

Environmentally Sustainable Development

CITY OF BALLARAT

Applicant Guide





Background

On 22 March 2023 Ballarat City Council adopted a new Environmentally Sustainable Development (ESD) policy. This policy seeks to respond to the provisions of Clause 15.01-2S (Building Design) of the Ballarat Planning Scheme and sets out when particular measures will be required.

The following is a summary of the workings of the policy and is intended to provide planning permit applicants with the guidance necessary to respond to the City of Ballarat's requirements.

Planning permit applicants should read the below in conjunction with the more detailed information and fact sheets now available on the City of Ballarat's [website](#).

Policy provisions

The policy sets out the following thresholds for requiring ESD responses and the tools which may be used to assess proposals, as follows:

Development Threshold	Requirement related to Clause 15.01-2S
Residential	
2-9 dwellings	A Sustainable Design Assessment, including an assessment using BESS, STORM or other agreed method.
10 or more dwellings	A Sustainable Design Assessment, including an assessment using BESS, STORM, Green Star, MUSIC or other agreed methods and a Green Travel Plan.
A building used for accommodation other than a dwelling with a gross floor area between 100 and 1,500 square metres	A Sustainable Design Assessment, including an assessment using BESS, STORM or other agreed method.
A building used for accommodation other than dwellings with a gross floor area of 1,500 square metres or more	A Sustainable Design Assessment, including an assessment using BESS, STORM, Green Star, MUSIC or other agreed methods and a Green Travel Plan.

Non-residential	
A non-residential building with gross floor area between 300 and 1,500 square metres	A Sustainable Design Assessment, including an assessment using BESS, STORM or other agreed method.
An extension to a non-residential building adding between 300 and 1,500 square metres of additional gross floor area	A Sustainable Design Assessment, including an assessment using BESS, STORM or other agreed method.
A non-residential building with a gross floor area of more than 1,500 square metres	A Sustainable Design Assessment, including an assessment using BESS, STORM, Green Star, MUSIC or other agreed methods and a Green Travel Plan.
An extension to a non-residential building adding 1,500 square metres of additional gross floor area;	A Sustainable Design Assessment, including an assessment using BESS, STORM, Green Star, MUSIC or other agreed methods and a Green Travel Plan.
Mixed-use development	Apply residential and non-residential requirements as above based on land use/gross floor areas.

Important note

A BESS report forms part only of a Sustainable Design Assessment. A stand-alone BESS report is not sufficient to satisfy the Council's adopted policy. Additional assessments, including a STORM report for example, are also required.

Preferred Tools

Built Environment Sustainability Scorecard (BESS)

