BALLARAT

11 DAVEY STREET, BALLARAT CENTRAL

What is an Urban Context Report and Design Response?

This Urban Context Report and Design Response has been prepared to support the planning permit application at 11 Davey Street, Ballarat Central.

Clause 58 of the Ballarat Planning Scheme requires preparation of an Urban Context Report and accompanying Design Response for assessment of an apartment buildings (over 5 storeys).

This document intends to graphically depict and explain the site, the context in which it sits, and how the proposed development responds to key features of the site and local surrounds. It does so in three parts:

Part 1- Urban Context Report

This part explains the existing conditions of the site and the surrounds.

Part 2 – Design Response

Building upon Part 1, this section describes how the building responds to the site. It will describe how aspects such as building setbacks, bulk, heights, materials and other considerations have been integrated to achieve a high-quality apartment building that not only responds to the site and surrounds but importantly contributes to the delivery of diverse housing within a key area of the City.

Part 3 – Response to Standards D1-27

Clause 58 of the Ballarat Planning Scheme requires a response to Standards D1 – 27. This section further explains the proposal and will reference other supporting material where relevant.

Contributors

This report has been prepared by Niche Planning Studio. It involves contribution from Breathe Architecture. We acknowledge the broader Nightingale Ballarat project team in preparation of this document.

hygge property

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PART 1

URBAN CONTEXT REPORT

APPLICATION FOR PERMIT

1. ABOUT NIGHTINGALE BALLART

URBAN CONTEXT REPORT

Ballarat is rich in history and boasts a burgeoning creative community, direct rail links to Melbourne and a growing local economy. Ballarat’s population is experiencing a significant period of growth with the city’s population forecast to increase by 60,000 new residents by 2040 (The Ballarat Strategy: Our Vision for 2040). With this increase, a focus on carbon neutral, quality homes is key to Ballarat’s future. Sustainable, community-centric buildings that optimise shared space and social interaction between residents will be vital in continuing to growing a healthy, active centre in Ballarat. By providing medium-density, high quality housing within walking distance of the city’s amenities and train services, Nightingale Ballarat will be decreasing the reliance on private vehicle usage and fossil fuels.

The proportion of aging residents in Ballarat is also set to increase over coming decades (The Ballarat Strategy: Our Vision for 2040). Nightingale Ballarat features a range of accessible shared spaces, lift access, stepless entries into dwellings, and colocation to a range of amenities and community services, all of which promote the potential for ageing in place.

The City of Ballarat has a very clear future vision for a vibrant Ballarat town centre; one that is attractive to a range of visitors and residents and is accessible and active through the day and night (Making Ballarat Central: The CBD Strategy 2017-2021 Action Plan). Nightingale Ballarat aligns in many ways with this vision. This project is a mixed use building providing active commercial use at ground and a community of residential dwellings above.

This housing typology reduces the need for urban sprawl, a phenomenon that has resulted in increasing amounts of arable land at Ballarat’s fringes consumed by single family dwellings. Nightingale Ballarat will be the first Nightingale Housing project in regional Australia, making the project an exciting case study for how regional housing can be envisaged in the future.



