

**CITY OF  
BALLARAT**



**Planning Special Committee Meeting**

**15 July 2020**

Virtual Meeting

**AGENDA**

**NOTICE IS HEREBY GIVEN THAT A PLANNING SPECIAL COMMITTEE MEETING WILL BE A VIRTUAL MEETING 15 JULY 2020 AT 7:00PM.**

This meeting is being broadcast live on the internet and the recording of this meeting will be published on council's website [www.ballarat.vic.gov.au](http://www.ballarat.vic.gov.au) after the meeting.

Information about the broadcasting and publishing recordings of council meetings is available in council's broadcasting and publishing recordings of council meetings procedure which is available on the council's website.

Due to COVID-19 Stage 3 restrictions around public gatherings being limited to two people the following has been put in place.

Public representations may be made on any items listed on the agenda for a Planning Special Committee Meeting. Submissions must also be submitted in writing to [agendapreparation@ballarat.vic.gov.au](mailto:agendapreparation@ballarat.vic.gov.au) by no later than 4.30pm on the day of Planning Special Committee meeting; and limited to no more than 200 words that will be read out by the Chief Executive Officer or his nominated delegate at the meeting prior to the matter being considered by Council.

## 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. WOODMANS HILL - PROPOSED REZONING (AMENDMENT C225BALL)

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

#### RECOMMENDATION

The Planning Special Committee resolves to:

1. **Seek authorisation from the Minister for Planning to prepare Planning Scheme Amendment C225ball, pursuant to Section 8A of the *Planning and Environment Act 1987*, to rezone the following properties at Woodmans Hill from Rural Living Zone (RLZ) to Mixed Use Zone (MUZ), generally in accordance with the attached documentation:**
  - C/A 21 Section 24 – Kokoda Street Brown Hill
  - C/A 20 Section 24 – 27 Brewery Tap Road Brown Hill
  - Lot 2 PS629326M – 27 Brewery Tap Road Brown Hill
  - Lot 1 PS629326M – 65 Orchard Lane Brown Hill.
  
2. **Place Planning Scheme Amendment C225ball on exhibition pursuant to section 19 of the *Planning and Environment Act 1987*.**

#### EXECUTIVE SUMMARY

The purpose of this report is for Council to consider Planning Scheme Amendment C225ball (Amendment C225ball). The amendment proposes to rezone four land parcels (bound by Kokoda Street, Brewery Tap Road, Western Highway and Orchard Lane in Woodmans Hill) from Rural Living Zone (RLZ) to Mixed Use Zone (MUZ).

The Woodmans Hill Gateway Master Plan (January 2015) envisions an attractive and distinctive approach to Ballarat along the Western Highway and seeks to reinforce the gateway role of the precinct. It intends to facilitate appropriate interfaces between the commercial and rural areas of Woodmans Hill and provide a buffer between the Western Highway and the more sensitive uses in the surroundings.

The Master Plan identifies the subject site as being an area for 'potential future development'.

#### RATIONALE

##### Proposed Amendment

The Amendment seeks to make the following changes to the Ballarat Planning Scheme:

- Rezone the four land parcels described below from the Rural Living Zone (RLZ) to the Mixed Use Zone (MUZ); and
- Amend planning scheme Map 31 to reflect the new zoning.

The proposed amendment is supported by the following investigations/supporting reports (attached):

- Town planning report and draft amendment documentation;
- Economic assessment;
- Traffic report;
- Agribusiness report;
- Contamination report;
- Ecological/vegetation assessment; and
- CFA advice.

### Subject Site

The land comprises four parcels in Woodmans Hill bound by Kokoda Street, Brewery Tap Road, Western Highway and Orchard Lane, identified as follows (see Figure 1):

- C/A 21 Section 24 – Kokoda Street Brown Hill
- C/A 20 Section 24 – 27 Brewery Tap Road Brown Hill
- Lot 2 PS629326M – 27 Brewery Tap Road Brown Hill
- Lot 1 PS629326M – 65 Orchard Lane Brown Hill.

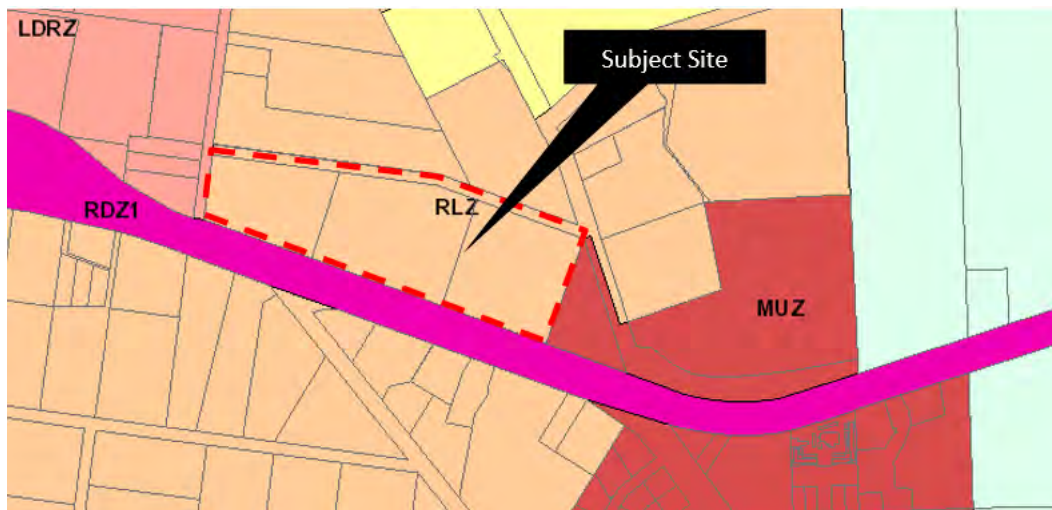


Figure 1: Subject site and land use zone

The subject site is currently within the Rural Living Zone (RLZ) and subject to the Design and Development Overlay, Schedule 2 (DDO2). The land has a frontage to the Western Highway of approximately 657 metres, depth of 200 metres and a total site area of 11.9 Hectares.

The site contains two dwellings, sheds and two dams. The site has been used for low scale agriculture and for the storage of machinery, vehicles and goods. The site has a gentle fall from the south to the north and does not contain any significant vegetation or environmental features.

The site abuts Kokoda Street, adjacent to the northern boundary of the site, which is an unmade road which includes a substantial pine tree plantation located within the road reserve. The site also directly abuts the Western Highway to the south. Access to the site is not available directly from the Western Highway, and a carriageway easement provides access to the site from Brewery Tap Road, which is located to the east of the site.

Orchard Lane is located along the western boundary which is a sealed road and provides access to both the subject site and adjacent low density residential properties.

Land surrounding the site is variously zoned: to the north, Rural Living Zone; to the west, Low Density Residential Zone; to the east, Mixed Use Zone; and to the south, Road Zone, Category 1 (the Western Highway) and the Rural Living Zone (to the south of the highway). Use and development of surrounding land is show below in Figure 2.



Figure 2: Use and development of surrounding land

## Background

Woodmans Hill Gateway Master Plan (January 2015) was introduced into the Ballarat Planning Scheme in September 2015 (Amendment C173).

The Master Plan envisions an attractive and distinctive approach to Ballarat along the Western Highway and seeks to reinforce the gateway role of the precinct. It intends to facilitate appropriate interfaces between the commercial and rural areas of Woodmans Hill and provide a buffer between the Western Highway and the more sensitive uses in the surroundings.



The Master Plan identifies the subject site as being an area for 'potential future development'.

During the planning scheme amendment process (Amendment C173) submissions were received with a range of views supporting and objecting to the potential designation of the subject land for future development. Issues raised included negative traffic impacts, noise and amenity issues.

The Panel concluded that the identification of the subject site for future development was strategically justified and warranted. In forming this view, the Panel accepted the traffic and planning evidence that was presented and tested during the Hearing and which indicated that amenity and off-site impacts can be appropriately managed via future planning processes, including the potential rezoning of the land (this current process) and the application of appropriate planning permit conditions.

According to the Panel Report (page 20):

*The Panel considers the sites are capable of accommodating land uses such as a service station, convenience restaurants/takeaway food premises, agricultural and machinery display, hire and sales. In relation to the most westerly lot at 65 Orchard Lane, the Panel considers that potential negative amenity impacts for existing and future low density and rural living allotments can be effectively managed through the introduction of landscaping and access provisions in any future rezoning or permit application process.*

## **Planning Assessment and Considerations**

### Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) is based on general themes of sustainable land management, orderly planning, improving accessibility, land use, transport integration and the protection of significant landscapes. The proposed amendment is generally consistent with these broad objectives and supports the key principles of the policy framework.

The expansion of the existing area of Mixed Use Zone land will provide a more orderly outcome through consolidating commercial land use and built form outcomes. Given the strategic location of the site and size landholdings the loss of agricultural land as a result of the proposed rezoning, would be minor and would be outweighed by the economic and employment benefits generated by the proposed rezoning.

It is anticipated that any future development of the subject site will draw more people to the Woodmans Hill precinct, which is likely to increase trading activity for existing businesses and further strengthen the gateway into Ballarat. As such, the proposal is considered to satisfactorily respond to economic planning policies.

Locally, the policy framework acknowledges Woodmans Hill as a key gateway location where development is encouraged to achieve a positive impact on the appearance of this major city entrance. The proposed amendment builds on this policy direction and other policy objectives.

### Proposed Mixed Use Zone

The Mixed Use Zone (MUZ) is considered the most appropriate zone as it recognises that the area is already located within a mixed use environment, manages amenity impacts to adjoining sensitive land uses, provides a continuation of the MUZ to the east of the site, and provides flexibility for future land use/development. Further, in terms of any future development on the site, the existing Design and Development Overlay, Schedule 2 (see below), will ensure that

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presentation of any development is in accordance with the vision of the Woodmans Hill Gateway Master Plan.

A number of appropriate uses could be facilitated by the application of the MUZ, including but not limited to, display based retail (noting that there will be no direct access to the future freeway) and highway service centre/service station type uses, all in appropriately landscaped surroundings. It is anticipated that the majority of possible uses would require a planning permit, and therefore subject to a planning assessment, with the associated public advertising and right of appeal. The Master Plan discourages use of the land for industrial purposes, freight and logistics depots.

Amongst other uses, the MUZ provides for residential use of the land. Residential use of the land is not considered appropriate or in keeping with the stated direction of the Woodmans Hill Gateway Master Plan. To address this, the proponents have proposed applying a Section 173 Agreement to the title of the land (should the amendment proceed) restricting the use and development of dwellings or other inappropriate residential uses. This is considered an acceptable solution to avoid inappropriate residential uses.

#### Existing Design and Development Overlay, schedule 2 (DDO2)

The existing Design and Development Overlay, Schedule 2 (DDO2) applies to a large portion of the site abutting the freeway (see Figure 2 below).

The DDO2 is proposed to be retained on the site, and broadly, its objectives are to ensure that use and development creates an attractive and distinctive gateway to Ballarat consistent with the Master Plan and reinforcing the gateway role of the precinct; providing appropriate interfaces between commercial and rural areas of Woodmans Hill and ensuring development is compatible and sensitive to the valued landscape and natural environmental elements.

DDO2 requires that access to any development to be via local roads or via a service road arrangement – no direct access is permitted onto the Western Highway.

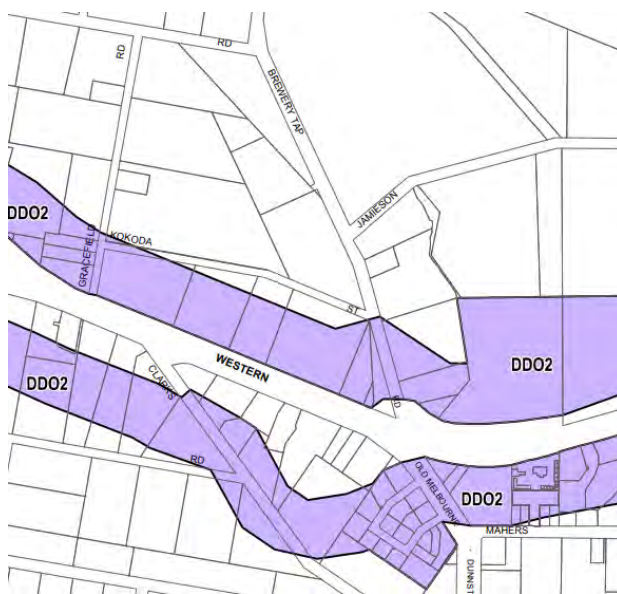


Figure 3: Design and Development Overlay, schedule 2 (excerpt from Ballarat Planning Scheme Map 31)



### Economic Considerations

From an economic perspective, the site has a number of positive attributes due to its high exposure, highway access and relationship with surrounding agriculture land.

In support of this proposed amendment, an Economic Impact Assessment has been prepared by Ethos Urban. The assessment outlines that the proposed amendment responds to current market interest in the area as a location for commercial gateway development, and will significantly enhance employment opportunities in the wider Ballarat area without undermining the existing activity centres hierarchy or industrial land supply framework, including Central Ballarat or BWEZ, and will facilitate the development of other land uses on lots without direct highway frontage therefore contributing to a viable cluster of economic activities.

### Rural Residential Considerations

While the proposed expansion of the MUZ would result in the removal of land within the RLZ, it is considered that such a loss is minor and would not significantly impact the supply of rural residential land within the municipality.

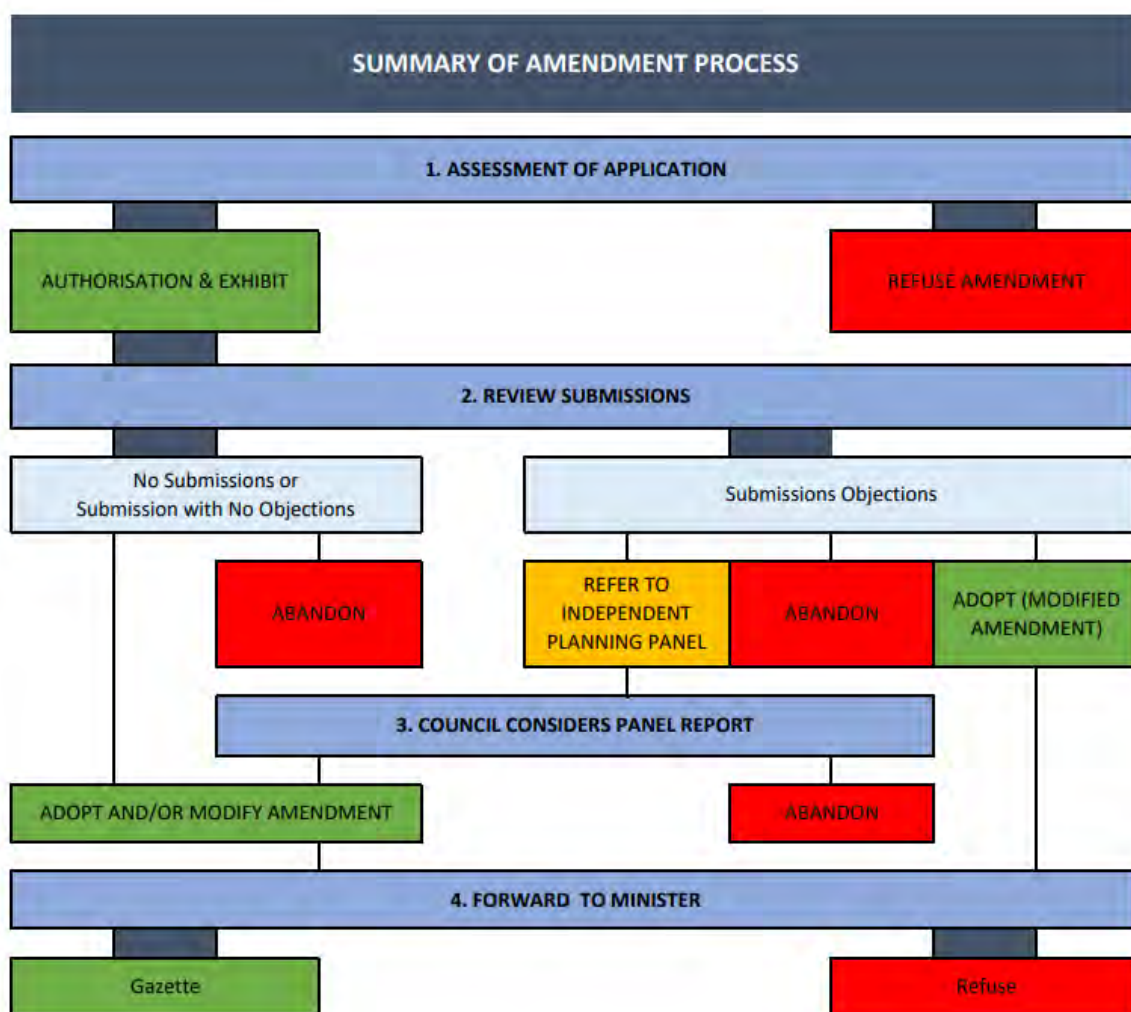
Furthermore, the subject site has low residential amenity attributes in terms of noise and visual amenity from the adjacent Western Highway and medium to long term impacts as a result of the proposed Western Highway duplication works.

### Proposed Western Highway Upgrade

The proposed amendment has considered the proposed future Western Highway upgrade and Regional Roads Victoria will be consulted through the amendment process.

### **Next steps**

If Council chooses to proceed, subject to Authorisation by the Minister for Planning, Council officers would place the amendment on public exhibition for a minimum of one month (stage 1 of the flow chart below). Following this, a report would be presented to Council with details of submissions and a recommendation, with options detailed in the flow chart below.



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

- *Charter of Human Rights and Responsibilities Act 2006*
- Ballarat Planning Scheme
- City of Ballarat Council Plan 2017 – 2021
- The Ballarat Strategy, Today, Tomorrow, Together, 2015
- Woodmans Hill Gateway Master Plan, January 2015
- Rural Land Use Strategy, 2010

**REPORTING AND COMPLIANCE STATEMENTS**

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

**Human Rights** – 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); and
- Property Rights (part 2 section 20).

**Social/Cultural** – The amendment supports the future use and development of the Woodmans Hill Gateway Precinct as a key gateway to Ballarat.

**Environmental/Sustainability** – The subject site is not suitable to provide significant wildlife habitat or to form part of a wildlife/biodiversity corridor given the lack of identified values on site, its proximity to the Western Freeway and relatively small site area.

**Economic** – The Woodmans Hill Gateway Precinct has potential to be a significant contributor to the local economy and the amendment will support the growth and future development of the precinct to benefit the economic wellbeing of the community and support future local employment.

**Financial/Resources** – As the amendment has been requested by the landowners all costs associated with the amendment including panel cost will be borne by them.

## CONSULTATION

The purpose of this report is to seek Council approval to proceed with authorisation and exhibition of the proposed amendment. Consultation will be conducted in accordance with the statutory process set out in the *Planning and Environment Act 1987*.

Extensive consultation was previously carried out during preparation of the Woodmans Hill Gateway Master Plan and associated planning scheme amendment.

## 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

- Woodmans Hill Gateway Master Plan

**ATTACHMENTS**

1. Attachment 1: Woodmans Hill Gateway Precinct Master Plan [6.1.1 - 42 pages]
2. Attachment 1: Draft Explanatory Report [6.1.2 - 4 pages]
3. Proposed Zone Plan [6.1.3 - 1 page]
4. Amendment C 173 Panel Report [6.1.4 - 48 pages]
5. Town Planning Report [6.1.5 - 39 pages]
6. Existing DD O 2 [6.1.6 - 3 pages]
7. Existing Zone Map 31 [6.1.7 - 1 page]
8. Draft Section 173 Agreement [6.1.8 - 2 pages]
9. Economic Assessment [6.1.9 - 42 pages]
10. Agribusiness Report (2) [6.1.10 - 11 pages]
11. Traffic Report [6.1.11 - 30 pages]
12. Biosis Expert Witness Statement(2) [6.1.12 - 15 pages]
13. Contamination Report (2) [6.1.13 - 73 pages]
14. CFA letter [6.1.14 - 1 page]



**Project:** Woodmans Hill Gateway  
Precinct Master Plan  
FINAL

**Reference:** 225193  
**Prepared for:** City of  
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**Revision:** 7  
**14 January 2015**

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# Woodmans Hill Gateway Precinct Master Plan

Date | 14 January 2015  
Reference | Final  
Revision | 7

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## Appendices

### Appendix A - Master Plan



# Chapter 1

## Introduction





# 1 Introduction

The Woodmans Hill Gateway Precinct Master Plan presents a series of actions which define the desired vision for this important gateway precinct into Ballarat. It is envisaged that the findings of the Master Plan will provide the City of Ballarat with a clear framework for how land use and development should occur in Woodmans Hill in the interim period prior to the realignment of the Western Highway, and in the years following the completion of road works.

The key issues and recommendations for the area discussed and analysed as follows:

- General land use and activities;
- Entrances and movement;
- Linkages;
- Environment;
- Key sites;
- Design Principles; and
- Planning Scheme Recommendations.

A Conceptual and Draft Master Plan was originally prepared in 2006. A review of the previous project work and additional informal consultation has been undertaken and a revised Issues Paper and SWOT Analysis and this Master Plan have been prepared.

The Issues Paper and SWOT Analysis undertook an analysis of the existing conditions and site context, literature review, stakeholder identification and summary of stakeholder views, identification of key issues, and outlined a range of recommendations which have been refined and collated into this Master Plan for Woodmans Hill.

**Chapter 2**  
**General Land Use &  
Activities**



## 2 General Land Use & Activities

The Woodmans Hill Gateway Precinct Master Plan has, in various forms, been in development for a number of years. Currently there is no accepted strategic land use direction for the Precinct. The Master Plan seeks to provide this direction, acknowledging that the area has long been identified as the key entrance and gateway into Ballarat.

The Precinct is bound by land abutting both sides of the Western Highway, between the first major turnoff into Ballarat and the Moorabool Shire municipal boundary, on the eastern side of the City. There are a variety of different land use zones and uses currently in the area.

The study area and existing zoning are shown in Figure 1.

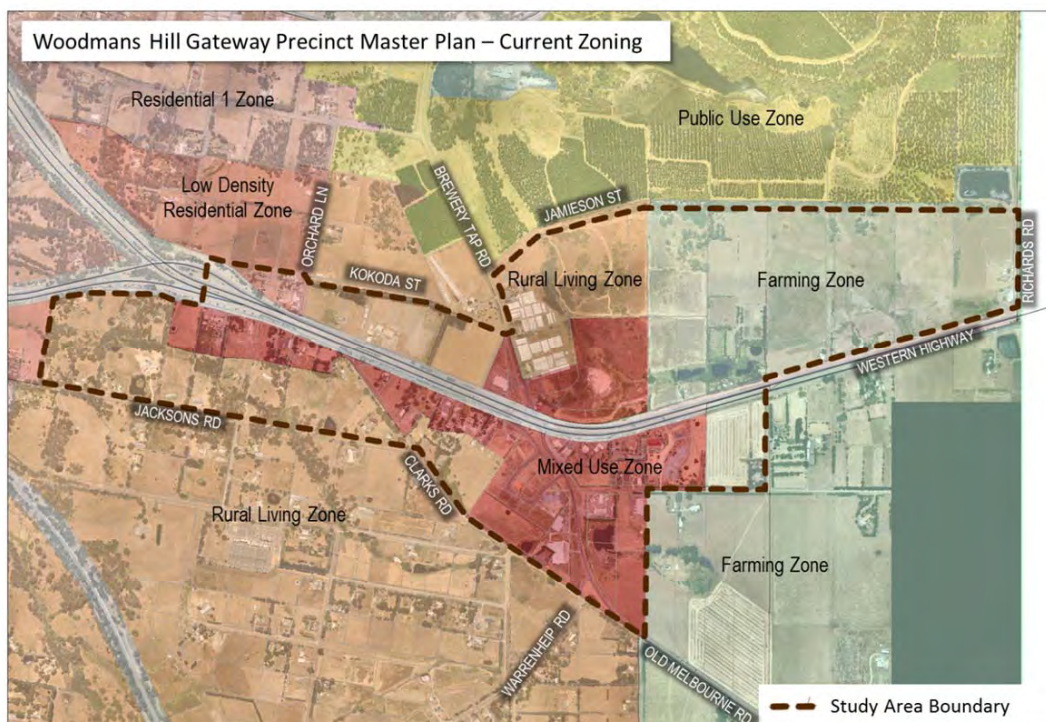


Figure 1 | Study Area (current zoning shown)





This section of the Western Highway does not have freeway status and has an 80km/h speed limit due to intersecting roads. VicRoads has a medium to long term plan (minimum 5-15 years away) to upgrade the section to freeway status with a series of road widenings, entry/exit ramps and flyover works. A Public Acquisition Overlay (PAO) already applies in the area and VicRoads has purchased a number of properties in anticipation of the works. The upgrade will significantly change the appearance of the precinct and is a key driver for any proposed land-use changes in Woodmans Hill.

The recommendations outlined within the Issues Paper and SWOT Analysis set out the desired land use activities for the study area. The Master Plan makes a number of recommendations including back zoning land south of the highway to Rural Living Zone to better interface with the future highway alignment, some changes to the extent and content of the current Design Development Overlay that applies in the area, and recognises land north of the highway for potential future development. These key recommendations are outlined in Figures 2 and 3.

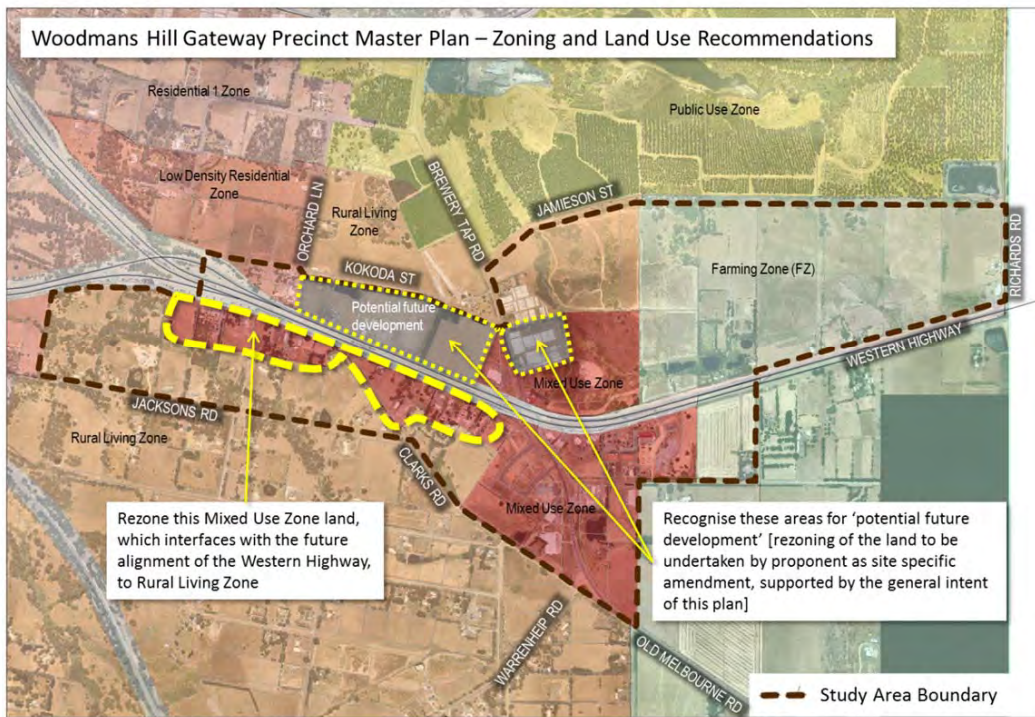


Figure 2 | Recommended future use and zoning

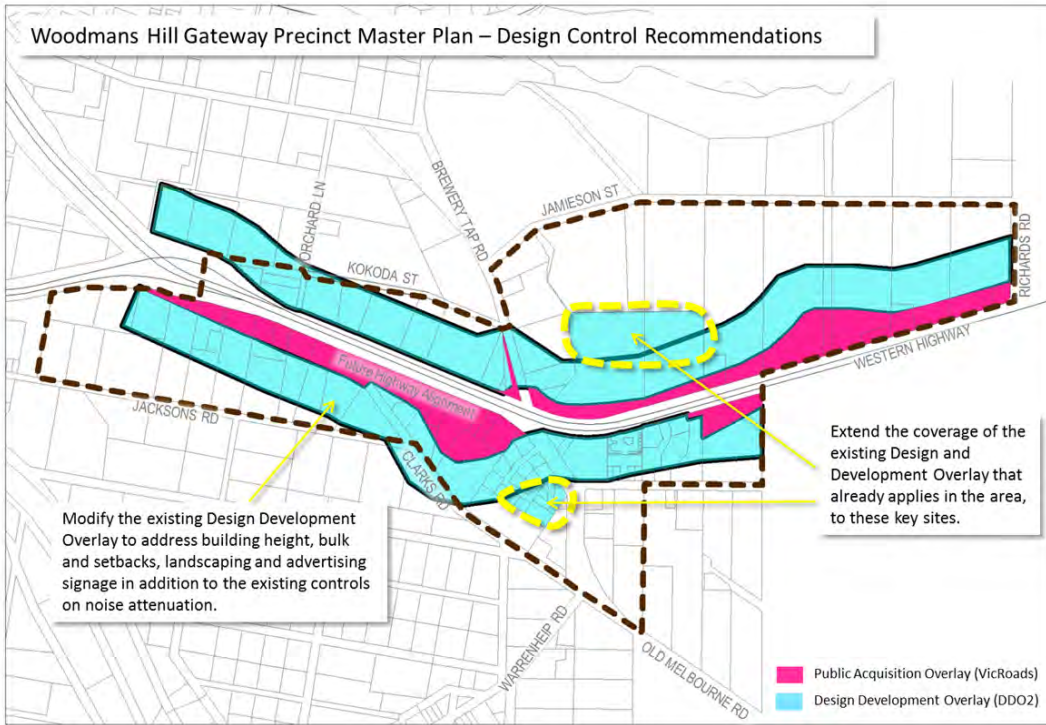
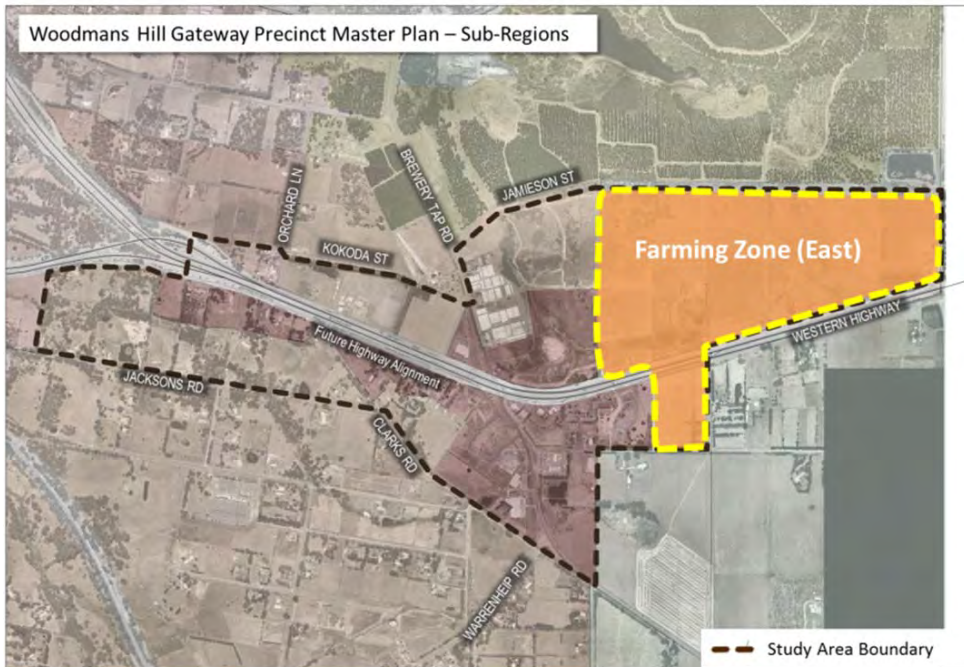


Figure 3 | Recommended design controls

The Master Plan considers the study area as three land use sub-regions: the existing Farming Zone land in the east, Mixed Use and Development (Mixed Use Zoned land to the south and area shown above as 'Potential future development'), and the Rural Living (South West) intersected by the future highway alignment.

## 2.1 Farming Zone (East)



The Master Plan offers no immediate change to the zoning and current land use activities within this portion of the study area. Although the land is not used for intensive agriculture at the present time, its rich soils are a valuable resource which should be protected for the future. The retention of the Farming Zone (FZ) will protect the agricultural land and rural uses in this area and be reinforced for the area through the inclusion of Woodmans Hill as a Local Area Policy at Clause 21.08 of the MSS.



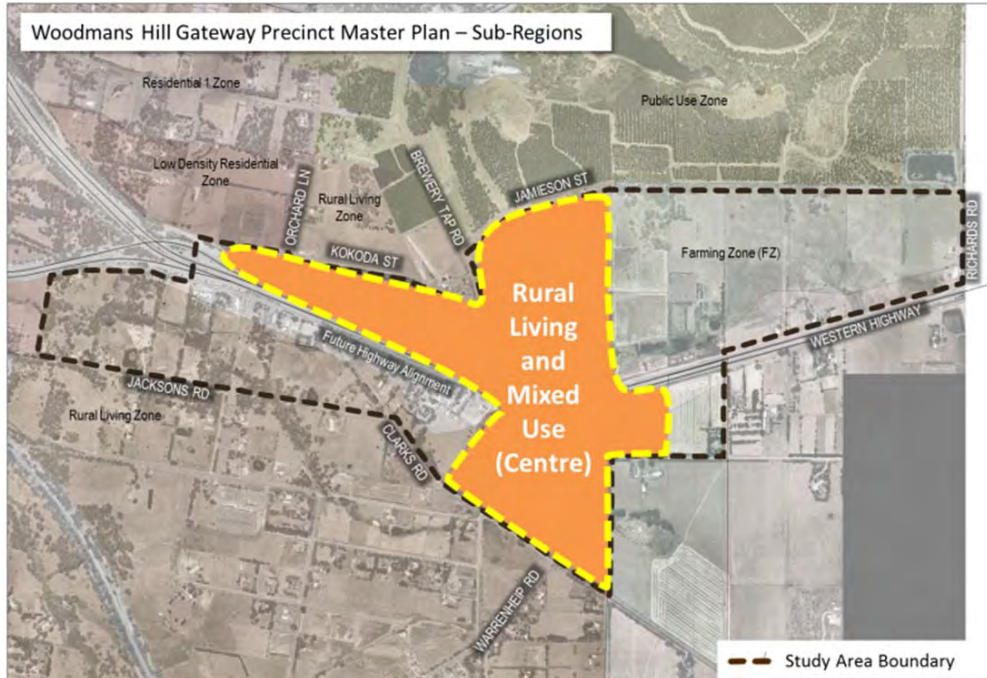
Figure 5 | Rural land north of Western Highway

### Recommendation

- Retain Farming Zone (FZ) on land north and south of the Western Highway to protect agricultural land uses in this area.
- Discourage land use practices likely to impact on soil quality through incorporation of Woodmans Hill as a Local Area Policy at Clause 21.08 of the MSS.



## 2.2 Rural Living and Mixed Use Centre



The desired land use mix envisaged for this location is a focus on highway related functions, with associated retail and support for existing tourism activity that seeks to capture passing economic activity that would otherwise not benefit the Ballarat economy. As the main gateway to Ballarat, and with its high visibility exposure to passing traffic, there is significant opportunity for appropriate high quality development in the existing mixed use and rural living zoned areas.

Appropriate development in this area could contribute to both the economic activity of the region and also provide a high quality entrance experience to Ballarat.

The Master Plan does not recommend any change to the existing zoning in this area as the current combination of Mixed Use Zone and Rural Living Zone both provide for a range of appropriate developments. However, the rural living land between Brewery Tap Road and Orchard Lane and flower farm site at 12 Brewery Tap Road are both noted for 'potential future development'. The first site has high profile visibility to passing traffic and potential to capture economic activity that would otherwise not enter the Ballarat economy, and the flower farm site is surrounded on three sides by mixed use zoned land. Detail of these particular sites and the desired land use intensity and design quality of the area is provided in Section 6 – Key Sites. Any changes to the zoning of the sites identified for 'potential future development' would need to be undertaken by a proponent as a site specific rezoning, supported by the general land use intent of this plan.

The existing Design and Development Overlay (DDO) that applies to this area should be extended to cover additional high profile sites, and be strengthened to support appropriate design quality at this key gateway location. Changes to the DDO are discussed in Section 8.3.



Figure 5 | Smiths Trucks Subdivision



Figure 6 | Intersection of Western Highway & Brewery Tap Road



Figure 7 | Service Centre uses



Figure 8 | Mill Markets & Gold Rush Mini Golf



Figure 9 | Parcels north of Western Highway



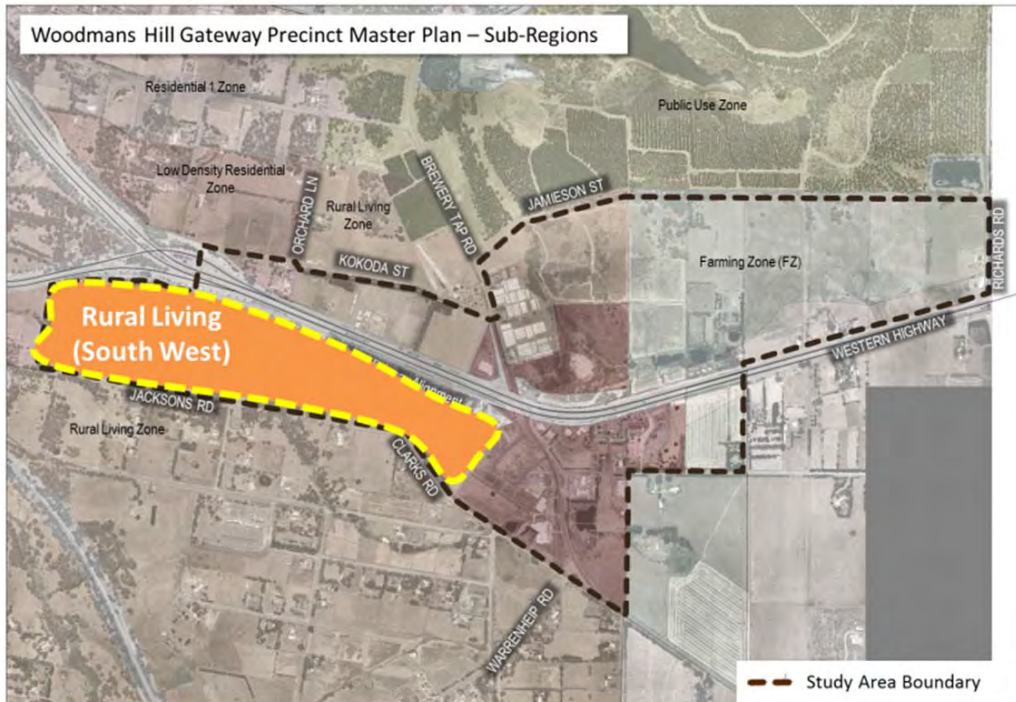
Figure 10 | John Deere

### Recommendation

- *That the Rural Living Zone land with highway frontage between Brewery Tap Road and Orchard Lane, and flower farm at 12 Brewery Tap Road both be recognised as 'potential future development site', but that rezoning of the sites to facilitate development be required to be undertaken by a proponent as a site specific amendment, supported by the general intent of this plan;*
- *That the existing Mixed Use Zone (MUZ) be retained for the central part of the precinct;*
- *That the existing Design Development Overlay 2 (DDO2) be revised to include additional high-profile parcels, and include a series of design guidelines that will enhance the gateway precinct.*
- *That visitor retail, and highway service related functions that will not compromise the viability of the Ballarat CBD continue to be encouraged, along with tourism based uses with the support of Ballarat Tourism.*



## 2.3 Rural Living (South West)



The key uses identified in this area are the commercial properties and rural residential dwellings to the south of the Western Highway.

A large proportion of the commercial properties in this area have been identified as being required for the future upgrade of the Western Highway to freeway status, and are included in the Public Acquisition Overlay (PAO). In addition, the area maintains koala habitat and native vegetation sensitivities that require consideration in the application of future land use and development controls.

Given the extent of the proposed realignment of the Western Highway and lack of physical separation between this zone and the Rural Living Zone (RLZ) to the south, it is recommended that the Rural Living Zone (RLZ) be applied as the principle zone for this area.



Figure 11 | Redundant motel use



Figure 12 | Nursery sales





Figure 13 | Caravan sales



Figure 14 | Motel site



Figure 15 | Native vegetation and koala habitat sensitive land

#### Recommendation

- *That the Mixed Use Zone (MUZ) land south of the Western Highway between the land parcels at 9413 Western Highway west towards 89 Jacksons Road be rezoned to Rural Living Zone (RLZ).*

# Chapter 3

## Entrances & Movement





## 3 Entrances & Movement

The Master Plan adopts the preferred highway configuration established by VicRoads for the study area and the recommendations of the Ballarat Entrances Strategy (2006) (BES).

The key recommendations of the BES, applicable to the study area, remain valid which include:

- Design work and investigation of landscape features that provide travellers with magnificent views across the city and the surrounding landscape, and development of a sculptural element for this entry.
- Decommissioning of the tourist information area / rest point outside the Mill Markets.
- Creation of a major icon /gateway feature and series of minor features to signify the entrance to Ballarat.

No major recommendations are proposed for modifications to access to existing internal roads; however it is noted that the unsealed section of Greens Road where it intersects with the Western Highway is unsafe and should be sealed to improve braking distances and overall safety for motorists.

Further to input from VicRoads, it is recommended that interim infrastructure upgrades occur to the existing road network prior to the Western Highway upgrade to acknowledge proposed development within the precinct and improve road safety. Proponents will need to consider improved interim access arrangements prior to highway upgrade. In particular, development of land that will increase traffic volumes on Brewery Tap Road should consider that improvements may be required to the intersection of Brewery Tap Road and the Western Highway.

### Recommendation

- *That interim infrastructure upgrades be investigated for the local road network, particularly the intersection of Brewery Tap Road and Western Highway.*
- *That the unsealed section of Greens Road where it intersects with the Western Highway be sealed to improve safety.*



Figure 16 | Redundant tourist information area/rest point outside the Mill Markets



Figure 17 | Major icon/gateway feature and series of minor features required adjoining the Western Highway to signify the entrance to Ballarat.



Figure 18 | Intersection of Greens Road and Western Highway

# Chapter 4

## Linkages





# 4 Linkages

Linkages to existing developed sites will be accommodated through the proposed vehicle access arrangement imposed by VicRoads through the realignment of the Western Highway. The VicRoads scheme indicates that a series of service roads and roundabouts will be provided to facilitate access to properties with frontage to the highway.

The focus of vehicle and pedestrian access linkages will be centred in and around the mixed use and development precinct which is where the majority of activity is occurring at the present time. These access linkages are noted on the Master Plan and reinforce what will be provided through the implementation of the VicRoads Scheme.

Local access roads such as Orchard Lane exhibit a strong rural laneway character in keeping with the adjacent rural, rural residential and low density residential land uses. These types of roads are noted as being particularly sensitive to increases in non-residential or heavy freight traffic. Vehicle movements associated with commercial developments north of the highway should avoid utilising local roads to access their developments, and focus on arrangements that utilise existing direct connections with the Western Highway or existing freight routes.

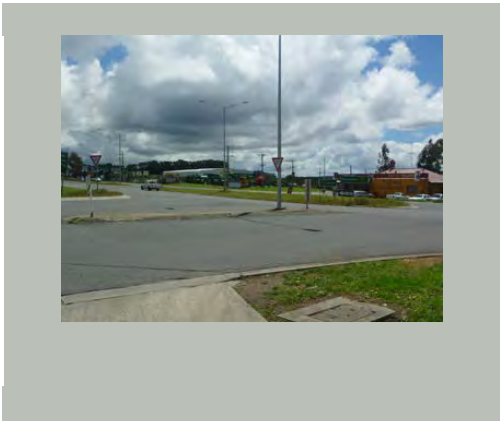


Figure 19 | Intersection of Western Highway and Brewery Tap Road

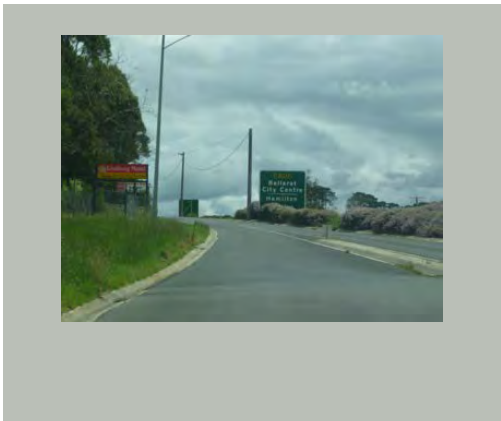


Figure 20 | Service lane and existing signage indicating first eastern entry to Ballarat

# Chapter 5 Environment







## 5 Environment

The Woodmans Hill precinct has been identified by local environment groups as forming a key local linkage in identified national and regional scale biolink wildlife corridors. Although additional investigation is required, it is considered prudent to adopt a pro-active approach in this Master Plan that recognises that the precinct could contribute to improving native vegetation remnants in the landscape, enhancing a biolink and wildlife corridor.

