

Planning Delegated Committee Meeting

Agenda

14 April 2021 at 6:30pm

**Council Chamber, Town Hall, Sturt Street,
Ballarat**



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1. WELCOME TO COUNTRY

2. APOLOGIES FOR ABSENCE

3. DECLARATION OF CONFLICT OF INTERESTS

4. CONFIRMATION OF MINUTES

5. OFFICER BRIEFING

PUBLIC SUBMISSIONS

- Due to COVID-19 restrictions around public gatherings the following has been put in place.
- Public representations may be made on any items listed on the agenda in a Planning Delegated Committee Meeting.
- Submissions must be submitted in writing to governance@ballarat.vic.gov.au by no
- later than 4.30pm on the day of Planning Delegated Committee; and limited to no more than 200 words that will be read out by the Chief Executive Officer or nominated delegate at the meeting prior to the matter being considered; or
- If you do wish to attend the meeting in person to make your submission, please contact governance@ballarat.vic.gov.au to make arrangements which align with COVID-19 restrictions.

6. PLANNING DELEGATED COMMITTEE REPORTS

6.1. PLP/2020/262 - 107 DOVETON STREET STH, BALLARAT CENTRAL

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Mish Watt – Coordinator Statutory Planning

PURPOSE

The purpose of this report is to determine a position on Planning Permit Application PLP/2020/262.

BACKGROUND

DATE RECEIVED	6/5/2020
PROPERTY ADDRESS	107 Doveton Street South, Ballarat Central
APPLICANT	Beveridge Williams & Co Pty Ltd
PROPOSAL	Use and development of a residential hotel and cafe, a restaurant and cafe liquor licence, a reduction of car parking, variation of an easement and alteration of access to a road in a Road Zone, Category 1
ZONE	Commercial 1 Zone (C1Z)
OVERLAY/S	Nil
PERMIT TRIGGERS	Clause 34.01-1 – Use of a Residential Hotel Clause 34.04-4 – Buildings and works Clause 52.02 – Vary an easement Clause 52.06-3 – Reduce car parking requirement Clause 52.27 – Liquor licence Clause 52.29 – Alter access to a Category 1 Road
RESTRICTIVE COVENANTS	Yes, requires that a building or structure on the site may not be erected above RL 453.00 AHD
CURRENT USE/ DEVELOPMENT	Vacant
CULTURAL HERITAGE MANAGEMENT PLAN	Not required as the site is not located in an area of Aboriginal Cultural Sensitivity
SUBMISSIONS	17 objections

Proposal

This is an application to develop a six storey residential hotel building on the site. The building has a maximum height of 20.81 metres (AHD).

The building includes a separate café at ground floor level which is proposed to be licensed via a restaurant and café liquor licence. A maximum of 30 patrons is proposed to be accommodated in the café which is intended to operate between 6am and 10pm.

The café and reception area occupy the bulk of the ground floor of the building, with car parking provided in an open building which is accessed via the laneway located to the north of the site. The building incorporates a glazed frontage to Doveton Street South and accommodates a total of 21 car spaces at ground floor.

The ground level layout of the building can be seen in the image below.



Figure 1 – Ground floor layout. Source: Application documents

The building provides for 93 accommodation rooms, with 18 rooms accommodated at levels 1 and 2, while 19 rooms are provided on levels 4 to 6. A board room is provided on level 1 and a small gym is provided on level 2. The applicant has detailed that a maximum of 186 guests would be accommodated in the building.

The floor plates at the different levels are similar, with access provided via stairs and lifts. No outdoor space is provided for any of the rooms.



Figure 2 – Upper level layout. Source: Application documents

The residential hotel provides for 93 accommodation rooms and is a 24 hour operation. It is proposed that a maximum of 29 employees would work from the site at any one time.

The building is contemporary in design, with a flat roof form and is proposed to be constructed from timber composite cladding, alucobond cladding and applied render finish, with the three dimensional form of the building shown in the renders included below.



Figure 3 – View from Doveton Street. Source: Application documents



Figure 4 – View from Dana Street and Doveton Street South intersection. Source: Application documents



Figure 5 – Oblique view, Doveton Street South. Source: Application documents



Figure 6 – View from Armstrong Street South and Dana Street roundabout. Source: Application documents

In order to facilitate the development, it is proposed to move a Central Highlands Water Easement and its associated pipe to the rear of the site.

The application was supported by a Traffic Impact Assessment and a Waste Management Plan. The Traffic Impact Assessment outlines:

- The design includes a vehicle propping/ passing area at the entrance to the laneway;
- Service vehicles can reverse into the site from Doveton Street South;
- The level of car parking provided on site is adequate, but could be supplemented by a lease arrangement with the Ballarat Central Car Park.

Subject site and locality

The subject site is a regular, rectangular shaped lot which has a total area of approximately 890 square metres and a frontage of 20.57 metres. The site is generally flat and is asphalted and line marked, having previously been used as an at grade car park. Currently, the site is fenced by chain link fencing. A large street tree is located in the road reserve in front of the site, along with linemarked car parking.

The site layout and orientation is provided in Figure 7 below.



Figure 7 – Aerial image. Source: Application documents

It is understood that the site formerly formed part of the adjoining land to the south. This land is developed with a two storey office building used by Telstra. It also includes a telecommunications facility with a number of antennae and dishes, as can be seen in the image below. When the land was subdivided in late 2015, a restriction was applied to the subject land to ensure that the future height of any development on the land would not interfere with the operation of the telecommunications facility.



Photo 1 – Subject site and site to the south. Source: Google Streetview

A laneway is located along the northern boundary of the site, and to the north of the laneway is the Smith and Jennings building which can be seen in the image below.



Photo 2 – Site to the north. Source: Google Streetview

Land located directly opposite the site is associated with the Dana Street Primary School. The school is over 160 years old and it is developed with historic brick and stone buildings, as can be seen in the image below.



Photo 3 – Dana Street Primary School as viewed from Doveton Street South. Source: Google Streetview

The site is located to the south west of Ballarat’s Central Business District and Doveton Street South is an arterial road.

Permit/ site history

There is no permit history relevant to the consideration of this application.

Public notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987* by:

- Sending notices to the owners and occupiers of adjoining land;
- Placing a sign on site.

Submissions

A total of 17 objections have been lodged with Council.

The concerns of objectors are summarised as follows:

- The building design is incompatible through its scale, design and use of materials, with the surrounding heritage context;
- Inadequate car parking is provided;
- Safety issues associated with the reversing of trucks;
- Incompatibility of use with the Primary School located opposite;
- Potential for laneway to be blocked by guests and commercial vehicles, impacting on other users of the laneway;
- Potential impact on existing accommodation uses in Ballarat;
- Overlooking of property located to the rear;
- Unsecured undercroft car parking can attract undesirable uses;
- A financial contribution should be made for the waiving of car parking;
- Bin storage area is open to the laneway;

- Future maintenance issues of the laneway;
- No loading zone provided;
- Impact on antennae associated with a nearby security business, with the new building obstructing radio signals.

The issues raised are addressed in the assessment section of this report. Those issues not addressed in the assessment are responded to as follows:

Incompatible with Primary School use

The site is located within Ballarat's CBD, in its Principal Activity Centre, where a range of uses are encouraged in order to add vitality and provide for the business, service and entertainment needs of the community.

It is assessed that an accommodation use is compatible with the Primary School, provided that car parking and traffic management issues are addressed so as to not risk the safety of those using the school.

It is noted that most schools throughout the state are located in residential settings and have accommodation based neighbours, which can include multi storey buildings.

Potential impact on existing accommodation uses

The Planning Policy Framework encourages tourism and seeks to lengthen the time visitors stay in the region.

It is assessed that providing a range of accommodation options will assist in achieving these aims and it is important to note that a planning assessment does not consider competition issues between businesses.

Financial contribution should be required to waive car parking

In order to claim a financial contribution for the waiving of car parking, Council would need to implement a Parking Overlay within the Planning Scheme. This overlay can specify particular car parking rates for different uses and define a financial contribution; without this Council cannot require a financial contribution.

Impact on security business antennae

It is understood that the obstruction of radio signals is of concern to the security business which operates nearby however, this is not a relevant planning consideration.

It is noted that there are no building height controls in the Planning Scheme on the site, although the restriction which applies to the land restricts the height of any building on the site to RL 453.00 AHD. The development complies with this requirement.

Referrals

The following external referrals were undertaken:

Authority	Advice
Department of Transport	No objection and no conditions
Officer comment	Noted

Authority	Advice
Central Highlands Water	No objection and no conditions
Officer comment	Noted

The following internal referrals have been undertaken:

Department	Advice
Engineering	No response

Department	Advice (summarised)
Traffic and Transport	<p>Access <i>Vehicular access to the 21 ground floor car parks and waste storage bay will be via a 3.3m laneway running along the north side of the site and shared by a number of other properties and ending in a cul de sac. The development will need to establish legal access over the laneway which is shown as a 'road' on Land Victoria documents and a private access on Council's mapping system.</i> <i>VicRoads , as the fronting road authority will need to approve access arrangements for the site. A swept path analysis of service vehicles shows both reversing and forward entry movements. Council supports forward entry and exit for all vehicles and would rely upon VicRoads requirements for any variation for service vehicles. All loading and standing areas are contained within the property itself. A suitable passing area has been established immediately inside the property adjacent to the laneway.</i> <i>The site is within a short walking distance to numerous bus route services with connections to the Ballarat Railway Station. The traffic Consultant has surveyed vehicle and pedestrian traffic along the laneway and hourly vehicle volumes were 9vph (am) and 6vph (pm) and pedestrian volumes were 4 (am) and 7 (pm).</i> <i>Pedestrian access to reception and the café areas are directly off the fronting footpath in Doveton Street.</i></p> <p>Parking <i>The Applicant is seeking dispensation for the notional shortfall in parking proposed.</i> <i>The carpark layout for the 21 spaces, including an accessible space and 2 bicycle parks, generally complies with Clause 52.06-9 Design Standards of the Planning Scheme and relevant Australian Standards. A swept path analysis has been provided in support of the proposal.</i> <i>As a 'motel' classification a total of 97 spaces would normally be required on site. An empirical assessment by the Traffic Consultant of parking demands for similar facilities shows that patrons have much less reliance on motor vehicles. For example, for '3' and '4' star hotels in the Sydney CBD a rate of 0.25spaces per bedroom is recommended by the RTA-2002 Guide. The developer has a similar 60 room venue in Bendigo and experience has shown that the 38 vehicle carpark only fills with over 90% occupancy. Tourism occupancy rates in Ballarat have historically been in the order of 55%. When room occupancy rates are less than 80% daytime parking demands generated by the proposed development between 9.30am and 5.30pm are estimated to be less than the 21 spaces available. An inventory of on street parking spaces within 300m of the site shows that 250 spaces are available. Parking surveys show a</i></p>

	<p><i>higher demand for these sites during normal business hours but low demand outside these. Parking demand generated by the proposal is expected to be overnight rather than during daylight hours.</i></p> <p><i>The Central Square multi-level carpark is also a short walking distance from the site and arrangements have been secured with the operator for patron access as necessary in high demand periods.</i></p> <p><i>Recommendations</i></p> <ul style="list-style-type: none"> <i>• That the proposal to develop a multi-storey residential hotel at 107 Doveton Street South, Ballarat Central is supported in principle.</i> <i>• That the proposed parking for 21 vehicles and 2 bicycles is set out and delineated to Council approval in conformance with the approved plans and Clause 52.06-9 Design Standards and that dispensation is offered for the notional shortfall.</i> <i>• No loading or unloading is permitted off the site in any street or shared accessway unless from a designated loading zone.</i> <i>• That legal access is secured over the adjacent laneway.</i> <i>• A separate vehicle crossing permit application is made to Council for the required vehicle crossing and reinstatements in Doveton Street. All works required shall be arranged by and be at the cost of the Applicant.</i> <i>• That all vehicles, including service vehicles, enter and exit the site in a forward direction unless approved otherwise by VicRoads.</i> <i>• 7 That waste is managed to council approval in accordance with the Waste Management Plan developed for the complex.</i>
Officer comment	Noted, a ground of refusal relates to the reversing movements required for service vehicles

Department	Advice
Environmental Health	No response

Department	Advice
Strategic Planning	A range of viewing locations to the city skyline have been identified, some of which will be classified as strategic viewpoints, such as the approach from Bakery Hill and along Lydiard and Sturt Streets. However, unlike other central areas of the CBD the location on Doveton below Dana is less sensitive

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any general or material conflict of interest.

Planning Policy Framework

The following policies are relevant to the consideration of this application:

- 71.02-3 – Integrated decision making
- 11.01-1S– Settlement
- 11.01-1R – Settlement – Central Highlands

- 11.03-1S – Activity centres
- 15.01-1S – Urban design
- 15.01-2S – Building design
- 15.01-5S – Neighbourhood character
- 17.01-1S – Diversified economy
- 17.01-1R – Diversified economy – Central Highlands
- 17.02-1S – Business
- 17.04-1S – Facilitating tourism
- 18.02-4S – Car parking
- 21.01-4 – Key issues – Municipal overview
- 21.06-1 – Urban design
- 21.06-3 – Neighbourhood character
- 21.07-1 – Economic growth
- 21.07-3 – Activity centres
- 21.07-5 – Tourism

Zoning

The site is located in the Commercial 1 Zone (C1Z), the purposes of which include:

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

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre

Overlays

No overlays apply to the land

Relevant Particular Provisions

Clause 52.02 – Easements, restrictions and reserves

Purpose

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Clause 52.06 – Car parking

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities. To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to Table 1, car parking is required at a rate of:

Food and drink premises (café) – 3.5 spaces for each 100 square metres of floor area. No car parking is provided for the café use.

Residential hotel – not specified; car parking must be provided to the satisfaction of Council. The design provides for 21 on site car parking spaces for the residential hotel use.

52.27 – Licensed premises

Purpose

To ensure that licensed premises are situated in appropriate locations.

To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

52.29 – Land adjacent to a Road Zone, Category 1

Purpose

To ensure appropriate access to identified roads.

53.18 – Stormwater management in urban developments

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Relevant Planning Scheme Amendments

There are no amendments relevant to the consideration of this application.

It is noted that Council is currently exhibiting a draft Urban Design Framework and a Skyline and Views Study for the Ballarat CBD; but these projects are in the initiating phases and have not proceeded to a formal planning scheme amendment. As such, these documents are not considered to be seriously entertained planning documents.

Regardless, it is noted that the subject site is not identified as a ‘designated view’, ‘other assessed view’ or a ‘panoramic view’ location.

KEY MATTERS

There is significant policy support within the planning scheme for commercial developments which provide employment, diversify the economy and facilitate tourism.

Council's tourism strategies are focused on *increasing the number of visitors and in particular the number of overnight stays* and it is important to have accommodation options available to provide for overnight stays. The application is consistent with these parts of the planning policy framework.

However, it must be acknowledged that the planning policy framework is multifaceted and can include competing objectives which are required to be balanced in favour of net community benefit. The key areas of concern for this application are:

- Building design and site layout;
- Car parking; and
- Service vehicle access.

Building design and site layout

The site is located in the Commercial 1 Zone which seeks to achieve vibrant commercial areas. While there are no maximum height requirements specified in the zone, Council is required to consider the streetscape, active street frontages, landscaping and pedestrian movements along with ensuring an appropriate response to planning policy. Within Clause 21.02, the site is located within an Urban Renewal Precinct which is noted by the Planning Scheme as an area *with significant potential for large-scale renewal and redevelopment*.

The subject site is not subject to any heritage controls, and unlike land to the south of the site, adjoining land to the north, east and west of the site is subject to heritage controls which will likely temper the ability for redevelopment of many sites and may restrict the height of new buildings and additions. The heritage overlay context in which the site sits can be seen in the image below.

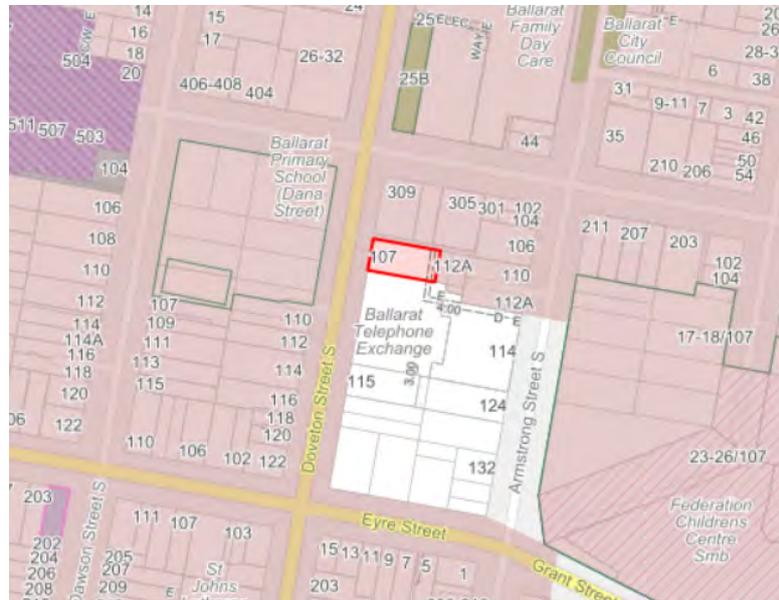


Figure 8 – Heritage overlay (shown shaded). Source: Council's mapping system

The need for development to be responsive to its site context and to contribute to local character and a sense of place is recognised in Clause 15.01-1S – Urban design and Clause 15.01-2S – Building design which emphasises the need for developments to *respond and contribute to the strategic and cultural context of its location*. Clause 15.01-2S directs consideration to be given to Urban Design Guidelines for Victoria which promotes safe and vibrant urban environments.

Given the height of the development, which is significantly higher than the predominant scale of surrounding development, independent urban design advice was sought. The advice detailed that:

- The six storey height of development could be appropriate;
- The street wall height should be reduced to four storeys, with the upper levels of the building setback at least 3 metres and treated as a pair to distinguish these levels from the street wall levels;
- The building should be setback from the northern property boundary (3 metres), for those levels above Level 2, and from the southern title boundary (3 metres) to provide for equitable development opportunities;
- The car waiting area should be removed and replaced with building which would enable activation of the full length of the street frontage;
- The open ground floor car parking area could be an unsafe space and should be secured in some way;
- An awning should be introduced to the street frontage for weather protection.

In addition, the draft Urban Design Framework for the Ballarat CBD, notes that many of the buildings in the CBD include highly articulated facades and it is the quality of the façade design, as much as its height, that is critical in ensuring that new development is effectively 'stitched in' to the existing context.

It is assessed that if a six storey building is to be approved on the site, the quality of building design, including its articulation and material selection is critical to ensuring that the building

makes a positive contribution to the urban fabric of the CBD, assisting in creating quality streetscapes and responding to the character of the area. It is recommended that the application is refused as it does not provide an appropriate response to the character of the area in relation to height, bulk, articulation and material selection.

The concept of equitable development, the sharing of development opportunities between sites, has increasingly been an issue raised by the Victorian Civil and Administrative Tribunal (VCAT). In future within the CBD, it may be more common for accommodation and residential uses to be established above the ground level of buildings. VCAT have noted that in the context of a planning permit applications equitable development means that one development should not unreasonably impact on the expectations and amenity of another site; this is of particular importance around light courts for windows, ventilation, sunlight access, outlook and privacy.

The ability for equitable development opportunities to be undertaken is encapsulated in Clause 65 and also in Clause 71.02-3, which includes the principle of net community benefit. Limiting development opportunities on adjoining sites can impact on the vitality of the area and would not be an orderly planning outcome.

Service vehicle access

The site is constrained, as it is quite narrow, such that it does not allow for effective ramping within car parking areas to be achieved and because of the design solution proposed, imposes constraints around access for service vehicles.

The application relies on vehicle access from the laneway to the north of the site, which Council’s Property Department has confirmed is freehold land with a legal status of a road. While the land is owned by Council, the laneway is not included on Council’s road register and therefore Council does not maintain the road.