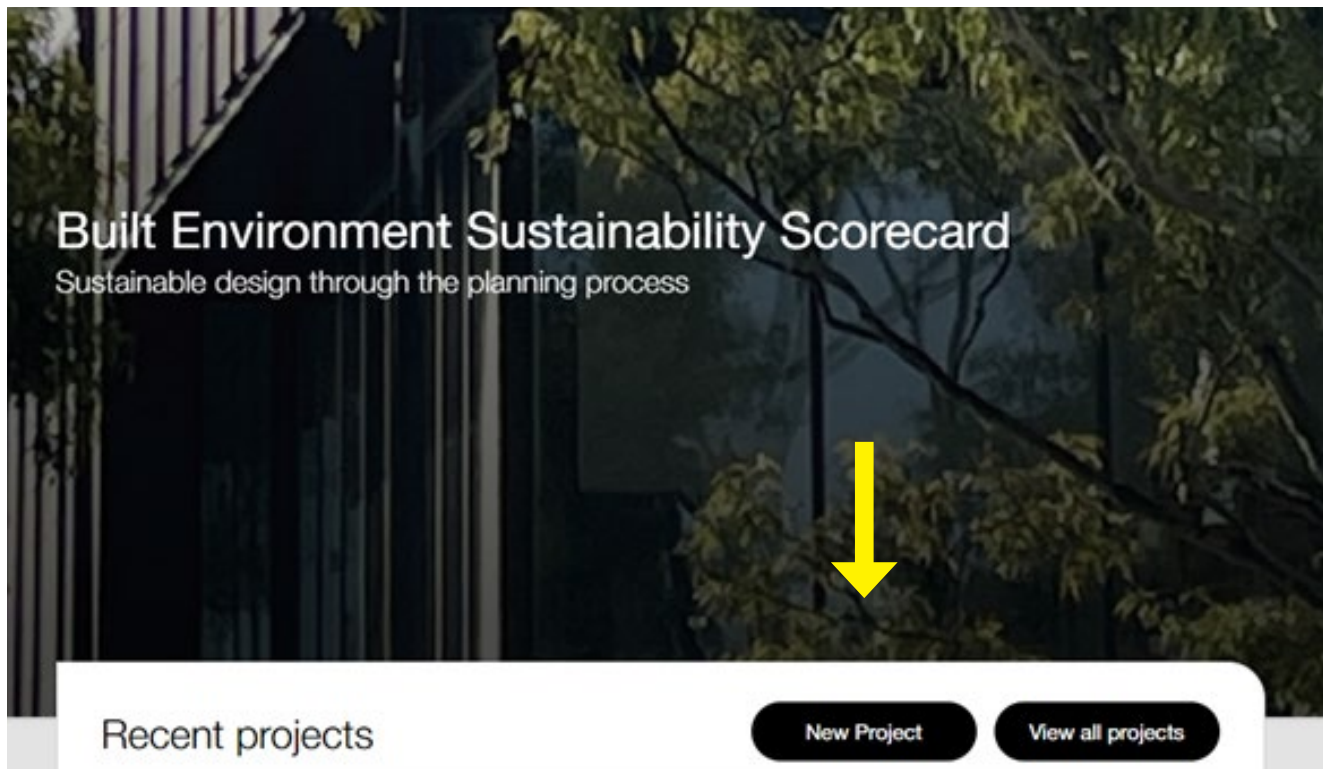
Whilst the policy makes reference to a number of assessment tools, in practice the easiest and most convenient tool is the Built Environment Sustainability Scorecard (BESS). This is on the basis that Ballarat is now a listed Council on the BESS website and the tool is free to use. Whilst

Council pays for access, permit applicants do not.

The tool may be accessed via bess.net.au

To begin, permit applicants will first need to register.

Once registered, applicants can commence the assessment process. This process is accessed via the home page by clicking on **'New project'** as per the below screenshot:



Important note

As an interim measure, applicant's will then need to select one of two BESS engines to use as the basis of their assessment. We recommend using BESS-8 given it is aligned with the National Construction Code (NCC) 2022. Click on this option by selecting the drop-down menu as per the below screenshot.

New Project

During the transition period to NCC2022 energy efficiency provisions, two versions of BESS are available. You can create your new project in either BESS engine.

BESS-7 is aligned with NCC2019 (unchanged since Nov 2022 release).

BESS-8 is an early release version aligned with NCC2022. BESS-8 includes a NatHERS 7 star minimum rating and an energy reference case that aligns with NCC whole of home assumptions. BESS-8 also includes credit changes in the Energy category including greater credit for all-electric developments. For a full list of BESS-8 changes see the Release Notes.

BESS Engine* ▼



For help on creating a project please consult the [Tool Notes](#).

From here, applicants will then need to insert the property address as shown below:

BESS Engine* ▼
BESS-8 - Aligned with NCC2022

For help on creating a project please consult the [Tool Notes](#).

Please enter the full street address of your project development.

Lookup address ▼



Once the address has been entered, applicants should scroll down to populate further site details (please note many of these fields will auto-populate once the address is entered) before then clicking on 'Create'.

Project Name*	<input type="text"/>
Council*	Ballarat City Council
Planning number	<input type="text"/>
Site area*	0

Street address*	<input type="text"/>
Suburb*	<input type="text"/>
Postcode*	<input type="text"/>
State*	Victoria

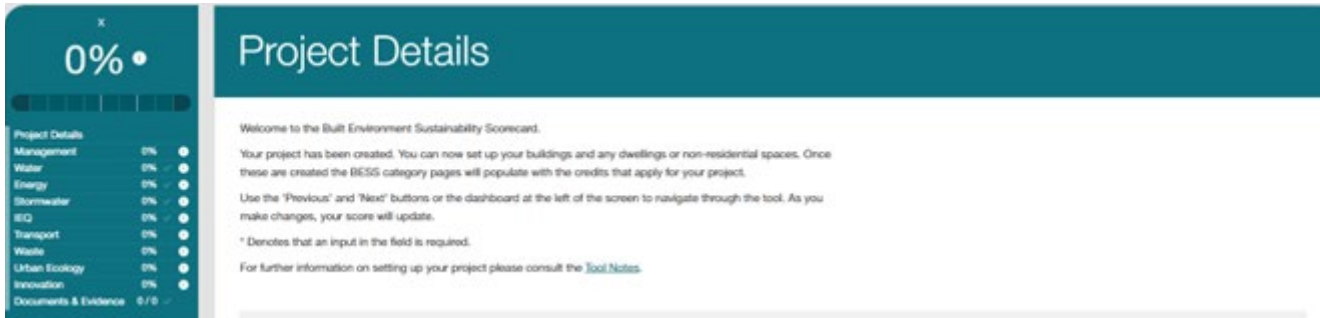
Which site type best describes your development?

