

PIT SCHEDULE - ALBION STREET											
PIT No.	TYPE	DIMENSION	SETOUT		INLET		OUTLET		TOP OF PIT	DEPTH TO INVERT	REMARKS
			EASTING	NORTHING	Dia	IL	Dia	IL			
A	S.E.PIT	900 x 600	750179.743	5835052.705	300	EXIST	300	EXIST	417.320		REFER SD-P1-1/2. OVER EXIST PIPE.
1	J.PIT	EXIST	750185.321	5835052.668							CONVERT S.E.PIT TO J.PIT. SD-P10-2
2	S.E.PIT	EXIST	750187.939	5835063.544							MODIFY EXIST PIT TO SUIT NEW CHANNEL. REFER SD-P8.
3	S.E.PIT	900 x 600	750209.818	5835052.181			300	416.100	417.465	1.365	REFER SD-P1-1/2.
4	J.PIT	EXIST	750207.069	5835052.138	300	416.080					CONVERT S.E.PIT TO J.PIT. SD-P10-2
5	S.E.PIT	EXIST	750201.636	5835063.353							MODIFY EXIST PIT TO SUIT NEW CHANNEL. REFER SD-P8.
6	S.E.PIT	900 x 600	750182.531	5835300.761			300	421.945	422.690	0.745	REFER SD-P1-1/2
7	J.PIT	EXIST	750187.496	5835300.742	300	421.905					CONVERT S.E.PIT TO J.PIT. SD-P10-2
8	J.PIT	EXIST	750210.447	5835300.492							CONVERT S.E.PIT TO J.PIT. SD-P10-2
9	S.E.PIT	900 x 600	750214.032	5835314.560							REFER SD-P1-1/2. OVER EXIST PIPE.
10	S.E.PIT	900 x 600	750182.847	5835314.311			225	422.555	422.900	0.345	REFER SD-P1-1/2
11	J.PIT	EXIST	750186.310	5835314.311	225	422.580					CONVERT S.E.PIT TO J.PIT. SD-P10-2
12	S.E.PIT	900 x 600	750193.621	5835318.986							REFER SD-P1-1/2. OVER EXIST PIPE.
13	S.E.PIT	900 x 600	750203.625	5835319.133							REFER SD-P1-1/2. OVER EXIST PIPE.
14	J.PIT	EXIST	750211.043	5835313.848	300	422.780					CONVERT S.E.PIT TO J.PIT. SD-P10-2
15	S.E.PIT	900 x 600	750214.330	5835313.476			300	422.000	422.800	0.800	REFER SD-P1-1/2

ISSUE	AMENDMENT	DATE

EVERY CARE HAS BEEN TAKEN TO ENSURE THAT THE INFORMATION SHOWN ON THE DRAWING IS ACCURATE HOWEVER SOME VARIATIONS FROM RECORDS MAY EXIST, AND COMPLETE ACCURACY CANNOT BE GUARANTEED.

PIT SCHEDULE

SCALES

DO NOT SCALE THIS DRAWING

WARNING: THE LOCATION OF U/G SERVICES SHOWN IS BASED ON INFORMATION SUPPLIED BY OTHER AUTHORITIES AND SHOULD BE PROVEN ON SITE. ALL WORKS NEAR SERVICES SHALL COMPLY WITH REQUIREMENTS OF THE RELEVANT AUTHORITY

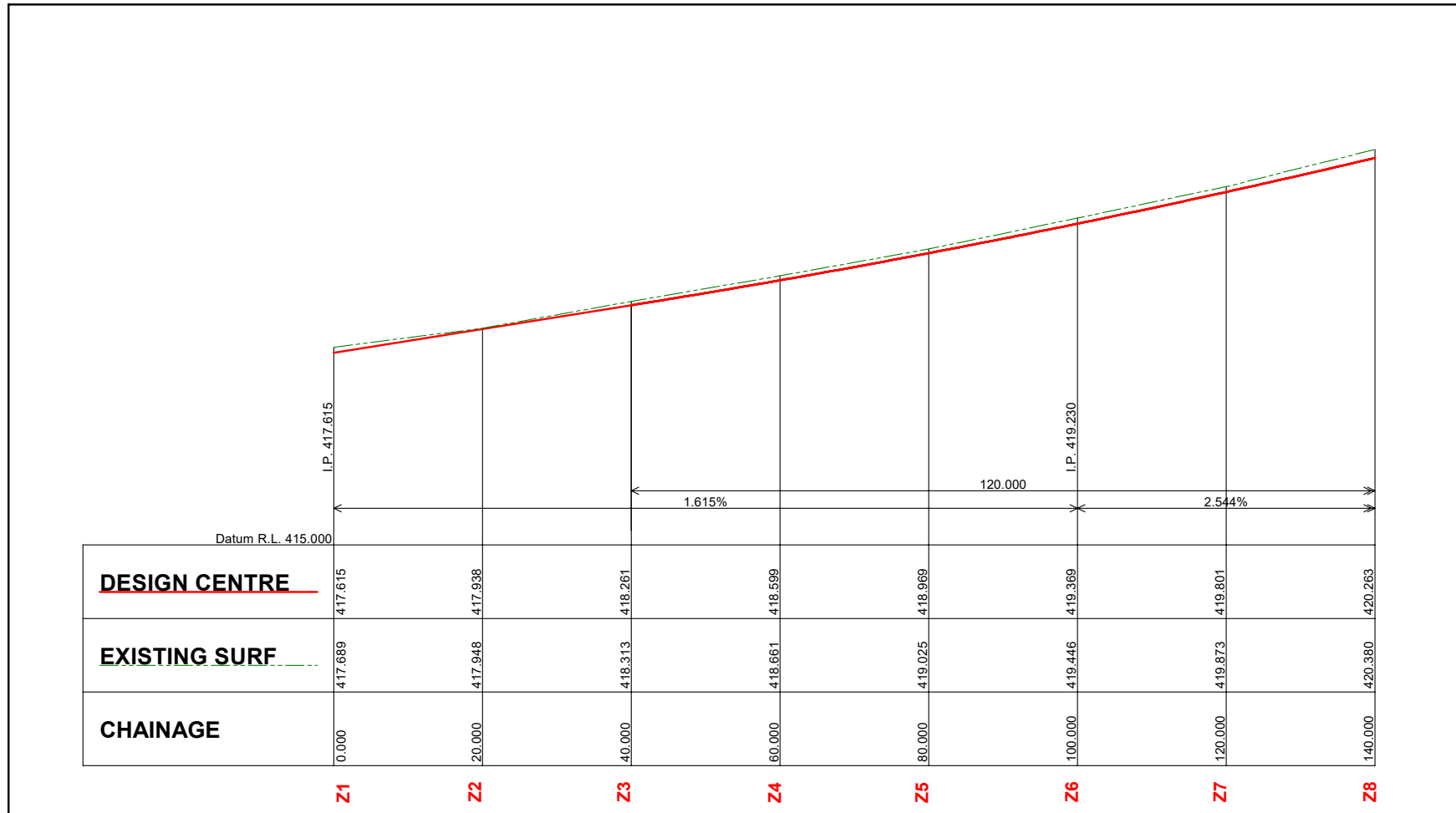
CITY OF BALLARAT
ALBION STREET
BIRDWOOD AVE - WALKER ST

SURVEY: _____ DATE: _____
 DRAWN: _____ DATE: _____
 DESIGN: _____ DATE: _____
 FILES: _____

Pete Batts TEAM LEADER DESIGN
Naugh North MANAGER INFRASTRUCTURE

CITY OF BALLARAT

DRAWING No. **2020-53-06**
SHEET 6 OF 10



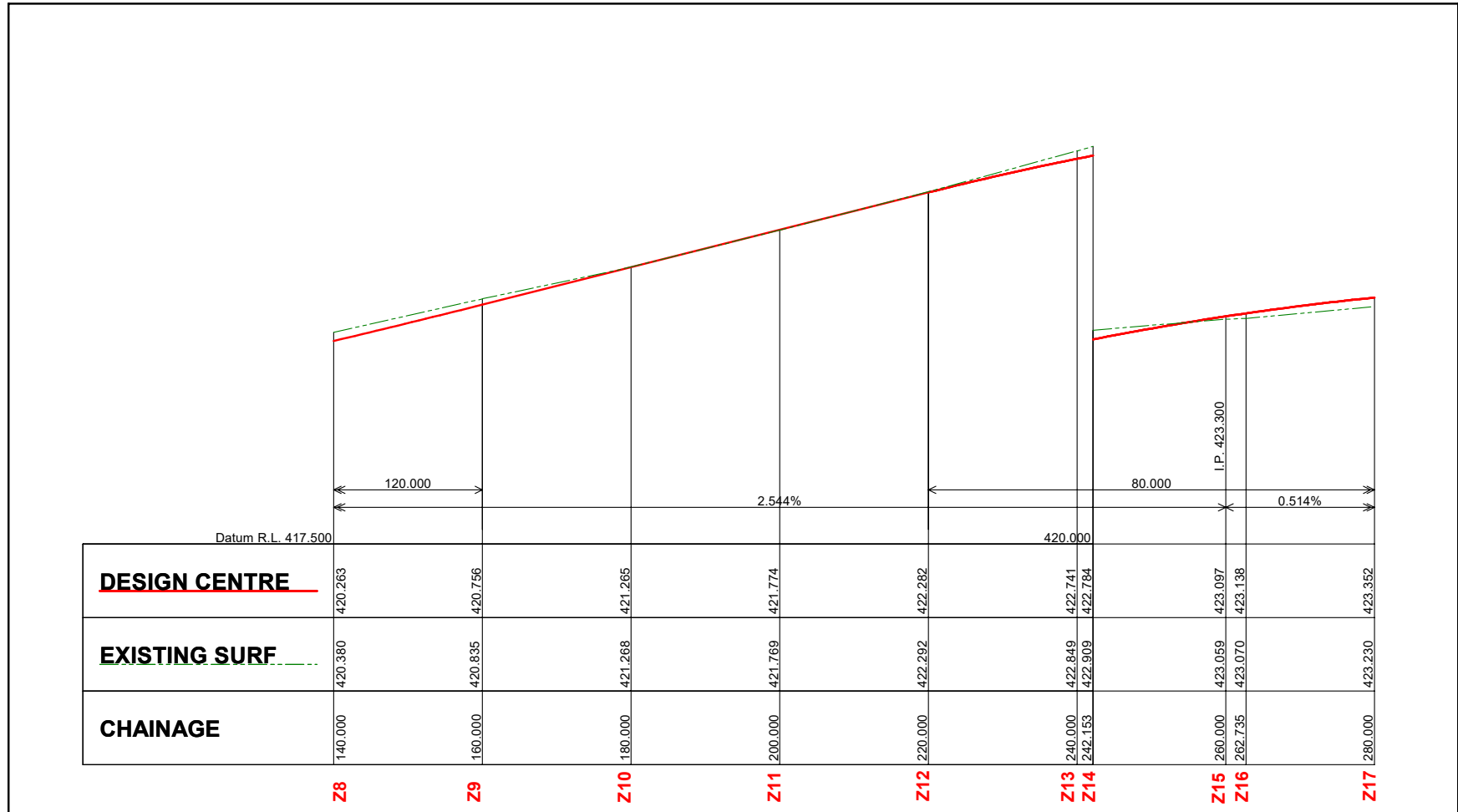
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ISSUE	AMENDMENT	DATE

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LONGITUDINAL SECTION 1

<p>DO NOT SCALE THIS DRAWING</p> <p><small>WARNING: THE LOCATION OF U/G SERVICES SHOWN IS BASED ON INFORMATION SUPPLIED BY OTHER AUTHORITIES AND SHOULD BE PROVEN ON SITE. ALL WORKS NEAR SERVICES SHALL COMPLY WITH REQUIREMENTS OF THE RELEVANT AUTHORITY.</small></p>	<p>SCALES</p>	<p>CITY OF BALLARAT ALBION STREET BIRDWOOD AVE - WALKER ST</p>	<p>CITY OF BALLARAT</p>								
<table border="1" style="font-size: small;"> <tr> <td>SURVEY:</td> <td>DATE:</td> </tr> <tr> <td>DRAWN:</td> <td>DATE:</td> </tr> <tr> <td>DESIGN:</td> <td>DATE:</td> </tr> <tr> <td>FILES:</td> <td>DATE:</td> </tr> </table>	SURVEY:	DATE:	DRAWN:	DATE:	DESIGN:	DATE:	FILES:	DATE:	<p><i>Pete Bats</i> TEAM LEADER DESIGN</p>	<p><i>Vaughn Northey</i> MANAGER INFRASTRUCTURE</p>	<p>DRAWING No. 2020-53-07 SHEET 7 OF 10</p>
SURVEY:	DATE:										
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LONGITUDINAL SECTION 2

SCALES

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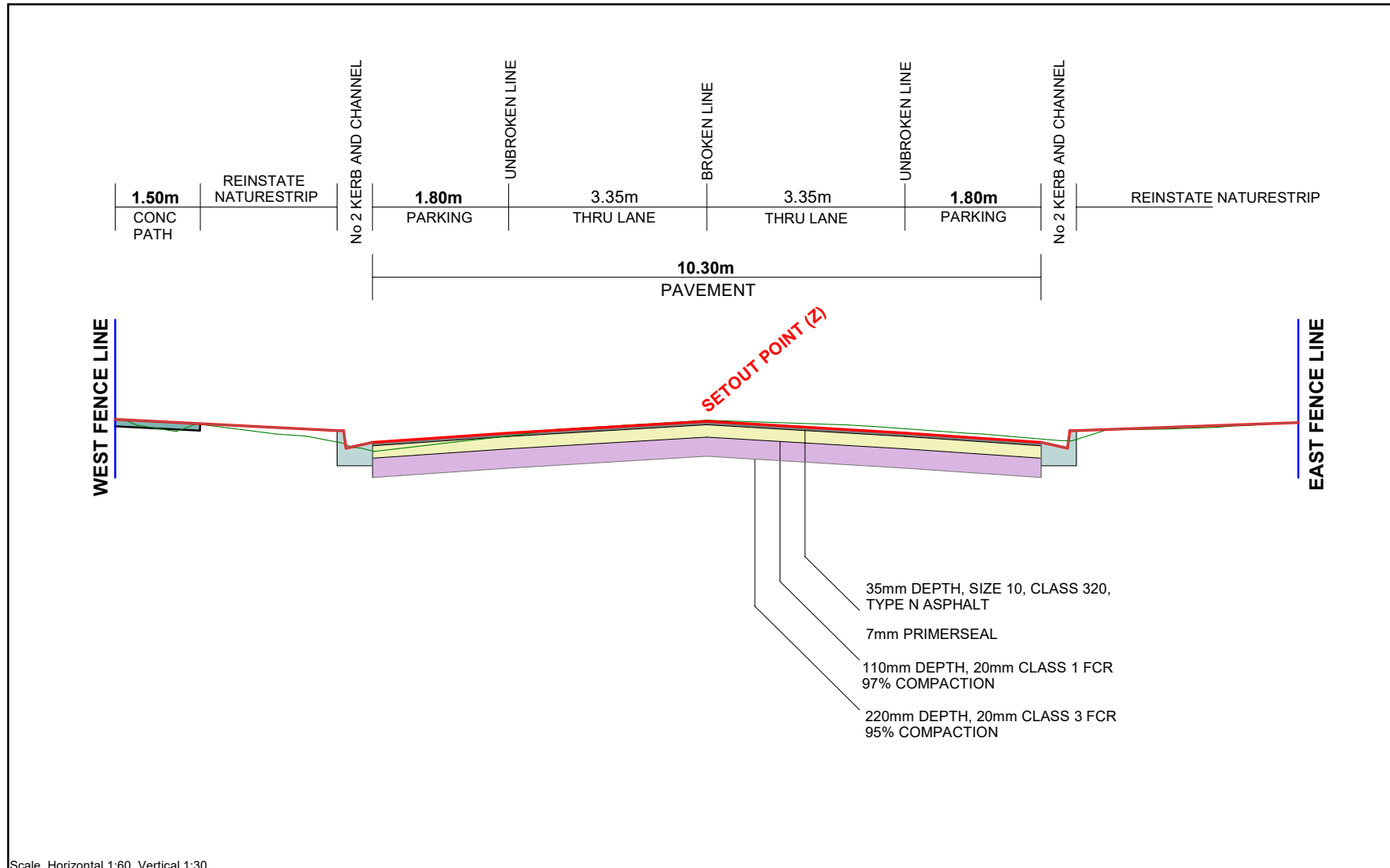
CITY OF BALLARAT
ALBION STREET
BIRDWOOD AVE - WALKER ST

SURVEY: _____ DATE: _____
 DRAWN: _____ DATE: _____
 DESIGN: _____ DATE: _____
 FILES: _____

Pete Batts TEAM LEADER DESIGN
Vaughn Northey MANAGER INFRASTRUCTURE

CITY OF BALLARAT

DRAWING No. **2020-53-08**
SHEET 8 OF 10



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ISSUE	AMENDMENT	DATE

EVERY CARE HAS BEEN TAKEN TO ENSURE THAT THE INFORMATION SHOWN ON THE DRAWING IS ACCURATE HOWEVER SOME VARIATIONS FROM RECORDS MAY EXIST, AND COMPLETE ACCURACY CANNOT BE GUARANTEED.

TYPICAL SECTION 2020

SCALES

DO NOT SCALE THIS DRAWING

WARNING: THE LOCATION OF U/G SERVICES SHOWN IS BASED ON INFORMATION SUPPLIED BY OTHER AUTHORITIES AND SHOULD BE PROVEN ON SITE. ALL WORKS NEAR SERVICES SHALL COMPLY WITH REQUIREMENTS OF THE RELEVANT AUTHORITY

CITY OF BALLARAT
ALBION STREET
BIRDWOOD - VICKERS ST

SURVEY:	DATE:
DRAWN:	DATE:
DESIGN:	DATE:
FILES:	DATE:

Pete Bats TEAM LEADER DESIGN
Paugh Nothman MANAGER INFRASTRUCTURE

CITY OF BALLARAT

DRAWING No. **2020-53-09**
SHEET 9 OF 10

9.7. TENDER 2019/20 - 539 CIVIC HALL STAGE 2 - CONSTRUCTION AWARD

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Alison Tonkin – Manager Major Projects

PURPOSE

1. To award Contract 2019/20 - 539 - the provision of Civic Hall Stage 2 Construction
2. The scope of this contract includes the construction of a new commercial kitchen, power upgrade, stage access lift and storage including external structure and roof repairs.

BACKGROUND

3. The Civic Hall Stage 2 Construction works will deliver improved facilities that better meet the needs and requirements of touring and local hirers thereby making it a far more attractive venue.
4. The Civic Hall currently has no kitchen facilities and therefore faces significant hire-in costs and inconvenience for installing a temporary kitchen to provide catering for events.
5. The infrastructure of the venue further presents limitations to the range and scale of events able to be held at the Civic Hall. These limitations include an electrical power supply that limits certain types of large events and is insufficient for a commercial kitchen and the stage loading arrangements are inefficient and limit the scale of set able to be imported.
6. Several original components of the building, particularly aspects of the roof, are approaching end of life and represent an increasing risk of disruptions and increasing maintenance costs over time.