In order for service vehicles to be able to access the site, a Traffic Impact Assessment submitted with the application details that these vehicles can prop in Doveton Street South and reverse into the site. This is shown in the images below. This arrangement has been supported by the Department of Transport, but not by Council’s Traffic Engineers.

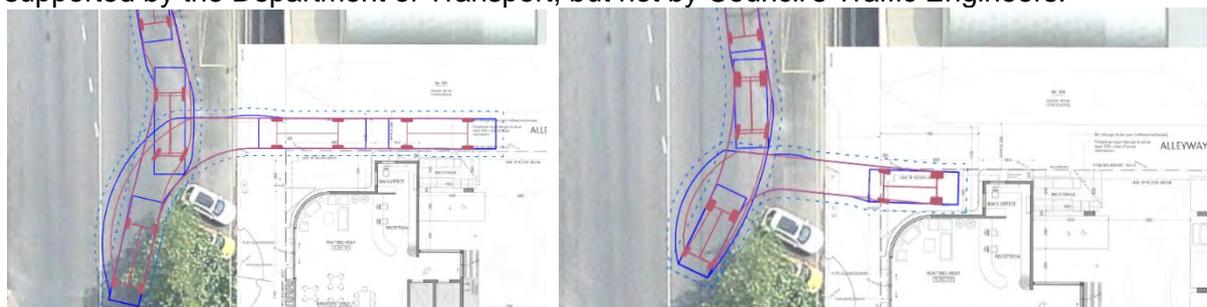


Figure 9 – Reversing movements. Source: Application documents

Council’s Traffic Engineers have advised that vehicles should be able to enter and exit the site in a forward motion. Given that the reversing manoeuvres will cross a busy footpath and will be undertaken opposite a Primary School it is considered that the site redevelopment should be designed to avoid the need for reversing movements. While there are situations in Ballarat’s CBD where service vehicles are required to reverse into buildings and laneways in order to gain access, it is submitted that a new development should avoid this outcome.

The above diagrams also show that the area adjacent to the waiting area could be used for vehicles to prop, to allow for passing if required. It is noted that the laneway provides vehicle access to a number of properties, but it is not clear that this vehicle propping area could be made available to all laneway users as there is no intention within the application documents

to provide an easement over this land, or to convert it to road. This issue requires further consideration.

Car parking

The application seeks approval for a substantial waiving of car parking. As noted earlier in this report, the food and drink premises (café) has a requirement for 3.5 spaces for each 100 square metres of floor area, while no car parking rate is specified for the residential hotel use. Car parking for the residential hotel must be provided to the satisfaction of Council.

The Planning Scheme allows for Council to approve a waiving of car parking and provides the opportunity for car parking to be determined based on an empirical assessment, which allows an understanding of how similar uses operate and their car parking demands.

The Traffic Impact Assessment report submitted with the application details that a motel use, which is similar to the residential hotel use, would require 97 spaces to be provided onsite, with additional car parking required for the café. The report details that a similar hotel operation in Bendigo provides 60 apartments and 38 car parking spaces, with the car park being full only when room occupancy levels are above 90 percent.

The Traffic Engineer concludes that the use will generate a need for 82 car parking spaces in peak times (11 pm until 6 am), with some of the parking demand able to be met by street parking. It is identified that on street parking is under-utilised during these times.

It is noted that VCAT have developed principles highlighting the need for a centre based approach to car parking in activity centres, which in essence acknowledges that car parking considerations are a relevant consideration but not be determinative.

It is important the activation and vitality are achieved in Ballarat's Principal Activity Centre. In this case it is impractical to provide all of the required car parking within the site and inequitable to require this when other sites within the CBD rely on a centre based car parking provision, but a balance needs to be struck. Some objectors have noted that waiving car parking can result in more pressure on parking in residential areas, but it is submitted that it is not uncommon and not unreasonable for residential areas proximate to Activity Centres to have a higher demand for on street parking spaces.

The applicant has outlined the potential is available to enter into a lease agreement with Ballarat Central Car Park for additional spaces. It is considered that if the application is supported a requirement for a lease should be imposed, as the Traffic Impact Assessment submitted with the application was prepared in 2018 and it details average room occupancy rates being at 54%. Given that Council is focused on improving the length of stay of visitors, it is assessed that parking should be provided at a higher rate to provide for growth.

In the event that the Planning Delegated Committee supports the application, it is recommended that a condition is included to require a lease to provide for additional car parking for the hotel. A Section 173 Agreement and car parking management plan would ensure the ongoing nature of the lease and would allow the accommodation operator to manage guests who have vehicles, directing them to an appropriate parking locations whether on site or at the Ballarat Central Car Park.

Liquor licence

Concerns have been expressed about the liquor licence element of the proposal. The application seeks approval for a restaurant and café licence which will be used in conjunction with the café proposed on the site. As the predominant activity for this use will be the serving of alcohol associated with the serving of meals, it is considered that the liquor licence is appropriate on this site which is zoned Commercial 1 Zone and located within the CBD.

Easement

Central Highlands Water have not raised a concern about the variation proposed to its easement. Given this and given that the relocated easement will continue to encumber the site, it is assessed that the application is consistent with Clause 52.02 – Easements, restrictions and reserves.

Conclusion

While there is significant policy support for the redevelopment of the site with a building providing for accommodation and a food and drink premises, it is assessed that the building which is proposed has not been designed to respond to the context of the site. A more sensitive building design which draws from the materials, height and bulk of other development in the area is required.

The redevelopment of the site presents an opportunity to provide for a high-quality streetscape outcome in this precinct which in the pocket on the south of the site has significant potential for further development. It is submitted that any redevelopment of the site must provide for a safe pedestrian environment and provide for the activation of the streetscape at the pedestrian level and above. The building partially provides for an active street frontage at ground level, which is diminished by the ‘vehicle propping area’ and it provides for an open car parking area at the rear which could significantly reduce the safety of the area, including for users of the laneway located to the north of the site.

There is a need for a development of the scale proposed to consider the opportunities for the equitable development of adjoining sites and this will assist in ensuring the vibrancy of the CBD where a range of uses can be accommodated. Given the potential for redevelopment in this pocket, it is considered that it should not be a case of ‘first in best dressed’, but that surrounding properties should also have the opportunity to be developed to their highest and best potential at a future date.

It is accepted that there is a need for some car parking to be waived on the site in order to provide for a viable and vital development on this narrow site. However, it is assessed that there is a need for additional car parking to be available for the use and this could be obtained by lease arrangement with the Ballarat Central Car Park. A determinative figure for the level of leased car parking required could be arrived at with an updated Traffic Impact Assessment which should also factor in Council’s desire to increase the length of stay for visitors, and therefore the occupancy rate for short stay accommodation.

In light of the above, it is recommended that the application is refused.

OFFICER RECOMMENDATION

That the Planning Delegated Committee:

Having caused notice of Planning Permit Application PLP/2020/262 to be given under Section 52 of the *Planning and Environment Act 1987*; and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse to Grant a Permit under the Ballarat Planning Scheme in respect of the land known and described as 107 Doveton Street South, Ballarat Central for the use and development of a residential hotel and cafe, a restaurant and cafe liquor licence, a reduction of car parking, variation of an easement and alteration of access to a road in a Road Zone, Category 1 on the following grounds:

- 1. The built form outcome is not responsive to the commercial character of the area by way of its detailed design, street activation, articulation and material selection**

and it creates an unsafe space in the unenclosed car parking area inconsistent with Clauses 15.01-1S – Urban design, and 15.02-1S – Building design.

- 2. The building is not designed to provide for the equitable development of adjoining sites which could negatively impact on the vitality of the area and which does not provide for an orderly planning outcome.**
- 3. The development does not appropriately provide for service vehicle access as it includes a requirement for trucks to reverse into the laneway for loading and unloading, potentially compromising pedestrian safety. The redevelopment of the site should provide for appropriate and safe loading arrangements.**

ATTACHMENTS

1. Governance Review [6.1.1 - 2 pages]
2. PL P 2020262 - 107 Doveton Stree LARAT CENTRAL - Traffic Report [6.1.2 - 6 pages]
3. PL P 2020262 - 107 Doveton Stree_ - Three Dimensional Modelling [6.1.3 - 6 pages]
4. PL P 2020262 - 107 Doveton Stree ARAT CENTRAL - Planning Report [6.1.4 - 24 pages]
5. PL P 2020262 - 107 Doveton Stree RAL - Amended Application Form [6.1.5 - 3 pages]
6. PL P 2020262 107 Doveton Street _tral Traffic Impact Assessment [6.1.6 - 24 pages]
7. PL P 2020262 107 Doveton Street South Ballarat Central Plans [6.1.7 - 12 pages]

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. As detailed, it is assessed that the application is not consistent with the planning policy framework.

COMMUNITY IMPACT

2. Public notification of the application has been undertaken and the details of objections are detailed in the report.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. There are no climate emergency and environmental sustainability implications identified for this application.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. There are no economic sustainability implications for this application, although it is noted that approval of the application would contribute to the diversity of the economy and availability of short term accommodation.

FINANCIAL IMPLICATIONS

5. There are no financial implications for Council.

LEGAL AND RISK CONSIDERATIONS

6. The Ballarat Planning Scheme and the *Planning and Environment Act 1987* are relevant to this application.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. Submitters to the application will be notified in writing of Council's decision.

GENDER EQUALITY ACT 2020

9. There are no gender equality implications identified for the subject of this report

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

10. Council Officers affirm that no material or general interests need to be declared in relation to the matter of this report.



ESR Transport Planning Pty Ltd ABN 86 128 037 429
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20 July 2020

**PROPOSED RESIDENTIAL HOTEL DEVELOPMENT
107 DOVETON STREET SOUTH, BALLARAT CENTRAL
SWEEP PATH ANALYSIS**

A planning permit is being sought for a residential hotel development at 107 Doveton Street South, Ballarat Central. ESR Transport Planning prepared a Transport Impact Assessment Report (TIAR) dated 18/10/18 in relation to the proposal. The City of Ballarat has requested additional swept path analysis in a letter dated 15/05/20, and this document provides the requested swept paths undertaken using design vehicles from Australian Standard for Parking Facilities (AS2890).

See attached swept path diagrams as follows:

- Access options for waste collection and service vehicles.
- Vehicles passing in opposite directions at the laneway entrance.
- Car access to / from parking spaces 13-16. Note access to / from parking spaces 1-3 will be in the same manner given spaces 13-16 share the same layout and dimensions.

Please note that details and assessments of matters including waste and service vehicle access, together with carpark design are set out within the TIAR.

The attached swept path analysis confirms the following:

- A range of suitable options are available for waste and service vehicles to access the site.
- The proposed passing area will ensure vehicles can pass in opposite directions at the laneway entrance. This represents a significant improvement compared to existing arrangements.
- The proposed carpark has minimum dimensions in accordance with the Planning Scheme. Accordingly, it could be expected to accommodate car access satisfactorily. It is noted that although spaces 1-3 and 13-16 may be less conveniently accessed compared to other spaces given their proximity to a 90 degree turn into parking aisle, similar carpark layouts are very common and typically accepted.

Yours sincerely,
ESR Transport Planning

A handwritten signature in black ink, appearing to read 'Drew Matthews', written over a white background.

Drew Matthews
Director

encl.

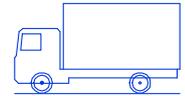
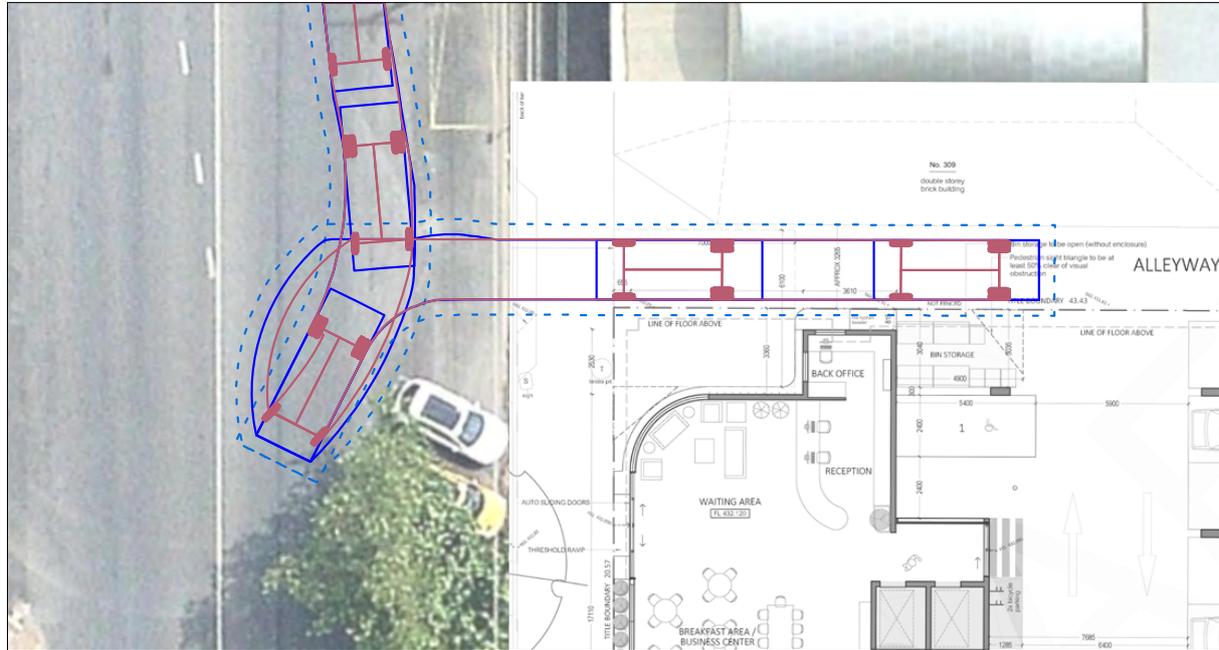
20 JULY 2020

107 DOVETON STREET SOUTH, BALLARAT CENTRAL
SWEEP PATH DIAGRAMS



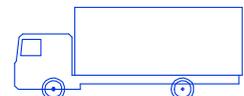
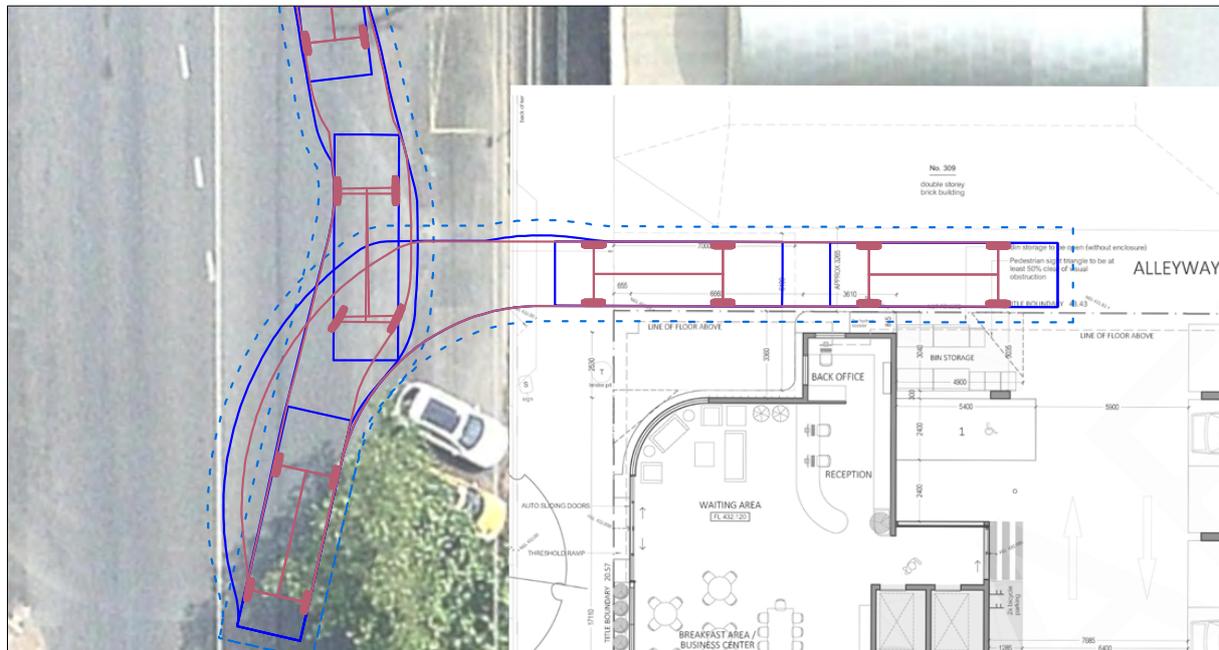
SCALE: 1:250 (A4)

SMALL TRUCK REVERSE INTO LANE



SMALL RIGID DESIGN VEHICLE (AS2890.2)
L=6.4m, R=7.1m, clearance=0.6m

MEDIUM TRUCK REVERSE INTO LANE



MEDIUM RIGID DESIGN VEHICLE (AS2890.2)
L=8.8m, R=10m, clearance=0.6m

NOTES:
1. BASE PLAN: LEVEL 1 FLOOR PLAN, PREPARED BY APT ARCHITECTURE, DATED 06/12/18.
2. AERIAL BASE: NEARMAP AERIAL IMAGE, 30/11/17.