2.0 PROJECT SUMMARY

URBAN CONTEXT REPORT

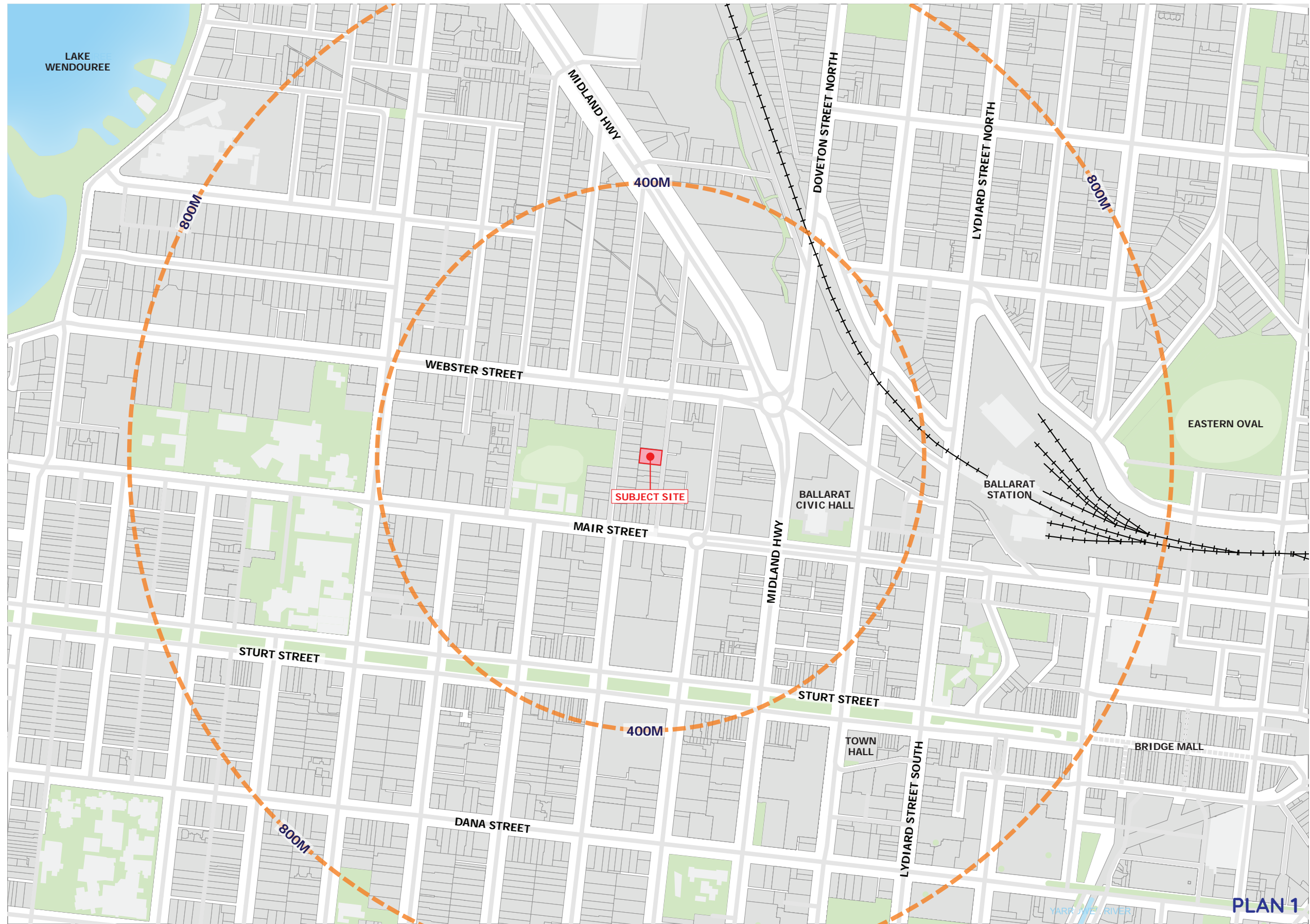
Project Description

A multi-residential project of 5 storeys (including basement carparking) and 27 apartments, Nightingale Ballarat is located a short walk from Ballarat Train Station and Central Ballarat. As the first Nightingale building in regional Victoria, Nightingale Ballarat strives to be an example of how community-centric buildings can be created in regional contexts, giving individuals the option to live in a sustainable environment, connected to their neighbours. Generous communal areas and landscaping are located at the ground floor, as well as a rooftop space with laundry facilities, productive gardens, and communal social spaces at level 4.

Creating a sense of public generosity, the ground floor level provides a landscaped forecourt to Davey Street with an abutting café space, enhancing street activation. A simple palette of robust materials accompanied with significant mature trees and greenery results in a building which is reflective of its context and surrounds, contributing to the long term green amenity of the neighbourhood.