Wildlife corridors are recognised by the Australian Government's *National Wildlife Corridors Plan: A framework for landscape-scale conservation* (2012) as connections across the landscape that link areas of habitat, to support natural processes that occur in a healthy environment. In Central Victoria a corridor is believed to run from the Grampians, past Mt Cole, into the Enfield Forest, through the vegetated private land around Buninyong, the Canadian Forest, across Woodmans Hill and on to the Creswick Forest. Local environment groups refer to this as the Canadian Corridor biolink. The location of Ballarat within a regional scale biolink is identified in the *Central Highlands Regional Strategic Plan* (2010).

Further investigation is required to determine the potential extent and specific location of local biolink corridors within the Ballarat region. However the only northern biolink connection between Woodmans Hill and the Creswick Forest at Nerrina is believed to be via the corridor running between Hill Top Rd and Orchard Lane, crossing the Daylesford Rd between Elm St and Brewery Tap Rd to join the vegetated Yarrowee River corridor before heading west through to the Creswick Forest. The Master Plan recommends a range of local scale options to contribute to enhancing a potential biolink corridor through the precinct.

The area also includes the presence of waterways and floodplains that should be further investigated, preserved and / or enhanced.

### Recommendation

- *Investigate local scale biolinks across Ballarat, which contribute to regional and national scale wildlife corridors;*
- *Investigate the revegetation of roadsides and other publicly owned land with native vegetation, particularly in proximity to Orchard Lane;*
- *Future development proposals for the land between Brewery Tap Road and Orchard Lane should appropriately buffer the sensitive residential properties and rural character of Orchard Lane, and achieve a sensitive outcome using native vegetation buffers that contribute to a biolink corridor, where appropriate.*
- *Undertake a flood study to identify the 1% AEP flood extent.*
- *Investigate the protection of waterways with buffers at least 20 metres wide either side (from the top of bank), or a buffer based on a flood study which identifies the 100 year flood extent, whichever is greater.*



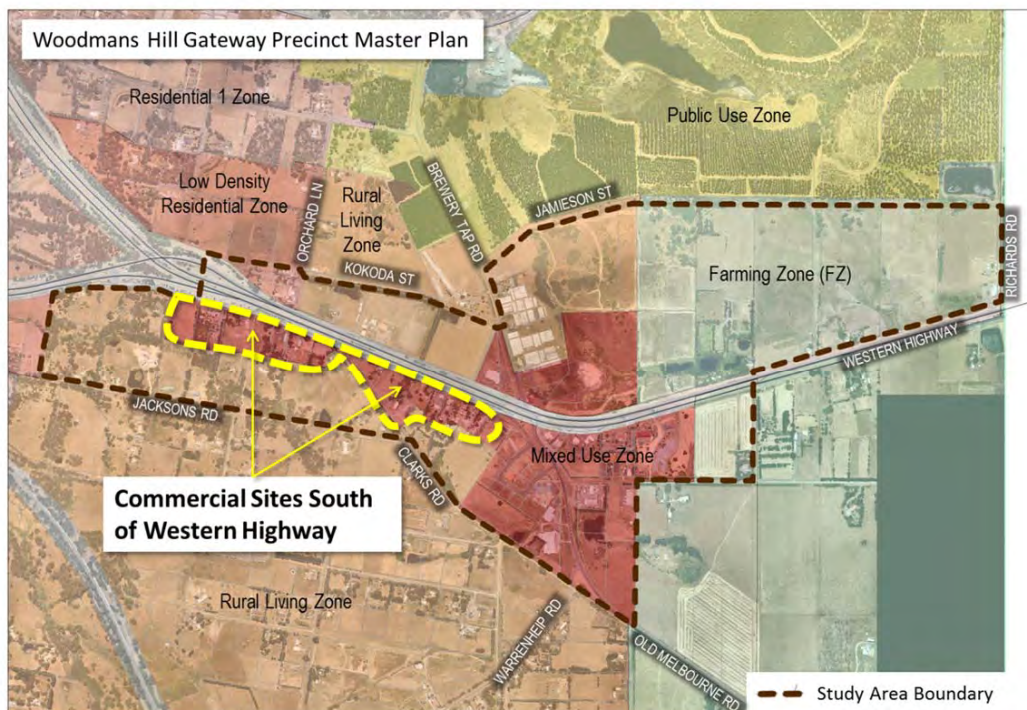
Chapter 6  
Key Sites



## 6 Key Sites

The Master Plan emphasises the importance of addressing the following key sites to ensure that the entrance to Ballarat is enhanced and made appealing to visitors to the city.

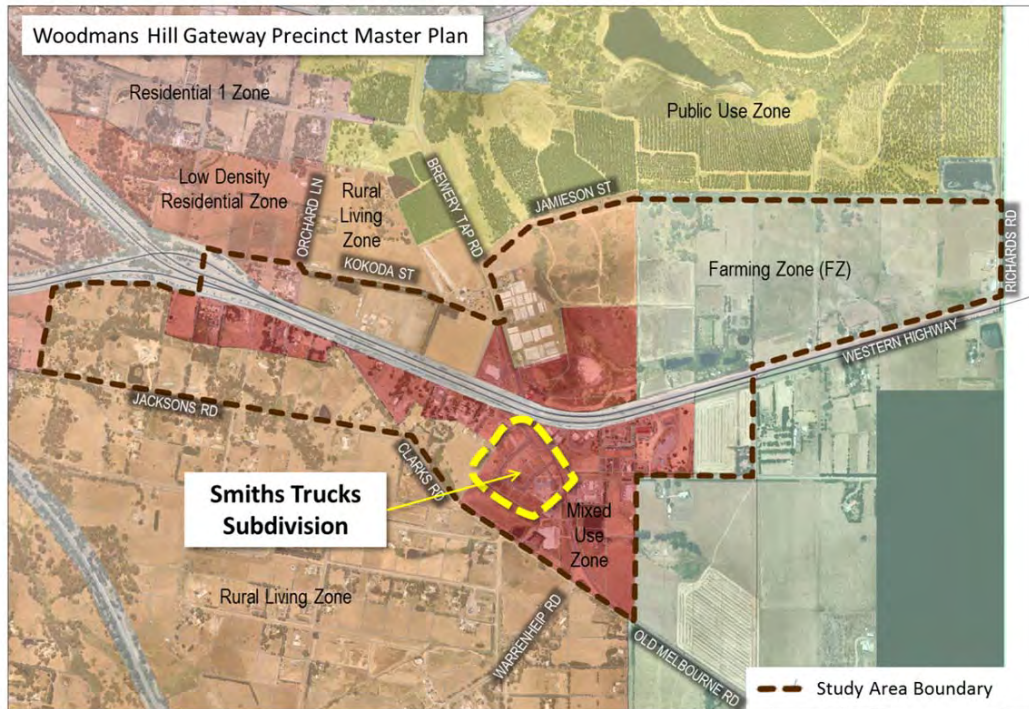
### 6.1 Commercial Sites South of Western Highway



As discussed in the Issues Paper, the current commercial sites to the south west of the highway will require a more formalised management arrangement between Council and VicRoads to ensure that ongoing maintenance of this land continues until works commence on the realignment of the Western Highway. It is important that Woodmans Hill as a key gateway to Ballarat is not negatively impacted by the appearance of abandoned buildings. It is acknowledged that the commercial properties within the Public Acquisition Overlay will be demolished through land acquisition and road construction.

The Master Plan recognises that the preferred land use south west of the highway should be focused on rural residential development consistent with the established pattern of land use further to the south of the commercial sites, and the need to provide for a less intensive land use to protect the identified koala habitats and native vegetation in this area. To reinforce the rural bush setting of this land, the Master Plan also recommends a planting scheme which introduces a native tree planting buffer consistent with the recommendations of the Ballarat Entrances Strategy.

## 6.2 Smiths Trucks Subdivision



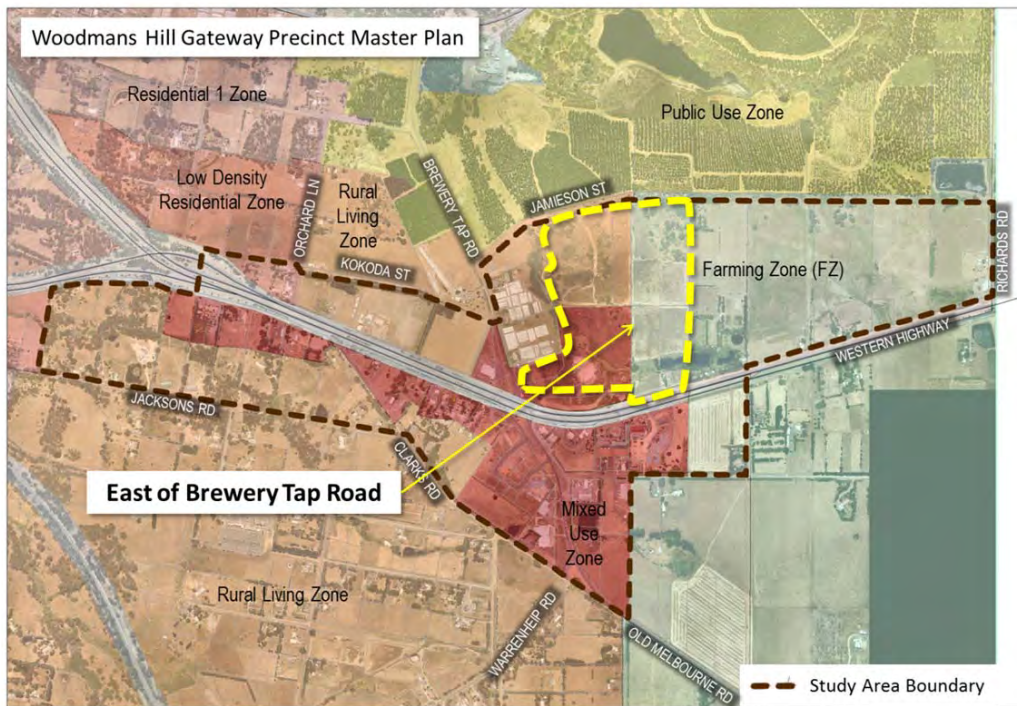
The elevated Smiths Trucks subdivision in the Mixed Use Zone on the southern side of the Western Highway is one of the most prominent sites which forms part of the gateway precinct. The vacant lots may be developed for light industrial purposes and there is a risk that future inappropriate development of these lots in the absence of appropriate controls which influence the siting of buildings and landscape buffers, will introduce blight on the landscape.

To assist in addressing this issue the Master Plan recommends the extension of the existing Design and Development Overlay (DDO2) for this precinct to incorporate the entire subdivision (currently only partial coverage), with a strengthening of the associated controls to apply to the entire DDO area (see Figure 3). Currently the DDO2 focuses on noise attenuation measures associated with new development, however the Master Plan recommends strengthening the overlay by adding new controls relating to building height, bulk and setbacks, landscaping and advertising signage. Maintaining the appropriate design quality in the area will also be supported by the introduction of Woodmans Hill as a Local Area Policy at Clause 21.08 of the MSS, which will provide specific controls on buildings and works.

As the approved subdivision of the Smith Trucks site does not endorse buildings and works as part of the overall development scheme, the extension of the DDO2 and provisions within the MSS will assist in establishing appropriate design controls and guidelines that will set a high standard for future development. These recommendations together with the proposals for landscaping as outlined in the Ballarat Entrances Strategy will form the basis of ongoing improvements at the eastern entry of Woodman's Hill.



### 6.3 Site East of Brewery Tap Road

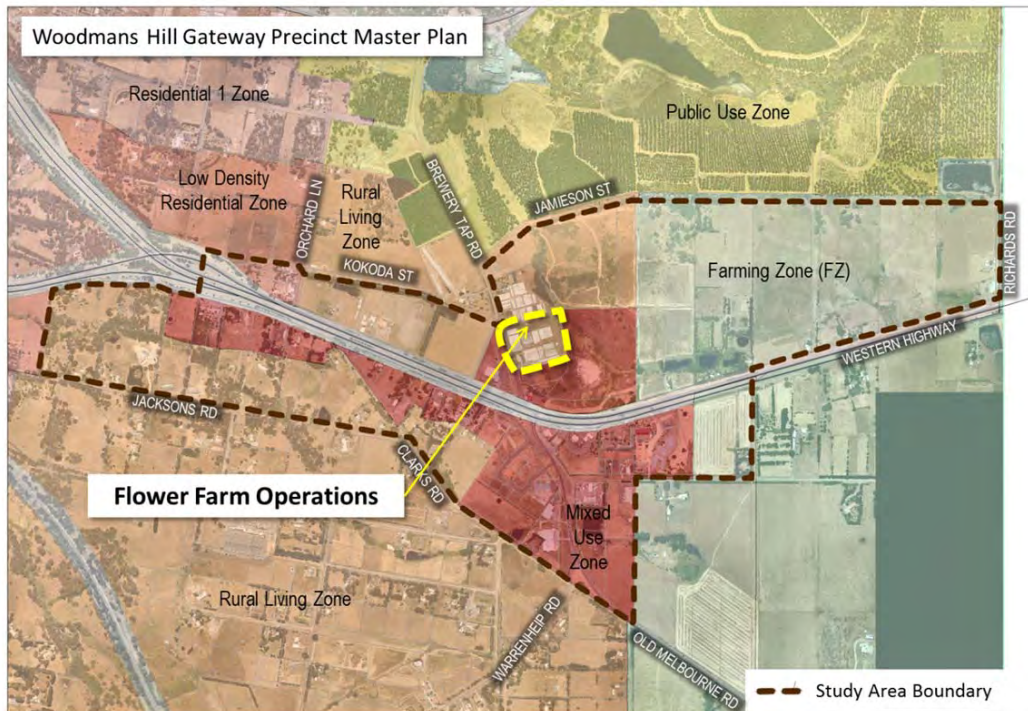


The potential development of the land to the east of Brewery Tap Road, under single ownership, has been discussed for an extended period. The land is currently zoned a combination of Rural Living Zone, Mixed Use Zone and Farming Zone, which provides for a wide range of potential uses. The preferred development of this site could include agriculture, horticulture, accommodation or other types of low intensity development consistent with the surrounding rural character of the area. The land zoned for mixed use could accommodate uses requiring highway frontage.

The Master Plan does not propose any changes to the current zoning of this site, however, it is noted that future development should be of a quality and form appropriate for this high-visibility gateway location. Given that development on this parcel would directly interface with a continuous rural landscape to the east, development controls to be applied to future developments should consider the following:

- Use of this land should not impact on the ability of surrounding land owners to continue to operate rural and agricultural businesses, characteristic of the wider landscape;
- Development should be appropriately screened, sited and finished in materials that are appropriate for its rural landscape setting at the main gateway to Ballarat;
- Development should capitalise on its highway frontage in a manner that does not detract from future gateway features identified in the Ballarat Entrances Strategy;
- Designs should seek to incorporate elements of rural character throughout the site, to enable the development to act as an interface between areas of urban and rural character;
- Staging of development should avoid blight on the landscape, even for an interim period during staged delivery, at this high profile site;
- Designs should consider both the current and future road alignments through the precinct, and provide a high quality interface to both designs given the uncertainty with regard to timing of an upgrade to Freeway status.

## 6.4 Flower Farm Operations

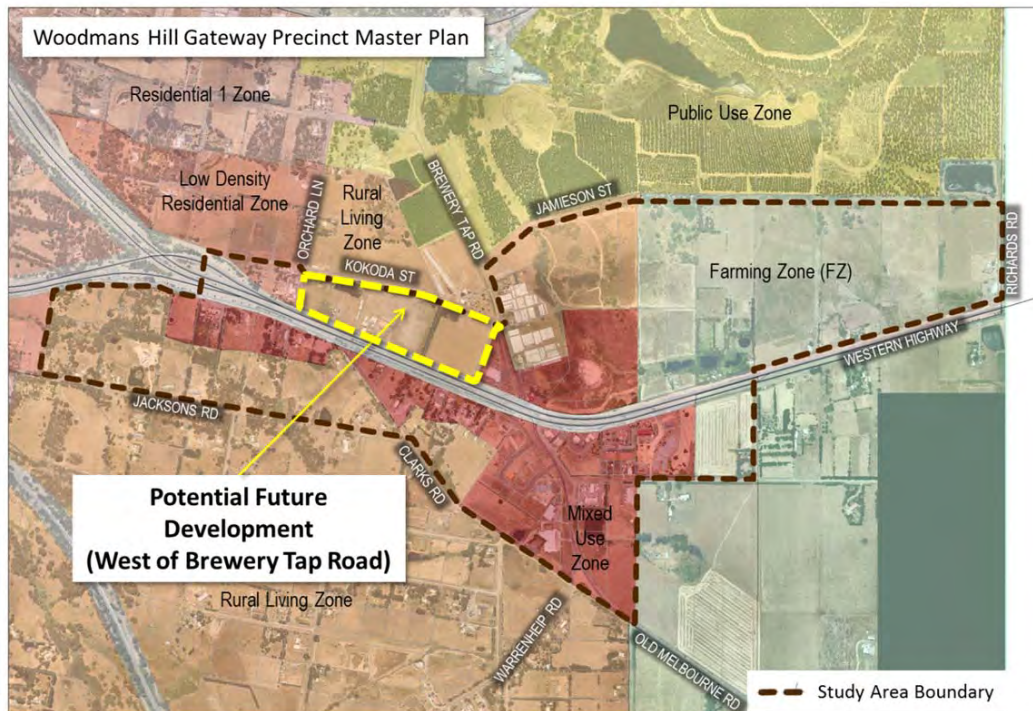


This site comprises the land at 12 Brewery Tap Road, currently zoned Rural Living Zone and occupied by flower farming operations. No change is proposed to the zoning of this parcel, however the site is recognised for 'potential future development' in this Master Plan given that it is surrounded on three sides by existing Mixed Use Zone. Future rezoning of the land to facilitate development would need to be undertaken by a proponent as a site specific rezoning.

Future development of this site would need to manage the interface with rural living land to the north, and development on surrounding properties would similarly need to manage the interface with this site to allow for ongoing unimpeded operation of the established intensive horticultural business.



## 6.5 Potential Future Development Site – West of Brewery Tap Road



The land is currently used for a variety of agricultural and horticultural activities and is adjacent to a site used for the display and sale of farm machinery. Given its significant highway exposure, appropriate high quality development on this site has the potential to capture significant economic activity that would otherwise not contribute to the Ballarat economy. The site is recognised for 'potential future development' in this Master Plan.

Careful consideration is required of the built form, layout, use, access arrangements, buffering and general quality of any development applications for this site given its high profile location at the main gateway to Ballarat, interface with rural living and low density residential land to the west and north, and difficulties with safe and appropriate site access prior to upgrade of the Western Highway to freeway status.

Prior to the Western Highway upgrade, it is recommended that future developments should consider:

- Access to the site be provided via a service road arrangement to and from the Western Highway, or if not possible then using Brewery Tap Road. Orchard Lane should remain a local access laneway and no direct road access to the site should be provided from Orchard Lane. Kokoda Street should also not be used for access to the site.
- The intersection of Brewery Tap Road and Western Highway requires complicated turning movements across multiple lanes of traffic, and the assessment of future developments prior to highway upgrade will require careful consideration of whether this intersection can safely accommodate such movements, particularly relating to heavy vehicles.
- Highway frontage is the primary reason for considering development in this location and so development should provide a direct, active and high quality interface with the Western Highway.



Use of the land that capitalises on the visual exposure to the highway and capture economic activity that contributes to the Ballarat economy are strongly encouraged. These uses could include, but are not limited to a service station and ancillary convenience restaurants/takeaway food premises, along with agricultural and machinery display, hire and sales.

Use of the land for industrial purposes, freight and logistics depots should be discouraged. These types of uses should be located in established industrial areas within Ballarat.

Rural Living Zone areas to the north and Low Density Residential Zone areas to the west may be particularly sensitive to development on this land. Appropriate buffers and interface management would be required to manage impacts on surrounding properties, and protect the existing rural character of the area. As discussed in Section 5 – Environment, there is a need to consider a potential biolink connection through this area.

To ensure appropriate development in this prime gateway location, strict planning controls such as a Development Plan Overlay should be considered, as appropriate.



# Chapter 7

## Design Principles





# 7 Design Principles

A series of principles based on Urban Design, Environmental Sustainability and Road Management and Safety have been established in the body of the Ballarat Entrances Strategy which are generic to all of the defined entrances to the city.

The key design principles which are considered relevant to Woodman's Hill have been included under each of the following headings:

## **Urban Design Principles**

- Develop attractive and inviting entrances which create a strong sense of arrival to Ballarat as a major regional city.
- Protect view lines to important landscape features and landmarks.
- Achieve high quality presentation of existing and new developments to ensure that the interface with the city's entrances complements and builds on the vision for each entrance.
- Establish landscape themes for each entrance which respond to the vision and objectives identified for each entrance.
- Ensure that buildings and other hard elements /infrastructure complements and adds value to the vision and objectives for each entrance and that visual clutter is reduced.
- Develop activity nodes along each entrance which reflects their significance and contribution to the urban fabric of the city as a whole.
- Enact appropriate planning policy statements and controls along each entrance to articulate and protect values and to achieve presentation for each entrance.
- Design and install creative and significant feature elements which reinforce a sense of place and character for Ballarat.
- Develop and implement a signage strategy which reflects the purpose and significance of each entrance.

## **Environmental Sustainability Principles**

- Protect remnant vegetation along Ballarat's entrances, including remnant vegetation proposed for future development.
- Increase the number of trees, plants and green spaces along Ballarat's entrances.
- In appropriate locations, use indigenous native plants that will contribute to local biodiversity.
- Minimise energy, water and chemical use in management and maintenance of Ballarat's entrances.
- Select materials for their durability and low maintenance requirements.
- Restrict areas of irrigation to high profile sites and activity nodes and utilise best practice water efficient irrigation systems and maximise the use of non-potable water for irrigation purposes.
- In unirrigated areas use drought tolerant plants in landscape design.




### **Road Management and Safety Principles**

- Use the landscaping and road infrastructure improvements along the gateway entrance routes to enhance safety, and ensure that safety is considered as part of the design and development of the improvements.
- Provide signage and other traffic control devices in a clear, consistent, useable (effective) and visually pleasing manner.
- Provide any attention-grabbing landscape features well away from locations where drivers need to make critical navigation or safety decisions.

The principles embodied in this section of the report have been translated either as notations on the Master Plan which reflect the recommendations of the Ballarat Entrances Strategy or as new recommendations which are consistent with the planning controls and policy recommendations which follow in the final section of this report.

Refer to **Appendix A** for the Master Plan.



## Chapter 8

# Planning Scheme Recommendations





# 8 Planning Scheme Recommendations

This section of the report outlines the proposed recommendations for implementing the Woodmans Hill Gateway Precinct Master Plan through the Ballarat Planning Scheme. The proposed amendments to the planning scheme build upon the findings of the Issues Paper and SWOT Analysis and the Design Principles considered appropriate for use within the precinct.

## 8.1 Municipal Strategic Statement

It is important that the findings of the Woodman's Hill Master Plan are given weight within the structure of the MSS. This will assist in providing the strategic basis for policies and controls in other sections of the planning scheme.

In order to address the identified gaps within the MSS, it is necessary to examine Department of Transport, Planning and Local Infrastructure Practice Note 4 titled '*Writing a Municipal Strategic Statement*' and review the following key headings and recommend changes if required.


- Clause 21.01 Municipal Overview
- Clause 21.02 Key Issues
- Clause 21.03 Ballarat Strategic Framework
- Clause 21.04 Land Uses
- Clause 21.05 Built Form and Amenity
- Clause 21.06 Environment
- Clause 21.07 Infrastructure
- Clause 21.08 Local Areas
- Clause 21.09 Further Strategic Work
- Clause 21.10 Reference Documents

To follow is a series of recommendations for each of the headings within the MSS which have specific relevance to Woodman's Hill. The proposed changes will either require a modification to the wording of the existing clauses, or deletion and replacement of new clauses which better reflect the intended outcomes of the Master Plan.

### Clause 21.04 Land Uses

Clause 21.04 provides an overview in relation to the strategic directions for land use within the City of Ballarat. Clause 21.04-6 makes specific reference to tourism activity within the Municipality. In particular Strategy 1.3 encourages tourism related land uses within the vicinity of Woodmans Hill.

However, the recent findings of the Issues Paper and SWOT Analysis has identified a change in policy with respect to tourism and its role in this precinct. Ballarat Tourism in particular are concerned that promoting further tourism related uses over and above what has already been approved will undermine the viability of the core tourism attractions within the vicinity of the Ballarat CBD.



Given that this has emerged as a clear economic concern for the City of Ballarat it is recommended that Strategy 1.3 under Clause 21.04-6 be deleted altogether.

#### **Clause 21.05 Built Form and Amenity**

Under Clause 21.05-1 Character, Objective 2 is 'To improve the appearance of the major entrances to the urban area'. Strategies to achieve this objective include:

- *Strategy 2.1 Improve the visual quality of major transport routes in recognition of their role in influencing the perception of residents and visitors, through such measures as signage consolidation and landscaping.*
- *Strategy 2.2 Facilitate the development of land abutting the Western Highway within the vicinity of Woodmans Hill in a way that has a positive impact on the appearance of this major city entrance.*
- *Strategy 2.3 Require that visual improvements be made to existing sites at major city entrances where planning approval is sought for buildings and works on the land.*
- *Strategy 2.4 Improve the visual appearance of existing industrial areas at major entrances to the City in accordance with the Ballarat Entrances Strategy.*

To ensure that the master plan is recognised within this clause, it is recommended that the wording of Strategy 2.2 be amended to read as follows:

- *Strategy 2.2 Facilitate the development of land abutting the Western Highway within the vicinity of Woodmans Hill in a way that has a positive impact on the appearance of this major city entrance, in accordance with the Woodmans Hill Gateway Precinct Master Plan (2013).*

#### **Clause 21.08 Local Areas**

The Master Plan advocates the incorporation of Woodmans Hill as a Local Area Policy at Clause 21.08 to guide the type of land use and development envisaged for the precinct.

As noted from the Issues Paper and SWOT Analysis, many stakeholders raised concerns in relation to the potential impact that may occur as a consequence of new and emerging retail, commercial and industrial development along the gateway precinct which may threaten the viability of the commercial centre of Ballarat. Increased tourism related uses have also been cited as potential threats to the more recognised tourism functions of the city.

Other issues relating to the protection of high quality agricultural soils also need to be acknowledged and applied within the Ballarat Planning Scheme.

The benefit of including Woodmans Hill within the MSS as a Local Area Policy is that it provides a safety net for guiding land use and development within specific areas that may not necessarily be controlled by zoning and overlay controls alone. In this regard the proposed planning policy recognises the need to address the following:

- *The protection of recognised areas of high quality agricultural soils;*
- *The need to encourage limited visitor retail, highway service related functions;*
- *The need to address the design principles for the precinct as noted in the Ballarat Entrances Strategy 2006; and*
- *The need to recognise, manage and protect koala habitats and native vegetation sensitivities.*

It is considered that the proposed Local Area Policy will give weight to the proposed overlays, particularly the DDO2 in establishing a framework for future land use and development built around the future alignment of the Western Highway.





#### **Clause 21.09 Further Strategic Work**

Under Clause 21.09-1 Land Use the following further strategic work is recommended:

- *Prepare the Woodmans Hill Gateway Master Plan identifying preferred land use and development.*

It is recommended that this dot point be deleted at such time as the planning scheme recommendations for implementing the Woodmans Hill Gateway Precinct Master Plan into the Ballarat Planning Scheme are undertaken.

#### **Clause 21.10 Reference Documents**

This Clause lists a series of local reference documents for the Municipal Strategic Statement. It is considered appropriate that reference is made to the Woodmans Hill Gateway Precinct Master Plan within this Clause.

## **8.2 Proposed Zones**

The Master Plan advocates the following change to zoning in the study area:

- *A reduction in the extent of the Mixed Use Zone which applies to the land on the south side of the Western Highway. This involves rezoning Mixed Use Zone (MUZ) to Rural Living Zone (RLZ) between the land parcels at 9413 Western Highway west towards 89 Jacksons Road;*

Zoning changes to the south of the highway will assist in consolidating the preferred location for uses within the highway service precinct in and around the intersection of Old Melbourne Road, Brewery Tap Road and the Western Highway. It will also prevent further inappropriate uses from establishing in locations which are recognised for their rural residential character to the south of the highway within proximity to Clarkes Road.

A potential future development site has been identified north of the Western Highway, and changes to the zoning of these parcels may be required to facilitate land use change. If required, a site specific rezoning would need to be undertaken by a proponent, considering the intended use of the land. Rezoning of these parcels to facilitate more intense development is supported by this Master Plan, but the actual rezoning of land is not a part of recommended implementation through the Master Plan process.

## **8.3 Proposed Overlays**

The Master Plan proposes a new overlay for the study area, as follows:

#### **Design & Development Overlay 2 (Amended)**

The existing DDO2 was originally prepared to introduce noise attenuation controls for specific buildings.

The proposed overlay recognises the need to refine and expand on a series of controls which will take into consideration the design principles of the Ballarat Entrances Strategy and reinforce the desired built form that will enhance the gateway precinct. The extent of the existing overlay boundary will be



extended into a broad area which focuses on the Mixed Use Zone generally 150 metres either side of the proposed freeway alignment, and along the gateway corridor which is consistent with the alignment of the existing DDO2 map.

The proposed controls will maintain focus on retaining noise attenuation measures associated with new development; however a new series of controls will be included which will address building height, bulk and setbacks, landscaping and advertising signage.

## 8.4 Non Statutory Recommendations

The Issues Paper and SWOT Analysis clearly identified concerns associated with the interim management of land holdings affected by the realignment of the Western Highway. Unfortunately a solution which legally binds management obligations between the various affected landowners, VicRoads and Council will be difficult to achieve by way of a planning control or local policy in this particular instance. In this regard it is recommended that Council liaise closely with VicRoads to ensure that the land management responsibilities established through the VicRoads *Vacant Land Management Strategy* are made more transparent, and that specific land management guidelines are established to ensure that these sites do not become derelict during the interim period prior to the upgrade of the Western Highway.

There are ongoing concerns regarding the safety of the Brewery Tap Road / Western Highway intersection within the study area, and it is recommended that Council liaise closely with VicRoads regarding options for improved safety in the interim period before the highway upgrade.

With respect to services, it is acknowledged that Central Highlands Water has no immediate plans for the implementation of a reticulated sewerage system within the study area in the short to medium term. Central Highlands Water will further investigate services in the area as part of a separate process in conjunction with Council.

Further investigation is required regarding the potential location and extent of biolink wildlife corridors through Ballarat, and Council should liaise with stakeholders on further work to be undertaken in regards to this issue.

Further investigation is also required to identify the 1% AEP flood extent in the area, along with identifying waterway buffers.

To ensure appropriate development of the three identified 'potential future development sites' in this prime gateway location, strict planning controls such as Development Plan Overlays should be considered, as appropriate, when applications for rezoning or development are submitted to Council.

# Chapter 9

## Conclusion





## 9 Conclusion

The Planning Scheme recommendations which have been prepared as part of this study will provide the foundations for the planning controls which will assist in achieving the desired vision for this precinct.

In essence the Master Plan will assist in achieving the following outcomes for the Woodman's Hill study area:

- It establishes the desired land use mix encouraged for the precinct;
- It consolidates the extent of mixed use zoned land on the southern side of the highway considered necessary for the precinct;
- It identifies the types of developments that are considered appropriate for this highway services related out of centre location;
- It identifies land for 'potential future development', which is supported by this Master Plan for future site specific rezoning and appropriate development;
- It gives weight to the desired entrance theme envisaged for the precinct through the application of appropriate planning controls.

It is envisaged that recommendations outlined in this study should form the basis of the changes that should be implemented in the Ballarat Planning Scheme.

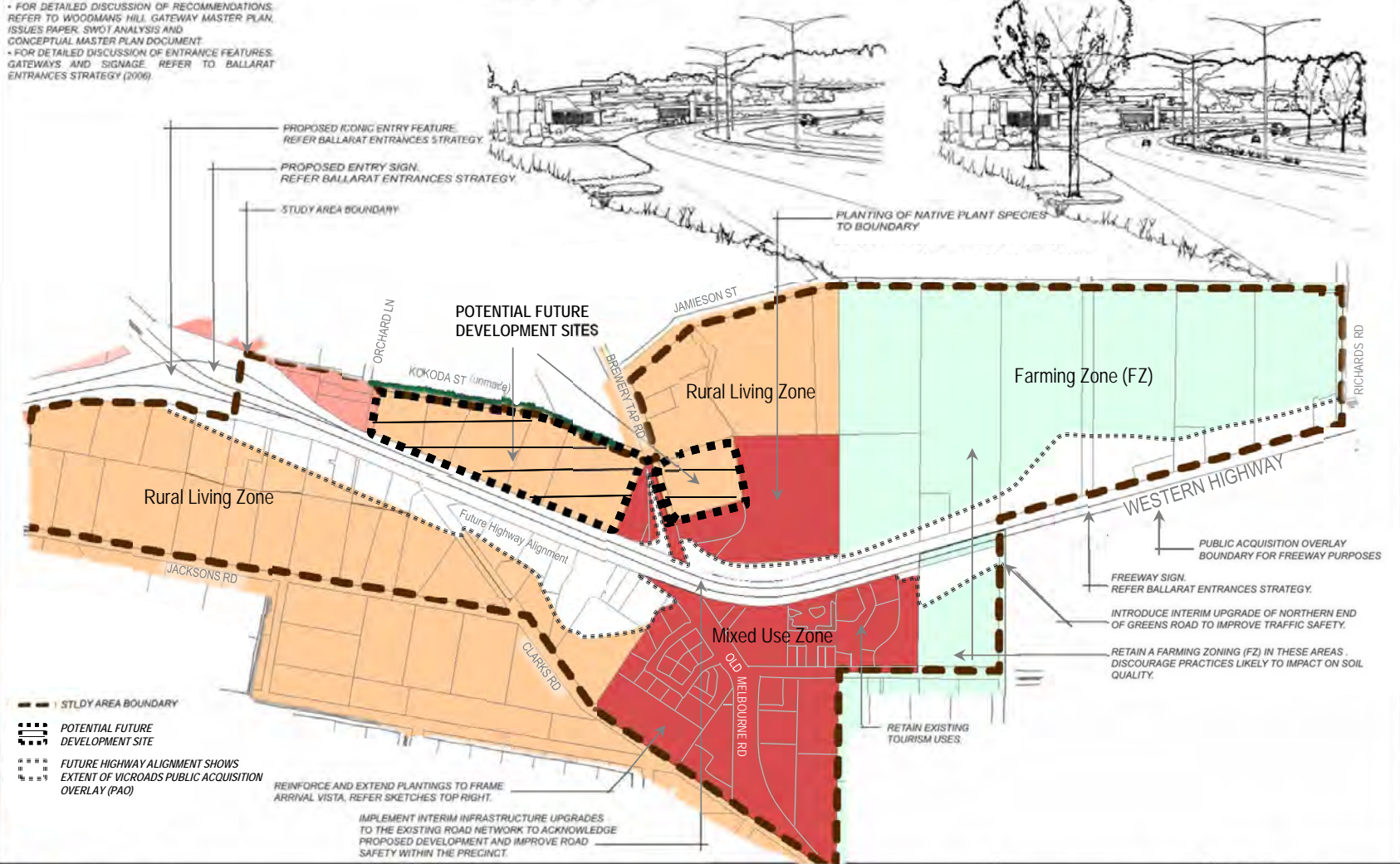
Appendix A  
Master Plan



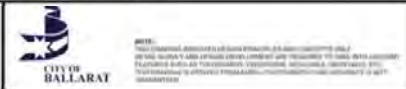
**GENERAL NOTES:**  
 DRAWING IS BASED ON AERIAL PHOTOGRAPHY, 2011  
 AND VIC ROADS OPTION D - PREFERRED OPTION  
 • FOR DETAILED DISCUSSION OF RECOMMENDATIONS, REFER TO WOODMANS HILL, GATEWAY MASTER PLAN, ISSUES PAPER, SWOT ANALYSIS AND CONCEPTUAL MASTER PLAN DOCUMENT.  
 • FOR DETAILED DISCUSSION OF ENTRANCE FEATURES, GATEWAYS AND SIGNAGE, REFER TO BALLARAT ENTRANCES STRATEGY (2006)

**SKETCH 1**  
 LOOKING WEST TO WOODMANS HILL,  
 EXISTING CONDITIONS.

**SKETCH 2**  
 LOOKING WEST TO WOODMANS HILL SHOWING EFFECT OF  
 STREET TREES AND EXTENDED BACKGROUND PLANTING.



**WOODMANS HILL  
 GATEWAY PRECINCT MASTER PLAN**  
 2014



PROJECT No.	2013/102
DWG No.	LP-01
CLIENT:	CITY OF BALLARAT



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## BALLARAT PLANNING SCHEME

### AMENDMENT C [insert amendment number] [Insert if combined permit and amendment]

#### EXPLANATORY REPORT

##### Who is the planning authority?

This amendment has been prepared by the City of Ballarat who is the planning authority for this amendment.

The Amendment has been made at the request of **Kaufmann Property Consultants**.

##### Land affected by the Amendment

The amendment applies to four land parcels namely, Crown Allotment 21 (Section 24), Crown Allotment 20 (Section 24), Lot 1 on PS 629326M and Lot 2 on PS 629326M and is bound by Kokoda Street, Brewery Tap Road, Western Highway and Orchard Lane, Woodmans Hill. Refer to Map below.



##### What the amendment does

- Rezone the land from Rural Living Zone to Mixed Use Zone (MUZ).
- Amend Planning Scheme Map 31 to introduce the MUZ to the subject site.

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

The Planning Scheme Amendment is required to facilitate the development of land for development in accordance with the Woodmans Hill Gateway Mater Plan (2015).

The Amendment is required to facilitate the commercial development of the land and promote the development of the gateway precinct to Ballarat.

The proposed Amendment is also consistent with the recommendations of the C173 Panel Report dated 1 December 2014.

The Amendment will have a positive economic effect through construction jobs, ongoing employment opportunities and catchment of trade which is currently being lost as demonstrated by the Economic Impact Assessment (Ethos Urban, April 2020)

The Amendment has no impact on traffic matters as demonstrated by the Traffic Engineering Impact Assessment (Traffix Group, March 2020)

There will be no adverse effect on the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity)

There are no Aboriginal cultural heritage issues on the site.

### **How does the Amendment implement the objectives of planning in Victoria?**

The amendment appropriately implements several objectives of planning in Victoria under section 4 of the Planning and Environment Act 1987 (the Act), in particular:

- *To provide for the fair, orderly, economic and sustainable use and development of the land,*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria,*
- *To balance the present and future interests of all Victorians.*

The amendment gives effect to these guiding principles and objectives by encouraging orderly development of land which forms part of a gateway precinct.

Economic, environmental and traffic assessments have been prepared for the land to ensure that all social, environmental and economic matters have been appropriately considered which is consistent with the objectives of planning in Victoria.

### **How does the Amendment address any environmental, social and economic effects?**

It is considered that the proposed amendment implements the objectives of planning in Victoria of the Act and adequately addresses any environmental, social and economic effects given that the proposal is considered to achieve a net community benefit for the reasons outlined in this report and supporting reports.

- The amendment is not anticipated to have any significant adverse environmental effects.
- The site has historically been used for grazing and agricultural uses and is cleared of all native vegetation and does not support any significant environmental features. The evidence from Biosis (October 2014) presented to and supported by the Planning Panel in Amendment C173 concluded that vegetation and environment within the area designated in C173 as "Potential Future Development" (which is the subject site) is currently unsuitable as habitat for most wildlife and as a wildlife movement corridor.
- There is likely to be a positive effect on air, land and water quality of the protected area.

- the effect on the health of ecological systems and the biodiversity they support will be improved through the restoration of the waterway and stormwater management.
- There will be no impact on natural resources.
- In support of this application, an Economic Impact Assessment has been undertaken by Ethos Urban (April 2020) which confirms the positive economic benefits and no impact to the retail hierarchy.
- Traffic and access movements are acceptable as demonstrated in the Traffix Group Assessment (March 2020)

**Does the Amendment address relevant bushfire risk?**

The proposal would ultimately result in a decrease to the risk to life and property from bushfire. The land is currently grassland which currently represents a risk. The development of the site would removed this risk.

**Does the Amendment comply with the requirements of any Minister’s Direction applicable to the amendment?**

The proposed amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the Act) and Ministerial Direction No. 11 (Strategic Assessment of Amendments)

**How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The proposal supports the relevant objectives and strategies of the PPF through the facilitation of a commercial development which has access to all services and infrastructure, has excellent access and will improve road network linkages and will have significant economic benefits. These outcomes of the amendment support or give effect to the policy framework and provide a net community benefit.

**How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

Relevant policy includes (but not limited to):

Clause 21.01-1 Context “Ballarat encompasses an urban core, outlying townships and a large agricultural base across approximately 740 square km. The population in 2014 was approximately 100,000 people. It is forecast to grow to approximately 160,000 by 2040 making Ballarat one of Australia’s fastest growing inland centres. Ballarat is also a significant source of jobs for regional Victoria.”

The most relevant policy is Clause 21.09-4 Woodmans Hill, which seeks to implement the Woodmans Hill Gateway Precinct Master Plan (January 2015). It recognises the Woodmans Hill Gateway as one of the major entry points to the City, and highlights the opportunity to improve the entry experience, both visually and from a land use perspective.

**Does the Amendment make proper use of the Victoria Planning Provisions?**

The proposed amendment makes proper use of the VPPs as it is the necessary tool to facilitate the development of the land.

**How does the Amendment address the views of any relevant agency?**

Preliminary discussions with relevant agencies have confirmed that there are no foreseeable issues with the serviceability or infrastructure provision to the site.

**Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is not likely to have an impact on the transport system, as defined by section 3 of the Transport Integration Act 2010.

**Resource and administrative costs**

The cost implications for a responsible authority in implementing and administering the new planning provisions is comparable to any other planning scheme implementation.

**Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

**City of Ballarat**  
**The Phoenix Building**  
**25 Armstrong Street South**  
**BALLARAT**

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

**Submissions**

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by [insert submissions due date].

A submission must be sent to:

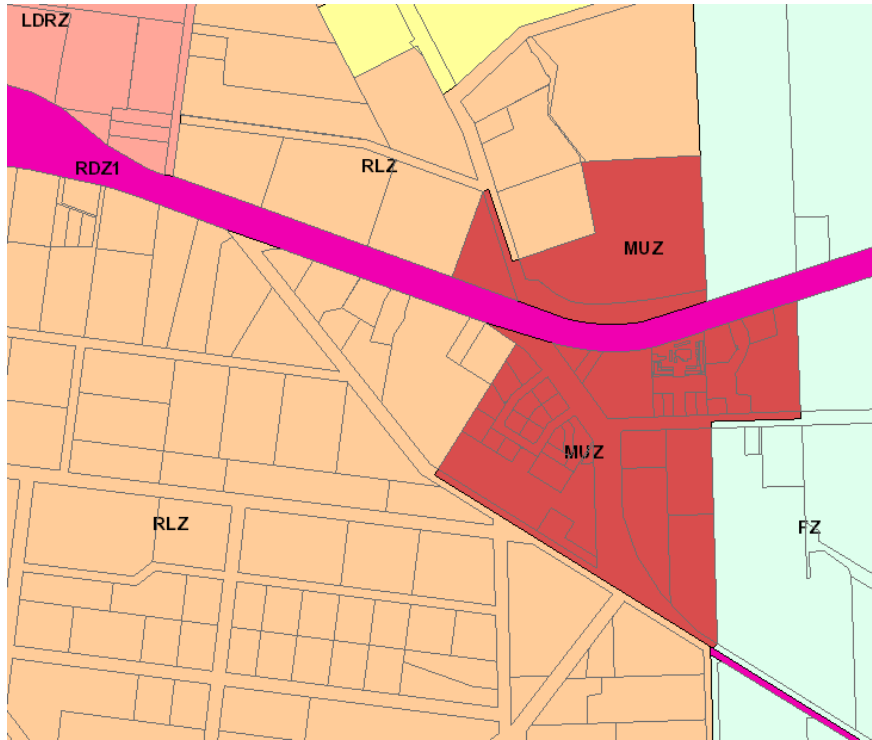
**City of Ballarat**  
**The Phoenix Building**  
**25 Armstrong Street South**  
**BALLARAT**

**Panel hearing dates**

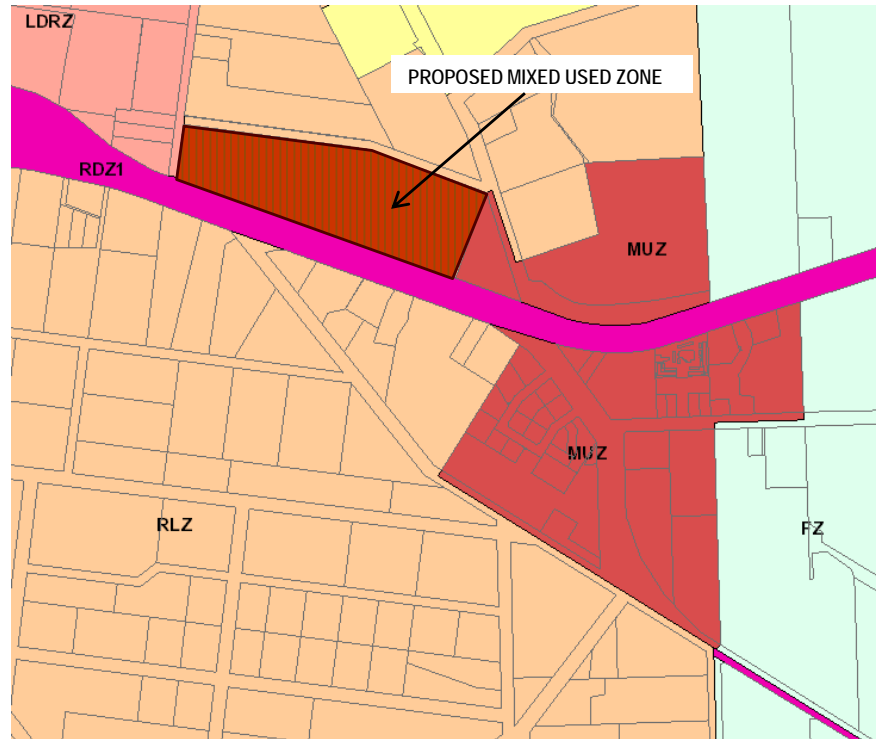
In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date] ]

### CURRENT



### PROPOSED





*Planning and Environment Act 1987*

## **Panel Report**

Ballarat Planning Scheme

Amendment C173

Woodmans Hill

**1 December 2014**



*Planning and Environment Act 1987*  
Panel Report pursuant to Section 25 of the Act  
Ballarat Planning Scheme Amendment C173  
Woodmans Hill



Kathryn Mitchell, Chair



William O'Neil, Member



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## Amendment Summary

<b>The Amendment</b>	Ballarat Planning Scheme Amendment C173
<b>Common Name</b>	Woodmans Hill
<b>Subject Site</b>	220 hectares of land on a 3.3 kilometre stretch of land on both sides of the Western Highway at the eastern entrance to Ballarat, through to the first major turn off into Ballarat (see Figure 1)
<b>Purpose of Amendment</b>	Implement the findings of the Woodmans Hill Precinct Master Plan by introducing planning controls to guide the long term development pattern of the Woodmans Hill Gateway Precinct and to rezone a number of properties in the precinct on the south side of the Western Highway from Mixed Use Zone to Rural Living Zone
<b>The Proponent</b>	None specified
<b>Planning Authority</b>	City of Ballarat
<b>Authorisation</b>	AO2774, 15 April 2014
<b>Exhibition</b>	22 May to 23 June 2014

## Panel Process

<b>The Panel</b>	Kathryn Mitchell, Chair and William O'Neil, Member, appointed 21 August 2014
<b>Directions Hearing</b>	Ballarat, 2 September 2014
<b>Panel Hearing</b>	Ballarat, 22 and 23 October 2014
<b>Site Inspections</b>	Unaccompanied, 2 September and 22 October 2014
<b>Appearances</b>	See Table 1
<b>Submissions</b>	36 submissions, listed in Appendix A
<b>Date of this Report</b>	1 December 2014

## Executive Summary

The Woodmans Hill Gateway Precinct comprises approximately 220 hectares of land at the eastern entrance to the City of Ballarat. It extends over 3.3 kilometres along the Western Highway. The precinct will be transformed in the coming years with extensive road works to be undertaken by VicRoads to realign the Western Highway. The extent of the realignment will impact on a number of land holdings within the precinct.