KEY MATTERS

7. Four (4) tender submissions were received
8. The project is fully funded by the City of Ballarat in the current 2020/21 budget.

OFFICER RECOMMENDATION

9. That Council:

9.1 Enter into Contract Number 2019/20 - 539 for the provision of Civic Hall Stage 2 Construction with Colbrico Pty Ltd t/a Searle Bros Building Contractors for the total tendered price of \$1,088,828.17 (excluding GST).

9.2 Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council

ATTACHMENTS

1. Governance Review [9.7.1 - 3 pages]

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The report supports the Council Plan goals of prosperity and sustainability by providing improved facilities to the Civic Hall precinct and enhancing our built asset.
2. The report supports the goal to attract visitors to Ballarat through the increased ability to facilitate events and performances at the venue.

COMMUNITY IMPACT

3. The completion of Stage 2 works will complete the redevelopment of the Civic Hall as a performance and multipurpose event venue, building on the success of the building restoration works completed to date.
4. Enable Civic Hall to meet the needs and requirements of touring and local, professional, commercial, and not for profit hires, thereby making it an attractive solution within the Ballarat CBD
5. Diversify the use of the hall for the benefit of the community.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

6. This project will provide the users of the facility with a compliant kitchen, sufficient electrical capacity and access to the stage which will increase safety and capacity of the Hall to cater for the increasing demand in use.

ECONOMIC SUSTAINABILITY IMPLICATIONS

7. Approximately 40% (\$439,500) of the total project value will utilise labour, materials, plant and equipment sourced from within the defined group of local municipalities

FINANCIAL IMPLICATIONS

8. The tender price of the recommended tender submission was lower than the allocated construction budget for these works.
9. The project is fully funded by the City of Ballarat in the current 2020/21 budget

LEGAL AND RISK CONSIDERATIONS

10. Operational Impact - The works need to be conducted in a way that minimises the impact to the facility and ensures safety of all workers and the general public. Some level of coordination with the GovHub project team may be required to ensure safety to both parties are maintained.
11. Power Upgrade - Powercor has issued an Agreement for Lease between Ballarat City Council and Powercor for lease of land at Civic Hall for a power substation kiosk. Due to the term of the lease (30 years) the Lease will need to go to Council for approval after a period of public notification. This is subject to a separate Council Report.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

13. Consultation with user groups and in particular local catering companies has been managed by Councils Arts and Tourism Unit.
14. User groups will continue to be consulted throughout the project construction and will be provided with regular updates regarding the projects progress

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

9.8. SALE OF LAND - 12A ALBERT STREET, SEBASTOPOL

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Linda Skews – Property Officer

PURPOSE

1. This report recommends Council review its previous resolution (R379/18) and consider the disposal of the land known as 12A Albert Street, Sebastopol and provide authorisation for the Chief Executive Officer to execute documents to facilitate the sale, and;
2. Resolve that the sale of the subject site is conditional upon a commitment from the prospective purchaser that an allocation of free public parking, (numbers to meet the satisfaction of Council), will be retained and this commitment will be registered as a covenant and the title.

BACKGROUND

3. On the 12 December 2018 Council resolved to:
“Commence the process to dispose of the property located at 12A Albert St Sebastopol in accordance with Sections 189 & 223 of the Local Government Act 1989.
Consider any submissions received in accordance with section 223 of the Local Government Act 1989 relating to the proposed disposal of the property located at 12A Albert Street Sebastopol.
Following compliance of the processes in accordance with Sections 189 & 223 of the Local Government Act 1989 delegate the Chief Executive Officer the authority to advertise the site for sale, negotiate the terms and conditions of the sale, and formally sign the contract of sale and transfer of land documents.”
4. This matter is being brought before Council to review given the time passed since the previous resolution.
5. In accordance with Sections 189 and 223 of the *Local Government Act 1989*, public submissions were invited after a Notice of Intention to Sell Land was published on 2 July 2020. No submissions were received.
6. The land was offered for sale via an Expressions of Interest (EOI) campaign through managing agent Ray White Ballarat.
7. The EOI campaign closed on 2 October 2020 with one (1) offer being received.
8. The offer was received from Ganache Property Pty Ltd Atf Gp Unit Trust and / or nominee for the purchase price of \$453,570 plus GST, 5% deposit and 18 month settlement term.
9. Ganache Property Pty Ltd provided supporting documentation which outlines their intention to revitalise the area.

KEY MATTERS

10. The property is currently used as a car park for the surrounding businesses and is in a dilapidated condition.
11. Property is zoned Mixed Use Zone with an Environmental Audit Overlay.
12. Offer received: purchase price of \$453,570 plus GST, 5% deposit and 18 month settlement term.
13. The current market value as of 24 August 2020 is \$390,000.
14. Any development of the site would be subject to the approval of Council's Planning Department.
15. If Councillors choose to not proceed with the sale of 12A Albert St, Sebastopol a motion to not proceed with the sale will be required. As the site is currently in a dilapidated state, if the sale does not proceed, remediation works are likely to exceed \$600,000.

OFFICER RECOMMENDATION

16. That Council:

15.1 having:

- a. complied with s189 and s223 of the *Local Government Act 1989*; and
- b. received no submissions in response to the public notice of Council's intention to sell the land described as 12A Albert Street, Sebastopol published on 2 July 2020,

sell the land described as 12A Albert Street, Sebastopol:
- c. to Ganache Property Pty Ltd the potential purchaser; and
- d. for the purchase price of \$453,570 plus GST conditional upon Ganache agreeing that by way of a registered covenant on the property title, free public carparking (number to meet the satisfaction of Council) will be retained.

- 16.2 authorise the Chief Executive Officer to execute such documents as are necessary to give effect to this Resolution and the sale authorised by it

ATTACHMENTS

1. Governance Review [9.8.1 - 1 page]
2. Attachment 2 - Valuation [9.8.2 - 32 pages]
3. R379/18 12 December 2018 [9.8.3 - 1 page]
4. Notice of Intention to Sell Land 2 July 2020 [9.8.4 - 1 page]
5. Supporting Documentation Proposed Purchaser [9.8.5 - 6 pages]

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The report supports the Council Plan 2017-2021 goals of prosperity and liveability by providing a positive economic impact and commercial development within the Sebastopol precinct.

COMMUNITY IMPACT

2. There are no community impacts identified for the subject of this report.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. There are no climate emergency and environmental sustainability implications identified for the subject of this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. The proposal which has been received has been developed with a view that an upgrade of the amenity and precinct would offer a positive economic impact within Sebastopol.

FINANCIAL IMPLICATIONS

5. Council obtained an independent market valuation which is contained in Attachment 2.

LEGAL AND RISK CONSIDERATIONS

6. There are no risks to Council in selling the land.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. A public consultation process was conducted from 2 July 2020 to 29 July 2020. No Public submissions were received.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

9. No Council Officers who have provided advice in relation to this report have a conflict of interest regarding the matter.



24 August 2020

Linda Skewes
City of Ballarat
PO Box 655
BALLARAT VIC 3353

Dear Madam,

Re: *12A Albert Street, Sebastopol, Victoria*

Matter: *Current Market Valuation for Pre-Sale Advice*

In accordance with your instructions please find attached a copy of our valuation report for the property for pre-sale purposes.

Thank you for engaging Opteon to provide you with professional, independent property advice. Opteon is Australia's largest national provider of market-leading valuation and property advice. We work closely with our clients to deliver innovative property solutions.

Opteon provides expert property advice for all property sectors including residential, commercial, industrial, retail, hospitality, or rural property. We also offer plant and equipment valuations, quantity surveying or tax depreciation services.

We appreciate your instructions and please do not hesitate to contact us if we can be of further service to you.
Kind regards,

A handwritten signature in black ink, appearing to be 'S. Page'.

Stuart Page AAPI CPV
Certified Practising Valuer
API No: 62930

Opteon Property Group Pty Ltd
ABN 78 144 732 589
PO Box 1875, Geelong VIC 3220

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F 03 5223 2309 W www.opteonsolutions.com

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Valuation Report

12A Albert Street
Sebastopol, Victoria 3356

File Ref: 11009270



VALUATION REPORT



**12A Albert Street
Sebastopol, Victoria 3356**

Prepared For	City Of Ballarat
Report Purpose	Pre-sale purposes
Valuation Date	13 August 2020
Our Reference	11009270
Client Reference	BACC-007395
Inspection Type	Full Inspection

Opteon Property Group Pty Ltd
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12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



1.0 Valuation Summary

1.1 Scope of Work and Instructions

Identity of Valuer	Opteon Property Group Pty Ltd
Independence of Valuer/Disclosure	The valuer does not have any material connection or involvement with the subject property or the parties to the valuation that could limit the valuer's ability to provide an unbiased and objective valuation. The valuation has been assessed independently by the valuer without material assistance from others.
Instructing Party	Linda Skewes , City Of Ballarat
Client	City Of Ballarat
Other Authorised Users/Additional Client Information	Nil
Client Reference	BACC-007395
Property Address /Asset Valued	12A Albert Street, Sebastopol, Victoria 3356
Valuation Currency	This valuation has been assessed in Australian dollars (\$AUD).
Valuation Purpose and Restrictions on Use	Pre-sale purposes This report has been prepared for the private and confidential use of our client, City Of Ballarat and the nominated other authorised users, for the specified purpose and it should not be relied upon by any other party for any purpose and the valuer shall not have any liability to any party who does so. The report should not be reproduced in whole or part without the express written authority of Opteon Property Group Pty Ltd. Our warning is registered here, that any party, other than those specifically named in this report as our client or authorised user should obtain their own valuation before acting in any way in respect of the subject property.
Inspection	In order to complete the valuation a sufficiently comprehensive inspection of the property has been completed.
Basis of Value	Market Value
Extent of Valuers' Work and Limitations	The extent of investigation undertaken by the valuer in completing the valuation has included: <ul style="list-style-type: none"> • collation of information from relevant parties regarding the subject property; • undertaking our own research regarding the subject property; • an inspection of the property and measurement of buildings where required; • undertaking market research in terms of values and/or costs of similar properties; • preparation of valuation calculations, and; • preparation of this report; This valuation has been based on information supplied which is assumed to have been provided in good faith and contain a full and frank disclosure of all information that is relevant to the valuation of the property. The valuer has not undertaken due diligence or verification of the information supplied.
Nature and Source of Information	Information we have been provided with and relied upon in undertaking our valuation includes:
Compliance/Departures with Valuation Standards	This valuation has been prepared in accordance with the International Valuation Standards and other applicable Valuation Standards.

12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



1.2 Property Details

Property Description The subject property comprises an irregular shaped allotment of 2,521 square metres in area and that is located within a "Mixed Use" zoning.

Title Reference	Tenure	Registered Proprietor	Title Area
Lot 1 Title Plan 180516 Volume 9117 Folio 178	Freehold	Ballarat City Council of 25 Armstrong Street South Ballarat Vic 3350	1,721 sqm
Crown Allotment 26 Section 47 Township of Sebastopol Volume 9388 Folio 224	Freehold	Ballarat City Council of 25 Armstrong Street South Ballarat Vic 3350	800 sqm
Total Site Area			2,521 sqm

Encumbrances A carriageway easement abuts the southern boundary and part of the eastern boundary, a way and drainage easement abuts part of the northern boundary and a drainage easement abuts part of the northern boundary.

Zoning Mixed Use

1.3 Property Profile

Market

Marketability Reasonable.
Market Activity Tightly held with few transactions of similar properties.
Recent Market Direction Steady.

Asset

Highest & Best Use The highest and best use for the property is considered to be medium density residential development.
Other Factors The property has only a very narrow street frontage and minimal street exposure to Albert Street, the major retail and commercial strip of Sebastopol. Commercial zoned properties located away from Albert Street sell at quite a discounted rate compared to those which have a good street frontage to Albert Street. An adjoining owner with a good frontage to Albert Street may pay a premium for the property.

Occupancy

Occupancy Status The property is currently vacant.

Assumptions & Recommendations:

Significant and Verifiable Assumptions The instructions and information supplied contain a full disclosure of all information that is relevant.

12A Albert Street
 Sebastopol, Victoria 3356
 Our Reference: 11009270



Assumptions Requiring Further Consultancy	The property is affected by an Environmental Audit overlay. Depending on the findings that such an investigation may provide, the Valuer reserves the right to review the valuation.
Recommended Documents to Sight	None recommended

1.4 Valuation Details

Market Value As Is:

Market Value with Vacant Possession:	\$390,000
Including a Notional Land Value:	\$390,000
Market Gross Rental Value:	N/A

This valuation is exclusive of GST

Interest Valued	Fee simple with vacant possession
Date of Inspection	13 August 2020
Date of Valuation	13 August 2020
Date Issued	24 August 2020
Expiry of Valuation	This valuation is current as at the Date of Valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value.

Signatories

Stuart Page AAPI CPV
 Certified Practising Valuer
 API No: 62930
Primary Valuer
 PH 0438 501 420
 stuart.page@opteonsolutions.com

Valuation Summary	<i>This Valuation Summary has been prepared with acknowledgement by the client that it is a synopsis of the property and the valuation on the understanding the client is familiar with the property or have taken their own investigations and due diligence on the property. A more detailed valuation report can be provided if required. All information obtained and researched on the property has been retained on our files for future reference if required. This report is provided on the basis and understanding that this report is only to be used for the specified purpose.</i>
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12A Albert Street
 Sebastopol, Victoria 3356
 Our Reference: 11009270



2.0 Location

Location	The subject property is situated on the western side of Albert Street within the Ballarat suburb of Sebastopol. Surrounding properties are utilised predominantly for retail purposes, with residential properties located to the rear. The Ballarat Central Business District is about 5 kilometres to the north.
Neighbourhood	Properties in the immediate vicinity include strip retail shops and commercial premises, with residential properties adjacent to the rear boundary.

Location Map

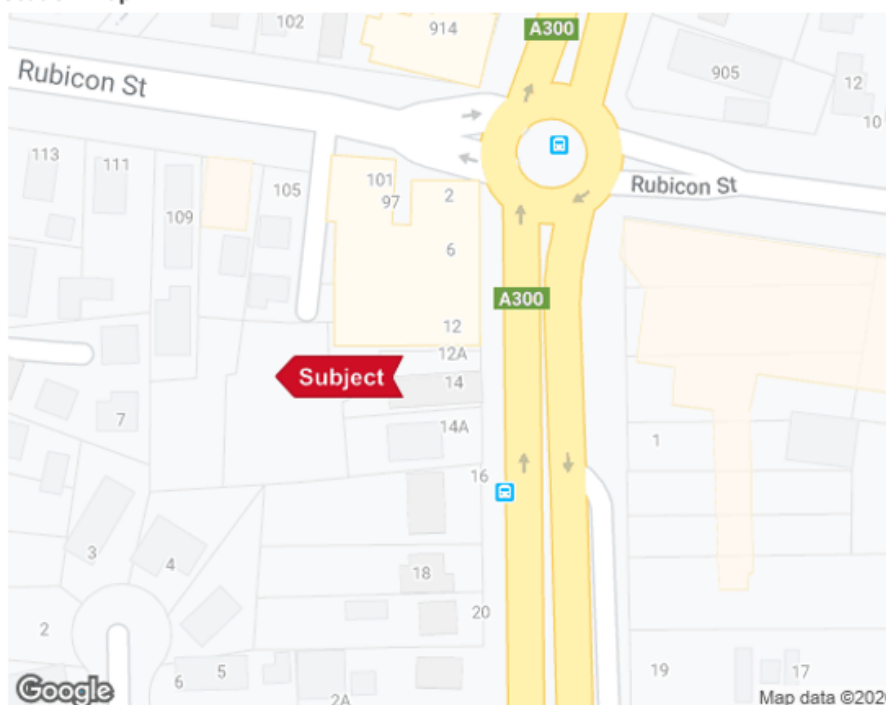


Sourced from maps.googleapis.com

12A Albert Street
 Sebastopol, Victoria 3356
 Our Reference: 11009270



Specific Location Map



Sourced from maps.googleapis.com

3.0 Tenure

3.1 Title Particulars:

Title Reference	Tenure	Registered Proprietor	Title Area
Lot 1 Title Plan 180516 Volume 9117 Folio 178	Freehold	Ballarat City Council of 25 Armstrong Street South Ballarat Vic 3350	1,721 sqm
Crown Allotment 26 Section 47 Township of Sebastopol Volume 9388 Folio 224	Freehold	Ballarat City Council of 25 Armstrong Street South Ballarat Vic 3350	800 sqm
Total Site Area			2,521 sqm

Recommendation (Recent Title Search) A recent title search of the property has not been undertaken or sighted. We recommend a recent title search be obtained to confirm title to the property, the title plan, and any encumbrances have not changed. We reserve the right to review our valuation in the event a recent title search reveals any information or discrepancies which may affect the value of the property.

3.2 Easements, Encumbrances & Other Interests Noted on Title

Encumbrances A carriageway easement abuts the southern boundary and part of the eastern boundary, a way and drainage easement abuts part of the northern boundary and a drainage easement abuts part of the northern boundary.

12A Albert Street
 Sebastopol, Victoria 3356
 Our Reference: 11009270



4.0 Statutory Assessments

Statutory Assessments \$323,000 as at 1st January, 2020

5.0 General Comments

We have sighted title searches, however we have not undertaken any further searches or review of notations, endorsements, encumbrances, easements or restrictions where listed. Specific details of the notification(s) have not been provided and as such we assume no adverse effect. Should further consideration of any notification(s) be required we recommend the full details be referred to the valuer and/or legal experts for review.

6.0 Market Commentary

Market conditions are changing and there is significant market uncertainty due to COVID-19 which is leading to valuation uncertainty. Market evidence relied upon may be from before recent events. Past cycles indicate there is a lag for when real estate markets react to economic events. This valuation is current at the date of valuation only. The value may change significantly and unexpectedly over a relatively short period of time, including as a result of factors that the Valuer could not reasonably have known as at the date of valuation. Given the market uncertainty we recommend this valuation is reviewed periodically and your reliance on this valuation should have regard to possible increased market volatility.