Project Overview

No. of Storeys:	4-5 storeys (4 storeys to the west)
Building Height:	16.4m (lower ground to rooftop)
No. of Apartments:	27
Apartment Mix:	1 Bedroom X 6 2 Bedroom X 17 3 Bedroom X 4
Car parking provision:	14 carparks + 3 on street carshare spaces
Bicycle parking provisions:	50 secure resident bike parks 4 visitor bike parks
Other Uses:	Food and drink (café)



PLAN 1

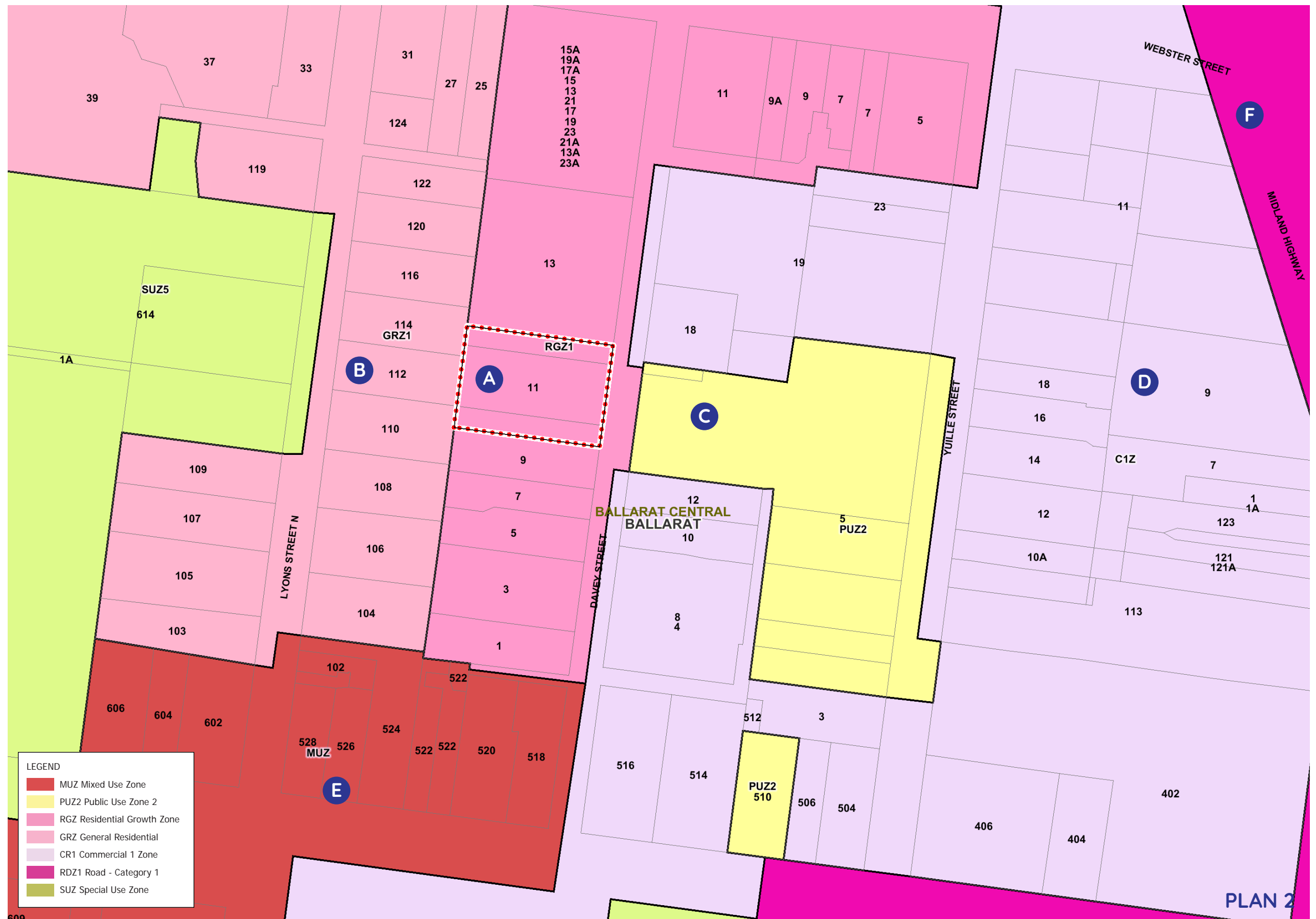
3.1 ZONES

URBAN CONTEXT REPORT

The site is strategically located immediately adjacent to the designated Ballarat CBD area and forms a transition from the City's commercial focus in the east to established residential areas to the west.

The zoning pattern of the site and the broader area in which it sits implements the City's strategic focus on 'maintaining a compact, efficient and productive settlement form' which 'is crucial to Ballarat's long-term future as a 10 Minute City'.

PLAN REFERENCE	INFORMATION
A	The site is zoned Residential Growth Zone which supports increased housing densities and intensification of residential development in the vicinity of public transport, services and facilities
B	The site abuts General Residential Zone land to its west. A design response which considers overlooking and overshadowing from the site into the rear of Lyons Street is a key consideration.
C	The Public Use Zone opposite the site (Federation University Site)
D	Commercial 1 Zone land to the east forms part of the Ballarat Central Business District (Mair Street Corridor)
E	Mair Street is within the Mixed Use Zone and consists of housing and other businesses.
F	The site is bounded by a number of Road Zones, which provide for higher order access into Ballarat and connections to surrounding towns and settlements. These roads are managed by VicRoads but provide a very important character setting and movement context for Ballarat.