Amendment C173 to the Ballarat Planning Scheme seeks to implement the findings of the *Woodmans Hill Gateway Precinct Master Plan* through a number of zone and local planning policy changes which aim to guide the long-term development of the precinct. The development of the Master Plan has involved extensive consultation and negotiation led by the Council and has been a thorough strategic planning process.

The key issues raised by opposing submissions concerned the nomination of three parcels of land on the northern side of the highway (between Orchard Lane, Kokoda Street and Brewery Tap Road) as 'Potential Future Development Sites'. Local residents expressed concerns that development of the sites would negatively impact on their amenity due to a number of factors, including but not limited to increased noise and increased local traffic.

Contrary to these submissions, the owners of the land together with a number of other submitters support the designation of the land for future development based on the economic benefits and local employment opportunities. Having considered the range of competing views, the Panel concludes that the identification of the three sites as having potential future development is strategically justified and warranted. In forming this view the Panel accepts the traffic and planning evidence presented and tested during the Hearing that indicates that amenity and off-site impacts can be appropriately managed.

The Panel concludes that the *Woodmans Hill Gateway Precinct Master Plan* is a strategically sound document. The Panel is confident that the implementation of the Master Plan via Amendment C173 will provide effective guidance for the future development of the Precinct. A number of modifications to the drafting of the proposed local planning policy inclusions and the wording of Schedule 2 to the Design and Development Overlay have been recommended to improve clarity and direction.

Based on the reasons set out in this Report, the Panel recommends that:

**Ballarat Planning Scheme Amendment C173 be adopted as exhibited, subject to the following modifications:**

1. **Adopt the October 2014 version of the *Woodmans Hill Gateway Precinct Master Plan*, subject to the following amendments:**
  - a) **Replace *Figure 2 – Recommended future use and zoning plan* at Page 6 with the 14 February 2014 version which identifies the whole of the Wilson and Mahar land as “*Potential Future Development*”.**
  - b) **Delete the brackets and words “(excluding 65 Orchard Lane)” from the second last paragraph at page 9 and from the first dot point in the Recommendation on page 10.**
  - c) **Replace the Figure at Section 6.5, page 25, with the 14 February 2014 version which identifies the whole of the Wilson and Mahar land as “*Potential future development (West of Brewery Tap Road)*”.**

- d) Replace the first paragraph on page 26 with the following:  
*“Use of the land that capitalises on the visual exposure to the highway and capture economic activity that contributes to the Ballarat economy are strongly encouraged. These uses could include, but are not limited to a service station and ancillary convenience, restaurants/takeaway food premises, along with agricultural and machinery display, hire and sales”.*
  - e) Insert a new second paragraph on page 26, to immediately follow the revised text outlined in Recommendation 1.d):  
*“Use of the land for industrial purposes, freight and logistics depots should be discouraged. These types of uses should be located in established industrial areas within Ballarat”.*
  - f) Delete Appendix A, Appendix B, and Appendix C and all references to them in the Master Plan.
  - g) Rename Appendix D to *“Appendix A”* and replace the Woodmans Hill Gateway Precinct Master Plan with the 14 February 2014 version which identifies the whole of the Wilson and Mahar land as a *“Potential Future Development Site”*.
2. Replace the exhibited Clause 21.08-5 with the Panel recommended version contained in Appendix C.
3. Replace the exhibited Schedule 2 to the Design and Development Overlay with the Panel recommended version contained in Appendix D.

# 1 Introduction

Ballarat Planning Scheme Amendment C173 (the Amendment) was prepared by Ballarat City Council as Planning Authority.

In overview, the Amendment proposes to implement the findings of the *Woodmans Hill Gateway Precinct Master Plan* by introducing controls in the Ballarat Planning Scheme that seek to guide the long term development pattern of the Woodmans Hill Gateway Precinct and to rezone a number of land parcels on the south side of the Western Highway from Mixed Use Zone to Rural Living Zone. More specifically, the Amendment seeks to:

- Amend Clause 21.03 to include the rezoned Rural Living Zone in the Overall Framework Plan
- Amend Clause 21.04-2 to include the rezoned Rural Living Zone land in the Residential Framework Plan
- Amend Clause 21.04-6 to remove Strategy 1.3 under Objective 1 that encourages tourism related land uses within the vicinity of Woodmans Hill
- Amend Clause 21.05-1 to include specific reference (Strategy 2.2) to the *Woodmans Hill Gateway Precinct Master Plan* (2014) under Objective 2
- Amend Clause 21.08 to incorporate Woodmans Hill as a Local Area Policy
- Amend Clause 21.09 to remove reference to preparing the Woodmans Hill Gateway Master Plan
- Amend Clause 21.10 to incorporate the *Woodmans Hill Gateway Precinct Master Plan* (2014) as a Reference Document
- Amend Schedule 2 to the Design and Development Overlay to include additional controls which address building height, bulk and setbacks, landscaping and advertising signage, in addition to existing controls on noise attenuation
- Amend Map 31 Design and Development Overlay to include additional high profile sites north and south of the Western Highway in Schedule 2 to the Design and Development Overlay
- Amend Map 31ZN Zones to rezone the land abutting the Western Highway between 9413 Western Highway west towards Jacksons Road from Mixed Use Zone to Rural Living Zone.

The Amendment applies to approximately 220 hectares of land located along a 3.3 kilometre stretch on both sides of the Western Highway between the eastern municipal boundary of Ballarat and the first major turn off into Ballarat (bound by Kokoda Street and Jamieson Street to the north, and Jacksons Road and Old Melbourne Road to the south). The extent of the Amendment area is shown as Figure 1.

The Amendment was prepared by the City of Ballarat and was authorised by the Department of Transport, Planning and Local Infrastructure on 15 April 2014 (Authorisation No AO2774).





Figure 1 Area subject of Amendment C173

The Amendment was placed on public exhibition between 22 May and 23 June 2014, with 36 submissions received. The list of submitters is provided in Appendix A. Of the 36 submissions, 30 were from the community and six were from referral agencies or public authorities. The key issues raised by submitters are addressed in Chapter 2 of this report.

At its meeting of 13 August 2014, Council resolved to refer the submissions to a Panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 21 August 2014 and comprised Kathryn Mitchell (Chair) and William O'Neil (Member).

A Directions Hearing was held in relation to the Amendment on 2 September 2014. Prior to the Directions Hearing, the Panel undertook an unaccompanied inspection of the subject site and its surrounds. It undertook further unaccompanied site inspections during the course of the Hearing process.

The Panel met in the offices of the City of Ballarat on 22 and 23 October 2014 to hear submissions in respect of the Amendment. Those in attendance at the Panel Hearing are listed in Table 1.

Table 1 Parties to the Panel Hearing

Submitter	Represented by
City of Ballarat	Red McNamara of Hansen Partnership, with Jessie Keating, Coordinator Strategic Planning of Council.
Trevor Wilson and Andrew Mahar	John Cicero of Best Hooper, who called the following expert witnesses: <ul style="list-style-type: none"> <li>- Andrew Clarke of Matrix Planning in planning</li> <li>- Henry Turnbull of Traffix Group in traffic</li> <li>- John Miller of Biosis in ecology (report was tabled but witness not called to give evidence)</li> </ul>
Friends of Canadian Corridor	Jeff Rootes
Kerri and Bruce Wilson	
Nicole Reus	
Brian Green	
Michelle Wilson	
Jo Reus	
Phil Richards	
John Barnes	

## 2 The Proposal

### 2.1 The Woodmans Hill Gateway Precinct Master Plan

The *Woodmans Hill Gateway Precinct Master Plan* has been in the development pipeline for a number of years. Currently there is no strategic land use direction for this area.

The Amendment seeks to provide a clear framework for the intended use and development of land at the eastern gateway entrance to Ballarat and defines the desired vision for this precinct. Further, it seeks to provide the long term strategic land use direction of this key precinct to facilitate an appropriate mix of land uses and higher quality development opportunities to improve the entry experience.

The Western Highway at the eastern entrance to Ballarat does not have freeway status, and is subject to an 80 kilometre per hour speed limit due to intersecting roads and land uses. VicRoads has a medium to long term plan of five to 15 years to upgrade this section of road to freeway status and a Public Acquisition Overlay already applies in the area. The upgrade will significantly change the appearance of the precinct and is a key driver for future land use changes. The Panel is not considering the status of the Western Highway, the design of its upgrade or the extent of the Public Acquisition Overlay.

The *Woodmans Hill Gateway Precinct Master Plan* presents a series of actions that define the preferred vision for the precinct. The Master Plan will provide Council and the community with a clear framework on how land use and development will occur in the interim period prior to the realignment of the Western Highway, and in the years following completion of the works.

### 2.2 The Subject Site and Surrounds

The subject site and its surrounds provides an important gateway entrance into Ballarat from the east, both for visitors going directly into Ballarat or for those continuing on the Western Freeway and travelling further west and/or north. The Western Highway has a reserve width that ranges between 70 and 100 metres. In his planning evidence, Mr Clarke described the site in the following way:

*The area both sides of the highway comprises a mix of land uses and built form. Along the south side of the highway land uses include farming (grazing), vacant urban land, The Mill Markets (tourism retail, shops, convenience food and mini-golf), a vacated motel, two petrol stations, a used car sales yard, an as yet undeveloped industrial subdivision (Ballarat Gateway Business Park), a caravan park, caravan sales, a display home, two operational motels, a retail plant nursery and dwellings on various sized lots. Along the north side land uses include farmland, vacant land, the Brewery Tap Hotel, bottle shop and Motel, farm machinery sales (John Deere), and a large site behind the Brewery Tap Hotel in Brewery Tap Road used for flower growing and dwellings.*

The Master Plan area is gently undulating land with a series of valleys and ridgelines both north and south of the highway. The topography plays an important role in the visibility of

the Master Plan area – both from the highway and internally. An aerial photograph of the Master Plan area is shown in Figure 2.



Figure 2 Aerial Photo of 'Woodmans Hill Gateway Precinct'

### **2.3 Background to the Amendment**

The subject site has a long history, and the current Amendment is the result of significant strategic work since the early 2000s.

The Panel is aware that in June 2000, a Panel considered Amendments C10, C11, C12 and C13 to the Ballarat Planning Scheme, and a permit call-in relating to a Rivers Australia proposal by the Minister for Planning. That Panel recommended the adoption of Amendment C13, which reflected the proposed Western Highway upgrade and that a Gateway Precinct Plan be developed through local policy. In April 2004, Council sought expressions of interest to prepare a master plan for Woodmans Hill. While this project was commenced, it was put on hold by Council and then re-initiated in 2011.

In the meantime, Council adopted the Ballarat Entrances Study in August 2006, which acknowledges the importance an entrance makes to visitor and resident experiences in Ballarat. This Study makes specific reference to the Woodmans Hill precinct.

It is evident to the Panel that Council has undertaken significant public consultation with local residents and businesses in a range of matters relating to Woodmans Hill since the inception of this review in 2000.

## 2.4 Submissions

A total of 36 submissions were referred to the Panel for its consideration. These can be broadly grouped as agencies, those in support and those objecting. The Panel notes that some submissions provided overall support, but raised concerns about particular aspects of the Amendment. One submission (No 28) provided a petition with 18 names, addresses and signatures appended.

Agency and/or referral authority submissions were received from:

- Central Highlands Water
- EPA Victoria
- VicRoads
- Corangamite CMA
- CFA Grampians Region
- Department of Environment and Primary Industries

These agencies did not have any objections to the Amendment, but most indicated they should be kept informed of the outcomes as the Amendment proceeds beyond gazettal. VicRoads made some comments about the wording of the Design and Development Overlay.

Of the objecting submissions, the key issues raised include:

- Detrimental impacts on Orchard Lane and Brewery Tap Road, including traffic, lifestyle, residential amenity, and visual
- Land zoned Mixed Use fronting Clarkes Road (south of the Western Highway) should be rezoned to Rural Living Zone, as there are limited opportunities for development in this part of Ballarat
- There should be no further rezoning of land on the north side of the Western Highway due to major changes in amenity and visual pollution
- There should be no more fast food outlets
- Land for industrial purposes should be discouraged
- Impacts on heritage values of property south of the Western Highway
- The Amendment will encourage creep of industry into the Rural Living Zone
- The Amendment will compound previous mistakes by allowing further industry at the eastern entrance to Ballarat
- There should be a pedestrian and cycle bridge across the top of the Western Highway to allow for safe movement from one side of the highway to the other, as well providing for a wildlife corridor
- The Design and Development Overlay needs to be amended to provide more specific controls for developers.

Of the supporting submissions, the key issues raised include:

- Land on the north side should be zoned as Mixed Use to provide further business opportunities
- This is a sound proposal that will encourage further business in a prime location that allows for excellent exposure and new growth
- The Amendment will improve the entrance to Ballarat and provide many benefits with regard to business and employment opportunities

- The Master Plan and the design guidelines will provide a framework for future development and will be a positive for Ballarat
- Approval of the Amendment will provide tourism opportunities and other improvements to enhance the amenity of the area
- The Amendment could promote rural living, which is good for the area south of the Western Highway.

## **2.5 Issues dealt with in this Report**

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Panel has been assisted by the information provided to it as well as its observations from inspections of the subject land and its surrounds.

In its consideration of the submissions at its meeting on 13 August 2014, Council resolved to amend the exhibited Amendment and the *Woodmans Hill Gateway Precinct Master Plan* as follows:

- *Remove 65 Orchard Lane, Warrenheip from the area recognised for “potential future development” ...*
- *Extend Design and Development Overlay 2 to include additional sensitive sites ...*
- *Clarify specific matters raised and have these changes considered by the Planning Panel.*

The Panel directed the Council to respond to questions about this resolution at the Directions Hearing as part of its primary submissions. Council informed the Panel at the commencement of the Hearing that in recognition of the range of procedural issues associated with notice and exhibition requirements, it no longer sought a post exhibition modification to extend the Design and Development Overlay to additional sites.

This report deals with the issues under the following headings:

- Strategic planning context
- North side of Western Highway
- South side of Western Highway
- Wildlife corridor/biolink
- Changes to Planning Controls

### 3 Strategic Planning Context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report, and the submission of Council and the evidence of Mr Clarke provided a good overview of the planning context for this Amendment.

The Panel has reviewed the policy context of the Amendment and made a brief appraisal of the relevant zone and overlay controls, as well as the key imperatives of the *Woodmans Hill Gateway Precinct Master Plan*.

#### 3.1 Policy and Planning Control Framework

##### 3.1.1 State Planning Policy Framework

The Amendment supports or is consistent with the following clauses in the State Planning Policy Framework:

Clause 11.01-2: *Activity Centre Planning* - which seeks to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into Activity Centres which provide a variety of land uses that are highly accessible to the community.

Clauses 11.02-1 and -3: *Supply of Urban Land and Structure Planning* - both of which seek to ensure there is a sufficient supply of land available for a range of uses, and that there is effective planning and management of land uses and development through the preparation of Structure Plans and other relevant plans.

Clause 11.05-1: *Regional Settlement Networks* - which include the strategy to direct urban growth into the major regional cities of Victoria, of which Ballarat is one.

Clause 11.06-1: *Central Highlands Regional Growth – Planning for Growth*. This Clause supports Ballarat as the main centre for regional growth, services and employment, and the Central Business District as the primary focus for commercial, retail and service activity. The Clause has a number of specific Strategies relating to A Diversified Economy, Regional Links, Agricultural Productivity, and Cultural Heritage and Landscapes.

Clause 14.01-1: *Protection of Agricultural Land* - which includes the objectives to protect productive farmland that is of strategic significance in the local and regional context, and to ensure the State is protected from the unplanned loss of productive agricultural land.

Clause 18.01-2: *Transport System* - which includes a strategy to plan or regulate new uses or development of land near an existing or proposed transport route to avoid detriment to, and where possible enhance the service, safety and amenity of transport routes.

##### 3.1.2 Local Planning Policy Framework

The Amendment supports or is consistent with the following local planning objectives:

Clause 21.04: *Industry* - from which it is clear that the Ballarat Municipal Strategic Statement recognises the primacy of the Ballarat Central Business District and the importance of the Ballarat West Employment Zone for industry, research and development, freight hub and



related transport activities, aviation related uses and support services. Clause 21.04-8 identifies that agricultural land is important for the city's rural identity and that productive agricultural land is a finite resource that is valued, supported and that needs to be protected. Clause 21.04-6 includes a Strategy that states:

*Encourage the use of land abutting the Western Highway within the vicinity of Woodmans Hill for tourism related purposes.*

This strategy is sought to be removed via Amendment C173 based on the outcomes and recommendations of the *Woodmans Hill Precinct Master Plan*.

Clause 21.05: *Built Form and Amenity* - seeks to improve the appearance of the major entrances to the urban area. It includes the following strategy:

*Facilitate the development of land abutting the Western Highway within the vicinity of Woodmans Hill in a way that has a positive impact on the appearance of this major city entrance.*

Clause 21.05-3 deals with liveability where compatibility of land uses and minimisation of land use conflicts are acknowledged. Strategy 2.4 states:

*Improve the visual appearance of existing industrial areas at major entrances to the City in accordance with the Ballarat Entrances Strategy.*

Clause 21.06: *Environment* – which includes a number of relevant objectives and strategies relating the protection of native flora and fauna and landscapes.

Clause 21.07-1: *Roads* - which has an objective to provide for a road network that meets the transport needs of business and industry. A key strategy to achieve this is to provide for the use and development of land abutting roads included in the Road Zone and the Ballarat Western Link Road in a manner which has no detrimental impact on the efficient operation of the road.

Clause 21.09: *Further Strategic Work* – which includes the preparation of the *Woodmans Hill Gateway Precinct Master Plan* to identify preferred land use and development for this entry into Ballarat. This Amendment implements this strategic work.

There are three local planning policies relevant to the Amendment and the Woodmans Hill precinct:

Clause 22.02: *Industry* – which applies to all land in the Industrial 1 and Industrial 3 Zones and/or the use and development of land for industrial purposes. Relevantly, the Mixed Use Zone allows for light industrial uses. The objective of this policy, *inter alia*, seek to ensure that a high standard of urban design and landscaping is achieved to improve the amenity and appearance of industrial areas. Of particular relevance under *Site Layout and Facilities*, it is Policy that:

- *Industrial and commercial development adjacent to arterial roads and rail corridors should address those interfaces and be of a high visual standard to enhance the amenity of the transport corridors.*

Clause 22.04: *Koala and Habitat Protection* – which is related to the Environmental Significance Overlay - Schedule 5 and has been introduced to manage koala conservation issues, insofar as this can be dealt with through the Ballarat Planning Scheme.

Clause 22.13: *Rural Dwellings and Subdivision* – which applies to all land within the Farming Zone, and which seeks to provide for the retention of productive agricultural land for farming.

### 3.1.3 Planning Scheme Provisions

#### (i) Zones

An extract of the existing planning scheme zoning map for the Woodmans Hill precinct is shown in Figure 3. The following zones are currently applied:

- Mixed Use Zone, which includes much of the land to the immediate south of the Western Highway and a pocket to the north
- Rural Living Zone, which includes land to the north and south of the Western Highway, abutting the Mixed Use Zone to the south, and direct abuttal to the Western Highway in pockets to the north
- Farming Zone, which includes land to the north and south of the Western Highway at the entrance to the precinct from the east
- Road Zone Category 1, which includes the Western Highway reflecting its ownership and management by VicRoads.

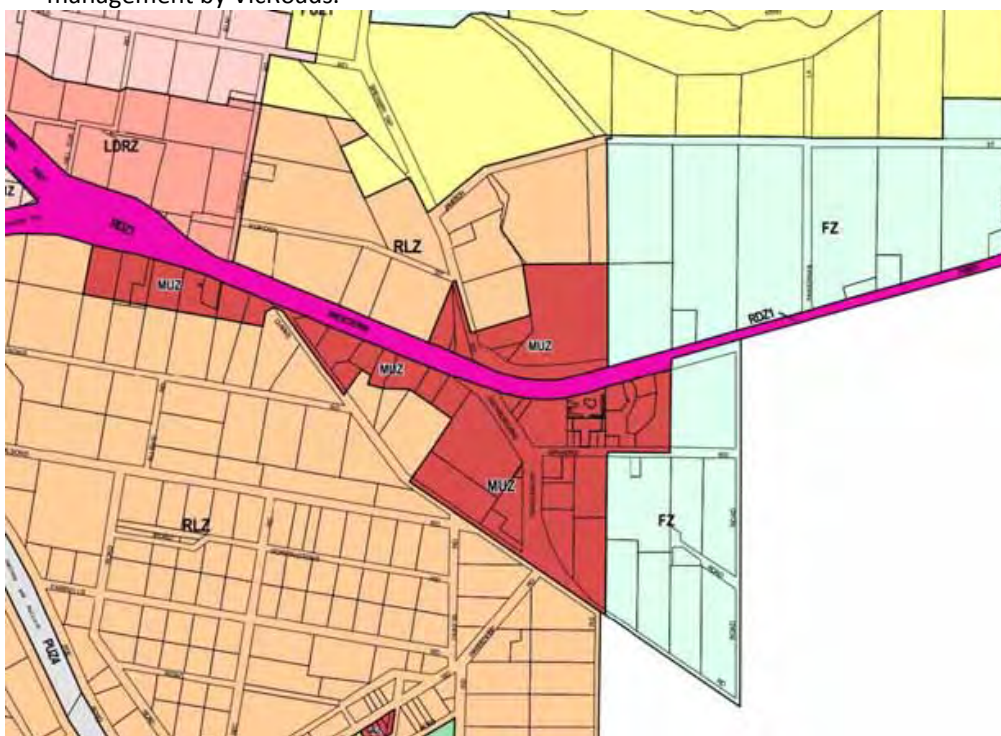


Figure 3 Existing Zoning Plan

**(ii) Overlays**

The Woodmans Hill precinct is variously covered by the following overlays:

- Environmental Significance Overlay, Schedule 5 (Koala and Koala Habitat Protection)
- Vegetation Protection Overlay, Schedule 1 (Native Vegetation Protection Areas)
- Design and Development Overlay, Schedule 2 (Western Highway – Leigh Creek to Woodmans Hill)
- Bushfire Management Overlay
- Public Acquisition Overlay, Schedule 1 (Roads Corporation – VicRoads).

**3.2 Strategic Assessment**

Council submitted that changes proposed to the Ballarat Planning Scheme via Amendment C173 are strategically justified and variously ensure adherence to the Council Plan (2013-2017); the State Planning Policy Framework; and are consistent with other provisions of the Local Planning Policy Framework. Having assessed the *Woodmans Hill Precinct Master Plan* and the proposed changes to the Planning Scheme, the Panel concludes that the Amendment is generally supported by the relevant sections of State and Local Planning Policy in the Ballarat Planning Scheme.

## 4 North Side of Western Highway

### 4.1 Key Issues

This part of the Western Highway is proposed to focus on highway related functions with associated retail and support for existing tourism activity. The key issue to be addressed is whether the *Woodmans Hill Gateway Precinct Master Plan* and the proposed Planning Scheme provisions support this direction through Schedule 2 to the Design and Development Overlay and the existing Rural Living Zone. More specifically, the Panel addresses whether the area of land notated as 'Potential Future Development' should be reduced as sought by Council following its consideration of submissions.

### 4.2 Evidence and Submissions

#### (i) Potential Future Development Sites – West of Brewery Tap Road

Mr Cicero represented T and K Wilson and Mahar Property Holdings Trust (Wilson and Mahar) at the Hearing. He called evidence from Mr Clarke (Matrix Planning) and Mr Turnbull (Traffix Group), and tabled evidence from Mr Miller (Biosis).

The Wilson and Mahar land is comprised of three adjacent properties (known as 65 Orchard Lane, 27 Brewery Tap Road and Kokoda Street) on the north side of the Western Highway, with a total site area of 11.9 hectares (Refer Figure 4).



Figure 4 Aerial View of Wilson and Mahar Land

The site has frontages to the Western Highway, Kokoda Street (which is an unconstructed road reserve) and Orchard Lane of approximately 659, 693 and 117 metres respectively.

Mr Turnbull described the occupancy of the subject land as follows:

*Land at 65 Orchard Lane is occupied by a dwelling and sheds, 27 Brewery Tap Road is occupied by a dwelling and a large number of sheds, and the Kokoda Street property is currently vacant. Access to each property is provided via a shared driveway along the southern boundary of each property. The shared driveway extends between Orchard Lane and Brewery Tap Road (via No. 9 Brewery Tap Road).*

The land is currently located in the Rural Living Zone. As identified in Figure 1 of this report, the exhibited version of *Woodmans Hill Gateway Precinct Master Plan* identifies the whole of the Wilson and Mahar land as a site for 'Potential Future Development'.

Section 6.5 of the exhibited *Woodmans Hill Gateway Precinct Master Plan* describes the development potential of the three sites as follows:

*The land is currently used for a variety of agricultural and horticultural activities and is adjacent to a site used for the display and sale of farm machinery. Given its significant highway exposure, appropriate high quality development on this site has the potential to capture significant economic activity that would otherwise not contribute to the Ballarat economy. The site is recognised for 'potential future development' in this Master Plan.*

*Careful consideration is required of the built form, layout, use, access arrangements, buffering and general quality of any development applications for this site given its high profile location at the main gateway to Ballarat, interface with rural living and low density residential land to the west and north, and difficulties with safe and appropriate site access prior to upgrade of the Western Highway to freeway status.*

The exhibited version of the Master Plan, (refer Figure 5) which is contained in Appendix D of the *Woodmans Hill Gateway Precinct Master Plan* report, and which is included as the Plan in the exhibited version of the proposed modification to Clause 21.08-5, identifies the whole of the site as a 'Potential Future Development Site'.

Eight submissions (No's 4, 5, 6, 9, 10, 12, 19 and 20) objected to the designation of parcels of the site as 'Potential Future Development'. The key issues raised by these opposing submissions included:

- Adverse impacts to the amenity of the existing and future residents along Orchard Road and the eastern side of Brewery Tap Road
- Traffic/access concerns due to:
  - No off-ramps to Western Highway
  - Kokoda Street being an unmade road reserve abutting residential properties
  - Orchard Lane being a no through road containing a number of rural living allotments/dwellings
  - Unsuitability of the intersection of Brewery Tap Road and Western Highway in accommodating an increased volume of traffic
- The land should be retained for agricultural/horticultural production.

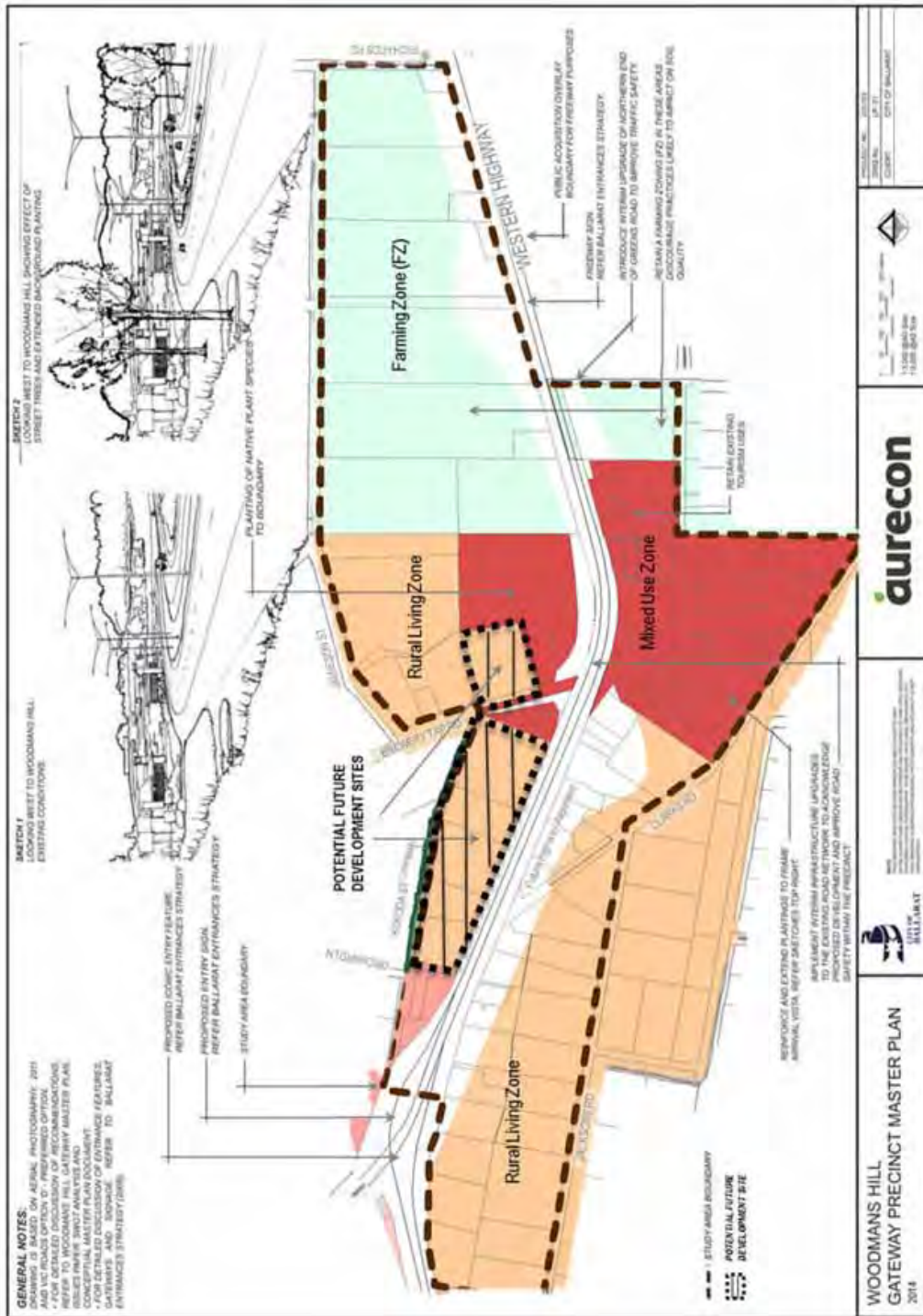


Figure 5 Exhibited Master Plan Included in Clause 21.08-5



In essence, opposing submitters stated that they highly value the existing ambience provided by their rural residential lifestyle and the lack of local vehicle traffic. The potential for noise and negative amenity impacts and increased traffic arising from the future development of the Wilson and Mahar land were raised as the major concerns. Many of the submissions were similar and some observed that:

*Development rights must be weighed against the overall impact of protecting the visual qualities of one of Ballarat's key entrances and making sure that we do not end up with an industrial estate or similar as the entrance to Ballarat.*

A number of the opposing submitters attended the Hearing and presented to the Panel (Refer Table 1). The verbal presentations reinforced their written submissions as summarised earlier. It is noted that the presentation by Mr Rootes on behalf of the Friends of the Canadian Corridor sought that the “*west end blocks of the potential development site*” should remain for agricultural or rural living purposes (This position was not put in the original written submission by the Friends of the Canadian Corridor).

The above views were not universally shared. Ten submissions (No's 3, 7, 13, 14, 16, 17, 18, 24, 30, and 32) were received from residents and the business community in support of the future development of the land for commercial purposes. The basis of concerns raised through these submissions included:

- Land suitability (i.e. not suitable for rural living purposes due to proximity to the Highway, generally flat and void of vegetation)
- Economic benefits and employment opportunities
- As compensation for the loss of Mixed Use Zone land on the south side of the Highway.

In response to opposing submissions, Council resolved at its meeting on 13 August 2014 to:

*Remove 65 Orchard Lane from the area recognised for “potential future development” and have this change considered by the Planning Panel, in response to submissions received.*

The area sought to be removed is reflected in Figure 6.



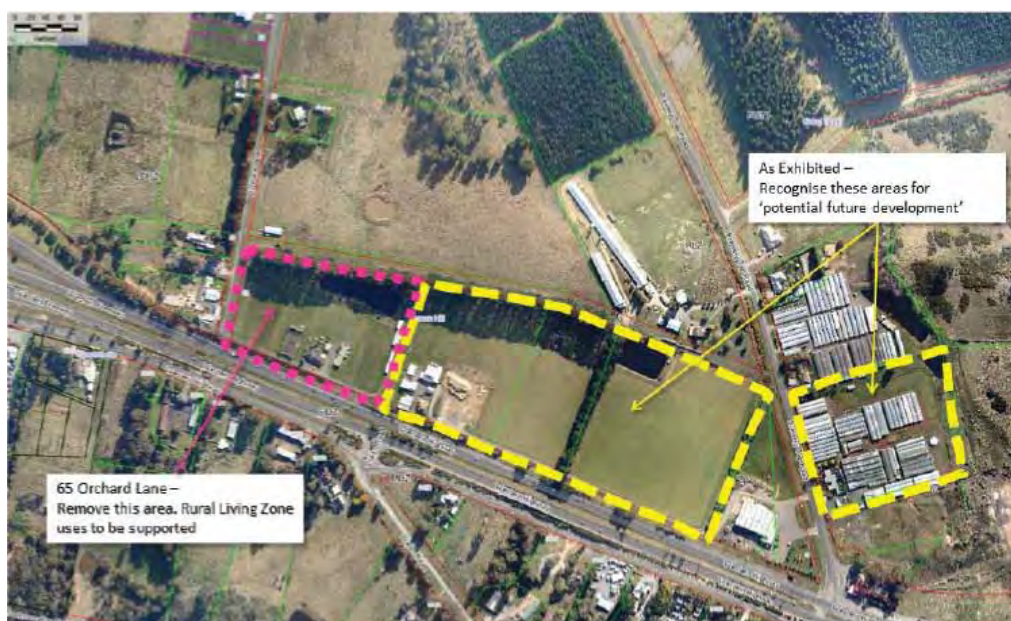


Figure 6 Reduced 'Potential Future Development' area sought by Council

In respect of this requested post exhibition modification, Mr McNamara submitted that the reduction in the area is intended to provide a buffer between the land and the existing residential properties, thereby protecting the area's rural living amenity. The submission from Council identified the following points in support of the designation of the remainder of the land 'Potential Future Development', and submitted the site:

- *has high profile visibility to passing traffic and potential to capture economic activity that would otherwise not enter the Ballarat economy ...*
- *is not conducive to a pleasant rural living environment - the proposed highway upgrades are likely to further degrade the lands suitability for rural residential uses;*
- *is 'bookended' by existing MUZ and LDRZ, both of which are ostensibly urban zones;*
- *is only moderately suitable for intensive agricultural production (as identified in the Agricultural Assessment submitted with supporting documents associated with Amendment C175);*
- *is comprised of large land parcels which are flat and generally void of significant vegetation;*
- ...
- *are unaffected by a Public Acquisition Overlay (PAO) or Environmental Significance Overlay (ESO5) - as is the case with land on the southern side of the highway;*
- *provides an opportunity to compensate for the loss of MUZ land to the south of the highway and maintain opportunities for business enterprises which*

*support local employment - as recognised by Council's Investment Facilitation Group;*

- *are unlikely to result in adverse impacts on existing retail and commercial operations in other parts of Ballarat; and*
- *have potential to draw more people to the precinct to increase trading activity for the existing businesses.*

On this issue, Council's submission concluded by reiterating that neither the Master Plan nor the proposed Amendment is suggesting that the specifics of the site's future are resolved to an extent that a rezoning should proceed at this point in time. Rather, *"the Amendment seeks to flag some of the likely issues and set some parameters for the use and development of the land - all of which will need to be considered as part of a separate amendment process"*.

On behalf of Mr Wilson and Mr Mahar, Mr Cicero submitted that his expert witnesses (Mr Turnbull, Mr Clarke and Mr Miller) all concluded that there is no reason why the subject land should not be shown in the Master Plan as 'Potential Future Development Sites'. He stated that *"there are no ecological or traffic engineering matters that would pose any unreasonable constraint on the development and use of the subject land"*. In relation to the amenity concerns raised by opposing submitters, Mr Cicero submitted that Mr Clarke and Mr Turnbull agreed that there is more than one design option to manage amenity issues, including providing access to future development sites from Brewery Tap Road, with access ways or roads that do not connect to Orchard Lane. He highlighted that Mr Turnbull's evidence included three preliminary concepts, all of which provided access to the site without utilising Orchard Lane. Mr Cicero further submitted that the proposed Design and Development Overlay Schedule as well as the local policy provisions to be included at Clause 21.08-5 *"include traffic requirements and strategies that go towards ensuring residential amenity is protected from the impact of new commercial development"*.

Mr Clarke's evidence noted that based on his conversations with Mr Turnbull, he was satisfied that all three land parcels could be developed without the provision of accessways or roads that connect to Orchard Lane. Accordingly, he considered that the potential future amenity impacts arising from the future development of the subject land could be well managed and addressed in detail during any further rezoning process for the land and/or through a subsequent permit application. In his opinion, Council's resolution to exclude the western most parcel of the subject land (65 Orchard Lane) was unnecessary.

As noted by Mr Cicero, the traffic evidence of Mr Turnbull included three preliminary concept plans for providing access to the site. Each of the options included a 20 metre wide and four metre high 'Landscape Buffer and Mound' on the western boundary of 65 Orchard Lane (the Panel has included Option C at Figure 7).



Figure 7 Preliminary Concept Plan, Option C

Mr Turnbull acknowledged that while the western most lot (65 Orchard Lane) currently is accessed via Orchard Lane, this access is not required to be retained for the development of the land in the future.

**(ii) Other issues north of the Western Highway**

The existing flower farm operation at 12 Brewery Tap Road is identified in the Master Plan as a site suitable for ‘Potential Future Development’. The rationale for its nomination is that it is currently zoned Rural Living and surrounded on three sides by land zoned Mixed Use. No submissions were lodged in opposition to the references in the Master Plan to this site.

The land further to the east of Brewery Tap Road is currently zoned a combination of Rural Living Zone, Mixed Use Zone and Farming Zone. The land was previously identified for a comprehensive mixed use development incorporating a large warehouse, retail outlet, 80 residential cabins and a conference facility with restaurant. The development was known as the Rivers Park Development and was subject of former combined rezoning/planning permit application. In late 2013 the Rivers clothing company was sold and Council was advised that the proposed ‘Rivers Park’ development would no longer be proceeding. The Master Plan has been updated to remove any references to the Rivers Park development. The site remains identified in the Master Plan as a ‘Key Site’. A range of issues are identified in the Master Plan which should be considered in the land’s future development.

Mr Barnes appeared at the Hearing and reiterated his opinion that the rezoning of the front half of site to the Mixed Use Zone was undertaken by Council “*under duress*”. Given that the

development has not proceeded, Mr Barnes submitted that the land should be rezoned back to either the Farming or Rural Living Zone.

The Panel notes that VicRoads intends to upgrade the section of the Western Highway between Warrenheip and Leigh Creek to freeway standard, and in this regard, Mr Turnbull provided the following advice about the proposed upgrade:

*Preliminary layout plans of the upgrade have been prepared by VicRoads, and include a significant length of elevated road in the vicinity of the subject site, with a freeway overpass at the Brewery Tap/Old Melbourne Road intersection as well as on and off ramps, and a secondary underpass and service roads to restore access to existing uses, predominantly along the south side of Western Highway.*

...

*VicRoads has a medium to long term plan (minimum 5-15 years away) to upgrade the section to freeway status with a series of road widenings, entry/exit ramps and flyover works.*

Mr Turnbull advised that to his knowledge, funds have not been allocated to the project and that at this stage, VicRoads does not have plans for any interim upgrade works. Schedule 1 to the Public Acquisition Overlay applies to the land to be acquired for the proposed works.

The Panel notes that the Amendment was referred to VicRoads who stated in its letter of 23 June 2014 that it did not oppose the Amendment, but it noted that “Access to any development must be via local roads or via a service road arrangement and no direct access is permitted onto the Western Highway”. This requirement has been included by Council in its post exhibition version of Schedule 2 to the Design and Development Overlay.

### **4.3 Discussion**

#### **(i) Potential Future Development Sites – West of Brewery Tap Road**

The designation in the Master Plans of the three sites west of Brewery Tap Road for ‘Potential Future Development’ was the key focus of opposing submissions during the Hearing. A number of these were premised on the assumption that future development of the land fronting the highway west of Brewery Tap Road would result in increased traffic along Orchard Lane. Mr Turnbull’s traffic evidence confirmed that future vehicular access to or from Orchard Lane is not required nor is it sought. Each of Mr Turnbull’s three concepts designs incorporate only one access road, that being from Brewery Tap Road in the north east corner of the site. The future service lane does not provide access to or from Orchard Lane.

On the basis of Mr Turnbull’s evidence, the Panel accepts that vehicle access from Orchard Lane to the proposed development sites fronting the Western Highway, west of Brewery Tap Road, is not required and that an appropriate landscaping treatment could be implemented in a future rezoning or permit application process to mandate this outcome. Limiting access to that provided from a new internal road off Brewery Tap Road, combined with requirements that future development must incorporate appropriate landscape treatments will, in the view of the Panel, significantly negate possible amenity impacts on the Rural Living and Low Density areas that are serviced by Orchard Lane.

The Panel notes that the existing row of trees along Kokoda Street provide a significant visual barrier from the Rural Living zoned land to the north and the Low Density Residential land to the north west. The Panel does not accept submissions advanced by Mr and Ms Wilson and the Friends of Canadian Corridor that the sites have a viable agricultural or horticultural future and should be retained for that purpose. The land is currently zoned Rural Living and is surrounded by Mixed Use zoned land to the east, Low Density Residential land to the west, Rural Living zoned land to the north. It will have Rural Living zoned land to the south (via this Amendment). Given the surrounding zoning pattern that promotes urban and semi urban development, as well as the site's current Rural Living Zone, the Panel considers it would be illogical and an inefficient use of the land to revert back to the Farming Zone.

On balance, the Panel considers that at this stage of the planning process, it is appropriate that all three sites west of Brewery Tap Road should be identified in the Master Plan as 'Potential Future Development'. The Panel accepts Council's initial assessment that the frontage of the sites to the Western Highway provide excellent highway exposure for highway related uses. The Panel considers the sites are capable of accommodating land uses such as a service station, convenience restaurants/takeaway food premises, agricultural and machinery display, hire and sales. In relation to the most westerly lot at 65 Orchard Lane, the Panel considers that potential negative amenity impacts for existing and future low density and rural living allotments can be effectively managed through the introduction of landscaping and access provisions in any future rezoning or permit application process.