Site type* ▼

Create



Applicants can then commence inputting the metrics of their proposal to generate a score as per the below screenshot:



BESS includes seven key categories as follows:

- Energy Performance;
- Water Resources;
- Indoor Environmental Quality (IEQ);
- Stormwater Management;
- Transport;
- Waste Management; and
- Urban Ecology

Important note

To satisfy Council’s adopted policy, a ‘best practice’ overall minimum BESS score of 50% is required (this score is calculated by inputting the metrics of the development into the on-line tool).

This includes achieving mandatory scores in each of the following categories:

- Energy Performance – 50%;
- Water Resources – 50%;
- Indoor Environmental Quality (IEQ) – 50%; and
- Stormwater Management – 100%

Note: Amendment VC243 gazetted on 22 September 2023 introduced new Clause 53.24 (Future Homes) into the Ballarat Planning Scheme.

This clause sets out performance standards for three-storey apartment buildings in the General Residential Zone (GRZ) only, subject to compliance with the qualifying criteria set out in Clause 53.24-1.

Where this qualifying criteria is met, a three-storey apartment building must achieve a BESS score of at least 70% in accordance with Clause 53.24-6.4 (Environmentally sustainable design).

Some of the mechanisms which may be applied to achieve the mandatory minimum scores in each of the above categories are:

Energy Performance

- Effective shading devices;
- Building fabric above the minimum Building Code of Australia (BCA) requirements;
- Efficient heating and cooling services; and
- Renewable energy (such as Solar PV)

Important note

A Preliminary Nationwide House Energy Rating Scheme (NatHERS) report which estimates the energy rating to heat and cool a dwelling is likely to be required, unless using the BESS default.

Ballarat is Climate Zone 66 where the cooling load limit for a Class 1 building (dwelling) applying NatHERS should not exceed 21MJ/per square metre per annum. A Class 2 building (apartments) must not exceed a maximum load of 23MJ/per square metre per annum.

A Class 2 building must achieve a minimum 7.5 star NatHERS average rating (area-weighted across all dwellings) with no individual apartment/dwelling being less than 6.5 stars in accordance with Clause 53.24-6.4 (gazetted via Amendment VC243 on 22 September 2023).

Water Resources

- Use of efficient fixtures and fittings;
- Avoid use of mains water for irrigation; and
- Re-use water/implement greywater systems

Indoor Environmental Quality (IEQ)

- Maximise daylight access;
- Thermal comfort; and
- Natural ventilation

Stormwater management

- Minimise watercourse pollution;
- Maximise stormwater capture (rainwater tanks for example); and
- Maximise on-site rainwater re-use, including in the service of toilets and to irrigate landscaped areas

Important note

The items selected to achieve the required BESS score must be shown on the application plans as well as detailed in the submitted report.

Please remember, each site is different and as such the mechanisms which might be applied to achieve 'best practice' will likely differ from site to site, taking into account the nature of the development and context.

The City of Ballarat encourages scores well in excess of 50% A score of 70% or higher is defined as 'Excellence' and in accordance with Clause 53.24 is now required in relation to three-storey apartment buildings in the GRZ. (Refer qualifying criteria set out in Clause 53.24-1).

Some claims set out in a BESS submission will require supporting evidence. This might require applicants to upload technical documentation.



Green Star

For larger developments, a Green Star (gbca.org.au) assessment might also be used to satisfy the requirements of Council's adopted policy.

Like BESS, Green Star requires 'best practice' responses. This is defined as '4-Star Green Star'. 5-Star Green Star is considered 'Australian Excellence' and 6-Star Green Star is regarded as 'World Leadership.'