PLAN 2

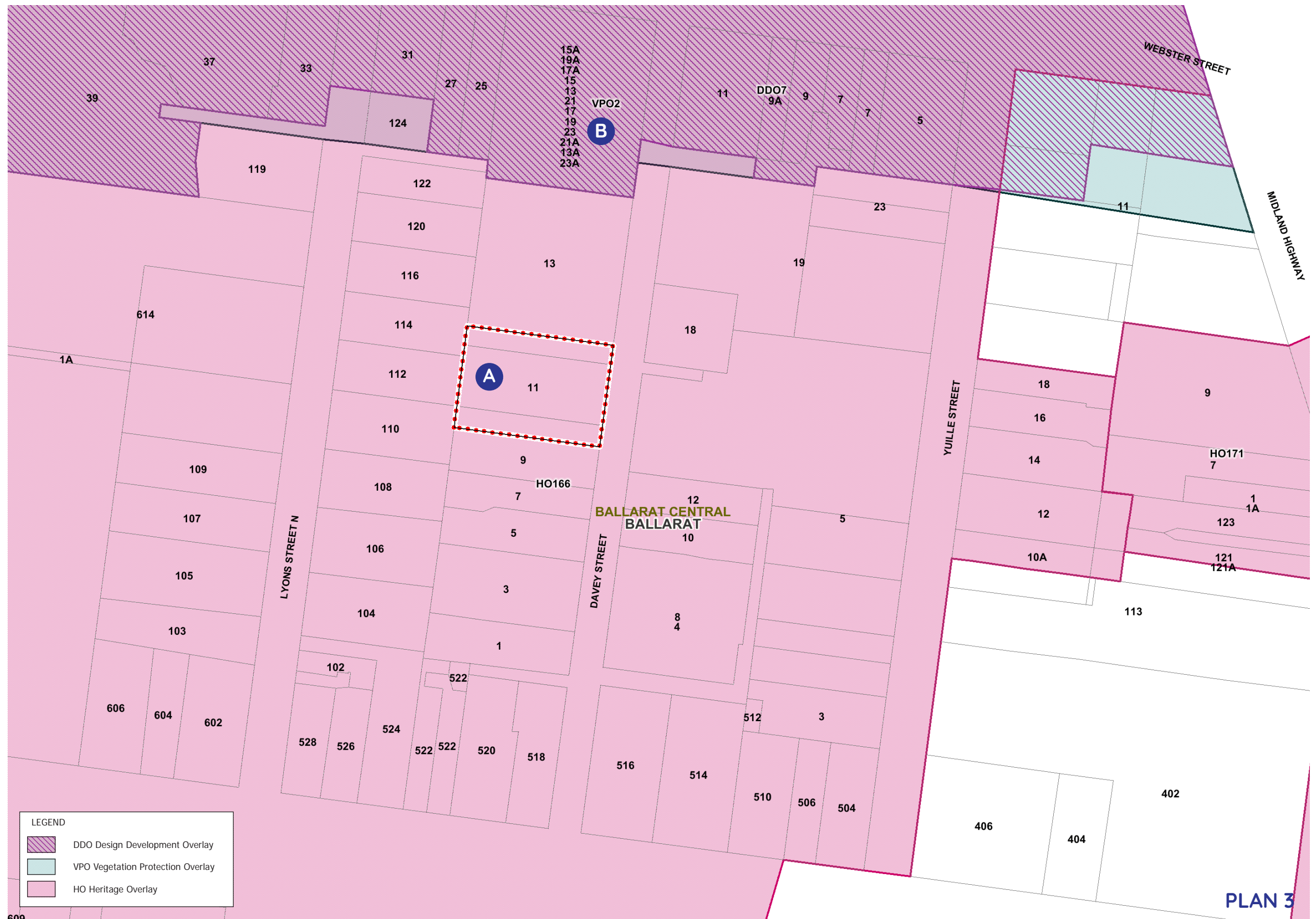
3.2 OVERLAYS

URBAN CONTEXT REPORT

Planning overlays control the way in which the area can be developed, having regard to identified and important character elements. Being a historic Victorian town, the area is controlled by heritage overlays and other design controls which seek to protect high quality character precincts and values.

Refer to figure XXX for commentary below:

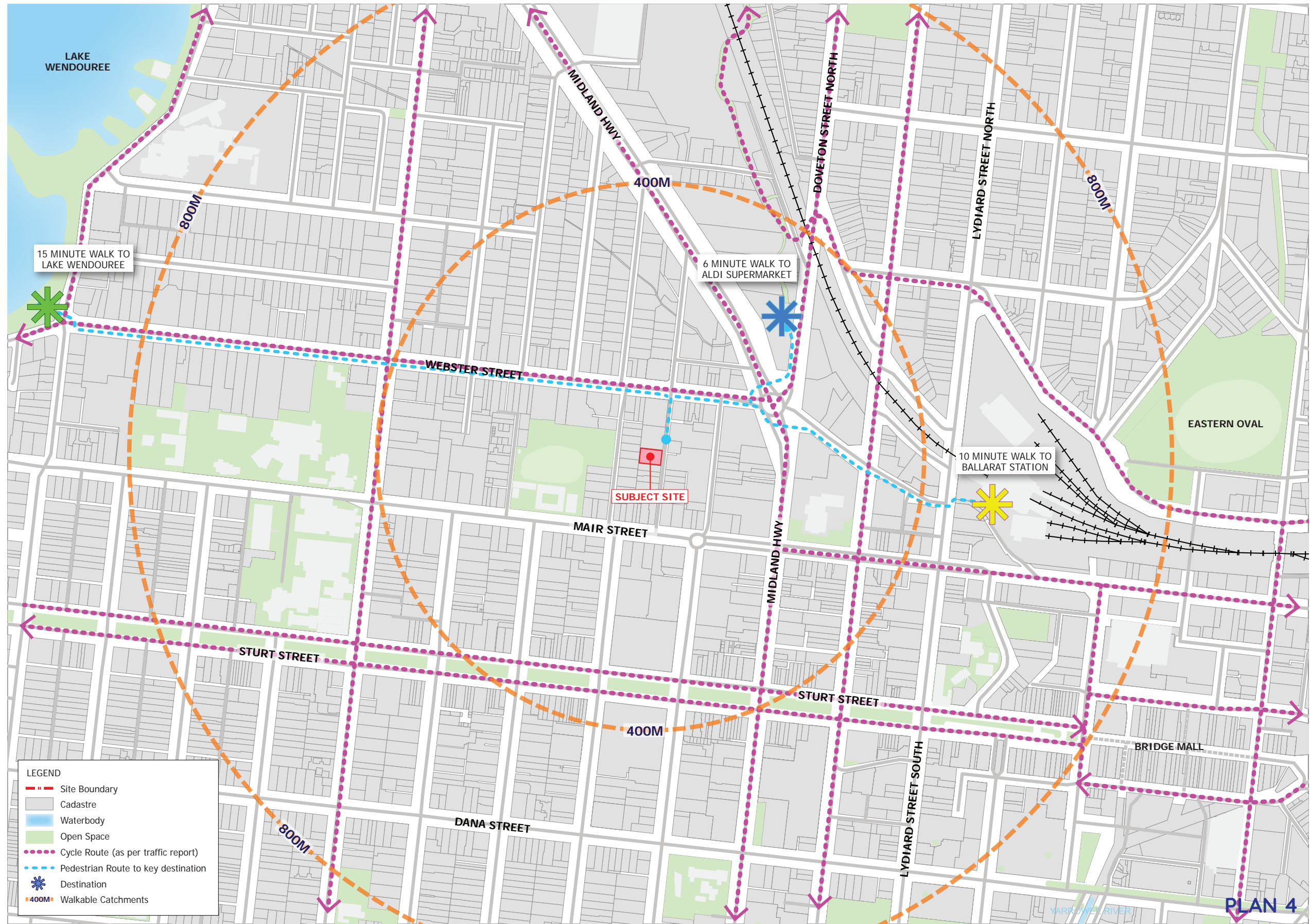
PLAN REFERENCE	INFORMATION
	The Heritage Overlay Schedule 166 applies to the site and the broader area. This heritage precinct is known as the “Central Ballarat Heritage Precinct”. Details of the precinct are identified within the Ballarat Planning Scheme Heritage Control 2004.
	A Vegetation Protection Overlay extends over properties to the north and seeks to protect trees in private properties which contributes to the character of Webster Street. Similarly, the Design and Development Overlay follows Webster Street and seeks to protect the quality Edwardian and inter-war residential urban character along this street.