7.0 Market Evidence

7.1 Sales Evidence

Property	134 Albert Street, Sebastopol, VIC
Sale Price	\$350,000
Sale Date	18-Jun-18
Sale Status	Settled
Site Area	1,547 sqm
Zoning	General Residential
Property Description	The property comprises a residential development site with planning permit issued for a six unit complex. Site area 1547 sqm. Analyses to \$58,333 per unit; \$226 per sqm
Analysis	Sale price analyses at \$226/sqm
Comparability	Inferior land area, superior shape of site, more restrictive zoning, comparable location, weaker market-Inferior overall

12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



Property	30 Beverin Street, Sebastopol, VIC
Sale Price	\$350,000
Sale Date	03-Oct-19
Sale Status	Settled
Site Area	2,012 sqm
Zoning	General Residential
Property Description	The property comprises an allotment of 2012 sqm, irregular in shape, improved with old large shed (320 sqm), "General Residential" zoning
Analysis	Sale price analyses at \$174/sqm
Comparability	Inferior land area, superior shape of site, more restrictive zoning, inferior location- Inferior overall

Property	3 Maestro Court, Delacombe, VIC
Sale Price	\$430,000
Sale Date	08-May-20
Sale Status	Agents Advice
Site Area	3,002 sqm
Zoning	Urban Growth
Property Description	Comprises a vacant land on a site area of 3002sqm, irregular in shape, "Urban Growth" zoning .
Analysis	Sale price analyses at \$143/sqm
Comparability	Superior land area, superior shape of site, more restrictive zoning, inferior location- Superior overall

Property	29 Albert Street, Sebastopol, VIC								
Sale Price	\$475,000								
Sale Date	31-Aug-16								
Sale Status	Settled								
Site Area	1,018 sqm								
Zoning	Commercial 1								
Lettable Area	137 sqm								
Property Description	Underdeveloped commercial site in well exposed main road location, abutting Adi supermarket and opposite McDonalds & KFC outlets. Features two modern metal deck industrial sheds positioned towards rear of the 1018sqm site. The property has a central shed/showroom of 71 m2 approx. with a separate rear shed of 66m2 approx.								
Analysis	<table border="0"> <tr> <td>Market Net Yield</td> <td>3.44%</td> <td>Reversionary Yield</td> <td>3.49%</td> </tr> <tr> <td>Site Rate</td> <td>\$467/sqm</td> <td>Lettable Area Rate</td> <td>\$3,467/sqm</td> </tr> </table> <p>Sale price analyses at \$467/sqm</p>	Market Net Yield	3.44%	Reversionary Yield	3.49%	Site Rate	\$467/sqm	Lettable Area Rate	\$3,467/sqm
Market Net Yield	3.44%	Reversionary Yield	3.49%						
Site Rate	\$467/sqm	Lettable Area Rate	\$3,467/sqm						
Comparability	Inferior land area, superior shape of site, comparable location, weaker market-Superior overall								

12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



Property	1249 Howitt Street, Wendouree, VIC
Sale Price	\$600,000
Sale Date	20-May-19
Sale Status	Settled
Site Area	1,180 sqm
Zoning	Mixed Use Zone
Property Description	Comprises a detached dwelling on a large 1180m2 rectangular block, with main road location. The building is 145 sqm, comprising 6 rooms, poorly maintained condition. The property is considered a prime development site given the location and under utilisation of the block size. Off street parking is available at the rear of the property, as well as 2 off street parking at the front of the property. Due to main road proximity, no on street parking is available, "Mixed Use" zoning.
Analysis	Sale price analyses at \$508/sqm
Comparability	Inferior land area, superior shape of site, comparable zoning, superior location and improvements, weaker market-Superior overall

Property	8 Neway Avenue, Delacombe, VIC
Sale Price	\$600,000
Sale Date	19-Oct-19
Sale Status	Settled
Site Area	2,954 sqm
Zoning	
Property Description	The property comprises an allotment of 2954 sqm, generally regular in shape, with a planning permit to construct 10 townhouses. The sale reflects a rate of \$203 per sqm.
Analysis	Sale price analyses at \$203/sqm
Comparability	Superior land area, superior shape of site and utility of property, more restrictive zoning, inferior location-Superior overall

Property	182 Albert Street, Sebastopol, VIC
Sale Price	\$675,000
Sale Date	30-May-18
Sale Status	Settled
Site Area	1,821 sqm
Zoning	Commercial 1
Property Description	Comprises a "Commercial 1" zoned development site of 1,821sqm situated within and established and further developing mixed commercial/industrial/residential area of Sebastopol. Included a 1950s dwelling, with attached works hop and freestanding shed. Advertised for sale an 'unparalleled development site' with potential alternative uses as medical, child care, fast food, retail or showroom (stca).
Analysis	Site Rate \$371/sqm Sale price analyses at \$371/sqm
Comparability	Inferior land area, superior shape of site, comparable location, weaker market, superior improvements-Superior overall

12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



Property	1834 Sturt Street, Alfredton, VIC
Sale Price	\$841,500
Sale Date	29-Oct-19
Sale Status	Settled
Site Area	3,677 sqm
Zoning	Mixed Use Zone
Property Description	The property comprises an allotment of 3677 sqm, regular in shape, "Mixed Use" zoning The sale reflects a rate of \$229 per sqm.
Analysis	Sale price analyses at \$229/sqm
Comparability	Superior land area, superior shape of site, comparable zoning, superior location- Superior overall

Sales Evidence Conclusions:

Recent sales of the noted settled properties within the report throughout Sebastopol and surrounding locations indicate a site rate of between \$143 and \$508 per square metre of land area.

Taking into consideration points of difference such as size, shape, topography and location we deem a site rate of \$160 per square metre applicable for the subject property.

8.0 Valuation Calculations

8.1 Primary Valuation Method

Comparable Transactions Method/Direct Comparison Calculations

Direct Comparison Valuation Method (rate psm land area)			Market Value
Lot 1	1721 sqm	@ \$155 psm	\$266,755
C/A 26	800 sqm	@ \$155 psm	\$124,000
Total			\$390,755
Adopt, Total Market Value:	<i>Rounding factor</i>	<i>\$755</i>	\$390,000

12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



9.0 Valuation

Subject to the assumptions, conditions and limitations contained within this report, we are of the opinion the Market Value of the interest in the property as at the Date of Valuation is as follows:

Market Value - Vacant Possession

\$390,000

(Three Hundred and Ninety Thousand Dollars)

10.0 Assumptions, Conditions & Limitations

Asbestos Disclaimer	<i>We are not experts in the identification of Asbestos and therefore, in the absence of an environmental consultant's report concerning the presence of any asbestos fibre within the subject property, this valuation is made on the assumption that there is no: asbestos material present; health risk from asbestos within the property; or there is any material expense relating to the repair, management or replacement of asbestos materials in the foreseeable future. Should an expert's report establish that there is an asbestos related health risk or a requirement to undertake asbestos remediation works then we reserve the right to review this valuation.</i>
Encroachments	<i>The valuation is made on the basis that there are no encroachments (unless otherwise noted) by or upon the property and this should be confirmed by a current survey report and/or advice from a land surveyor. If any encroachments are noted by the survey report the valuer should be consulted to assess any effect on the value stated in this report.</i>
Environmental Disclaimer	<i>This report is not an environmental audit and no advice is given in any way relating to environmental or pollution matters. Any comments given as to environmental or pollution factors in relation to the property are not given in the capacity as an expert. This assessment of value is on basis that the property is free of contamination or environmental issues affecting the property not made known to the valuer. In the event the property is found to contain contamination the matter should be referred to this office for comment. Given contamination issues can have an impact on the Market Value of the property, we reserve the right to review and if necessary vary our valuation if any contamination or other environmental hazard is found to exist.</i>
Full Disclosure Disclaimer	<i>Whilst we have attempted to confirm the veracity of information supplied, the scope of work did not extend to verification of all information supplied or due diligence. Our valuation and report has been prepared on the assumption the instructions and information supplied has been provided in good faith, is not in any way misleading or deceptive, contains a full disclosure of all information that is relevant, there are no undisclosed agreements in place that affect the property. The valuer and valuation firm does not accept any responsibility or liability whatsoever in the event the valuer has been provided with insufficient, false or misleading information.</i>
Future Value	<i>Any comments are made in relation to future values are based on general knowledge and information currently available. These comments should not be construed as a prediction of future value levels or a warranty of future performance as the property market is susceptible to potential rapid and unexpected change caused by multiple factors. Ultimately current expectations as to trends in property values may not prove to be accurate. <i>Due to possible changes in the property market, economic conditions, occupancy status and property specific factors, we recommend the value of the property be reassessed at regular intervals</i></i>
Geotechnical	<i>We have not sighted a geotechnical engineers' survey of the property. We are not experts in the field of civil or geotechnical engineering and we are therefore unable to comment as to the geotechnical integrity of the ground and soil conditions. It is specifically assumed that there are no adverse geotechnical conditions that compromise the utility of the property for the current or highest and best use. In the event there is found to be adverse ground conditions we recommend the matter be referred to this Company for comment.</i>
GST	<i>All amounts and values in this report are exclusive of GST unless otherwise specified. If there is any uncertainty as to the treatment of GST we recommend you seek advice from a qualified accountant.</i>
Identification	<i>The property has been identified as per details provided within this report. The identification comments are not provided in the capacity of an expert, and a surveyor (not a valuer) would be able to confirm the identification of the property and/or any encroachments by way of undertaking a site survey.</i>
Inconsistencies in Assumptions	<i>If there is found to be any variance, inconsistency or contradiction in any of the assumptions within this report then this may have an impact on the market value of the property and we recommend this valuation be referred back to the Valuer for comment.</i>

12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



Leases and Rents	<i>This valuation is based on the lease terms and conditions summarised within this report sourced from a review of the available lease documentation and tenancy schedules made available. This valuation is made on the basis that the tenants are paying rent in accordance with the lease agreements and there are no undisclosed rental subsidies, or other incentives that have been provided by the lessor. Our valuation assumes there are no material breaches of the essential terms of existing Leases by the existing Lessees and no material rental arrears at the date of Valuation.</i>
Market Change	<i>This valuation is current as at the Date of Valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Where the valuation is being relied upon for mortgage purposes, without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of 90 days from the date of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation. We recommend the valuation be reviewed at regular intervals.</i>
Market Evidence Information Availability	<i>In preparing this valuation we have undertaken those investigations reasonably expected of a professional valuer having regard to normal industry practice so as to obtain the most relevant, available, comparable market evidence. Whilst we believe the market information obtained to be accurate, all details may not have been formally verified.</i>
Market Value	<i>"Market Value is the estimated amount for which an asset or liability should exchange on the Valuation date between a willing buyer and a willing seller in an arm's length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion".</i>
Native Title Assumption	<i>We are not experts in native title or the property rights derived there from and have not been supplied with appropriate expert advice or reports. Therefore, this valuation is made assuming there are no actual or potential native title interests affecting the value or marketability of the property.</i>
Photographs	<i>The photos used in this valuation report may not have been taken by Opteon (Third Party Photos). Where possible, a photo that has been sourced from a third party (other than the property contact who has not been attributed) has been attributed in the valuation report to the source from which Opteon obtained the photo. Opteon makes no warranties or representations in respect of, and is unable to assign to the Client, any intellectual property rights subsisting in the Third Party Photos.</i>
Planning Disclaimer	<i>Town planning and zoning information was informally obtained from the relevant local and State Government authorities and is assumed to be correct. Should the addressee require formal confirmation of planning issues then we recommend formal application be made to the relevant authorities to confirm planning details.</i>
Publication of Report	<i>The publication of the valuation or report in whole or any part, or any reference thereto, or the names and professional affiliations of the valuers is prohibited without the prior written approval of the valuer as to the form and context in which it is to appear.</i>
Site Survey Disclaimer	<i>This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property are not given in the capacity as an expert, however, are based on our inspection (where relevant) of the property and review of the Certificate of Title plans. Should the addressee require absolute certainty in relation to the site area, dimensions or possible encroachments we recommend that a surveyor be engaged to provide appropriate advice and a survey of the property if considered necessary. In the event there are any fundamental inconsistencies between any site survey undertaken and site detail adopted in this valuation, the survey should be referred to the valuer for comment on any valuation implications (including amendment of our valuation if considered necessary).</i>
Third Party Disclaimer	<i>This report has been prepared for the private and confidential use of our client, City Of Ballarat and the nominated other authorised users, for the specified purpose and it should not be relied upon by any other party for any purpose and the valuer shall not have any liability to any party who does so. The report should not be reproduced in whole or part without the express written authority of Opteon Property Group Pty Ltd. Our warning is registered here, that any party, other than those specifically named in this report as our client or authorised user should obtain their own valuation before acting in any way in respect of the subject property.</i>
Third Party Information	<i>In preparing the valuation report the valuer may have relied on information, documents and data provided by third parties (Third Party Information). Whilst the valuer has taken reasonable steps to verify the accuracy and completeness of the Third Party Information, the valuer does not make any warranties or representations about the accuracy or completeness of that Third Party Information and will not be liable for any loss that may arise as a direct or indirect consequence of any Third Party Information being incomplete, inaccurate or misleading due to the fraud or recklessness of a provider of the Third Party Information.</i>

12A Albert Street
Sebastopol, Victoria 3356
Our Reference: 11009270



**Title and Unregistered
Instruments**

For the purpose of this report we have assumed that the title information provided to us is correct. Our Valuation has been assessed assuming the property is only affected by encumbrances noted on Title with the exception of registered instruments (eg. mortgages or caveats) that are normally and expected to be discharged prior to transfer of the property. If there are any encumbrances, encroachments, restrictions, leases or covenants which are not noted on the title, they may affect the assessment of value. If there are errors or omissions found to exist on the title documents we should be notified and we reserve the right to review our valuation.

12A Albert Street
Sebastopol, VIC 3356
Our Reference: 11009270



APPENDIX 1
INSTRUCTIONS

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Ballarat City Council
 25 Armstrong Street South
 Ballarat VIC 3350



Page 1 of 2
 Telephone (03) 5320 5500
 Email info@ballarat.vic.gov.au
 Web www.ballarat.vic.gov.au
 ABN 37 601 599 422

Purchase order

Number BACC-007395
 Date 28/07/2020
 Contact Linda Skewes
 Delivery address Phoenix Building
 25 Armstrong Street South
 BALLARAT CENTRAL VIC 3350

OPTEON VICTORIA PTY LTD
 PO BOX 1875
 GEELONG VIC 3220
 accounts@opteonsolutions.com

Quantity	Unit	Description	Unit price (Excl. any GST)	Total (Excl. any GST)
1.00	ea	Valuation - 12A Albert Street, Sebastopol	600.00	600.00
			Total	600.00

Attention: This message is intended only for the use of the individual or entity named above and may contain information that is confidential and privileged. If you have received this e-mail in error, please notify the sender immediately and delete the message. Any views or opinions presented are solely those of the author.
Purchase Order Terms & Conditions attached

Ballarat City Council
25 Armstrong Street South
Ballarat VIC 3350



CITY OF BALLARAT - PURCHASE ORDER TERMS AND CONDITIONS

1. DEFINITIONS

In this order, unless inconsistent with subject matter the following definitions apply:

- "Contract" includes this order and any documentation attached to or referred to in the order.
- "Merchandise" includes all goods, chattels, plant, equipment, machinery, stores, services and the like.
- "Buyer" means the City of Ballarat.
- "Seller" means the firm, corporation or party named on the order form from whom the merchandise has been ordered.

2. COMMITMENTS

This contract over rules all prior understandings and communications in regard to the subject matter contained herein. The Seller by accepting this offer or by commencing any work, or by effecting any deliveries herein shall be deemed to have agreed to all provisions of this contract.

3. AMENDMENT

Any variation to the provisions, particulars and terms of this order are subject to acceptance by the Buyer.

4. QUANTITY

The quantity of merchandise delivered shall not be more than the amount specified, unless the additional amount is first ordered by the Buyer in writing. The Buyer may return any excess quantities to the Seller at the Seller's expense.

5. QUALITY

Seller warrants that the merchandise will conform to the description, specifications applicable, shall be of good saleable quality and fit for the purpose for which it is sold.

6. INSPECTION AND ACCEPTANCE

Receipts shall be given for parcels, containers, cartons and other packaged goods. Merchandise is subject to inspection and approval within a reasonable time following delivery. If specifications are not met the merchandise may be rejected by the Buyer and returned at the Seller's expense.

7. INSPECTION IN PROGRESS

The Buyer shall have the right to inspect the merchandise at any stage of design manufacture or installation. This condition also applies to all approved subcontracted work let by the Seller. The Buyer shall have the option to reject any work performed or being performed that does not conform to specifications detailed in the purchase order. Any rejected work shall be redone at no additional cost to the Buyer. Such inspection does not relieve the Seller of any further obligations in respect to this order.

8. TERMINATION FOR DEFAULT

In the event of a breach of any items in this order by the Seller, the Buyer may at its option and without danger to any of its other rights, cancel any undelivered merchandise.

9. CANCELLATION

The Buyer may at its option cancel any unshipped merchandise. In that event the Buyer shall only be required to take delivery of and pay for merchandise which has been expressly manufactured to the specifications of the Buyer and will not be required to accept or pay for standard stock.

10. PATTERNS, MOULDS, CASTINGS

All patterns, moulds, castings and other design equipment provided by the Buyer to enable the merchandise to be manufactured remain the property of the Buyer. Same are to be returned to the Buyer upon completion of current orders.

11. TRANSPORTATION

Merchandise shall be packed, marked and transported as specified in the order. The Seller shall be liable for any additional freight charges arising from its failure to follow transport instructions.

12. ON-SITE LABOUR AND SERVICES

The following shall apply where the Seller provides work in connection to installing or fitting of merchandise which requires the presence of the Seller or Seller's agent on the Buyer's premises. The following is to be read in conjunction with other conditions of this order in so far as they are not in conflict with them. a) Seller provides the work as an independent contractor and not an employee of the Buyer. b) The Seller shall be held solely liable for loss or damage to the works from any cause (except loss or damage caused by the negligence, omission or default of the Buyer, its servants or agents) until the superintendent has certified that the contract has been satisfactorily completed. c) The work shall be done in a proper and work person like manner. d) Seller will provide all tools and equipment necessary to carry out the work. e) The work shall be done by the "date required" shown on the face of this order. f) The Seller shall maintain the site in a safe condition at all times and provide measures to ensure the safety of the public and without limiting the generality of the foregoing inter alia, the provision and maintenance of all necessary barricades, guards, fencing, temporary roadways and footpaths, signs and lighting. g) The Seller shall leave the site in a safe, clean and tidy condition after completion of work. h) Prior to the commencement of construction, the Seller shall insure the works against all risks of physical loss or damage throughout the period of the contract, including the maintenance period and until the issue of the final certificate, by means of an insurance policy acceptable to the Buyer. i) The Seller shall have an up to date public liability insurance cover of at least five million dollars for any one occurrence in the event of any accidental injury (including death) to any person arising out of anything done or omitted to be done by the Seller in carrying out the work or providing the service. j) The Seller shall be responsible for providing a safe workplace for its employees and for other persons other than employees, and in this regard shall comply with the Occupational Health and Safety Act 1985 (as amended) and Regulations. k) Seller warrants that it has a proper Workcover Insurance Policy covering all its employees and subcontractors and shall produce evidence of this on request from the Buyer. l) Unless otherwise specified – The Australian Standards General Conditions of Contract AS2124, 1992 (as amended) apply to this order in so far as they relate to the performance of the work and in so far as they are not in conflict with the order. m) For works contracts: the contractor agrees to indemnify and keep indemnified and to hold harmless the council, its servants and agents and each of them from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the contract.