#### **(ii) Other issues north of the Western Highway**

The designation in the Master Plan of the flower farm site as a 'Potential Future Development' was not contested. The Panel does not consider that there is strategic justification to reconsider rezoning the Mixed Use land east of Brewery Tap Road as sought by the submission of Mr Barnes. The Panel is satisfied with the 'Key Site' designation for this land remain within the *Woodmans Hill Gateway Precinct Master Plan*. The site has many attributes including its large size, its central location within the Precinct and its excellent highway exposure. Being in one ownership is also a significant advantage. The Panel accepts Council's submission that the future development of this site could include wide range of integrated land uses. The Panel considers that the Master Plan has clearly articulated future built form, design and development considerations for the land.

#### **4.4 Conclusions**

The Panel concludes that the identification of the three sites west of Brewery Tap Road having potential for future development is strategically justified and warranted. In forming this view, the Panel accepts the traffic and planning evidence presented and tested during the Hearing that indicates that amenity and off-site impacts can be appropriately managed via future planning processes including the potential rezoning of the land and the application of appropriate planning permit conditions. Accordingly the Panel does not support Council's proposed post exhibition change to remove 65 Orchard Lane from the area designated as 'Potential Future Development'. This finding is reflected in the Panel's recommended changes to the *Woodmans Hill Precinct Master Plan* and changes to *Clause 21.08-5* discussed in Chapter 7 of this report.

## **5 South Side of the Western Highway**

### **5.1 Key Issues**

The Amendment proposes to rezone land south of the Western Highway from the Mixed Use Zone to the Rural Living Zone. It also proposes to retain the Mixed Use Zone on land on the south side of the highway. A limited number of submissions raised issues about these aspects of the Amendment.

### **5.2 Evidence and Submissions**

#### **(i) Rezoning from Mixed Use Zone to Rural Living Zone**

In respect of the proposed rezoning from the Mixed Use Zone to the Rural Living Zone, Mr McNamara submitted that this aspect of the Amendment was largely uncontroversial. He highlighted that due to the extensive consultation with the affected land owners, there was a high degree of support for the rezoning, which was demonstrated by the receipt of a number of supporting submissions.

Mr McNamara noted that no submissions were lodged from affected landowners that indicated a concern with the loss and or reduction in redevelopment opportunities arising from the rezoning. He observed that a number of the properties which contain existing business' will continue to enjoy existing use rights. In respect of the rationale for rezoning this area Mr McNamara submitted:

*The rationale for rezoning this area is linked with the proposed realignment of the Western Highway and the lack of separation between this land and the RLZ land to the south. Also critical are the environmental sensitivities which exist as a result of the koala habitats and native vegetation - and reflected in ESO5.*

#### **(ii) Opposition to the retention of the Mixed Use Zone**

Seven submissions (No's 3, 8, 11, 18, 21, 28 and 31) highlighted concerns or opposition to acceptance of continued industrial development south of the Highway in the Mixed Use Zone land fronting Clarkes Road and Old Melbourne Road. The expressed concerns included potential impact on amenity, impact on heritage value of the nearby Killarney House, potential for "industrial creep" onto nearby land, and increase in truck traffic. The submissions sought to have the area rezoned back to the Rural Living Zone (None of these submitters attended the Hearing to elaborate on their concerns).

In response to these submissions, Council stated that the existing and proposed planning controls that apply to the land are sufficient to give Council and the community comfort that development outcomes will be sympathetic to the eastern entrance to Ballarat.

### **5.3 Discussion**

The Panel agrees with Council's assessment that rezoning of land on the southern side of the Western Highway from the Mixed Use Zone to the Rural Living Zone is resolved. No submissions are before the Panel that materially challenge this outcome. The Panel considers that the consultative processes undertaken with land owners and stakeholders in this part of the Precinct as part of the Amendment process has led to this positive outcome.

The Panel acknowledges that the Smiths Trucks subdivision located between Clarkes Road and Old Melbourne Road is on elevated land that gives the light industrial estate visual prominence within the broader gateway precinct. The subdivision of the land is complete. The Panel agrees with Council that revisiting the zoning of the land is not justified. The Panel accepts the submission of Council that the provisions of Schedule 2 to the Design and Development Overlay, which is to be extended to cover the whole of the estate via this Amendment, will result in appropriate design controls to ensure a high standard of built form on the land.

### **5.4 Conclusions**

The Panel concludes that the proposed rezoning of land from the Mixed Use Zone to Rural Living Zone on the south side of the Western Highway is strategically justified and supported. The Panel further accepts the Council's submission that the retention of the Mixed Use Zone on land adjacent to Clarkes Road and Old Melbourne Road is warranted. In forming this view the Panel is satisfied that the *Woodmans Hill Precinct Master Plan* and the various controls to be introduced via this Amendment (including Schedule 2 to the Design and Development Plan Overlay) will be effective in guiding Council's discretionary decision making in its assessment of future planning permit applications to ensure that future development is sympathetic to the entry location of the area.



## 6 Wildlife Corridor/Biolink

### 6.1 The Issue

The key issue to be addressed is whether the Master Plan should be modified to specify the location of a wildlife/biolink corridor on the Master Plan, and a pedestrian and cyclist crossing with fauna access from one side of the Western Highway to the other.

### 6.2 Submissions and Evidence

The submission by the Friends of the Canadian Corridor (Submission 29) noted its strong support for the direction proposed through the Master Plan and the Amendment more generally. Two issues were raised that the Friends of the Canadian Corridor requested further consideration be given. The submission requested that the Great Eastern Ranges Wildlife Corridor be explicitly identified in the Master Plan. Secondly the group advocated for the provision of “a pedestrian, cycle and fauna (small animal) access” across the Western Highway in the future.

Mr Rootes appeared at the Hearing on behalf of the group and provided a comprehensive submission to the Panel. The submission reiterated that the Friends of the Canadian Corridor are generally supportive of the Master Plan, however they consider it could be improved by specifying the location of the Canadian Corridor biolink in the Master Plan and by specifying commitments to undertake a range of other actions to enhance the biolink and connectivity across and throughout the region.

In relation to the issues raised by the Friends of the Canadian Corridor, the Council submitted:

*The Master Plan recognises the potential for a wildlife corridor, or 'biolink', through the area in Chapter 5. It notes that further investigation is required before the alignment or location of a link can be identified. Reference is also made to the land adjacent to Orchard Lane which should provide vegetation buffers that contribute to a biolink corridor, where appropriate. Further consideration is anticipated when design details of the highway upgrade are finalised by VicRoads, anticipated to occur in the next 5-15 years.*

The evidence statement tabled from Mr Miller advised that the biolink ambitions expressed by the Friends of the Canadian Corridor were sound and would not be compromised by the future development of the three blocks fronting the Western Highway west of Brewery Tap Road. The evidence statement noted that the Western Highway immediately south of the land designated for ‘Potential Future Development’ represented a major obstacle to wildlife movement and that there “seems to be little point” in revegetating a biolink on the three cleared sites given that it would end at the freeway. The evidence statement concluded that alternative options for establishing a biolink between the Creswick and Canadian Forests exists, including:

- *Enhancement of the existing vegetation area around the point where Victoria Street exits the freeway into Ballarat.*

- *Enhancement of the existing vegetation on either side of the Western Freeway westward to link up with the existing blocks of vegetation around little Bendigo and in the vicinity of Hillcrest Road, Brown Hill.*
- *Enhancement and connection of patches of existing vegetation in the vicinity of Gracefield Road.*

### **6.3 Discussion**

The Panel supports the intent of the submissions by Mr Rootes on behalf of the Friends of the Canadian Corridor. In reviewing Chapter 5 of the Master Plan, and in considering the tabled evidence of Mr Miller and submissions of Council, the Panel accepts Council's position that the Master Plan appropriately addresses the wildlife corridor and biolink issues. Specifically, the Panel notes that the Master Plan includes the following biolink/wildlife corridor recommendations:

- *Investigate local scale biolinks across Ballarat, which contribute to the region and national scale wildlife corridors;*
- *Investigate the revegetation of roadsides and other publically owned land with native vegetation, particularly in proximity to Orchard Lane;*
- *Future development proposals for the land between Brewery Tap Road and Orchard Lane should appropriately buffer the sensitive residential properties and rural character of Orchard Lane, and achieve a sensitive outcome using native vegetation buffers that contribute to a biolink corridor, where appropriate.*

In addition to the above recommendations contained within the Master Plan, Council's post exhibition version of the proposed new local policy provision at Clause 21.08-5 includes the following reference in its introduction:

*... The precinct also contains sites of koala habitat and native vegetation protection.*

*Council must therefore provide guidance towards establishing a desired land use framework for the Precinct that will ensure the ongoing protection of these attributes.*

In support, the proposed Objective 3 reads as follows:

*To achieve use and development that is compatible and sensitive to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.*

The proposed supporting strategies include:

*Strategy 1 Consider the design objectives contained in the Woodmans Hill Gateway Precinct Master Plan (2014). Ensure redevelopment of the freeway and land abutting the freeway through Woodmans Hill incorporates design of landscape elements consistent with the vision for the entrance.*

*Strategy 2 Minimise the impact of new development on view lines, natural landscapes and landforms within the precinct.*

The above policy direction is strongly reflected in the proposed Schedule 2 to the Design and Development Overlay, where an objectives says:

*To ensure that development is compatible and sensitive to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.*

Importantly, the Decisions Guidelines within the Schedule specify that before deciding on an application, Council as the Responsible Authority must consider whether the proposed building and works will enhance the Woodmans Hill Gateway Precinct in accordance with the criteria specified in the Schedule, particularly with respect to (among other things), “*Preservation of existing locally indigenous vegetation and habitat links*”.

Taking these matters into account, the Panel considers that these policy provisions provide sufficient guidance regarding the preservation and enhancement of wildlife habitat and biolinks within the precinct. The Panel acknowledges and supports the commitment specified in the Master Plan and Recommendation on page 19 to further investigate local scale biolinks across Ballarat. Further, the Panel accepts the evidence of Mr Miller and Council’s submission, that consideration of how best to achieve local wildlife connectivity across the Western Highway will be further considered through the detailed design process of the Highway upgrade by VicRoads, anticipated to occur in the next five to 15 years.

#### **6.4 Conclusions**

The Panel concludes that the post exhibition versions of the Master Plan, the proposed new Clause 21.08-5 Local Planning Policy provisions and the provisions of Schedule 2 to the Design and Development Overlay address and provide an appropriate level of guidance regarding the preservation of habitat and wildlife corridors within and through the Precinct. No further changes to the Amendment documents are recommended.

The provision of a pedestrian/wildlife crossing will be a matter for VicRoads during the detailed design phase of the new Western Highway extension.

## 7 Changes to Planning Controls

### 7.1 Woodmans Hill Gateway Precinct Master Plan

#### (i) The Issue

The Amendment seeks to amend Clause 21.10 to include the *Woodmans Hill Gateway Precinct Master Plan* as a Reference Document. A number of post exhibition changes to the document were recommended by the Council in response to its consideration of submissions. While many of the changes were not opposed by parties to the Hearing, others were contested. There was also discussion during the Hearing regarding how the final version of the document should be structured to ensure clarity in its strategic guidance.

#### (ii) Evidence and Submissions

Mr McNamara's opening submission for Council noted that the Master Plan had been modified in a number of places in response to submissions received. He noted that the changes requested by Council are reflected in the October 2014 version of the document circulated prior to the Hearing. As discussed in Chapter 4 of this report, the October 2014 version removed 65 Orchard Lane from the area recognised for 'Potential Future Development'.

Mr Clarke noted that the main thrust of the Master Plan and the Amendment is "... to improve the visual appearance of the Woodmans Hill area as the principal gateway into Ballarat". He suggested that the area is currently dysfunctional and degraded, and argued "is likely to be more so by the realignment of the highway when developed as a freeway". He criticised the Master Plan as "it lacks a clear land use vision in the proposed Mixed Use Zone and the potential future development sites". Elaborating on this issue, Mr Clarke observed that the Master Plan identifies land uses that are discouraged, but does not conceptualise land uses that are proposed. He concluded that the Master Plan (and the proposed local policy text at Clause 21.08-5) should be modified to include a description of land uses that are contemplated on the three proposed 'Potential Development Sites'.

On Day 2 of the Hearing, Ms Keating tabled two further revised pages from the Master Plan (Hearing Document 14). Ms Keating advised that the revisions were in response to the submissions and planning evidence on behalf of Wilson and Mahar, and issues raised by the Panel. In particular the changes clarified access arrangements to the potential development sites west of Brewery Tap Road and described the form of development Council envisaged on the potential development sites.

In presenting its closing submissions, Council noted that:

*Council has taken on board Panel's and submitter comments and attempted to clarify and simplify the objectives and strategies in the local areas policy, to better articulate the vision for the area from the Master Plan.*

Specific changes to the Master Plan noted by Council in its closing submission included:

- *Some additional guidance around potential uses for the land to the north of the highway in the Master Plan;*

- *Removal of Appendix A from the Master Plan (Issues and SWOT Analysis); and*
- *Move the Master Plan from Appendix D to Appendix A in the Master Plan.*

**(iii) Discussion**

As outlined in Chapter 4 of this report, the Panel does not agree with Council's submission that, as a post exhibition modification to the Master Plan, the property at 65 Orchard Lane should be excluded from the sites identified west of Brewery Tap Road as being 'Potential Development Sites'. The October 2014 version of the Master Plan should be amended to reflect this Panel finding by reinserting the exhibited version of all plans and text references to show the whole of the Wilson and Mahar land as 'Potential Future Development'. In noting this, the Panel highlights that it supports the other post exhibition changes Council proposed in the October 2014 version of the Master Plan in response to submissions. The Panel notes that the October 2014 version incorporates the late changes requested by the Corangamite Catchment Management Authority. Accordingly the Panel agrees that the October 2014 version should be adopted as the template for the final version of the Master Plan.

The Panel accepts the majority of the changes tendered by Council in Hearing Document 14 and acknowledges the effort of Council in compiling the changes in a timely manner. The changes explain what Council broadly envisaged for the 'Potential Future Development' areas, and provided the clarity sought by Mr Clarke in his planning evidence. The Panel accepts the changes (with further minor modifications), and the broad vision they articulate. Such direction is appropriate to be provided through a Master Plan. The Panel considers that the revised text will provide guidance in any future rezoning process for those sites.

Having endorsed the above changes to the Master Plan, the Panel notes that it not normal practice for Panels to recommend changes be made to Reference Documents following discussions during a Panel Hearing. However, due to the strategic significance of the proposed changes, the Panel in this instance supports the changes outlined in its recommendations.

**(iv) Conclusions and Recommendations**

The Panel concludes that a number of changes to the October 2014 post exhibition version of the *Woodmans Hill Gateway Precinct Master Plan* should be made in order to reflect the findings of the Panel.

The Panel recommends:

- 1. Adopt the October 2014 version of the *Woodmans Hill Gateway Precinct Master Plan*, subject to the following amendments:**
  - a) Replace *Figure 2 – Recommended future use and zoning plan* at Page 6 with the 14 February 2014 version which identifies the whole of the Wilson and Mahar land as "*Potential Future Development*".**
  - b) Delete the brackets and words "*(excluding 65 Orchard Lane)*" from the second last paragraph at page 9 and from the first dot point in the Recommendation on page 10.**

- c) Replace the Figure at Section 6.5, page 25, with the 14 February 2014 version which identifies the whole of the Wilson and Mahar land as *“Potential future development (West of Brewery Tap Road)”*.
- d) Replace the first paragraph on page 26 with the following:  
*“Use of the land that capitalises on the visual exposure to the highway and capture economic activity that contributes to the Ballarat economy are strongly encouraged. These uses could include, but are not limited to a service station and ancillary convenience, restaurants/takeaway food premises, along with agricultural and machinery display, hire and sales”*.
- e) Insert a new second paragraph on page 26, to immediately follow the revised text outlined in Recommendation 1.d):  
*“Use of the land for industrial purposes, freight and logistics depots should be discouraged. These types of uses should be located in established industrial areas within Ballarat”*.
- f) Delete Appendix A, Appendix B, and Appendix C and all references to them in the Master Plan.
- g) Rename Appendix D to *“Appendix A”* and replace the Woodmans Hill Gateway Precinct Master Plan with the 14 February 2014 version which identifies the whole of the Wilson and Mahar land as a *“Potential Future Development Site”*.

## **7.2 Clause 21.08-5 – Woodmans Hill Local Area Implementation Strategy**

### **(i) The Issue**

Based on the outcomes and findings of the *Woodmans Hill Precinct Master Plan*, the Amendment seeks to amend Clause 21.08 to include Woodmans Hill as a specific area at Clause 21.08-5 with individual objectives and specific implementation strategies. There was considerable discussion during the Hearing regarding the wording of the new provision.

### **(ii) Evidence and Submissions**

Mr McNamara’s opening submission for Council noted that the proposed Clause 21.08-5 policy addition had been modified in a number of places in response to submissions received. The changes are reflected in the tracked changes version of the document circulated prior to the Hearing.

Mr Clarke noted the first five built form objectives in Clause 21.08-5, whilst generalised, are reasonable. However, he expressed concerns with a number of the design strategies and the framing and structure of the proposed new clause. The evidence statement of Mr Clarke identified and addressed his concerns in some detail.

On Day 2 of the Hearing, Ms Keating tabled a revised version of the proposed Clause 21.08-5 policy, with changes accepted (Hearing Document 11) and with changes tracked (Hearing Document 12). Ms Keating advised that the revisions were in response to the submissions and planning evidence on behalf of Wilson and Mahar, and the structural and clarity issues raised by the Panel.

As noted in the overview of submissions in Chapter 7.1 of this report, Council advised it had made further modifications in response to issues raised by the Panel and submitters, including Mr Clarke.

The closing submission on behalf of Council reiterated that *“Council wants to create strong policy with clear intent”*.

**(iii) Discussion**

The Panel considers that Council’s final version of Clause 21.08-5 is a superior version compared to that which was exhibited. In noting this, the Panel does not consider that the new version reflects substantive change in policy direction, but rather provides improved clarity by deleting repetitive and obsolete components.

A round table review of the revised policy was undertaken prior to the close of the Hearing on a without prejudice basis with all parties and submitters invited to contribute. A number of further modifications were discussed. The Panel’s recommended wording is reflected in the marked up version of the policy in Appendix C.

**(iv) Conclusions and Recommendations**

The Panel concludes that the version of the proposed Clause 21.08-5 that was tabled on Day 2 of the Panel (Hearing Document 11) represents a superior version of exhibited Local Policy. It should be adopted subject to a number of further modifications made by the Panel as reflected in Appendix C.

The Panel recommends:

- 2. Replace the exhibited Clause 21.08-5 with the Panel recommended version contained in Appendix C.**

**7.3 Schedule 2 to the Design and Development Overlay**

**(i) The Issue**

The Amendment seeks to amend Schedule 2 to the Design and Development Overlay to include additional controls which address building height, bulk and setbacks, landscaping and advertising signage and extend the application of the Overlay to a number of sites on both the north and south side of the Western Highway. The additional provisions are to augment the existing noise attenuation provision contained in the Schedule. A number of post exhibition changes to the Schedule were recommended by Council in response to its consideration of submissions. There was discussion during the Hearing regarding the wording of the Schedule.

**(ii) Evidence and Submissions**

Mr McNamara noted that in response to submissions, Council sought a number of modifications to the exhibited Schedule 2 to the Design and Development Overlay. The changes requested by Council were circulated prior to the Hearing in a tracked change version of the Schedule. Council’s submission stated that the proposed wording provides an appropriate level of direction regarding the nature of preferred built form and design



outcomes, and noted that the schedule contains a mix of prescriptive and performance based provisions *“to deliver certainty on some issues and allow for discretion on others”*.

Mr Clarke’s planning evidence noted that the proposed Schedule *“includes built form and landscaping requirements and principles that can ensure residential amenity is protected from built form impacts of new commercial development”*.

Mr Barnes requested that Schedule 2 to the Design and Development Overlay be modified to include an additional section saying *“that because of the sensitivity of the site, developers should anticipate being required to pay a security deposit in favour of the City of Ballarat to the value of 20% of the contracted construction costs prior to the commencement of site works”* together with refunding provision to ensure design commitments are honoured.

On Day 2 of the Hearing, Ms Keating tabled a revised version of the Schedule, with changes accepted (Hearing Document 13). Ms Keating advised that the minor revisions were in response to the submissions and planning evidence on behalf of Wilson and Mahar. The changes include removal of the *Woodmans Hill Gateway Precinct Master Plan, 2014 Issues Paper and SWOT Analysis, 2014* from the list of the Schedule References, removal of repetitive Buildings and works provisions, and correction of typographical errors.

### **(iii) Discussion**

The Panel notes that no submissions were lodged that opposed the extension of the Design and Development Overlay to the high profile sites on the north and south side of the Western Highway. The Panel considers that Council’s Day 2 Hearing version of the Schedule (Hearing Document 13) is clearer in its wording and intent to that which was exhibited. The Panel accepts Council’s submission and the planning evidence of Mr Clarke, that the revised Schedule provides an appropriate level of direction regarding the preferred built form and design outcomes sought.

The Panel does not support the need for modification of the Schedule to flag a security deposit requirement as sought by Mr Barnes, as it considers there are sufficient compliance measures built into a planning permit and building permit application processes.

A round table review of the revised Schedule was undertaken prior to the close of the Hearing on a without prejudice basis with all parties and submitters invited to contribute. A number of further modifications were discussed. The Panel’s preferred wording is reflected in the marked up version of the policy in Appendix D of this report.

### **(iv) Conclusion and Recommendations**

The Panel concludes that that the version of Schedule 2 to the Design and Development Overlay that was tabled on Day 2 of the Panel (Hearing Document 13) represents a superior version of exhibited Schedule. It should be adopted subject to a number of further modifications made by the Panel as reflected in Appendix D.

The Panel recommends:

- 3. Replace the exhibited Schedule 2 to the Design and Development Overlay with the Panel recommended version contained in Appendix D.**

## **7.4 Other Clause 21 Changes**

### **(i) The Issue**

The Amendment proposes a number of other changes to the Local Planning Policy Framework including:

- Amend Clause 21.03 to include the rezoned Rural Living Zone in the Overall Framework Plan
- Amend Clause 21.04-2 to include the rezoned Rural Living Zone land in the Residential Framework Plan
- Amend Clause 21.04-6 to remove Strategy 1.3 under Objective 1 that encourages tourism related land uses within the vicinity of Woodmans Hill
- Amend Clause 21.05-1 to include specific reference under Objective 2, Strategy 2.2 that development should be facilitated in accordance with the *Woodmans Hill Gateway Precinct Master Plan (2014)*
- Amend Clause 21.09 to remove reference to preparing the Woodmans Hill Gateway Master Plan.

### **(ii) Evidence and Submissions**

No party to the Hearing opposed the above identified other Clause 21 changes, other than in the context of submissions discussed by the Panel in previous sections of this report. The Council submitted that the changes are strategically justified and that they variously ensure adherence to the Council Plan (2013-2017), the State Planning Policy Framework and are consistent with other provisions of the Local Planning Policy Framework outlined in the Ballarat Planning Scheme.

### **(iii) Discussion**

The Panel considers that the remaining Clause 21 changes proposed are consistent with the finding and recommendations of the *Woodmans Hill Precinct Master Plan (2014)*. Their inclusion in Clause 21 provides appropriate strategic guidance for the development of the Woodmans Hill precinct and will aid future decision making.

### **(iv) Conclusion**

The Panel supports the inclusion of the remaining Clause 21 modifications to the Ballarat Planning Scheme proposed via the Amendment.

## Appendix A List of Submitters

No.	Submitter	No.	Submitter
1	John Barnes	22	Richard McClure
2	Central Highlands Water	23	Sean Parnell
3	James Leviston	24	Justin Bentley
4	Tim and Michelle Wilson	25	VicRoads
5	Alex Djordjevic	26	Mike Kauffman for Wilson and Mahar
6	Bruce and Kerri Wilson	27	James Petrie
7	Nick Grylewicz	28	James Petrie, with 19 signatory petition
8	Heather and Brett Donaldson	29	Jeff Rootes, Friends of Canadian Corridor
9	Tim Hall	30	Noel Coxall
10	Brian and Wendy Green	31	Peter and Camille Rice
11	Ernest Hills	32	Dean Stuhldreier for Porter Industries Pty Ltd
12	Phillip and Sarah Richards	33	Corangamite Catchment Management Authority
13	William Adams Pty Ltd	34	Country Fire Authority
14	Agrimac	35	Rosalie Bilson
15	Environment Protection Authority	36	Department of Environment and Primary Industries
16	Val and Martin Brown		
17	Gavin James		
18	Gordon Roberts		
19	Joe and Leanne Reus		
20	Andrew and Nicole Reus		
21	Frank Parnell		

## Appendix B Hearing Document List

No.	Date	Description	Presented by
1	22/10	Overview of Amendments C10, C12 and C13	Ms Keating from Council
2	"	Ballarat City Council submission to Panel	Mr McNamara for Council
3	"	Rivers Development – Development Plan (June 2013)	Mr McNamara
4	"	Legend plan indication location of photos contained in Council's submission	Mr McNamara
5	"	Council's post exhibition marked up version of Design and Development Overlay Schedule 2	Mr McNamara
6	"	Council's post exhibition marked up version of Clause 21.08-5	Mr McNamara
7	"	Outline of submissions on behalf of Mr T Wilson and Mr A Mahar	Mr Cicero for Wilson and Mahar
8	23/10	Submission on behalf of Friends of the Canadian Corridor	Mr Rootes
9	"	1991 Report from P Prettet to Parks Officer for Planning and Development	Mr Rootes
10	"	Submission on behalf of Brian Green	Mr Green
11	"	Council's updated Day 2 hearing version of Clause 21.08-5 (Untracked)	Ms Keating
12	"	Council's updated Day 2 hearing version of Clause 21.08-5 (Tracked Changes on)	Ms Keating
13	"	Council's updated Day 2 hearing version of Design and Development Overlay Schedule 2	Ms Keating
14	"	Council's updated Day 2 hearing version of Pages 25 and 26 of the Master Plan	Ms Keating
15	"	Economic Assessment (July 2013) of 27 Brewery Tap Road	Ms Keating
16	"	Plan highlighting key landowners in the Woodmans Hill Gateway Precinct	Ms Keating
17	"	Submission on behalf of Joe Reus	Mr Reus
18	"	Submission on behalf to Andrew and Nicole Reus	Ms Reus
19	"	Submission on behalf of Bruce and Kerri Wilson	Ms Wilson
20	"	City of Ballarat closing submission	Ms Keating
21	"	Power Point Presentation	Mr Richards
22	"	Agricultural Assessment by Phillips Agribusiness	Mr Cicero

## Appendix C Panel Recommended Version of Clause 21.08-5

Base Document is Hearing Document 11, Council's updated Day 2 Hearing version of Clause 21.08-5

Tracked Added

~~Tracked Deleted~~

**21.08-5 Woodmans Hill**DD/MM/YYYY  
Proposed C173

Woodmans Hill is located at the eastern entrance to the City of Ballarat. The area extends approximately 3 kilometres along both sides of the Western Highway, between the eastern municipal boundary of the City of Ballarat and the first major highway turnoff into Ballarat.

VicRoads plan to undertake significant road works to realign the Western Highway within the Woodmans Hill Gateway Precinct. The extent of the realignment will impact on the majority of land holdings within the Precinct and as such, future land use planning must allow for a smooth and sustainable transition.

Of particular importance is the need to develop a gateway precinct, that announces entry into Ballarat and that minimises ad-hoc development that may otherwise compromise the appearance and appeal of the area. It is also of importance to ensure that any new retail and industrial development does not conflict with the intent of Council's retail and industrial strategies.

The *Woodmans Hill Gateway Precinct Master Plan* (October 2014) recognises the Woodmans Hill Gateway as one of the major entry points to the City, and highlights the opportunity to improve the entry experience, both visually and from a land use perspective. The Woodmans Hill Precinct is recognised for its high quality agricultural soils, particularly on the north side of the Western Highway. The precinct also contains sites of koala habitat and native vegetation protection.

Council must therefore provide guidance towards establishing a desired land use framework for the Precinct that will ensure the ongoing protection of these attributes. In this regard it is important to facilitate an appropriate mix of land uses and high quality development to improve the entry experience, as reflected in the *Woodmans Hill Gateway Precinct Master Plan* (October 2014).

The objectives for the Precinct include:

- Objective 1 To provide a distinctive entrance to Ballarat that will enhance the image and reflect the nature, history and culture of the Municipality, including through the provision of a major entrance feature/public art element.
- Objective 2 To achieve use and development that is ~~compatible and sensitive~~ respectful to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.
- Objective 3 To encourage high quality sustainable built form.
- Objective 4 To achieve land use outcomes that add to the overall economic diversity of Ballarat without compromising the economic viability of Ballarat's Activity Centres, in particular the Ballarat CBD and the Ballarat West Employment Zone.
- Objective 5 To achieve a land use mix that has a focus on highway related functions, with ancillary retail and support for existing tourism uses that capture passing economic activity that ~~would otherwise not~~ contributes to the Ballarat economy.

**Implementation Strategies****Land use and development**

- Strategy 1 Consider land use and development proposals generally in accordance with the *Woodmans Hill Gateway Precinct Master Plan* (October 2014).
- Strategy 2 Restrict commercial use and development within the Precinct to land within the Mixed Use Zone.
- Strategy 3 Ensure an appropriate interface/buffer between the commercial and rural, rural living and residential areas of the precinct as appropriate.

**Design**

- Strategy 1 Consider the design objectives contained in the *Woodmans Hill Gateway Precinct Master Plan* (October 2014). Ensure redevelopment of the freeway and land

- abutting the freeway through Woodmans Hill incorporates design of landscape elements consistent with the vision for the entrance.
- Strategy 2 Minimise the impact of new development on view lines, natural landscapes and landforms within the precinct.
- Strategy 3 Discourage the proliferation of advertising signage.
- Strategy 4 Ensure that development addresses the design principles set out in the *Woodmans Hill Gateway Precinct Master Plan* (October 2014).
- Strategy 5 Ensure that the design of new development incorporates environmentally sustainable design principles.

#### **Application Requirements**

Applications for land uses adjacent to the Western Highway are required to:

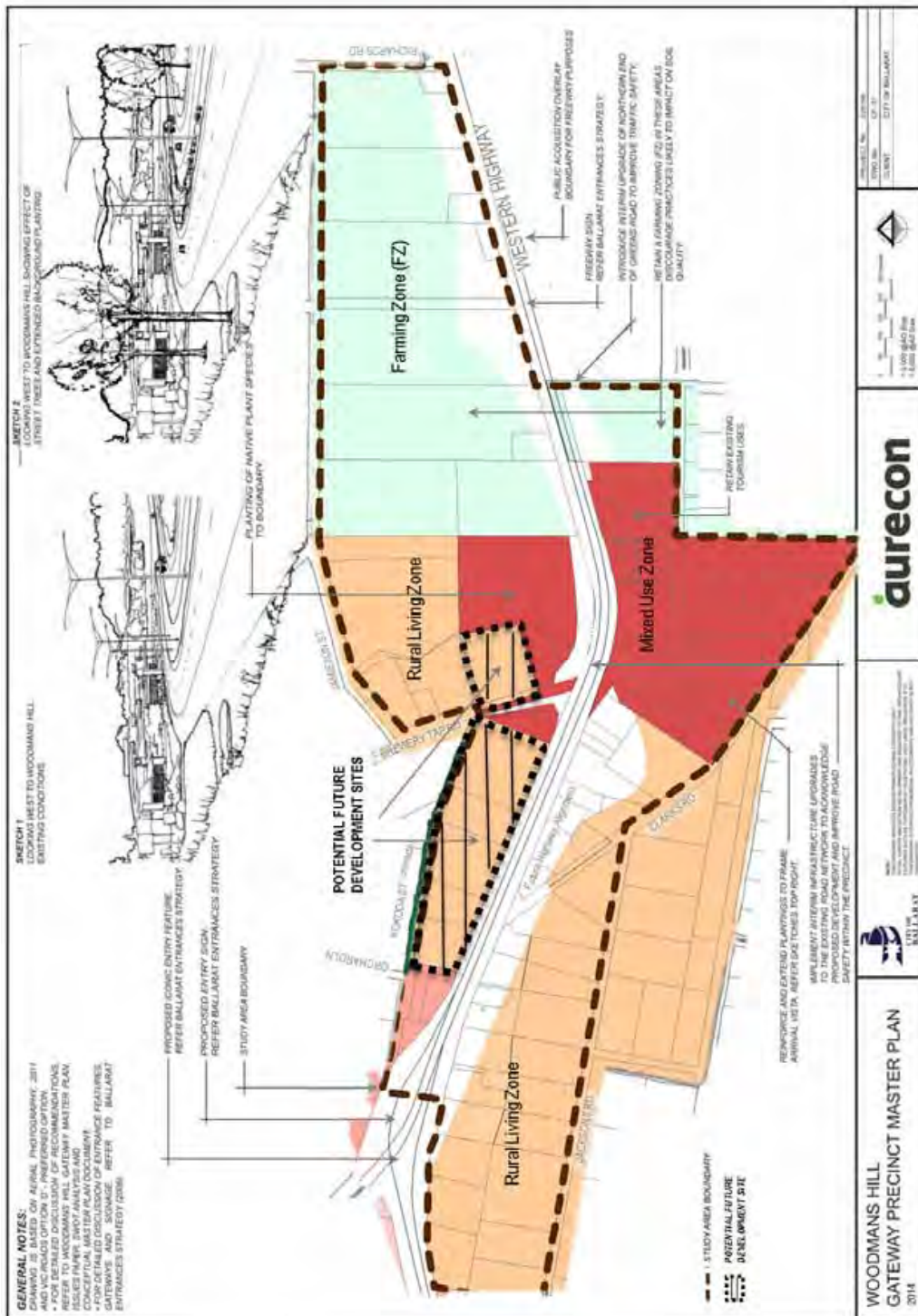
- specifically address how the proposal capitalises on the access and visual exposure to the highway;
- demonstrate why the use requires access and visual exposure to the highway for the economic viability of its operations;
- demonstrate how the built form, layout, use, access arrangements and buffering are planned to ensure an appropriate interface with surrounding sensitive land uses on rural living and low density residential land and protect the existing rural character of the area; and
- demonstrate that safe and appropriate access is provided, consistent with the *Woodmans Hill Gateway Precinct Master Plan* (2014).

#### **Reference:**

*Woodmans Hill Gateway Precinct Master Plan* (October 2014)



Woodmans Hill Gateway Precinct Master Plan



## **Appendix D Panel Recommended Version of Schedule 2 to the Design and Development Overlay**

Base Document is Hearing Document 13, Council's updated Day 2 Hearing version of  
Schedule 2 to the Design and Development Overlay

Tracked Added

~~Tracked Deleted~~

19/01/2006  
Proposed C173

## **SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO2**

### **WOODMANS HILL GATEWAY PRECINCT**

#### **1.0 Design objectives**

19/01/2006  
Proposed C173

To ensure that buildings and works are generally consistent with the Woodmans Hill Gateway Precinct Master Plan ([October](#) 2014).

To provide for an attractive and distinctive town approach along the current and future alignment of the Western Freeway, by ensuring that the nature, scale and appearance of new development is compatible with the landscape and design controls for new development as set out in the Woodmans Hill Gateway Precinct Master Plan ([October](#) 2014).

To reinforce the gateway role that this precinct plays to the Ballarat Central Business District (CBD).

To provide appropriate interfaces between the commercial and rural, rural living and residential areas of Woodmans Hill, by providing suitable landscape treatments to integrate built form with surrounding development.

To ensure that development of land nearby to the current and future alignment of the Western Freeway is undertaken with appropriate noise attenuation measures to minimise the impact of traffic noise.

To ensure that development is compatible and sensitive to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.

#### **2.0 Buildings and works**

19/01/2006

##### **Noise Attenuation**

Any development within the area covered by this overlay may be required to include noise attenuation measures to the satisfaction of the Roads Corporation, for both the existing Western Highway and the future Western Freeway. The sensitivity of the existing or proposed use will be considered in determining whether noise attenuation measures are required.

##### **Building height, bulk and setbacks**

- The height and bulk of new development should be ~~compatible and sensitive to~~ [respectful](#) of the valued landscape and natural environmental elements of the area.
- The height and bulk of new buildings should consider the current alignment of the Western Highway along with the alignment of the Public Acquisition Overlay for the future Western Freeway and the need to create an attractive and distinctive town approach.
- All buildings within the Precinct should be setback at least 20 metres from the alignment of the Public Acquisition Overlay for the future Western Freeway, and 10 metres from all other roads.

##### **Front Fences**

- Front fences should be designed to have minimal visual impact and preferably be located behind landscaped setback areas.

### **Landscaping**

An application to construct a building or construct or carry out works must provide for appropriate landscaping, including:

- A 5 metre minimum wide landscaping strip along property frontages to the alignment of the Public Acquisition Overlay for the future Western Freeway, and 3 metres minimum along all other road frontages.
- Landscaping which provides for a visual reduction of the bulk of new development, and enhancement of the appearance of new buildings.
- Where buildings are setback from side or rear boundaries, provision is to be made for a landscape screen of fast growing native species along these boundaries to contribute to the creation of an attractive environment.
- A selection of species that minimise long term watering requirements.
- Paving materials that provide texture, patterns, subtle colour and permeability to the site frontage should be used. Large expanses of asphalt or cement should be avoided.

### **Advertising signage**

- Visual clutter, created by excessive or inappropriate signage is strongly discouraged.
- Business identification signage should be integrated with architectural built form and not protrude above or beyond building facades.
- Promotional signs should be avoided.
- Where signs are required to be illuminated, illumination should be concealed or integral to the sign by neon, or internally lit box or by sensitively designed spot lighting.
- Colours, materials and illumination of signage that may interfere with the safety and efficiency of traffic circulation is to be avoided.

### **Access**

- Access to any development must be via local roads or via a service road arrangement. No direct access is permitted onto the Western Highway.

## **3.0 Information to accompany applications for permit**

DD/MM/YYYY  
Proposed C173

An application to construct a building or construct or carry out works should be accompanied by:

- A written urban context report detailing how the development achieves the design objectives of this Schedule to the satisfaction of the Responsible Authority.
- A landscape plan which achieves the landscaping requirements of this Schedule and details proposed front fencing treatments.
- An acoustic report, prepared by a qualified acoustical engineer which stipulates the appropriate noise attenuation measures to be implemented should the application be for a sensitive use.

## **4.0 Decision Guidelines**

DD/MM/YYYY  
Proposed C173

Before deciding on an application, the Responsible Authority must consider whether the proposed buildings and works will enhance the Woodmans Hill Gateway Precinct in accordance with the criteria specified in this Schedule, particularly with respect to:

- Natural landform and topography;
- Views;
- Interface;
- Architectural quality of the building design;

- Built form;
- Building setbacks;
- Landscaping;
- Preservation of existing locally indigenous vegetation and habitat links;
- Signage.

*Reference:* “Woodmans Hill Gateway Precinct Master Plan (October 2014)”

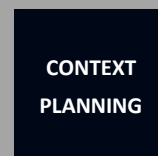
# PLANNING SCHEME AMENDMENT TOWN PLANNING REPORT

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Western Highway - Woodmans Hill  
Re-zoning of Land from Rural Living Zone to a Mixed Use Zone

---

28 April 2020



CONTEXT PLANNING PTY LTD

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DOCUMENT INFORMATION	
File Name	TOWN PLANNING REPORT Re-zoning of Land from Rural Living Zone to a Mixed Use Zone
Prepared For	Mahar Property Holdings, Trevor & Kaylene Wilson and the Estate of Barbara Alison Wilson.
Prepared By	Marshall Sullivan, Director Context Planning Pty Ltd
Report Date	28 April 2020
Revisions	

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# 1 Amendment Summary

<b>Proposal</b>	Planning Scheme Amendment involving the Rezoning of Land from a Rural Living Zone (RLZ) to a Mixed Used Zone (MUZ)
<b>Land Description</b>	The land is made up of Four Land Parcels bound by Kokoda Street, Brewery Tap Road, Western Highway and Orchard Lane in Woodmans Hill. → Crown Allotment 21 (Section 24) → Crown Allotment 20 (Section 24) → Lot 1 on PS 629326M → Lot 2 on PS 629326M
<b>Requestor</b>	Mahar Property Holdings, Trevor & Kaylene Wilson and the Estate of Barbara Alison Wilson
<b>Overlay</b>	The land is partly covered by a Design and Development Overlay Schedule 2
<b>Land Size</b>	11.9 Hectares (approx)

In support of this application, the following supporting documentation and reports are provided and are referenced through the application and are attached as appendices. These include:

- **Amendment documentation including Explanatory Report.**
- **Economic Assessment (Ethos Urban, 2020)**
- **Traffic Engineering Assessment (Traffix Group Pty Ltd, 2020)**
- **Agricultural Assessment (Phillips Agribusiness, 2013)**
- **Preliminary Environmental Site Assessment (Provincial Geotechnical P/L, 2015)**
- **Biosis Report (October 2014)**
- **Other reports as attached.**

A summary of these reports is provided at Part 4 of the Town Planning Report.

## 2 Executive Summary

This report has been prepared to accompany the Planning Scheme Amendment Request to extend the existing Mixed Use Zone in Woodmans Hill to facilitate commercial development and new business and employment opportunities in this Gateway location.

The purpose of the report is to:

- Provide a written response to the Ballarat Planning Scheme including an assessment of the proposal against the State and Local Planning Policy Framework as relevant to this application.
- Consider any relevant strategic documents relevant to this site.

The area has been subject to a recent Planning Panel (C173) which specifically recommended that the subject site should be identified in the Woodmans Hill Master Plan (now referred to in the Planning Scheme) as *'Potential Future Development'*.

The Planning Panel considered that the sites are capable of accommodating a variety of commercial land uses and accepted the traffic and planning evidence presented and tested during the recent Panel Hearing.

This planning assessment describes the proposal, the site's context and provides a detailed assessment of the proposal against the relevant policies and strategic documents.

This report concludes that the proposed planning scheme amendment is consistent with the key policies and objectives of the Ballarat Planning Scheme, will not result in an unreasonable loss of agricultural land, will not impact on the retail hierarchy and will result in a net community benefit to the current and future population of Ballarat and the region.

# 3 Site and Location Description

## 3.1 The Site

The land is made up of Four Land Parcels bound by Kokoda Steet, Brewery Tap Road, Western Highway and Orchard Lane, Woodmans Hill.

See **Figure 1 – Locality and Zoning Plan.**

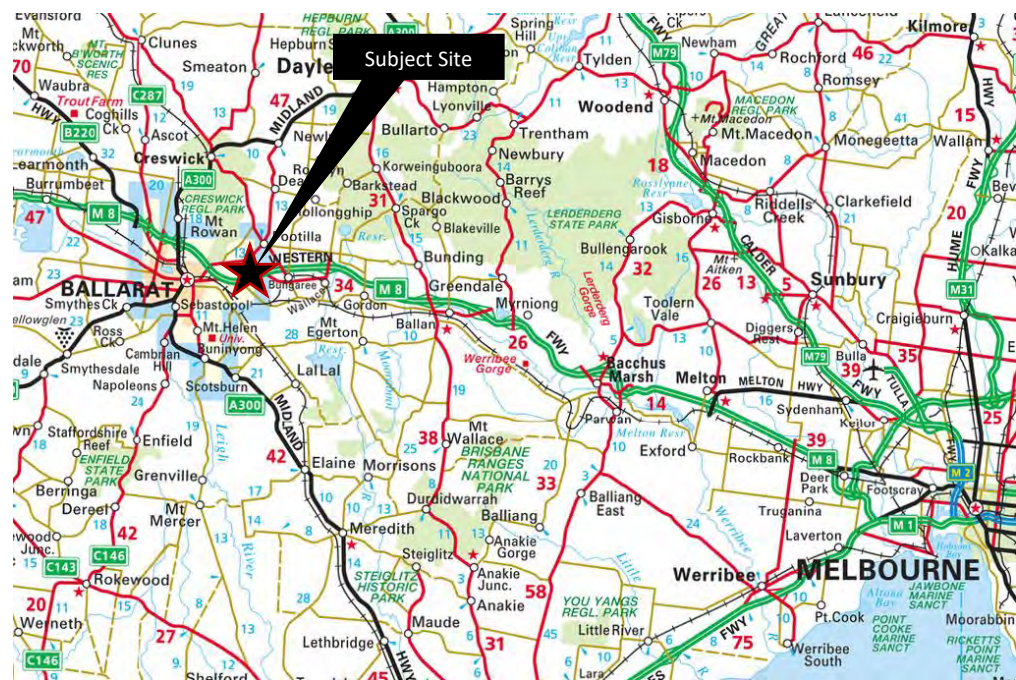


Image 1 Regional Context

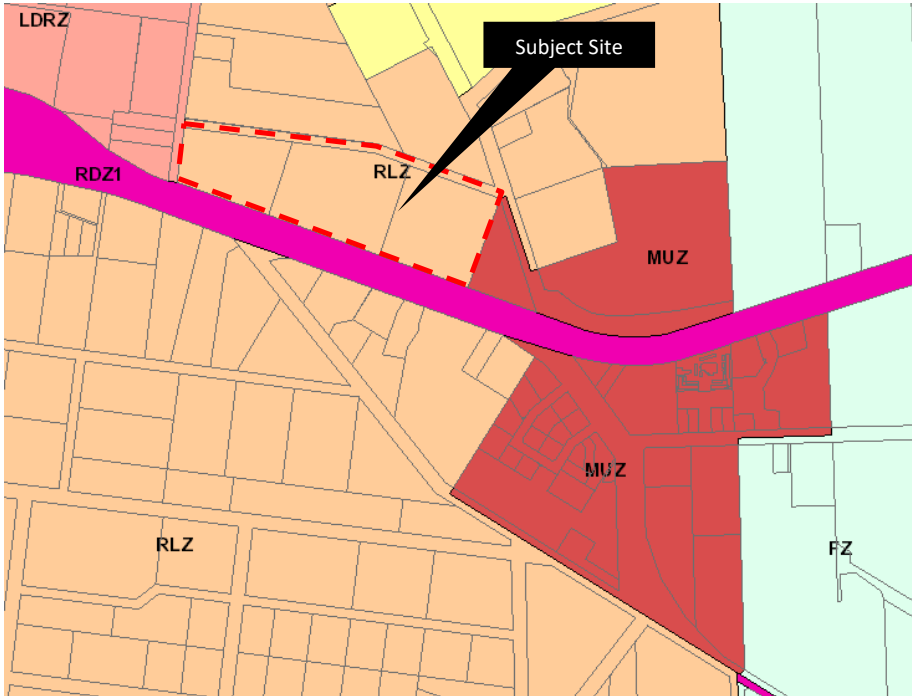


Image 2 Existing Zoning



Image 3 Aerial Photo

The property contains two existing dwellings and a number of large sheds and two dams. The site has been used for low scale agriculture and for the storage of machinery, vehicles and goods. The site has a gentle fall from the south to the north and does not support any significant vegetation or environmental features.