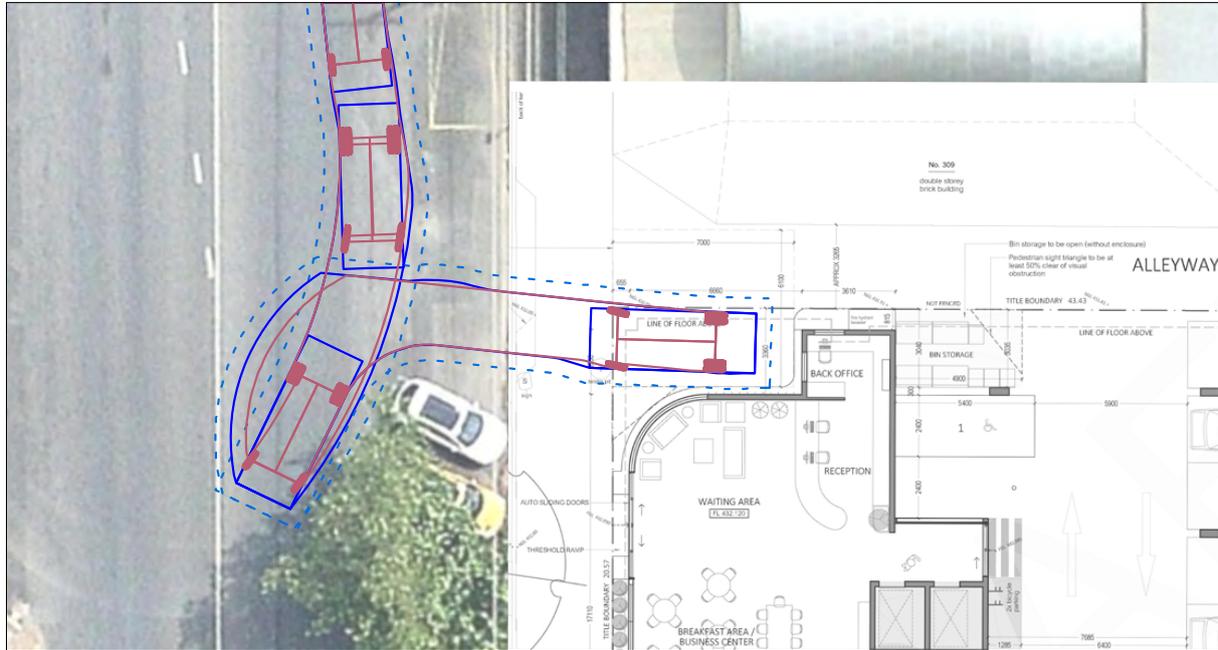
20 JULY 2020

107 DOVETON STREET SOUTH, BALLARAT CENTRAL
SWEEP PATH DIAGRAMS

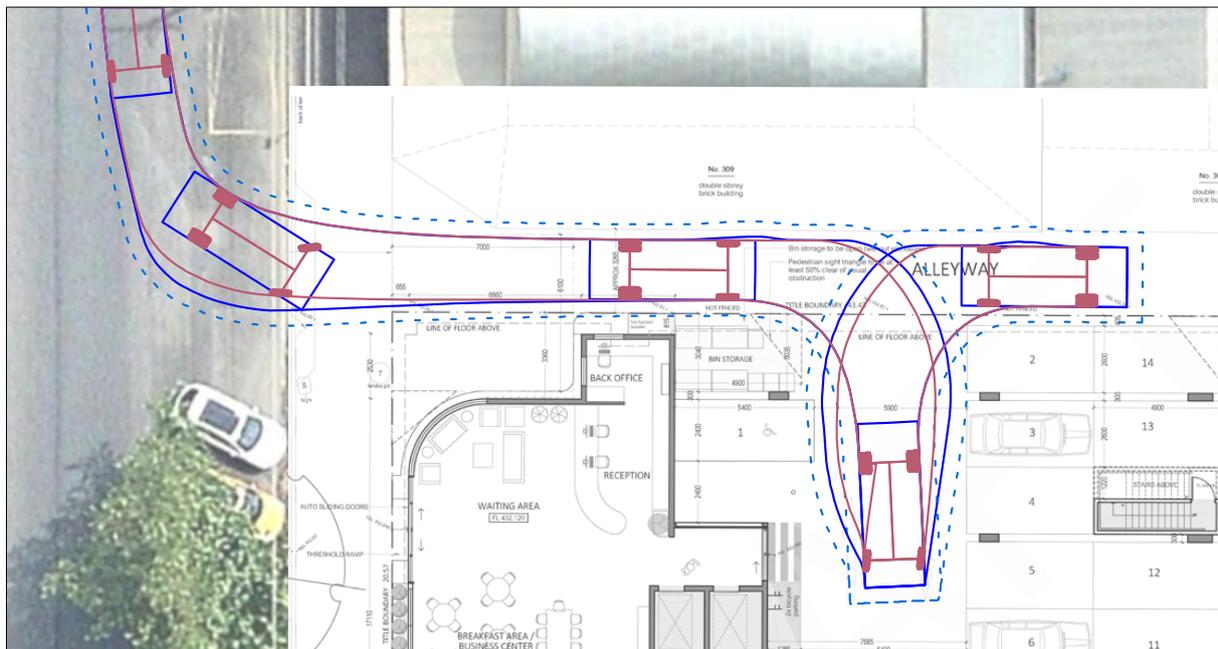


SCALE: 1:250 (A4)

SMALL TRUCK REVERSE INTO PASSING AREA

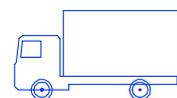


SMALL TRUCK TURN-AROUND IN AISLE



NOTE THE ABOVE OPTIONS ARE DEPENDANT ON VEHICLES BEING ABLE TO OPERATE WITHIN AVAILABLE HEIGHT CLEARANCES.

- NOTES:
1. BASE PLAN: LEVEL 1 FLOOR PLAN, PREPARED BY APT ARCHITECTURE, DATED 06/12/18.
2. AERIAL BASE: NEARMAP AERIAL IMAGE, 30/11/17.



SMALL RIGID DESIGN VEHICLE (AS2890.2)
L=6.4m, R=7.1m, clearance=0.6m

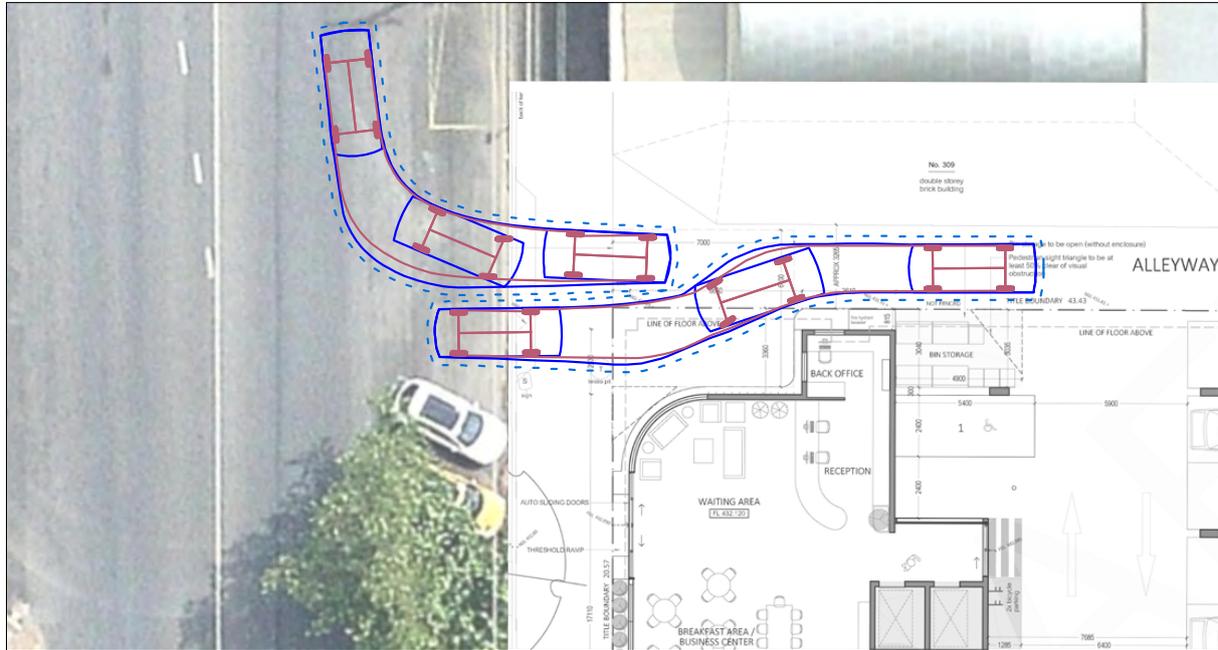
20 JULY 2020

107 DOVETON STREET SOUTH, BALLARAT CENTRAL
 SWEEP PATH DIAGRAMS



SCALE: 1:250 (A4)

CARS PASSING AT ENTRANCE TO LANE



NOTES:
 1. BASE PLAN: LEVEL 1 FLOOR PLAN, PREPARED BY APT ARCHITECTURE, DATED 06/12/18.
 2. AERIAL BASE: NEARMAP AERIAL IMAGE, 30/11/17.


 B85 DESIGN VEHICLE (AS2890.1)
 L=4.91m, R=5.75m, clearance=0.3m

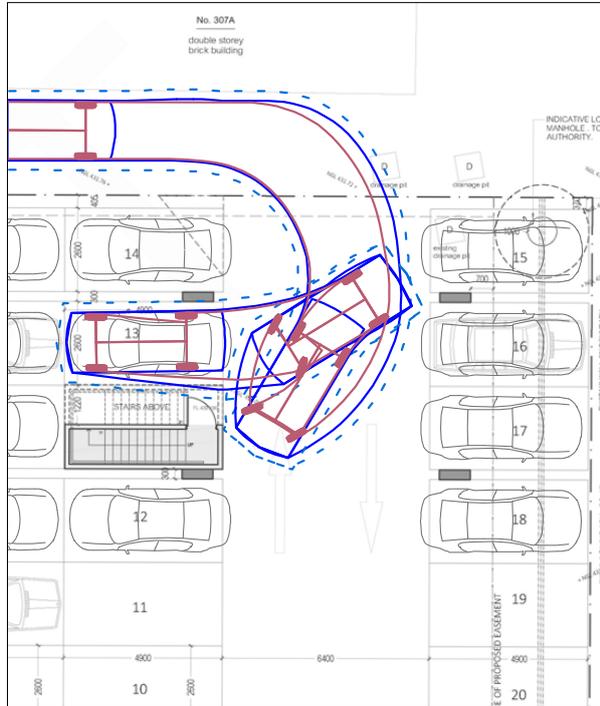
20 JULY 2020

107 DOVETON STREET SOUTH, BALLARAT CENTRAL
SWEEP PATH DIAGRAMS

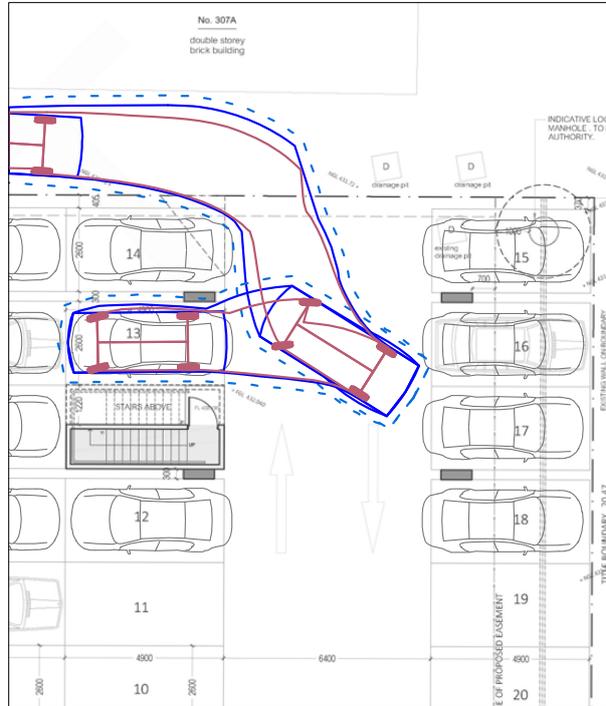


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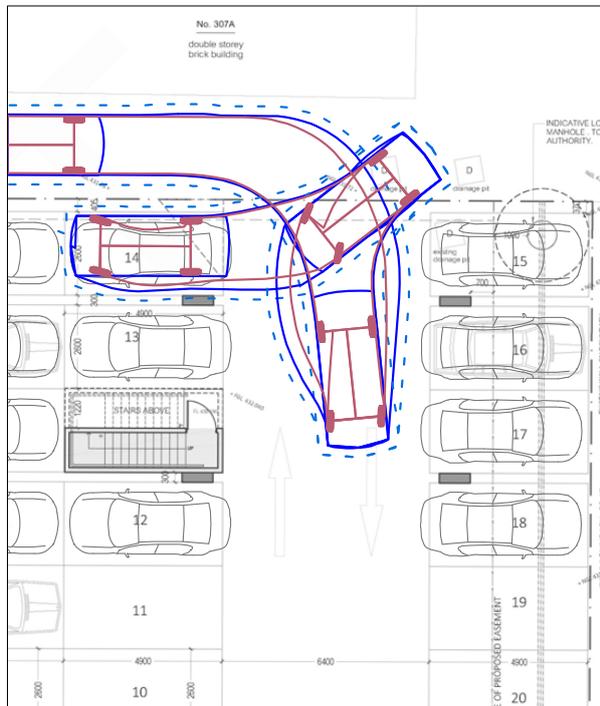
SPACE 13 ENTRY



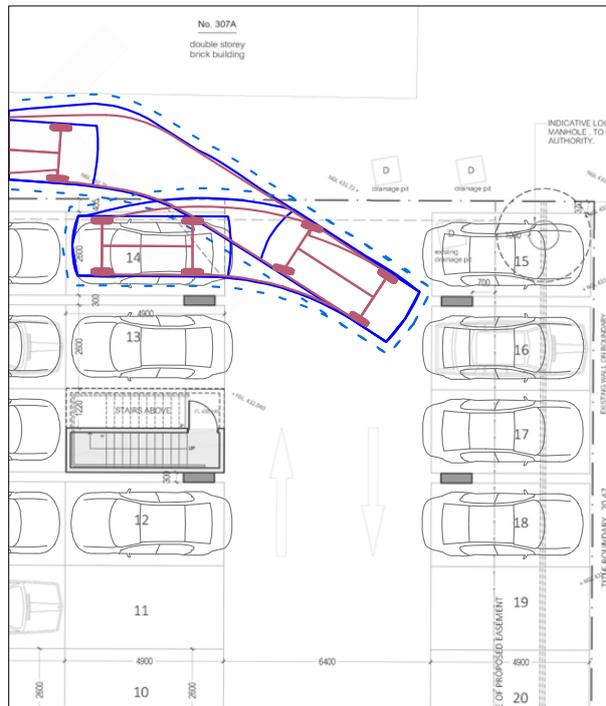
SPACE 13 EXIT



SPACE 14 ENTRY



SPACE 14 EXIT



NOTES:
1. BASE PLAN: LEVEL 1 FLOOR PLAN, PREPARED BY APT ARCHITECTURE, DATED 06/12/18.



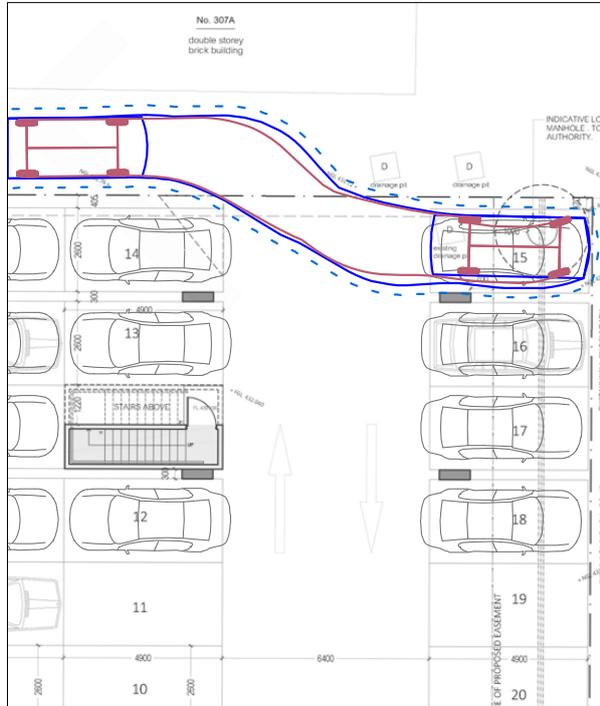
20 JULY 2020

107 DOVETON STREET SOUTH, BALLARAT CENTRAL
SWEEP PATH DIAGRAMS

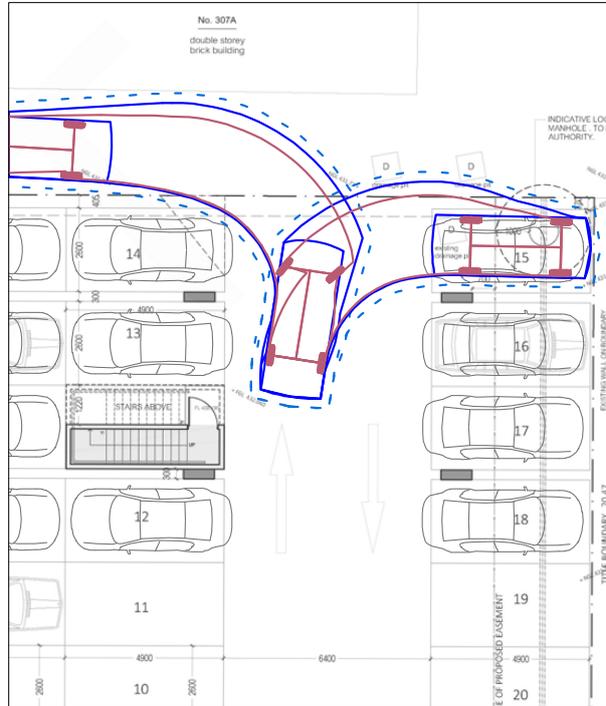


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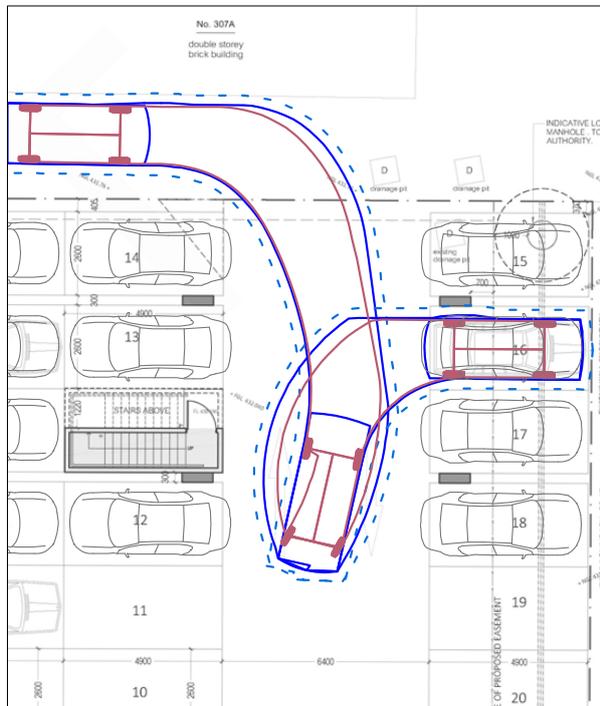
SPACE 15 ENTRY



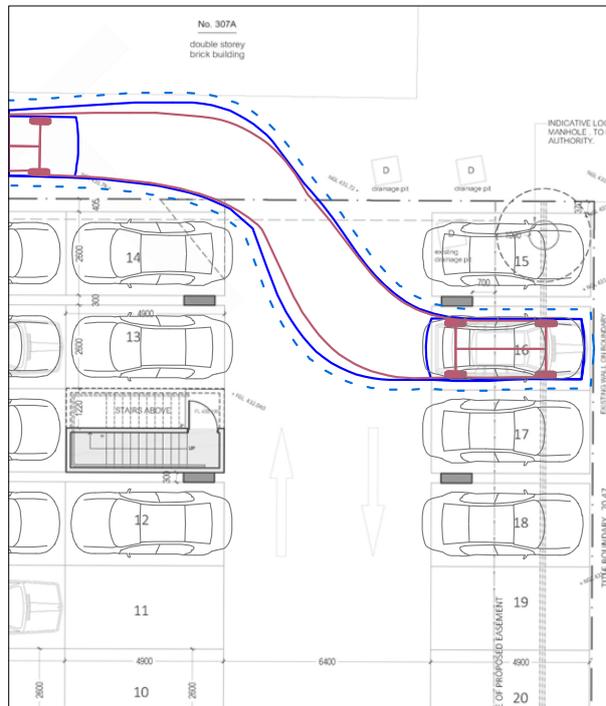
SPACE 15 EXIT



SPACE 16 ENTRY



SPACE 16 EXIT



NOTES:
1. BASE PLAN: LEVEL 1 FLOOR PLAN, PREPARED BY APT ARCHITECTURE, DATED 06/12/18.















Planning Report

107 Doveton St, South

Client

Ballarat Investments Group Pty Ltd

Issued

26/08/2020



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 Issued: 26/08/2020
 Version: A
 Prepared by: Timothy Stevens
 Project Manager: Timothy Stevens
 Project Number: 2000482

Surveying
 Asset Recording
 Civil Engineering
 Infrastructure Engineering
 Traffic & Transport Engineering
 Environmental Consulting
 Water Resource Engineering
 Strata Certification (NSW)
 Town Planning
 Urban Design
 Landscape Architecture
 Project Management

Revision Table

REV	DESCRIPTION	DATE	AUTHORISED

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APPENDIX D: SWEEP PATH DIAGRAMS
APPENDIX E: WASTE MANAGEMENT PLAN
APPENDIX F: DRAFT LEASE FOR OFF-SITE CAR PARKING SPACES
APPENDIX G: 3D DIMENSIONAL RENDERS
APPENDIX H: PLAN OF EXISTING CONDITIONS REF: 1101323

1 INTRODUCTION

Beveridge Williams & Co. Pty Ltd has been engaged by Ballarat Investments Group Pty Ltd to prepare an application for a planning permit at 107 Doveton Street South, Ballarat Central.