4.1 MOVEMENT NETWORK

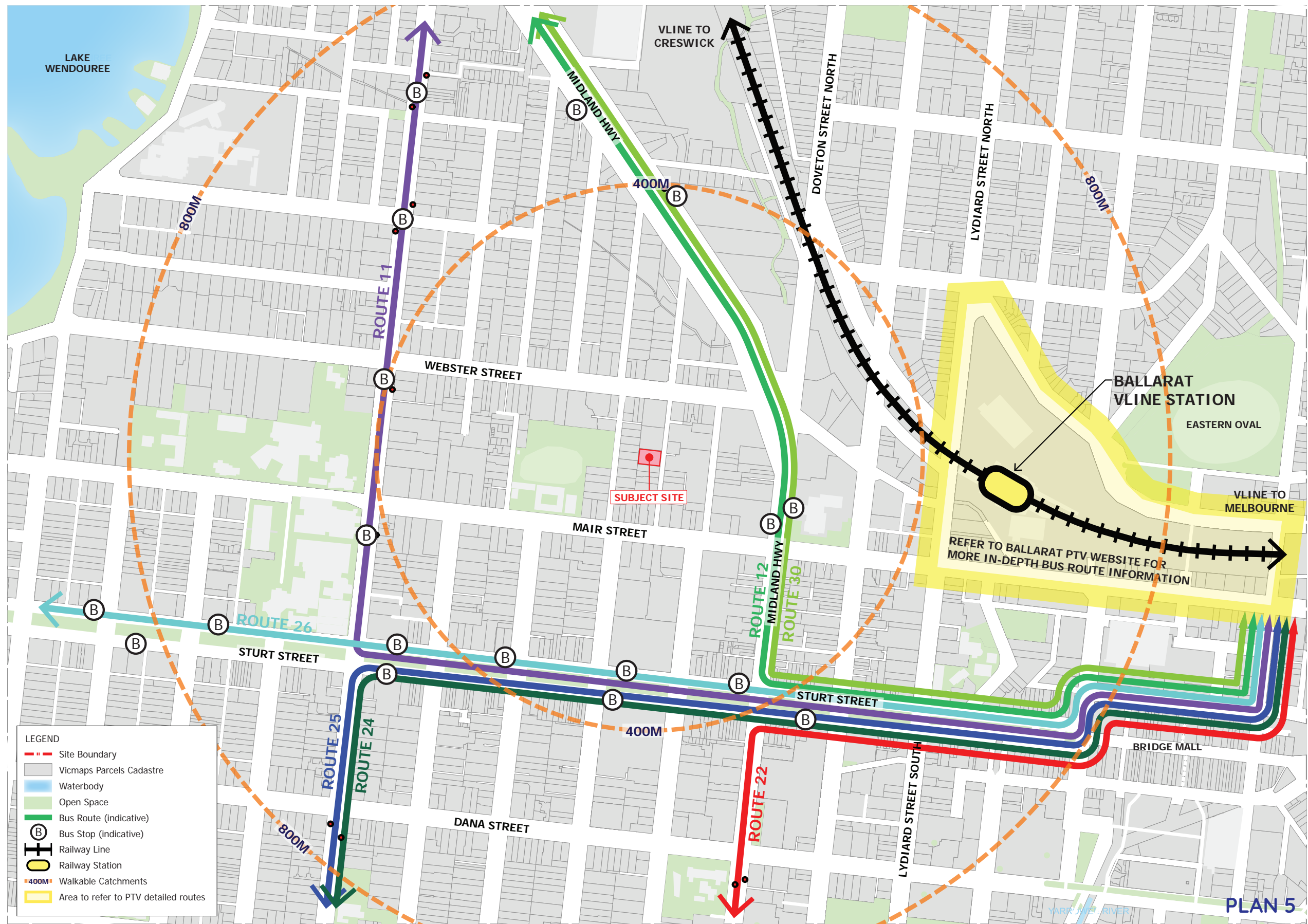
URBAN CONTEXT REPORT

The subject site is very well serviced by a range of transport options making it highly connected and accessible. By virtue of the gridded structural road network and close proximity to established bus services and the train station, the site is well positioned to accommodate higher density housing within a highly walkable, urban environment.