The site abuts Kokoda Street, adjacent to the northern boundary of the site, which is an unmade road and includes substantial pine trees located within the road reserve. The site also directly abuts the Western Highway to the south, however access to the site is not available directly from the Western Highway – a carriageway easement provides access to the site from Brewery Tap Road, which is located to the east of the site.

Orchard Lane is located along the western boundary which is a sealed road and provides access to both the subject site and adjacent residential properties which are located in the adjoining Low Density Residential Zone (LDRZ).

#### The Land & Title Particulars

The land has a frontage to the Western Highway of approximately frontage of 657 metres, depth of 200 metres and a total site area of 11.9 Hectares. The land affected by this amendment is made up of four land parcels as shown on the Table 1 below:

Address	Description	Restrictions/Agreements	Volume/Folio	Land Area
1 Kokoda Street, Brown Hill	Crown Allotment 21 (Section 24)	No	V.9948 F.458	4.047ha
2 27 Brewery Tap Road, Brown Hill	Crown Allotment 20 (Section 24)	Agreement Section 173 Planning & Environment Act – AJ167097X <i>(Refer Note 2)</i>	V.9948 F.457	2ha
3 65 Orchard Lane, Brown Hill	Lot 1 on PS 629326M	1. Agreement Section 17 (2) Subdivisions Act – AJ166269A <i>(Refer Note 1)</i>  2. Agreement Section 173 Planning & Environment Act – AJ167097X <i>(Refer Note 2)</i>	V.11323 F.743	3.063ha
4 27 Brewery Tap Road, Brown Hill	Lot 2 on PS 629326M	1. Agreement Section 17 (2) Subdivisions Act – AJ166269A <i>(Refer Note 1)</i>  2. Agreement Section 173 Planning & Environment Act – AJ167097X <i>(Refer Note 2)</i>	V.11323 F.744	2.736ha

Table 1 Land Description



**NOTE 1:** Agreement Section 17 (2) Subdivisions Act – AJ166269A:

*“Prior to the issue of a Building Permit for any dwelling on Lot 2 created by the subdivision, the owner of that lot shall be required to supply the said Lot 2 with a water supply as required by the Authority and the Permit”*

**NOTE 2:** Agreement Section 173 Planning & Environment Act – AJ167097X:

*“Pursuant to Section 173 of the Planning & Environment Act 1987 and Condition 3(i) of the Planning Permit it is agreed between parties hereto and as a separate covenant the Owner covenants with the Council as follows:-*

*Not to further subdivide the land so as to increase the number of lots.”*

These two legal agreements do not impact on the ability for Council to support this proposed Planning Scheme Amendment. Options to remove the Agreements in accordance with the Planning & Environment Act 1987 are currently being reviewed.

#### Soil, Landform and Land Capability

The landform of the property is gently undulating with an overall slope to the north east. The soils appear to be of granite origin and inherent soil fertility is moderate to low but responsive to corrective fertiliser inputs to support agricultural activities.

However given the small amount of land available means that the site is typically only suited to intensive soil based farming, and even then the site is considered too small<sup>1</sup>. Lack of irrigation supply is also a key constraint for intensive farming activities.

#### The use of surrounding buildings

The use of the surrounding land is varied. Refer to Image 4.

---

<sup>1</sup> Intensive agricultural farming systems of this nature require unit sizes to be in the range of 40ha and above to be assured of being able to meet volume, diversity and sustainability requirements. (*Phillips Agribusiness, Agricultural Assessment, June 2012*). Furthermore, the *Ballarat Rural Land Use Strategy (Nov 2010)* confirms that there a large majority of farms in City of Ballarat require 80Ha or greater to operate (pg.44).



Image 4 Surrounding Land Use Plan

# 4 The Proposal

## 4.1 Overview

This Planning Scheme Amendment request seeks to extend the existing Mixed Use Zone in Woodmans Hill to facilitate appropriate gateway commercial development and new business and employment opportunities.

In support of this application, an updated Economic Assessment has been undertaken by Ethos Urban which confirms that the proposed rezoning at the subject site will significantly contribute to the growth and vitality of the Woodmans Hill and will strengthen the gateway into Ballarat. The Ethos report confirms the proposal would deliver a net community benefit.

The loss of agricultural land, due to the proposed rezoning, would be very minor and have no impact whatsoever and would be far outweighed by economic and employment benefits generated by the proposed rezoning.

Based on rezoning for a mix of uses, for example highway service centre or retail area requiring external display areas, there would minimal adverse impacts on existing retail and commercial operations in the local area.

This is supported by the Ethos Urban Assessment. In fact it is submitted that future development of the subject site would likely draw more people to the precinct which is likely to increase trading activity for existing businesses in the Woodmans Hill precinct and would further strengthen the gateway into Ballarat.

Traffic Group have also provided an updated assessment (March, 2020) which confirms the suitability of the proposed rezoning.

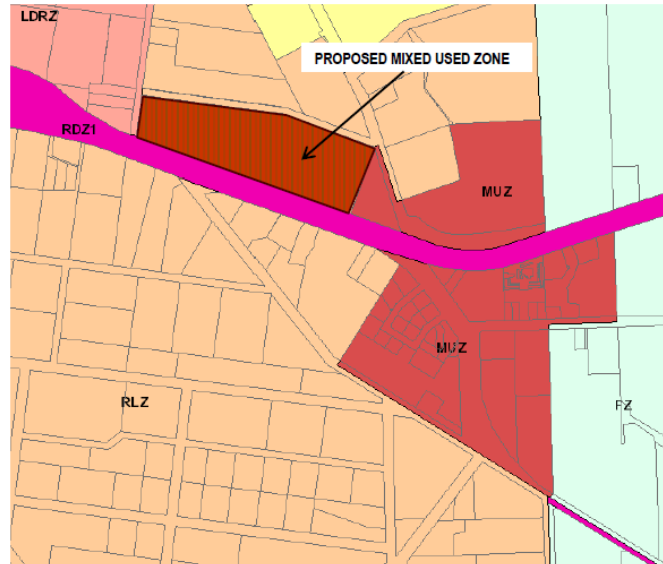


Image 5 Proposed Re-Zoning Plan

#### 4.2 Summary of Supporting Reports

This Planning Scheme Amendment request is supported by the following:

***Amendment documentation including Explanatory Report***

An Explanatory Report along with Instruction Sheet, Proposed Rezoning Plan is attached.

***Draft Section 173 Agreement***

The draft terms of a Section 173 agreement prohibiting Dwellings on the land is attached.

***Economic Assessment (Ethos Urban, 2020)***

The Economic Assessment confirms at paragraph 18 that *“In essence, the land uses envisaged for the subject site would reflect a sensible development outcome that strikes a balance between:*

- *Promoting Woodmans Hill as a gateway and highway-service node;*
- *Facilitating the development of other land uses on lots without direct Freeway frontage contributing to a viable cluster of economic activities;*
- *Providing additional and diverse employment opportunities for Ballarat’s increasing population; and;*
- *Not undermining the municipality’s activity centres hierarchy or industrial land supply framework.”*

The assessment concludes that *'a rezoning of the subject site to the Mixed Use Zone is expected to provide a net community benefit to the City of Ballarat. The positive economic benefits are considered to be extensive and strong in terms of economic development and employment.'* (Paragraph 6.4)

#### **Traffic Engineering Assessment (Traffix Group Pty Ltd, 2020)**

The Traffic Assessment at Paragraph 7 concludes that:

- *suitable access is available to the subject site to facilitate some development on the subject site in the short-term (prior to any upgrade of the surrounding road network),*
- *the level and type of development which can be accommodated at the subject site will be dependent on a range of factors including the timing of any potential development of surrounding sites, and the timing of road upgrades,*
- *significant additional development capacity could be facilitated by undertaking an interim upgrade of the Western Highway/Brewery Tap Road intersection (signals or roundabout),*
- *following future rezoning of the site and in the absence of any road network upgrades, development of the site could include a Traffic Management Plan that limits the total daily traffic generation from the Western Highway/Brewery Tap Road intersection to within acceptable limits, and encourages access to the site to be via Ballarat-Daylesford Road would be appropriate (and may also restrict the type of development to uses which generate the majority of traffic to/from Ballarat and rely on minimal "passing trade" in the westbound direction),*
- *there are no traffic engineering reasons why the existing Kokoda Street road reservation (or at least part of the road, extending from Brewery Tap Road but not necessarily extending to Orchard Lane) could not be constructed and utilised for access to the site, and*
- *there are no traffic engineering reasons why the subject site should not be rezoned from Rural Living Zone to Mixed Use Zone.*

#### **Agricultural Assessment (Phillips Agribusiness, 2013)**

The agricultural assessment concludes that the land quality is classed as average due to the light nature of the soils and their poor drainage characteristics. Another major constraint to the potential farming system is the land size and also the existing zoning which would may not support an intensive form of farming.

#### **Preliminary Environmental Site Assessment (Provincial Geotechnical P/L, 2015)**

The assessment concludes that based on laboratory analysis program undertaken, this site does not yield concentrations of the analytes tested to a level of concern in respect to human health for rezoning of the allotments to a more sensitive use.

#### 4.3 Rezoning Objectives

- › The rezoning is supported by strategic planning policy, specifically in the Woodmans Hill Gateway Precinct Master Plan at Clause 21.09-4
- › Highway-style development would complement the relatively small cluster of similar uses adjacent to and opposite the subject site.
- › The subject site is located in a strategic and visible position on the Western Freeway with suitable access arrangements.
- › This proposal will provide an significant economic opportunity - Ballarat is not capturing potential passing trade with considerable traffic volumes bypassing Ballarat and spending at highway service centres outside the municipality.
- › The scale, location, physical geography and nature of development will not compete with or undermine existing industrial or retails areas within Ballarat, including the Ballarat West Employment Zone.
- › The economic assessment indicates that a development scenario such as that modelled would deliver an investment outcome in the order of \$35 million and ongoing employment on the site would be in the order of 275 permanent jobs.
- › Ballarat is experiencing strong population and residential growth. The development of well-located commercial nodes strategically located across the urban area represents a sound approach to managing urban growth.

##### 4.3.1 Proposed Section 173 Agreement

A voluntary Section 173 Agreement is proposed which seeks to prohibit dwellings on the land. This is to ensure that sensitive uses are not compromised by both existing amenity impacts and also future land use activities.

#### 4.4 Findings of the Planning Panel (Amendment C173)

The designation in the Master Plans of the three sites west of Brewery Tap Road for 'Potential Future Development' was the key focus of opposing submissions during the Hearing.

The evidence by Matrix Planning (Oct 2014) confirmed that the identification of the future development sites north of the Western Highway will or can avoid adverse impacts from an environmental, resources management, residential amenity from a planning policy perspective.

The evidence from Biosis (October 2014) concluded that vegetation and environment within the area designated in C173 as “Potential Future Development” is currently unsuitable as habitat for most wildlife and as a wildlife movement corridor.

The evidence by TraffixGroup (October 2014) confirmed that suitable access is provided to the subject site for some development without any upgrade of the surrounding road network and ultimately there are no traffic reasons why the subject site should not be developed.

On balance, the Panel considered that at this stage of the planning process, it is appropriate that the site should be identified in the Master Plan as ‘Potential Future Development’. The Panel accepted Council’s initial assessment that the frontage of the sites to the Western Highway provide excellent highway exposure for highway related uses. The Panel considers the sites are capable of accommodating land uses such as a service station, convenience restaurants/takeaway food premises, agricultural and machinery display, hire and sales.

The Panel concluded that the identification of the three sites west of Brewery Tap Road having potential for future development is strategically justified and warranted. In forming this view, the Panel accepted the traffic and planning evidence presented and tested during the Hearing that indicates that amenity and off-site impacts can be appropriately managed via future planning processes including the potential rezoning of the land and the application of appropriate planning permit conditions.

## 5 Zone & Overlay Controls

The site is currently located within a Rural Living Zone (RLZ) and is partly covered a Design and Development Overlay (DDO2).

### 5.1 Rural Living Zone

The Purpose of the Rural Living Zone (Clause 35.03) is to:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*



5.1.1 Mixed Use Zone (Proposed Zone)

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- **To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.**
- *To provide for housing at higher densities.*
- **To encourage development that responds to the existing or preferred neighbourhood character of the area.**
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

5.2 Design and Development Overlay (Clause 43.02)

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

5.2.1 Existing Schedule 2 – Design and Development Overlay

**Existing Design objectives**

- *To ensure that buildings and works are generally consistent with the Woodmans Hill Gateway Precinct Master Plan (January 2015).*
- *To provide for an attractive and distinctive town approach along the current and future alignment of the Western Freeway, by ensuring that the nature, scale and appearance of new development is compatible with the landscape and design controls for new development as set out in the Woodmans Hill Gateway Precinct Master Plan (January 2015).*
- *To reinforce the gateway role that this precinct plays to the Ballarat Central Business District (CBD).*
- *To provide appropriate interfaces between the commercial and rural, rural living and residential areas of Woodmans Hill, by providing suitable landscape treatments to integrate built form with surrounding development.*
- *To ensure that development of land nearby to the current and future alignment of the Western Freeway is undertaken with appropriate noise attenuation measures to minimise the impact of traffic noise.*
- *To ensure that development is compatible and sensitive to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.*

The DDO2 provides for specific outcomes to be achieved and deals with a wide variety of planning matters including:

- **Noise attenuation** – Seeks to ensure new development deals with noise impacts from the Western Highway.
- **Building height, bulk and setbacks** – These provisions deal with height, bulk and setback matters to ensure new development is respectful of the landscape and natural values of the area.
- **Front fences** – designed to minimise visual impacts.
- **Landscaping** – deals with landscaping outcomes to be achieved.
- **Advertising signage** – seeks to avoid visual clutter and signs which may interfere with road safety.
- **Access** – deals with access arrangements.

A series of decision guidelines are also provided.

It is noted that the current DDO2 is consistent with the Planning Panels recommendations in C173 (Appendix D of the Panel Report, December 2014)

### 5.3 Planning Controls - Adjoining Land

Direction	Zone	Overlays
North	Rural Living Zone	Bushfire Management Overlay & Part Environment Significance Overlay (ESO5) Part Vegetation Protection Overlay
East	Mixed Use Zone	Design and Development Overlay (DDO2) Part Public Acquisition Overlay
South	Rural Living Zone & Road Zone Category 1	Design and Development Overlay (DDO2) Part Public Acquisition Overlay Part Environment Significance Overlay (ESO5) Part Vegetation Protection Overlay
West	Low Density Residential Zone	Design and Development Overlay (DDO2)

Table 2 Adjoining Land Use

# 6 General & Particular Provisions

## 6.1 Clause 65 – Decision Guidelines

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. To assist Clause 65 details a number of decision guidelines for guidance, some of these include:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning*
- *Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.*

### 6.1.1 Response to Decision Guidelines (Clause 65)

It is submitted that the proposal will accord with the long term and orderly planning of the area, and will not adversely affect the character or amenity of the area. The proposed represents a logical extension to the existing zoning and strategic planning for the area.

# 7 Planning Policy Framework

## 7.1 Planning Policy Framework (PPF)

Relevant policies include:

- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risk and Amenity
- Clause 14 – Natural Resource Management
- Clause 15 – Built Environment and Heritage

- Clause 16 – Housing
- Clause 17 – Economic Development
- Clause 18 – Transport
- Clause 19 – Infrastructure

The PPF is based on general themes of sustainable land management, orderly planning, improving accessibility, land use, transport integration and the protection of significant landscapes.

The amendment is consistent with these broad objectives and in doing so, supports the major principles of the Framework Plan.

#### **Clause 11 SETTLEMENT**

*Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*

*Planning is to recognise the need for, and as far as practicable contribute towards:*

- *Health, wellbeing and safety.*
- *Diversity of choice.*
- *Adaptation in response to changing technology.*
- *Economic viability.*
- *A high standard of urban design and amenity.*
- *Energy efficiency.*
- *Prevention of pollution to land, water and air.*
- *Protection of environmentally sensitive areas and natural resources. Accessibility.*
- *Land use and transport integration.*

*Planning is to prevent environmental problems created by siting incompatible land uses close together.*

*Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.*

#### **Clause 11.01-15 Settlement**

##### *Objective*

*To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

##### **Strategies (some include):**

*Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*

*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.*

- Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.*
- Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.*
- Create and reinforce settlement boundaries.*
- Provide for growth in population and development of facilities and services across a regional or sub-regional network.*
- Plan for development and investment opportunities along existing and planned transport infrastructure.*
- Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.*
- Limit urban sprawl and direct growth into existing settlements.*
- Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.*
- Ensure retail, office-based employment, community facilities and services are concentrated in central locations.*
- Ensure land that may be required for future urban expansion is not compromised.*



Image 6 Victoria's Settlement Framework (Clause 11.01 Planning Policy Framework)

**Clause 11.01-R Settlement – Central Highlands**

**Strategies (some include):**

Support **Ballarat** as the main centre for regional growth, services and employment with major growth focussed to the west.

Support urban consolidation, particularly in Ballarat’s Central Business District.

Maintain Ballarat’s Central Business District as the primary focus for commercial, retail and service activity in the city and region.

Provide adequate land and infrastructure in appropriate locations to support anticipated population growth.

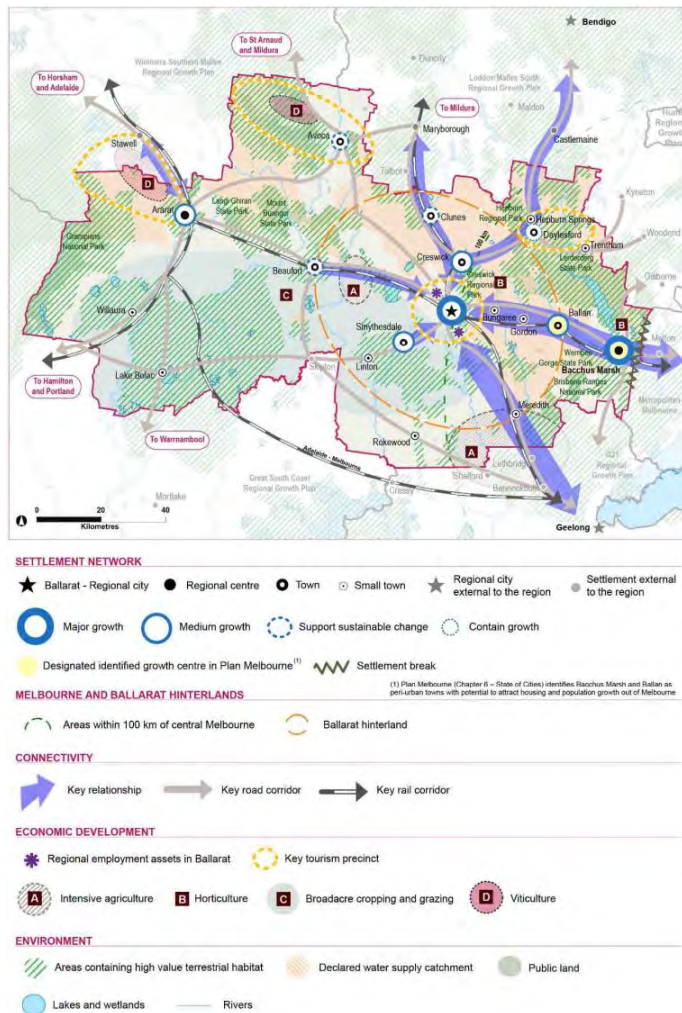


Image 7 - Central Highlands Regional Growth Plan (Clause 11.01 Planning Policy Framework)

**Clause 11.02-2S - Structure planning***Objective*

*To facilitate the orderly development of urban areas.*

*Strategies*

*Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.*

*Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.*

*Facilitate the preparation of a hierarchy of structure plans or precinct structure plans that:*

- *Take into account the strategic and physical context of the location.*
- *Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.*
- *Provide for the development of sustainable and liveable urban areas in an integrated manner.*
- *Assist the development of walkable neighbourhoods.*
- *Facilitate the logical and efficient provision of infrastructure.*
- *Facilitate the use of existing infrastructure and services.*

**Clause 11.02-3S Sequencing of development***Objective*

*To manage the sequence of development in areas of growth so that services are available from early in the life of new communities*

*Strategies*

*Define preferred development sequences in areas of growth to better coordinate infrastructure planning and funding.*

*Ensure that new land is released in areas of growth in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure.*

*Require new development to make a financial contribution to the provision of infrastructure such as community facilities, public transport and roads.*

*Improve the coordination and timing of infrastructure and service delivery in areas of growth.*

*Support opportunities to co-locate facilities.*

*Ensure that planning for water supply, sewerage and drainage works receives high priority in early planning for areas of growth.*

**Clause 11.03-6S Regional and local places***Objective*

*To facilitate integrated place-based planning.*



*Strategies*

*Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns. Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.*

**Response to Clause 11 – Settlement**

There are various settlement policies which support this proposal. The proposal takes full advantage of existing settlement patterns and is able to benefit from existing and proposed facilities.

It is policy to focus investment and growth in places of state significance which includes Ballarat and also to support Ballarat as the main centre for regional growth, services and employment with major growth focussed to the west.

The proposal provides a development opportunity in a gateway location.

The proposal also seeks to protect and manage the sites natural resources and areas of heritage, cultural and environmental significance.

**Clause 12 ENVIRONMENTAL AND LANDSCAPE VALUES**

*Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.*

...

**Clause 12.01-1S Protection of biodiversity**

*Objective*

*To assist the protection and conservation of Victoria's biodiversity.*

**Clause 12.05-2S Landscapes**

*Objective*

*To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.*

*Strategies*

*Ensure significant landscape areas such as forests, the bays and coastlines are protected.*

*Ensure development does not detract from the natural qualities of significant landscape areas.*

*Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.*

*Recognise the natural landscape for its aesthetic value and as a fully functioning system.*

*Ensure important natural features are protected and enhanced.*

**Cause 12.05-2R Landscapes - Central Highlands**

**Strategy**

*Provide clear urban boundaries and maintain distinctive breaks and open rural landscapes between settlements.*

**Response to Clause 12 – Environmental and Landscape Values**

There are various environmental and landscape policies which support this proposal. The proposal seeks to protect the environmental, cultural and landscape values of the site.

It is policy to ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands. The proposed layout achieves this outcome.

**Clause 13 ENVIRONMENTAL RISKS AND AMENITY**

*Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.*

*Planning should aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts.*

*Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.*

*Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.*

*Planning should prepare for and respond to the impacts of climate change*

**Clause 13.02-1S Bushfire planning**

*Policy application This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is:*

- *Within a designated bushfire prone area;*
- *Subject to a Bushfire Management Overlay; or*
- *Proposed to be used or developed in a way that may create a bushfire hazard.*

**Clause 13.05-1S Noise abatement***Objective*

*To assist the control of noise effects on sensitive land uses. Strategy Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

**Clause 13.06-1S Air quality management***Objective*

*To assist the protection and improvement of air quality.*

*Strategies*

*Ensure that land use planning and transport infrastructure provision contribute to improved air quality by:*

- *Integrating transport and land use planning to improve transport accessibility and connections.*
- *Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.*
- *Providing infrastructure for public transport, walking and cycling.*
- *Ensure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses.*

**Clause 13.07-1S Land use compatibility***Objective*

*To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.*

*Strategies*

*Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:*

- *Directing land uses to appropriate locations.*
- *Using a range of building design, urban design, operational and land use separation measures.*

**Response to Clause 13 – Environmental Risk and Amenity**

The proposal does not impact on any natural processes. In relation to bushfire hazards, the rezoning and subsequent development will essentially remove the existing risk.

Assessments of noise effects on sensitive land uses has been undertaken with mitigation measures incorporated into the development to ensure the amenity of future residents not impacts.

**Clause 17 ECONOMIC DEVELOPMENT**

*Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.*

*Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.*

**Clause 17.01-1R Diversified economy - Central Highlands***Strategies*

*Support greater economic self-sufficiency for the region. Support growth through the development of employment opportunities in towns identified for population growth. Support the growth of key regional employment assets including the Ballarat Technology Park, Ballarat Central Business District and Ballarat West Employment Zone. Recognise the need for new employment opportunities in Ballarat's peri-urban settlements to promote sustainable growth. Support infrastructure investment where it will support business investment, including Stage 1 of the Ballarat Western Link Road, which will improve access to the Ballarat West Employment Zone.*

**Clause 18 TRANSPORT**

*Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.*

**Clause 18.01-1S Land use and transport planning***Objective*

*To create a safe and sustainable transport system by integrating land use and transport.*

**Clause 18.01-2R Transport system - Central Highlands***Strategy*

*Support ongoing improvements to transport infrastructure to enhance access to Ballarat and other major centres.*

**Clause 18.02-1S Sustainable personal transport***Objective*

*To promote the use of sustainable personal transport.*

**Clause 18.02-2S Public Transport***Objective*

*To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.*

**Clause 18.02-3S Road system***Objective*

*To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.*

**Response to Clause 18 – Transport**

The site is located close to public transport routes and proposes a road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.

**Clause 19 INFRASTRUCTURE**

*Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.*

*Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.*

*Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.*

*Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.*

*Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.*

*Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.*

**Clause 19.01-1S Energy supply***Objective*

*To facilitate appropriate development of energy supply infrastructure.*

## 7.2 Local Planning Policy Framework

### Relevant Local Policies

- Clause 21.01 – Municipal Overview
- Clause 21.02 – Settlement and Housing
- Clause 21.03 – Environment and Landscape Values
- Clause 21.04 – Environmental Resilience
- Clause 21.05 – Natural Resource Management
- Clause 21.06 – Built Form, Heritage and Design
- Clause 21.07 – Economic Development
- Clause 21.08 – Transport and Infrastructure
- Clause 21.09 – Local Areas
- Clause 21.10 – Reference Documents

#### Clause 21.06-1 – Urban design

*To protect and enhance the quality and character of built areas, considering context and local values.*

*To increase the vitality, amenity and experience of the public realm.*

#### Clause 21.07-1 – Economic growth

*To encourage a city structure which supports growth and productivity in key economic industries.*

#### Clause 21.08 Transport and Infrastructure:

*Objective 1 To integrate transport and urban growth.*

*Objective 2 To develop and maintain a comprehensive, safe, comfortable and convenient pedestrian network throughout the municipality.*

*Objective 3 To develop a comprehensive, safe and convenient cycling network*

#### Clause 21.09-4 Woodmans Hill:

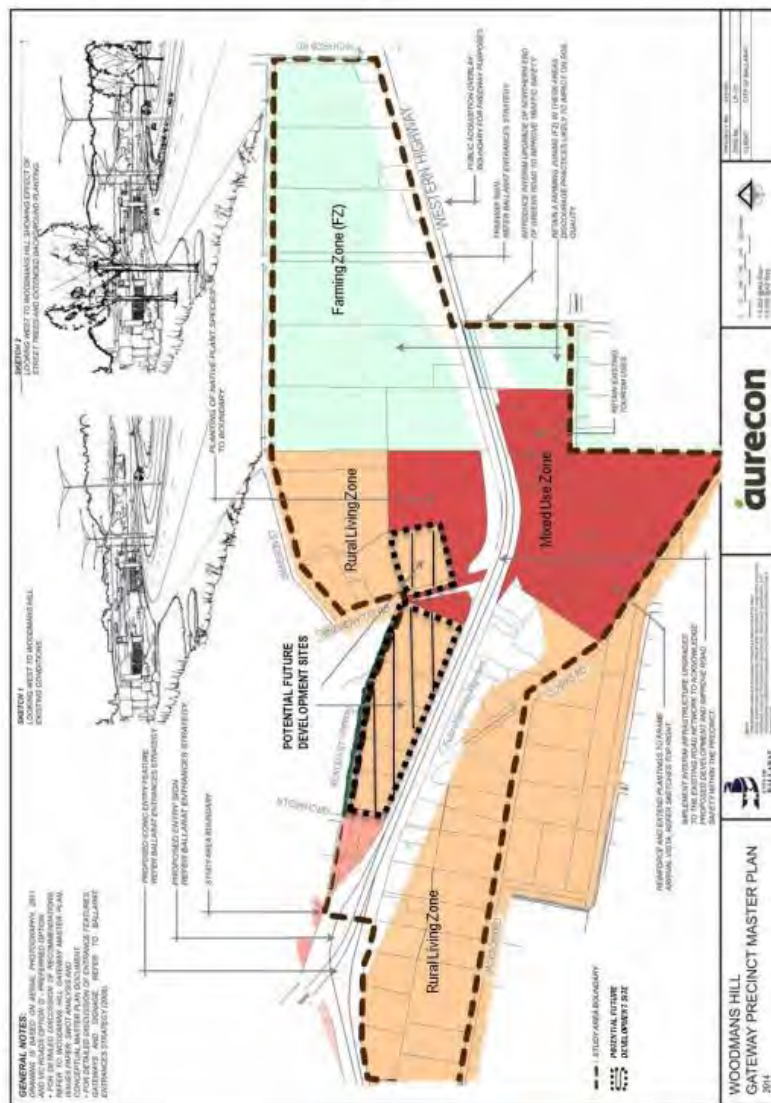
The Woodmans Hill Gateway Precinct Master Plan (January 2015) recognises the Woodmans Hill Gateway as one of the major entry points to the City, and highlights the opportunity to improve the entry experience, both visually and from a land use perspective.

The Woodmans Hill Precinct is recognised for its high quality agricultural soils, particularly on the north side of the Western Highway. The precinct also contains sites of koala habitat and native vegetation protection.

The objectives for the Precinct include:

- Objective 1 To provide a distinctive entrance to Ballarat that will enhance the image and reflect the nature, history and culture of the Municipality, including through the provision of a major entrance feature/public art element.
- Objective 2 To achieve use and development that is respectful to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.
- Objective 3 To encourage high quality sustainable built form.
- Objective 4 To achieve land use outcomes that add to the overall economic diversity of Ballarat without compromising the economic viability of Ballarat's Activity Centres, in particular the Ballarat CBD and the Ballarat West Employment Zone.
- Objective 5 To achieve a land use mix that has a focus on highway related functions, with ancillary retail and support for existing tourism uses that capture passing economic activity that contributes to the Ballarat economy.

**Woodmans Hill Gateway Precinct Master Plan**





# 8 Strategic Planning Assessment

## 8.1 Overview

The amendment appropriately implements several objectives of planning in Victoria under section 4 of the Planning and Environment Act 1987 (the Act), in particular:

- *To provide for the fair, orderly, economic and sustainable use and development of the land,*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria,*
- *To balance the present and future interests of all Victorians.*

The amendment gives effect to these guiding principles and objectives by encouraging the orderly development of land that will make a positive contribution to this gateway location. The Ethos Economic Impact Assessment prepared for the land demonstrates that economic matters have been appropriately considered and is consistent with the *Objectives* of planning in Victoria.

Whilst a Commercial Zone (eg. Commercial 2 Zone) for the site could potentially be appropriate, it was considered that a Mixed Use Zone (MUZ) would be the most sensible outcome for the land in that it:

- Recognises that that the area is already in a physical and land use sense located within a mixed use environment;
- Provides a continuation of the mixed use zone to the east of the site;
- Provides flexibility for future land use.

The existing Design and Development overlay will also ensure the land is developed in an orderly manner. This is also directly in line with the Planning Panel's recommendation in C173.

## 8.2 Assessment against State and Local Planning Policy

The PPF is based on general themes of sustainable land management, orderly planning, improving accessibility, land use, transport integration and the protection of significant landscapes. The amendment is consistent with these broad objectives and in doing so, supports the major principles of the policy framework.

The extension to the Mixed Use Zone will provide a more orderly outcome through consolidating commercial land use and built form outcomes. The loss of agricultural land, due to the proposed rezoning, would be very minor and would be far outweighed by economic and employment benefits generated by the proposed rezoning.

The proposed development of the subject site is likely to draw more people to the precinct which is likely to increase trading activity for existing businesses in the Woodmans Hill precinct and would further strengthen the gateway into Ballarat. As such, the proposal is considered to satisfactorily respond to the economic planning policies.

Locally, the policy framework acknowledges Woodmans Hill as a key gateway location where development is encouraged to achieve a positive impact on the appearance of this major city entrance. This proposal builds on this policy direction and other policy objectives.

### 8.3 Economic Considerations

In support of this application, an Economic Impact Assessment has been undertaken by Ethos Urban. The assessment confirms that the proposal not only responds to current market interest in the area as a location for commercial gateway development, but will also significantly enhance employment opportunities in the wider Ballarat area without impacting on the retail hierarchy, including Central Ballarat or BWEZ.

The Economic Assessment confirms at paragraph 18 that *“In essence, the land uses envisaged for the subject site would reflect a sensible development outcome that strikes a balance between:*

- *Promoting Woodmans Hill as a gateway and highway-service node;*
- *Facilitating the development of other land uses on lots without direct Freeway frontage contributing to a viable cluster of economic activities;*
- *Providing additional and diverse employment opportunities for Ballarat’s increasing population; and;*
- *Not undermining the municipality’s activity centres hierarchy or industrial land supply framework.”*

The assessment concludes that *‘a rezoning of the subject site to the Mixed Use Zone is expected to provide a net community benefit to the City of Ballarat. The positive economic benefits are considered to be extensive and strong in terms of economic development and employment.’* (Paragraph 6.4)

### 8.4 Employment and Investment

There is a wide range of uses that could be accommodated on the subject site should the amendment be supported. From a planning perspective a wide range of non-residential uses which could be acceptable such as display based retail uses (noting that there will be no direct access to the future freeway), tourism based uses (as currently occurs on the southern side) as well as others, all in well landscaped surroundings.

There is already some investment interest for the site due to its high exposure, Highway access and the sites relationship with the agriculture to the region. In terms of access to the Highway, this is a matter which requires further consultation with Vicroads. One option includes the introduction of a new service road which is in line with the proposed Vicroads Western Highway Alignment proposal as shown on Figure 14 of this report.

## 8.5 Suitability of the Subject Site

The proposed extension to the Mixed Use Zone represents an appropriate outcome for the land which maximises the commercial opportunities associated with the prominent frontage to Western Highway. The proposal provides a logical extension without impacting on the area and supports strategic work undertaken for the area.

The rezoning would generate a positive net community benefit through the creation of employment and built form which responds to its gateway location. The site also has locational characteristics that are consistent with achieving strong demand from potential commercial tenants with high exposure and being adjacent to existing commercial and tourism will also be attractive for potential tenants.

It will optimise and take full advantage of the locational attributes of the subject land. Land use, design and building form matters can still be appropriately addressed through the Planning Permit process. This includes ensuring an appropriate interface with the Western Highway. The land is mostly vacant, flat and large enough to accommodate a range of commercial uses. The land does not have any significant development constraints and access can be achieved without impacting on the Western Highway and to the satisfaction of Vicroads.

## 8.6 Implications for Rural Residential Development

While the proposed expansion of the Mixed Use Zone would result in the removal of Rural Living Zoned Land, it is submitted that the loss is insignificant. The Ballarat Rural Land Use Strategy (2010), which is referenced in the Ballarat Planning Scheme states that there are currently 375 vacant lots in the Rural Living Zone, as at March 2010.

Based on this number of lots and the average take up rate of 16 dwellings per year, this provides the City of Ballarat with approximately 23 years supply. This is well in excess of the recommended 15 year supply expressed in the State Planning Policy Framework (SPPF). Additionally, this figure does not take into account adjoining municipalities, such as Golden Plains, which also has extensive rural living zoned land supply.

Furthermore, it is fair to conclude that the subject has low residential amenity attributes in terms of noise and visual amenity from the adjacent Western Highway and medium to long term impacts as a result of the proposed Highway duplication works.

## 8.7 Ballarat Rural Land Use Strategy (RLUS) (2010)

This document is still a reference document at Clause 21.10 of the Scheme. This report was prepared to provide Council with a strategy to manage its rural areas in a sustainable manner, and provide guidance on limitations that need to be place on the expansion of residential and rural living development in order

to protect the ongoing viability of agriculture. This report is relevant as it is referenced in the Ballarat Planning Scheme and the subject site is located with a Rural Living Zone.

The RLUS states that there are currently 375 vacant lots in the Rural Living Zone, as at March 2010. Based on this number of lots and the average take up rate of 16 dwellings per year, this provides the City of Ballarat with approximately 23 years supply. This is well in excess of the recommended 15 year supply. Additionally, this figure does not take into account adjoining municipalities, such as Golden Plains, which also has extensive rural living zoned land supply.

Notwithstanding the rural living zoning of the land, if an agricultural activity was to be entertained, the area is clearly not capable of supporting meaningful agricultural land uses based on the fragmentation of ownership and lot sizes.

This is supported at page 42 of the *BRLUS (Nov 2010)* which states that *“Supporting a horticultural business without off farm income is estimated to require more than 20 ha, whereas for dairy operations it is approximately 200ha...Historical evidence suggests that property size generally needs to double every 20 years for farm businesses to remain viable into the future.”*

At page 44, the *BRLUS (Nov 2010)* confirms that there a large majority of farms in City of Ballarat require 80Ha or greater to operate. This is not disputed however this characteristic (ie. large land holdings) is not what we see in this area. The site also has significant constraints for any ongoing rural use due to the location of the highway, mixed land uses and road abutments.

These facts highlighted in the BRLUS confirm two key aspect in support of this proposed amendment:  
Fact 1: The loss of 11.9 Hectares (approx) of rural living zoned land will have no impact on land supply.  
Fact 2: The land is not suited to agricultural purposes.

## 8.8 Proposed Western Highway Upgrade

We note that the proposed amendment would have a marginal impact on the proposed alignment as highlighted below. An 'Optional Service Road' has been included which also appears to link to Orchard Lane. We see this as a benefit and will compliment access to the site.

The Traffic Group TIA (March, 2020) also confirms the proposal will have a negligible impact.

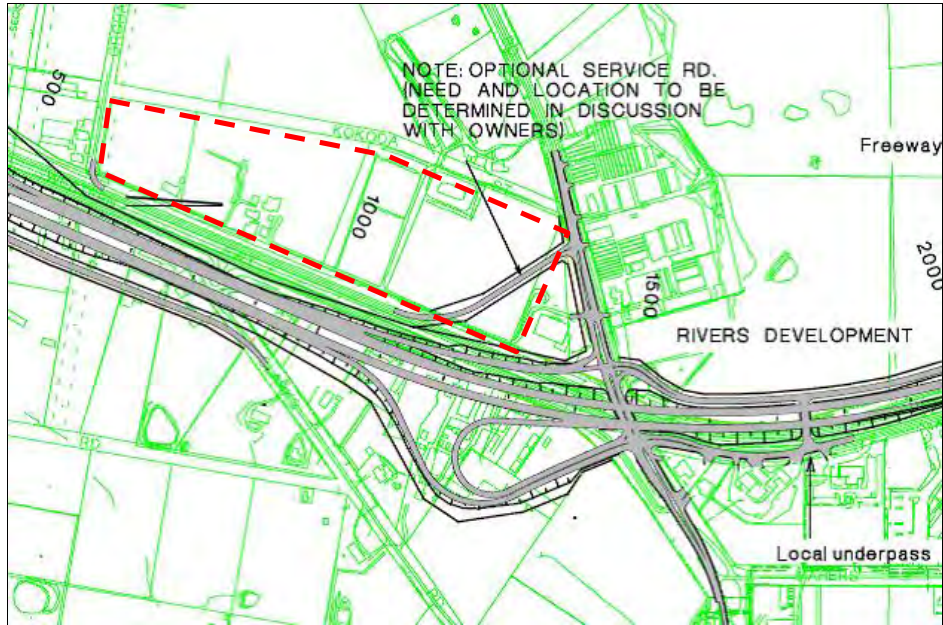


Figure 1 Proposed Vicroads Western Highway Alignment

## 9 Strategic Assessment Guidelines

With consideration to the Strategic Assessment Guideline (Planning Practice Note 46 – August 2018) and Ministerial Direction No.11:

### ***Why is an amendment required?***

The Planning Scheme Amendment is required to facilitate the development of land for appropriate activities which can maximise the site exposure to the Western Freeway and to implement the Woodmans Hill Gateway Precinct Master Plan, January 2015.

This is specifically encouraged by the local policy at Clause 21.09-4 (Woodmans Hill).

It is submitted that the proposal is appropriately supported by the state and local planning policy framework and achieves a net community benefit, particularly through the sites access to services and facilities and economic benefits.

***Does the amendment implement the objectives of planning and address any environmental, social and economic effects?***

It is considered that the proposed amendment implements the objectives of planning in Victoria outlined in the Planning and Environment Act 1987 and adequately addresses any environmental, social and economic effects given that the proposal is considered to achieve a net community benefit for the reasons outlined in this report and supporting reports.

***Does the amendment address relevant bushfire risk?***

The proposal would ultimately result in a decrease to the risk to life and property from bushfire. The land is currently grassland which currently represents a risk. The development of the site would removed this risk.

***Does the amendment comply with all the relevant Minister's Directions?***

The proposed amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the Act) and Ministerial Direction No. 11 (Strategic Assessment of Amendments)

***How does the amendment support or implement the Planning Policy Framework (PPF)?***

An assessment of how the proposal responds to the policy framework is provided earlier in this report.

The proposal supports the relevant objectives and strategies of the PPF through the facilitation of a commercial development which has access to all services and infrastructure, has excellent access and will improve road network linkages and will have significant economic benefits.

These outcomes of the amendment support or give effect to the policy framework and provide a net community benefit.

***How does the amendment support or implement the Local Planning Policy Framework (LPPF) and, specifically, the Municipal Strategic Statement (MSS)?***

An assessment of how the proposal responds to the policy framework is provided earlier in this report.

Relevant policy includes (but not limited to):

Clause 21.01-1 Context “Ballarat encompasses an urban core, outlying townships and a large agricultural base across approximately 740 square km. The population in 2014 was approximately 100,000 people. It is forecast to grow to approximately 160,000 by 2040 making Ballarat one of Australia’s fastest growing inland centres. Ballarat is also a significant source of jobs for regional Victoria.”

The most relevant policy is Clause 21.09-4 Woodmans Hill, which seeks to implement the Woodmans Hill Gateway Precinct Master Plan (January 2015).

It recognises the Woodmans Hill Gateway as one of the major entry points to the City, and highlights the opportunity to improve the entry experience, both visually and from a land use perspective.

***Does the amendment make proper use of the Victoria Planning Provisions?***

The proposed amendment makes proper use of the VPPs as it is the necessary tool to facilitate the development of the land for commercial purposes.

***How does the amendment address the views of relevant agencies?***

Preliminary discussions with relevant agencies have confirmed that there are no foreseeable issues with the serviceability or infrastructure provision to the site.

***Does the amendment address the requirements of the Transport Integration Act 2010?***

The amendment is not likely to have a significant impact on the transport system, as defined by section 3 of the TIA.

***What impact will the new planning provisions have on the administrative costs of the responsible authority?***

The cost implications for a responsible authority in implementing and administering the new planning provisions is comparable to any other planning scheme implementation task in Ballarat.

# 10 Aboriginal Cultural Heritage

The *Aboriginal Heritage Regulations 2007* which specify the circumstances in which a Cultural Heritage Management Plan is required for an activity or class of activity. Part 2 - Division 2 of the *Aboriginal Heritage Regulations 2007* specifies exempt activities which do not require a Cultural Heritage Management Plan. The site is not located within an area of cultural heritage sensitivity therefore a Cultural Heritage Management Plan is **not** required in this instance.