1.1. Subject Land

The subject land is legally described as Lot 2 on Plan of Subdivision 728979L, which is contained in Certificate of Title Volume 11610 Folio 100.

The land has a width of 20.57 metres and depth of 43.43 metres, measuring 890m² in area.

The subject land is currently fully sealed with asphalt and was a former car park that is fenced off from access.



Figure 1: Aerial Image of Subject Land, Source: Nearmap, 22 January 2020.

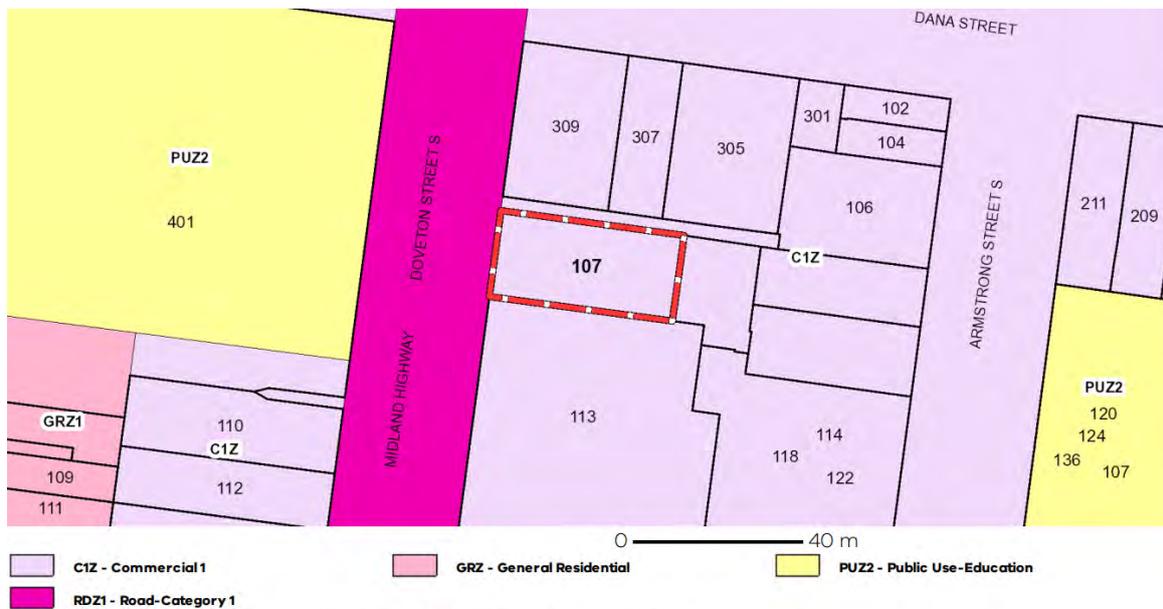
1.2. Surrounds

Submitted with this report are drawings prepared by APT Architecture Pty Ltd dated 6.12.2018, which provide a description of the site in context to the surrounding neighbourhood. Please refer to Sheet Numbers TP01 and TP02 for further details.

1.3. Zones and Overlays

The subject land is contained within the Commercial 1 Zone and is not covered by any Overlays of the Ballarat Planning Scheme.

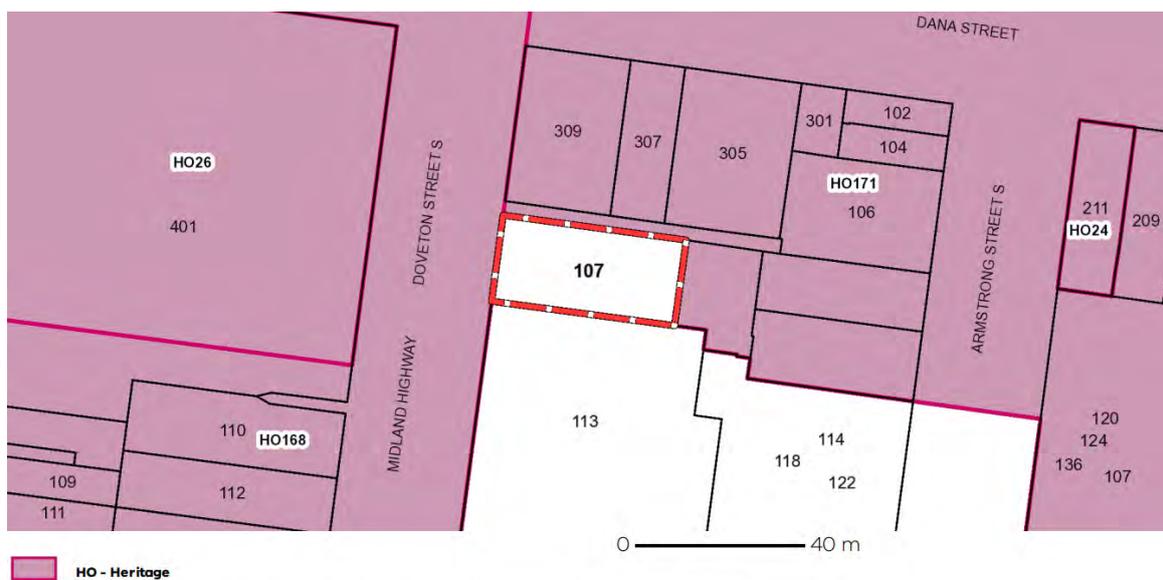
The subject land has abuttal to a Road Zone 1.



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

Figure 2: Subject Land Zone, Source: DELWP Mapping, 26 August 2020.

The subject land is not directly covered by any Overlays but has abuttal to a number of Heritage Overlays as shown below.



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

Figure 3: Subject Land Overlays, Source: DELWP Mapping, 26 August 2020.

2 PROPOSAL

This application seeks a planning permit for:

- development of a residential hotel,
- alteration of access to a road in a road zone – Category 1,
- sale and consumption of liquor on the premises,
- variation to an easement, and
- a reduction in the required number of parking spaces.

Hours of Operation

- Residential Hotel - 24 Hours, 7 Days.
- Café – Monday to Sunday, 6am to 10pm.

Max. No. of Staff

- Restaurant/Café – 7, Front Office, 7, Housekeeping 15 = Total max. of twenty nine (29) at any one time.

Max. No. of Seated Patrons in Café

- No more than thirty (30) at any one time.

Max. No. Hotel Guests

- No more than one hundred and eighty six (186) at any one time.

Table 1: Planning Scheme Permit Triggers

ACTIVITY	CATEGORY	CLAUSE
development of a residential hotel	<ul style="list-style-type: none"> • Buildings and works 	<ul style="list-style-type: none"> • 34.01-4
variation to an easement	<ul style="list-style-type: none"> • Create, vary or remove an easement under the <i>Subdivision Act 1988</i> 	<ul style="list-style-type: none"> • 52.02
reduction in the required number of parking spaces	<ul style="list-style-type: none"> • Reduce the number of parking spaces 	<ul style="list-style-type: none"> • 52.06-3
sale and consumption of liquor on the premises	<ul style="list-style-type: none"> • use land to sell or consume liquor 	<ul style="list-style-type: none"> • 52.27
alteration of access to a road in a Road Zone – Category 1	<ul style="list-style-type: none"> • Create or alter access 	<ul style="list-style-type: none"> • 52.29

The proposed building has the following key points:

- 6 Storeys – 20.81metre maximum height – Natural Ground Level 432.09 to AHD and Top of Roof 452.9 to AHD
- 93 Keys/Hotel Rooms
- 737.7m² building footprint
- 604.6m² on ground level for parking + bin and equipment storage
- 82.9% site coverage

Please refer to the supplied Development Plans for further details.

3 RESPONSE TO PLANNING SCHEME PROVISIONS

3.1. Commercial 1 Zone (C1Z) – Clause 34.01

3.1.1. Use of land – no permit required as per Clause 34.01-1

The proposed use of land for a Residential Hotel is nested under Accommodation in the Planning Scheme. The C1Z states that a permit is not required for Accommodation if the following condition is met:

- Any frontage at ground floor level must not exceed 2 metres.

This condition is there to provide for the following objectives and create active frontages on the ground level that provide for interaction with pedestrians and passing traffic in the commercial centre of Ballarat.

The objectives of the C1Z are to:

- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

On the ground level, the building is to contain an independently operated Retail Premises (Food and Drink Premises/Café), which is an 'as of right' land use in the C1Z. It also contains an Office, which is also an 'as of right' use in the C1Z.

The Retail Premises and Office (containing a waiting area and reception desk) occupies the entire frontage on the ground level. These activities on the ground level engage with the public realm and provide activation of the commercial frontage, contributing to a vibrant retail, office and business precinct in Ballarat.

All Accommodation is located on the levels above. There is no Accommodation that has any frontage at ground level. For these reasons, a permit is not required for Accommodation in the C1Z.

3.1.2. Buildings and works – permit required as per Clause 34.01-4

The construction of the building and associated construction works requires a permit. The application requirements contained in Clause 34.01-6 have been provided with this report in the Development Plans submitted.

The **Decision Guidelines** contained in Clause 34.01-8 state that the following must be considered as appropriate:

Responses have been provided in italics.

- **The Municipal Planning Strategy and the Planning Policy Framework.**
The proposed uses of land in the C1Z are consistent with the MPS and PPF for Ballarat Central as a commercial centre.
- **The interface with adjoining zones, especially the relationship with residential areas.**
No adjoining zones other than the Road Zone – Category 1 apply.
- **The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.**
The application has been submitted with a Traffic Impact Assessment Report from ESR dated 18.10.2018 and additional swept path diagrams by ESR dated 20.07.2020.

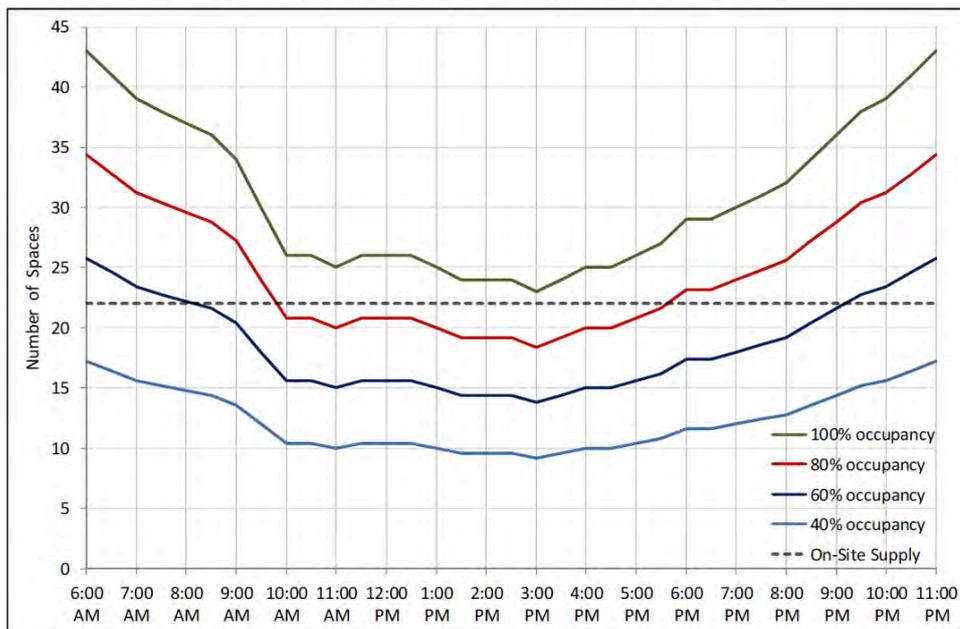
A Waste Management Plan from LID dated 09.01.2019 has also been submitted.

These reports all demonstrate that vehicle movements for all required services and access to car parking areas comply with the Planning Scheme.

- **The provision of car parking.**

The application has been submitted with a Car Parking Demand Assessment from ESR dated 18.10.2018 Section 4.2 of the report concludes that when room occupancy is 80% or below, daytime parking demands will be less than the 21 spaces provided on the subject land as indicated in the following extracted figure from that report shown below.

Figure 5.1 Empirical Estimate of Development Car Parking Demands by Time of Day



Time of day profile source: ITE 2010.

Figure 4: Car Parking Demand by Time of Day, Source: ESR Report, p.12 dated 18.10.2018.

In addition, Section 4.4 of the ESR report concludes:

- In a convenient walking distance from the site, there is ~250 on-street car parking spaces. Parking surveys indicate that the vast majority of these spaces are vacant during evenings. Even during the peak weekday daytime, nearby parking experiences relatively moderate parking occupancy rates of ~73% compared with other CBD areas.
- The demand for nearby on-street parking follows a time of day profile that is opposite to the profile of parking demands generated by the proposed accommodation land use.
- Therefore, the proposed use is well placed to make use of the available resource of nearby onstreet parking without creating a significant impact to the availability of this resource when it is required most. Furthermore, most of the convenient parking surveyed is not within residential areas, negating concerns regarding residential amenity impacts.
- Although not considered necessary, it is also noted that the commercially operated Central Square Car Park could potentially provide car space leasing opportunities for the proposed accommodation operator.

A copy of the DRAFT lease dated 21.11.2019 between the parties has been provided and can be executed if required by Conditions on a Planning Permit.

- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.

The streetscape

The existing/proposed streetscape is shown on drawings and photographs on Sheet Number TP02 & TP08.

A number of elements contribute to the appearance of the streetscape as follows:

A Telstra Tower of approximately 48m in height. – See Plan of Existing Conditions Survey – Ref: 1101323



Figure 5: Existing Streetscape View – Photograph, Source: Beveridge Williams & Co. Pty Ltd



Figure 6: Proposed Streetscape View - Photomontage, Source: 3D Realism

The eastern side of Doveton Street South between Dana Street and Eyre Street contains the following building types and land uses over a length of approximately 200 metres.

- 40m frontage of Single Storey Office (Smith & Jennings Specialist Business Advisors/Certified Practising Accountants) – 309 Dana Street
- 25m frontage of Ground Level open car park (associated with Telstra Business Centre) – 113 Doveton Street South
- 30m frontage of Two-Storey Office (Telstra Business Centre) – 113 Doveton Street South
- 20m frontage of Single Storey former dwelling converted to a shop (Dave Cassells Iphones Smartphones & Services) – 115 Doveton Street South
- 60m frontage of Double Storey warehouse building (Camerons Steel) at 132 Doveton Street South

The eastern side of Doveton Street South between Dana Street and Eyre Street contains five (5) street trees of approximately 10m in height over a length of approximately 200 metres at the following locations.

- Two (2) in front of the subject land – 107 Doveton Street South
- Two (2) in front of Two-Storey Office (Telstra Business Centre) – 113 Doveton Street South
- One (1) in front of Single Storey former dwelling converted to a shop (Dave Cassells Iphones Smartphones & Services) – 115 Doveton Street South

The eastern side of Doveton Street South between Dana Street and Eyre Street contains six (6) power poles over a length of approximately 200 metres at the following locations.

- Two (2) in front of Single Storey Office (Smith & Jennings Specialist Business Advisors/Certified Practising Accountants) – 309 Dana Street
- One (1) in front of Ground Level open car park (associated with Telstra Business Centre) – 113 Doveton Street South
- One (1) in front of Two-Storey Office (Telstra Business Centre) – 113 Doveton Street South
- Two (2) in front of Double Storey warehouse building (Camerons Steel) at 132 Doveton Street South

the conservation of buildings,

The subject land contains no existing buildings.

the design of verandahs,

The proposed building contains a veranda (655 mm wide overhead) wholly within the boundary of the subject land. All window shrouds/hoods on the levels above as wholly within the boundary as well.

access from the street front,

The design response has retained most of the existing frontage for activation of the streetscape and proposes to utilise the laneway to the north for access purposes. The existing crossover is proposed to be widened to cater for vehicles to have the capacity to pass freely in two-way movements for the first 7 metres.



Figure 7: Proposed Access Alterations - Laneway, Source: APT Architecture Plans, Sheet Number TP04

protecting active frontages to pedestrian areas,

Over 90% of the proposed ground level façade is glass, which allows interaction between the outside and inside of the building. There are no existing active frontages to protect as the subject land is currently an un-used car park. The proposed building is to contribute positively to the streetscape at ground level by providing arguably the highest active frontage to pedestrian areas of all buildings on the east side of Doveton Street South. It will do this by providing for pedestrian connections from the pantry/serving counter to the covered deck where take-away food and drinks can be served.



Figure 8: Proposed West Elevation – Evening Rendered Photomontage, Source: 3D Realism

the treatment of the fronts and backs of buildings and their appurtenances,

The treatment of all facades of the building is highly articulated through use of various materials on panels, and window shrouds. No appurtenances are to be visible on the roof or on the sides of the building.

We suggest that the design has been informed by the heritage landscape of the surrounding precinct contrary to comments received below. It will improve the aesthetic amenity and commercial vibrancy of the area, which is currently used as a vacant carpark. It will also hide the ugly Telstra Tower from most view lines.

“The building design is bulky and uses modern materials which seem to have little reference to other buildings in the area, particularly buildings which are located in the Heritage Overlay area that surrounds the site to the north, east and west.

Further consideration of materiality and a reduction in bulk by recessing and breaking up the bulk of the building when viewed from the north and west, including through the use of balconies, may assist in providing a more appropriate built form outcome for this site. It is suggested that the building design should be informed by the heritage landscape setting of the site.”

– Council correspondence dated 15.05.2020

Design of new buildings that are bulky and use modern materials are evidenced in arguably better heritage landscape settings in Ballarat Central. Several examples are shown overleaf in Figures 9 and 10.

- Ballarat GovHub
- Quest Hotel – Ballarat Station.



Figure 9: Ballarat GovHub - Rendered Photomontage, Source: John Wardle Architects

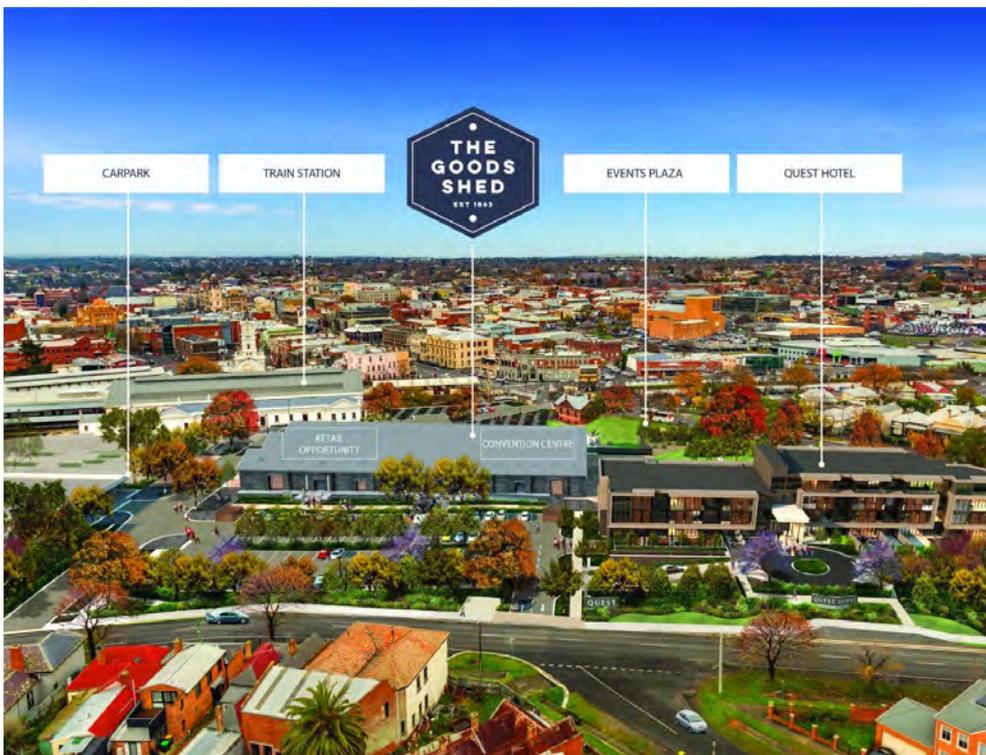


Figure 10: Quest Hotel Ballarat Station - Rendered Photomontage, Source: Pellicano

illumination of buildings or their immediate spaces, and

The skillion roof is to have illumination projecting light with a soft glow as show in Figure 8 above. The decked area to the west of the pantry is not an unsafe space as it is fully visible from within the building and has two (2) transparent doorways that provide approach paths to the space and one (1) 200mm step up to the landing of the deck directly from the footpath. This space is highly illuminated at both day and night time as shown in Figure 8 above. Remaining areas such as the car park and internal spaces will also have lighting to comply with requirements of the Building Regulations.

the landscaping of land adjoining a road.

Existing street trees within the road reserve will be maintained and not damaged. The remaining nature strip is hard paved with a concrete footpath and bitumen/asphalt. Within the subject land boundary, area for moveable planter boxes have been provided for almost 50% of the frontage

- **The storage of rubbish and materials for recycling.**
A Waste Management Plan from LID dated 09.01.2019 has been submitted.
- **Defining the responsibility for the maintenance of buildings, landscaping and paved areas.**
All landscaping and paved areas within the subject land boundary will be maintained by the residential hotel operator.
- **Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.**
Not Applicable
- **The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.**
Not Applicable
- **The availability of and connection to services.**
- **The design of buildings to provide for solar access.**
The proposed building contains fenestration on all facades and benefits from excellent solar access as shown on Sheet Number TP02 and TP12 by APT Architecture Pty Ltd.
- **The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.**
Not Applicable
- **For an apartment development, the objectives, standards and decision guidelines of Clause 58.**
Not Applicable

3.2. Easements, Restrictions and Reserves – Clause 52.02

This provision allows formal referral to be made to Central Highlands Water for the proposed redirection of the pipe and easement. After consent is received, we will proceed under Section 23 of the Subdivision Act 1988 to vary the easement to the satisfaction of CHW.

3.3. Car Parking – Clause 52.06

The application has been submitted with a Traffic Impact Assessment Report from ESR dated 18.10.2018 and additional swept path diagrams by ESR dated 20.07.2020.

3.4. Licenced Premises – Clause 52.27

An application will be made to the Victorian Commissioner for Gambling and Liquor Regulation (VCGLR) following the issuance of a Planning Permit if Council is satisfied with the responses below.

The following **Decision Guidelines** must be considered as appropriate under the provisions of the clause:

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

As the licence proposed is a restaurant and café licence, alcohol will only be served for consumption on the premises. The predominant activity carried out at all times on the premises must be the preparation and serving of meals to be consumed on the licensed premises. Therefore, the impact of the activity is likely to increase the commercial vibrancy of the area.

- **The impact of the hours of operation on the amenity of the surrounding area.**

Despite the Residential Hotel being open 24 hours, 7 days the café use is to be limited to Monday to Sunday 6am to 10pm. This will minimise the impact on the amenity of the surrounding area.

- **The impact of the number of patrons on the amenity of the surrounding area.**

The restaurant and café licence allows alcohol to be served only on premises with the consumption of food. The café has space provided for up to thirty (30) seated patrons.

- **The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.**

Planning Practice Note 61 (PPN61) outlines specific guidelines associated with the preparation of appropriate cumulative impact assessments relevant to the requirements of clause 52.27.

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

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

PPN61 describes cumulative impact as:

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

Negative cumulative impacts can include increased occurrences of:

- *nuisance including noise and anti-social behaviour from intoxicated persons*
- *infrastructure capacity problems including limited availability of transport and car parking for patrons and local residents*

- violence and perceived threats to safety
- crime including vandalism, trespass and property damage.

Positive cumulative impact can include:

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

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

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

WHEN SHOULD PPN61 BE USED?

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

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

In this instance, the proposal associated with this application is attached to a proposed licensed venue which does **not** operate beyond 11pm (proposed trading hours are to 10 pm), and the venue is **not** contained within an area which is home to a 'cluster' of licensed venues. It is therefore **not** appropriate in this case to undertake a detailed cumulative impact assessment.

3.5. Land Adjacent to a Road Zone, Category 1, – Clause 52.29

An application to create or alter access to, land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, must be referred to the Roads Corporation under section 55 of the Act.

We believe that no objection will be received from the Roads Corporation.

Nevertheless, we look forward to the views of the relevant road authority on any effect of the proposal on the operation of the road and on public safety and will respond as appropriate.

4 CONCLUSION

In conclusion and based on the above assessment, it is respectfully submitted that this application for a planning permit for the various activities at 107 Doveton Street South should be supported.

It is further submitted that this proposed development has a high level of planning merit and is consistent with the objectives sought by various applicable provisions of the Planning Scheme.

Yours faithfully,

Timothy Stevens
Principal Urban Planner
stevenst@bevwill.com.au

APPENDIX A: CERTIFICATE OF TITLE

APPENDIX B: DEVELOPMENT PLANS

APPENDIX C: TRAFFIC IMPACT ASSESSMENT

APPENDIX D: SWEPT PATH DIAGRAMS

APPENDIX E: WASTE MANAGEMENT PLAN

APPENDIX F: DRAFT LEASE FOR OFF-SITE CAR PARKING SPACES

APPENDIX G: 3D DIMENSIONAL RENDERS

APPENDIX H: PLAN OF EXISTING CONDITIONS REF: 1101323



Office Use Only

Application No.:

Date Lodged: / /

Application for a Planning Permit

Planning Enquiries
 Phone: (03) 5320 5640
 Web: www.ballarat.vic.gov.au

If you need help to complete this form, read MORE INFORMATION at the end of this form.

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

⚠ Questions marked with an asterisk (*) must be completed.

⚠ If the space provided on the form is insufficient, attach a separate sheet.

i Click for further information.

Clear Form

The Land **i**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.:	St. Name:
Suburb/Locality:		Postcode:

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: Lodged Plan Title Plan Plan of Subdivision No.:

OR

B Crown Allotment No.: Section No.:

Parish/Township Name:

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

i For what use, development or other matter do you require a permit? *

Use land to sell and consume liquor on premises under a restaurant and cafe licence.

Vary an easement shown as E2 on PS728979L

↖

Amended 26.08.2020

⚠ Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

i Estimated cost of any development for which the permit is required *

Cost \$ **⚠** You may be required to verify this estimate. Insert '0' if no development is proposed.

Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Provide a plan of the existing conditions. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
 No
 Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

*Please provide at least one contact phone number **

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

Title:	First Name:	Surname:
--------	-------------	----------

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.:	St. No.:	St. Name:
-----------	----------	-----------

Suburb/Locality:	State:	Postcode:
------------------	--------	-----------

Contact information for applicant OR contact person below

Business phone:	Email:
Mobile phone:	Fax:

Contact person's details* Same as applicant

Name:

Title:	First Name:	Surname:
--------	-------------	----------

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.:	St. No.:	St. Name:
-----------	----------	-----------

Suburb/Locality:	State:	Postcode:
------------------	--------	-----------

Name: Same as applicant

Title:	First Name:	Surname:
--------	-------------	----------

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.:	St. No.:	St. Name:
-----------	----------	-----------

Suburb/Locality:	State:	Postcode:
------------------	--------	-----------

Owner's Signature (Optional):	Date:
-------------------------------	-------

day / month / year

Declaration

This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:



Date:

Amended 26.08.2020

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

 No

 Yes

If 'Yes', with whom?:

Date:

day / month / year

Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal. Please provide at least 1 copy in an A3 format

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

Completed the relevant council planning permit checklist?

Signed the declaration above?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Online via <https://eservices.ballarat.vic.gov.au>

City of Ballarat
PO Box 655
Ballarat VIC 3353

Phoenix Building
25 Armstrong Street South
Ballarat Central VIC 3350

Contact information:

Phone: (03) 5320 5500

Email: info@ballarat.vic.gov.au

Deliver application in person, by post or by electronic lodgement.

Your personal information is being collected by City of Ballarat for planning purposes. Your information will be stored in Council's Customer Database and used to identify you when communicating with Council and for the delivery of services and information. For further information on how your personal information is handled, refer to Council's Privacy Policy at www.ballarat.vic.gov.au



PROPOSED ACCOMMODATION DEVELOPMENT 107 DOVETON STREET SOUTH, BALLARAT

Transport Impact Assessment Report



efficient safe reliable    

ESR Transport Planning Pty Ltd 1/34A Doveton Street North, Ballarat VIC 3350

P: 0427 044 324 | E: drewm@esrtp.com.au | www.esrtp.com.au



DOCUMENT CONTROL

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Our Ref: G0540
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PREPARED FOR

Bendigo Central Quest Pty Ltd

DISCLAIMER

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1 Introduction

1.1 Overview

A planning permit is being sought for an accommodation development at 107 Doveton Street (South), Ballarat. To assist in the consideration of the development proposal, ESR Transport Planning has been engaged to assess relevant transport implications.

1.2 Scope of This Report

This report documents a transport impact assessment which investigates the following:

- Existing transport conditions in the vicinity of the site.
- Statutory transport planning requirements.
- Parking demands generated by the proposed land use.
- Anticipated impacts on local car parking conditions.
- Traffic movements generated by the proposed land use.
- Site access arrangements.
- Anticipated impacts on the surrounding road network.

1.3 Referenced Information

- Plans prepared by Apt Architecture dated September 2018.
- An inspection of the site and surrounds August 2018.
- Ballarat Planning Scheme.
- Australian Standards, AS2890, *Australian Standard for Parking Facilities*.
- City of Ballarat, *Municipal Road Register*, 2015.
- Institute of Transportation Engineers (ITE), 2012, 9th Edition, *Trip Generation Manual*.
- Institute of Transportation Engineers (ITE), 2010, 4th Edition, *Parking Generation*.
- Public Transport Victoria, maps and timetables (www.ptv.vic.gov.au).
- Roads and Traffic Authority (RTA), 2002, *Guide to Traffic Generating Developments*.
- Trips Database Bureau (TDB), 2018, *Trips Database*.
- VicRoads traffic volume data and Crashstats data (www.data.vic.gov.au).

1.4 Terms

- CBD Central Business District
- Council City of Ballarat
- kph kilometres per hour
- m metres
- m² square metres
- vph vehicle movements per hour
- vpd vehicle movements per day

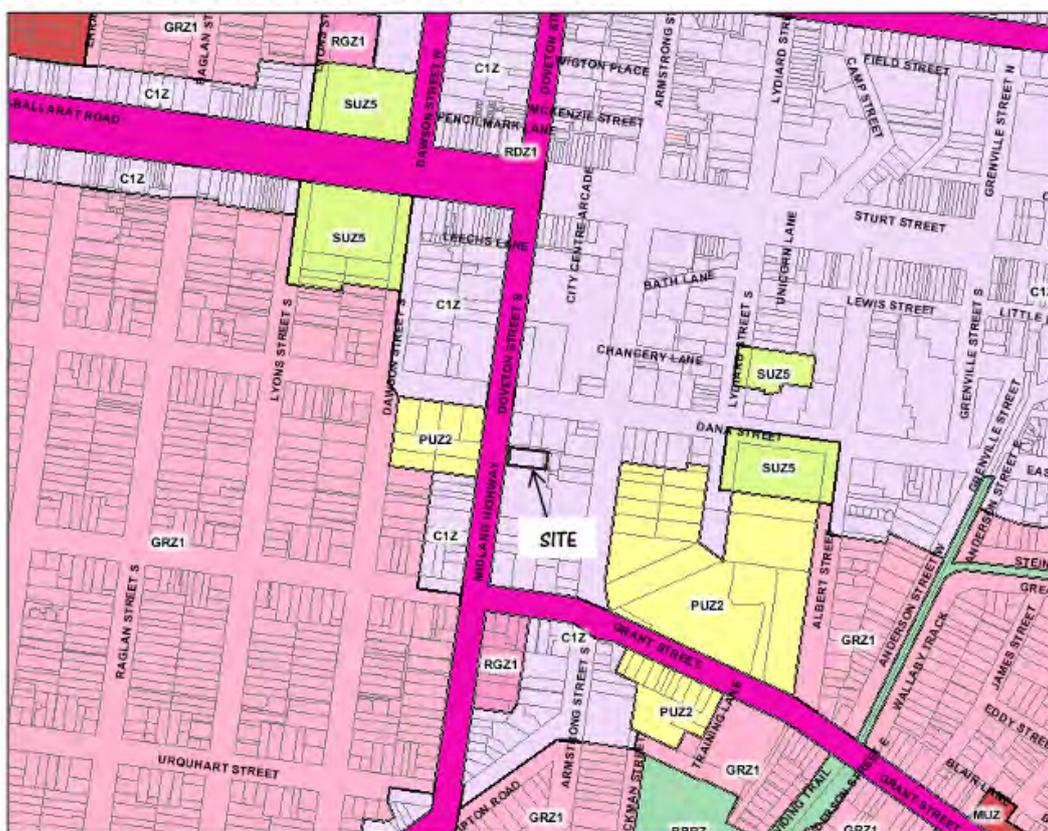


2 Contextual Analysis

2.1 Site

The site is located on the east side of Doveton Street in the southwest of Ballarat's CBD. A laneway extends along the site's northern boundary which provides access to car parking at the rear of premises that front Dana Street. A Telstra exchange premises and associated carpark neighbour the site to the south. The site has no buildings and historically was used as private car parking. A driveway crossover provides vehicle access to the site from Doveton Street. The Dana Street Primary School is located on the opposite side of Doveton Street. The site is within Commercial 1 Zoning.

Figure 2.1 Land Use Zone Map with Subject Site Locality



Source: Victorian Government Planning Maps Online (www.services.land.vic.gov.au).



Figure 2.2 Subject Site Aerial



Figure 2.3 Footpath at Subject Site Street Frontage (looking south)

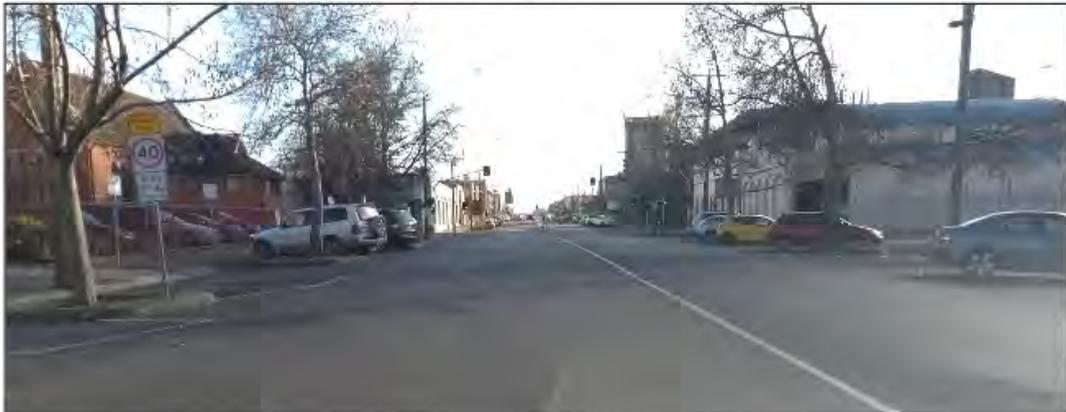


2.2 Road Network

Doveton Street is classified as an Arterial Road with a cross section that incorporates a traffic lane in each direction, kerbside angle parking and footpaths. North of Dana Street the CBD 40kph speed zone applies. South of Dana Street, a 60kph speed limit is generally applicable with a 40kph school zone speed limit adjacent the Dana Street Primary School.



Figure 2.4 Doveton Street (facing north, site on right)



Dana Street is classified as a Link Road with a 60 kph speed limit and a 40kph school zone speed limit adjacent the Dana Street Primary School. Its cross section incorporates a traffic lane in each direction, kerbside angle parking and footpaths.

The laneway adjacent the site has a width of ~3.3m and is a cul-de-sac extending between Doveton Street the rear of premises that front Dana Street.

Figure 2.5 Laneway (facing east, site on right)



Traffic signals control the nearby intersections of Doveton Street with Dana Street and Eyre Street.



2.3 Traffic Volumes

Doveton Street (South) carries a daily traffic volumes in the order of 14,500 vpd¹.

Dana Street and Eyre Street carry daily traffic volumes in the order of 8,500 vpd².

ESR Transport Planning surveyed vehicle and pedestrian movements along the laneway and access to / from the adjacent undercover carpark during AM and PM commuter peak periods³. Hourly volumes to / from the laneway were 9 vph (AM) / 6 vph (PM) and volumes to / from the undercover carpark were 4 vph (AM) / 6 vph (PM). Hourly pedestrian volumes were 4 (AM) / 7 (PM) along the laneway (none to / from undercover carpark).

2.4 Accident History

A review of road accidents in the site's vicinity has been undertaken using VicRoads Crashstats database⁴ which includes accidents reported to police which resulted in personal injury within the last 5 years. The review investigated Doveton Street between Eyre Street and the signalised pedestrian crossing north of the site. In that time 2 accidents were reported as follows: (i) A rear-end accident (non-serious injury) near the pedestrian crossing. (ii) A pedestrian struck at night (non-serious injury) at the Dana Street intersection.

Accordingly, this review provides no evidence of a recurrent accident pattern or specific issue associated with property access to / from Doveton Street in the site's vicinity.

2.5 Existing Car Parking

Nearby on-street parking is generally time restricted and in some cases is paid parking. An inventory of on-street public car parking⁵ within a convenient walking distance of the site (less than ~300m) identified ~250 spaces. Full details of these parking facilities is contained in Appendix A.

The Central Square off-street carpark on the northeast corner of Doveton and Dana Streets has ~600 spaces. Operated by Care Park, this facility provides free parking for a duration up to 2 hours with a maximum daily fee of \$8 weekdays and \$4 weekends. Opening hours are 6:30am – 7:00pm Monday to Thursday, 6:30am – 10:30pm Friday, 7:30am – 7:00pm Saturday and 10:30am - 7:00pm Sunday.

On-street car parking demands within the city centre are typically high during the daytime. During evenings, parking demands vary precinct to precinct depending on the density of entertainment and food and drink venues.

The number of vehicles parked within the on-street survey area defined in Appendix A has been surveyed on various occasions. A summary of the total parking demands by time of day is shown in Figure 2.6 with full survey results presented in Appendix A.

¹ Source: VicRoads databases, Typical Hourly Traffic Volumes (www.data.vic.gov.au).

² City of Ballarat traffic count data.

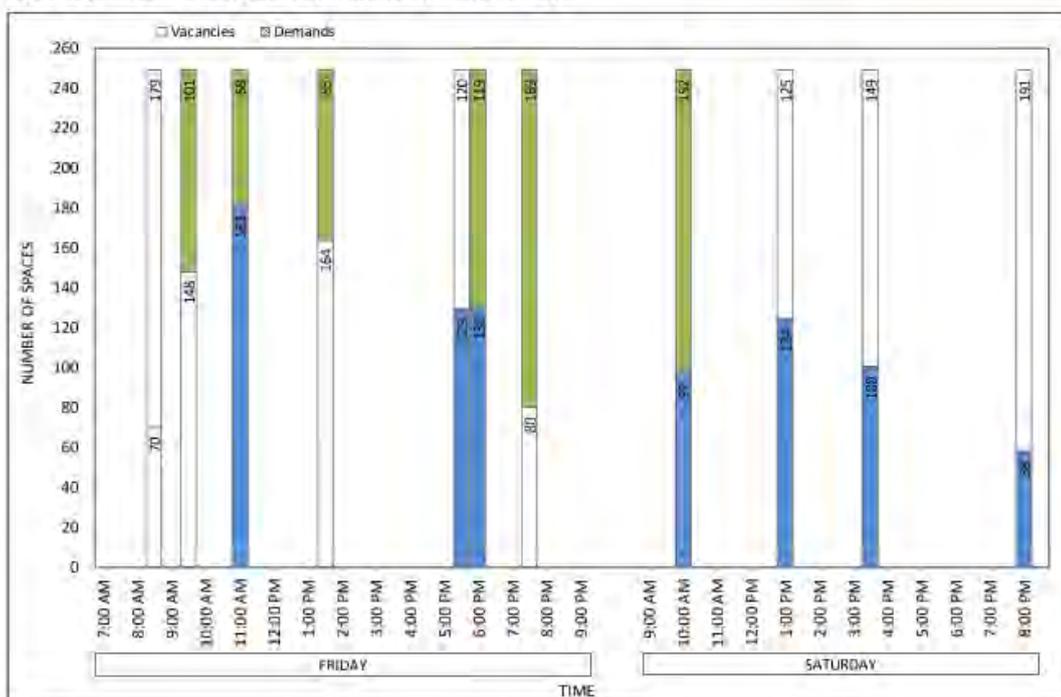
³ Surveys Thursday 16/08/18, 4:45-5:45pm and Friday 17/8/18, 8:30-9:15pm.

⁴ VicRoads Crashstats Last 5 Years database (www.data.vic.gov.au).

⁵ Spaces available to the general public, excludes private car parks, loading zones, permit zones, taxi zones, etc.



Figure 2.6 Car Parking Survey Results by Time of Day



Key outcomes:

- During a Friday at 11:00am, a peak parking demand of 181 vehicles was recorded within the 249 spaces surveyed, corresponding with 68 vacant spaces and an occupancy rate of 73%.
- The Saturday peak demand was lower, with an occupancy rate in the order of 50%.
- Surveys on a Thursday yielded similar demands to a Friday during the daytime. While at 6:00pm, Thursday demands of 88 vehicles (35% occupancy) were significantly lower than the same time on a Friday.
- The vast majority of nearby on-street spaces are vacant during evenings.

2.6 CBD Parking Management

Management of car parking within the city area is a key task for the City of Ballarat.

The Ballarat CBD Parking Strategy (Aecom, 2011) provided Council with an overall vision and framework for the management of parking within the CBD. The strategy incorporated an extensive review of existing policies and strategies that could be applied within Ballarat. Existing parking characteristics were investigated which found that although there are areas of high parking demand, the CBD as a whole has adequate parking supply. In the future, CBD visitors should not expect to park directly adjacent their destination but rather the CBD should be developed to promote pedestrian movement and lessen the desire for motorists to have parking available in all places at all times. The report recommended a range of management strategies, some of which have since been implemented.



The adopted Ballarat CBD Car Parking Action Plan (City of Ballarat, 2016) has since followed. It aimed to manage growth in parking demand as the city's population grows. Its strategies included parking restriction changes to provide more 2-hour parking zones and additional spaces throughout the CBD. Further investigation into opportunities for new off-street carparks was also recommended.

The following paragraph includes text extracted from the City of Ballarat website. (www.mysay.ballarat.vic.gov.au)

The Smarter Parking Plan (City of Ballarat, 2018) aims to address car parking stress within CBD, Health and Knowledge Precinct and immediate surrounds now and into the future. In May 2018, Council voted to undertake a detailed community engagement program and for further reporting regarding the plans details and implementation. The proposed Smarter Parking Plan would remove all time restrictions and instead see the introduction of paid parking across the wider CBD and hospital precinct. The paid parking would be zoned, with inner CBD streets remaining at the current price of \$2 an hour while hourly fees out of the CBD and closer to the precinct's boundaries would be cheaper. A range of payment options would be made available including coin operated machines and technology options such as smart phone parking apps which would allow users to top up their meter remotely. Residents in these areas will also receive residential parking permits.

Figure 2.7 shows the proposed parking zones in the site's vicinity.

Figure 2.7 Extract of Proposed Parking Zones Map



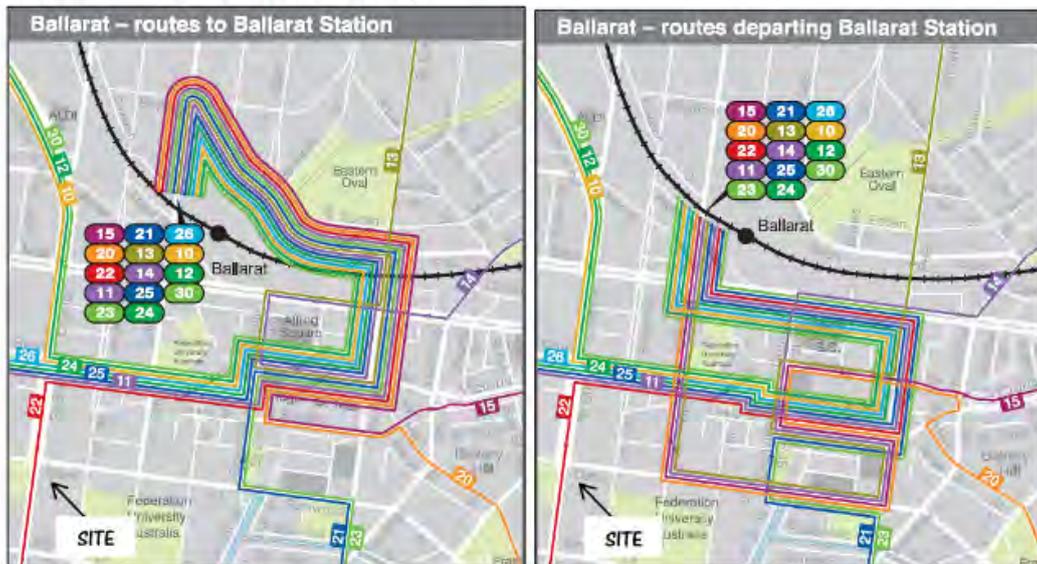
Source: City of Ballarat website (www.mysay.ballarat.vic.gov.au).



2.7 Public Transport, Walking & Cycling

The site is within a short walking distance to numerous bus route services as shown in Figure 2.8, with these services providing connections to / from Ballarat Station. Bus service Ballarat Station to Federation University via Sebastopol (Route 22) operates past the site with stops located adjacent the site as shown in Figure 2.2.

Figure 2.8 Ballarat CBD Bus Route Map



Source: Public Transport Victoria

Given its CBD location, the site is surrounded by pedestrian facilities providing a high degree of pedestrian accessibility.



3 Proposed Development

The proposed development involves construction of a 6-storey building which will provide a total of 97 apartment style accommodation units. The proposal incorporates a cafe, reception and lobby areas and a ground level carpark.

The on-site carpark will contain a total of 21 car spaces, including 1 disabled space. It will be accessed from the laneway along the site's northern boundary.

The ground level also incorporates 2 bicycle parking spaces.



4 Car Parking Assessment

4.1 Planning Scheme Standard Provision

Clause 52.06 (Car Parking) of the Ballarat Planning Scheme sets out planning controls with respect to car parking and Table 1 to Clause 52.06-5 specifies parking provision rates for various land uses. The Planning Scheme also states that the standard provision can be reduced or fully waived.

If a car parking requirement is not specified in the Table or elsewhere in the Planning Scheme, Clause 52.06 states that car parking spaces must be provided to the satisfaction of the responsible authority.

The proposed land use is defined as a "motel" within the Planning Scheme and the applicable standard provision rate is 1 space to each unit, plus 1 space to each manager dwelling, plus 50 percent of the relevant requirement of any ancillary use. This equates to a requirement of 97 spaces.

Where a proposal seeks to reduce or waive the standard parking provision requirement the Planning Scheme lists a series of decision guidelines for consideration when making such an assessment. The sections that follow provide discussion on those decision guidelines relevant to the proposed development.

4.2 Empirical Assessment

Sources of empirical data that specify peak parking rates for traveller accommodation premises have been reviewed with details as follows.

The Institute of Transportation Engineers Parking Generation (ITE 2010) has a range of empirical data predominately for USA sites. The data includes profiles for car parking accumulation by time of day indicating that these land uses experience their peak parking activity from late evening (~10:30pm) until early morning (~7:00am). Demands during business hours are typically in the order of 60% of the peak demand. ITE 2010 peak parking rate data is summarised as follows:

- 0.85 / 0.83 / 0.93 / 0.86 spaces per occupied room (rates of 4 "All Suites hotels")
- 0.75 spaces per occupied room (85th percentile for "Business hotels")

Trips Database Bureau (TDB 2018) data for New Zealand "motels" and "motor lodges", predominately within inner suburban Christchurch and Auckland, sets out peak parking rates of 0.47 (average) and 0.67 (85th percentile) per room. However, it is noted that much of this data was collected during the daytime until ~6:30pm, therefore capturing demands slightly lower than the overnight peak.

The Roads and Traffic Authority Guide to Traffic Generating Developments (RTA 2002) recommends car parking be provided for "motels" at 1 space per unit plus 0.5 spaces per employee. And for 3 or 4 star "tourist hotels", a rate of 0.25 spaces per bedroom is recommended (on the basis of Sydney CBD data).

Typically site's surveyed for these sources of empirical data have ample on-site car parking.



The proposed development is expected to attract customers with somewhat lower reliance or desire for motor vehicle travel given that the motel operator will not be able to guarantee an on-site parking space per room and given the convenience of walking and public transport.

The developer and intended operator currently operates a similar development in Bendigo with 60 apartments and a 38 space carpark. Their experience is that the carpark only fills when room occupancy is above 90%.

Given all of the above, it is considered reasonably conservative to estimate the peak parking generated by the proposed development using a rate of 0.85 spaces per room, equating to a peak parking demand in the order of 82 spaces (representing both occupant and staff demands during the peak evening period).

Occupancy, and therefore parking demands, at traveller accommodation sites typically varies significantly by day of week and time of year. ITE 2010 provides average hotel occupancy research from 2000 reproduced in the tables below.

Month	Average Hotel Occupancy (%)
January	51
February	61
March	66
April	65
May	67
June	72
July	72
August	71
September	67
October	67
November	69
December	48

Day of Week	Average Hotel Occupancy (%)
Sunday	51
Monday	62
Tuesday	67
Wednesday	69
Thursday	66
Friday	69
Saturday	72

SOURCE: Smith Travel Research, average data from North American hotels from 2000. www.wolke.com

Note: USA summer occurs during mid year.

The average annual tourism room occupancy in Ballarat has been in the order of 52-54% (2012-2015), which compares with 76-78% for Melbourne⁶.

RTA 2002 indicates parking rates based on 85% room occupancy may be appropriate for analysis.

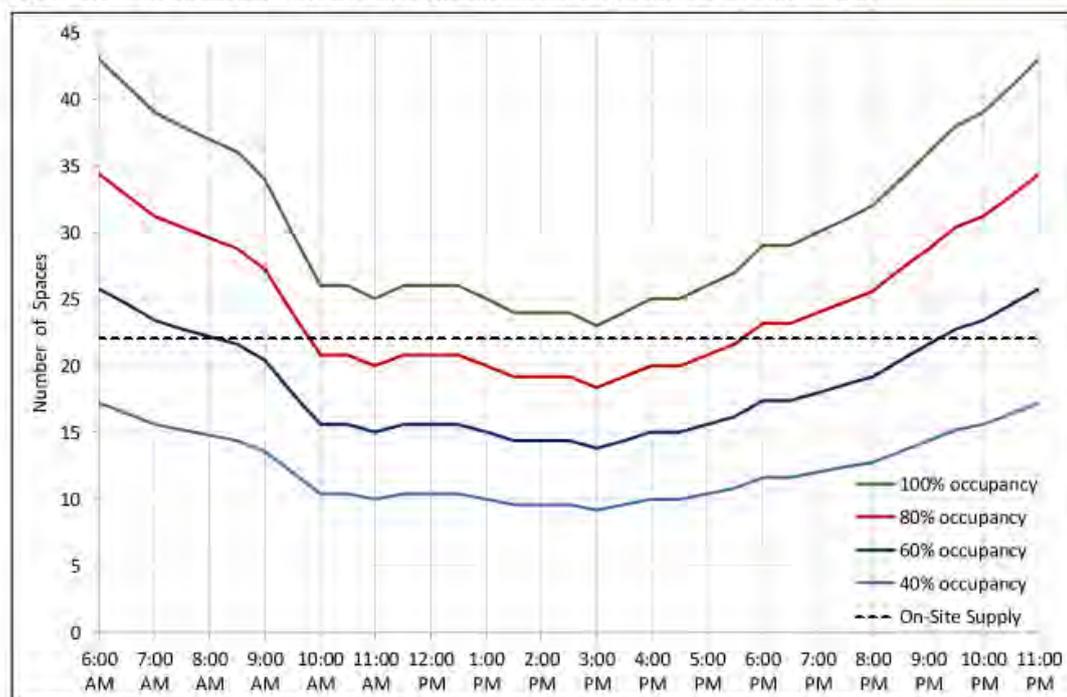
Given average room occupancy rates of ~54% for Ballarat, it is likely that the proposed development will have a majority of days throughout the year with significantly less than full room occupation.

Figure 5.1 shows the anticipated parking demands likely to be generated by the proposed development by time of day for various room occupancy rates.

⁶ Source: Australian Government Austrade Tourism Research Australia (www.tra.gov.au).



Figure 5.1 Empirical Estimate of Development Car Parking Demands by Time of Day



Time of day profile source: ITE 2010.

Key outcomes:

- The anticipated peak parking demand of 82 spaces will occur between 11:00pm and 6:00am when all rooms are occupied.
- At full occupancy, development parking demands between 9:30am – 5:30pm will be 30 vehicles or less, exceeding supply by 8 spaces or less.
- When room occupancy rates are 80% or below, daytime parking demands generated by the development between 9:30am – 5:30pm will be less than the 21 spaces provided on-site.
- When room occupancy rates are 50% or below, development generated parking demands at all times of the day could be accommodated within the on-site carpark.

4.3 Site Constraints

Given constraints of the site, multiple levels of carparking would be relatively inefficient due to the area required for ramps. The proposed development has been designed to maximise the supply of on-site car parking within site constraints. It is also noted that it is common for CBD buildings to rely significantly on public parking facilities. A commercial agreement /lease has been reached with one nearby and is attached with the application.



4.4 Availability of Parking in the Area

Section 2.5 of this report outlines a range of information regarding available parking in the area.

In a convenient walking distance from the site, there is ~250 on-street car parking spaces. Parking surveys indicate that the vast majority of these spaces are vacant during evenings. Even during the peak weekday daytime, nearby parking experiences relatively moderate parking occupancy rates of ~73% compared with other CBD areas.

The demand for nearby on-street parking follows a time of day profile that is opposite to the profile of parking demands generated by the proposed accommodation land use.

Therefore, the proposed use is well placed to make use of the available resource of nearby on-street parking without creating a significant impact to the availability of this resource when it is required most. Furthermore, most of the convenient parking surveyed is not within residential areas, negating concerns regarding residential amenity impacts.

Although not considered necessary, it is also noted that the commercially operated Central Square Car Park could potentially provide car space leasing opportunities for the proposed accommodation operator.

4.5 Activity Centre Parking Management

The Victorian Civil and Administrative Tribunal (VCAT) has considered many cases regarding developments that are likely to increase car parking demands within an already busy activity centre. The Tribunal has provided direction on these matters and cites a 'centre based' approach to car parking, described as follows:

The basic approach in these decisions is that in important activity centres car parking considerations should not be determinative, instead the land use mix in a centre should arise from a combination of strategic planning and economic forces at work in the centre. Car parking issues have a part to play in this but should not dominate. At the level of the individual site where there is a change in circumstances, car parking shortfalls should be waived if it is consistent with the strategic plan for the centre, firstly because the most equitable solution is to deal with car parking on a centre wide basis, and secondly because, even in saturated car parking conditions, a balance will occur between the level of activity and the car parking supply.

4.6 CBD Parking Management

Section 2.6 of this report outlines a range of information regarding the City of Ballarat's ongoing role of managing car parking within the CBD.

The implementation of strategies such as the 2018 Smarter Parking Plan will continue Council's centre wide approach to parking management responding to the issues of a busy activity centre that is reliant on a limited pool of public car parking.



4.7 Sustainable Transport Alternatives

Within the Ballarat Planning Scheme, there are various policies, strategies and objectives encouraging the following:

- Reduced reliance on private motor vehicles.
- Promotion of sustainable transport.
- Efficient car parking through the consolidation of facilities and their shared use.
- Concentrating higher intensity development within activity zones leading to sustainable transport outcomes.

The proposed development is very proximate to the city centre and public transport services. It is expected that its location will make the premises popular with travellers wanting to use sustainable travel modes and those without a motor vehicle. The proposed development is therefore considered an ideal candidate for reduced parking provisions and promotion of sustainable transport.

4.8 Car Parking Assessment Summary

This report provides discussion around a range important considerations with respect to the proposed car parking waiver and it is expected that the Responsible Authority must weigh up potential car parking impacts with positive outcomes generated by the development proposal.

There are several key matters indicating that although the proposed on-site car parking provision is less than the Planning Scheme standard provision rate, car parking impacts of the proposal are relatively minor. These include that:

- Empirical data suggests the standard provision rate exceeds likely demands.
- It could be expected that very high to full room occupancy rates would occur infrequently. And therefore peak parking would also be infrequent.
- Peak parking will occur overnight when ample on-street spaces are available to accommodate any shortfall without significant impact.
- During the daytime when other CBD users are most reliant on on-street parking, the proposed use is generating its lowest levels of parking demand.



5 Traffic Assessment

5.1 Traffic Generation

TDB 2018 empirical data for "motels" sets out average traffic generation rates of 0.43 vph (AM) & 0.39 vph (PM) per room. ITE 2012 empirical data for "all suites hotels" sets out average traffic generation rates of 0.38 vph (AM) & 0.40 vph (PM) per room, and 0.48 vph (AM) & 0.55 vph (PM) per occupied room.

Based on the highest of the above generation rates, the proposed development when fully occupied could be expected to generate traffic activity of 24 vph (AM) and 28 vph (PM). Given the on-site carpark accommodates part of the peak parking demand when room occupancy is 100%, these vehicle movements would be to / from the locality and a proportion of this traffic would be to / from the proposed on-site carpark.

The ITE data defines in / out directional distribution during commuter peak periods of approximately 60/40 (AM) and 40/60 (PM).

5.2 Ability of Nearby Road Network to Absorb Development Traffic

While the proposed development will increase traffic activity to / from the locality. The volume of additional traffic is very minor in comparison with the large volumes of traffic that travel along Doveton Street and other nearby roadways each day. The nearby road network is therefore expected to be able to accommodate the minor traffic volume increase without significant changes to road network operational performance.

5.3 Laneway Traffic

The laneway currently provides access to ~23 car parking spaces associated with neighbouring businesses. During AM and PM peak periods, total traffic movements to / from the laneway are currently in the order of 13 vph.

The proposed development will increase traffic activity to / from the laneway with the provision of an additional 21 spaces. Conservatively, additional traffic in the order of 15-20 vph could be anticipated.

Therefore, post development traffic activity within the laneway remains very low. And the likelihood of vehicles needing to travel along the laneway in opposite directions at the same time is likely to remain very low. Notwithstanding, the proposed development will provide a new passing area adjacent Doveton Street improving traffic operation within the laneway for all users.

During site inspections, it was noted that a convex mirror may have been installed at the site's northwest corner (a pole and frame is all that currently remains). It is expected its objective was to improve vision along the laneway from the undercover property carpark opposite the site, refer Figure 5.1. Council may deem it necessary to reinstate such a mirror, which could be achieved by installing a new mirror on the edge of the proposed building.



Figure 5.1 Convex Mirror Location





6 Other Transport Modes

6.1 Bicycle Parking Assessment

Clause 52.34 (Bicycle Facilities) of the Ballarat Planning Scheme sets out planning controls with respect to the provision of bicycle facilities such as parking and change room facilities. Table 1 to Clause 52.34-3 specifies provision rates for various land uses. A permit can be granted to vary, reduce or waive these requirements.

Standard provision rates of 1 employee space to each 40 rooms and none for visitors are specified, which equates to a 1 employee space requirement.

The proposed development exceeds the standard provision requirement with a total of 2 spaces to be provided.

6.2 Service Vehicle Loading and Unloading

Limited service vehicle loading and unloading activity is expected, such as linen services. The provision of a dedicated loading bay on-site is therefore not considered an efficient use of site area that could otherwise accommodate car parking.

Service vehicle movements can be scheduled during the daytime when the on-site car park is likely to have the least number of guest vehicles parked, allowing space for a van to load or unload.

Nearby on-street loading zones also provide alternative service vehicle parking opportunities.

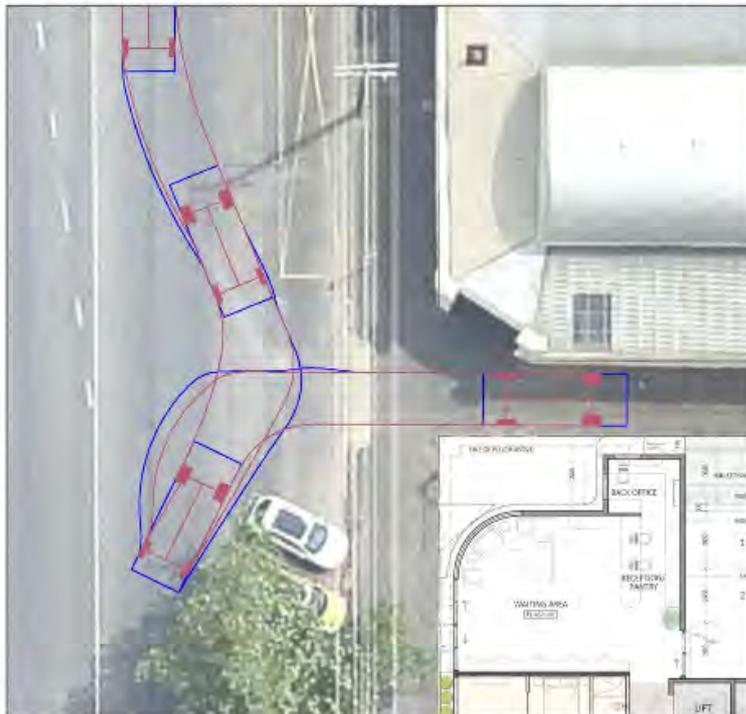
6.3 Waste Collection

It is understood that a Waste Management Plan (WMP) is being prepared for the proposed development which will specify proposed waste collection using a smaller than typical vehicle via a reverse entry into the laneway, bins loaded within the laneway and forwards exit.

Figure 6.1 sets out the results of swept path analysis indicating a small truck can stop on the left side of Doveton Street and then undertake the anticipated movement into the laneway.



Figure 6.1 Swept Path Analysis Diagram, Small Truck into Laneway



Design vehicle = Small Rigid Vehicle (SRV) as defined by Australian Standard (AS2890.2).

It is common in Ballarat's CBD for service and waste vehicles to reverse to / from sites. It is expected that risks associated with conflicts between the waste collection vehicle movement and other vehicular traffic using the laneway and nearby pedestrians can be appropriately managed. Common safety measures include trucks fitted with flashing lights, audible warnings and reversing cameras. Collection activity could also be scheduled during periods of low traffic and pedestrian activity.



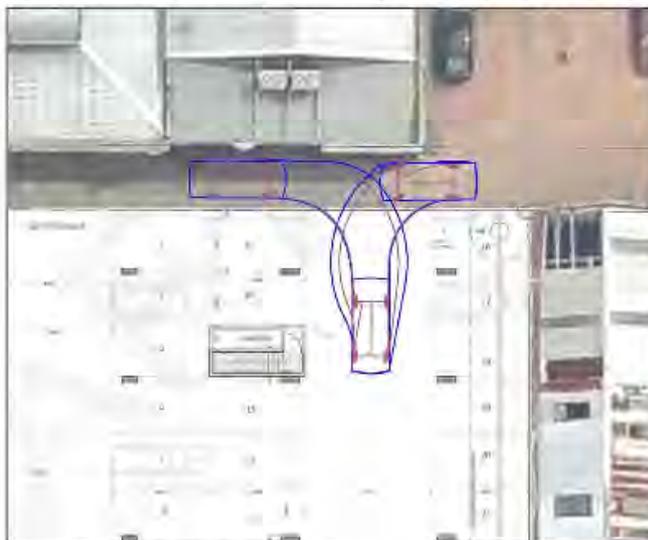
7 Car Park Design Review

A design review of development plans has been undertaken with reference to the Ballarat Planning Scheme, the Australian Standard for Parking Facilities (AS2890) and the results of vehicle swept path simulations.

The proposed carpark design is a typical 90 degree layout with dimensions in accordance with Clause 52.06-9 of the Planning Scheme.

Whilst it is ideal that carparks minimise dead end aisles, the proposed development has dead end aisles in order to maximise the number of spaces that can be provided on-site. Section 4 of this report has a range of information relating to car parking usage and the likelihood that the on-site car park would be fully occupied. Good visibility of space availability is expected from the laneway and Figure 7.1 shows the results of swept path analysis indicating a car can easily undertake a 3-point u-turn manoeuvre to exit if the car park is full. The driving task of this movement is similar to entering and exiting a 90 degree parking space.

Figure 7.1 Swept Path Analysis Diagram, Car Entry and Exit 3-Point Manoeuvre



Design vehicle = B85 Design Vehicle as defined by Australian Standard (AS2890.1).

Therefore, the proposed on-site carpark is expected to accommodate safe and efficient operational outcomes.



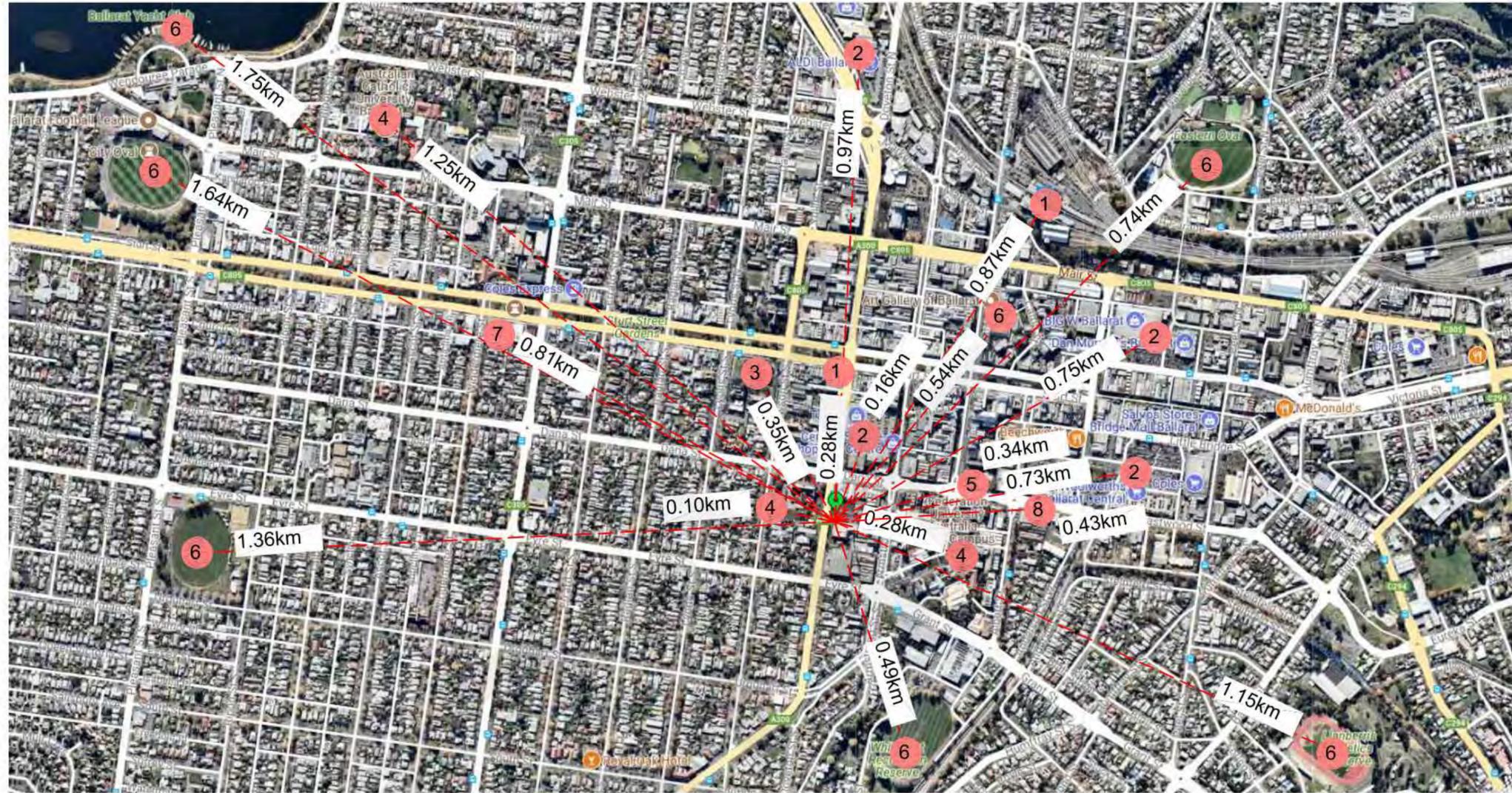
Appendix A Car Parking Survey Data



Location Street	Side	Extents	Restroom(s)	Supply	Weekday Demands							Saturday Demands							
					Fri 17/8/18 8:30 AM	Fri 17/8/18 9:30 AM	Fri 10/8/18 11:00 AM	Thu 9/8/18 1:00 PM	Fri 10/8/18 1:30 PM	Fri 16/8/18 5:30 PM	Thu 9/8/18 6:00 PM	Fri 17/8/18 6:00 PM	Fri 17/8/18 7:30 PM	Sat 11/8/18 10:00 AM	Sat 11/8/18 1:00 PM	Sat 11/8/18 1:30 PM	Sat 11/8/18 3:00 PM		
Doveletn St	West	Dana St - Eyre St	2 P	9:00am - 5:30pm, Mon - Sat (x 16)															
			3 P	9:00am - 5:30pm, Mon - Sat (x7)	26	5	14	18	17	18	14	4	7	4	5	12	5	3	
			1/2 P	9:00am - 5:30pm, Mon - Sat (x3)															
Doveletn St	East	Dana St - Eyre St	3 P	9:00am - 5:30pm, Mon - Sat	11	9	16	17	10	12	6	1	8	6	7	7	6	1	
Dana St	North	Dawson St - Doveletn St	2 P	meter 9:00am - 5:30pm, Mon - Sat	15	0	1	3	9	8	6	4	11	6	4	9	8	0	
Dana St	South	Dawson St - Doveletn St	2 P	meter 9:00am - 5:30pm, Mon - Sat (17)	18	1	9	5	5	13	6	0	5	6	1	13	4	0	
			2 P	disabled (x1)															
Dana St	North	Doveletn St - Armstrong St	2 P	meter 9:00am - 5:30pm, Mon - Sat / 2 P 11:30am - 5:30pm, Sun	4	1	4	4	4	3	4	3	4	3	2	3	3	1	
Dana St	South	Doveletn St - Armstrong St	2 P	meter 9:00am - 5:30pm, Mon - Sat (x 16)															
			2 P	disabled (x1)	19	1	3	12	9	6	11	16	12	6	0	12	7	1	
			2 P	meter 9:00am - 5:30pm, Mon - Sat / 2 P 11:30am - 5:30pm, Sun (x2)															
Eyre St	North	Dawson St - Doveletn St	4 P	9:00am - 5:30pm, Mon - Fri	11	2	7	10	9	6	3	1	2	2	1	5	3	2	
Eyre St	South	Dawson St - Doveletn St	4 P	9:00am - 5:30pm, Mon - Fri	14	8	12	15	13	12	5	10	3	3	6	4	2	2	
Eyre St	North	Doveletn St - Armstrong St	3 P	9:00am - 5:30pm, Mon - Sat	10	9	10	9	10	6	0	0	1	1	5	0	0	0	
Eyre St	South	Doveletn St - Armstrong St	3 P	9:00am - 5:30pm, Mon - Sat (x7)	9	4	5	7	5	7	1	0	1	1	1	1	0	0	
			1 P	disabled (x2)															
Armstrong St	West	Dana St - Eyre St	1 P	9:00am - 5:30pm, Mon - Sat (x10)															
			1 P	9:00am - 5:30pm, Mon - Sat / 1 P, 9:00am - 12noon (x8)	30	6	29	27	24	22	20	11	20	4	22	17	17	9	
			2 P	9:00am - 5:30pm, Mon - Sat (x12)															
Armstrong St	East	Dana St - Eyre St	4 P	ticket 9:00am - 5:30pm, Mon - Sat	41	3	10	19	13	16	12	7	17	1	2	2	4	3	
Doveletn St	West	Pedestrian Signals - Dana St	1 P	ticket 9:00am - 5:30pm, Mon - Sat / 2 P, 11:30am - 5:30pm, Sun	21	15	12	17	17	15	21	18	21	16	17	19	21	21	
Doveletn St	East	Pedestrian Signals - Dana St	1 P	ticket 9:00am - 5:30pm, Mon - Sat / 2 P, 11:30am - 5:30pm, Sun (x4)															
			1 P	disabled (x1)	20	6	16	16	19	20	20	13	18	19	20	20	20	15	
			2 P	9:00am - 5:30pm, Mon - Sat / 2 P, 11:30am - 5:30pm, Sun (x15)															
Demand					249	70	148	181	164	164	129	88	130	80	97	124	100	58	
Occupancy						28%	59%	73%	66%	66%	52%	35%	52%	32%	39%	50%	40%	23%	
Vacancies						179	101	68	85	85	120	161	119	169	152	125	149	191	



PROPOSED DEVELOPMENT | 107 DOVETON STREET SOUTH, BALLARAT



Legend	
Sr. Number	Facility
1	Transport Hubs
2	Retail
3	Place of Assembly
4	Schools
5	Medical Facilities
6	Parks and Recreation
7	Banks
8	Police

Drawing List			
Sheet Number	Sheet Name	Revision	Sheet Issue Date
TP01	SITE CONTEXT - URBAN/ AMENITIES		06.12.2018
TP02	EXISTING NEIGHBOURHOOD CONTEXT		06.12.2018
TP03	DESIGN RESPONSE		06.12.2018
TP04	LEVEL 1 FLOOR PLAN		06.12.2018
TP05	LEVEL 2 FLOOR PLAN		06.12.2018
TP06	LEVEL 3 FLOOR PLAN		06.12.2018
TP07	LEVEL 4, 5 & 6 TYPICAL FLOOR PLAN		06.12.2018
TP08	ELEVATIONS		06.12.2018
TP09	ELEVATIONS		06.12.2018
TP10	ELEVATIONS		06.12.2018
TP11	ELEVATIONS		06.12.2018
TP12	3D VIEWS		06.12.2018

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REV	DATE	DESCRIPTION	BY

PROJECT	RESIDENTIAL HOTEL 107 DOVETON STREET SOUTH, BALLARAT
CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.
DRAWING TITLE	SITE CONTEXT - URBAN AMENITIES

DRAWN	JH	SCALE	DRAWING NO.
CHECKED	MP	NTS A2	TP 01
DATE	DEC 2018	PROJECT NO.	REV
TOWN PLANNING NOT FOR CONSTRUCTION		17046	

6/12/2018 11:50:25 AM



LEGEND	
SYMBOL	DESCRIPTION
---	TO BE DEMOLISHED / REMOVED



107 DOVETON STREET SOUTH, SUBJECT SITE



309 DANA STREET



401 DANA STREET, DANA STREET PRIMARY SCHOOL



110 DOVETON STREET SOUTH, SINGLE STOREY BRICK DWELLING, DENTIST



402A DANA STREET, SINGLE STOREY SHOPPING COMPLEX



305, 307A & 309 DANA STREET



26, 24 & 22 DOVETON STREET SOUTH



132 DOVETON STREET SOUTH, WAREHOUSE



NO. 112A SINGLE STOREY BRICK BUILDING ON REAR BOUNDARY OF SITE



ALLEY WAY BETWEEN 309 DANA ST AND 107 DOVETON STREET



113 DOVETON STREET SOUTH, TELSTRA BUILDING



113 DOVETON STREET SOUTH (PARKING LOT)



113 DOVETON STREET SOUTH, TELSTRA BUILDING

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REV	DATE	DESCRIPTION	BY

PROJECT	RESIDENTIAL HOTEL 107 DOVETON STREET SOUTH, BALLARAT
CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.
DRAWING TITLE	EXISTING NEIGHBORHOOD CONTEXT

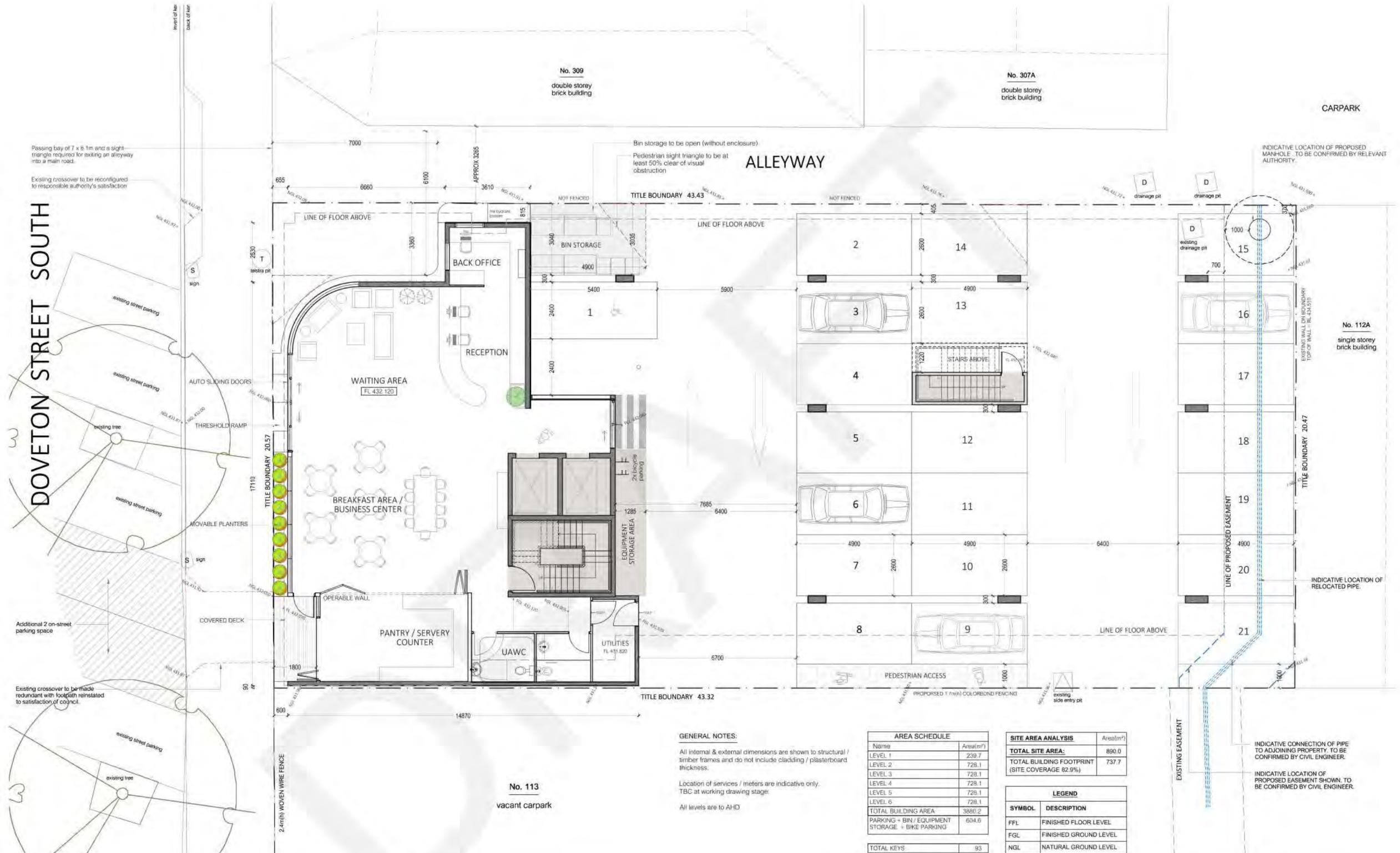
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CHECKED	MP	PROJECT No.	17046	REV	
DATE	DEC 2018	TOWN PLANNING NOT FOR CONSTRUCTION			

6/12/2018 11:49:59 AM



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			<p>CLIENT BALLARAT INVESTMENTS GROUP PTY LTD.</p>	<p>CHECKED MP</p>	<p>DATE DEC 2018</p>	<p>DRAWING TITLE DESIGN RESPONSE</p>	<p>TOWN PLANNING NOT FOR CONSTRUCTION</p>

6/12/2018 11:50:50 AM



GENERAL NOTES:

- All internal & external dimensions are shown to structural / timber frames and do not include cladding / plasterboard thickness.
- Location of services / meters are indicative only. TBC at working drawing stage.
- All levels are to AHD

AREA SCHEDULE	
Name	Area(m ²)
LEVEL 1	239.7
LEVEL 2	728.1
LEVEL 3	728.1
LEVEL 4	728.1
LEVEL 5	728.1
LEVEL 6	728.1
TOTAL BUILDING AREA	3880.2
PARKING + BIN / EQUIPMENT STORAGE + BIKE PARKING	604.8
TOTAL KEYS	93

SITE AREA ANALYSIS		Area(m ²)
TOTAL SITE AREA:		890.0
TOTAL BUILDING FOOTPRINT (SITE COVERAGE 82.9%)		737.7

LEGEND	
SYMBOL	DESCRIPTION
FFL	FINISHED FLOOR LEVEL
FGL	FINISHED GROUND LEVEL
NGL	NATURAL GROUND LEVEL

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REV	DATE	DESCRIPTION	BY

PROJECT	RESIDENTIAL HOTEL 107 DOVETON STREET SOUTH, BALLARAT
CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.
DRAWING TITLE	LEVEL 1 FLOOR PLAN

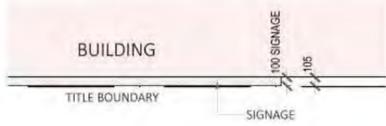
DRAWN	HH	SCALE	DRAWING NO.
CHECKED	MP	1:100 A2	TP 04
DATE	DEC 2018	PROJECT NO.	REV
TOWN PLANNING NOT FOR CONSTRUCTION		17046	

6/12/2018 11:51:14 AM



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 All levels are to AHD.



TYPICAL SIGNAGE PLAN 1:50

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			CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.	CHECKED	MP	DATE	DEC 2018	DRAWING TITLE	LEVEL 2 FLOOR PLAN	TOWN PLANNING NOT FOR CONSTRUCTION	PROJECT NO.	17046	REV	
			6/12/2018 11:52:34 AM												



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REV	DATE	DESCRIPTION	BY

PROJECT	RESIDENTIAL HOTEL 107 DOVETON STREET SOUTH, BALLARAT
CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.
DRAWING TITLE	LEVEL 3 FLOOR PLAN

DRAWN	JRH	SCALE	DRAWING NO.
CHECKED	MP	1:100 A2	TP 06
DATE	DEC 2018	PROJECT No	REV
TOWN PLANNING NOT FOR CONSTRUCTION		17046	

6/12/2018 11:53:21 AM



GENERAL NOTES:
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 Location of services / meters are indicative only. TBC at working drawing stage.
 All levels are to AHD.

NOTES SPECIFIC TO THIS PLAN:
 Window locations shown for Levels 4 and 6.
 Window locations for Level 5 will be as per Level 3 (Refer TP06).

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							CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.	CHECKED	MP	1:100 A2	TP 07
							DRAWING TITLE	LEVEL 4, 5 & 6 TYPICAL FLOOR PLAN	DATE	DEC 2018	TOWN PLANNING NOT FOR CONSTRUCTION	
											17046	

6/12/2018 11:54:15 AM



STREET ELEVATION

1:150

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							CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.	CHECKED	MP	as noted A2	TP 08
						DRAWING TITLE	ELEVATIONS	DATE	DEC 2018	TOWN PLANNING NOT FOR CONSTRUCTION	PROJECT No	REV
											17046	

6/12/2018 11:56:39 AM

EXTERNAL FINISH LEGEND		
PALLETTE	CODE	DESCRIPTION
	TC1	TIMBER COMPOSITE CLADDING COLOUR = MONACO BY PERMA TIMBER OR SIMILAR
	A1	ALUCOBOND CLADDING COLOUR = NATURAL ZINC OR SIMILAR
	RF1	APPLIED RENDER FINISH COLOUR = DULUX AZURE BLUE OR SIMILAR
	RF2	APPLIED RENDER FINISH COLOUR = DULUX RIMALDO OR SIMILAR
	RF3	APPLIED RENDER FINISH COLOUR = DULUX WESTERN MYALL OR SIMILAR
	PF1	DULUX POWDERCOAT COLOUR = MONUMENT OR SIMILAR
	PF2	DULUX POWDERCOAT COLOUR = WALLABY OR SIMILAR

	OBSURED GLAZING
	NATURAL GROUND LINE
	PROPOSED GROUND LINE



ALUCOBOND NATURAL ZINC

GENERAL NOTES:

All levels are to AHD.

All glazing to be transparent and tinted unless noted otherwise.



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REV	DATE	DESCRIPTION	BY

PROJECT	RESIDENTIAL HOTEL 107 DOVETON STREET SOUTH, BALLARAT
CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.
DRAWING TITLE	ELEVATIONS

DRAWN	JH	SCALE	DRAWING NO.
CHECKED	MP	1:100 A2	TP 09
DATE	DEC 2018	PROJECT NO.	REV
TOWN PLANNING NOT FOR CONSTRUCTION		17046	

6/12/2018 11:57:02 AM

EXTERNAL FINISH LEGEND		
PALLETTE	CODE	DESCRIPTION
	TC1	TIMBER COMPOSITE CLADDING COLOUR = MONACO BY PERMA TIMBER OR SIMILAR
	A1	ALUCOBOND CLADDING COLOUR = NATURAL ZINC OR SIMILAR
	RF1	APPLIED RENDER FINISH COLOUR = DULUX AZURE BLUE OR SIMILAR
	RF2	APPLIED RENDER FINISH COLOUR = DULUX RIMALDO OR SIMILAR
	RF3	APPLIED RENDER FINISH COLOUR = DULUX WESTERN MYALL OR SIMILAR
	PF1	DULUX POWDERCOAT COLOUR = MONUMENT OR SIMILAR
	PF2	DULUX POWDERCOAT COLOUR = WALLABY OR SIMILAR

	OBSURED GLAZING
	NATURAL GROUND LINE
	PROPOSED GROUND LINE



ALUCOBOND NATURAL ZINC

GENERAL NOTES:

All levels are to AHD.

All glazing to be transparent and tinted unless noted otherwise.



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Verify all dimensions shown at the site. Work only to figured dimensions. Do not scale the drawings. Report any discrepancies to the architect for decision and clarification. This drawing should be read in conjunction with the relevant Contracts, Specifications and Drawings if applicable.



REV	DATE	DESCRIPTION	BY

PROJECT	RESIDENTIAL HOTEL 107 DOVETON STREET SOUTH, BALLARAT
CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.
DRAWING TITLE	ELEVATIONS

DRAWN	HH	SCALE	DRAWING NO.
CHECKED	MP	1:100 A2	TP 10
DATE	DEC 2018	PROJECT No	REV
TOWN PLANNING NOT FOR CONSTRUCTION		17046	

6/12/2018 11:57:38 AM

EXTERNAL FINISH LEGEND		
PALLETTE	CODE	DESCRIPTION
	TC1	TIMBER COMPOSITE CLADDING COLOUR = MONACO BY PERMA TIMBER OR SIMILAR
	A1	ALUCOBOND CLADDING COLOUR = NATURAL ZINC OR SIMILAR
	RF1	APPLIED RENDER FINISH COLOUR = DULUX AZURE BLUE OR SIMILAR
	RF2	APPLIED RENDER FINISH COLOUR = DULUX RIMALDO OR SIMILAR
	RF3	APPLIED RENDER FINISH COLOUR = DULUX WESTERN MYALL OR SIMILAR
	PF1	DULUX POWDERCOAT COLOUR = MONUMENT OR SIMILAR
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	OG	OBSCURED GLAZING
		NATURAL GROUND LINE
		PROPOSED GROUND LINE



GENERAL NOTES:

All levels are to AHD.

All glazing to be transparent and tinted unless noted otherwise.



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REV	DATE	DESCRIPTION	BY

PROJECT	RESIDENTIAL HOTEL 107 DOVETON STREET SOUTH, BALLARAT
CLIENT	BALLARAT INVESTMENTS GROUP PTY LTD.
DRAWING TITLE	ELEVATIONS

DRAWN	JH	SCALE	1:100 A2	DRAWING NO.	TP 11
CHECKED	MP	DATE	DEC 2018	PROJECT NO.	17046
TOWN PLANNING NOT FOR CONSTRUCTION			REV		

6/12/2018 11:56:09 AM



NORTH WEST VIEW



SOUTH WEST VIEW



NORTH EAST VIEW



SOUTH EAST VIEW

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<p>CLIENT BALLARAT INVESTMENTS GROUP PTY LTD.</p>		<p>DRAWING TITLE 3D VIEWS</p>																															
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6.2. C212BALL - LOFVEN STREET PERMANENT HO

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Vanessa O'Shea – Strategic Planner
Terry Natt – Manager Strategic Planning
James Guy – Executive Manager Economic Growth

PURPOSE

1. To advise Council that the land identified for inclusion in the Heritage Overlay via Amendment C212ball is no longer considered significant at the local level.
2. To recommend that Amendment C212ball is abandoned pursuant to Section 28 of the *Planning and Environment Act 1987*.
3. To Advise Council of Council Officer responses after receiving independent heritage advice and recommendations following the demolition of the shed.

BACKGROUND

4. In January 2019, the City of Ballarat was informed that partial demolition of a shed with potential heritage significance had taken place, located on the boundary of 113 Lofven Street and Crown Allotment 22C Section AA Nerrina.
5. A Heritage Citation which included a Statement of Significance was completed. The Statement of significance determined the shed and immediate surrounds is significant at a local level.
6. On 3 April 2019 Council resolved to seek authorisation from the Minister for Planning and to place the amendment on exhibition. Public exhibition was held from 28 May to 30 June 2020 and two submissions were received. One submission has been resolved and the other is unresolved.
7. A decision to refer Amendment C212ball to an Independent Planning Panel was deferred at the 29 July 2020 Planning Special Committee Meeting to provide additional time to facilitate public ownership of the identified heritage place.
8. Following this decision, the structural integrity of the shed deteriorated due to strong winds in late August 2020. Refer to figure 1.
9. On 3 September 2020, an Emergency Order requiring demolition of the shed was issued by Council's Municipal Building Surveyor as the shed was considered at risk of further collapse and imposed danger to life.
10. Following the demolition of the shed Council Officers sought independent advice from a heritage consultant to understand the significance of the place post demolition and if the Heritage Overlay should still be applied to the place.
11. The advice stated that the place is no longer significant at the local level and that a Heritage Overlay should not be applied.



Figure 1: Photo of shed following strong winds in August 2020

KEY MATTERS

12. The Municipal Building Inspector inspected Eureka Lead Gold Sluicing Company site on 31 August 2020 after being notified the shed had partially collapsed due to strong winds. On 3 September 2020, the Municipal Building Surveyor issued an Emergency Order to both landowners pursuant to Section 102 of the *Building Act 1993*. The Emergency Order required the demolition of the shed as it was considered at risk of further collapse and posed a danger to life. The shed was demolished in accordance with the Emergency Order.
13. Council Officers sought independent advice from a heritage consultant to understand the significance of the place post demolition and if the Heritage Overlay should still be applied.
14. The Letter of Advice provided Council Officers with four recommendations. These recommendations and officer responses are as follows:

1. *The proposed Heritage Overlay for the site should not be proceeded with*

The previous Council Officer recommendation to refer Amendment C212ball to an Independent Planning Panel has been revised. Council Officers now recommend that Amendment C212ball is abandoned pursuant to Section 28 of the *Planning and Environment Act 1987*.

2. *An alternative Heritage Overlay for the surrounding historic mining landscape should be investigated*

The surrounding historic mining landscape will be included as a shortlisted place and further investigated as part of the Heritage Gaps Review project, which is a municipal wide review of the existing Heritage Overlay. The area that will be further investigated is located on the Crown land to the immediate north of the Heritage Overlay proposed via C212ball. Since the letter of advice identified that land subject to C212ball is no longer considered significant, the land located at 113 Lofven Street is now considered beyond the scope of the review. If identified to be significant at the local level, heritage protection will be sought through a future planning scheme amendment that will implement the findings from the Heritage Gaps review.

3. *The Victorian Heritage Inventory Listing (VHI H7622-0459) should be reviewed to consider if the site should remain on the Inventory, and if there are other historic archaeological remains in the surrounding historic mining landscape that should be included on the inventory.*

An independent heritage consultant was engaged to review the existing Victorian Heritage Inventory Listing to determine if the site should remain on the Inventory, and if there are other historic archaeological remains in the surrounding historic mining landscape that should be included on the inventory. The review found the surrounding mining landscape should be included in the inventory. A new site card was submitted to Heritage Victoria for consideration to support the inclusion of the surrounding historic mining landscape on the Inventory.

4. Heritage Victoria should be notified of the damage caused during demolition works to the listed archaeological place.

Heritage Victoria were notified that demolition of the shed had occurred and were provided with a copy of the Letter of Advice. A response received from Heritage Victoria advised they did not believe the archaeological (below ground components) of the site was damaged during demolition and that the existing listing should remain in place.

OFFICER RECOMMENDATION

15. That Council:

- 15.1 Abandon Amendment C212ball pursuant to Section 28 of the *Planning and Environment Act 1987*.**
- 15.2 Write to the Minister for Planning advising of Council's abandonment of Amendment C212ball.**
- 15.3 Notify submitters of Council's resolution to abandon Amendment C212ball.**
- 15.4 Note Council Officer responses and actions after receiving independent heritage advice and recommendations.**

ATTACHMENTS

- 1. Governance Review [6.2.1 - 2 pages]
- 2. Letter of Advice [6.2.2 - 3 pages]

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The proposal to include the Eureka Lead Gold Sluicing Company site as a shortlisted site in the Heritage Gaps Review project supports objectives of the Ballarat Council Plan that seeks to protect, maintain and enhance our built and natural assets. The proposal also underpins Principle 1 of the Ballarat Strategy– Our Beautiful and Unique City.

COMMUNITY IMPACT

2. There is no community impact identified for the subject of this report.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. There are no economic sustainability implications identified for the subject of this report.

FINANCIAL IMPLICATIONS

5. It is anticipated the potential costs associated with determining the significance of the broader mining landscape and a future Planning Scheme Amendment will be covered by the budget for the Heritage Gaps Review project.

LEGAL AND RISK CONSIDERATIONS

6. The proposal to include the Eureka Lead Gold Sluicing Company site as a shortlisted site in the Heritage Gaps Review project is consistent with Council's obligations as a planning authority under the *Planning and Environment Act 1987*.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. Submitters to Amendment C212ball will be notified of Council's resolution regarding the recommendations of this report.

GENDER EQUALITY ACT 2020

9. There are no gender equality implications identified for the subject of this report

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

10. Council Officers affirm that no material or general interests need to be declared in relation to the matter of this report.



5 November 2020

Vanessa O'Shea
Strategic Planner
City of Ballarat
Via email: VanessaOshea@ballarat.vic.gov.au

Dear Vanessa

Eureka Lead Gold Sluicing Company building

Our ref: Matter 30751

I have considered your email from 21 October regarding a request to consider the residual heritage values of the Eureka Lead Gold Sluicing Company building at 113 and 135 Lofven Street Nerrina. This site was previously considered for inclusion on the Ballarat planning scheme Heritage Overlay and is listed on the Victorian Heritage Inventory (VHI H7622-0459).

My understanding is that the building was damaged by a wind storm, causing part of the roof and walls to dislodge. As a result a demolition order was made on safety grounds on the basis of an Emergency Order issued under Section 102 of the Building Act 1993. The building was subsequently demolished and all superstructure removed in early September 2020.

From the photos that were provided to me, it appears that the demolition of the building has been undertaken in a manner that has also dislodged the foundations and machinery bases, and turned over the soil around and within the building footprint. Backfilling of the site with soil and material from adjacent areas appears to have been undertaken.

Heritage values were previously identified in respect of the form and fabric of the building and concrete footings and floors. These elements reflected the style of construction of the period (1930s) and the function of the building. These elements have now been removed and so any heritage value to site had been lost.

I am therefore of the opinion that without the buildings and intact foundations, there is no value or purpose in applying a Heritage Overlay to the site in the form previously proposed.

There may, however, still be heritage values in the surrounding associated cultural landscape which comprises a variety of historic mining features. In my previous report of 29 November 2019 I outlined the heritage values of the surrounding cultural landscape as follows:

To the north of the building is a deep sluice pit measuring about 50 metres wide and 250 metres long. In its bottom are a number of earth banks, one running for about 100 metres towards the south west. These are likely to have been for diverting tailings of sludge from the sluicing activities. To the north east and north west of the pit, a series of small dams occur. These have the form of tailings dams. As hydraulic sluicing was generally banned from about 1904 due to the damage it was causing to downstream

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waterways, it is likely that the dams are remnants of the system to capture and recycle waste water and sludge from the sluicing operations. Between the deep sluice pits and the tailings dams, there is an elevated area of land that has not been sluiced. This has a number of subtle surface features relating to gold mining activity including mullock heaps, shallow shafts, water races and possibly a puddling machine or other structures. There are several roughly rectangular, levelled areas that may be former building platforms. Scattered among this landscape are fragments of handmade brick and squared blocks of stone, possibly related to mining machinery shown on early plans.

I think most of these values are still present in the surrounding area, and despite the damage to the sluice pump building, it might still be considered a component of the larger cultural landscape.

Also because of the way the building was demolished and the disturbance caused to the foundations, I believe there is little historical archaeological potential now present on the site. Previously there was evidence of both 19th century occupation such as bottle glass and ceramics surrounding the building, as well as artefacts related to the mid-20th century operation of the sluice pumps such in the form of concrete, metal and timber components. The context of these archaeological material has now been lost due to the disturbance of the archaeological deposits and ground surface during demolition.

I am not aware of whether a Consent was issued by Heritage Victoria prior to the demolition being carried out. Note that it is an offence under Section 123 of the Heritage Act 2017 to "knowingly or negligently deface, damage or otherwise interfere with, or carry out an act, likely to endanger a site recorded in the Heritage Inventory."

On the basis of the above discussion, my recommendations are as follows:

- The proposed Heritage Overlay for the site should not be proceeded with.
- An alternative Heritage Overlay for the surrounding historic mining landscape should be investigated.
- The Victorian Heritage Inventory listing (VHI H7622-0459) should be reviewed to consider if the site should remain on the Inventory, and if there are other historic archaeological remains in the surrounding historic mining landscape that should be included on the Inventory.
- Heritage Victoria should be notified of the damage caused during demolition works to the listed archaeological place.

Please contact me if you have any enquiries.

Yours sincerely

A large black rectangular redaction box covering the signature of the Senior Heritage Advisor.

Senior Heritage Advisor



7. GENERAL BUSINESS - MATTERS ARISING FROM THE AGENDA

8. CLOSE