4.1 MOVEMENT NETWORK (PUBLIC TRANSPORT)

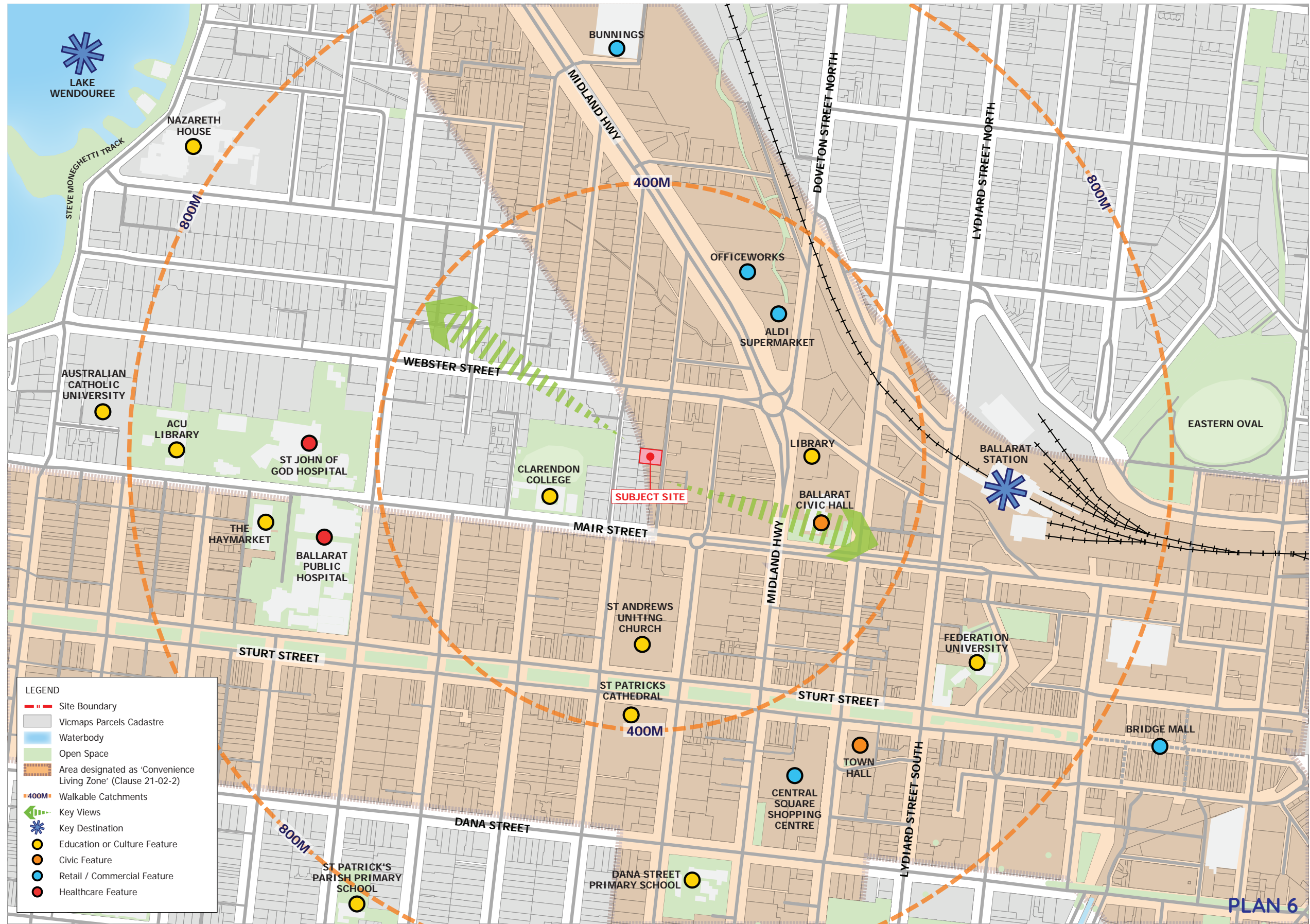
URBAN CONTEXT REPORT



4.2 SURROUNDING AMENITIES

URBAN CONTEXT REPORT

Building upon the structural movement network, the site is very well connected to a range of services, facilities and other destinations within the town. Universities, the hospital, the retail offering of the CBD, Gov Hub, town hall, schools, Lake Wendouree and the library all feature within 3-15 minute walk. This sets up the basis for a new medium density housing opportunity in the heart of Ballarat that can leverage from the existing amenities and promote sustainable transport opportunities.



5.0 LOCAL CONTEXT

URBAN CONTEXT REPORT

This section describes the existing conditions at more local level. It captures the area typically surrounding the site including Webster Street to the north, Mair Street to the south, Lyons Street Nth to the west and Yuille Street to the east.

The local street network continues in a gridded format, with access provided via one-way streets on north-south orientation connected to local access streets catering for two-way on an east-west orientation providing for good traffic circulation around the site.