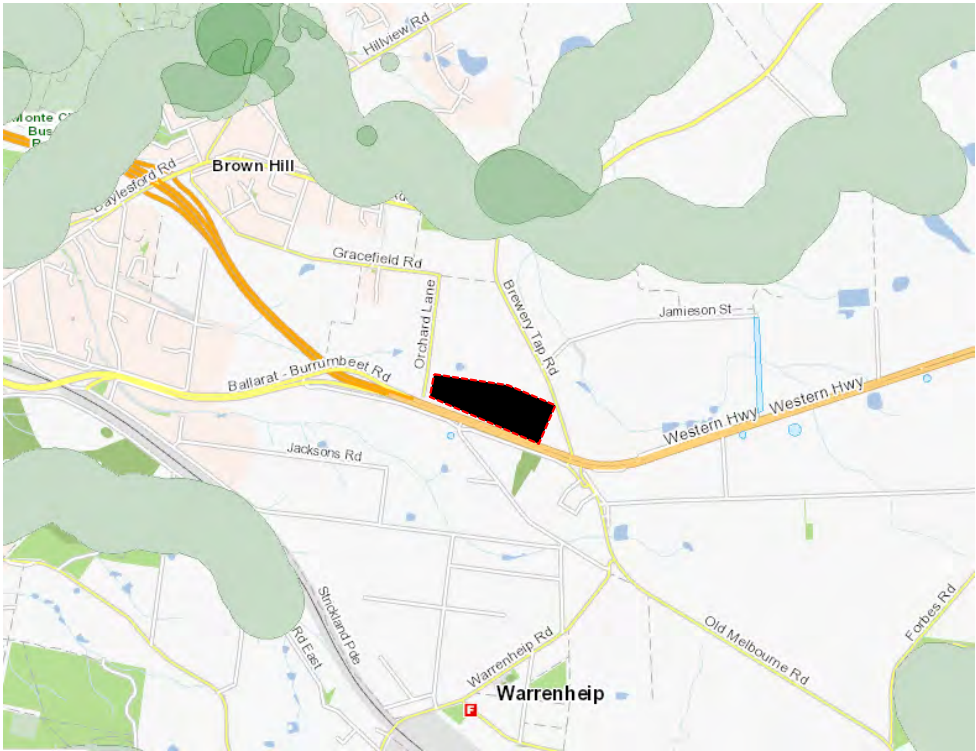


Image 8 Areas of Cultural Heritage Sensitivity



# 11 Conclusion

It is considered that the proposed amendment is appropriate and responds policies contained within the Ballarat Planning Scheme. The proposal provides a logical extension to the Mixed Use Zoned land without impacting on the strategic planning framework, community expectation, agriculture, amenity or built form characteristics of the area.

It will optimise and take full advantage of the locational attributes of the subject land and it will not undermine the viability of any other centre within the Ballarat hierarchy. It will generate a positive net community benefit through the creation of employment and investment opportunity and is a natural and complimentary extension to existing commercial land.

Land use, design and building form matters can still be appropriately addressed using the existing planning framework and through the existing Design and Development Overlay. Any loss of agricultural land or rural living zoned land is negligible and is far outweighed by the economic and employment benefits the proposed rezoning will provide.

In summary, it is considered that the proposed Planning Scheme Amendment represents an opportunity to promote commercial growth in a key gateway location which will provide local employment and high amenity design and built form outcomes.

It is therefore recommended that Council support this proposal.

17/09/2015  
C173

## SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

### WOODMANS HILL GATEWAY PRECINCT

#### 1.0

17/09/2015  
C173

#### Design objectives

To ensure that buildings and works are generally consistent with the Woodmans Hill Gateway Precinct Master Plan (January 2015).

To provide for an attractive and distinctive town approach along the current and future alignment of the Western Freeway, by ensuring that the nature, scale and appearance of new development is compatible with the landscape and design controls for new development as set out in the Woodmans Hill Gateway Precinct Master Plan (January 2015).

To reinforce the gateway role that this precinct plays to the Ballarat Central Business District (CBD).

To provide appropriate interfaces between the commercial and rural, rural living and residential areas of Woodmans Hill, by providing suitable landscape treatments to integrate built form with surrounding development.

To ensure that development of land nearby to the current and future alignment of the Western Freeway is undertaken with appropriate noise attenuation measures to minimise the impact of traffic noise.

To ensure that development is compatible and sensitive to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.

#### 2.0

17/09/2015  
C173

#### Buildings and works

##### Noise Attenuation

Any development within the area covered by this overlay may be required to include noise attenuation measures to the satisfaction of the Roads Corporation, for both the existing Western Highway and the future Western Freeway. The sensitivity of the existing or proposed use will be considered in determining whether noise attenuation measures are required.

##### Building height, bulk and setbacks

- The height and bulk of new development should be respectful of the valued landscape and natural environmental elements of the area.
- The height and bulk of new buildings should consider the current alignment of the Western Highway along with the alignment of the Public Acquisition Overlay for the future Western Freeway and the need to create an attractive and distinctive town approach.
- All buildings within the Precinct should be setback at least 20 metres from the alignment of the Public Acquisition Overlay for the future Western Freeway, and 10 metres from all other roads.

##### Front Fences

- Front fences should be designed to have minimal visual impact and preferably be located behind landscaped setback areas.

##### Landscaping

An application to construct a building or construct or carry out works must provide for appropriate landscaping, including:

## BALLARAT PLANNING SCHEME

- A 5 metre minimum wide landscaping strip along property frontages to the alignment of the Public Acquisition Overlay for the future Western Freeway, and 3 metres minimum along all other road frontages.
- Landscaping which provides for a visual reduction of the bulk of new development, and enhancement of the appearance of new buildings.
- Where buildings are setback from side or rear boundaries, provision is to be made for a landscape screen of fast growing native species along these boundaries to contribute to the creation of an attractive environment.
- A selection of species that minimise long term watering requirements.
- Paving materials that provide texture, patterns, subtle colour and permeability to the site frontage should be used. Large expanses of asphalt or cement should be avoided.

### Advertising signage

- Visual clutter, created by excessive or inappropriate signage is strongly discouraged.
- Business identification signage should be integrated with architectural built form and not protrude above or beyond building facades.
- Promotional signs should be avoided.
- Where signs are required to be illuminated, illumination should be concealed or integral to the sign by neon, or internally lit box or by sensitively designed spot lighting.
- Colours, materials and illumination of signage that may interfere with the safety and efficiency of traffic circulation is to be avoided.

### Access

- Access to any development must be via local roads or via a service road arrangement. No direct access is permitted onto the Western Highway.

## 3.0

17/09/2015  
C173

### Information to accompany applications for permit

An application to construct a building or construct or carry out works should be accompanied by:

- A written urban context report detailing how the development achieves the design objectives of this Schedule to the satisfaction of the Responsible Authority.
- A landscape plan which achieves the landscaping requirements of this Schedule and details proposed front fencing treatments.
- An acoustic report, prepared by a qualified acoustical engineer which stipulates the appropriate noise attenuation measures to be implemented should the application be for a sensitive use.

## 4.0

17/09/2015  
C173

### Decision Guidelines

Before deciding on an application, the Responsible Authority must consider whether the proposed buildings and works will enhance the Woodmans Hill Gateway Precinct in accordance with the criteria specified in this Schedule, particularly with respect to:

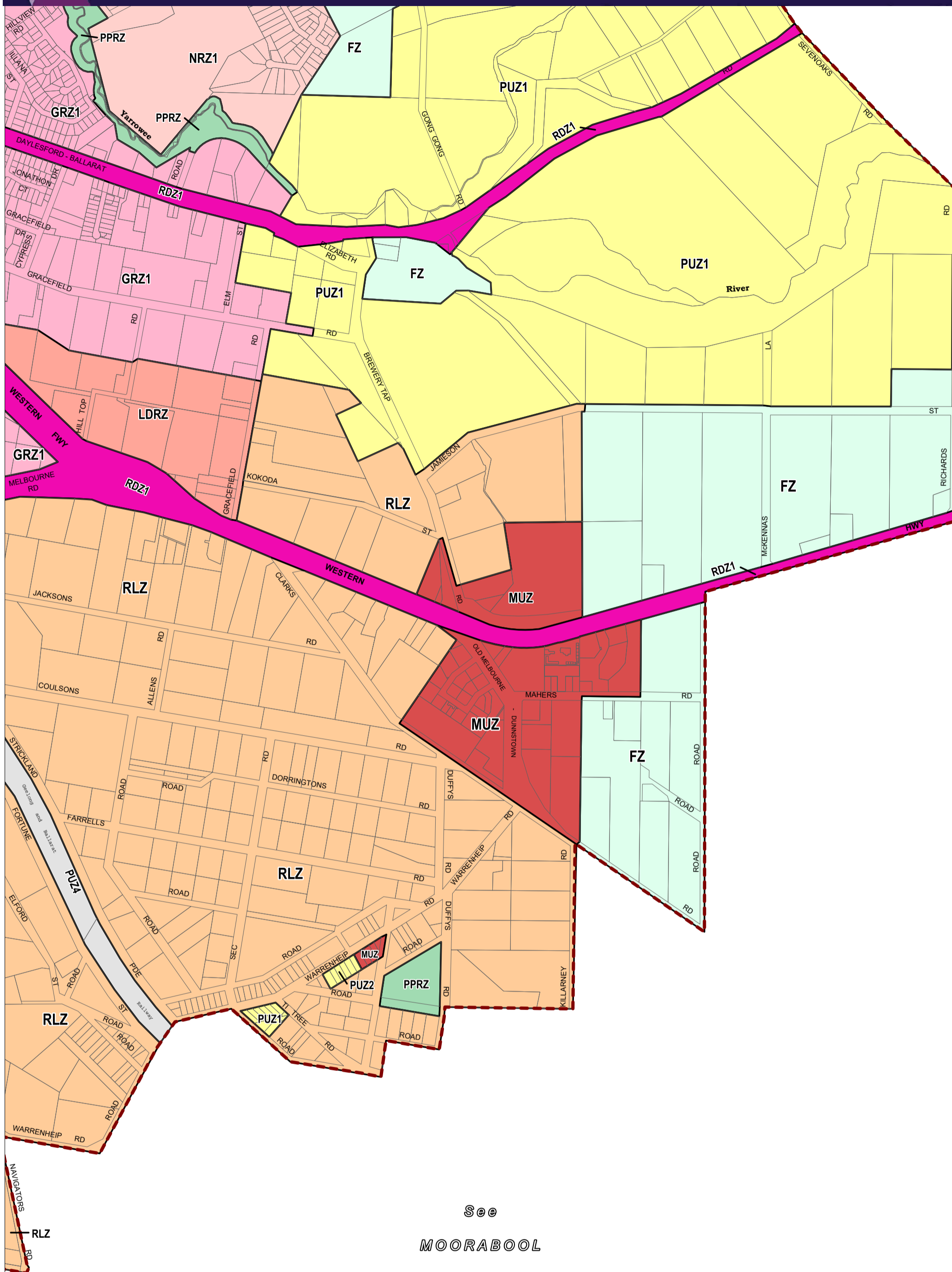
- Natural landform and topography;
- Views;
- Interface;
- Architectural quality of the building design;
- Built form;
- Building setbacks;

## BALLARAT PLANNING SCHEME

- Landscaping;
- Preservation of existing locally indigenous vegetation and habitat links;
- Signage.

*Reference: “Woodmans Hill Gateway Precinct Master Plan (January 2015)”*

# BALLARAT PLANNING SCHEME - LOCAL PROVISION



See  
MOORABOOL  
PLANNING  
SCHEME

See  
MOORABOOL  
PLANNING  
SCHEME

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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

INDEX TO ADJOINING SCHEME MAPS

<b>Public Land</b>	<b>Neighbourhood Residential Zone - Schedule 1</b>
PPRZ Public Park And Recreation Zone	NRZ1
PUZ2 Public Use Zone - Education	<b>Rural</b>
PUZ1 Public Use Zone - Service And Utility	FZ Farming Zone
PUZ4 Public Use Zone - Transport	RLZ Rural Living Zone
<b>Road Zone - Category 1</b>	
RDZ1	
<b>Residential</b>	
GRZ1 General Residential Zone - Schedule 1	
LDRZ Low Density Residential Zone	
MUZ Mixed Use Zone	

Municipal Boundary

0 500 m

AUSTRALIAN MAP GRID ZONE 54

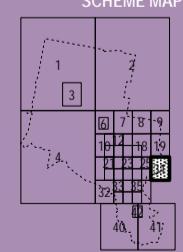
PREPARED BY: Planning Mapping Services



Printed: 25/11/2016  
**AMENDMENT C183**

**VICTORIA**  
State Government

Environment,  
Land, Water  
and Planning



ZONES

MAP No 31

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**Proposed Section 173 Agreement**

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**DRAFT ONLY**  
**21 APRIL 2020**

## **Proposed Agreement under section 173 of the Planning and Environment Act 1987**

The substantive covenant of a proposed Section 173 Agreement prohibiting the land use “dwelling” on the land is attached.

**Subject Land:**

Crown Allotment 21 (Section 24  
Crown Allotment 20 (Section 24  
Lot 1 on PS 629326M  
Lot 2 on PS 629326M

Agreement Between:

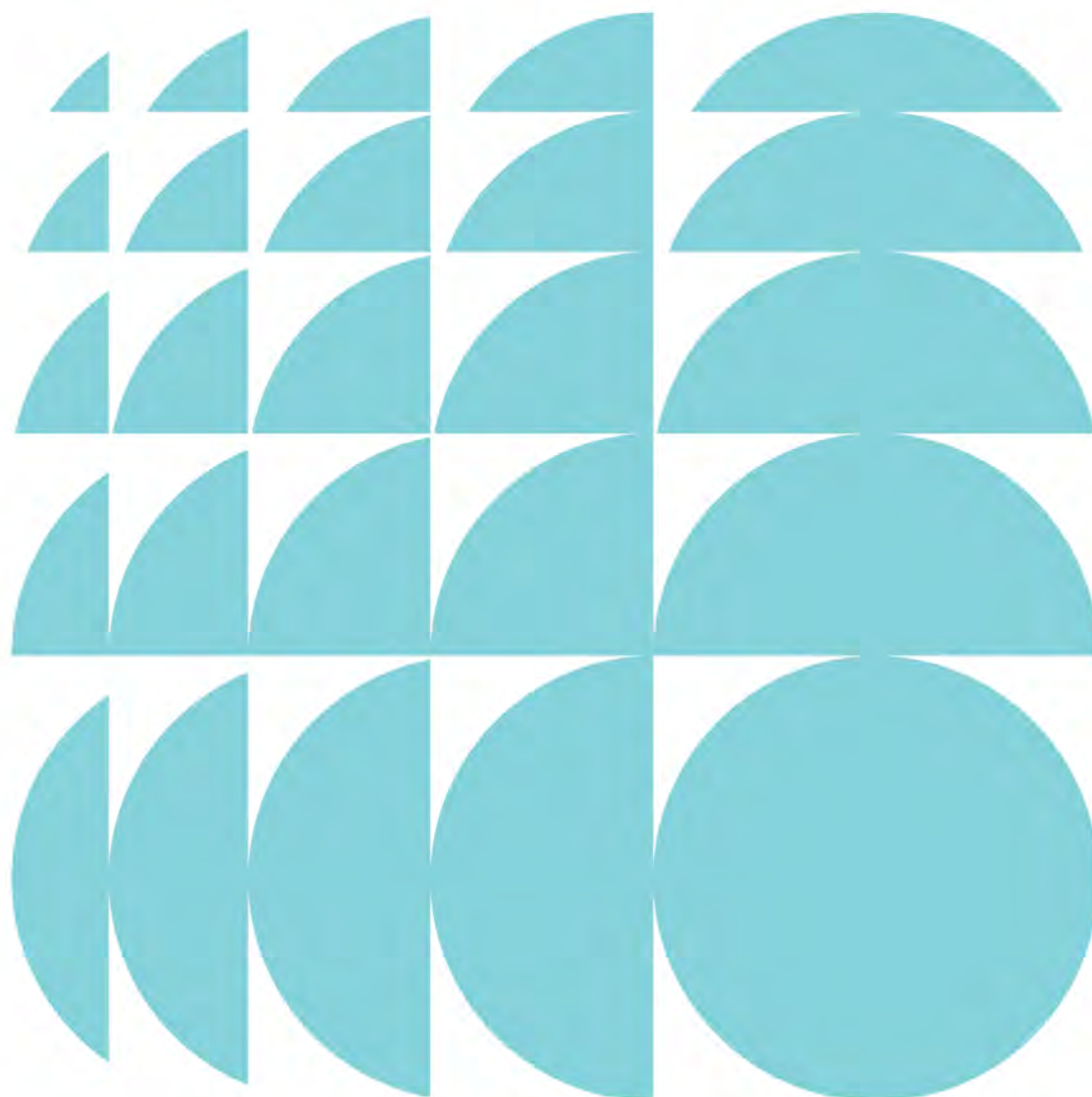
**Ballarat City Council and Land Owners**

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### **Owner Specific Obligations**

- No dwelling, except a caretakers residence, is permitted on the land.

Note: A caretakers residence is defined in the Ballarat Planning Scheme as *“A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.”*





### *Authorship*

<b>Report stage</b>	<b>Author</b>	<b>Date</b>	<b>Review</b>	<b>Date</b>
Working draft	Jack O'Connor & Alex Wilson	20 March 2020	Client	-
Draft report	Jack O'Connor	31 March 2020	Chris McNeill	1 April 2020
Final report	Jack O'Connor	7 April 2020	Chris McNeill	8 April 2020

### *Disclaimer*

Every effort has been made to ensure the accuracy of the material and the integrity of the analysis presented in this report. Ethos Urban Pty Ltd accepts no liability for any actions taken on the basis of report contents.

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***Our Reference: 3200048***

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## Executive Summary

### **Background**

- 1 The landowners (Kaufmann Property Consultants Pty Ltd) seek a rezoning of the subject site to the Mixed Use Zone (MUZ) to facilitate its development for, amongst other potential uses, highway-service uses. Ethos Urban has been engaged by the landowners to undertake an economic assessment of the market demand, impacts and benefits associated with such a rezoning and in particular the opportunity that such an opportunity presents for the development of highway-service uses.
- 2 For the purposes of this report 'highway-services' refers to those uses that typically locate adjacent major roads, highways or freeways, and are reliant on the exposure and accessibility afforded by such sites.

### **Site Location**

- 3 The subject site is strategically located at Woodmans Hill on the eastern fringe of Ballarat and abuts the Western Freeway, the major road connection between Melbourne and Adelaide. The site comprises an area of approximately 12 hectares, is situated in the RLZ and is currently used for low-intensity agricultural activities.
- 4 The landowners seek a rezoning of the subject site to the MUZ, which amongst other potential uses, would facilitate its development for highway-service activities. If delivered, the rezoning would result in a westward expansion of the MUZ precinct situated immediately east of the site.
- 5 While a detailed development scheme is yet to established, the types of uses broadly envisaged for the subject site include service stations and convenience retail; food and beverage outlets; vehicle, machinery and equipment sales; accommodation; tourism uses; and some light service industry. Note, while the MUZ would permit land uses that nest under the land use term 'accommodation' it is understood the landowners agree to a restriction on the title prohibiting the use of the land for the purpose of a dwelling.

### **Planning Context**

- 6 The significant growth in the residential population forecast for the Ballarat region and the implications this growth will have for the region's economy, including the need to increase and diversify local employment opportunities, are key themes that emerges from current strategic policies and plans.
- 7 Woodmans Hill is noted as a gateway precinct to Ballarat with potential to accommodate a land use mix geared to highway-services that contributes to the economic diversity of the Ballarat region. The subject site is specifically identified for 'potential future development' in the Woodmans Hill Gateway Precinct Masterplan (2015), with development that capitalises on the site's visual exposure to the highway and captures trade that would otherwise not contribute to the Ballarat economy strongly encouraged.
- 8 In addition, strategic policy identifies that development of the subject site should be of net community benefit and not undermine Ballarat's existing centres hierarchy and industrial land supply framework.

### **Locational Attributes**

- 9 The existing range of uses accommodated by land in the MUZ land at Woodmans Hill is typical of highway-service centres. These uses include service stations basic convenience

retail, vehicle, machinery and equipment sales; food and beverage outlets; and accommodation options (geared to passing trade).

- 10 The subject site is considered to have locational attributes suitable for development of a wide range of highway-service uses including exposure to passing traffic, sufficient and unencumbered land area, ability to draw trade from a large regional catchment, accessibility to-and-from the site. For eastbound vehicles on the Western Freeway bypassing Ballarat, the subject site would represent the first highway-service site in the Ballarat region (as no highway-service uses or precincts are located on the Western Freeway bypass (of Ballarat).
- 11 The importance of this competitive advantage is reinforced by the subject site being directly accessible to eastbound Freeway traffic (via a service road) as per the likely access arrangements.
- 12 There is an opportunity for passing trade to be generated by a wide range of factors including commercial, traffic, general freeway traffic, tourist and other visitor traffic, and commuter traffic. VicRoads data from 2019 estimates that in the order of 12,000 vehicles pass the subject site (east bound) daily, with 1,700 of these vehicles being trucks and the balance (10,300) being general passenger vehicles.

#### **Regional Economic Context**

- 13 The City of Ballarat's population is forecast to increase by some +32,320 persons across the 15 years to 2035. This growth is set to underpin an expansion of the municipality's economy and increasing the provision and diversity of local employment opportunities will be important.
- 14 Although jobs growth in Ballarat's residential labour force is primarily focused on the consumer services sector, the construction sector is creating employment opportunities for the blue-collar workforce. Recent jobs growth in consumer services and construction sectors is expected to continue as Ballarat develops as a major service centre, informed by a strong pipeline of major projects.

#### **Economic Impacts of Highway-Service Uses at the Subject Site**

- 15 The land uses envisaged for the subject site would not undermine the City of Ballarat's existing activity centre's hierarchy or industrial land supply framework. The limited scale of the subject site along with the nature of the potential uses proposed, the location of the site on the eastern approach to the city, and the limited highway-service uses currently fronting the Western Freeway in Ballarat would mitigate any impacts.
- 16 By servicing an existing gap in the provision of highway-service uses, the proposed rezoning provides an opportunity to capture trade that would otherwise not benefit the Ballarat economy.
- 17 In addition to highway-service uses, there is potential for the subject site's land use mix to include some light service industry, with these activities contributing to a viable, albeit limited, cluster of economic uses being supported at Woodmans Hill.
- 18 In essence, the land uses envisaged for the subject site would reflect a sensible development outcome that strikes a balance between:
  - Promoting Woodmans Hill as a gateway and highway-service node;
  - Facilitating the development of other land uses on lots without direct Freeway frontage contributing to a viable cluster of economic activities;

- Providing additional and diverse employment opportunities for Ballarat's increasing population; and
  - Not undermining the municipality's activity centres hierarchy or industrial land supply framework.
- 19 If the subject is not developed for the land uses envisaged, there is a risk that Woodman's Hill will not reach its full potential as a highway-service and gateway precinct, resulting in employment opportunities and other benefits not being captured by the Ballarat economy. Moreover, development of the subject site would assist in 'balancing' job provision in Ballarat which is skewed toward the regional centre's central, northern and western areas.
- 20 In the Australian context, gateway precincts for highway-services have long been developed proximate regional cities for the purposes which include leveraging economic benefits that would otherwise not be accrued locally. Examples include Princess Highway at Corio, Geelong; Geelong Ring Road at Lovely Banks, Geelong; Princes Highway between immediately to the east of Traralgon; and the Northern Highway, Echuca (in the McSwain Road area).

***Economic Benefits Associated with the Proposed Development***

- 21 A hypothetical development scenario combining limited retail facilities, commercial and light industrial development would represent an investment in the order of \$35 million.
- 22 Construction related employment is estimated to represent in the order of 70 job years (direct employment) and 215 job years (indirect employment).
- 23 On completion, the development scenario is estimated to provide employment for approximately 275 persons.

***Net Community Benefits***

- 24 It is the consultants view that rezoning the subject site from the RLZ to the MUZ would deliver a net community benefit. This is based on the following factors:
- The rezoning and proposed land use vision is supported by strategic planning policy,
  - Highway-style development would complement the relatively small cluster of similar uses adjacent to and opposite the subject site.
  - The subject site is located in a strategic and visible position on the Western Freeway for the land uses envisaged and would have suitable access arrangements.
  - The proposed development vision provides an opportunity to capture trade that would otherwise not benefit the Ballarat economy as no other development sites currently exist adjacent to the Western Freeway in the Ballarat urban area.
  - At approximately 12 hectares in area, the subject site's scale and, more particularly, the anticipated nature of development (primarily highway-style commercial development) will not compete with or undermine Ballarat's existing or proposed activity centre hierarchy.
  - Similarly, the scale, location, physical geography and nature of development will not compete with or undermine existing industrial areas within Ballarat, including the Ballarat West Employment Zone.
  - The capital investment, direct and indirect construction employment and ongoing employment associated with the development concept.

**Woodmans Hill Economic Assessment**

*FINAL Report*

- The opportunity to provide a degree of balance to urban development in Ballarat in view of the strong population growth forecast for the municipality.

## Introduction

### Background

Kaufmann Property Consultants Pty Ltd (the landowner) seek a rezoning of the subject site at Woodmans Hill, Ballarat, to the Mixed Use Zone (MUZ) to facilitate its development for, amongst other uses, highway-service uses. Ethos Urban has been engaged by the landowners to undertake an economic assessment of the market demand, impacts and benefits associated with such a rezoning, and the opportunity such a rezoning presents for the development of highway-service uses.

The subject site comprises approximately 12 hectares of land at Woodmans Hill on the eastern fringe of Ballarat. The site is currently in the Rural Living Zone (RLZ).

Planning for the Woodmans Hill area is informed by the Woodmans Hill Gateway Precinct Master Plan (2015), a reference document at Clause 21.09-4 of the Ballarat Planning Scheme. The desired land use mix for Woodmans Hill envisaged by the Master Plan (2015) is for the location to function as the main gateway to Ballarat with highway related functions, associated retail uses and tourism activity capturing passing trade that would otherwise not benefit the Ballarat economy.

The landowners are seeking a rezoning of the subject site from the RLZ to the Mixed Use Zone (MUZ) which amongst other uses would facilitate development of the site for highway-service uses. The landowners sought to progress the rezoning some years ago but the matter stalled due to insufficient support from City of Ballarat (Council).

### Objective

This economic report provides an independent assessment of the following matters:

- The demand for the type of highway-service uses envisaged for the subject site;
- The extent to which the delivery of such uses on the subject site would impact on similar uses elsewhere in City of Ballarat; and
- The economic benefits associated with the potential development of the subject site for urban purposes including highway-service uses.

### Definitions

#### Highway-services

For the purposes of this report 'highway-services' refers to those uses that typically locate adjacent major roads, highways or freeways, and are reliant on the exposure and accessibility afforded by such sites. These uses may include:

- Service stations
- Basic convenience retail
- Food/beverage outlets
- Vehicle, machinery and equipment sales.
- Accommodation such as motels or caravan parks
- Tourism uses (geared to passing trade)



Note, although the MUZ would permit the land uses that nest under the land use term 'accommodation', it is understood landowner agrees to a restriction on the title prohibiting the use of the land for the purpose of a dwelling.

### **This Report**

This report contains the following chapters:

- Chapter 1:** Site Location
- Chapter 2:** Planning Context
- Chapter 3:** Locational Attributes
- Chapter 4:** Economic Context
- Chapter 5:** Economic Impacts of Highway-Service Uses at the Subject Site
- Chapter 6:** Economic Benefits and Net Community Benefit

## 1 Site Location

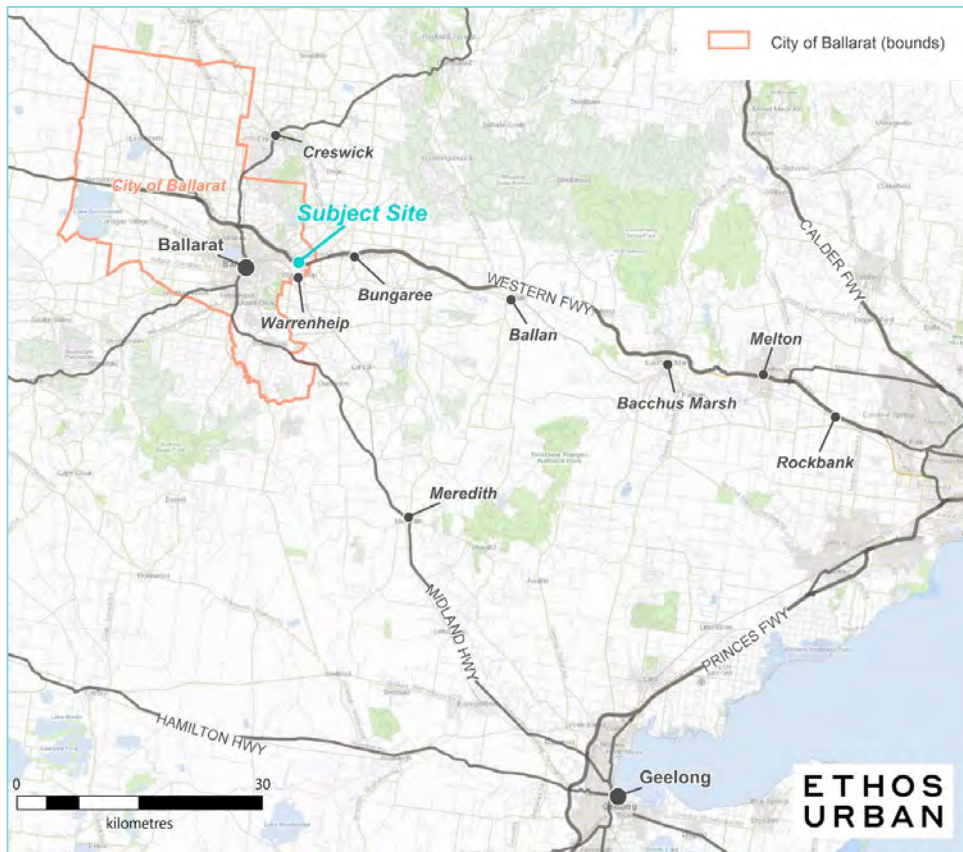
This chapter provides an overview of the subject site, its locational context, and the proposed rezoning and development vision.

### 1.1 Regional Context

The City of Ballarat (LGA) is a major regional centre in western Victoria with a residential population of approximately 111,540 persons in 2020 (source: ABS Cat:3218.0). The municipality is located some 100km (or a 90-minute drive) east of Melbourne and 80km (or a 75-minute drive) west of Geelong.

Woodmans Hill is situated on eastern approach to Ballarat and is best described as a small service centre geared to passing highway trade comprising retail, sales yard/showrooms; and some industrial, tourism and accommodation aspects. The locality occupies a strategic position adjacent the Western Freeway, the primary road link between Melbourne and Adelaide, and is centrally positioned within Victoria's western agricultural region. The location of Woodmans Hill in relation to Ballarat, Geelong and nearby smaller townships including Ballan and Bungaree is shown in Figure 1.1.

Figure 1.1: Ballarat and Woodmans Hill Regional Context



Source: Ethos Urban using MapInfo; VicMap

## 1.2 Site Context

The subject site comprises an area of approximately 12 hectares in the Rural Living Zone (RLZ). Surrounding land uses include:

- Land in the Mixed-Use Zone (MUZ) to the east and south-east;
- Land in the RLZ to the south and south-west;
- Land in the Low Density Residential Zone (LDRZ) to the west; and
- Land in the RLZ to the north.

Refer Figure 1.2.

MUZ land to the immediate east of the subject site and north of the Western Highway contains Cervus Equipment (agricultural machinery supplier) and the Brewery Tap Hotel. More significant commercial uses are situated on the south side of the Western Highway – Old Melbourne Road intersection and contains a range highway-service, industrial accommodation and tourism uses, including: BP and Shell (including Coles Express) service stations, Auchettl Motors, Oliver's Real Food (takeaway restaurant), Ballarat Colonial Motor Inn, Gold Rush Indoor and Outdoor Mini Golf, Mai's Kitchen (café), Amazing Mill Markets, Smith Truck and Equipment Group, Truck Wholesalers Australia and Great Grab (hardware) etc.

The subject site comprises four property parcels that are currently used for low-intensity agricultural activities (predominately cattle or sheep grazing) and contains a single dwelling and some ancillary machinery sheds. Additionally, the central parcel is intermittently used for machinery storage for surrounding agricultural activities.

### The Subject Site (left) and Cervus Equipment (right) - Viewed from the South



Source: Ethos Urban

The subject site has a range of attributes which support the development of highway-service uses, including:

- Relatively flat, unencumbered and easily developable land;
- Location within an emerging highway-service cluster on the eastern fringe of Ballarat, a major regional centre in western Victoria;
- Frontage to the Western Freeway, the primary road linkage between Melbourne and Adelaide;
- Clear sightlines to Freeway traffic travelling from the east and west; and
- Lack of nearby sensitive uses reducing the likelihood of land use conflict issues.

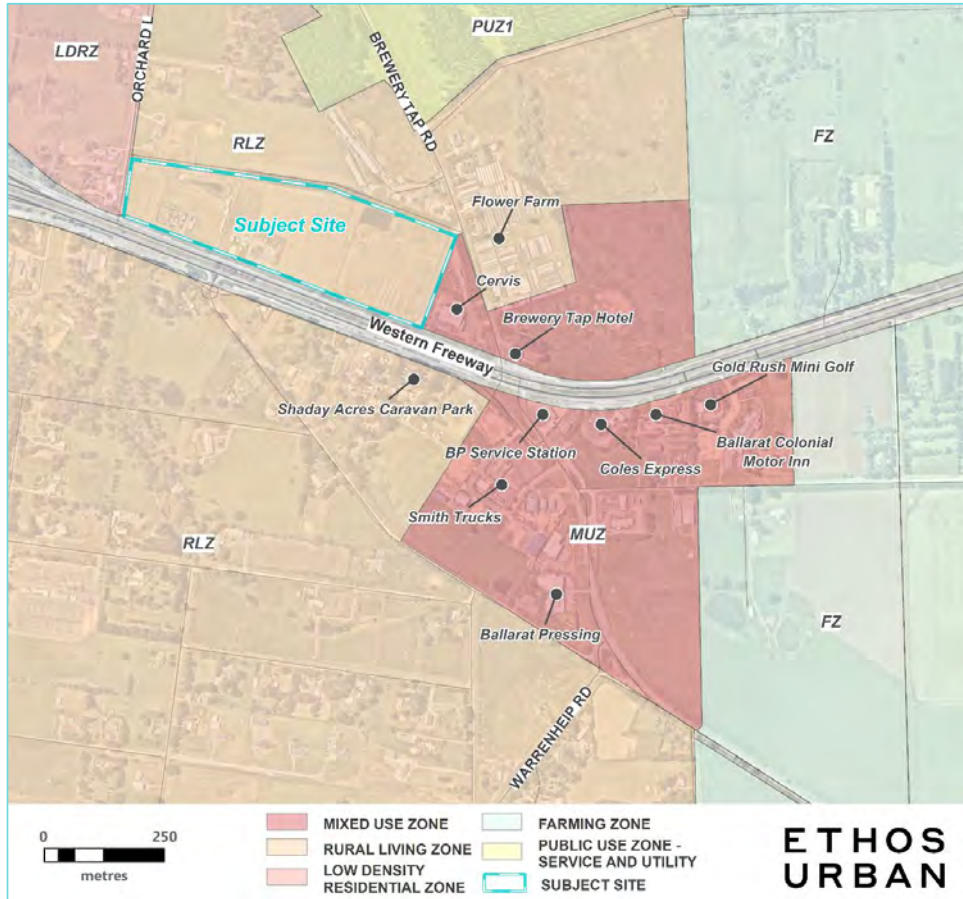
Although the subject site has excellent exposure to passing traffic, there is potential for the access arrangements to constrain development options. Based on current information from Regional Roads Victoria, it is understood access to the subject site is likely to consist of:

- Lefthand turn into the site via a service road arrangement from the Western Freeway; and
- Egress from the rear of the site via Brewery Tap Road.

Under such arrangements the subject site would be directly accessible to eastbound Western Freeway traffic, but accessibility to westbound Freeway traffic (travelling from Melbourne, Bacchus Marsh etc) would be limited.

It is unlikely that access to the subject site would be suitable for large-scale transport or logistics uses, with development of these uses also likely to be constrained by the relatively small site size ( 12 hectares). The Ballarat West Employment Zone is a more suitable location for higher-order, large-scale transport, logistics and other industrial uses (that require large, unencumbered, and accessible sites).

Figure 1.2: Subject Site and Surrounding Environs



Source: Ethos Urban using MapInfo, Streetpro, Nearmap and VicMap

### 1.3 Proposed Rezoning and Development Vision

The landowners seek a rezoning of the subject site from the RLZ to the MUZ to facilitate development of highway-service uses. The proposed rezoning would result in a westward extension of the existing MUZ precinct situated immediately east of the subject site. While a detailed development vision is yet to be established, it is understood that the types of uses broadly envisaged for the subject site include:

- Service stations;
- Basic convenience retail;
- Food/beverage outlets;
- Vehicle, machinery and equipment sales;
- Accommodation (such as motels or caravan parks); and
- Tourism uses (geared to passing trade).

Uses requiring a high-level of exposure to passing traffic such as service stations, basic convenience retail, food/beverage outlets, vehicle equipment and machinery sales and tourism and accommodation uses, would most likely be situated proximate the site's southern boundary with direct sight-lines to the Western Freeway.

There is also potential for the subject site's land use mix to include some smaller-scale, light service industry. Accommodating some general employment uses not strictly geared towards highway-focussed trade at the subject site would contribute to generating a viable cluster of activities at the subject site by providing employment generating uses for those areas of the site without direct frontage to the Freeway.

The potential for a service station at the subject site may be limited by the significant opportunity for these facilities to be delivered at other sites in the Woodmans Hill area, noting that service stations are a section 2 (permit required use) under the RLZ, MUZ and Farming Zone (FZ).

## 1.4 Summary

The following key findings are highlighted:

- The subject site is strategically located at Woodmans Hill on the eastern fringe of Ballarat and abuts the Western Freeway, the major road connection between Melbourne and Adelaide.
- The subject site comprises an area of approximately 12 hectares, is situated in the RLZ and is currently used for low-intensity agricultural activities.
- The landowners seek a rezoning of the subject site to the MUZ to facilitate its development for highway-service uses. If delivered, the rezoning would result in a westward expansion of the MUZ precinct situated immediately east of the site.
- While a detailed development scheme is yet to be established, the types of uses broadly envisaged for the subject site include service stations and convenience retail; food and beverage outlets; vehicle, machinery and equipment sales; ; accommodation; tourism uses; and some light service industry.

## 2 Planning Context

An overview of key planning policy and strategic documents relevant to development of the subject site at Woodmans Hill is provided in this chapter.

### 2.1 Planning Policy Context

#### ***State Planning Policy***

Clause 17.01-1S of the Ballarat Planning Scheme has the objective to strengthen and diversify the economy. Strategies provided include to:

- Protect and strengthen existing and planned employment areas and plan new employment areas.
- Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.
- Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on emerging and existing strengths of each region.
- Improve access to jobs closer to where people live
- Support rural economies to grow and diversify.

Clause 17.02-2S has the objective to manage out-of-centre development. Strategies include discouraging proposals for single use retail, commercial or recreational facilities outside of activities centres; and only consider out-of-centre proposals where the proposed use or development is of net benefit to the community in the region.

Clause 32.04 states that the purpose of the Mixed Use Zone (MUZ) is to provide a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality amongst other aspects.

Uses permitted under Section 1 (permit not required) include:

- Art Gallery
- Bed and breakfast
- Community care accommodation
- Dwelling (other than bed and breakfast)
- Food and drink premises (must not exceed 150m<sup>2</sup> of leasable floor area)
- Medical centre (must not exceed 250m<sup>2</sup> of gross floor area)
- Museum
- Office (must not exceed 250m<sup>2</sup> of leasable floor area)
- Residential aged care facility
- Shop (other than Adult sex product shop – must not exceed 150m<sup>2</sup> leasable floor area)

Section 2 (permit required) uses under the MUZ include:



- Accommodation (other than community care accommodation, dependent person's unit, dwelling, residential aged care facility and rooming house)
- Agriculture (other than animal production, apiculture, domestic animal husbandry and racing dog husbandry)
- Grazing animal production
- Industry (other than materials recycling and transfer station)
- Leisure and recreation
- Retail premises (other than food and drink premises and shop)
- Warehouse

Note, industry and warehouses must not be for a purpose listed in Clause 53.10 (uses with adverse amenity potential) and must not affect the amenity of the neighbourhood through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

#### **Local Planning Policy Framework**

Clause 21.09 provides the local content to support Clause 21.02 (Housing and Settlement) and Clause 21.08 (Transport and Infrastructure). Regarding Woodmans Hill, Clause 21.09-4 outlines the importance of developing a gateway precinct that announces entry into Ballarat and minimises ad-hoc development that would otherwise compromise the appearance and appeal of the area. The Clause also notes that any new retail and industrial development should not conflict with the intent of Council's retail and industrial strategies.

Objectives for the Woodmans Hill Precinct include:

- To provide a distinctive entrance to Ballarat that will enhance the image and reflect the nature, history and culture of the municipality, including through the provision of a major entrance feature/public art element.
- To achieve use and development that is respectful to the valued landscape and natural environmental elements of the area, including view lines, vegetation retention, landscaping and defined koala habitat.
- To encourage high quality sustainable built form.
- To achieve land use outcomes that add to the overall economic diversity of Ballarat without compromising the economic viability of Ballarat's Activity Centres, in particular the Ballarat CBD and the Ballarat West Employment Zone.
- To achieve a land use mix that has a focus on highway related functions, with ancillary retail and support for existing tourism uses that capture passing economic activity that contributes to the Ballarat economy.



Clause 21.09-4 notes that the Woodmans Hill Gateway Precinct Master Plan (January 2015) is the reference document which informs the planning and development of Woodmans Hill. This document is discussed further in section 2.2.

#### **Central Highlands Regional Growth Plan (2014)**

The Central Highlands Regional Growth Plan provides a regional framework to inform land use planning in the municipalities that form the Central Highlands – namely, Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees. The Plan provides strategic directions that encourage economic growth and development in the region over 30-year period.

The Plan identifies that Ballarat and the eastern part of the region will accommodate a large share of the population growth in the Central Highlands region.

#### **Ballarat Activity Centres Strategy (2012)**

Ballarat Activity Centre Strategy (2012) provides the principles and actions to inform the planning and development of activity centres in City of Ballarat. The Strategy provides the following vision:

*“A strong and diverse network of Activity Centres that provides vibrant, sustainable and accessible shopping, employment, entertainment, social and community focal points throughout the City. A network which meets the needs of Ballarat’s existing and future population, residents of the broader region, in addition to Ballarat’s visitors.*

*A network of centres that reinforce the primacy of the Ballarat Central Business District and the complementary role of other centres in the hierarchy. A network that can accommodate future demand for retail, employment, entertainment, social and community services and facilities as a consequence of forecast population growth, changing socio-economic characteristics, retail and economic trends.*

*Flexibility for centres to change over time to accommodate the changing needs of their communities, with the opportunity for local communities and business groups to be involved in determining the distinctive identity which evolves for each centre.” (p11)*

The Strategy identifies a future Activity Centre Hierarchy for City of Ballarat, including:

- **Principal activity centre** (Ballarat CBD)
- **Major activity centres** (Wendouree and a proposed centre on the Glenelg Highway)
- **Large neighbourhood activity centre** (Lucas, Sebastopol, Midvale, Buninyong)
- **Neighbourhood activity centres** (Miners Rest, Northway, Alfredton East, Pleasant Park, Redan, Sebastopol South, and a proposed centre at Carngham.
- **Bulky goods centre** (Wendouree)

Overarching principles of relevance include:

- Retain and enhance the role of Ballarat CBD as the pre-eminent activity centre within Ballarat and the wider region (Principle 3)
- Discourage new retail and office development (including bulky goods retailing) from locating out of existing or planned activity centres (Principle 10)

- Only consider new retail or office development (including bulky goods retailing) outside of existing or planned activity centres in the following circumstances where:
  - An economic assessment clearly identifies a need for additional retail / or office development in the area;
  - There is no opportunity to accommodate the development within, or if not within, adjacent to existing or planned activity centres;
  - The new centre meets activity centre principles regarding accessibility to public transport, walking and cycling, the mix and diversity of uses proposed, and its role as a community focal point;
  - An economic assessment identifies that the development will not adversely impact the role and function of other activity centres; and
  - Where there is a clear net community benefit.

***Today, Tomorrow, Together: The Ballarat Strategy 2040***

The Ballarat Strategy 2040 provides a vision and long-term plan to manage change in Ballarat to 2040. In order to guide growth and change in the municipality, the Strategy is based around two key platforms, namely:

- **The 10-minute city** – reflecting community aspirations to maintain existing or improved levels of local access to destinations and services as the city grows over time; and
- **The city in landscape** – reflecting Ballarat’s enviable physical, cultural, and historical location within its landscape.

The Strategy notes that if Ballarat is to thrive as a sustainable regional city a range of key challenges must be addressed. Those challenges of most relevant to the potential development of the subject site include:

- **Population growth and housing supply** – with Ballarat’s population projected to observe an increase of 60% by 2040.
- **Economic transformation and jobs** – with a well-planned city structure to underpin productivity, competitiveness and job creation.

The delivery of employment generating uses at the subject site would provide local jobs for Ballarat residents, with the need for local job creation informed by the municipality’s growing population.

***City of Ballarat Economic Program (2015-2019)***

This document provides the strategies and actions to guide economic development in the municipality from 2015 to 2019. The program integrates the following three main themes for the municipality:

- Regional Development - The Capital of Western Victoria
- Economic Growth and Diversification - Australia’s Premier High Technology and Knowledge Based Regional Economy
- Capitalising on Population Growth - A Bigger and More Diverse Community

The Strategy notes that population growth will be the single most important factor influencing the municipality’s economic development in the short, medium and longer terms; as well as the

importance of Ballarat's regional role which is underpinned by growth in the services sector. The Western Highway (in the area of Woodmans Hill) is identified as a key linkage between Ballarat and neighbouring regions of Bacchus Marsh/Melton and metropolitan Melbourne.

## 2.2 Strategic Policy Documents Relevant to Woodmans Hill

Planning policy for the Woodmans Hill area (including the subject site) is informed by the Woodmans Hill Gateway Precinct Master Plan (January 2015).