Important note

Where a Green Star assessment is received, it is vitally important that it is Registered to be Certified by an Accredited Professional. Officers must not accept 'Green Star Equivalency' assessments. These assessments are inferior and the Green Buildings Council of Australia (GBCA) strongly discourages these. If in doubt, Officers should request confirmation from the applicant that the assessment is Registered to be Certified.

A 4-Star Green Star rating is the minimum required and a 5-Star Green Star rating is welcome. A 6-Star Green Star rating should be encouraged.

Officers should ensure that any Green Star assessment applies 'Green Star Buildings' or 'Communities' where applicable. 'Green Star Design and As-Built' is now a legacy tool.

STORM

Both BESS and Green Star examine the water management aspects of a development and some crossover therefore exists with regards to STORM assessments.

To understand the stormwater management credentials of a development, applicants are required to input the treatment measure metrics of a development into the on-line calculator (storm.melbournewater.com.au)

Important note

To satisfy Council's adopted policy, a minimum STORM score of 100% must be achieved.

When considering a STORM report, Council Officers must confirm the treatment sizes, impervious areas and number of bedrooms are correct. An additional bedroom can be claimed where a laundry is connected to a rainwater tank, though proof of this is required.

Some of the mechanisms which may be used to achieve this score are:

- Maximise stormwater capture (rainwater tanks for example); and
- Provide Water Sensitive Urban Design (WSUD) measures (functional raingardens for example).

The City of Ballarat’s process

1. Statutory Planning Officers will advise if the new policy applies to your proposal (as per the thresholds set out above) as early as possible in the process. This includes during pre-application discussions or, where no pre-application meeting has been held, via requests for further information (if applicable).

Important note

Whilst a range of tools may be used (as set out in the adopted policy), the City of Ballarat’s preference is the use of BESS and STORM. This is on the basis the City of Ballarat’s approach to ESD is largely informed by the Sustainable Design fact sheets. Green Star and other tools may of course still be used.

2. Statutory Planning Officers can assist in advising of appropriate ESD solutions, as advised by Councils ESD Officer. These might include those set out above in relation to each of the four mandatory BESS categories. Again, the Sustainable Design fact sheets included on the City of Ballarat’s website provide further information.

Please note that whilst Statutory Planning Officers can assist in identifying ESD opportunities, it remains the applicant’s responsibility to access on-line tools and carry out the necessary assessments.

Applicant’s must ensure that either a minimum BESS score of 50% (or an overall BESS score 70% for qualifying apartment developments) or a minimum 4-Star Green Star rating together with a minimum STORM score of 100% is achieved.. Where these scores are not achieved, the proposal must be amended accordingly. This might include by way of the inclusion of additional water tanks, the provision of eaves or other design initiatives which increase the ESD credentials of the development.

The assessments must then be submitted in support of the permit application. If a qualifying application is received without the necessary assessments, a further information request will be issued.

Important note

Statutory Planning Officers cannot approve developments which do not satisfy the City of Ballarat’s adopted policy. To this end, if a BESS score less than 50% (or less than 70% for qualifying apartment developments), Green Star rating less than 4-Stars and/or STORM score less than 100% is received, amendments will be required.

3. Where an assessment achieves minimum scores and as such complies with the City of Ballarat’s adopted policy, Statutory Planning Officers can then proceed positively in relation to ESD matters. Where doubts however remain with regards to ESD outcomes, any planning permit or Notice of Decision issued will include the following condition:

Prior to the commencement of the development hereby approved, the applicant must submit to and have approved in writing by the Responsible Authority, a Sustainable Design Assessment (SDA) signed by a suitably qualified technical professional confirming the development satisfactorily addresses the intent of Clause 15.01-2S (Building design) of the Ballarat Planning Scheme and the relevant related requirements set out in the City of Ballarat’s Environmentally Sustainable Design policy adopted by the City of Ballarat on 22 March 2023.

Once endorsed this SDA will then form part of the permit and the development must be constructed in accordance with it unless otherwise agreed in writing by the Responsible Authority.

Important note

Plans submitted for endorsement in accordance with permit conditions must include notations/references confirming all required ESD measures. These notes/references must align with the submitted assessments and any other endorsed documents where relevant.

Contact

Should you have any queries regarding the Council’s adopted policy or its approach to assessments as set out above, please do not hesitate to contact Statutory Planning on **5320 5500**.



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