13. WITHHOLDING TAX

The supplier is required to quote an ABN number on their invoice otherwise Council may be required to deduct withholding tax in accordance with the Pay As You Go (PAYG) withholding legislation.

14. FIRM PRICE

All prices stated in the order are firm unless specified by the Buyer to the contrary.

15. PAYMENT

Payment will be effected 30 days after the date of the Seller's invoice. Invoices should be emailed to aps@ballarat.vic.gov.au where possible. If email is unavailable, invoices should be posted to Finance, City of Ballarat, PO Box 655, Ballarat, VIC 3353. All invoices and delivery dockets MUST refer to the order number shown on the front of this form.

16. LEGAL

This contract shall be read in conjunction with and not in derogation of the provisions of the Trade Practices Act or any other relevant Commonwealth or Victorian Law, regulation and policy.

17. TIME

Shall be the essence of this contract.

12A Albert Street
Sebastopol, VIC 3356
Our Reference: 11009270



APPENDIX 2
CERTIFICATE OF TITLE (C/A 26)

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

Page 1 of 1

VOLUME 09388 FOLIO 224

Security no : 124079415442V
Produced 23/09/2019 11:08 AM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 26 Section 47 Township of Sebastopol Parish of Ballarat.

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

BALLARAT CITY COUNCIL of 25 ARMSTRONG STREET SOUTH BALLARAT VIC 3350
AS077973W 10/04/2019

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below.
For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP311125H FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 12A ALBERT STREET SEBASTOPOL VIC 3356

ADMINISTRATIVE NOTICES

NIL

eCT Control 09847M BALLARAT CITY COUNCIL
Effective from 10/04/2019

DOCUMENT END

12A Albert Street
Sebastopol, VIC 3356
Our Reference: 11009270



APPENDIX 3
TITLE PLAN (C/A 26)

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Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Land Use Victoria.

Document Type	Plan
Document Identification	TP311125H
Number of Pages (excluding this cover sheet)	3
Document Assembled	23/09/2019 11:13

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The document is invalid if this cover sheet is removed or altered.

TITLE PLAN		EDITION 2	TP 311125H
<p>Location of Land</p> <p>Parish: BALLARAT Township: SEBASTOPOL Section: 47 Crown Allotment: 26 Crown Portion:</p> <p>Last Plan Reference: Derived From: VOL 9388 FOL 224 Depth Limitation: 15 m</p>		<p>Notations</p> <p>SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 9388 FOL. 224 AND NOTED ON SHEET 2 OF THIS PLAN</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>	
Description of Land / Easement Information		<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 09/02/2000 VERIFIED: CL</p> <p>COLOUR CODE Y = YELLOW</p>	
LENGTHS ARE IN METRES		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 2 sheets

TITLE PLAN			TP 311125H
<p>LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT</p>			
<p style="text-align: right;">All THAT piece of land in the said State County of Grenville—</p> <p>being Allotment twenty-six of Section forty-seven in the Township of Sebastopol Parish of Ballarat—</p> <p>delineated and colored yellow in the map in the margin hereof PROVIDED that this Grant is made subject to—</p> <ul style="list-style-type: none"> (a) the reservation to Us Our heirs and successors of— <ul style="list-style-type: none"> (i) all gold silver uranium thorium and minerals within the meaning of the <i>Mines Act 1958</i> and petroleum within the meaning of the <i>Petroleum Act 1958</i> (hereinafter called "the reserved minerals"); (ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land ; (iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land ; (b) the right to resume the said land for mining purposes pursuant to section 205 of the <i>Land Act 1958</i> ; (c) the right of any person being the holder of a miner's right or of a mining lease or mineral lease under the <i>Mines Act 1958</i> or any corresponding previous enactment to enter on the said land and to mine for gold or minerals within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to mine for gold and silver in and upon Crown lands provided that compensation as prescribed by Part II. of that Act is paid for surface damage to be done to the said land by reason of mining thereon. (d) the conditions that the grantees shall take the said land notwithstanding any defects arising from the past user thereof for mining purposes or from any reclamation work carried out thereon or from any other cause whatsoever and that no warranty shall be implied herein as to the fitness of the said land for any purpose. (e) the condition that the grantee and its successors in title shall take the said land notwithstanding the impediment that no legal road access thereto has been provided or implied by these presents and the grantee and its successors in title agree to indemnify Us Our heirs and successors against the expenses of acquiring or providing an easement of way to the land hereby granted or any part thereof. 			
LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links		Sheet 2 of 2 sheets

MODIFICATION TABLE		<div style="border: 2px solid black; padding: 5px; display: inline-block;"> <p style="font-size: 1.5em; margin: 0;">PLAN NUMBER</p> <p style="font-size: 1.5em; margin: 0;">TP 311125H</p> </div>				
RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN						
WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.						
AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LAND IN THIS PLAN	E-1	CREATION OF EASEMENT SECTION 45 T.L.A.	AD376334W		2	RM
LAND IN THIS PLAN	E-1	CREATION OF EASEMENT SECTION 45 T.L.A.	AD376335U		2	RM

12A Albert Street
Sebastopol, VIC 3356
Our Reference: 11009270



APPENDIX 4
CERTIFICATE OF TITLE (LOT 1)

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

Page 1 of 1

VOLUME 09117 FOLIO 178

Security no : 124084020429A
Produced 29/06/2020 04:09 PM

LAND DESCRIPTION

Lot 1 on Title Plan 180516R (formerly known as Lot 2 on Plan of Subdivision 096910).

PARENT TITLES :

Volume 06608 Folio 565 Volume 07327 Folio 335

Created by instrument F903872 23/10/1975

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

BALLARAT CITY COUNCIL of 25 ARMSTRONG STREET SOUTH BALLARAT VIC 3350
AS076452H 09/04/2019

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP180516R FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 12A ALBERT STREET SEBASTOPOL VIC 3356

ADMINISTRATIVE NOTICES

NIL

eCT Control 09847M BALLARAT CITY COUNCIL
Effective from 10/04/2019

DOCUMENT END

12A Albert Street
Sebastopol, VIC 3356
Our Reference: 11009270



APPENDIX 5
TITLE PLAN (LOT 1)

SOLUTIONS WITH EXCELLENCE

Liability limited by a scheme approved under Professional Standards Legislation



Imaged Document Cover Sheet

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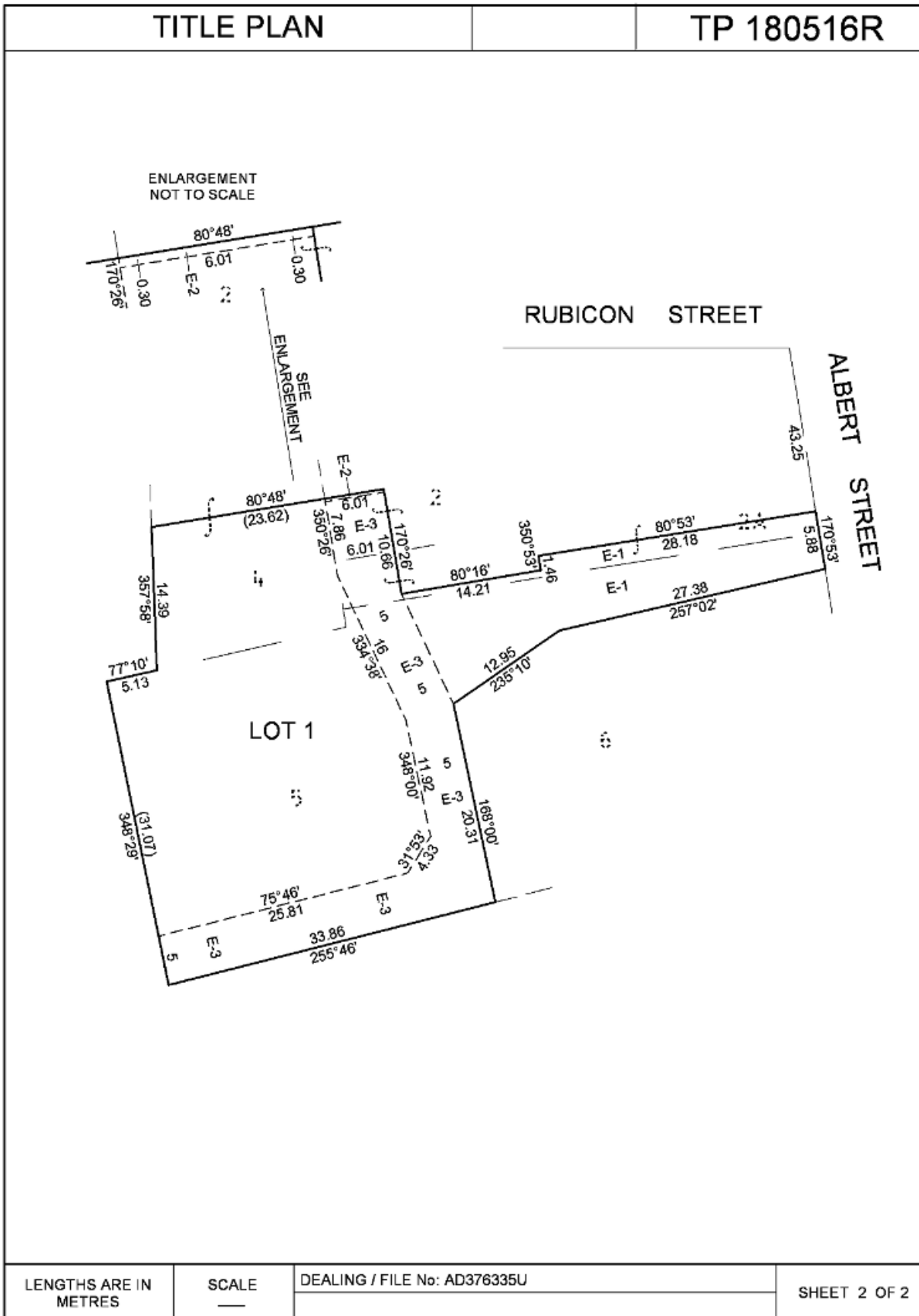
Document Type	Plan
Document Identification	TP180516R
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TITLE PLAN		EDITION 2		TP 180516R	
Location of Land Parish: BALLARAT Township: SEBASTOPOL Section: Crown Allotment: Crown Portion: Last Plan Reference: LP 96910 Derived From: VOL 9117 FOL 178 Depth Limitation: 15.24 m (C.A. 2A, 4, 5) 30.48 m (C.A. 2)			Notations THE LAND IN THIS PLAN FORMS LOT 2 ON LP 96910 ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN		
Description of Land / Easement Information					THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 12/10/1999 VERIFIED: AD
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of	
E-1	WAY AND DRAINAGE	SEE DIAG.	F903872	LOT 1 ON LP 96910	
E-1	WAY AND DRAINAGE	SEE DIAG.	LP 96910	LOTS ON LP 96910	
E-2 E-2 & E-3	DRAINAGE CARRIAGEWAY	0.30 m SEE DIAG.	1384782 AD376334W AD376335U	SEE INSTRUMENT 1384782 VOL. 9906 FOL. 928 VOL. 10043 FOL. 559	
SEE SHEET 2 FOR DIAGRAM					
LENGTHS ARE IN METRES		Metres = 0.3048 x Feet Metres = 0.201168 x Links		Sheet 1 of 2 sheets	



12. ITEMS IN CAMERA – CONFIDENTIAL REPORTS
Council Meeting Agenda 9.8.3**12.1. 12A ALBERT STREET LAND SALE**

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Darren Sadler – Executive Manager Property Management and Facilities Management

(Contractual matters)

RESOLUTION:

Council resolves to:

1. Commence the process to dispose of the property located at 12A Albert St Sebastopol in accordance with Sections 189 & 223 of the *Local Government Act 1989*.
2. Consider any submissions received in accordance with section 223 of the *Local Government Act 1989* relating to the proposed disposal of the property located at 12A Albert Street Sebastopol.
3. Following compliance of the processes in accordance with Sections 189 & 223 of the *Local Government Act 1989* delegate the Chief Executive Officer the authority to advertise the site for sale, negotiate the terms and conditions of the sale, and formally sign the contract of sale and transfer of land documents.

Moved: Cr Grant Tillett
Seconded: Cr Des Hudson

190

CARRIED
(R379/18)

NOTICE BOARD



MAYOR'S MESSAGE

This week saw more progress in the quest to reinvigorate our visitor economy.

Our Ballarat Information Centre staff are once again offering personal interactions with tourists and visitors, during this important school holiday period, thanks to a pop-up service at the Ballarat Central Library (29 June–3 July).

From Saturday, 4 July, the pop-up service will move to the Ballarat Art Gallery in the space formerly ran by Kittleby's, where it will operate from seven days a week, 10am–4pm, until works at the Town Hall are complete.

It has been great to see how the information centre has remained flexible and active in responding to visitor enquiries. Rest assured, all visitor activities maintain social distancing and are in accordance with COVID-19 procedures.

Our visitor information staff and volunteers are a direct link with our visitors, encouraging them to spend time in Ballarat, book into our newly re-opened tourist attractions and encouraging their support of local businesses.

If you have family staying with you these holidays, encourage them to pop in or contact the friendly BIC staff on 1800 446 633 to make the most of their stay and start planning their next trip!

And on that note – it was wonderful to see one of our favourite Council operated attractions – the Ballarat Art Gallery re-open its doors to visitors this week.

The Gallery has introduced 45-minute visitor sessions which can be booked online at the Gallery website, giving people the opportunity to enjoy two wonderful exhibitions on show.

This system limits the number of people in the building at any given time and allows for cleaning in between sessions.

Let's ensure we continue to do the right thing when it comes to COVID-19 and get more of Ballarat Open for business.



Mayor
Cr Bon Taylor

TENDERS

Tender documents can be obtained from aprocv.com.au/ballarat or by contacting City of Ballarat Customer Service Centre on 5320 5500.

Tender No	Tender Description	Closes Noon
2019/20-539	Building Services for Civic Hall Stage 2 Construction	8/07/2020
2019/20-490	Roadside safety and Fire Hazard slashing	15/07/2020
2019/20-556	Panel of Approved Suppliers – Statutory and Strategic Planning, Heritage Services	15/07/2020
2019/20-485	Powerline Clearance Program	22/07/2020
2019/20-562E	Expression of Interest – Her Majesty's Theatre Architectural Services	22/07/2020
2020/21-1	Panel of Approved Suppliers – Builders Services	22/07/2020



NOTICE OF INTENTION TO SELL LAND

The City of Ballarat hereby gives notice under Section 189 of the Local Government Act 1989 ("the Act") of its intention to sell the property known as 12A Albert Street, Sebastopol as shown in the marked areas on the plan below.

Written submissions relating to the sale of land will be considered in accordance with Section 223 of the Local Government Act and must be received by the Property Department, City of Ballarat, PO Box 655, Ballarat, VIC 3350, within 28 days of this notice.

Any person requesting to be heard in support of their written submission is entitled to appear in person or by a person acting on their behalf before a committee of Council, the day, time and place of which will be advised.

Should further information be requested please direct enquiries to Executive Manager Property Service and Facilities Management on 5320 5500.

NOTICE OF MEETING – PLANNING SPECIAL COMMITTEE

Notice is hereby given that the Planning Special Committee scheduled to be held on 8 July 2020 has been rescheduled to 15 July 2020 at 7pm.

Due to the COVID-19 restrictions, the meeting will not be open to members of the public. The meeting broadcast will be available on Council's website the week after the meeting.

NOTICE OF MEETING – HER MAJESTY'S THEATRE BOARD SPECIAL COMMITTEE

Notice is hereby given that the next meeting of the City of Ballarat Her Majesty's Theatre Board Special Committee will be a virtual meeting on Monday 6 July 2020 at 5.30pm.

Due to the COVID-19 restrictions, the meeting will not be open to members of the public. The meeting broadcast will be available on Council's website the week after the meeting.

BALLARAT WEST DEVELOPMENT CONTRIBUTIONS PLAN LEVY UPDATE

In accordance with the Ballarat Planning Scheme Schedule 1 to the Development Contributions Plan Overlay DCP01 Ballarat West Development Contributions Plan, Council is required to publish the revised land value and the adjustment of the contributions calculated as at 30th June of each year.

All property within Ballarat West Precinct Structure Plan		
Residential Levy	Commercial Levy	Community Infrastructure Levy
\$250,316.14 per net developable hectare	\$181,038.92 per net developable hectare	\$1,210 per dwelling (Capped)

Additional information is available by emailing BallaratWest@ballarat.vic.gov.au contacting Council on 5320 5500 or can be viewed on Council's website.

LATEST CITY OF BALLARAT NEWS

Stay up-to-date with the latest City of Ballarat news on our website: ballarat.vic.gov.au



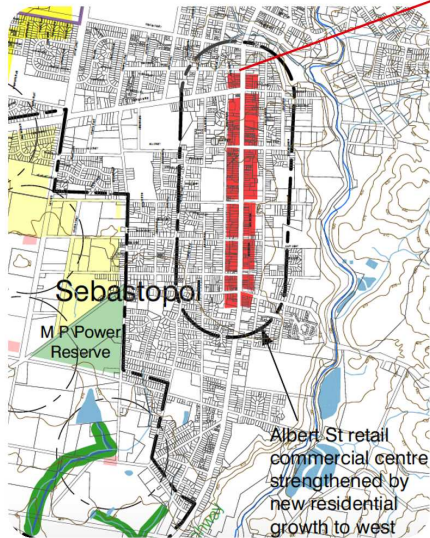
PROPOSAL TO PURCHASE
12a ALBERT STREET, SEBASTOPOL

CONFIDENTIAL - PREPARED BY GANACHE PROPERTY PTY LTD, OCT 2020

Ganache Property Pty Ltd would like to express interest in purchasing the lot at 12a Albert Street Sebastopol for the purpose of revitalising the area and introducing a significant economic investment into Sebastopol.

The stretch of land between Kent Street and 12a Albert Street is the 'forgotten' and inactive Residential zoned area on the commercially heavy Albert Street in Sebastopol.

This proposal is completely aligned with the Ballarat West Growth Area Plan and its objective is to help inject economic activity and commercial development in Sebastopol's main commercial centre.



CONFIDENTIAL



Current state of the lot

Photos taken during May 2018 illustrate the poor state of the lot at 12a Albert Street Sebastopol.

Based on recent visits the parking lot never seems to be utilised at more than 30-40% capacity, very often a lot less.

Additionally the lot presents a high liability with its uneven surfaces and lack of lighting at night.

Approx cost to Council to refurbish the lot

Given its size, our estimate is that it would cost The City of Ballarat in the range of \$700k - \$900k to completely refurbish and light up the lot.



CONFIDENTIAL

The vision

The objective of the purchase is to re-purpose and develop the lot into an economically active commercial site that will substantially benefit to the local amenity and community.

Upon successful acquisition of this lot, we are looking at bringing a significant investment to the area and introducing a range of blue chip, household name commercial tenants to the block. The new development will bring a high number of jobs, both during and post construction, as well as a new lease on life for a part of Ballarat that looks to be moving at a slower pace.



Ganache Property is currently negotiating (under NDA, for adjoining sites - see next page) with a few household name commercial tenants that have shown interest in setting up operations in the field of:

- supermarkets
- medical
- retail

The new life of the site, as a commercial development will bring a high level of benefits to the local amenity, economy and community.

A large part of the site will likely remain as a car park to service the new development too.

Example artist impression only.

CONFIDENTIAL

Ownership of surrounding landholding

Backed by it's great belief in the potential of the area Ganache Property has already made a substantial investment into the surrounding lots and is looking to further invest.

The areas highlighted in yellow are already owned by Ganache Property

The areas highlighted in red have contract signed and secured.



CONFIDENTIAL

Timeline

Pending a successful acquisition of the site, we would be looking at developing the property (in stages or in full) by 2022-2023.

In closing

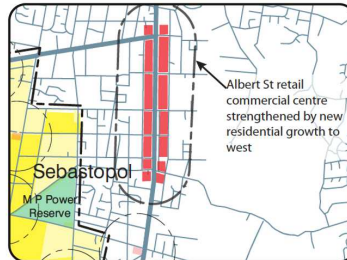
We would invite the City of Ballarat to consider the positive contributions that this proposal would bring and suggest that it deems 12a Albert Street a surplus.

We would encourage a meeting with the City of Ballarat to further discuss the potential sale of 12a Albert Street Sebastopol for the purpose of commercial development.

Please contact:
Velco Dojcinovski 0415 195 535
Ricky Marcelo 0414 353 507

velco@ganacheproperty.com.au

CONFIDENTIAL



9.9. PROPOSED SALE 14 & 16 BOAK AVENUE, MOUNT HELEN

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Linda Skewes – Property Officer

PURPOSE

1. This report recommends Council review and consider the disposal of the land known as 14 Boak Avenue and 16 Boak Avenue, Mount Helen, with consideration to submissions received in relation to Planning Application PLP/2020/348.
2. This land was considered surplus by Council (R464/17) in 2017 but given the delay in the disposal process being completed and several objections to the site being received following a planning application process, it is recommended that Council again consider its decision.

Council may wish to take the opportunity to defer the progression of the sale to undertake further consultation with the community and consider the cost implications should it wish to retain the site and refit for purpose of alternate use. These costs will not be available until the proposed future use, if any, is determined.

BACKGROUND

3. 16 Boak Avenue was previously the Mount Helen Preschool operated by Eureka Community Kinder Association which closed at the end of 2016 due to the operation of the preschool being no longer financially viable.
4. 14 Boak Avenue was an access point to the facility and used as a car park/driveway for the preschool.
5. This property has remained vacant since the end of 2016.
6. On the 13 December 2017 Council resolved to commence and satisfy statutory process to dispose of the land known as 14 Boak Avenue, Mount Helen being Reserve 1 on Plan of Subdivision 326983M, and 16 Boak Avenue, Mount Helen being Lot 1 on Plan of Subdivision 128750, and to provide a further report to Council post the exhibition period to deal with any submission raised through this process (R464/17).
7. On the 17 May 2018 a Notice of Intention to Sell Land was published. No submissions were received.
8. In order to dispose of 14 Boak Avenue, Mount Helen, prior to publishing another Notice of Intention to Sell Land due to the time that has lapsed, Officers are seeking further commitment from Council to proceed with the statutory requirements to dispose of the land deemed as potentially surplus.
9. Council is required to remove the status of Reserve 1 on Plan of Subdivision 326983M prior to disposal of the land.
10. A Planning Application PLP/202/348 was submitted by Beveridge Williams on behalf of the City of Ballarat to remove the reservation from Reserve 1 on Plan of Subdivision

326983M and to consolidate the land with Lot 1 on Plan of Subdivision 128750 which is freehold land that is owned by Ballarat City Council.

11. The planning application was also lodged to remove the drainage easement E-5 from the reserve which would become redundant if the parcels were consolidated.
12. Advertising for Planning Application PLP/2020/348 has been completed and 18 submissions received.

KEY MATTERS

13. Although no submissions were received at the time of advertising Council's intention to sell, 18 submissions have been received relevant to the Planning Application PLP/2020/348 objecting to the application.
14. The grounds for the objections include that the site should remain for community use as a park, community garden, community facility and that the community should be consulted on its future use. (Attachment 2).
15. Councils Planning Department recommend that the current application be withdrawn, and further consideration be given to the reserve status.
16. The general condition of the building is failing such that the long-term future should be considered with any remedial works (Attachment 3).
17. If Council resolve to rescind the previous resolution (R464/17) the land will remain unoccupied with a building in poor condition which will further deteriorate without further funds being committed to it.
18. If Council wishes to continue with the disposal of the surplus land, an expression of interest campaign could be directed at childcare organisations or other community-based entities.

OFFICER RECOMMENDATION

19. That Council:

19.1 Accept this report and in accordance with resolution R464/17 of December 2017 continues the process to dispose of the property known as 14 and 16 Boak Avenue, Mount Helen with the Chief Executive Officer having delegated authority to finalise the sale including the signing of the Contract of Sale;

or

19.2 Defer the progression of the sale until further community consultation is undertaken, and then reconsider if the site is to be retained and consider the ongoing whole of life cost implications of any proposed future use of the subject site.

ATTACHMENTS

1. Governance Review **[9.9.1 - 2 pages]**
2. Attachment 2 Planning Application PLP/2020/348 Objections **[9.9.2 - 20 pages]**
3. Attachment 3 Building Report dated 2012 **[9.9.3 - 3 pages]**
4. Attachment 4 Valuation 14 Boak Avenue, Mount Helen **[9.9.4 - 35 pages]**
5. Attachment 5 Valuation 16 Boak Avenue, Mount Helen **[9.9.5 - 37 pages]**
6. Council Resolution (R464/17) Dated 13 December 2017 **[9.9.6 - 1 page]**
7. Council Meeting Dated 13 December 2017 **[9.9.7 - 15 pages]**
8. Notice of Intention to Sell Land 17 May 2018 **[9.9.8 - 1 page]**

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The report supports the Council Plan 2017-2021 goals of prosperity and liveability by providing a positive economic outcome.

COMMUNITY IMPACT

2. Although the initial consultation to dispose of the site resulted in no submissions for or against the sale, the further planning process to remove the reserve status resulted in objections being received requesting that Council reconsider its intention and consider retaining the site for community use, or endeavour to ensure a prospective purchaser will develop the site and provide for a kindergarten, community centre, community garden etc.
3. There is a common theme within the objections that should the site be disposed of and result in a unit development it is perceived that this will have a detrimental impact on the amenity of the precinct. These matters are to be considered by Council as part of the planning process and not specific to the disposal consideration.
4. The disposal of surplus assets will provide Council with unbudgeted income to further enhance the municipality if it allocates funds to this area.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

5. There are no climate emergency and environmental sustainability implications identified for the subject of this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

6. The economic sustainability implication is that should Council resolve to not proceed with the sale this property will require significant maintenance works and with no future use proposed, will add to the number of buildings which Council is maintaining which do not perform to provide an income stream nor community benefit without significant investment.

FINANCIAL IMPLICATIONS

7. Council obtained an independent market valuation on both properties which are contained in Attachments 4 and 5. Council does maintain a reserve for the allocation of proceeds from asset disposal, although this has not been budgeted as income for the 20/21 budget given the complexities associated with the process of disposing of assets making it difficult to forecast the completion date of the transaction.

LEGAL AND RISK CONSIDERATIONS

8. There are no risks to Council disposing of this land and the land has been deemed as surplus to Council's requirements and the correct process has been complied with in accordance with all legislation.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

10. A public consultation process was conducted on 17 May 2018. No public submissions were received. Further community consultation will be undertaken in accordance with Section 223 of the *Local Government Act 1989*.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

11. No Council Officers who have provided advice in relation to this report have a conflict of interest regarding the matter.

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Friday, 18 September 2020 2:50 PM
To: Planning Records
Subject: FW: PLANNING APPLICATION PLP/2020/348 – 14 – 16 BOAK AVENUE MOUNT HELEN

-----Original Message-----

From: Ashleigh Bell <ashleigh.renee.bell@gmail.com>
Sent: Friday, 18 September 2020 1:55 PM
To: Info@Ballarat.vic.gov.au
Subject: PLANNING APPLICATION PLP/2020/348 – 14 – 16 BOAK AVENUE MOUNT HELEN

To whom it may concern,

I would like to submit an objection to the permit advertised to combine these 2 titles and also remove the reserve status from number 14.

The Council has previously expressed interest in selling this land which concerns me as a resident. This would open this space up for developers to build high density living complexes similar to what has been proposed for the corner of Eddy Ave and Boak Ave.

Mount Helen has a unique tranquil feel with large blocks and so many beautiful significant trees some of which reside on this land. These trees would be at risk of being removed should any major developments get approved for this site in future.

Mount Helen is such a family friendly neighborhood. Since we purchased our house almost 6 years ago now, we have seen the residents go from the original home owners who built the houses to many new young families moving into the area. It would be great to see this space utilised for something which could benefit the whole community, maybe a new park for children with some bike tracks as the area is rather hilly so its hard for small children to ride their bikes, as well without any footpaths it makes it a challenge for parents to feel comfortable with them using their bikes. A community garden space could be incorporated to promote the health and wellbeing of our residents.

2020 has been such a challenging year for so many families and we will all be feeling the financial impacts of the covid19 pandemic for many years to come as well as the effect this has had to so many people's mental health and wellbeing.

Having a real space for our community would help and benefit so many people during the covid19 recovery and it would open up a space for residents to meet their neighbors and build that strong sense of community support in the area.

I strongly urge the council to reconsider his application and to please take a moment to consider the neighborhood character of Mount Helen. With so much development and housing estates being built in Ballarat, Mount Helen is such a unique space and the residents who purchase homes here purchased them to have the open spaces and natural vegetation and wildlife at our door step.

Regards
Ashleigh Hughes

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Thursday, 17 September 2020 4:57 PM
To: Planning Records
Subject: FW: Objection to application for permit PLP/2020/348
Attachments: Mount Helen Pre School area 2.jpg

From: Darryl Trewin <trustyjanet@hotmail.com>
Sent: Thursday, 17 September 2020 4:51 PM
To: Info@Ballarat.vic.gov.au
Subject: Objection to application for permit PLP/2020/348

To Whom it may concern at Ballarat City Council,
I strongly object to this proposal as requested above at 14 Boak Avenue Mt.Helen. The Pre-School or Kindergarten should be renovated or rebuilt and offered to Mt.Helen parents instead of having to pay extraordinary high payments to the Queensland owned company "Good Start Learning' for children in Mt.Helen. Local or State government could pay for such a facility to be activated for families in Mt.Helen residential area. Also, we need additional playground space for families with swings, slides, safe climbing wall for children etc., and even public toilets properly maintained by council. Other possibilities could encompass a "Men's Shed' without having to travel to Buninyong. Retaining the area as a leafy 'suburb' of Ballarat by leaving the very well-established cypress trees [see attachment] exactly where they are, rather than jamming in further houses or units in an already built up area. Trees and shrubs actually assist in maintaining clean air.

Yours Sincerely,
Darryl Trewin
4 Shire Avenue,
Mt.Helen, 3350
Ph: 0427359400

P.S. From what I can ascertain the permit for the proposal is **PLP/2020/348**

Other information re this area of land is as follows: **Reserve No. 1 of PS326983M**

P.P.S. Please advise me asap if I have not clearly indicated the area of land in 14 Boak Avenue to which I am objecting to. i.e. I am objecting to the merging of Removal of reserve status of Reserve No. 1 of PS326983M, removal of drainage easement E-5 from the reserve and consolidate the land with Lot 1 of LP128750G

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Friday, 18 September 2020 2:50 PM
To: Planning Records
Subject: FW: Objection to PLANNING APPLICATION PLP/2020/348 (14 - 16 Boak Avenue, Mount Helen)

From: gareth@romork.net <gareth@romork.net>
Sent: Friday, 18 September 2020 2:11 PM
To: Info@Ballarat.vic.gov.au
Cc: gareth@romork.net
Subject: Objection to PLANNING APPLICATION PLP/2020/348 (14 - 16 Boak Avenue, Mount Helen)

Good Afternoon,

I would like to formally oppose the current planning application PLP/2020/348, including the application to remove the reserve status from 14 Boak Avenue Mount Helen and to combine this block with 16 Boak Avenue and remove.

Whilst I recognise that the council has proposed that these blocks are surplus to council requirements and therefore have potential to sell, that proposal does not recognise the value of this land and the use outside of a land sale potential.

It would appear that the application under Section 24 of the Subdivision Act does not take into account the current land use and value from that use. Whilst Section 24 allows for the removal of reserve status where the original use is no longer in operation, the land located at 14 Boak Avenue is still in active use by a number of members of the community for recreational activities and thus continues to be used as a reserve. It is recognised that whilst the recent formal use of the reserve status as a car park for the pre-school ceased with the closure of the pre-school in 2016, the use of the site as a recreation reserve for a number of activities including young families teaching children bike riding in a safe environment as well as being used as an active play space warrants the retention of this block as a reserve.

As part of the application the proposal identifies that the drainage easement E-5 appears to have been created as a section point of discharge for the lot on 14 Boak Avenue and I cannot comment on the purpose of such creation, the real observed usage of that easement during the recent years preceding the closure of the pre-school did not indicate that this was a common usage of the easement, rather was for access to the rear lot comprising 16 Boak Avenue.

Further to this, the current application does not clearly identify how the removal of the easement of this drainage easement will preserve and ensure the protection of the 3 significant large trees that border these two lots. These trees are historically significant to the area having reportedly been planted by one of the original occupants of the area and they provide a key wind break and protection within the neighbouring properties.

Based on the application to combine these blocks it would indicate that this would result in the larger block being offered for sale for development of a block of 2.502 m². This indicates an intention for development as high density housing or similar. Given that the surrounding lots listed in the plan peak at 1099 m² (outside of the lot designated as Good Start Early Learning Centre) and the majority of lots averaging around 800 m², the release of a block of such is congruous to the character of the area. Within the development proposal for 2 Eddy Avenue nearby, the council put forward a position that high density development was incongruous to the area and that they would work with the community to better define the development guidelines for this area to ensure that any future applications were in keeping with and sympathetic to the current character of the area. To my knowledge this work has not been completed, and based on the currently open 'Ballarat Neighbourhood Character Study' survey by the City of Ballarat the indication is that this work for the greater Ballarat area is not complete and such significant changes to land use

and size before the completion of this work may be premature. (I recognise that there is no building permit application for the lots as yet however want to ensure the current application is reviewed with consideration to the most likely outcome for the lots).

Rather than the current application advertised I believe that the community would benefit from a collaborative consultation with the council on retaining this space for the community. Potential alternatives to the current proposal may include the re-invigoration of the site as a pre-school, development of community playground, community garden, neighbourhood house or other use as an asset for the community. Whilst the reported closure of the pre-school was due to declining enrolments there has been a shift in the local demographics with increasing number of young families within the area a review of demand for such a service may indicate viability to return to the previous use as a pre-school.

There is already community use of the area and an enhancement to the amenities would provide further use and value. There has been strong research that indicates that communities that are involved, active and know each other have increased levels of resilience which ensures they are better able to respond to and recover from disasters and adverse events. Given we are currently within a pandemic, and subject to lockdown restrictions, a community space within this area provides a space for the community to be active, interact and build relationships to enable support. In turn this research indicates that there is a strong investment payback associated in terms of improved mental health and associated health care costs.

Whilst it is difficult within the current restrictions to canvas the local community for their thoughts, there is indicative support for an assessment to retain these lots as a community asset. In addition, due to the current restrictions which are only easing in the last 24 hours, there is a strong likelihood that the current application advertised on site may not be seen by the local residents, and thus may prevent the full range of feedback on said application.

I urge the council to withdraw this application and instead commit to a collaborative review of the use of these sites and how council and community can work together to improve the community value of these lots.

Please note I have submitted this via email as I have received an error message when trying to use eservices it advises my account is inactive or disabled and have requested this be amended.

Regards,
Gareth Smith.
Ph: 0428 427 384
E: gareth@romork.net

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Friday, 18 September 2020 11:31 AM
To: Planning Records
Subject: FW: Planning Application PLP/2020/348 – 14 – 16 Boak Avenue Mount Helen

From: Kim K <thekugeles@gmail.com>
Sent: Friday, 18 September 2020 11:28 AM
To: Info@Ballarat.vic.gov.au
Subject: Re: Planning Application PLP/2020/348 – 14 – 16 Boak Avenue Mount Helen

Re: Planning Application PLP/2020/348 – [14](#) – [16 Boak Avenue Mount Helen](#)

As a resident of 13 Boak avenue I would like to submit an objection to the current permit application to remove the reserve status and combine these blocks.

The Mount Helen area is well established as a low density residential area combined with reserves and green spaces which is what has attracted our family to the area. Loss of such space detracts from the very reasons that people chose this area.

Whilst I acknowledge that the council had identified these blocks as potentially surplus in 2017 and proposed a potential future sale of the blocks, there have been changes within the area which would warrant a review of the value and potential use for the site. Any proposed sale of a combined block of this size would indicate a predisposition to high density development which I believe does not fit the neighbourhood character. In addition, this would also add significant pressure to the traffic in the area, particularly given the distance to shops and the current public transport services available, also there are no footpaths through the area which is why we cross the road directly and then make our way down to the walking track along Geelong rd., an increase in traffic volume that would come with a high density development which the combination of these two blocks would lend itself to I believe could make it less safe to cross the road to a safe space to make our way to the walking track.

Given the changing profile of the resident profile, seeing an increase in young families within the area I believe there is other value that can be gathered from these sites rather than a once-off land sale value.

Our family currently use the reserve space from kids learning to ride bikes, kick a ball and carpark for visitors to other residents to ensure the street is vacant for traffic, and with the absence of a footpath the space has been invaluable in teaching our children to learn to ride bikes. As an alternate proposal, I would ask the council consider working with the residents in this area to develop these sites into an enhanced community space that may include a community garden, play spaces.

kind regards,

Kim and Steven Kugele

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Wednesday, 9 September 2020 2:16 PM
To: Planning Records
Subject: FW: Objection for planning permit

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Emily

From: Shannon <oshea.shannon@gmail.com>
Sent: Wednesday, 9 September 2020 2:05 PM
To: Info@Ballarat.vic.gov.au
Subject: Objection for planning permit

To: Statutory Planning Department

To whom it may concern,

I am writing to strongly object the 'Application for Planning Permit' proposed for 14-16 Boak Avenue Mount Helen Victoria 3350.

I am a home-owner of 18 Boak Avenue (right next door), so I strongly object to this for several reasons.

Firstly, as I am extremely concerned that if the plans were approved, it could result in a block of units or town-house development that would look most unattractive, take away the nice views and birds that we have and attract new people to the area. We enjoy living in this quiet family residential area where most people own their homes.

It is more than likely that these proposed plans would also result in the home owners who are happy where they are and have lived for many years, to want to sell their homes to get away from this - plus it would no doubt devalue the what surrounding homes would be worth if home-owners in this street were to try and sell. We did not buy in this area for this to happen!

In addition to this, I am very concerned that any future development on the proposed site, could mean the destruction of the lovely trees that have been planted there. There are possibly heritage issues here with regards to the trees on this land. My family and others would no longer be able to use this lovely community space to do things like kick the ball and run around.

Yours sincerely

Shannon O'Shea
18 Boak Avenue Mount Helen Vic 3350
ph: 0408343228
oshea.shannon@gmail.com

PLP/2020/348

11/9/2020

Objection raised over planning grounds.

Concerns over high density development.

In support of the site maintaining its reserve status and to be considered for playground/community garden.

Surname: FITTER

Given Names: Carrie

Address Line 1: 103 Boak Avenue

Suburb: Mount Helen

State Code: VIC

Postcode: 3350

Email Address: Carriemac@y7mail.com

September 16th, 2020

Objection Application number PLP/2020/348

Ballarat City Council,

We wish to object the planning permit for the removal of reserve status of Reserve No. 1 of PS326983M, removal of drainage easement E-5 from the reserve and consolidation of the land with Lot 1 of LP128750G

The plan of subdivision identified reserve no. 1 as an open space for residents within the immediate area surrounding the reserve and beyond. Since the closure of the Mt Helen Preschool in 2016, the reserve has remained a valuable asset to the community it services and needs to be maintained as a reserve for community use.

There are no reserves in Mount Helen accessible by footpath. The Boak Avenue reserve is within close proximity to public transport and a major walking track along Main Road. This reserve serves as a valuable if not untapped asset for the Mt Helen community due to its proximity to public transport and the local shopping complex.

Council has a responsibility to its community to explore more meaningful activation of the reserve to allow it to best serve residents in the area. Mt Helen has a much lower number of public reserves and play spaces than many other suburbs in the City of Ballarat. The 2017 City of Ballarat Playspace Strategy identified that Mt Helen only has two neighbourhood level play spaces and no local level play spaces.

The City of Ballarat 2008 Open Space Strategy shows that the Mt Helen community to the west of Geelong Road has access to only three reserves that are able to be used by the community for any meaningful recreation activity. There is a lack of diversity across these sites and this highlights the need to consider the reserve in question as an option to offer a more diverse recreation space for the community.

This reserve presents a unique opportunity for the council alongside the community to co-design a space that embraces the natural environment that make Mt Helen so special and unique. The City of Ballarat also needs to ensure that assets such as this reserve are not lost to the many families and young people that live within the suburb.

The loss of the kindergarten has increased the need for young families to have accessible space for outdoor activities for children within the Mount Helen community. Given this loss, the reserve should be regenerated as a community asset. Options that should be considered include;

- A community garden
- Accessible play space
- Sensory garden and play area
- Community picnic areas, seating and lawn
- Social sport and active recreation space

The reserve would provide an opportunity for residents with little or no back garden to have access to vital recreation and open community space. A recent decision by council will see a number of new

residents reside at 2 Eddy Avenue PLP/2017/308 where there will be construction of 10 dwellings and underground carpark. These residents have no yard and this reserve will be valuable for them and the many other residents in the area.

Examples of successful community gardens within Ballarat demonstrate community capacity building, linkages with neighbours (reduction of social isolation), partnerships with local businesses and organisations in the vicinity (Krooze In Cafe, Jete Dance Studio, IBM, Technology Park, Federation University, CFA) with the opportunity for produce swapping, seed sharing/saving among other community led initiatives.

We look forward to working with the City of Ballarat to regenerate this reserve to achieve its full potential as an even more engaging and vibrant asset for the Mt Helen community

Sincerely,

Michael and Kate Flynn

Michael.flynn85@gmail.com

Mobile: 0400 886 820

Objection to Planning Permit



It is believed that the removal of the reserve status and emerging of two blocks in unnecessary. It is also believed to provide no benefit.

Surname: Crossley

Given Names: Kevin Henry & Carole Lorraine

Address Line 1: 7 Boak Ave

Address Line 2: Mt Helen

Suburb: Ballarat

State Code: VIC

Postcode: 3350

Email Address: carole_crossley@hotmail.com

Date Received : 17/9/2020

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Monday, 21 September 2020 8:58 AM
To: Planning Records
Subject: FW: Objection to PLANNING APPLICATION PLP/2020/348 - 14 - 16 BOAK AVENUE MOUNT HELEN

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Emily

From: Drew Smith <drewsmith1306@gmail.com>
Sent: Saturday, 19 September 2020 9:05 PM
To: Info@Ballarat.vic.gov.au
Subject: Objection to PLANNING APPLICATION PLP/2020/348 - 14 - 16 BOAK AVENUE MOUNT HELEN

I am writing to formally object to the proposed plan for 14 & 16 Boak Avenue under PLP/2020/348

This plan is to amalgamate the two blocks and remove the reserve status of lot 14. Given the decision had been made to potentially sell this land as it was classified as "surplus" I am concerned that this would be attractive to a plan of high-density development which would not suit the aesthetic or amenity of the area, given the large block size that would result from this application.

Another concern is that the removal of the reserve status is unwarranted as the space is still frequently used by residents of the area as it is one of only a few reserve spaces in the area that can be used for recreation and other activities in the area.

As this decision has made partly due to the closure of the preschool formerly on the site which means that a section of the space in this plan has been in a state of disuse since then, it would be ideal instead to see these two blocks retained for the community as a community space.

The proposed plan of removal of reserve status and the merging of the two blocks also raises the concern for the possible removal of the trees at these sites, which all 4 of have roots that extend out, potentially underneath many of the surrounding properties and the impacts of the removal of these are not readily apparent. Any works impacting or to remove these trees would be detrimental to the community given their local historical significance. As these trees would no longer be protected under the reserve status it is of great source of concern for what would happen to them in the future and the application does not identify any potential impacts to the trees resulting from the proposed removal of the drainage easement.

Furthermore, the site is subject to an environmental significance overlay (42.01) but does not address what, if any, impacts the proposed application would have on this.

Kind Regards,
Drew Smith
0435441306

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Monday, 21 September 2020 8:58 AM
To: Planning Records
Subject: FW: Objection to Planning Proposal PLP/2020/348

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Emily

From: Rhys Smith <rhyssmith744@gmail.com>
Sent: Saturday, 19 September 2020 9:05 PM
To: Info@Ballarat.vic.gov.au
Subject: Objection to Planning Proposal PLP/2020/348

As a resident close to both 14 and 16 Boak Avenue, I would like to formally object to planning application PLP/2020/348. The proposal to remove the reserve status of 14 Boak Avenue and the combination of it with 16 Boak Avenue fails to recognise the potential use of this land as a community space, or protect the notable trees on the block.

I am concerned that the larger block size would make the area likely for development into high density development, which is uncharacteristic to the rest of the area. The council currently has an open consultation in place with the 'Ballarat Neighbourhood Character Study' and it would be desirable for the results of this to also be available prior to any decision being made in relation to this area. It was positive to see the fencing off of the corner of Geelong Road and Eddy Avenue and would be desirable to maintain the blocks of 14 and 16 Boak Avenue in a similar fashion.

The Mount Helen area is a rapidly growing community. Particularly, more families with young children are moving to the area. This provides a new opportunity to use this land for a more community minded space, to support the current and continued growth. In addition, the scheduled developments on Eddy Avenue will provide increase the number of families in the community, increasing the need for such a space.

Possible uses of this land for the benefit of the community could include a playground, garden or recreational space.

Current circumstances (including restrictions necessitated by the COVID pandemic) have restricted the community's ability to see the on-site posted information about proposal PLP/2020/348, and as such it is unlikely that a significant portion of nearby residents are aware of the proposal.

I encourage the council to work with the community in determining an alternate plan for the land, to best fit the needs of the residents and the area.

Regards,

Rhys Smith

0434 090 704

PLP/2020/348

11/9/2020

I would like to submit an appeal against granting this application. I am concerned about removal of trees. Mt Helen has lost many trees integral to the character of the suburb. The land indicated would be better used for community amenity purposes.

Surname: McKindley-Hodge

Given Names: Judith

Address Line 1: 214 Boak Avenue

Suburb: MT HELEN

State Code: VIC

Postcode: 3350

Email Address: maemcts@gmail.com

Re: Planning Application PLP/2020/348 14-16 Boak Avenue, Mount Helen,

I wish to respond to plans to remove the reserve status of 14 Boak Avenue and merge it with 16 Boak Avenue. One can presume that the blocks are being merged in order for the council to on sell them. Mount Helen has seen a large influx recently of young families buying into the area. In my street alone we have four young families buy into the area in the last twelve months, three of which have children under two years of age. Since the kinder was closed, we now no longer have any council run community buildings or services in our immediate area with the exception of a couple of playgrounds. There are no maternal and child health facilities, meeting rooms for community groups such as senior citizens or playgroups or kindergartens. Sporting facilities are catered for by the local University but these are run at a significant cost to its patrons. Two privately run childcare facilities in the area indicate that there is a demonstrated need for more facilities to cater for young families.

An area such as this could be used for so many community based activities such as a community garden, Dog park etc. The building itself repurposed for community based group activities.

Merging of the blocks would presumably lead to plans for subdivisions , more high density housing with no actual community facilities to cater for the needs of the growing and changing demographic.

I strongly believe the long term benefit to the community of this asset were it to be utilised to its full potential would far outweigh the short term financial benefit to council.

Thankyou for your time

Deb Parkinson

From: Info@Ballarat.vic.gov.au
To: [Planning Records](#)
Subject: FW: Planning Application PLP/2020/348 14-16 Boak Avenue Mount Helen
Date: Monday, 14 September 2020 11:43:23 AM

-----Original Message-----

From: Esme Gibson <jegibson@fastmail.fm>
Sent: Monday, 14 September 2020 11:40 AM
To: Info@Ballarat.vic.gov.au
Subject: Planning Application PLP/2020/348 14-16 Boak Avenue Mount Helen

Planning Application PLP/2020/348. 14 – 16 Boak Avenue Mount Helen.

As a resident of Ashley Grove, Mount Helen, I would like to submit an objection to any development of the land comprising the above.

The Mount Helen area is already fully established as a pleasant living space; and has a full complement of residents and dwellings at the present time. While we realise that Council have found the land in question to be potentially surplus, and recognise the need to extract value from it, we would much prefer to see the land used for some community purpose. This might take the form of recreation space, playground, etc; such a space would be well used as there are more and more families with younger children coming into the Mount Helen area.

In this regard, it was pleasing to see the recent fencing off of the land on the corner of Boak Avenue and Geelong Road; this has provided – and preserved - a space that enhances the area, and the local businesses that stand adjacent.

It would be good to see this green space extended in some form to Blocks 14 and 16 nearby.

It would be most unfortunate if the two amalgamated blocks were used for more housing development, given that a large area of land at the eastern end of Mandingo Drive, formerly Yarana Drive Park, is presently being developed for that purpose. This will add further traffic to the local road network, which is already at – or over- its capacity.

We are also awaiting, with trepidation, the result of the application to construct units on the corner of Boak and Eddy Avenues, which has been expected for some time, and will no doubt add further traffic problems at the intersection with Geelong Road, if carried through.

John Gibson.

--

John Gibson
jegibson@fastmail.fm

Objection to Planning Permit



I am opposed to the reserve status being removed from this site as a lost of family and the community use this for recreational use. I would support more of a community approach to the use of this land such as a community center,

Surname: Barton

Given Names: Simon

Address Line 1: 118 Yarana Drive

Address Line 2: Mt Helen

Suburb: Ballarat

State Code: VIC

Postcode: 3350

Email Address: copter99@hotmail.com

Date Received : 14/9/2020

Emily Krutop

From: Info@Ballarat.vic.gov.au
Sent: Monday, 21 September 2020 8:26 AM
To: Planning Records
Subject: FW: Planning Application Objection: APLICATION PLP/2020/348 for 14 - 16 Boak Avenue, Mount Helen

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Emily

From: cassia@romork.net <cassia@romork.net>
Sent: Friday, 18 September 2020 6:18 PM
To: Info@Ballarat.vic.gov.au
Subject: Planning Application Objection: APLICATION PLP/2020/348 for 14 - 16 Boak Avenue, Mount Helen

Good Evening,

I would like to formally oppose the current planning application PLP/2020/348, including the application to remove the reserve status from 14 Boak Avenue Mount Helen and to combine this block with 16 Boak Avenue.

Whilst I recognise that the council has proposed that these blocks are surplus to council requirements and therefore have potential to sell, that proposal does not recognise the value of this land and the use outside of a land sale potential.

It would appear that the application under Section 24 of the Subdivision Act does not take into account the current land use and value from that use. Whilst Section 24 allows for the removal of reserve status where the original use is no longer in operation, the land located at 14 Boak Avenue is still in active use by a number of members of the community for recreational activities and thus continues to be used as a reserve. It is recognised that whilst the recent formal use of the reserve status as a car park for the pre-school ceased with the closure of the pre-school in 2016, the use of the site as a recreation reserve for a number of activities including young families teaching children bike riding in a safe environment as well as being used as an active play space warrants the retention of this block as a reserve.

As part of the application the proposal identifies that the drainage easement E-5 appears to have been created as a section point of discharge for the lot on 14 Boak Avenue and I cannot comment on the purpose of such creation, the real observed usage of that easement during the recent years preceding the closure of the pre-school did not indicate that this was a common usage of the easement, rather was for access to the rear lot comprising 16 Boak Avenue.

Further to this, the current application does not clearly identify how the removal of the easement of this drainage easement will preserve and ensure the protection of the 3 significant large trees that border these two lots. These trees are historically significant to the area having reportedly been planted by one of the original occupants of the area and they provide a key wind break and protection within the neighbouring properties.

Based on the application to combine these blocks it would indicate that this would result in the larger block being offered for sale for development of a block of 2.502 m². This indicates an intention for development as high density housing or similar. Given that the surrounding lots listed in the plan peak

at 1099 m2 (outside of the lot designated as Good Start Early Learning Centre) and the majority of lots averaging around 800 m2, the release of a block of such would be incongruous to the character of the area. Within the development proposal for 2 Eddy Avenue nearby, the council put forward a position that high density development was incongruous to the area and that they would work with the community to better define the development guidelines for this area to ensure that any future applications were in keeping with and sympathetic to the current character of the area. To my knowledge this work has not been completed, and based on the currently open 'Ballarat Neighbourhood Character Study' survey by the City of Ballarat the indication is that this work for the greater Ballarat area is not complete and such significant changes to land use and size before the completion of this work may be premature.

Rather than the current application advertised I believe that the community would benefit from a collaborative consultation with the council on retaining this space for the community. Potential alternatives to the current proposal may include the re-invigoration of the site as a pre-school, development of community playground, community garden, neighbourhood house or other use as an asset for the community. Whilst the reported closure of the pre-school was due to declining enrolments there has been a shift in the local demographics with increasing number of young families within the area a review of demand for such a service may indicate viability to return to the previous use as a pre-school. Despite an expanding population, Mount Helen is lacking in community amenities, and residents are forced to travel elsewhere to access their needs. Reinvigorating this as a community asset would also benefit neighbouring suburbs.

There is already community use of the area and an enhancement to the amenities would provide further use and value. There has been strong research that indicates that communities that are involved, active and know each other have increased levels of resilience which ensures they are better able to respond to and recover from disasters and adverse events. Given we are currently within a pandemic, and subject to lockdown restrictions, a community space within this area provides a space for the community to be active, interact and build relationships to enable support. In turn this research indicates that there is a strong investment payback associated in terms of improved mental health and associated health care costs.

Whilst it is difficult within the current Covid -19 restrictions to canvas the local community for their thoughts, there is indicative support for an assessment to retain these lots as a community asset. In addition, due to the current restrictions which are only easing in the last 24 hours, there is a strong likelihood that the current application advertised on site may not be seen by the local residents, and thus may prevent the full range of feedback on said application.

I urge the council to withdraw this application and instead commit to a collaborative review of the use of these sites and how council and community can work together to improve the community value of these lots.

Regards,

Cassia Drever-Smith.

Contact: 0408 775 29

Objection to Planning Permit



We believe this area should remain a reserve and be used for community purposes such as a community garden.

Surname: Fisher

Given Names: Ryan David and Rebekah Jayne

Address Line 1: 10 Ashley Grove

Suburb: Mount Helen

State Code: vic

Postcode: 3350

Email Address: rebekahmoffett@hotmail.com

Date Received : 13/9/2020

PLP/2020/348

11/9/2020

Objection raised over planning grounds.

Concerns over high density development.

In support of the site maintaining its reserve status and to be considered for playground/community garden.

Surname: FITTER

Given Names: Simon

Address Line 1: 103 Boak Avenue

Address Line 2: Boak ave

Suburb: Mount Helen

State Code: VIC

Postcode: 3350

Email Address: Fitter.simon@yahoo.com

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BUILDING REPORT

Job No BCA600912

Date : 24 / 5 / 2012

Location : 16 Boak Ave
Mt Helen

Client : Ballarat City Council
P. O. Box 655
Ballarat 3353

Client Brief

The pre-school centre and 16 Boak Ave Mt Helen has been subjected to movement with subsequential distress

The client has requested that a preliminary inspection be undertaken of the building to assess the building distress.

The building was inspected on Monday 21 st May 2012 with Mr Ross Goyne representing the City of Ballarat.

Property and Building Details

Property Address : 16 Boak Avenue, Mt Helen 3350

Class of Building : Formerly a dwelling converted to a preschool centre.

Building : Building estimated to have been constructed pre the 1960's

Construction : Single storey
Brick veneer
Timber floors on brick piers
Tile roof

Building Inspection Related to Client Brief

Client Brief

The building was formerly a dwelling and now used as a pre-school. The change of use has involved the removal of numerous internal walls.

General Comments:

The building has been subjected to movement for many years with the occupiers being aware of increased distress in the past months.

From the external inspection numerous area of brickwork have been replaced/repointed and articulation joints cut in the brick veneer. This work is difficult to put a time span on but it would be reasonable to consider that the building has been suffering from movement over a long period of time.

From the internal inspection the floors are sloping generally to the external perimeter wall with discernable movent in ceilings and cornices. The installed beams where walls have been removed are exhibiting cracking at supports. The large number of walls removed could be contributing o the overall movement of the building as the structural connectivity has been altered. Thus minor footing movement is accentuated in the building.

Movement of Concern

The movement of concern is the north east corner of the building, east wall at and adjacent to the window. (This room is currently used as a staff office.)

The brickwork at this location has had articulation joints installed under both sides of the window. The brickwork under the window has been reconstructed.

The articulation joints have opened at the top with an estimated increased gap of 15 mm. The gaps at these locations are due to the cut joints allowing movement.

The corner brickwork has bowed and cracked. The base has rotated out and the upper brickwork has been restrained by the roof structure and eaves.



**Options Considered**

- Underpin the corner of the building to arrest the rotation.
- Demolish the brick veneer at the corner and reconstruct
- Treat the foundation soils to restore wall and restrict further movement
- Seal gaps with a flexible sealant and monitor the movement.

Conclusion:

The building has suffered distress throughout and underpinning, reconstruction and foundation treatment are considered to not be suitable and may in fact cause further distress to the building.

Recommendation :

The gaps to the brickwork at the north east corner of the building should be filled with a flexible sealant. The gaps / cracking should then be monitored at regular intervals say quarterly and the Council assets section notified of significant movement.

The brickwork is tied to the stud wall frames and thus is not a safety issue at this time.

The general condition of the building is such that the long term future should be considered with any remedial works

Bruce K. T. Cossins
BEng(Civil), CE, MBS, FAIBS, MIEAust, CPEng
Registered Engineer and Building Surveyor

Dated 24 / 5 / 2012

VRC Property

| Valuations | Research | Consulting |

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Valuation Report



**14 Boak Avenue
Mount Helen VIC 3350**

Under Instructions from:

Linda Skewes
Property Officer
City of Ballarat
P.O. Box 655
Ballarat VIC 3353

Our Reference:

4351

19th November 2019

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Valuation Report
14 Boak Avenue, Mount Helen

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Appendices

- 1: Copy of letter of instruction
- 2: Copy of Certificate of Title and Plan of Subdivision
- 3: Planning Property Report

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Valuation Report
14 Boak Avenue, Mount Helen

Executive Summary:

Property:	14 Boak Avenue, Mount Helen VIC 3350
Instructed By:	Linda Skewes Property Office City of Ballarat P.O. Box 655 Ballarat VIC 3353
Instructions:	<p>We have acted on written instructions from Linda Skewes of the City of Ballarat dated 22nd October 2019 to assess the current market value of 14 Boak Avenue, Mount Helen for pre - sale purposes.</p> <p>This valuation report has been prepared for the private and confidential use only of Linda Skewes of the City of Ballarat for pre - sale purposes and it should not be reproduced in whole or in part or used or relied upon for any other purpose or by any other party. It is subject to the terms and conditions, disclaimers, qualifications, limitations and assumptions contained in the report and any annexures thereto. Only the client, who the report is specifically addressed, may use and rely upon the report, and only for the sole purpose as specified in the report.</p> <p>The report is not to be used or relied upon by any other person or for any other purpose. We accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. VRC Property and the Valuer accepts no liability for negligence and / or any other cause of action for any loss or damage suffered by a third party to whom the valuation report was not addressed.</p> <p>No responsibility is accepted by the Valuer and / or Valuation Firm in the event that the client to which this report is specifically addressed, relies, uses and / or otherwise represents anything contained in the report for any other purpose apart from that expressly noted previously.</p> <p>No responsibility is accepted by the Valuer and / or Valuation Firm to any other parties who rely, use, distribute, publish and / or otherwise represent anything contained in the report for any purpose.</p> <p>This valuation has been prepared in accordance with the Valuation of Land Act 1960 and the Australian Property Institutes Practice Standards and Guidance Notes.</p> <p>We confirm that the valuer does not have any pecuniary interest that would conflict with the proper valuation of the property, has the appropriate experience in the valuation of this style of property, and is legally permitted to value such property in the State of Victoria.</p>
Basis of Valuation:	<p>This valuation has been prepared on the basis of market value, as defined within the International Valuation Standards 1 (IVS1), and endorsed by the Australian Property Institute, as:</p> <p><i>"Market value is the estimated amount for which an asset or liability should exchange on the date of valuation between a willing buyer and a willing seller in an arm's length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion".</i></p>

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Valuation Report
14 Boak Avenue, Mount Helen

Brief Description:	<p>The property comprises a basically rectangular shaped allotment of vacant land that measures 564 square metres in size that falls gently in topography towards the eastern boundary of the site. The property is currently covered in grass / gravel and is unoccupied.</p> <p>The property is currently designated as a 'Reserve' on the Certificate of Title. For the purposes of this valuation (pre - sale purposes) we have assumed that the 'Reserve' designation will be removed prior to any notional sale, the City of Ballarat would waive their rights to use the property as a 'Reserve' and the property will be able to be used / developed (subject to council approval) as a standard residential allotment of land; using its General Residential zoning.</p>
Location:	<p>The subject property is located within the outer Ballarat township of Mount Helen, approximately 10 kilometres south of central Ballarat. More specifically, the property is situated on the northern side of Boak Avenue, approximately 143 metres west of the Midland Highway intersection.</p>
Planning:	<p>General Residential Zone The subject property is not affected by any planning overlays</p> <p>The property is in a designated bushfire prone area. Special bushfire construction requirements apply. Planning provisions may apply.</p>
Title Particulars:	<p>The subject property is legally described within Certificate of Title Volume 10169 Folio 894 as being Reserve 1 on Plan of Subdivision 326983M.</p> <p>The Certificate of Title notes the following restrictions, encumbrances, leases etc. over the property.</p> <ul style="list-style-type: none"> • Drainage easement (E-5) along the rear (northern) boundary of the site • The property is currently designated as a 'Reserve' on the Certificate of Title. For the purposes of this valuation (pre - sale purposes) we have assumed that the 'Reserve' designation will be removed prior to any notional sale, the City of Ballarat would waive their rights to use the property as a 'Reserve' and the property will be able to be used / developed (subject to council approval) as a standard residential allotment of land; using its General Residential zoning.
Registered Proprietor:	<p>The Certificate of Title notes the registered proprietor as sole proprietor to be:</p> <ul style="list-style-type: none"> • Ballarat City Council
Land Area:	<p>564 square metres</p> <p>Identification of the land sufficient for valuation purposes was possible, however due to the overall shape of the property, distance of boundaries, topography and buildings, actual dimensions could not be verified and this assessment relies on the measurements provided by Plan of Subdivision 326983M.</p>
Occupancy Status:	At the date of valuation, the property was unoccupied vacant land
Date of Inspection:	13 th November 2019
Date of Valuation:	13 th November 2019
Interest Valued:	Freehold

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Valuation Report
14 Boak Avenue, Mount Helen

Valuation: Assuming 'Reserve' designation is removed

\$160,000

ONE HUNDRED AND SIXTY THOUSAND DOLLARS

Goods and Services Tax (GST) is not applicable to established residential properties.

Important Note:

This executive summary must not be read in isolation and must be read in conjunction with the entire report, including our Qualifications and Disclaimers at the end of the report.

Assumptions and Limitations

We detail the assumptions made by the valuer in performing this valuation:

- The property is currently designated as a 'Reserve' on the Certificate of Title. For the purposes of this valuation (pre - sale purposes) we have assumed that the 'Reserve' designation will be removed prior to any notional sale, the City of Ballarat would waive their rights to use the property as a 'Reserve' and the property will be able to be used / developed (subject to council approval) as a standard residential allotment of land; using its General Residential zoning.
- The property has been valued as if unencumbered by any lease and on a vacant possession basis.
- Any notional sale would have the terms of ten percent (10%) deposit upon signing the contract of sale with balance payable in 30 - 60 days.
- This valuation has been prepared on the assumptions outlined in the 'Qualifications & Disclaimers' section at the end of this report.

We detail the assumptions required by the client or limitations imposed on the valuer in performing this valuation:

- No assumptions have been imposed.

Liability limited by a scheme approved under Professional Standards Legislation

VRC Property Pty Ltd



Michael Marsiglio AAPI
Certified Practising Valuer
API Member No. 63349

Dated: 19th November 2019

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Valuation Report
14 Boak Avenue, Mount Helen

1. Instructions:

We have acted on written instructions from Linda Skewes of the City of Ballarat dated 22nd October 2019 to assess the current market value of 14 Boak Avenue, Mount Helen for pre - sale purposes.

This valuation report has been prepared for the private and confidential use only of Linda Skewes of the City of Ballarat for pre - sale purposes and it should not be reproduced in whole or in part or used or relied upon for any other purpose or by any other party. It is subject to the terms and conditions, disclaimers, qualifications, limitations and assumptions contained in the report and any annexures thereto. Only the client, who the report is specifically addressed, may use and rely upon the report, and only for the sole purpose as specified in the report.

The report is not to be used or relied upon by any other person or for any other purpose. We accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. VRC Property and the Valuer accepts no liability for negligence and / or any other cause of action for any loss or damage suffered by a third party to whom the valuation report was not addressed.

No responsibility is accepted by the Valuer and / or Valuation Firm in the event that the client to which this report is specifically addressed, relies, uses and / or otherwise represents anything contained in the report for any other purpose apart from that expressly noted previously.

No responsibility is accepted by the Valuer and / or Valuation Firm to any other parties who rely, use, distribute, publish and / or otherwise represent anything contained in the report for any purpose.

This valuation has been prepared in accordance with the Valuation of Land Act 1960 and the Australian Property Institutes Practice Standards and Guidance Notes.

We confirm that the valuer does not have any pecuniary interest that would conflict with the proper valuation of the property, has the appropriate experience in the valuation of this style of property, and is legally permitted to value such property in the State of Victoria.

We have been provided the following information in undertaking our valuation:

- Letter of Instruction
- Location Maps dated 22nd October 2019 provided within our instructions
- Copy of Certificate of Title and Plan of Subdivision

Assumptions and Limitations

We detail the assumptions made by the valuer in performing this valuation:

- The property is currently designated as a 'Reserve' on the Certificate of Title. For the purposes of this valuation (pre - sale purposes) we have assumed that the 'Reserve' designation will be removed prior to any notional sale, the City of Ballarat would waive their rights to use the property as a 'Reserve' and the property will be able to be used / developed (subject to council approval) as a standard residential allotment of land; using its General Residential zoning.
- The property has been valued as if unencumbered by any lease and on a vacant possession basis.
- Any notional sale would have the terms of ten percent (10%) deposit upon signing the contract of sale with balance payable in 30 - 60 days.
- This valuation has been prepared on the assumptions outlined in the 'Qualifications & Disclaimers' section at the end of this report.

We detail the assumptions required by the client or limitations imposed on the valuer in performing this valuation:

- No assumptions have been imposed.

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Valuation Report
14 Boak Avenue, Mount Helen

2. Basis of Valuation:

This valuation has been prepared on the basis of market value, as defined within the International Valuation Standards 1 (IVS1), and endorsed by the Australian Property Institute, as:

“Market value is the estimated amount for which an asset or liability should exchange on the date of valuation between a willing buyer and a willing seller in an arm’s length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion”.

3. Date of Valuation:

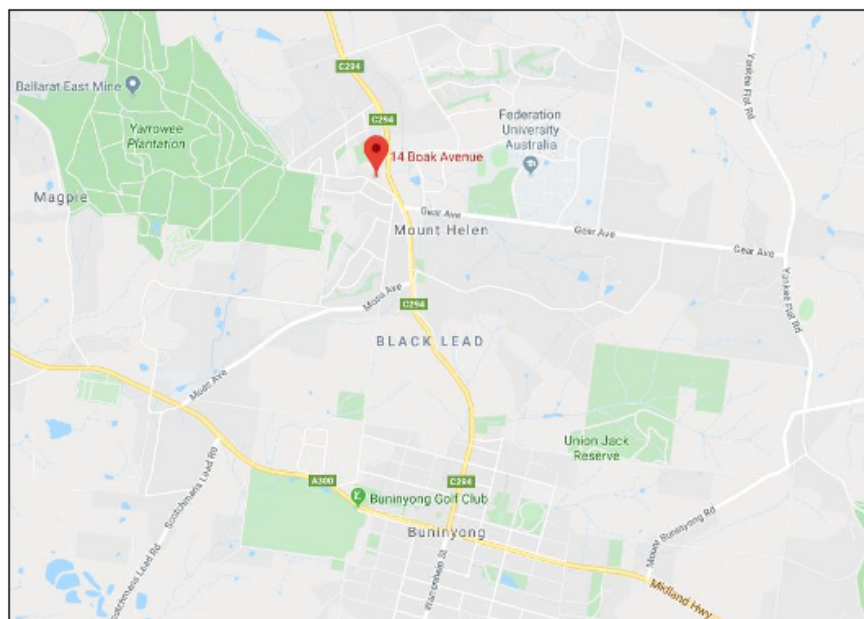
Our valuation has been assessed as at the 13th November 2019 based on our inspection of the same date.

4. Location and Locality:

4.1. Overview:

The subject property is located within the outer Ballarat suburb of Mount Helen, approximately 10 kilometres south of the Ballarat town centre. More specifically, the property is situated on the northern side of Boak Avenue, approximately 143 metres west of the Geelong Road intersection.

The following map highlights the location of the subject property.



Source: Google Maps

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Valuation Report
14 Boak Avenue, Mount Helen

4.2. Surrounding Development:

Surrounding properties comprise a mixture of single level and two level brick veneer dwellings constructed in the 1960's - 1980's period interspersed with more recently built dwellings and vacant allotments of land.

Services and facilities within the nearby area include:

- Federation University - Mount Helen Campus
- Goodstart Early Learning Centre - Mount Helen
- Local shops on the corner of Boak Avenue and Geelong Road.
- Buninyong town centre (3 kilometres south of the subject property)

4.3. Transport Infrastructure:

The subject property provides excellent transport linkages to the arterial roads of Geelong Road, Moss Avenue, Whitehorse Road and the Midland Highway.

4.4. Aerial Photo of Subject Property:

The following aerial photo shows the boundaries of the subject property (red border).



Source: Google Maps

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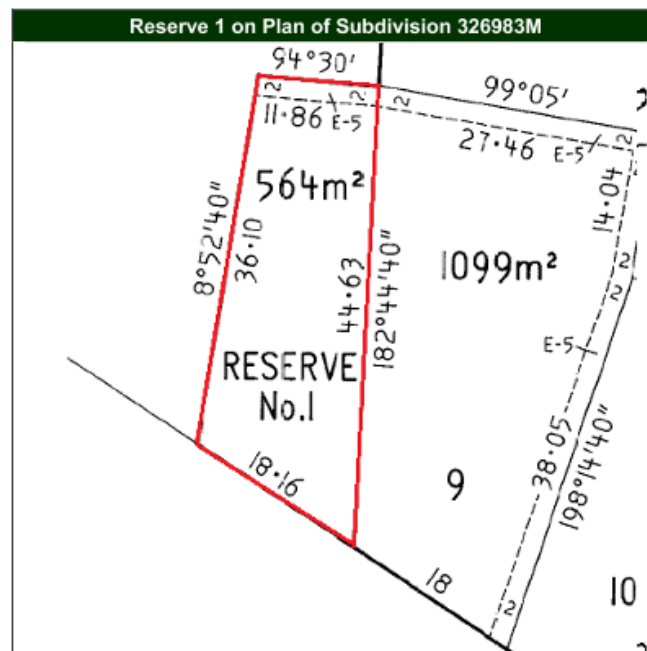
Valuation Report
14 Boak Avenue, Mount Helen

5. Title and Property Detail:

5.1. Legal Description:

The subject property is legally described within Certificate of Title Volume 10169 Folio 894 as being Reserve 1 on Plan of Subdivision 326983M.

The following is an extract of the Plan of Subdivision.



5.2. Restrictions, Encumbrances, etc. noted on Title:

The Certificate of Title notes the following restrictions, encumbrances, leases etc. over the property.

- Drainage easement (E-5) along the rear (northern) boundary of the site
- The property is currently designated as a 'Reserve' on the Certificate of Title. For the purposes of this valuation (pre - sale purposes) we have assumed that the 'Reserve' designation will be removed prior to any notional sale, the City of Ballarat would waive their rights to use the property as a 'Reserve' and the property will be able to be used / developed (subject to council approval) as a standard residential allotment of land; using its General Residential zoning.

5.3. Registered Proprietor:

The Certificate of Title notes the registered proprietor as sole proprietor to be:

- Ballarat City Council

5.4. Identification:

The subject property has been identified by reference to Plan of Subdivision 326983M searched on the 22nd October 2019.

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Valuation Report
14 Boak Avenue, Mount Helen

5.5. Land Area and Dimensions:

We have calculated the land area from the dimensions shown on Plan of Subdivision 326983M to be 564 square metres.

The subject property is basically rectangular in shape with the title boundaries shown on Plan of Subdivision 326983M having the following dimensions:

Boundary	Length
Northern:	11.86 metres
Eastern:	44.63 metres
Southern: (Boak Avenue)	18.16 metres
Western:	36.10 metres

Identification of the land sufficient for valuation purposes was possible, however due to the overall shape of the property, distance of boundaries, topography and buildings, actual dimensions could not be verified and this assessment relies on the measurements provided by Plan of Subdivision 326983M.

5.6. Encroachments

This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property are not given in the capacity as an expert, however, are based on our inspection of the property and review of Plan of Subdivision 326983M.

A current survey has not been sighted and this valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor.

5.7. Topography:

The subject property falls gently in topography towards the eastern boundary of the site.

5.8. Vehicular Access and Road Construction:

Vehicular access to the property is via a grass / gravel crossover from Boak Avenue; a sealed bitumen roadway with no footpaths and open drainage.

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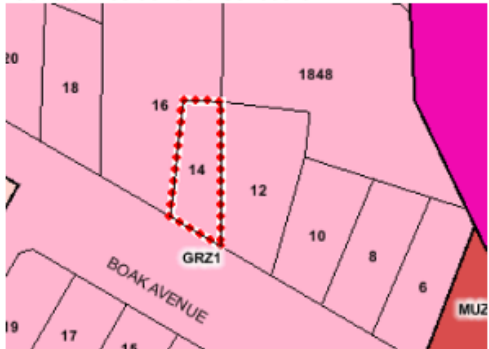
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14 Boak Avenue, Mount Helen

6. Planning Control:

6.1. Zone and Scheme Reference:

The property is currently zoned 'General Residential - Schedule 1' by virtue of the City of Ballarat Planning Scheme.

Zone:	Purpose of Zone:
<p>'General Residential - Schedule 1'</p> 	<ul style="list-style-type: none"> • To implement the Municipal Planning Strategy and the Planning Policy Framework. • To encourage development that respects the neighbourhood character of the area. • To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport. • To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The property is in a designated bushfire prone area. Special bushfire construction requirements apply. Planning provisions may apply.

We note we have not sighted a current planning certificate for the subject property.

The planning information contained in this report has been obtained from the Department of Environment, Land, Water and Planning website. We have relied upon this information in assessing the value of the property. We do not accept responsibility for any consequential error or defect in the valuation which has resulted from any error, omission or inaccuracy in this information.

6.2. Allowable Uses without Consent:

The subject property is vacant land.

6.3. Existing, Prior and / or Proposed Uses:

We regard the highest and best use of the property to be a single dwelling site.

6.4. Heritage Implications:

The subject property is not affected by any heritage implications.

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Valuation Report
14 Boak Avenue, Mount Helen

6.5. Environmental and Contamination:

We take this opportunity to advise that VRC Property Pty Ltd and its staff are not environmental auditors and will not be liable nor responsible for failure to identify all matters of environmental concern and the impact which an environmental related issue has on the property and its value.

This report is not an environmental audit and no advice given in any way relating to environmental matters. Any comments given as to environmental factors in relation to the property are not given in the capacity as an expert.

The use and occupation of the land has been vacant land / carparking use. At the date of inspection we have no knowledge of any contamination of the land. Based on our site observations, no obvious environmental problems were apparent.

We have not been provided with an environmental audit, nor are we aware of the property valued being affected by soil contamination, environmental problems including soil contamination, surface and ground conditions, toxic or hazardous wastes or building material hazards. We have not investigated the site beneath the surface or undertaken vegetation or soil sampling. If contamination of the land is found to exist this would seriously impact upon the assessed value resulting in a reduction of our valuation assessment.

Accordingly, our valuation is made on the assumption that there are no environmental problems in any way affecting the property.

We therefore reserve the right to review and if necessary vary the valuation figure if any contamination or other environmental hazard is found to exist.

7. Services:

The subject property is able to be serviced with the following:

- Electricity
- Mains water
- Mains sewerage
- Gas

The services are considered adequate for the residential occupation of the site.

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Valuation Report
14 Boak Avenue, Mount Helen

8. Photos of the Subject Property:

Looking South



Looking North



9. Occupancy:

The subject property is currently unoccupied.

10. Sales History:

We are unaware of any recent sales transactions.

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Valuation Report
14 Boak Avenue, Mount Helen

11. Sales Evidence:

In forming our opinion of the land value of the subject property, we have had regard to various sales transactions of vacant land, a selection of which is detailed below.

Our analysis has been based on various sources of information. While we believe the information to be accurate, not all details have been formally verified. Kerbside inspections have been completed.

Address:	Sale Price:	Sale Date:	Land Area:	Build Area:	Land Rate:
7A Greenhaven Court, Mount Clear	\$162,000	Jul 2019	506 sq.m.	N / A	\$320 p.s.m.
Comments:	Comprises a rectangular shaped allotment of vacant land that is cleared of vegetation. The site rises gently in topography to the rear of the site and is positioned within a recent subdivision. General Residential zone.				
Comparison:	A smaller sized allotment of land that is situated in a comparable location; albeit in an area with arguably less street appeal. Cleared land with an inferior topography. Shows a superior land value rate per square metre. Overall regarded as comparable to the subject property.				
28B Horwood Drive, Mount Clear	\$170,000	Aug 2019	553 sq.m.	N / A	\$307 p.s.m.
Comments:	Comprises a rectangular shaped allotment of vacant land that is cleared of vegetation. The site is generally level in topography and is positioned within a recent subdivision; albeit along a thoroughfare roadway. General Residential zone.				
Comparison:	A similar sized allotment of land that is situated in a comparable location; albeit in an area with arguably less street appeal. Cleared land with an inferior topography. Shows a slightly superior land value rate per square metre. Overall regarded as comparable to the subject property.				
13 Sobe Street, Mount Helen	\$185,000	Jul 2019	1,155 sq.m.	N / A	\$160 p.s.m.
Comments:	Comprises a rectangular shaped allotment of vacant land that is cleared of vegetation. The site is undulating in topography (rises at front of site and falls to rear of site) and is positioned within a recent subdivision. Neighbourhood Residential zone.				
Comparison:	A larger sized allotment of land that is situated in a comparable location; being in close proximity to the subject property. Inferior topography. Shows a far inferior land value rate per square metre. Overall regarded as superior to the subject property.				

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Valuation Report
14 Boak Avenue, Mount Helen

12. Valuation Rationale:

As the subject property is a vacant allotment of land, we have used the 'Direct Comparison' method as our valuation approach.

The International Valuation Guidance Note No 1, and endorsed by the Australian Property Institute states that the sales comparison technique for land valuation involves direct comparison of the subject property with similar land parcels for which actual data on recent market transactions are available. The comparable market evidence is broken down into units of comparison and could include dollars per square metre (for retail, office and residential properties) and per hectare for rural and englobo development land properties. The units of comparison that are applicable to a particular valuation task depend upon the market behaviour.

To make direct comparisons between a comparable sale property and the subject property, quantitative and / or qualitative adjustments based on differences in the elements of comparison may be required by the valuer. Adjustments can narrow the differences between each comparable and the subject.

In reality, for residential properties, prospective purchasers do not make an assessment of market value based on a mathematical formula. They do however make direct comparisons to other properties that have sold and make both quantitative and qualitative adjustments. We as valuers perform analysis in an attempt to match the purchaser decision and sentiment at the relevant date.

We have had regard to the following attributes of the subject property in determining our assessment of market value:

- The location of the subject property within the outer Ballarat suburb of Mount Helen, approximately 10 kilometres south of the Ballarat town centre. The property is situated within an established residential area with surrounding properties comprising a mixture of single level and two level brick veneer dwellings constructed in the 1960's - 1980's period interspersed with more recently built dwellings and vacant allotments of land. The location has a rural residential feel with an abundance of trees and most blocks being at least gently undulating in topography.
- Services and facilities within the nearby area include the Federation University (Mount Helen Campus), Goodstart Early Learning Centre, IBM (Mount Helen Offices) and local shops on the corner of Geelong Road and Boak Avenue. The Buninyong town centre is situated approximately 3 kilometres south of the subject property.
- The size and shape of the site, which is basically rectangular in shape and is shown on the Plan of Subdivision 326983M to measure 564 square metres in size. The site falls gently in topography to the eastern boundary of the site. The site is cleared of vegetation.
- The property is zoned 'General Residential - Schedule 1' and is not affected by any planning overlays.
- Access to the site is provided via a concrete kerb off Boak Avenue; however the crossover is grass / gravel.
- The property is currently designated as a 'Reserve' on the Certificate of Title. For the purposes of this valuation (pre - sale purposes) we have assumed that the 'Reserve' designation will be removed prior to any notional sale, the City of Ballarat would waive their rights to use the property as a 'Reserve' and the property will be able to be used / developed (subject to council approval) as a standard residential allotment of land; using its General Residential zoning.
- A number of mature trees are positioned along the western boundary of site, which we have assumed are positioned on the adjoining land at 16 Boak Avenue. These trees provide a nice outlook and shade; however could also provide falling debris and risk of dropping branches. Each prospective purchaser would have a differing point of view about these trees.
- We regard the highest and best use of the site to be a single dwelling site, which integrates well with the neighbouring properties.

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Valuation Report
14 Boak Avenue, Mount Helen

The sales evidence listed above indicates:

- \$162,000 (\$320 p.s.m.) for a smaller sized allotment of land that is cleared of vegetation. Similar topography. Positioned in a recent subdivision which is regarded as a comparable location; however the appeal is lower than the subject property. Shows a superior land value rate per square metre. Overall regarded as comparable to the subject property.
- \$170,000 (\$307 p.s.m.) for a similar sized allotment of land that is cleared of vegetation. Similar topography. Positioned in a recent subdivision which is regarded as a comparable location; however the appeal is lower than the subject property. Shows a slightly superior land value rate per square metre. Overall regarded as comparable to the subject property.
- \$185,000 (\$160 p.s.m.) for a larger sized allotment of land that is cleared of vegetation. Inferior topography. Positioned in close proximity to the subject property. Shows a far inferior land value rate per square metre. Overall regarded as superior to the subject property.

In consideration to the above comments and sales evidence, if the property were put to market we believe there would be a reasonable level of interest from prospective purchasers. The superior topography of the land is comparison to the land available in the neighbourhood would make a unique selling point. In saying that, there is a decent amount of land within new subdivision available in the suburbs closer to Ballarat which would increase the supply of vacant land.

After careful consideration, we believe the most likely selling range for the subject property (assuming the 'Reserve' designation has been removed), if put to the market would be between \$160,000 (\$285 p.s.m.) and \$175,000 (\$310 p.s.m.) and we have adopted the lower value; being \$160,000.

Our valuation calculation for the subject property is summarised as follows:

Direct Comparison Approach 14 Boak Avenue, Mount Clear		
	Bid Value Rate:	Value:
Land Area: 564 sq.m.	@ \$285 p.s.m.	\$160,740
Adopt:		\$160,000

Goods and Services Tax (GST) is not applicable to established residential properties.

13. Conclusion:

After careful consideration and subject to the overriding stipulations and assumptions contained within the body of this report, I have assessed the market value of the property known as 14 Boak Avenue, Mount Helen (Reserve 1 on Plan of Subdivision 326983M) as at the 13th November 2019 to be:

\$160,000

(ONE HUNDRED AND SIXTY THOUSAND DOLLARS)

Goods and Services Tax (GST) is not applicable to established residential properties.

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Valuation Report
14 Boak Avenue, Mount Helen

14. Qualifications and Disclaimers:

Market Movement Clause	<p>This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of 3 months from the date of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.</p>
No Financial Interest	<p>We certify that the Valuer and / or the valuation firm does not have any direct, indirect or financial interest in the property or client described in this report.</p>
Third Party Disclaimer	<p>This valuation report has been prepared on specific instructions from Linda Skewes of the City of Ballarat for pre - sale purposes. It is subject to the terms and conditions, disclaimers, qualifications and limitations contained in the report and any annexures thereto. Only the client, who the report is specifically addressed, may rely upon the report, and only for the sole purpose as specified in the report.</p> <p>The report is not to be used or relied upon by any other person or for any other purpose. VRC Property Pty Ltd (VRC Property) and the Valuer accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. VRC Property and the Valuer accept no liability for negligence and / or any other cause of action for any loss or damage suffered by a third party to whom the valuation report was not addressed.</p> <p>The report has been prepared for the private and confidential use only of Linda Skewes of the City of Ballarat for pre - sale and it should not be reproduced in whole or in part or relied upon for any other purpose or by any other party.</p> <p>No responsibility is accepted by the Valuer and / or Valuation Firm in the event that the client to which this report is specifically addressed, relies, uses and / or otherwise represents anything contained in the report for any other purpose apart from that expressly noted previously.</p> <p>No responsibility is accepted by the Valuer and / or Valuation Firm to any other parties who rely, use, distribute, publish and / or otherwise represent anything contained in the report for any purpose.</p>
Mortgage, Solicitor Loans and Managed Investment Schemes Clauses	<p>This valuation report is NOT to be used or relied upon by any person for the purpose of;</p> <ul style="list-style-type: none"> • Mortgage purposes. This includes any use: <ul style="list-style-type: none"> ○ For or on behalf of any person or entity lending money by way of loan or involved in the making of any loan; or ○ For which responsibility is accepted to any person or entity lending money by way of a loan or involved in the making of any loan. • Solicitor Loan purposes. This includes any use: <ul style="list-style-type: none"> ○ For or on behalf of a Solicitor Lender or any person lending money through a Solicitor Lender; or ○ For which responsibility is accepted to any Solicitor Lender or any person lending money through a Solicitor Lender; or ○ For any solicitor's mortgage facility or any loan or mortgage arranged on behalf of a solicitor's mortgage facility; • Managed Investment Scheme purposes. This includes any use in connection with any Managed Investment Scheme, as defined under section 9 of the Corporations Act 2001 (Cth) which; <ul style="list-style-type: none"> ○ has as its prime or substantial purpose, the provision of tax benefits to investors; or ○ is involved in any form of direct or indirect investment in primary production (including property used for primary production). <p>This valuation report has been made on the understanding that the valuation is not used or relied upon by any person for mortgage purposes, solicitor loan purposes or in connection with any managed investment scheme purposes. We do not assume any responsibility or accept any liability where this valuation is used or relied upon by any person for mortgage purposes, solicitor loan purposes or in connection with any managed investment scheme purposes.</p>

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Valuation Report
14 Boak Avenue, Mount Helen

Assumption Disclaimer	This valuation is made on the assumptions disclosed in this section and within this report. Should the client be aware of any information, or should it subsequently transpire that expert advice establishes information, which differs from assumptions made or information referred to in this valuation report, no reliance should be placed on this report (including the value assessed herein) unless the Valuer has been advised of such information and we have confirmed that this valuation is not affected. This report is to be referred back to the Valuer for comments and amendment, if needed. We reserve the right to review this valuation in the event that expert advice differs from assumptions made or information referred to in the valuation report.
Entire Report Disclaimer	This valuation report should be read in its entirety, including all Annexures, the Valuers 'Assumptions and Limitations' and 'Qualifications and Disclaimers'.
Copying or Publication of Report	<p>This report has been made only for the purpose stated and shall not be used for any other purpose. Neither this report nor any portions thereof (including without limitation any conclusions as to value, the identity of VRC Property or any individuals signing or associated with this report, or the professional associations or organisations with which they are affiliated) shall be disseminated to third parties by any means.</p> <p>Neither the whole nor any part of any valuation report may be copied nor included in any document, circular or statement. VRC Property does not consent to any valuation report in whole nor any part being copied or published on the internet, social media or any other computer system by any means.</p>
Full Disclosure of Information by Client Disclaimer	<p>This valuation has been prepared on the basis that full disclosure of all information and facts which may affect the valuation has been made to us. We do not accept any liability or responsibility whatsoever for the valuation if full disclosure has not been made.</p> <p>This valuation assumes the instructions and information supplied has been provided in good faith. We do not accept responsibility for any consequential error or defect in the valuation which has resulted from any error, omission or inaccuracy in data or information supplied by the client or its officers and agents.</p>
Information Availability	<p>This valuation is based on information reasonably available to the Valuer as at the date of valuation in accordance with usual valuation practices. By reason of the operation of privacy laws, the Valuers' enquiries in respect of recent transactions have been constrained. Accordingly, the Valuer may not have had access to information on recent transactions which have not yet been published in information sources available to the Valuer. In the event that other transactions have taken place, knowledge of those transactions may affect the opinion expressed by the Valuer.</p> <p>Information furnished by others, upon which all or portions of this report are based, is believed to be reliable but has not been verified in all cases. No warranty is given as to the accuracy of such information.</p> <p>This valuation is completed on the basis of information provided to us by various third parties. We reserve the right to review and amend this valuation should there be any revision or change to any provided information utilised in the undertaking of this valuation.</p>
Market Conditions Disclaimer	No responsibility is taken for changes in market conditions and no obligation is assumed to revise this report to reflect events or conditions which occur subsequent to the date of valuation.
Structural Condition Disclaimer	<p>The Valuer carried out an inspection of exposed and readily accessible areas of the improvements. The Valuer is not a building construction or structural expert and is therefore unable to certify the structural soundness of the improvements. We recommend readers of this report should make their own enquiries.</p> <p>VRC Property does not carry out structural surveys of buildings or improvements nor testing of building services. VRC Property is not able to give any assurance that a property (including building services) is free from defect. This report is on the basis that no impediment including timber infestation, structural deficiencies, concrete cancer and the like, which could only be known following such survey, exists.</p> <p>Unless otherwise stated, this report assumes the building and all improvements to the property are structurally sound and comply with the terms and conditions of all relevant statutory and other authorities. Furthermore, the building services are assumed to be comply with applicable codes, satisfactorily maintained and in good working condition.</p>

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Valuation Report
14 Boak Avenue, Mount Helen

	<p>The client should engage appropriate professionals to advise on structural soundness and state of services. If expert advice is sought in this regard, the expert advice should be referred to VRC Property, and we reserve the right to review our valuation.</p>
Compliance	<p>Full compliance with all applicable federal, state and local zoning, use, environmental and similar laws and regulations including relevant building codes is assumed, unless otherwise stated.</p> <p>It is assumed that all required licences, certificates of occupancy, consents, or other legislative or administrative authority from any local, state or national government or private entity or organisation have been or can be obtained or renewed for any use on which the value contained in this report is based.</p>
Title Disclaimer	<p>Responsible ownership and competent property management are assumed.</p> <p>We have assumed that the title information is correct. No investigation has been made of and no responsibility is assumed for, the legal description or for legal matters, including the title or encumbrances. Title to the property is assumed to be good and marketable unless otherwise stated.</p>
Native Title Disclaimer	<p>We have assumed there are no reservations, encroachments, encumbrances, caveats, notices, easements, leases nor rights of way, other than those disclosed in the report, that adversely affect the property. If a reservation, encroachment, encumbrance, caveat, notice, easement, lease or right of way exists on the land (other than noted in the report), or if there are errors known on the title information, then VRC Property must be notified, and we reserve the right to review our valuation.</p> <p>No expert advice or reports were provided or been made available to us in regards to native title. We take this opportunity to advise that VRC Property Pty Ltd are not experts in native title or the property rights and interests there from and will not be liable nor responsible for failure to identify all matters and the impact which native title issues has on the property and its value. The client should engage appropriate professionals to advise on this area. If expert advice is sought in this regard, the expert advice should be referred to VRC Property, and we reserve the right to review our valuation.</p>
Planning Disclaimer	<p>The planning information contained in this report has been obtained from the Department of Environment, Land, Water and Planning website. We have relied upon this information in assessing the value of the subject property. We do not accept responsibility for any consequential error or defect in the valuation which has resulted from an error, omission or inaccuracy in this information.</p> <p>We have not sighted a current planning certificate for the subject property. Should the Client require confirmation of planning information, we recommend the client applies to the relevant authorities to obtain a current planning certificate.</p>
Land and Building Area Disclaimer	<p>Identification of the land sufficient for valuation purposes was possible, however due to the overall shape of the property, distance of boundaries, topography, vegetation and buildings (if applicable), actual dimensions could not be verified and this assessment relies on the measurements provided by Certificate of Title plan/s and / or public records. Maps or sketches, if included in this report, are only to assist the reader in visualising the property and no responsibility is assumed for their accuracy. No independent surveys were conducted.</p> <p>All land areas, building areas and lettable areas referred to in the valuation report are approximate. Should the Client subsequently ascertain that areas referred to in the valuation report differ from other information provided to the Client, the Client agrees to provide this information to the Valuer and refer the valuation back to the Valuer. We reserve the right to review this valuation in the event that surveyed areas differs from those areas referred to in the valuation report.</p>
Survey	<p>This report is not a site survey and no advice is given in any way relating to survey matters. Any comments given in relation to the property are not given in the capacity as an expert, however, are based on our inspection of the property and review of Certificate of Title plan/s</p> <p>A current survey has not been sighted and this valuation is subject to there being no encroachments by or upon the property and this should be confirmed by a current survey and / or advice from a registered surveyor.</p>