### **Woodmans Hill Gateway Precinct Master Plan (January 2015)**

Woodmans Hill Gateway Precinct Master Plan (2015) provides a range of design and planning scheme recommendations to guide the future planning and development of Woodmans Hill.

The Master Plan divides the Woodmans Hill precinct into three sub-regions, with the subject site located in 'rural living and mixed-use' sub region. The desired land use mix envisaged for this location is a *"focus on highway related functions, with associated retail support for existing tourism activity that seeks to capture passing economic activity that would not otherwise benefit the Ballarat economy"*, as stated by the Master Plan (p9).

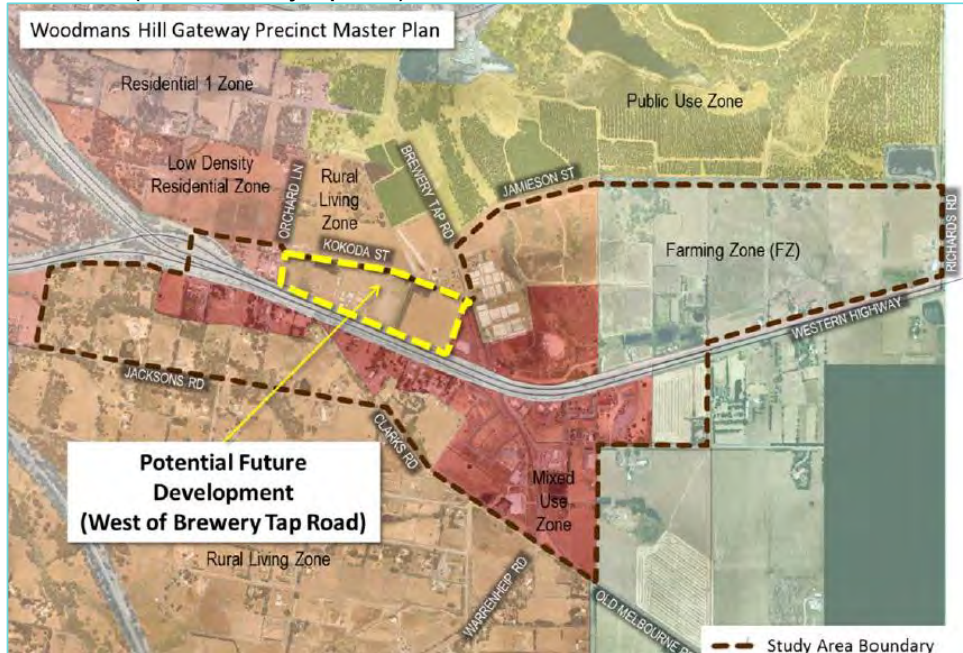
Within the 'rural living and mixed-use sub region', the subject site is identified specifically for 'potential future development', as shown in Figure 2.1. The Master Plan states that use of the site that capitalises on the visual exposure to the highway and captures economic activity that contributes to the Ballarat economy are strongly encouraged, with potential uses including a service station and ancillary convenience restaurants/takeaway food premises, along with agriculture and machinery display, hire and sales.

The Master Plan goes on to note that:

- The highway frontage afforded by the subject site is the primary reason for considering development of this location, and that development should provide, an active and high-quality interface with the Western Freeway;
- Access to the site be provided via a service road arrangement to and from the Western Freeway, or if not possible using Brewery Tap Road;
- Rural Living Zone areas to the north and Low Density Residential Zone areas to the west may be particularly sensitive to the development of the subject site, and appropriate buffers and interface management would be required to manage impacts on surrounding properties and protect the existing rural character of the area; and
- Use of the land for industrial purposes, and freight and logistics depots should be discouraged, as these uses would be better located in City of Ballarat's established industrial areas.

The Master Plan recommends that to ensure appropriate development of the subject site, planning controls such as a Development Plan Overlay should be considered, as appropriate.

**Figure 2.1: Woodmans Hill Gateway Precinct Master Plan (2015) – Potential Future Development (West of Brewery Tap Road)**



Source: Aurecon, *Woodmans Hill Gateway Precinct Master Plan*, 2015 (p25)

### 2.3 Implications

The significant growth in the residential population forecast for the Ballarat region and the implications this growth will have for the region's economy, including the need to increase and diversify local employment opportunities, are key themes that emerges from current strategic policies and plans.

Woodmans Hill is noted as a gateway precinct to Ballarat with potential to accommodate a land use mix geared to highway-services that contributes to the economic diversity of the Ballarat region. The subject site is specifically identified for 'potential future development' in the Woodmans Hill Gateway Precinct Masterplan (2015), with development that capitalises on the site's visual exposure to the highway and captures trade that would otherwise not contribute to the Ballarat economy strongly encouraged.

In addition, strategic policy identifies that development of the subject site should be of net community benefit and not undermine Ballarat's existing centres hierarchy and industrial land supply framework.

### 3 Locational Attributes

Building from discussion in previous sections, this chapter explores those factors underpinning the subject site's suitability for highway-service uses.

#### 3.1 Established Commercial Uses at Woodmans Hill

The existing range of uses accommodated by land in the MUZ land at Woodmans Hill is typical of highway-service centres. These uses include:

- **Service Stations.** Two service stations (BP and Shell) are immediately south-east of the Western Freeway – Old Melbourne Road intersection; both facilities contain convenience retail shops.
- **Vehicle, Machinery and Equipment Sales.** Multiple vehicle, machinery or equipment sales yards are located in the MUZ area including Trounce Caravans, Auchettl Motors, Cervis, Smith Truck Sales and Truck Wholesalers.
- **Food and Beverage Outlets.** Brewery Tap Hotel is located centrally in the precinct on the northern side of the Western Freeway and represents a focal point for food and beverage retail. The Shell service station is also accompanied by the food retailer Oliver's (a roadhouse style eatery), with Mai's Kitchen Rules another food and beverage type use.
- **Accommodation.** The precinct currently contains accommodation options geared to passing trade, namely Ballarat Colonial Motor Inn, Shady Acres Caravan Park and the Brewery Tap Hotel (which contains a motel offering as part of its facilities).

#### 3.2 Suitability of site for Highway-Service Uses

The suitability of highway-service uses for any given site is generally determined by detailed locational analysis relating to the following considerations:

- **Exposure to passing traffic.** Exposure to passing vehicular traffic is the primary consideration for the location of highway-service uses. Highway-service uses need to be proximate to a major road, highway or freeway, and sites should have clear sight lines to passing traffic. In this regard, the subject site is situated adjacent the Western Freeway, the primary road link between Melbourne and Adelaide, and is located at the eastern entrance of Ballarat (a major regional centre). The subject site also has a high level of exposure to Western Freeway traffic, particularly eastbound vehicles. It is likely that eastbound Freeway traffic will have convenient access to the subject site via a service road arrangement, as noted previously.
- **Site size and characteristics.** Highway-service uses are vehicle orientated and therefore typically require larger sites that are relatively flat and unencumbered in order to accommodate parking and vehicle circulation. At 12 hectares, the subject site represents a sufficient land area in which a cluster of highway-service uses could be accommodated. In addition to traditional highway-service uses, the potential exists for the subject site to also accommodate smaller-scale industrial uses that would benefit from the site's proximity to the Freeway amongst other aspects.
- **Catchment area.** The viability of most highway-service uses is primarily dependent on passing trade, but the degree to which highway-service uses can tap into local and regional economic catchments can also be a factor in their success. Although the catchment areas served by highway-service uses tend to be broader, less discrete, regional-level geographies (compared to say an individual supermarkets or traditional retail-based activity centres), there is potential for convenience or food and beverage retailers in highway-service centres to draw

some trade from localised catchments when there are gaps in the local retail offer. In this respect, highway-service uses at the subject site would be well-located to benefit from the significant population growth forecast for the Ballarat region and draw trade from the rural areas surrounding Ballarat (from agricultural enterprises and the like). The potential exists for some trade to come from residents in nearby areas such as Brown Hill and Warrenheip which lack convenience retail options for residents.

- **Accessibility.** The ability for customers to conveniently access highway-service sites from major roads, highways or freeways is crucial. It is understood that Vic Roads is likely to approve a lefthand turn into the site via a service road arrangement from the Western Freeway and egress from the rear of the site via Brewery Tap Road. Under such arrangements the site would be most accessible to eastbound Freeway traffic.
- **Competition.** The degree in which highway-service uses are successful in capturing passing trade is always informed by the prevailing competitive context. Highway-service uses at the subject site would, to an extent, compete with the existing highway-service uses located at Woodmans Hill and other areas of Ballarat including Sturt Street and Howitt Street. For eastbound vehicles on the Western Freeway bypassing Ballarat, the subject site would represent the first highway-service site in the Ballarat region (as no highway-service uses or precincts are located on the Western Freeway bypass (of Ballarat). The importance of this competitive advantage is reinforced by the subject site being directly accessible to eastbound Freeway traffic (via a service road) as per the likely access arrangements noted above.

### 3.3 Passing Trade

The volume of passing trade is an additional and important consideration informing the success of highway-service uses. For the subject site passing trade would include:

- Commercial traffic, including both general trade and business vehicles, as well as heavy vehicles providing haulage and interstate transport and logistics services (between, say, Melbourne and Adelaide).
- General freeway traffic generated by people living within the Ballarat region who are using the Western Freeway access destinations such as the Ballarat CBD etc (for example a resident of Ballan visiting Ballarat for a medical appointment).
- Tourist and other visitor traffic who are using the Western Freeway.
- Commuter traffic associated with employment in Ballarat as a major regional centre.

For general highway-service uses at the subject site, passing trade could theoretically be generated from road users whose trip may have originated anywhere from metropolitan Melbourne to South Australia and beyond. As such, consideration of economic need derived from passing trade is more generally considered in this assessment rather than defined according to a specific geography.

VicRoads data from 2019 estimates that in the order of 12,000 vehicles pass the subject site (east bound) daily, with 1,700 of these vehicles being trucks and the balance (10,300) being general passenger vehicles.

### 3.4 Summary

Overall, the subject site is considered to have locational attributes suitable for development of a wide range of highway-service uses including a service centre and complementary convenience and fast food retail; vehicle machinery and equipment sales; and accommodation and tourism uses. There is an opportunity for passing trade to be generated by a wide range of factors including commercial, traffic, general freeway traffic, tourist and other visitor traffic, and commuter traffic.

## 4 Regional Economic Context

This chapter provides an overview of the subject site's regional economic context. Reference is made to City of Ballarat's recent and forecast population trends, socio-economic profile, industry structure, and major projects.

### 4.1 Recent and Forecast Population Growth Trends

The City of Ballarat has a residential population of approximately 111,540 persons in 2020, based on the Victorian Government's Victoria in Future (2019) population projections (refer Table 4.1).

Between 2010 and 2020, the City of Ballarat's population increased by approximately +13,970 persons, representing annual growth of +1,750 persons (or +1.7% p.a.). In contrast, regional Victoria experienced a population increase of +1.3% p.a. over the same period. Ballarat's recent higher population growth (in percentage % terms) compared to regional Victoria was influenced by Ballarat's relative proximity to metropolitan Melbourne and emerging role as a major regional centre.

By 2035, the City of Ballarat's population is projected to reach 143,770 persons, some +32,230 persons above the 2020 level, representing annual growth of approximately +2,150 persons (or +1.7% p.a.). Population growth is likely to be informed by continued development of residential estates on the urban fringe of Ballarat as well as urban consolidation. Again, Ballarat's proximity to Melbourne and role as a major regional centre will be a major driver of population growth.

**Table 4.1 Population Trends and Forecast**

City of Ballarat	2010	2018	2020	2025	2030	2035
Population (no.)	93,360	107,330	111,540	122,370	133,200	143,770
Annual Growth (no.)		1,750	2,010	2,170	2,170	2,110
Annual Growth (%)		1.8%	1.9%	1.9%	1.7%	1.5%
<i>Regional Victoria</i>		1.3%	1.3%	1.2%	1.1%	1.0%

Source: Ethos Urban; Victoria in Future, 2019.

Projected growth in the resident population will provide support for the municipality's existing activity centres by increasing the pool of available retail and other household spending. This additional spending would support the ongoing revitalisation of the Ballarat CBD, along with continued growth of the Wendouree shopping precinct and other existing and proposed activity centres. Resident population growth would also benefit the local visitor economy through increases to the 'visiting friends and family segment' (of the visitor market).

With significant population growth comes a need to increase and diversify local employment opportunities in City of Ballarat. In this regard, the subject site is well positioned to leverage trade from passing traffic that would otherwise not benefit the Ballarat economy, as noted by the Woodmans Hill Gateway Precinct Masterplan (2015).

## 4.2 Socio-economic Profile

The socio-economic profile of The City of Ballarat is compared to the regional Victoria benchmark in Table 4.2. The main points are summarised as follows:

- **Income.** Median individual and household income in City of Ballarat (at \$30,770 and \$60,480 respectively) are higher than regional Victoria reflecting Ballarat's higher-order economic role and function as a major service centre.
- **Age Structure.** The median age of City of Ballarat residents (38.0 years) is significantly younger than regional Victoria (42.2 years).
- **Household Composition.** The share of family households in City of Ballarat (65.7%) is lower with regional Victoria (68.0%), while couple households (52.3%) and lone person households (29.6%) are broadly aligned with regional Victoria (56.4% and 29.0% respectively).
- **Household Costs.** The median monthly mortgage repayment for occupied dwellings in City of Ballarat was \$1,240 in 2016, some 8.1% below the regional Victoria benchmark, highlighting the relative affordability of residential property in the municipality.
- **Occupation of Employment.** While the City of Ballarat's occupational structure is broadly aligned with the regional Victoria average, the municipality has a significantly higher share of workers in professional occupations (compared to the regional Victoria), again, reflecting Ballarat's role as a major service centre.



Table 4.2 City of Ballarat Socio Economic Profile

Category	City of Ballarat	Regional Vic
<b>Income</b>		
Median household income (annual)	\$60,480	\$58,790
Variation from Regional Vic median	2.9%	na
<b>Age Structure</b>		
Median Age (years)	38.0	42.2
<b>Country of Birth</b>		
Australia	89.8%	89.4%
% speak English only at home	94.2%	93.5%
<b>Household Composition</b>		
Family Households - Total	65.7%	68.0%
Lone person household	29.6%	29.0%
Group Household	4.7%	3.0%
<b>Dwelling Structure (Occupied Private Dwellings)</b>		
Separate house	82.5%	89.7%
Occupancy rate	89.5%	82.9%
Average household size	2.4	2.4
<b>Tenure Type (Occupied Private Dwellings)</b>		
Rented	32.3%	25.9%
Owned Outright	33.0%	39.1%
Owned with a mortgage	33.9%	34.4%
Other tenure type	0.8%	0.6%
<b>Housing Costs</b>		
Median monthly mortgage repayment	\$1,240	\$1,350
Variation from Regional Vic median	-8.1%	na
Median weekly rents	\$250	\$230
Variation from Regional Vic median	8.7%	na
Share of occupied dwellings connected to the internet	82.8%	80.3%
<b>Occupation</b>		
Managers	10.8%	14.6%
Professionals	21.8%	17.4%
Technicians and trades workers	14.4%	14.8%
Community and personal service workers	12.6%	11.8%
Clerical and administrative workers	12.6%	11.3%
Sales workers	10.7%	9.7%
Machinery operators and drivers	5.2%	6.5%
Labourers	10.3%	12.4%
Inadequately described or not stated	1.8%	4.1%

Source: ABS Census of Population and Housing, 2016

### 4.3 Ballarat Employment Trends

In 2016, the majority (or 79.6%) of Ballarat's labour force worked in the tertiary (or services) sector, followed by the secondary sector (18.0%) and the primary sector (2.5%), as shown in Table 4.3. Health care and social assistance was the largest sub-sector for labour force jobs with approximately 7,530 jobs (or 18.1% of total jobs), followed by retail trade (5,070 jobs or 12.2%), education and training (4,890 jobs or 11.7%), construction (3,970 jobs or 9.5%) and manufacturing (3,520 jobs or 8.4%).

Recent job growth in the municipality had been primarily in the consumer services sector. From 2011 to 2016 the consumer services sector increased by +2,250 jobs (or +8.7% growth), with +1,080 new

jobs created in the healthcare and social assistance sub-sector alone. Other sub-sectors with strong job growth over the period were education and training (+740 jobs or +17.8%), accommodation and food services (+320 jobs or +10.2%), and construction (+300 jobs or +8.2%).

In contrast some 1,000 jobs were lost in the manufacturing sub-sector between 2011 and 2016 representing a 22.1% decline.

The loss of jobs in manufacturing sector and jobs growth in the consumer services sector reflects the broader restructuring of the Australian economy which has been occurring since the early 1990s.

**Table 4.3: Ballarat Residents Sectors of Employment**

Category	2011		2016		Change 2011-2016	
	No.	% Share	No.	% Share	No.	% Increase
<b>Primary Sector</b>						
Agriculture, Forestry and Fishing	620	1.5%	700	1.7%	+80	+12.9%
Mining	<u>290</u>	<u>0.7%</u>	<u>340</u>	<u>0.8%</u>	<u>+50</u>	<u>+17.2%</u>
<b>Sub-Total</b>	<b>910</b>	<b>2.3%</b>	<b>1,040</b>	<b>2.5%</b>	<b>+130</b>	<b>+14.3%</b>
<b>Secondary Sector</b>						
Manufacturing	4,520	11.3%	3,520	8.4%	-1,000	-22.1%
Construction	<u>3,670</u>	<u>9.2%</u>	<u>3,970</u>	<u>9.5%</u>	<u>+300</u>	<u>+8.2%</u>
<b>Sub-Total</b>	<b>8,190</b>	<b>20.4%</b>	<b>7,490</b>	<b>18.0%</b>	<b>-700</b>	<b>-8.5%</b>
<b>Tertiary Sector</b>						
<b>Producer Services</b>						
Electricity, Gas, Water and Waste Services	430	1.1%	420	1.0%	-10	-2.3%
Transport, Postal and Warehousing	1,500	3.7%	1,550	3.7%	+50	+3.3%
Information Media and Telecommunications	840	2.1%	920	2.2%	+80	+9.5%
Financial and Insurance Services	850	2.1%	770	1.8%	-80	-9.4%
Rental, Hiring and Real Estate Services	470	1.2%	530	1.3%	+60	+12.8%
Wholesale Trade	<u>1,050</u>	<u>2.6%</u>	<u>910</u>	<u>2.2%</u>	<u>-140</u>	<u>-13.3%</u>
<b>Sub-Total</b>	<b>5,140</b>	<b>12.8%</b>	<b>5,100</b>	<b>12.2%</b>	<b>-40</b>	<b>-0.8%</b>
<b>Consumer Services</b>						
Retail Trade	5,360	13.4%	5,070	12.2%	-290	-5.4%
Accommodation and Food Services	3,130	7.8%	3,450	8.3%	+320	+10.2%
Arts and Recreation Services	770	1.9%	910	2.2%	+140	+18.2%
Administrative and Support Services	1,050	2.6%	1,100	2.6%	+50	+4.8%
Professional, Scientific and Technical Services	2,370	5.9%	2,390	5.7%	+20	+0.8%
Public Administration and Safety	2,540	6.3%	2,730	6.5%	+190	+7.5%
Education and Training	4,150	10.4%	4,890	11.7%	+740	+17.8%
Health Care and Social Assistance	<u>6,450</u>	<u>16.1%</u>	<u>7,530</u>	<u>18.1%</u>	<u>+1,080</u>	<u>16.7%</u>
<b>Sub-Total</b>	<b>25,820</b>	<b>64.5%</b>	<b>28,070</b>	<b>67.3%</b>	<b>+2,250</b>	<b>+8.7%</b>
<b>Sub-Total Tertiary Sector</b>	<b>30,960</b>	<b>77.3%</b>	<b>33,170</b>	<b>79.6%</b>	<b>+2,210</b>	<b>+7.1%</b>
<b>Total</b>	<b>40,060</b>	<b>100.0%</b>	<b>41,700</b>	<b>100.0%</b>	<b>+1,220</b>	<b>+4.1%</b>

Source: ABS Census of Population and Housing, 2011 & 2016

#### 4.4 Major projects in the City of Ballarat

Ballarat is experiencing significant economic expansion in the residential, commercial and government sectors of its economy. An overview of the major projects currently in the development pipeline are outlined below with the project details sourced from the Cordell Connect database (March 2020).

- **Dawson Street Mixed Use Development (\$17.5 million).** Construction of a 5-storey building consisting of a medical centre and 38 residential apartments.

*Project Time Frame: March 2022 - December 2024*

**Ballarat West Employment Zone (BWEZ) Hub (\$9.1 million).** Approximately 6ha of the broader precinct is identified for potential development of Intermodal Freight Hub Terminal.

*Project Time Frame: February 2022 - February 2024*

- **Ballarat Station Redevelopment (\$50 million).** Redevelopment of Ballarat's main train station including a 1,700sq m conference centre, a 300-seat theatre and 300-seat banquet room, 900sq m of retail and dining uses, public space for general community uses and a bus interchange.

*Project Time Frame: May 2019 - January 2021*

- **Ballarat Aviation Emergency Service Hub (\$32 million).** Planned works include runway upgrades and a new operations centre.

*Project Time Frame: February 2022 - December 2025*

- **Ballarat GovHub (\$90 million).** The new Ballarat GovHub is planned to include redevelopment of the main hall as a multiuse space, delivery of a five-storey office building and glass conservatory including a ground floor podium accommodating commercial & retail tenancies, and delivery of new public space.

*Project Time Frame: March 2019 - January 2021*

- **The Victorian Centre for Advanced Materials Manufacturing Remaining Stages (\$10 million).** Construction of a new Bio-Technology Innovation Centre facility as part of a bio-technology cluster in Ballarat West Employment Zone. It is envisaged that the centre will position Ballarat as a natural leader in industrial bio-technology and provide a base for attracting new business to the Ballarat West Employment Zone.

*Project Time Frame: October 2020 - December 2021*

- **Eureka Sports Precinct Redevelopment (\$11.8 million).** Expansion of facilities six new courts for multi-use including basketball, netball, volleyball and badminton; as well as a 3,000 seat show-court, learning rooms and sports medicine facilities.

Broadly speaking, this investment pipeline is likely to increase usage of the local road networks including the Western Freeway, Midland Highway and Creswick Road; and, as a result, increase in demand for highway orientated uses along these routes.

## **4.5 Summary**

The City of Ballarat's population is forecast to increase by some +32,320 persons across the 15 years to 2035. This growth is set to underpin an expansion of the municipality's economy, increasing the provision and diversity of local employment opportunities will be important.

Although jobs growth in Ballarat's residential labour force is primarily focused on the consumer services sector, the construction sector is creating employment opportunities for the blue-collar workforce.

Recent jobs growth in consumer services and construction sectors is expected to continue as Ballarat develops as a major service centre, informed by a strong pipeline of major projects.

## 5 Economics Impacts of Highway-Service Uses at the Subject Site

This chapter provides an assessment of the subject site's competitive context, and the potential for impacts on competing activity centres and employment precincts in the Ballarat region.

### 5.1 Activity Centres, Employment Land and Highway-Service Precincts in City of Ballarat

#### Activity Centres

Local policy clearly states that development of the subject site should not undermine City of Ballarat's existing and future activity centres hierarchy. Ballarat's activity centre hierarchy is described in Table 5.1 and shown in Figure 5.1.

Ballarat CBD (principal activity centre), Wendouree (major activity centre) and Glenelg Highway (major activity centre) sit atop the municipality's retail hierarchy. Accordingly, supporting the high-order, regional and sub-regional functions of both activity centres is an important consideration for the development of new retail uses in the municipality, including at the subject site.

The potential for the proposed development of the subject site to prejudice the role of Ballarat CBD, Wendouree or other activity centres identified in the municipality's retail hierarchy is addressed in section 5.4.

**Table 5.1: City of Ballarat Activity Centres (Higher-Order Centres)**

Centre	Centre Role	Retail Floorspace /Major Tenants	Comment
<b>Ballarat CBD</b>	Principal Activity Centre	Approximately 195,000m <sup>2</sup> of retail floorspace Key tenants include Myer, Target, Big W, Coles and Woolworths	The key focal point for retail and commercial activities in Ballarat, serving a large regional catchment (over 200,000 persons)
<b>Wendouree</b>	Major Activity Centre	Around 42,000m <sup>2</sup> of retail floorspace. Stockland Shopping Centre is the primary focal with the key tenants Kmart, Coles, Woolworths, Bunnings and Harvey Norman	Wendouree MAC serves a trade area comprising Wendouree, Miners Rest, Mitchell Park, Alfredton, Lake Wendouree, Newington and Lake Gardens, as well as rural areas to Ballarat's west
<b>Glenelg Highway</b>	Major Activity Centre	Contains Delacombe town centre, anchored by Woolworths, Kmart, Dan Murphy's and Discount Chemist In addition, the MAC contains a homemaker precinct anchored by a Bunnings	The Glenelg Highway MAC is the key retail outlet for areas in the south-west of Ballarat

Source: City of Ballarat Activity Centre Strategy 2012

**Table 5.2: City of Ballarat Activity Centres (Lower Order Centres)**

Activity Centre	Role	Key Tenants	Comment
<b>Sebastopol North</b>	Large Neighbourhood Activity Centre	Woolworths, ALDI	Provides the day-to-day and weekly shopping needs of residents in Sebastopol and Delacombe
<b>Howitt Street, Wendouree</b>	Large Neighbourhood Activity Centre	Woolworths, NQR	Retail corridor on a key commuter thoroughfare providing a broad range of commercial uses
<b>Lucas</b>	Large Neighbourhood Activity Centre	Woolworths	Serves the daily retail needs of residents in the Lucas Growth Area
<b>Sebastopol</b>	Neighbourhood Activity Centre	Coles, Liquorland	Serves the daily needs for residents Ballarat's southern areas
<b>Ballarat Marketplace</b>	Neighbourhood Activity Centre	Bunnings, ALDI	A bulky goods cluster serving a regional catchment.
<b>Midvale</b>	Neighbourhood Activity Centre	IGA	Serves a catchment of local residents.
<b>Northway</b>	Neighbourhood Activity Centre	IGA, Brumby's	Small scale retail convenience centre located 2km north of the Ballarat CBD
<b>Buninyong</b>	Neighbourhood Activity Centre	Foodworks	Serves a local catchment comprising Buninyong and the surrounding rural areas
<b>Pleasant Park</b>	Local Activity Centre	IGA	Small scale retail convenience centre serving a local catchment
<b>Maxi Food</b>	Local Activity Centre	Maxi Foods	Convenience retail centre serving a local catchment
<b>Alfredton ALDI</b>	Local Activity Centre	ALDI, Discount Pharmacy	Convenience centre serving a local catchment.
<b>Miners Rest IGA</b>	Local Activity Centre	IGA	Serves the daily needs of residents in and around Miners Rest.
<b>Carngham Road</b>	Proposed	na	Is proposed to serve the daily retail needs of residents in the developing area of Ballarat West.

Source: City of Ballarat Activity Centre Strategy 2012

**Industrial Land Context**

Industrial areas of note in City of Ballarat are described in Table 5.2 and shown in Figure 5.1. Ballarat contains a range of locations for the development of industrial uses, with the industrial areas of

Wendouree, Ballarat West Employment Zone (BWEZ) and Ballarat North the focal points for higher-order industry.

BWEZ is positioned as the foremost location for larger-scale and high-order industry in City of Ballarat for the foreseeable future. This precinct comprises some 440ha, is strategically located immediately west of the established Wendouree industrial area and has strong connectivity to the Western Freeway via Ballarat Link Road and Learmonth Road. Development of the BWEZ commenced in 2016 and is ongoing.

It is apparent that supporting BWEZ as the priority location for new larger-scale and high-order industry at Ballarat is a key objective for Council. In this context, it is important that the proposed development of the subject site does not undermine BWEZ's role and function.

The potential for the proposed development to prejudice City of Ballarat's industrial land supply framework including BWEZ's envisaged role as the preeminent location for higher-order industrial activities is addressed in section 5.4.

**Table 5.2: Key Industrial Areas in City of Ballarat**

Industrial Precinct	Key Tenants	Comment
Wendouree	MaxiTRANS Manufacturing Sovereign Concrete Products Australian Transport Systems Steamatic Ballarat Fairfax Printing ONT Group	An established industrial precinct containing large-scale, regional and national industrial uses in the Industrial 1 Zone. Activities include manufacturing; transport, logistics and warehousing; higher-order trade depots. The developing Ballarat West Employment Zone represents an expansion of this precinct.
Ballarat West Employment Zone (BWEZ)	Kane Transport Agrimac CHS Broadbent Westlab	The focal point for the development of large-scale industrial uses in City of Ballarat going forward. This precinct is strategically located immediately west of the established Wendouree Industrial Precinct with strong connectivity to the Western Freeway (via Ballarat Link Road and Learmonth Road. Council's vision is for the BWEZ to be 'regional Victoria's premier business innovation precinct', as stated in the Ballarat West Employment Zone Master Plan (2012).
Ballarat North	Eureka Manufacturing Bluescope Distribution Whiteheads Timber Sales Australia Post Wendouree Business Hub Learmonth Road Smash Repairs	An established industrial precinct located immediately south of the Western Freeway containing a range of local and regional service industrial uses including manufacturing, warehousing and storage, automotive and trade depots etc.

**Woodmans Hill Economic Assessment**

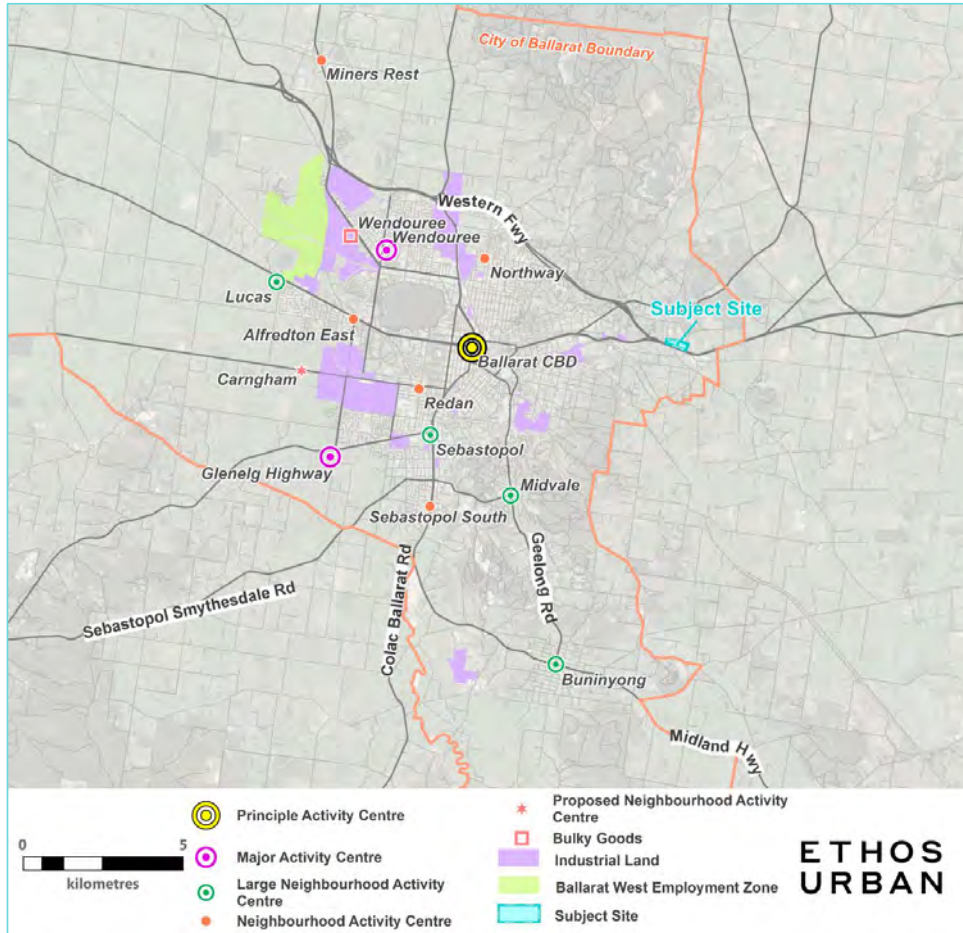
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<b>Industrial Precinct</b>	<b>Key Tenants</b>	<b>Comment</b>
Delacombe	Ballarat Livestock Selling Centre Ballarat Performance Auto Wreckers Laser Electrical Ballarat BC Constriction and Concreting Specialty Metal Products Hemco Industries	An established industrial area primarily comprising local and regional service uses including automotive, trade depots, transport and logistics etc. A range of trade showrooms front Latrobe Street.
Sebastopol	Mesh & Masonry Ballarat Sebatopol Motor Wreckers WBW Metal Fabrication	This industrial precinct is situated in the area of Herford Street contains a range of trade depots, automotive and engineering activities etc which are primarily local service in nature.
Ballarat East	Eureka Office Furniture Plinius Engineering Golden Image Joinery Centre Ballarat Cut and Weld CNH Automotive	An established industrial precinct in the Elsworth Street area which is primarily local service in nature. Activities include trade depots, automotive services, engineering etc.
Eureka	Smart Parts Discount Timber American Suspension Advanced Cabinetry	An industrial area immediately west of the Mount Xavier Golf Course. Smart Parts (a car wreckers facility) is the major focal point, while a small node of local-service industrial uses fronts Fussell Street.

Source: Ethos Urban



Figure 5.1 Ballarat Activity Centres and Industrial Land



Source: Ethos Urban using MapInfo, VicPlan

## 5.2 Role and Function of Highway-Service Uses in Ballarat

The existing provision of commercial uses that are significantly geared to passing highway or freeway trade at Ballarat is limited.

The majority of commercial uses that focus on passing trade in Ballarat predominately draw trade from residents of Ballarat and surrounding areas, rather than being geared to passing highway or freeway trade to a significant degree. This is explained by the lack of highway-service type uses located on the Western Freeway. In particular, no service centres or highway-service uses are situated on the bypass portion of the Western Freeway, with Woodmans Hill being the first location for highway-services for eastbound Western Freeway traffic in City of Ballarat.

Other commercial areas providing highway-service uses in City of Ballarat, include:

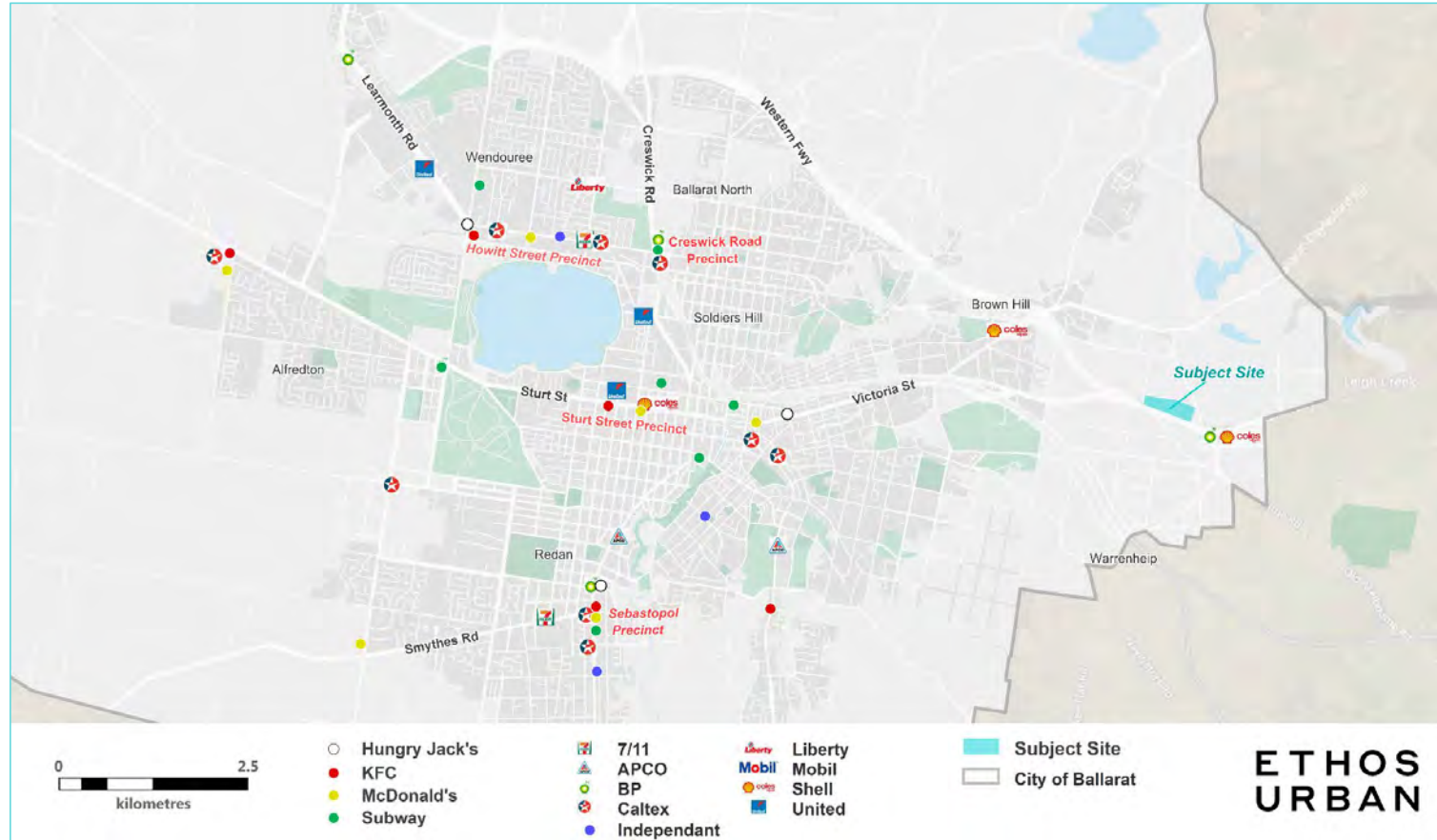
- **Sturt Street Ballarat Central.** The 'main street' of Ballarat accommodates a range highway-service uses including four service stations, convenience retail, and fast-food retail (MacDonald's, KFC, Red Rooster, Hungry Jack's etc) on an 8km stretch of road from the

Bakery Hill shopping precinct to the Skipton-Ballarat Rail trail. These uses service Sturt Street through-traffic as well as local Ballarat residents.

- **Midland Highway, Sebastopol.** The Midland Highway (which merges into Skipton road) is Ballarat's gateway to Geelong-Ballarat traffic. From Sebastopol to Redan (along the Midland Highway five service stations are located on the roadside (three north bound and two south bound).
- **Howitt Street/Creswick Road Wendouree.** Howitt Street is the primary east-west thoroughfare situated north of Lake Wendouree and contains a range of uses geared to passing trade including automotive sales (Motorcycle Land Ballarat, Ballarat Used Cars and Peter Stevens etc), fast food retailers (Domino's Pizza, Fishery Chick and MacDonald's etc) food and beverage (Blue Bell Hotel) and trade showrooms. Four service stations are located on Howitt Street between Creswick Road and Gillies Street North, with two additional service stations located at the intersection of Howitt Street and Creswick Road.

These areas are identified in Figure 5.2.

Figure 5.2: Commercial Areas Servicing Passing Trade in City of Ballarat



Source: Ethos Urban

### 5.3 What Role would the Proposed Development Play?

The primary role of development at the Woodmans Hill (including the subject site) is to capture passing economic activity that would otherwise not benefit the Ballarat economy, as noted in the Woodmans Hill Gateway Precinct Masterplan (2015). In other words, the role of Woodmans Hill is to accommodate commercial uses that are significantly contingent on the specific attributes of the location to generate trade; namely, its direct frontage to Western Freeway and role as a gateway precinct for Ballarat.

This is not to say that some land uses would be strictly precluded from being developed at the subject site simply because these uses could potentially be accommodated elsewhere in the municipality. Indeed, Woodmans Hill already contains a range of uses – service stations, motels, tourism uses, light service industry etc – that could theoretically be accommodated elsewhere in City of Ballarat. There is, however, a general strategic preference for the subject site to accommodate highway-service uses geared to passing Western Freeway traffic, and that these uses would not prejudice the municipality's existing centres hierarchy or industrial land supply framework.

In this context, it is reasonable to conclude that some development on the subject site would not be strictly highway-service aligned given that not all land at the subject site would have direct frontage to the Western Freeway. This can already be observed in the balance of the Woodmans Hill precinct; for example, the ongoing development of employment uses on the southern side of the Western Freeway fronting Zenith Drive, Pinnacle Drive and Mahers Road. Moreover, accommodating some uses not strictly geared towards highway-focussed trade at the subject site would contribute to generating a viable cluster of activities at Woodmans Hill, by providing employment generating uses for those lots without direct frontage to the Freeway.

A sensible development outcome for the subject site should, therefore, strike a balance between:

- Promoting Woodmans Hill as a gateway and highway-service node that captures economic income that would otherwise not benefit the Ballarat economy;
- Facilitating the development of other land uses on lots without direct Freeway frontage contributing to a viable, albeit relatively contained, cluster of economic activities being supported at Woodmans Hill;
- Providing additional and diverse employment opportunities for Ballarat's increasing population; and
- Not undermining the municipality's activity centres hierarchy or industrial land supply framework.

It is consultant's view that the potential land uses proposed for the subject site – including a service centre and complimentary convenience and fast food retail; vehicle and machinery sales; accommodation and tourism uses; and some light service industry – would constitute a sensible development outcome based on the points made above.

If the subject is not developed for the land uses envisaged, there is a risk that Woodman's Hill would not reach its full potential as a highway-service and gateway precinct, resulting in employment opportunities and other benefits not being captured being the Ballarat economy. In the Australian context, gateway precincts for highway-services have long been developed proximate regional cities for the purposes which include leveraging economic benefits that would otherwise not be accrued locally. Examples include:

- **Princess Highway at Corio, Geelong.** Land uses include Corio Bay Roadhouse, Winter & Taylor Commercial Vehicles, Subway, Harvey Norman and United Petroleum (service station).

- **Geelong Ring Road at Lovely Banks, Geelong.** Contains two highway centres (anchored by McDonald's and BP) servicing eastbound and westbound trade respectively.
- **Princes Highway between immediately to the east of Traralgon.** Uses include a United Petroleum (service station), Tandara Caravan Park, Century Inn Traralgon, Big 4 Holiday Park, Traralgon Mazda and Traralgon Toyota.
- **Northern Highway, Echuca (in the McSwain Road area).** Uses include a United Petroleum service station, Echuca Mazda, Echuca Rivergum Motor Inn, Caltex Roadhouse and Morley Ford.

The potential for the proposed uses to prejudice City of Ballarat's activity centres hierarchy or industrial land supply framework is discussed in the following section.

#### 5.4 Assessment of Likely Impacts

The land uses proposed for the subject site would not undermine City of Ballarat's activity centre's hierarchy or industrial land supply framework. This contention is underscored by the following points:

- **The limited scale of the land,** which precludes the development of:
  - Major retail uses at the subject site (such as a discount department store, bulky goods or homemaker retail etc); and
  - Major industrial facilities such as larger scale transport and logistic depots and other land hungry employment uses.
- **The nature of the potential land uses proposed for the subject site,** which would not undermine existing activity centres in the City of Ballarat hierarchy (including the higher-order centres of Ballarat CBD, Wendouree, or Glenelg Highway) based on scale and role of the retail uses proposed: namely a service centre with complimentary convenience and fast food retail that is geared to passing Freeway trade.

Any light service industry uses delivered would be small-sale, lower-order uses that would not adversely impact the municipality's industrial supply framework because of their lower-order function and the limited land available at the precinct. For example, the subject site is not suitable for the land hungry industrial activities that have recently been developed at the BWEZ such CHS Broadbent which has a site size of around 7.5 hectares.

Moreover, the likely access arrangements – namely, egress from the rear of the site via Brewery Tap Road – limits the subject site's suitability for larger-scale transport of logistics uses, as noted previously.

- **Limited service centres or other highway-service uses front the Western Freeway at Ballarat.** An audit of highway-service uses in Ballarat found that Ballarat's existing highway-service precincts were predominately located in established urban areas, and no highway-service uses (or precincts) were situated adjacent the bypass portion of the Western Freeway. The subject site would be the first highway-service node for eastbound Western Freeway traffic in City of Ballarat (assuming the proposed development vision is realised), noting that the subject site would likely provide convenient and safe access to eastbound Freeway traffic via a left-hand turn/service road arrangement. In this regard, the development of the proposed highway-service uses at the subject site would provide an opportunity to capture passing trade that would not otherwise benefit the Ballarat economy, as envisaged by the Woodmans Hill Gateway Precinct Masterplan (2015).

## **5.5 Summary**

The land uses envisaged for the subject site would not undermine City of Ballarat's existing activity centre's hierarchy or industrial land supply framework based on – the limited scale of the land, the nature of the potential uses proposed, and that limited highway-service uses currently front the Western Freeway at Ballarat.

By servicing an existing gap in the provision of highway-service uses, the proposed rezoning would provide an opportunity for the delivery of a land use mix which captures trade that would otherwise not benefit the Ballarat economy.

In addition to highway-service uses, there is potential for the subject site's land use mix to include some light service industry, with these activities contributing to a viable cluster of economic uses being supported at Woodmans Hill.

## 6 Economic Benefits and Net Community Benefit

This chapter establishes an indicative development concept and provides an overview of construction, operational and net community benefits.

### 6.1 Establishing a Development Concept

For the purposes of estimating the economic benefits that may derive as a result of the rezoning and subsequent development of the subject site, it is necessary to establish an indicative development concept for the site.

In reality, the actual development that occurs subsequent to a rezoning will be shaped by a range of factors including specific planning controls that are applied to the site, the commercial opportunities that arise for development going forward and a variety of market forces and trends.

Establishing a conceptual development scenario is therefore an imprecise science. As a starting point however, the following broad assumptions are made:

- A total land area of 12ha (120,000m<sup>2</sup>) is assumed for working purposes;
- It is assumed that 30% of the total land area will be required for roads, open space and drainage purposes leaving a developable area of 84,000m<sup>2</sup>; and
- It is assumed that floorspace will comprise 30% of total land area, allowing for hard stand areas, outdoor display areas and car parking.

The result is total floorspace of 25,200m<sup>2</sup> across the subject site. For the purposes of the exercise, floorspace is allocated as follows:

- 1,200m<sup>2</sup> of Retail floorspace (eg. convenience retail, takeaway food, service centre);
- 10,000m<sup>2</sup> of Restricted Retail of Bulky Goods floorspace (eg. Uses that might typically be accommodated in the Commercial 2 Zone); and
- 12,000m<sup>2</sup> of Industrial floorspace (eg. Light service industrial similar to that found on the south side of the Western Highway at Woodmans Hill).

### 6.2 Construction Related Benefits

#### ***Capital investment***

Based on a total floor area of 25,200m<sup>2</sup>, it is estimated the construction-related investment would be in the order of \$35 million.

#### ***Employment***

It is estimated that total construction costs of approximately \$500,000 support one full-time equivalent (FTE) job year in the commercial construction industry. This estimate is based on analysis of official ABS data and various other industry sources relating to the construction industry and employment.

Based on this industry benchmark, the \$35 million in construction investment associated with the development would generate an estimated 70 direct construction job years or Full Time Equivalent (FTE) positions. The development could be expected to be staged over, say, a 5-year period. On this basis, an estimated 14 FTE direct on-site jobs for each year of the construction period are expected to be generated. The intensity of on-site employment will vary throughout the construction period and depend on the staging of the proposed development.

In terms of indirect (or flow-on) construction employment, the multiplier for 'residential construction' has been used for the purpose of this analysis. The multiplier for commercial construction is 4.1. On this basis, the 70 FTE direct construction jobs would generate a further 217 FTE indirect jobs in the wider economy over the life of the construction project.

These indirect jobs associated with construction of the facility would be spread throughout the local, regional, State and national economies, and in a wide range of sectors associated with the industrial and consumption impacts of the project.

In total, the development of Ingenia Riverside Brookfield would support an estimated 660 FTE construction-related jobs over the lifetime of the project.

### 6.3 Operational Benefits

Based on the type and scale of conceptual development scenario outlined in section 6.1, the subject site could accommodate in the order of 275 employees. This is based on assumptions around the amount of floorspace typically required to support one job. The assumptions and calculations are set out in Table 6.1 below.

**Table 6.1: Estimated Employees based on Conceptual Development Scenario**

Development Outcomes	Subject Site	Assume 70% Net Developable Area	Assume floorspace represents 30% of NDA	Jobs Ratio	Estimated Jobs
	m <sup>2</sup> (approx.)	m <sup>2</sup>	m <sup>2</sup>	One Job/m <sup>2</sup>	No.
Subject Site	120,000	84,000	25,200	-	-
Retail (eg. highway-services)	-	-	1,200	25	48
Commercial (eg showrooms)	-	-	10,000	90	111
Light Industrial	-	-	<u>14,000</u>	120	<u>117</u>
<b>Total</b>	-	-	<b>25,200</b>	-	<b>276</b>

Source: Ethos Urban

### 6.4 Net Community Benefit

Based on the findings and conclusions set out in this report, it is considered the rezoning of the subject site from the RLZ to the MUZ would deliver a net community benefit. This is based on the following factors:

- The rezoning is supported by strategic planning policy, specifically in the Woodmans Hill Gateway Precinct Master Plan at Clause 21.09-4
- Highway-style development would complement the relatively small cluster of similar uses adjacent to and opposite the subject site
- The subject site is located in a strategic and visible position on the Western Freeway, directly east of the intersection of the Western Freeway Bypass of Ballarat and the Western Highway (Sturt Street), which is the principal east-west road through Ballarat
- It is understood entry to the site will be possible through a left turn in, while egress from the subject site is likely to be via Brewery Tap Road. Access to the subject site for highway style uses and, potentially light industrial development is considered acceptable under these arrangements.



- No other development sites currently exist adjacent to the Western Freeway in the Ballarat urban area. In this regard, and unlike many comparable regional cities, Ballarat is not capturing potential passing trade with considerable traffic volumes bypassing Ballarat and spending at highway-service centres outside the municipality.
- At approximately 12 hectares in area, the subject site is contained in area. It will complement the existing Woodmans Hill employment cluster but its scale and, more particularly, the anticipated nature of development (primarily highway-style commercial development) will not compete with or undermine Ballarat's existing or proposed activity centre hierarchy. Based on the hypothetical development scenario outlined in section 6.1 and the site's location, the retail impact on any other centre is considered negligible.
- Similarly, the scale, location, physical geography and nature of development will not compete with or undermine existing industrial areas within Ballarat, including the Ballarat West Employment Zone.
- A development scenario such as that modelled at section 6.1 of this report, would deliver an investment outcome in the order of \$35 million.
- Based on this conceptual development scenario, construction employment of 70 direct job years and indirect construction employment of 217 job years. Ongoing employment on the site would be in the order of 275 permanent jobs.
- Development of a relatively small retail and commercial node on the eastern fringe of Ballarat, albeit one that is focussed largely on passing highway/freeway traffic, would provide a degree of balance to urban development in Ballarat. Additionally, a limited retail offering could provide basic retail convenience services to the emerging Brown Hill residential area to the north of the subject site.
- Ballarat is experiencing strong population and residential growth. The development of well-located commercial nodes strategically located across the urban area represents a sound approach to managing urban growth.

In conclusion, a rezoning of the subject site to the Mixed Use Zone is expected to provide a net community benefit to the City of Ballarat. The positive economic benefits – listed above – are considered to be extensive and strong in terms of economic development and employment.

Moreover, given the scale and nature of anticipated uses enabled by the proposed rezoning, there are no identified disadvantages associated with the proposed rezoning.

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Lake Wendouree Vic 3350

Dear Mike,

**Re: Woodmans Hill, Warrenheip**

In June, 2012, I was commissioned by your firm to provide an opinion as to what impact changing the use of the above property would have on regional agriculture. The report's structure was to provide an agricultural capability assessment of the land, a review of past and current farming practice and consider what impact a change in zoning might have on local and regional agriculture.

In my conclusion I noted that the Rural Living Zone accommodates grazing use but no increase in productivity could be anticipated. Changing the use of the zone from Rural Living to Mixed Use may reduce or eliminate agriculture as a form of use. However, as this is only reflected in the growing out and fattening of up to 20 weaner beef, the local and regional impact was small to inconsequential.

I have not visited the property since my original inspection but have undertaken a recent Google Earth search (2020) and note that there appears no discernible change in property development from my original inspection.

On this basis, I am confident that my opinion on agricultural impacts to local and regional agriculture would not have changed.

Yours sincerely,



Ray Phillips  
Phillips Agribusiness

**Agricultural & Management Consultants**

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*PHILLIPS*  
*AGRIBUSINESS*

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**Agricultural Assessment**

**Woodmans Hill  
Warrenheip**

**Phillips Agribusiness  
Office 1, 29A Hampton Street  
Hampton Victoria 3118**

**August 2013**

*Agricultural and Management Consultants*  
*Ph: 03 9598 4018; E-mail ray@phillipsagribusiness.com.au*

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## **1.0 INTRODUCTION**

The property comprises four Crown Allotments with a consolidated area of 11.9ha. A Planning Application is being lodged to support a rezoning of the property from Rural Living (RLZ) to Mixed Use Zone with a Design & Development Overlay.

The land was originally developed as a fruit and vegetable farm with associated storage and processing facilities. More recently, direct production of fruit and vegetables has ceased and the packing shed and cool room leased out to alternative uses.

This report considers what impact changing the use of land would have on agriculture. The report's structure is to provide an agricultural capability assessment of the land, a review of past and current farming practice and considers what impact a change in zoning might have on local and regional agriculture.

## **2.0 PROPERTY DESCRIPTION**

The following is a description of the natural features within the region that determine land capability and how they impact upon land use.

### **2.1 Soils and landform**

The landform of the property is gently undulating with an overall slope to the north east. The soils appear to be of granitic origin where the profile is a light grey sandy clay loam, lightening with depth and becoming sandier to overlie yellow clay subsoils at 0.75m depth. Inherent soil fertility is moderate to low but responsive to corrective fertiliser inputs and as a consequence able to support relatively high levels of production.

The A horizon of the soil is permeable and with its depth over clay, suitable for irrigation providing adequate surface drainage is provided.

### **2.2 Climate**

The annual average rainfall for the district is approximately 850mm<sup>1</sup> with a 10% decile and 90% decile that range between 650mm and 1034mm respectively. Its distribution is strongly seasonal with the maximum monthly incidence occurring between April and October. The temperate pattern is moderate in summer and cold in winter, particularly the July-August months.

As a result of these features, the growing season commences with the autumn break, normally occurring late March-early April. Plant growth continues through winter, with some cessation during July-August before peaking strongly in the spring months. There is a defined summer dry from January to March when effective rainfall<sup>2</sup> is in deficit and plant growth suffers accordingly. This growth pattern suits perennial pasture production and intensive crop production providing an irrigation supply is available to meet summer moisture deficits.

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<sup>1</sup> Bungaree, Bureau of Meteorology 2012.

<sup>2</sup> The portion of rainfall available to plant growth after allowing for evaporation, runoff and percolation below the root zone

### 2.3 Vegetation

The property was cleared of native vegetation and during the 1940's intensive soil based agriculture was undertaken by Arthur Wilson of Wilsons Fruit and Vegetables. The property was permanently occupied in 1955 by the Wilson family where fruit and vegetable production was practiced until approximately 10 years ago. Intensive agriculture has subsequently ceased and the land converted to pasture for grazing. Pasture species are both improved (Perennial Ryegrass, Cocksfoot, White Clover) and volunteer (Yorkshire Fog, Creeping Bent, Flatweed, Plantain).

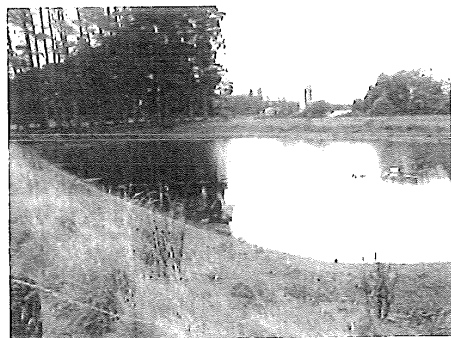
Pine plantations were established on the northern boundary (east-west plane) and across the property (north-south plane). They are mature stands. The vegetation patterns and other features are illustrated in Figure 1.

### 2.4 Water Resources

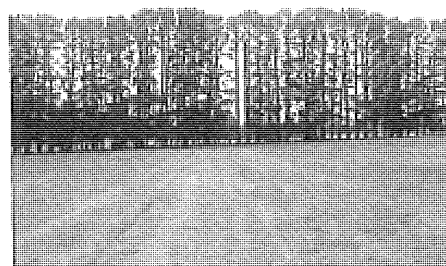
Water runoff is the major water source with the catchment area rising from the south-west and directed by drainage lines to two storage dams, their location being shown on Figure 1. The eastern dam (D1) is estimated at 5ML capacity and north-western dam (D2) at 3.5ML capacity. Mains water is also available from Central Highlands Water.

Irrigation layout is based on an underground pipe network with mains outlets that can be linked to movable, above ground aluminium irrigation pipes with sprinkler risers for water application. Not all of the property is setup for irrigation. On the irrigation areas runoff is collected through surface drains to avoid water-logging. Photo 1 shows the larger of the irrigation dams (D1) while Photo 2 is the eastern irrigation area with the central runoff drain. Figure 1 illustrates the location of the irrigation area.

The movable pipe technology is dated due to its high labour input through requiring daily shifts during the irrigation season. With the ceasing of intensive agriculture, irrigation is only used when summer cropping for cash or fodder crops.

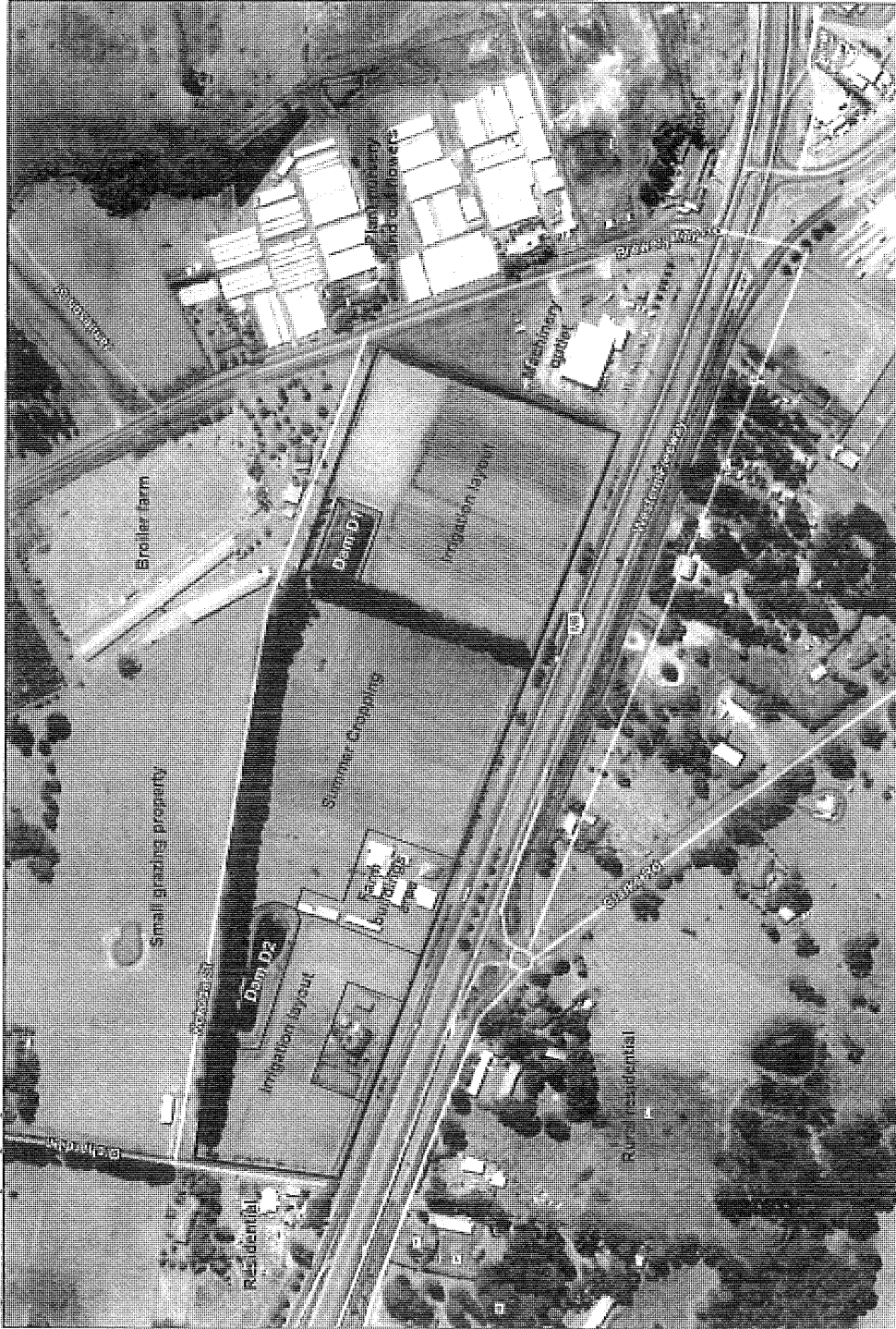


**Photo 1: Eastern irrigation dam**



**Photo 2: Irrigation area with drainage**

Figure 1: Property layout features



### 3.0 LAND CAPABILITY

A comparison of how this land class compares on an environmental feature basis is provided in Table 1. Land capability is measured on a 5-point scale where 1 is best and 5 worst. The land capability for the property is estimated to be moderate (3) with the main limitation being soil type drainage characteristics, low nutrient status and surety of irrigation supply.

**Table 1: Criteria and Performance Levels to Measure Agricultural Land Quality**

Feature	Land Quality Classes *					Property
	1 Very High	2 High	3 Average	4 Poor	5 Very poor	
Length of growing season (months)	11 – 12	9 – 11	8 – 9	7 – 8	< 7	9 – 10
Availability of supplementary water	Yes	Yes	No	No	No	Yes
Slope %	0 – 5	3 – 6	6 – 12	12 – 20	20 – 30	0-4
Drainage	Good	Moderate - easily drained	Moderate - not easily drained	Poor	Very poor	Moderate surface
Soil	Friable loams	Friable loams	Clay Loams	Sands & clay	Sands & clay	sandy clay loam
Profile permeability	High	Moderate	Mod/low	Low	Low	Mod/low
Depth of friable soil	50 cm	20 - 30cm	10 - 25cm	5-10cm	< 5 cm	15-20 cm
Soil fertility	High	Mod/high	Moderate	Low	Low	Moderate
Depth to rock	1 m	1 - 0.5 m	0.5 m	0.5-0.1m	< 0.1 m	>1 m
Erosion	Low	Low	Moderate	High	Very high	Low
Flooding frequency (years)	None	1 in 15	1 in 10	Annual	Annual	Moderate
Arability	Excellent	Good	Moderate	Poor	Nil	Good
Overall land capability						3



The conclusions arising out this assessment are:

- The land is suited to intensive soil based farming activities but requires a sufficient area to follow good crop rotation practice, provide for effective drainage and have an assured irrigation water supply. Land quality is assessed as average ( 3 on a 5 point scale where 1 is best and 5 worst);
- The main productivity constraint is area of land available and the lack of surety in irrigation supply. Intensive agricultural farming systems of this nature require unit sizes to be greater than 20ha and to be assured of being able to meet crop volume, diversity of product line and sustainability of enterprise requirements. Irrigation requirement is likely to be in the 2.5-3 ML/ha range hence current supply arrangements are marginal once crop area exceeds 4ha unless bore or mains water are available for supplementation.;
- Figure 1 illustrates the land use and development pattern of the property. Surrounding land use patterns are a combination of residential, rural living, part time farming and mixed use including capital intensive agriculture (poultry, plant nurseries).

#### **4.0 LAND USE**

##### **4.1 Historical use**

The property was actively farmed for fruit and vegetable production over the period 1945 to 2002 although in the later years an increasing proportion of produce was sourced offsite to provide greater diversity and volume for wholesale and retail activities.

During the property's development a number of buildings were constructed to enable farm produce to be stored, processed and marketed. The functions of the buildings were to include:

- Vehicle storage and maintenance;
- Storage of farm produce (potatoes);
- Processing of farm produce (collection, cleaning, grading, packaging, cooling, storage);
- Produce sales.

The property's utilisable area was fully committed to agricultural production up to 1990. However, the opportunities for growth were more in the wholesaling and retailing sectors and product was increasingly acquired from outside sources to meet volume and product type requirements. These activities were eventually moved offsite.

To take advantage of surplus storage and facility capacity part of the infrastructure was leased out to other parties including McCanns Dairy Centre (storage of dairy and juice products) and Frawleys Coolrooms (cool storage of seed potatoes) for a number of years.

From 1990 onwards, intensive agricultural production on the property declined due to the resource base being of insufficient size to remain competitive in an increasingly diverse and volume driven market. The opportunities for expansion were extremely limited given the

rural residential development patterns surrounding the property and the natural resource base being of only moderate quality, soil type suitability and the availability of irrigation supply being the major constraints.

#### **4.2 Current land use**

As a result of industry trends where the requirement is to be a volume producer of a high quality product, the majority of the land is now under pasture with a small area directed to dryland crop production. Agriculture is limited to low intensity grazing, mainly cattle fattening.

Future agricultural use is likely to continue under livestock grazing regimes with stocking rates of 16-20 dry sheep equivalents (dse)<sup>3</sup> depending on levels of efficiency. Given the effective grazing area available (8ha) this represents an annual turnover of approximately 20 yearling steers or heifers where they are bought store and sold prime within a 12 month cycle.

Land use in the surrounding area is quite diverse. The Western Highway is the property's southern boundary beyond which rural living is the principal development. This use continues on the western boundary while to the north, small area grazing properties predominate but include a poultry farm and forestry woodlot. To the east, the major uses are a mixture of plant nurseries, cut flowers, an agricultural machinery outlet and hotel. The allotment pattern is closely subdivided which restricts or removes soil based agricultural farming systems as an expansion option. Attachment 1 illustrates the surrounding allotment pattern.

Holding size, ownership patterns, current use and agricultural suitability are major, if not impossible constraints to farm expansion.

#### **5.0 AGRICULTURAL IMPACTS**

A Planning Application is being lodged to support a rezoning of the property from Rural Living (RLZ) to Mixed Use Zone with a Design & Development Overlay.

The development pattern of the property has moved from intensive agriculture to grazing through the influences of small farm size and the lack of expansion opportunities for intensive use. Grazing use is likely to be restricted to the growing out and fattening of 20 weaner steers or heifers per year because of size and productivity constraints.

The current zoning (RLZ) accommodates this use, or other grazing uses of an equivalent nature (sheep, equine, goats, alpaca), albeit with a greater potential housing density. No increase in agricultural productivity is envisaged, irrespective of the type of use employed.

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<sup>3</sup> Dry sheep equivalent is that amount of dry matter required by one mature wether per annum

## 6.0 SUMMARY AND CONCLUSION

Land quality is classed as average due to the light nature of the soils and their poor draining characteristics. Intensive agricultural practise is only possible where good surface and profile drainage is provided, soil nutrient deficiencies are corrected and irrigation is available.

The historical development pattern of the property was as a fruit and vegetable farm. Associated developments were facilities improvements to allow the functions of storage, processing and marketing to be performed.

A major constraint to the farming system was one of size. Infrastructure development allowed a further level of intensification but increasingly required the support of outside supply to meet market needs. There came a point approximately 12 years ago where outside supply sources were more important than internal supply and a central location of more strategic benefit to the total business was sought.

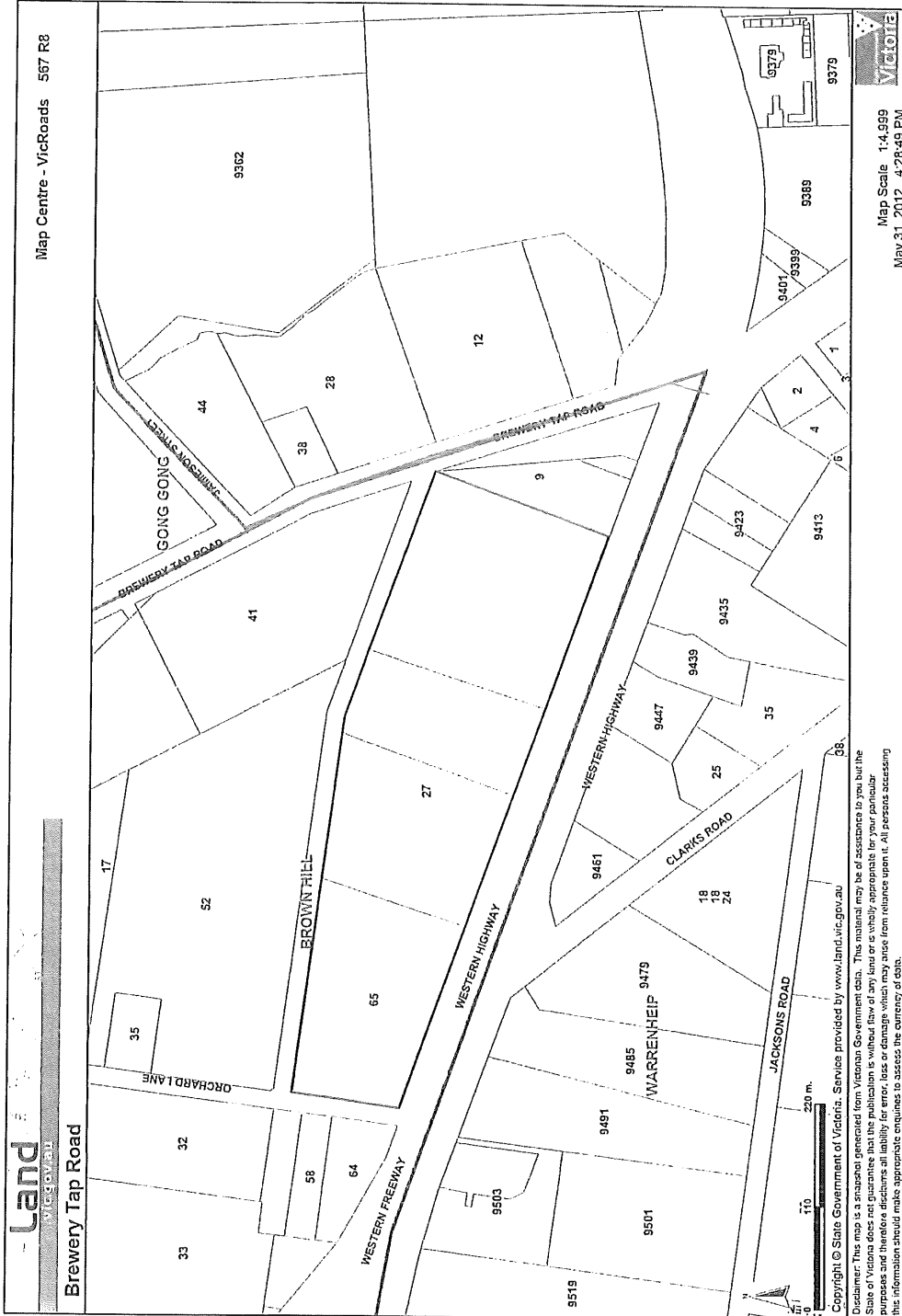
These market led changes were a disincentive to continue intensive farming where small scale, low profitability and lack of expansion opportunities were major constraints. Grazing became the logical use but at low stock numbers due to farm size and stocking rate limits.

The Rural Living Zone accommodates grazing use but no increase in productivity can be anticipated. Changing the use of the zone from Rural Living to Mixed Use may reduce or eliminate agriculture as a form of use. However, as this is only reflected in the growing out and fattening of weaner beef, the local and regional impact is small to inconsequential.



**R N Phillips**  
**Phillips Agribusiness**  
**8 August 2013**

Attachment 1: Surrounding allotment patterns



# Traffix Group

## Traffic Engineering Assessment

Proposed Rezoning

Woodmans Hill Gateway Precinct, Ballarat

Prepared for  
Kaufmann Property Consultants Pty Ltd

March 2020

G28097R-01A

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## Document Control

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- Appendix A Existing Conditions SIDRA**
- Appendix B VicRoads Letter dated 23<sup>rd</sup> June 2014**
- Appendix C Concept Access Plans**

## 1. Introduction

We have been retained by Kaufmann Property Consultants Pty Ltd, on behalf of T & K Wilson and Mahar Property Holdings Trust, to undertake traffic engineering assessments and to provide an expert traffic engineering opinion in relation to a proposed planning scheme amendment for the land located on the north side of the Western Highway west of Brewery Tap Road, which is identified for 'potential future development' in the Ballarat Planning Scheme.

The amendment seeks to rezone land on the north side of the Western Highway from Rural Living Zone to Mixed Use zone and to extend and modify the existing Design and Development Overlay that applies to part of the area and include a S173 agreement to prohibit residential dwellings from the site.

## 2. Existing Conditions

### 2.1. Subject Site

The subject site is located on the north side of the Western Highway west of Brewery Tap Road in Brown Hill, as presented in the locality plan at Figure 1 below.



Figure 1: Locality Plan



The subject site is comprised of three adjacent properties (the western most lot is known as 65 Orchard Lane, the middle lot as 27 Brewery Tap Road and the eastern most lot as Kokoda Street) and has a total site area of approximately 11.9 hectares.

The site has frontages to Western Highway, Kokoda Street (an unconstructed road reserve) and Orchard Lane of approximately 659 metres, 693 metres and 117 metres respectively.

Land at 65 Orchard Lane is occupied by a dwelling and sheds, 27 Brewery Tap Road is occupied by a large number of sheds, and the Kokoda Street property is currently vacant. Access to each property is provided via a shared driveway along the southern boundary of each property. The shared driveway extends between Orchard Lane and Brewery Tap Road (via No. 9 Brewery Tap Road).

An aerial image of the site is shown in Figure 2 below.



Source: [www.nearmap.com](http://www.nearmap.com) (Image date: November, 2019)

Figure 2: Aerial View of Subject Site

**2.2. Land Use**

The subject site is zoned Rural Living Zone (RLZ) as shown in Figure 3 below. The subject site is also partly covered by the Design and Development Overlay – Schedule 2 (DDO2).

Surrounding land uses include:

- dwellings located to the west of the site,
- a broiler farm located to the north of the site,
- a John Deere dealership (farm machinery) located to the east of the site, and
- a caravan park and other non-residential uses located to the south of the site (south of Western Highway).

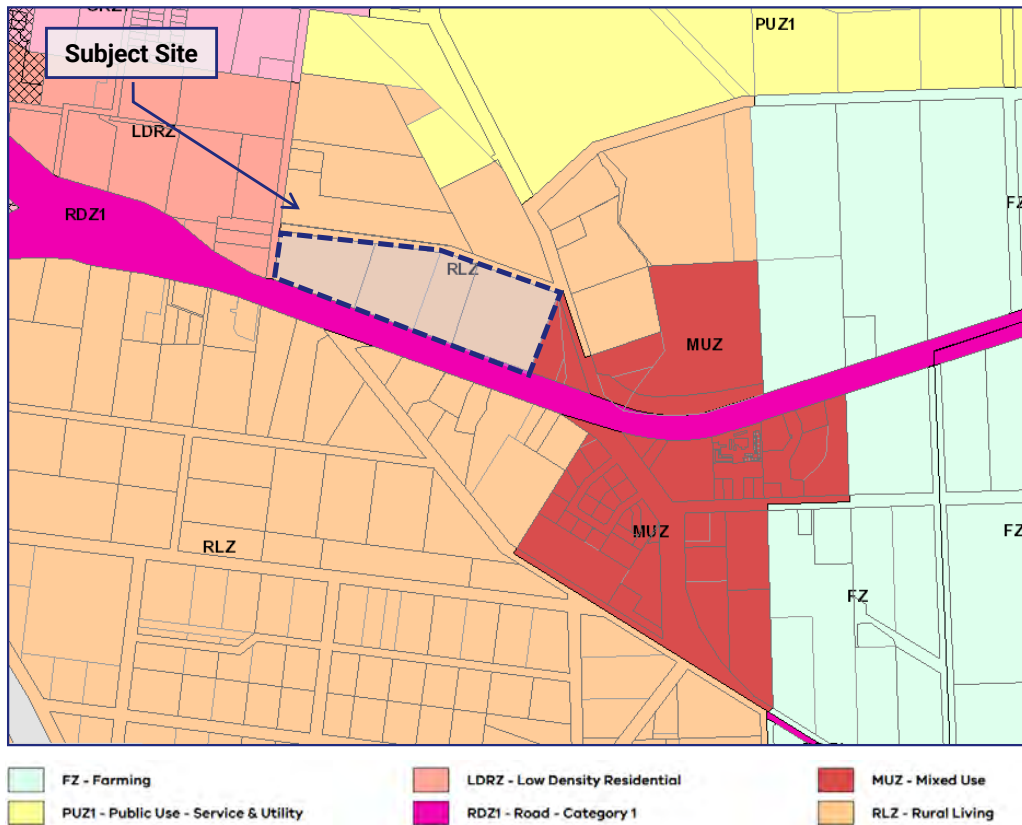


Figure 3: Land Use Zoning Map

## **2.3. Road Network**

### **2.3.1. Western Highway**

Western Highway is a state arterial route (Road Zone Category 1) which extends from Metropolitan Melbourne to the South Australian border. The majority of the route between Melbourne and Ballarat is a freeway standard road, with the exception of a short section extending across the site frontage (from Warrenheip to Leigh Creek).

In the vicinity of the subject site, Western Highway is constructed with a divided carriageway carrying two traffic lanes in each direction. Median breaks are provided at Brewery Tap Road and at Old Melbourne Road, with full turning movements (including U-turns) currently permitted at both of these locations. An additional median break is located approximately 370 metres east of Brewery Tap Road, permitting U-turns for Ballarat-bound traffic choosing not to turn right-out when exiting Brewery Tap Road.

A posted speed limit of 100km/h applies to the east of the site and 110km/h to the west.



Figure 4: Western Highway view West



Figure 5: Western Highway view East

### **2.3.2. Brewery Tap Road**

Brewery Tap Road is identified as a “Link Road” in Council register of public roads and local access street which extends approximately 1.3km generally in a north-south direction between Daylesford Road and Western Highway.

In the vicinity of the site, Brewery Tap Road is constructed with a 9.4 metre wide carriageway (approx.) within a 30 metre road reservation. To the north of the site, the carriageway reduces to 6.3 metres, with sealed shoulders on both sides.

An 80km/h speed limit applies on Brewery Tap Road between Western Highway and Jamieson Street, increasing to 100km/h north of Jamieson Street.



*Figure 6: Brewery Tap Road*

### **2.3.3. Kokoda Street**

Kokoda Street is an unconstructed road reserve extending approximately 690 metres in an east-west direction between Brewery Tap Road and Orchard Lane. The road reservation is approximately 20 metres wide.

### **2.3.4. Orchard Lane**

Orchard Lane is a local street which extends approximately 655 metres south from Gracefield Road to a dead-end termination adjacent to Western Highway.

In the vicinity of the site, Orchard Lane is constructed with a 5.0 metre wide (approx.) sealed carriageway within a 20 metre wide road reservation.

**2.4. Existing Traffic Volumes**

**2.4.1. Western Highway/Brewery Tap Road – Turning Movement Count**

Traffix Group has undertaken AM and PM turning movement counts at the Brewery Tap Road/Western Highway and Western Highway/Old Melbourne Road intersections.

The turning movement counts was undertaken in June 2012 and on 1<sup>st</sup> June, 2017 with the AM and PM peak hours occurring at 8am-9am and 5pm-6pm respectively.

From the above data, a growth rate of approximately 3% per annum has been calculated. This growth rate has been applied for three years to the 2017 data to produce the peak hour turning movements as shown in Figure 7 below.

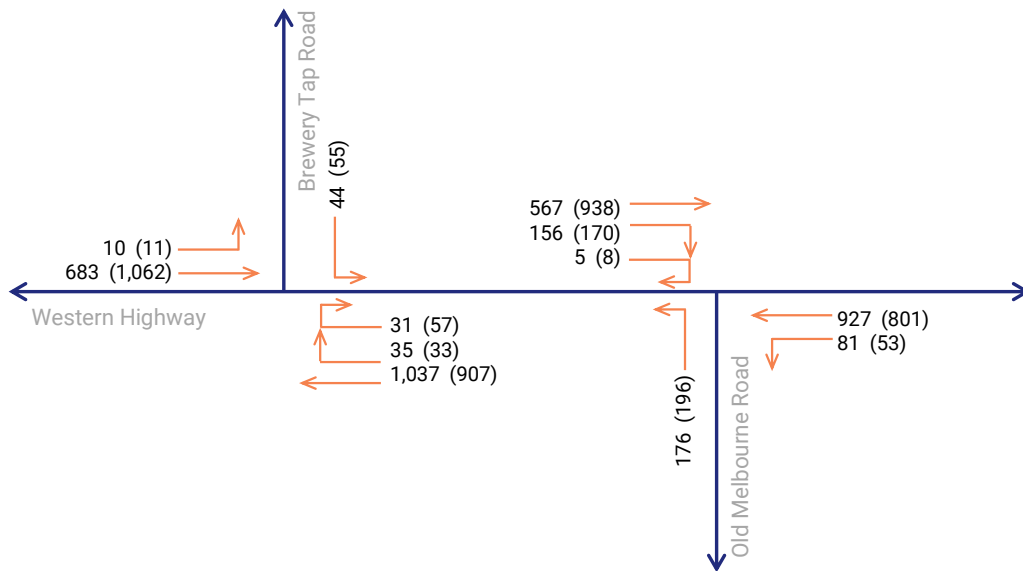


Figure 7: AM (PM) Peak Hour Turning Movements - June 2017

**2.4.2. Western Highway – Annual Daily Traffic Volumes**

Daily traffic volumes on Western Highway have been obtained from VicRoads’ Traffic Volume Data for Victoria database.

VicRoads’ database uses Average Annual Daily Traffic (AADT) volumes, which is the daily traffic volume averaged over 365 days. Traffic volumes on a working weekday are typically 5% higher than the AADT volume.



Table 1: VicRoads Arterial Road Traffic Volume Database

Road & Location	Direction	2007	2019
Western Highway (Warrenheip) between Ballarat-Burrumbeet Road and Bungaree-Wallace Road	Eastbound	7,600	12,000
	Westbound	7,600	12,000

Notes: VicRoads database rounds the recorded traffic volumes to the nearest 100 when the AADT exceeds 1,000 vehicles per day. Volumes shown with an asterisk (\*) are estimates by VicRoads derived from previous counts by applying growth factors.

The VicRoads database indicates that there has been low traffic growth along Western Highway over the past 12 years. It is also noted that VicRoads' database recorded the percentage of commercial vehicles was in the order of 15% of the total daily volume.

### 2.4.3. Brewery Tap Road

Two-way daily (24-hour) traffic count data summaries have been provided by Council for Brewery Tap Road (200 metres south of Gracefield Road) for April 2005, and also for April 2012.

Table 2: Brewery Tap Road Traffic Count Data

	Weekday		Weekend	
	2005	2012	2005	2012
24-Hour Volume (all veh)	492 vpd	557 vpd	426 vpd	527 vpd
24-Hour Trucks	28 vpd	43 vpd	14 vpd	14 vpd
24-Hour Articulated	20 vpd	14 vpd	5 vpd	3 vpd
Commercial Vehicles (%)	9.9%	10.3%	4.7%	3.2%

Table 2 shows a 13% increase in weekday traffic on Brewery Tap Road for the 7 year period from 2005 to 2012, i.e. approximately 1.8% per year.

It is noted that the recorded volume of cars (not commercial vehicles) on Brewery Tap Road on weekends was substantially higher in April 2012 than in April 2005. However, this is likely to at least in part be attributed to the fact that Easter occurred in April in 2012 and in March in 2005, with Brewery Tap Road providing access from Western Highway across to Daylesford Road, and with both Ballarat and Daylesford being popular tourist destinations.

Table 2 shows the two-way daily traffic volumes north of Jamieson Road. We understand that at the southern end where it intersects Western Highway, Brewery Tap Road carries a two-way daily traffic volume in the order of 800 vehicles per day (vpd).

For the purposes of providing an assessment using more recent traffic on Brewery Tap Road, the previously calculated growth rate has been used to extrapolate 2019 data from from 2012, i.e. a further growth of approximately 12.6% over seven years. Accordingly, Brewery Tap Road is estimated to have a 24 hour volume of in the order of 600 vehicles on the northern end and in the order of 900 vehicles on the southern end.

**2.5. Existing Conditions SIDRA**

The Western Highway/Brewery Tap Road intersection has been tested using the SIDRA Intersection analysis program for the existing AM and PM peak hour traffic volumes recorded by ESR Transport Planning (see Figure 7).

The key outputs of SIDRA are Degree of Saturation (DOS), Average Delay and 95th Percentile Queue. For unsignalised intersections, a DOS of up to 0.80 is considered to be good operating conditions, with values above 0.90 considered to be poor operating conditions. Beyond a DOS of 1.00, queues and delays increase disproportionately.

Full detail of the output of the SIDRA analysis is attached at Appendix A and is summarised below.

Approach	Degree of Saturation	Average Delay (sec)	95 <sup>th</sup> Percentile Queue (m)
<b>AM Peak Hour</b>			
Western Highway (East Approach)	0.295	0.9 sec	4.8m
Brewery Tap Road (North Approach)	0.060	10.4 sec	1.5m
Western Highway (West Approach)	0.193	0.1 sec	0.0m

Approach	Degree of Saturation	Average Delay (sec)	95 <sup>th</sup> Percentile Queue (m)
<b>PM Peak Hour</b>			
Western Highway (East Approach)	0.600	3.9 sec	18.0m
Brewery Tap Road (North Approach)	0.102	12.5 sec	2.5m
Western Highway (West Approach)	0.300	0.1 sec	0.0m

The above analysis suggests that there is ample capacity in the road network during both AM and PM peak periods for higher order land use, such as mixed-use, to be accommodated within the existing road infrastructure.

### 3. Western Highway Upgrade

VicRoads has indicated that it intends to upgrade the section of Western Highway between Warrenheip and Leigh Creek to freeway status. Preliminary layout plans of the upgrade have been prepared by VicRoads, and include a significant length of elevated road in the vicinity of the subject site, with a freeway overpass at the Brewery Tap Road/Old Melbourne Road intersection as well as on and off ramps, and a secondary underpass and service roads to restore access to existing uses, predominantly along the south side of Western Highway.

The preliminary layout prepared by VicRoads is shown in Figure 8 below, and was used to determine the extent of land required to be acquired to facilitate the project. A copy of the existing Public Acquisition Overlay (PAO) map is shown in Figure 9.

VicRoads has a medium to long term plan (minimum 5-15 years away) to upgrade the section to freeway status with a series of road widenings, entry/exit ramps and flyover works. We understand that no funds are currently allocated to the project and at this stage VicRoads does not have plans for any interim upgrade works.





## 4. Clause 21.09

Planning Scheme Amendment C173, was adopted in the Ballarat Planning Scheme at Clause 21.09-4 in September, 2015 and as such it implemented the Woodmans Hill Gateway Precinct Master Plan (January 2015). The Master Plan relates to land along both sides of the Western Highway to the east of the Ballarat metropolitan area. The Master Plan and associated Planning Scheme Amendment C173 included:

- Rezoning of some land to the north of the Western Highway from Rural Living Zone to Mixed Use Zone, with all other land to remain in its current zone;
- Recognition of three sites north of the Western Highway for potential future development;
- Extension and modifications to the Design and Development Overlay that already applies to part of the area;
- Changes to the Municipal Strategic Statement to align the planning scheme with the recommendations of the Master Plan.

The Woodmans Hill Gateway Precinct Master Plan study area is shown in Figure 10 below (study area boundary shown as red dotted line).



Figure 10: Woodmans Hill Gateway Precinct Master Plan

The Planning Scheme at Clause 21.09 now designates the site as “potential Future Development Land” as shown in Figure 11 below.

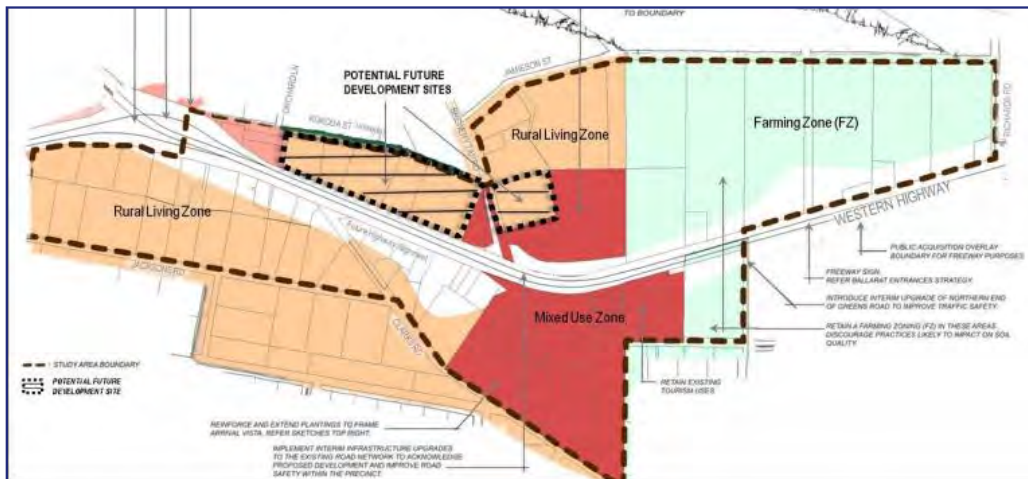


Figure 11: Planning Scheme Amendment C173 - Land Use Zoning Changes

#### 4.1. Woodmans Hill Gateway Precinct Master Plan

The Woodmans Hill Gateway Precinct Master Plan (WHGPMP) (January 2015) is referenced in the Planning Scheme and identifies the site as part of the ‘Rural Living and Mixed Use Centre’, which is envisioned to focus on highway related functions, with associated retail and support for existing tourism activity.

With regard to land use zoning, the WHGPMP does not recommend any change to the existing zoning in this area, however it does recognise the subject site as a ‘potential future development site’ with the following recommendation:

- *That the Rural Living Zone land with highway frontage between Brewery Tap Road and Orchard Lane, and flower farm at 12 Brewery Tap Road both be recognised as ‘potential future development site’, but that rezoning of the sites to facilitate development be required to be undertaken by a proponent as a site specific amendment, supported by the general intent of this plan.*

With regard to vehicle access and movement, the WHGPMP does not recommend any major modifications to the existing access arrangements, however it does recommend interim infrastructure upgrades are investigated with VicRoads as follows:

- *That interim infrastructure upgrades be investigated for the local road network, particularly the intersection of Brewery Tap Road and Western Highway.*

With specific reference to the subject site, the WHGPMP recommends that future developments (prior to the Western Highway upgrade) should consider: