

OFFICIAL

Planning Delegated Committee Meeting

Agenda

12 June 2024 at 6:30pm

Council Chamber, Town Hall, Sturt Street,
Ballarat



PUBLIC SUBMISSIONS

- Public representations may be made on any items listed on the agenda in a Planning Meeting apart from those listed in the confidential section.
- If you do wish to attend the meeting in person to make a submission, please fill out the [form on our website](#).
- Members of the public who wish to make a submission on an agenda item but who are unable to attend the meeting in person may make a submission in writing:
 - Submissions must be submitted in writing via the [form on our website](#) by no later than 2:00pm on the day of Planning meeting; 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.



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1. ACKNOWLEDGEMENT OF COUNTRY



The City of Ballarat acknowledges the Traditional Custodians of the land we live and work on, the Wadawurrung and Dja Dja Wurrung People, and recognises their continuing connection to the land and waterways. We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

2. APOLOGIES FOR ABSENCE

3. DECLARATION OF CONFLICT OF INTERESTS

4. CONFIRMATION OF MINUTES

5. OFFICER BRIEFING

6. PLANNING DELEGATED COMMITTEE REPORTS

6.1. BALLARAT PLANNING SCHEME AMENDMENT C245BALL: HERITAGE PROTECTION FOR 'LINTEL GRANGE HOMESTEAD COMPLEX' 127 EDMONSTON ROAD, ADDINGTON

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Peter Dreimanis – Strategic Planner

PURPOSE

1. The purpose of this report is:
 - a. To consider the recommendations by Planning Panels Victoria (the Panel) for Ballarat Planning Scheme Amendment C245ball ('Lintel Grange Homestead Complex' 127 Edmonston Road, Addington).
 - b. To endorse the Panel's recommendation to form the basis of Council's request to approve Ballarat Planning Scheme Amendment C245ball with changes.
 - c. To consider the officer recommendation to request that the Minister for Planning approve Ballarat Planning Scheme Amendment C245ball with changes.

BACKGROUND

2. Ballarat Planning Scheme Amendment C245ball (the Amendment) provides permanent heritage protection to the Lintel Grange Homestead Complex, 127 Edmonston Road, Addington by replacing the interim Heritage Overlay with a permanent Heritage Overlay to part of the subject site and incorporating the *Lintel Grange Homestead Complex Statement of Significance* (City of Ballarat, May 2024) into the Planning Scheme.

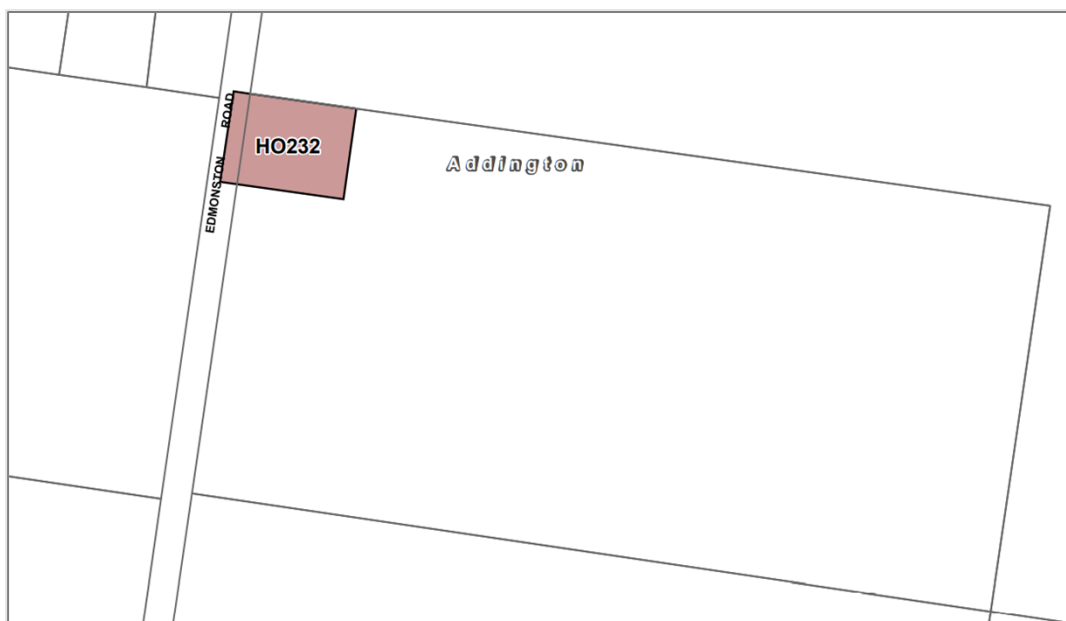


Figure 1 – Ballarat Planning Scheme – Local Provision, Amendment C245ball, Map 1HO (Source: The State of Victoria Department of Transport and Planning 2023).

3. The genesis of the Amendment dates from 7 June 2023 when an application was made to Council for demolition consent under section 29A of the *Building Act 1993* to demolish the dwelling and agricultural building at 127 Edmonston Road, Addington.
4. The request was considered by the City of Ballarat Statutory Planning department. It was assessed that the dwelling and outbuildings on the land may have heritage significance and further review would be required prior to the determination of the section 29A request for demolition.
5. The Statutory Planning department referred the request to Council's Heritage Advisor and the Strategic Planning department undertook a desktop analysis to determine the heritage significance of the place.
6. A draft Heritage Citation including a Statement of Significance, *'Lintel Grange Homestead Complex' Heritage Citation* (City of Ballarat, July 2023), was prepared by Council's Heritage Advisor. This assessment determined that *'the dwelling 'Lintel Grange' meets the threshold for local significance associated with the history of Learmonth as a prosperous farming area. The land and residence are associated with the Edmonston family. Cr Charles Edmonston was an influential pastoralist, a progressive and prosperous cultivator and was heavily involved in the community once elected Councillor for the Ballarat Shire. It is found that the residence 'Lintel Grange' is a fine and intact farmhouse of substantial size, material, detailing, accomplished with the use of locally quarried granite and handmade bricks.'*
7. It was determined that interim heritage controls were required to protect the dwelling and outbuildings from demolition while a planning scheme amendment for permanent heritage controls was prepared and considered for a site identified for protection.
8. As the site was found to be of heritage significance, the application for demolition consent under section 29A of the Building Act 1993 to demolish the dwelling and agricultural building was suspended on 15 June 2023 in accordance with the Building Act 1993 whilst interim heritage protection was sought through Ballarat Planning Scheme Amendment C241ball.
9. At the 12 July 2023 meeting of the Planning Delegated Committee Meeting, authorisation was sought to seek interim heritage protection through Ballarat Planning Scheme Amendment C241ball.
10. The Planning Delegated Committee resolved (PDC11/23) to:
 - a) Advise the Minister for Planning (the Minister) that a heritage assessment of the property at 127 Edmonston Road, Addington confirms the property to be of local heritage significance, based on evidence detailed in the *'Lintel Grange Homestead Complex' Heritage Citation* (City of Ballarat, July 2023).
 - b) Request the Minister exercise their powers of Ministerial Intervention pursuant to Section 20(4) of the *Planning and Environment Act 1987* (the Act), to apply an Interim Heritage Overlay to the site at 127 Edmonston Road.
 - c) Seek authorisation from the Minister to prepare a planning scheme amendment to apply permanent heritage controls to the site pursuant to Section 8A of the Act and place the amendment on exhibition pursuant to Section 19 of the Act.
11. The request for authorisation was submitted to the Minister on 28 July 2023.

12. Council received authorisation (with conditions) from the Minister to prepare and exhibit Amendment C245ball on 28 August 2023.
13. The authorisation conditions required the Explanatory Report be updated to reflect the new format Explanatory Report template released by the Department of Transport and Planning in July 2023.

Exhibition and submissions

14. Public notice of the exhibition was given between Thursday 28 September 2023 and Monday 30 October 2023.
15. Letters were sent to the landowners and occupiers, neighbouring properties, agencies and interested groups comprising Heritage Ballarat Historical Society, Heritage Victoria, Heritage Watch and National Trust Australia, and prescribed Ministers. A public notice was placed in the Ballarat Weekly, the Government Gazette and Council's MySay website.
16. Fifty-one (51) submissions were received from the community. Thirty (30) of these were subsequently withdrawn.
17. At the 13 March 2024 Planning Delegated Committee meeting, Council considered the submissions and resolved (PDC3/24) to refer the Amendment to Planning Panels Victoria.

Planning panel hearing

18. Planning Panels Victoria held a Directions Hearing on 19 April 2024.
19. A Panel Hearing scheduled for the week of 20 May 2024 was vacated at the Directions Hearing with the Panel member proposing to prepare their report 'on the papers'. This was supported by Council officers.
20. During the hearing the panel member heard from the City of Ballarat. No submitters registered to be heard by the Panel.

Planning Panel Recommendation

21. The Panel Report was received on 14 May 2024 and released on 31 May 2024.
22. In preparing its report and recommendations, the Panel considered all written submissions referred to it by Council.
23. The Panel concluded that the subject land has enough heritage significance to meet the local threshold to justify applying the Heritage Overlay (HO232) and recommended that the Amendment be adopted as exhibited subject to minor changes including:
 - a) updating the Statement of Significance date and
 - d) identifying the later additions made to the dwelling as 'secondary significance' in the Statement of Significance (assisting to inform the permit applicant and Council during the permit application process for a proposal to alter or demolish the heritage fabric).

KEY MATTERS

Next steps in the amendment process

24. The next phase of the Amendment is the final step in the process from Council.
25. Under sections 27, 28 and 29 of the Act, Council must:
- a) Consider the Panel's report before deciding whether to adopt the amendments; and then
 - b) Either abandon all or part of the Amendment; or
 - c) Adopt all or part of the Amendment with or without changes.
26. Section 9 of the *Planning and Environment Regulations 2015* (the Regulations) sets out the information to be submitted to the Minister for Planning under Section 31 of the Act. Council must provide the following:
- e) The reasons why any recommendations of a Panel were not adopted; and
 - f) A description of and the reasons for any changes made to the Amendment before adoption.
27. The Panel's findings and officer recommendations are as follows:

Panel recommendation	Council Officer recommendation
<p><i>Revise the Lintel Grange Homestead Complex Statement of Significance, as shown in Appendix B</i></p>	<p>Accept the minor change proposed by the Panel which includes updating the Statement of Significance date.</p> <p>Accept the identification of the later additions made to the dwelling as 'secondary significance' in the Statement of Significance.</p>

28. Officers recommend accepting the minor change proposed by the independent Planning Panel. Appendix B of the Panel Report provides a marked-up version of the Panel's proposed changes to the Amendment.
29. The specific changes to the Amendment also include changes to the Explanatory Report and associated schedules in the Planning Scheme and are identified in the Changes to Amendment C245ball Post Exhibition attachment to this report.
30. The amendment documents for adoption are attached to this report.

OFFICER RECOMMENDATION

31. That the Planning Delegated Committee:
- 31.1 Notes the *Ballarat Planning Scheme Amendment C245ball – Lintel Grange Homestead Heritage Overlay Panel Report (14 May, 2024)* recommendation that Ballarat Planning Scheme Amendment C245ball be adopted as exhibited with changes.
 - 31.2 Accepts the recommendation made by the independent Planning Panel for Amendment C245ball to the Ballarat Planning Scheme.
 - 31.3 Adopts Amendment C245ball to the Ballarat Planning Scheme pursuant to section 29(1) of the *Planning and Environment Act 1987* with changes set out in the Changes to Amendment C245ball Post Exhibition attachment to this report.
 - 31.4 Submits the adopted Amendment C245ball to the Minister for Planning requesting approval pursuant to section 31(1) of the *Planning and Environment Act 1987*.
 - 31.5 Submits the information prescribed under section 31 of the *Planning and Environment Act 1987* with the adopted amendment, including a description of, and reasons for, the changes made to Amendment C245ball between exhibition and adoption as outlined in the Changes to Amendment C245ball Post Exhibition attachment to this report.
 - 31.6 Notifies all submitters of the Planning Delegated Committee's determination in relation to Amendment C245ball.

ATTACHMENTS

- 1. Governance Review [6.1.1 - 2 pages]
- 2. Changes to Amendment C245ball Post Exhibition [6.1.2 - 2 pages]
- 3. Ballarat C245ball Explanatory Report adoption [6.1.3 - 5 pages]
- 4. Ballarat C245ball Instruction Sheet adoption [6.1.4 - 1 page]
- 5. Ballarat C 241 ball 002 ho Map 01 adoption [6.1.5 - 1 page]
- 6. SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY Compare adoption [6.1.6 - 26 pages]
- 7. SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME Compare adoption [6.1.7 - 2 pages]
- 8. Ballarat C245ball Panel Report [6.1.8 - 21 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This report aligns with Council's Vision, Council Plan, Strategies and Policies.

COMMUNITY IMPACT

2. The amendment will have positive social and community impacts by seeking to protect and retain identified heritage fabric which has significance importance to the course or pattern of Victoria's cultural history, demonstrating the principal characteristics of a class of cultural places and objects and special association with the life or works of a person, or group of persons, of importance in Victoria's history.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. This amendment does not raise any direct climate emergency issues or environmental sustainability implications.

ECONOMIC SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. The amendment will not have any significant financial implications to Council with the exception of the usual cost associated with the planning scheme amendment process.
6. The City of Ballarat as Planning Authority is responsible for amendment related costs including notification of land owners, planning panel fees and engagement of legal representation.

LEGAL AND RISK CONSIDERATIONS

7. The amendment does not raise any legal risks or concerns of note.
8. Section 9(1) of the Local Government Act 2020 states that a Council must, in the performance of its role, give effect to the overarching governance principles of the Act. This includes section 2 which states that:
 - a) the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted,
 - b) the municipal community is to be engaged in strategic planning and strategic decision making,
 - c) collaboration with other Councils and Governments and statutory bodies is to be sought' and,
 - d) the ongoing financial viability of the Council is to be ensured.
9. The Amendment gives effect to the overarching governance principles by identifying land suitable for heritage protection subject to a robust assessment.

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10. The *Planning and Environment Act 1987* (the Act) sets out the framework for the use, development, and protection of land in Victoria in the present and long-term interests of all Victorians.
11. The Amendment seeks to identify land suitable for heritage protection and manage new development through the planning scheme controls to minimise impacts to the heritage fabric of the place.
12. Divisions 1 and 2 of Part 3 of the Act set out the procedure for planning scheme amendments and the relevant provisions in relation to the notification of planning scheme amendments including the process for public submissions and the consideration of those submissions by the planning authority or an appointed panel. The recommendations set out in this report are consistent with the Act.

HUMAN RIGHTS CONSIDERATIONS

13. 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

14. The amendment was prepared and exhibited in accordance with the Act which includes a requirement to give notice to all affected landowners, occupiers and prescribed Ministers, notices in the local newspapers and the Victorian Government Gazette. The exhibition of the Amendment was undertaken subject to ministerial authorisation.
15. Interested parties were able to make submissions which were considered by Council and referred to an independent planning panel where submitters had the option to present their submissions at a panel hearing.
16. Council officers engaged with Traditional Custodian and resident groups during exhibition of the Amendment.

GENDER EQUALITY ACT 2020



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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

18. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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Attachment: Changes to Amendment C245ball Post Exhibition.

Document	Description of change	Specific change to the Statement of Significance
Statement of Significance	Correctly define the part of the house found to be of primary heritage significance (Homestead built in 1860's) and secondary heritage significance (Homestead additions b/w 1870 and 1900) which was incorrectly defined in the exhibited documents as described in Figures 1 and 2.	  <p>Figure 1. Incorrectly defined. Figure 2. Correctly defined.</p>
Statement of Significance	Insert reference to secondary heritage significance (significance (Homestead additions b/w 1870 and 1900)	<p><i>The later additions c1870-1900, found to be of secondary heritage significance to the dwelling, set to the rear of the c1860 bluestone and granite homestead, including a substantial underground cellar and the late Victorian cast iron post supported verandah.</i></p> <p><i>The subsequent additions which were undertaken to the dwelling between c. 1870 and c.1900 and are of secondary heritage significance to the original dwelling, reflect the growing success and prosperity of the establishment farming business, which was also reflected in the acquisition of adjacent farmland over this period.</i></p>
Explanatory Report	<p>Under 'what the amendment does: Insert reference to secondary heritage significance (significance (Homestead additions b/w 1870 and 1900), remove reference to (species to be confirmed when in leaf)</p> <p>Update reference to the correct date of the Statement of</p>	<ul style="list-style-type: none"> - The later additions c1870-1900, found to be of secondary heritage significance to the dwelling set to the rear of the c1860 bluestone and granite homestead, including a substantial underground cellar and the late Victorian cast iron post supported verandah. - A rendered dome brick well to the south of the homestead and associated hand water pump. - The pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber located to the north, east and south of the homestead. - Mature Privet hedge around the homestead. - Mature trees, including Weeping Nootka Cypress, Ash Tree and Walnut Tree (species to be confirmed when in leaf). - The granite piers and slabs located at the vehicular entrance to the property.

	Significance throughout the report																							
In the Schedule to Clause 43.01	Update reference to the correct date of the Statement of Significance	<table border="1"> <thead> <tr> <th colspan="11">Significance, November 2019</th> </tr> </thead> <tbody> <tr> <td>HO232</td> <td> Lintel Grange Homestead Complex 127 Edmonston Road, Addington. Statement of Significance Lintel Grange Homestead Complex Statement of Significance (City of Ballarat, July 2023, May 2024) </td> <td>No</td> <td>No</td> <td>Yes - Mature Pruned hedge, Mature Ash and Walnut Trees and Weeping Nootka Cypress</td> <td>Yes</td> <td>Yes - Granite piers and slabs at entry, the pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber</td> <td>No</td> <td>No</td> <td>No</td> <td>No</td> </tr> </tbody> </table>	Significance, November 2019											HO232	Lintel Grange Homestead Complex 127 Edmonston Road, Addington. Statement of Significance Lintel Grange Homestead Complex Statement of Significance (City of Ballarat, July 2023, May 2024)	No	No	Yes - Mature Pruned hedge, Mature Ash and Walnut Trees and Weeping Nootka Cypress	Yes	Yes - Granite piers and slabs at entry, the pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber	No	No	No	No
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In the Schedule to Clause 72.04	Update reference to the correct date of the Statement of Significance	<table border="1"> <thead> <tr> <th colspan="2">Name of document</th> <th>Introduced by:</th> </tr> </thead> <tbody> <tr> <td>Lake Federation Resort Main Components Plan C511 CP 039c dated August 2004</td> <td></td> <td>C64</td> </tr> <tr> <td>Lake Federation Resort Staging Plan C511 CP 037b dated August 2004</td> <td></td> <td>C64</td> </tr> <tr> <td> Lintel Grange Homestead Complex Statement of Significance (City of Ballarat, July 2023, May 2024) </td> <td></td> <td>C245ball</td> </tr> <tr> <td>Plan for the future development of the Western Freeway titled "Proposed Works Area" and dated 26/7/2000</td> <td></td> <td>C13</td> </tr> </tbody> </table>	Name of document		Introduced by:	Lake Federation Resort Main Components Plan C511 CP 039c dated August 2004		C64	Lake Federation Resort Staging Plan C511 CP 037b dated August 2004		C64	Lintel Grange Homestead Complex Statement of Significance (City of Ballarat, July 2023, May 2024)		C245ball	Plan for the future development of the Western Freeway titled "Proposed Works Area" and dated 26/7/2000		C13							
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Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

AMENDMENT C245BALL

EXPLANATORY REPORT

Overview

The amendment applies the Heritage Overlay to part of 127 Edmonston Road, Addington known as 'Lintel Grange Homestead Complex' and its curtilage.

The application of the Heritage Overlay is supported by the *'Lintel Grange Homestead Statement of Significance'* (City of Ballarat, May 2024) that finds the property to be of local heritage significance.

Where you may inspect this amendment

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

City of Ballarat
Phoenix Building
25 Armstrong Street South
Ballarat Central VIC 3350

The amendment can be inspected free of charge at the City of Ballarat website at www.ballarat.vic.gov.au

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Details of the amendment

Who is the planning authority?

This amendment has been prepared by Ballarat City Council.

The amendment has been made at the request of the Ballarat City Council.

Land affected by the amendment

The land affected by the amendment is part of 127 Edmonston Road, Addington (Figure 1), including the curtilage.

The site is in the Farming Zone (FZ) and the Environmental Significance Overlay Schedule 3 - Water Catchments (ESO3) applies to the entirety of the site.

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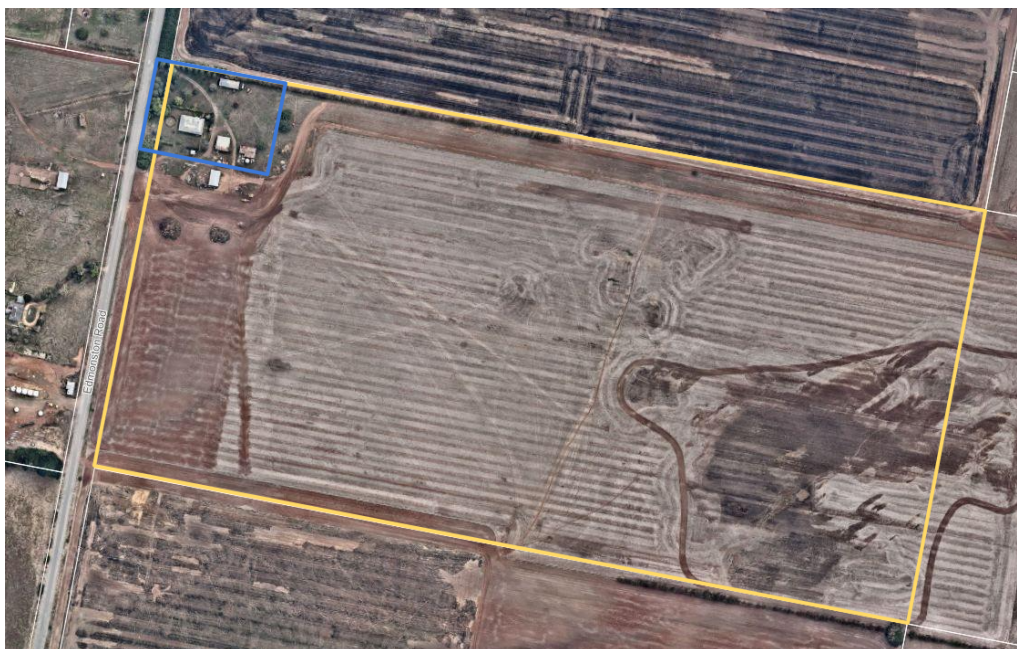


Figure 1. Heritage Overlay boundary (blue). Property boundary (yellow).

What the amendment does

The amendment applies the Heritage Overlay to part of the land at 127 Edmonston Road, Addington known as 'Lintel Grange Homestead Complex' and its curtilage on a permanent basis.

Specifically, the amendment:

- Amends the Schedule to Clause 43.01 (Heritage Overlay) to:
 - Apply permanent heritage protection to the Lintel Grange Homestead Complex (HO232) including:
 - The 1860 bluestone and white Mount Bolton granite homestead, comprising the first four rooms of the dwelling, the rendered chimneys, symmetrically arranged façade with decorative double hung sash windows on either side of the 6-panel front door.
 - The later additions c1870-1900, found to be of secondary heritage significance to the dwelling set to the rear of the c1860 bluestone and granite homestead, including a substantial underground cellar and the late Victorian cast iron post supported verandah.
 - A rendered dome brick well to the south of the homestead and associated hand water pump.
 - The pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber located to the north, east and south of the homestead.
 - Mature Privet hedge around the homestead.
 - Mature trees, including Weeping Nootka Cypress, Ash Tree and Walnut Tree
 - The granite piers and slabs located at the vehicular entrance to the property.
 - Include permanent tree controls for the mature Weeping Nootka Cypress, the Ash and the Walnut Trees and the Privet Hedge.

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- Identify that the granite piers and slabs at entry and farm outbuildings constructed of brick, bluestone and timber, are not exempt from notice and review under Clause 43.01-4 (Exemption from notice and review) on a permanent basis.
- List the '*Lintel Grange Homestead Statement of Significance* (City of Ballarat, May 2024)'.
- Deletes reference to the interim control and the expiry date associated with the interim heritage protection for the site as part of Planning Scheme Amendment C241ball.
- Amends the Schedule to Clause 72.04 (Document Incorporated in this Planning Scheme) to include '*Lintel Grange Homestead Statement of Significance* (City of Ballarat, May 2024)'.
- Amends Planning Scheme Map No. 1HO to apply the Heritage Overlay (HO232) to the Lintel Grange Homestead Complex at 127 Edmonston Road, Addington and its curtilage on a permanent basis.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to provide heritage protection to the Lintel Grange Homestead Complex at 127 Edmonston Road, Addington, and its curtilage on a permanent basis.

In June 2023, an application was made to Council for demolition consent under Section 29A of the *Building Act 1993* to demolish the dwelling and agricultural building at 127 Edmonston Road, Addington.

An investigation undertaken by council's Heritage Advisor found the Homestead Complex to warrant permanent heritage protection under the Ballarat Planning Scheme for its heritage significance as an early small farming enterprise established prior to the first of the Land Selection Acts in 1860 and its long and continuing association with the Edmonston family. Cr Charles Edmonston was an influential pastoralist, a progressive and prosperous cultivator and was heavily involved in the community. It is found that Lintel Grange homestead is of aesthetic (architectural) significance as example of a restrained classical mid-Victorian homestead. The use of white local granite is of particular interest, being very finely tooled and extensively used in window and door surrounds, under eave, base of walls and in quoins which provide relief from the heavy bluestone of which the majority of the dwelling is constructed.

To ensure additional heritage elements are considered and protected in any planning permit proposal, specific heritage controls for trees and outbuildings are identified in the Schedule to the Heritage Overlay, including:

- Granite piers and slabs at entry.
- The pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber located to the north, east and south of the homestead.
- Mature Privet Hedge around the homestead.
- Mature trees, including Weeping Nootka Cypress, Ash Tree and Walnut Tree.

The Heritage Overlay boundary applies to a polygon area that contains the identified significant heritage elements that continue into the curtilage.

As the site has been found to be of heritage significance, the application for demolition consent under Section 29A of the *Building Act 1993* (the Building Act) to demolish the dwelling and agricultural building has been suspended in accordance with the Building Act, whilst interim heritage protection is being sought through Ballarat Planning Scheme Amendment C241ball. Interim heritage protection will apply heritage protection to the property on an interim basis for 12 months whilst permanent heritage protection is being sought through this amendment.

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How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria detailed in section 4(1) of the *Planning and Environment Act 1987* being:

- (a) *'to provide for the fair, orderly, economic and sustainable use, and development of land'*
- (b) *'to conserve and enhance those buildings, areas or other places, which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.'*
- (c) *'to balance the present and future interests of all Victorians.'*

The amendment implements these objectives by ensuring the conservation of heritage buildings significant to Ballarat. Heritage is one of the most valued features in Ballarat by the local and wider community and preserving these cultural attributes will balance the present and future interest of all Victorians.

How does the amendment address any environmental, social and economic effects?

The amendment is expected to have positive social and environmental effects by protecting and promoting places of cultural heritage which is an integral part of Ballarat's social fabric. The amendment will encourage reuses, restorations, and adaptation of heritage places. Retention of these places will minimise building waste associated with demolition and the construction of new buildings.

The amendment will not have significant adverse effects on the environment or economics.

Does the amendment address relevant bushfire risk?

The site is within a designated Bushfire Prone Area. Clause 13.02-1S (Bushfire) requires a planning scheme amendment properly assess bushfire risk. The amendment does not allow for the intensification of development of land and is unlikely to result in any significant increase to the risk to life, property, community, infrastructure, or the natural environment from bushfire.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment complies with the requirements of *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the *Planning and Environment Act 1987* by including a heritage place in the Schedule to Clause 43.01 (Heritage Overlay) and other heritage controls as recommended by the heritage assessments.

The amendment complies with the requirements of *Ministerial Direction No 11 – Strategic Assessments of Amendments* by ensuring the inclusion of comprehensive discussion in this explanatory report about the strategic considerations that support the amendment and by providing an assessment on the impact of new planning provisions in the resource and administrative costs of the responsible authority.

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

The amendment supports the Planning Policy Framework, including Clause 15 (Built Environment and Heritage) with the objective to 'protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value'. The amendment identifies and documents a place of heritage significance, providing its protection through the Ballarat Planning Scheme.

The amendment supports Clause 15.03-1S (Heritage Conservation) by identifying and documenting a place of cultural significance, providing for the conservation and enhancement of that place that is of aesthetic, architectural, cultural and social significance, encouraging appropriate development that respects places with identified heritage values, encouraging the conservation and restoration of contributory elements of a heritage place and ensuring an appropriate setting and context of heritage place is maintained or enhanced.

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

The amendment supports Clause 21.06 (Heritage) that recognises the heritage and historic character of Ballarat as a valued feature of Ballarat and must be protected and retained into the future.

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

The amendment makes proper use of the Victorian Planning Provisions by applying the Heritage Overlay to the site. The Heritage Overlay is the most appropriate planning tool to identify places of heritage significance. The Heritage Overlay requires a planning permit to be granted for buildings and works, including demolition and provides a framework to manage heritage values of each place/precinct.

How does the amendment address the views of any relevant agency?

The views of relevant agencies including Heritage Victoria will be sought as part of the exhibition process for this amendment.

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

The amendment is not expected to impact on the transport system as the proposed controls are intended to protect the heritage significance of the place.

Resource and administrative costs

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

It is not expected that the new planning provisions will have any significant impact on the resource and administrative costs of the responsible authority. There may be minor increases in planning permit applications. Any additional work created by the additional heritage controls can be resourced with current staff levels.

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Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

AMENDMENT C245ball

INSTRUCTION SHEET

The planning authority for this amendment is the Ballarat City Council.

The Ballarat Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map No's. 1HO, in the manner shown on the 1 attached map marked "Ballarat Planning Scheme, Amendment C245ball".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In **Overlays** – Clause 43.01, replace Schedule with a new Schedule in the form of the attached document.
3. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

BALLARAT PLANNING SCHEME - LOCAL PROVISION AMENDMENT C241ball



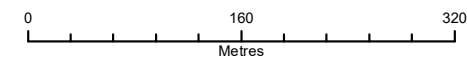
LEGEND

- HO - Heritage Overlay
- Local Government Area

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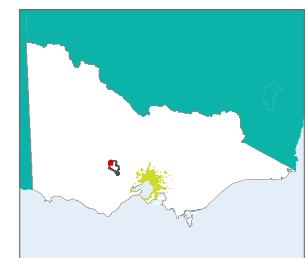
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Planning Group
Print Date: 02/08/2023
Amendment Version: 1



Department of Transport and Planning

Part of Planning Scheme Map 1HO



BALLARAT PLANNING SCHEME

28/02/2019
GC117

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0

Application requirements

28/02/2019
GC117

None specified.

2.0

Heritage places

~~28/03/2023~~
~~Proposed C245ball~~
V6229 The requirements of this overlay apply to both the heritage place and its associated land.



PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	Lauderdale 7 Prince Street, Alfredton	-	-	-	-	-	Yes Ref No H486	No	No
HO2	Beaufort House 9a Beaufort Avenue, Alfredton	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO5	Ebenezer Presbyterian Church and Hall 212 Armstrong Street South, Ballarat Central	Yes	Yes	No	Yes	Yes - cast iron fence	No (On National Estate Register)	No	No
HO6	Former Ebenezer Manse 214 Armstrong Street South, Ballarat Central	Yes	Yes	No	Yes	Yes - cast iron fence	No	No	No
HO8	Synagogue 2-4 Barkly (Cnr Princes Street), Ballarat East	-	-	-	-	-	Yes Ref No H106	No	No
HO9	Former Ballarat East Free Library 25-29 Barkly Street, Ballarat East	-	-	-	-	-	Yes Ref No H1493	No	No
HO10	Lamp Post	Yes	No	No	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Barkly Street and East Street Intersection, Ballarat East and Bakery Hill								
HO11	Ballarat East Fire Station 20-22 Barkly Street, Ballarat East	-	-	-	-	-	Yes Ref No H1001	No	No
HO12	Clowance 518 Barkly Street (Cnr Cameron Street), Golden Point	-	-	-	-	-	Yes Ref No H1898	No	No
HO13	Ballarat Botanical Gardens Gillies Street and Wendouree Parade, Lake Wendouree	-	-	-	-	-	Yes Ref No H2252	Yes	No
HO16	North View Villa 108 Burnbank Street, Lake Wendouree	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO17	Former Police Station, Ballarat 15 Camp Street, Ballarat Central	-	-	-	-	-	Yes Ref No H1544	No	No
HO18	Former Court House Camp Street, Ballarat Central	Yes	Yes	No	Yes	No	No	No	No
HO20	Ballarat Trades Hall 24 Camp Street, Ballarat Central	-	-	-	-	-	Yes Ref No H657	No	No
HO21	Terraces 30-32 Camp Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO22	Colemans Spring and adjacent land 102 Caffrey Street and 201-203 Herriott Street, Buninyong	Yes for all	Refer specific area	Refer specific area	Yes	Refer specific area	No	Refer specific area	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO23	Former Ranger Barracks 1-61 Curtis Street, Ballarat Central	-	-	-	-	-	Yes Ref No H1949	No	No
HO24	Former South British Insurance Co. Ltd. 211 Dana Street (cnr Armstrong Street South), Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO25	Dana House, Former hostel 506 Dana Street (cnr Lyons Street South), Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO26	Primary School No. 33 Dana Street Primary School 401 Dana Street, Ballarat Central	-	-	-	-	-	Yes Ref No H1714	Yes	No
HO27	Former Wesleyan Church and Sunday School 101 Dana Street (Cnr Lydiard Street), Ballarat Central	-	-	-	-	-	Yes Ref No H1089	Yes	No
HO28	Former Chapter House 102 Dana Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO29	Ballarat Club 203 Dana Street, Ballarat Central	Yes	Yes	No	Yes	No	No	No	No
HO30	Yarrowee Hall 1 Darling Street, Redan	-	-	-	-	-	Yes Ref No H1168	No	No
HO31	Former Congregational Church and Hall Dawson Street North and 503 Mair Street, Ballarat Central	-	-	-	-	-	Yes Ref No H995	Yes	No
HO32	Former Baptist Church	-	-	-	-	-	Yes	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	9/3 Dawson Street South, Ballarat Central						Ref No H107		
HO33	Lutheran Church 204A Doveton Street South, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO36	St John of God Hospital (Bailey's House) Drummond Street North, Lake Wendouree	Yes	No	No	Yes	Yes - fence	No	No	No
HO37	House 217 Drummond Street South, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO38	Former Ballarat-Buninyong Railway Land between Elizabeth and Forest Streets, Buninyong	Yes for all	Refer specific area	Refer specific area	Yes	Refer specific area	No	Refer specific area	No
HO39	Montrose Cottage 111 Eureka Street, Ballarat East	-	-	-	-	-	Yes Ref No H108	Yes	No
HO40	House 1104 Eyre Street, Newington	Yes	No	No	Yes	No	No	No	No
HO41	Former Water and Sewerage Authority Office 6 Grenville Street South (Lots 1-4 on PS 544004H) (South Western Cnr Grenville and Lewis Streets), Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO42	Manchester Unity Hall 9 Grenville Street South, Ballarat Central	Yes	Yes	No	Yes	No	No	No	No
HO43	Former Protestant Hall 10 Grenville Street South, Ballarat Central	Yes	No	No	Yes	No	No (On National Estate Register)	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO44	Former Ballarat Woollen & Worsted Mill 14 Hill Street (Cnr Humffray Street South), Mount Pleasant	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO45	Former Myer Woollen Mills 502 Howitt Street, Ballarat North	Yes	No	No	Yes	No	No	No	No
HO46	Former Methodist Church 116-118 Humffray Street North, Brown Hill	Yes	No	No	Yes	No	No	No	No
HO48	House 328 Ligar Street, Soldiers Hill	Yes	No	No	Yes	No	No	No	No
HO50	Christ Church Anglican Cathedral & Christ Church Hall 49 and 49A Lydiard Street South, Ballarat Central	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO53	Gas Lamps In front of 10-16 Lydiard Street South and outside Craig's Royal Hotel, Ballarat Central	-	-	-	-	-	Yes Ref No H977	No	No
HO54	Ballarat School of Mines (Federation University Australia) 107 Lydiard Street South, Ballarat Central	-	-	-	-	-	Yes Ref No H1463	No	No
HO57	Former Ballarat Post Office 2-6 Lydiard Street North (NE Cnr Lydiard Street North and Sturt Street), Ballarat Central	-	-	-	-	-	Yes Ref No H1018	Yes	No
HO59	Ballarat Railway Complex	-	-	-	-	-	Yes Ref No H902	Yes	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	140 Lydiard Street North, Ballarat Central, 75 Humffray Street North, Bakery Hill, 60 Corbett Street, Ballarat East, 202 Lydiard Street North, Soldiers Hill, Scott Parade, Ballarat East and Nolan Street, Soldiers Hill.								
HO62	Former National Mutual Building 2 Lydiard Street South, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO63	Former National Bank of Australasia 5 Lydiard Street North, Ballarat Central	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO64	Former Union Bank Building 4-6 Lydiard Street South, Ballarat Central	-	-	-	-	-	Yes Ref No H109	No	No
HO65	Former Mining Exchange 8-14 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H391	Yes	No
HO66	Former ANZ (also known as ES&A) Bank 9 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H110	No	No
HO67	Craig's Royal Hotel 10-16 Lydiard Street South, Ballarat Central	-	-	-	-	-	Yes Ref No H111	No	No
HO68	Former Bank of New South Wales 13 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H112	No	No
HO69	Old Colonists Association 16-24 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H116	Yes	No
HO70	Her Majesty's Theatre	-	-	-	-	-	Yes Ref No H648	Yes	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Royal South Street Memorial Theatre, Academy of Music 17 Lydiard Street South, Ballarat Central								
HO71	George Hotel 25 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H113	No	No
HO72	Alexandria Tea Rooms 26-34 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H115	Yes	No
HO73	Counsel Chambers 26 Lydiard Street South, Ballarat Central	Yes	Yes	No	Yes	No	No	No	No
HO74	Furnival Chambers 28-36 Lydiard Street South, Ballarat Central	Yes	Yes	No	Yes	No	No	No	No
HO75	Chancery House 38 Lydiard Street South, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO76	Fine Art Gallery, Ballarat 38-48 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H680	No	No
HO77	Former Neil W Jones Real Estate 50 Lydiard Street South, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO78	Land 53 Lydiard Street South, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO79	Shop 60 Lydiard Street North, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO80	Office (Former Union Trustee Building)	Yes	No	No	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	101-103 Lydiard Street North, Ballarat Central						(On National Estate Register)		
HO81	Former J J Goller & Co 114 Lydiard Street North, Ballarat Central	Yes	Yes	No	Yes	No	No	No	No
HO82	Former Warehouse 118 - 122 Lydiard Street North, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO83	Provincial Hotel 121 Lydiard Street North (Cnr Ararat Street), Ballarat Central	-	-	-	-	-	Yes Ref No H432	No	No
HO84	Former Reid's Coffee Palace 128 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H469	Yes	No
HO85	St Patrick's Presbytery (3 Lyons Street South, Ballarat Central), and O'Collins Hall (8 Dawson Street South, Ballarat Central)	Yes	No	No	Yes	No	No	No	No
HO86	Ballarat Terrace 227-231 Lydiard Street North, Soldiers Hill	Yes	No	No	Yes	Yes - front fences	No	No	No
HO87	Former Terrace 18-20 Lyons Street South, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO88	Ballarat Municipal Observatory 439 Cobden Street (Cnr Magpie Street), Mount Pleasant	-	-	-	-	-	Yes Ref No H936	Yes	No
HO89	Former Pratt's Warehouse	-	-	-	-	-	Yes Ref No H955	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	101-103 Mair Street (Cnr Camp Street), Ballarat Central								
HO90	House 505 Mair Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO91	Verandah and Shop 805 Mair Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO92	Aquinas College 1200 Mair Street, Lake Wendouree	Yes	No	Yes	Yes	No	No	No	No
HO93	Former Titheridge and Growcott 15-19 Main Road, Bakery Hill	Yes	No	No	Yes	No	No	No	No
HO94	Ballarat East Post Office 21 Main Road, Bakery Hill	Yes	No	No	Yes	Yes	No	No	No
HO95	Nazareth House 218 Mill Street, Lake Wendouree	Yes	Yes	No	Yes	Yes - fence	No	No	No
HO96	House 411A Neill Street, Soldiers Hill	Yes	No	Yes	Yes	Yes - lantern	No	No	No
HO97	Cemetery, Chinese Section, Alter 1250 Doveton Street North, Invermay Park	Yes	No	No	Yes	No	No	No	No
HO98	Cemetery, Chinese Section, Oven 1250 Doveton Street North, Invermay Park	Yes	No	No	Yes	No	No	No	No
HO100	Old Curiosity Shop 7 Queen Street, Ballarat East	-	-	-	-	-	Yes Ref No H1982	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO101	House 14 Seymour Crescent, Soldiers Hill	Yes	No	No	Yes	No	No	No	No
HO102	House 16 Seymour Crescent, Soldiers Hill	Yes	No	No	Yes	Yes - fence, retaining wall and plinth	No	No	No
HO104	Ballarat Town Hall 225 Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H978	Yes	No
HO105	Titanic Memorial Bandstand Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H971	No	No
HO106	Queen Alexandra Bandstand Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H972	No	No
HO107	St Patrick's Cathedral & Hall 501 Sturt Street, south-west corner of Dawson Street, Ballarat Central	-	-	-	-	-	Yes Ref No H997	No	No
HO108	Grandstand City Oval, 1402-1406 Sturt Street, Lake Wendouree	Yes	Yes	No	Yes	No	No (On National Estate Register)	No	No
HO109	Union Hotel 11 Sturt Street, Ballarat Central	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO110	Former The Log Tavern 23 Sturt Street, Ballarat Central	Yes	Yes	No	Yes	No	No	No	No
HO111	Camp Hotel	Yes	No	No	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	36-38 Sturt Street, Ballarat Central						(On National Estate Register)		
HO112	Former Chamber of Commerce 42-46 Sturt Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO113	Former State Savings Bank 48 Sturt Street, Ballarat Central	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO114	Ballaarat Mechanics Institute 113-121 Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H987	Yes	No
HO115	Former Unicorn Hotel façade and verandah 127 Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H1911	No	No
HO116	Former ANZ Bank 200-202 Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H114	No	No
HO117	Myer (Mitchell's Building) 301-305 Sturt Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO118	St Andrews Uniting Church 502 Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H44	No	No
HO119	Former Broadwood Flats 608-608A Sturt Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO120	Former Ballarat City Fire Station 702 Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H2236	Yes	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO121	House 704 Sturt Street, Ballarat Central	Yes	No	No	Yes	Yes - fence, coach house/stable	No (On National Estate Register)	No	No
HO122	Former Residence 802 Sturt Street, Ballarat Central	-	-	-	-	-	Yes Ref No H529	Yes	No
HO123	St Peter's Church of England 1307 Sturt Street, Ballarat Central	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO124	House and Garden 1421 Sturt Street, Newington	Yes	No	Yes	Yes	Yes - fence	No (Garden on National Estate Register)	No	No
HO125	Former Bishop's Palace 1444 Sturt Street, Lake Wendouree	-	-	-	-	-	Yes Ref No H413	Yes	No
HO126	Former Mary's Mount Convent (Loreto Abbey) 1600 Sturt Street, Lake Wendouree	-	-	-	-	-	Yes Ref No H1017	Yes	No
HO127	Former Primary School 602 Urquhart Street, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO129	Terrace Houses 21, 23, 25 Victoria Avenue, Lake Wendouree	Yes	No	No	Yes	No	No	No	No
HO131	House and garden 111 Webster Street, Lake Wendouree	Yes	No	Yes	Yes	No	No (Garden on National Estate Register)	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO132	Lakeview Hotel 22 Wendouree Parade, Lake Wendouree	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO133	Ballantrae 7208 Midland Hwy, Buninyong	-	-	-	-	-	Yes Ref No H551	No	No
HO134	Buninyong Town Hall and Court House 313 Learmonth Street, Buninyong	-	-	-	-	-	Yes Ref No H758	No	No
HO135	Former Library 408 Warrenheip Street, Buninyong	-	-	-	-	-	Yes Ref No H488	No	No
HO136	Former Primary School No. 668 456 Remembrance Drive (Cnr Draffins Road), Windermere	-	-	-	-	-	Yes Ref No H763	No	No
HO137	Former Ballarat Shire Hall 326 High Street, Learmonth	Yes	Yes	No	Yes	No	No (On National Estate Register)	No	No
HO138	Barnfield Cottage and Barn 195 Kennedys Road, Miners Rest	No	No	No	Yes	No	No (On National Estate Register)	No	No
HO139	Progress Hall (Former Methodist Church) 24 Church Street (Cnr Hillcrest Road), Nerrina	Yes	No	No	Yes	No	No (On National Estate Register)	No	No
HO140	St James Church of England	Yes	No	No	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	120 Hillcrest Road, Nerrina								
HO141	Primary School No. 2093 Little Bendigo State School 30 Monte Street, Nerrina	-	-	-	-	-	Yes Ref No H1632	No	No
HO142	Former St Joseph's Orphanage 208-240 Grant Street (Crown Allotments 2, 3 & 4, Section 35, Township of Sebastopol), Sebastopol	Yes, All face brick and stone buildings	Yes, ground floor entrance and stair hall (north end) and central passage of the former Orphanage building (building 2)	Yes, Front garden setting include the fir trees, and the rear cypress and pine trees forming part of the setting to the lake	Yes	Yes	No	No	No
HO143	Yuille Cairn, Yuille Station Park, 37 Vickers Street, Sebastopol	Yes, Yuille Cairn only	No	No	Yes	No	No	No	No
HO144	MUIOOF(Manchester Unity Independent Order of Oddfellows) Lodge (former Southern Star Mine Office), 113 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO145	Sebastopol State School No. 1167 (former), 185-187 Yarrowee Street, Sebastopol	Yes	No	Yes, English Oaks, English	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
				Elms, Bhutan Cypress boundary plantings					
HO149	Olympic Rings Lake Wendouree Foreshore, Lake Wendouree	Yes	No	No	Yes	No	No	No	No
HO151	Gnarr Creek Air Vent Tower Corner Creswick Road and Doveton Street North, Ballarat Central	Yes	No	No	Yes	No	No	No	No
HO153	Old Ballarat Cemetery 904 Macarthur Street (Cnr Creswick Road), Lake Wendouree	Yes	No	No	Yes	No	No	No	No
HO154	Avenue of Honour and Arch of Victory Including all memorial name plaques, the Memorial Cairn and Cross of Remembrance, the Memorial Rotunda and Roll of Honour, and the Memorial Wall. Ballarat-Burumbeet Road, Alfredton, Cardigan, Windermere, Weatherboard, Burumbeet and Lucas.	-	-	-	-	-	Yes Ref No H2089	No	No
HO155	Stone Mileposts Glenelg Highway (between Ballarat and Scarsdale), Smythes Creek and Delacombe	-	-	-	-	-	Yes Ref No H1701	No	No
HO156	Former Redemptorist Monastery	Yes	No	No	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	300 and 300B Gillies Street North, 1320 and 1322 Howitt Street, and 11-37 Monastery Drive (NE Corner Howitt and Gillies Streets), Wendouree								
HO157	House 301 Wendouree Parade, Lake Wendouree	Yes	No	No	Yes	No	No	No	No
HO158	Buninyong Botanic Gardens Gong Reservoir 201-209 Scott Street and 705 Inglis Street, Buninyong	-	-	-	-	-	Yes Ref No H1826	No	No
HO159	Former Female Refuge Complex 183 Scott Parade, Ballarat East	-	-	-	-	-	Yes Ref No H1893	No	No
HO160	Eureka Historic Precinct 501-525 Eureka Street, Eureka	-	-	-	-	-	Yes Ref No H1874	No	No
HO161	Ballarat High School 25 Gillies Street North (Cnr Sturt Street West), Lake Gardens	-	-	-	-	-	Yes Ref No H1797	No	No
HO162	House 108 Pleasant Street North, Lake Wendouree	Yes	No	No	Yes	No	No	No	No
HO163	Lake Wendouree Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO164	West Ballarat Heritage Precinct Incorporated plan:	No	No	Yes	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Ballarat Planning Scheme Heritage Control 2004								
HO165	Victoria Park Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO166	Central Ballarat Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO167	Sturt Street Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	Yes	No	Yes	Yes	No	No	No	No
HO168	South Ballarat Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO169	Waller Estate Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO170	Soldiers Hill Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO171	Lydiard Street Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	Yes	No	Yes	Yes	No	No (Ballarat Central Conservation Area on National Estate Register)	No	No
HO172	Creeks and River Channels Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO173	Mount Pleasant / Golden Point Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO174	Black Hill Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO175	Humffray Street Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO176	Bridge Mall / Bakery Hill Heritage Precinct Incorporated plan:	Yes	No	Yes	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Ballarat Planning Scheme Heritage Control 2004								
HO177	Victoria Street Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	Yes VAHR 7622-0186
HO178	Ballarat East Civic Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO179	Eureka Street Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO180	Learmonth Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	No	No	Yes	Yes	No	No	No	No
HO181	Buninyong Heritage Precinct Incorporated plan: Ballarat Planning Scheme Heritage Control 2004	Yes	No	Yes	Yes	No	No	No	No
HO182	Eureka Memorials, Old Ballarat Cemetery 904 Macarthur Street (cnr Creswick Road), Ballarat Central	-	-	-	-	-	Yes Ref No H1007	No	No
HO183	St Aidan's Heritage Precinct	No	No	Yes	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan: Ballarat Heritage Precincts Study Part A 2006								
HO184	Colpin Avenue Heritage Precinct Incorporated plan: Ballarat Heritage Precincts Study Part A 2006	No	No	Yes	Yes	No	No	No	No
HO185	Dowling Street Heritage Precinct Incorporated plan: Ballarat Heritage Precincts Study Part A 2006	No	No	Yes	Yes	No	No	No	No
HO186	Old Showgrounds Heritage Precinct Incorporated plan: Ballarat Heritage Precincts Study Part A 2006	No	No	Yes	Yes	No	No	No	No
HO187	Creswick Road/Macarthur Street Heritage Precinct Incorporated plan: Ballarat Heritage Precincts Study Part A 2006	No	No	Yes	Yes	No	No	No	No
HO188	Barkly Street/Humffray Street South Heritage Precinct Incorporated plan: Ballarat Heritage Precincts Study Part A 2006	No	No	Yes	Yes	No	No	No	No
HO189	Scar Tree Lot S2 Cuthberts Road, Alfredton	No	No	Yes	Yes	No	No	No	Yes
HO190	Former Ballarat RAAF Base 1 Airport Access Road, Mitchell Park	-	-	-	-	-	Yes Ref No H2113	Yes	No
HO191	St Pauls Anglican Church	-	-	-	-	-	Yes	Yes	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	3 Humffray Street South, Bakery Hill						Ref No H401		
HO192	Regent Picture Theatre 49 Lydiard Street North, Ballarat Central	-	-	-	-	-	Yes Ref No H2221	Yes	No
HO194	Former Prince of Wales & Bonshaw Company gold mining site and residence 362 Albert St, Sebastopol	No	No	No	Yes	No	No	No	No
HO195	Former St. James Presbyterian Church 10 Creswick Street, Miners Rest	Yes	No	No	Yes	No	No	Yes	No
HO196	Selkirk House 436 Wendouree Parade, Ballarat	Yes	No	No	Yes	No	No	No	No
HO197	Gateway and curtilage including two mature trees (elm trees), driveway and four mature trees (three elm trees and a pine tree) Arranmore, Howe Street, Miners Rest	Yes	No	Yes	Yes	No	No	No	No
HO198	House 'Edale', 99 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO199	Clontam (former Southern Star Mine Managers Residence), 122 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO200	Sebastopol Post Office (former), 176 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO201	Melbourne House store, 186A Albert Street, Sebastopol	Yes	No	No	Yes	No	No	No	No
HO202	Bank of Victoria (former), 197 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO203	Holy Trinity Church Complex (Church, Hall, Sunday School and trees), 227 Albert Street, Sebastopol	No	No	Yes 2 English Elms on rear property boundary	Yes	No	No	No	No
HO204	Ballarat South Uniting Church Mission Centre, 104-6 Albert Street, Sebastopol	No	No	No	Yes	Yes, low brick front fence and iron gates	No	No	No
HO205	Masonic Lodge, 173-175 Albert Street, Sebastopol	Yes	No	No	Yes	No	No	No	No
HO206	Sebastopol Town Hall Complex, 183-185 Albert Street, Sebastopol	No	No	Yes, English Elm fronting Wilson Lane	Yes	No	No	No	No
HO207	Row of 1920s Shops, 206, 206a-c Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO208	Carmel Welsh Presbyterian Church Complex, including former manse and trees, 261- 265 Albert Street, Sebastopol	No	No	Yes, All mature trees within the complex - English Oak, Giant Redwood and English Elms	Yes	Yes, Memorial entrance to church including brick piers; low brick fence to manse at 261 Albert Street.	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO209	Royal Mail Hotel, 288-290 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO210	1940s Garage, 129 Beverin Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO211	RSL Memorial Hall, 10 Birdwood Avenue, Sebastopol	No	No	No	Yes	No	No	No	No
HO212	Roxburgh Dairy Farm (former) 624 Glenelg Highway, Smythes Creek The curtilage contains the c1850s cottage, 1870s farmhouse, a pair of Canary Island Palms, a collection of farm outbuildings from the late 19 th C and early 20 th C and the archaeological site of a third farmhouse of c1890s on the east side of the entrance drive.	No	No	Yes, 2 Canary Island Palms	Yes	No	No	No	No
HO213	Smythes Creek State School No. 1504 (former), 606 Glenelg Highway, Smythes Creek	No	No	No	Yes	No	No	No	No
HO214	House, 4 Hertford Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO215	Redan State School No. 1289, 32-48 Hertford Street, Sebastopol	No	No	Yes, Lawson's Cypress planted in 1953	Yes	Yes – Jubilee Gates (cnr. Hertford & Albert Streets)	No	No	No
HO216	Copernicus Hall, 26-28 Orion Street, Sebastopol	No	No	No	Yes	Yes	No	No	No
HO217	Ploughman's Arms Hotel (former), 300 Tait Street, Bonshaw	No	No	No	Yes	No	No	Yes	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	The curtilage includes the extent of the fabric dating 1880s – 1920s including the larger timber building and rear timber extension and stables.								
HO218	Interwar Bungalow Heritage Precinct 2: 90, 92, 94, 96, 98, 100 Albert Street, Sebastopol	No	No	No	Yes	Yes, All front fences	No	No	No
HO219	Cornish Row Heritage Precinct 363-377 Albert Street, Sebastopol	Yes, 371 & 373 Albert Street	No	No	Yes	No	No	No	No
HO220	Timber Mining Cottage Series: 133 Albert Street, Sebastopol 9, 37 & 49-51 Birdwood Avenue, Sebastopol 32 & 38 Charlotte Street, Sebastopol 21 & 23 Victoria Street, Sebastopol 10 Walker Street, Sebastopol 49 Wilsons Lane, Sebastopol 197 & 209 Yarrowee Street, Sebastopol	No	No	No	Yes	Yes	No	No	No
HO221	Late Victorian Timber Residence Series: 77, 102, 155, 160, 168, 193, 208, 230, 240, 280 Albert Street, Sebastopol 140 Beverin Street, Sebastopol 3 Bridge Street, Sebastopol 100 & 114 Grant Street Sebastopol 1 & 7 Kent Street Sebastopol 101 & 103 Vickers Street, Sebastopol	No	No	Yes, three Canary Island Palms at 73, 160 and 168 Albert Street	Yes	Yes	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	62 & 73 Yarrowee Street, Sebastopol								
HO222	Late Federation Residence Series: 166 & 226 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO223	Redan Prince of Wales Store (former) 2 Albert Street, Sebastopol	No	No	No	Yes	No	No	No	No
HO224 Interim control Expiry date: 31 March 2021	Former Eureka Lead Gold Sluicing Company Pumping Site 113 Lofven Street and Crown Allotment 22C Section AA, Nerrina Statement of Significance: Former Eureka Lead Gold Sluicing Company Pumping Site Statement of Significance, 2019	No	No	No	Yes	No	No	No	No
HO225	Ballarat Saleyards (former) 1020 La Trobe Street, Delacombe Statement of Significance: Ballarat Saleyards (former) - Statement of Significance, November 2019	Yes	Yes	No	Yes	Yes	No	No	No
HO232	<u>Lintel Grange Homestead Complex</u> <u>127 Edmonston Road, Addington</u> Statement of Significance <u>Lintel Grange Homestead Complex</u> <u>Statement of Significance (City of Ballarat,</u> <u>July 2023 May 2024)</u>	No	No	Yes - Mature Privet hedge, Mature Ash and Walnut Trees and Weeping Nootka Cypress	Yes	Yes - Granite piers and slabs at entry, the pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber	No	No	No

BALLARAT PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
						located to the north and east of the homestead			

BALLARAT PLANNING SCHEME

23/08/2018
GC95

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0 Incorporated documents

26/05/2024
C222ball Proposed C245ball

Name of document	Introduced by:
Alfredton West Precinct Structure Plan 2011	C150
Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, Standards Australia Limited, 2015	VC107
Ballarat & Queen’s Anglican Grammar School Foundation Ltd, Lot 2 (PS622085) Gillies Road, Mount Rowan 9 April 2013	C169
Ballarat Base Hospital New Facilities Project, April 2013	C171
Ballarat GovHub Incorporated Document, January 2018	C209
Ballarat Heritage Precincts – Statements of Significance, 2006 (revised August 2014)	C164
Ballarat Heritage Precincts Study Part A 2006 – Incorporated Plan (revised June 2014)	C182
Ballarat Heritage Precincts Study Part A 2006 – Statements of Significance	C107
Ballarat Line Upgrade Incorporated Document, August 2018	GC95
Ballarat Planning Scheme Heritage Control 2004 – Incorporated Plan (revised October 2015)	C199
Ballarat Saleyards (former) - Statement of Significance, November 2019	C222ball
Ballarat Station Precinct Redevelopment Incorporated Document, August 2016 (Amended April 2021)	C229ball
Ballarat Strategy Plan 1998	NPS1
Ballarat Terminal Station Incorporated Document September 2017	C208
Ballarat Tourism Marketing Strategy 1995	NPS1
Ballarat West Development Contributions Plan July 2014 (Amended June 2017)	GC75
Ballarat West Groundwater Supply Project - Incorporated Plan	C112
Ballarat West Native Vegetation Precinct Plan 8 March 2012	C158
Ballarat West Precinct Structure Plan October 2016	C203
Ballarat Western Link Road (Stage 2) Incorporated Document, September 2016	C170
Burrumbeet Creek Catchment Local Floodplain Development Plan 2015 – Incorporated Document	C178
Central Victoria Livestock Exchange, Ballarat October 2015	C185
Eureka Stadium Upgrade Project Incorporated Document, March 2016	C197
Former Eureka Gold Sluicing Company pumping site Statement of Significance, 2019	C211ball
Goulburn-Murray Water Native Vegetation Code of Practice, February 2011	C153
Invermay Miniature Railway July 2002 - Incorporated Plan	C50
Invermay Regional Study and Land Management Plan 1991	NPS1
Koala Plan of Management - Koala Planning Map July 2006	C95
Lake Federation Resort Draft Master Plan A C511 CP 055b, dated August 2004	C64

BALLARAT PLANNING SCHEME

Name of document	Introduced by:
Lake Federation Resort Main Components Plan C511 CP 039c dated August 2004	C64
Lake Federation Resort Staging Plan C511 CP 037b dated August 2004	C64
<i>Lintel Grange Homestead Complex Statement of Significance (City of Ballarat, July 2023 May 2024)</i>	C245ball
Plan for the future development of the Western Freeway titled "Proposed Works Area" and dated 26/7/2000	C13

**Planning
Panels
Victoria**

**Ballarat Planning Scheme Amendment C245ball
Lintel Grange Homestead Heritage Overlay**

Panel Report

Planning and Environment Act 1987

14 May 2024



How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue, you should seek independent advice.

The planning authority must consider this report before deciding whether to adopt the Amendment.
[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Ballarat Planning Scheme Amendment C245ball

Lintel Grange Homestead Heritage Overlay

14 May 2024



Con Tsotsoros, Chair

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Glossary and abbreviations

Council	Ballarat City Council
HO232 Statement of Significance	<i>Lintel Grange Homestead Statement of Significance</i> (City of Ballarat, July 2023)
PE Act	<i>Planning and Environment Act 1987</i>
subject land	127 Edmonston Road, Addington

Overview

Amendment summary	
The Amendment	Ballarat Planning Scheme Amendment C245ball
Brief description	Apply the Heritage Overlay (HO232) to the subject land
Subject land	127 Edmonston Road, Addington
Planning Authority	Ballarat City Council
Exhibition	28 September to 30 October 2024
Submissions	<p>Referred submissions were received from:</p> <ol style="list-style-type: none"> 1. Stephen Coleman 2. Patricia Coleman 3. Erin Coleman 4. Cameron Wright 5. Julie Lasinger 6. James Cusack 7. Samuel Armstrong 8. Sophie Berlund 9. Laura Molloy 10. Joe Koros 11. Matt Bluck 12. Dayle and Nicholas Cummins 13. Molly Mason 14. Miquela Crawford 15. Carly Mawby 16. Jessica Zinne 17. Gemma Treweek 18. Annelise and Stephen Jew 19. Jessica Bright 20. Shane Wilson 21. Alex Hobson 22. Annie Aringo

Panel process	
The Panel	Con Tsotsoros (Chair)
Directions Hearing	Ballarat Town Hall, 19 April 2024
Panel Hearing	No Hearing was held, and submissions were considered through a written process
Site inspections	Unaccompanied, 19 April 2024
Citation	Ballarat PSA C245ball [2024] PPV
Date of this report	14 May 2024

Executive summary

In mid 2023, the owners of 127 Edmonston Road, Addington applied to demolish the bluestone homestead that was built around 1860. Council began discussions with the owners throughout the process. The Heritage Overlay was applied on an interim basis to part of the property referred to as the homestead complex (subject land).

Council researched, assessed and found the subject land to meet the local heritage significance threshold to justify the Heritage Overlay. The subsequent Statement of Significance concluded the subject land achieves Planning Practice Note 1 Criteria A (historical significance), E (aesthetic significance) and H (associative significance).

Council prepared and exhibited Ballarat Planning Scheme Amendment C245ball (the Amendment) which seeks to apply the Heritage Overlay (HO232) to the subject land and incorporate the associated Statement of Significance into the Ballarat Planning Scheme. Council received 51 submissions, of which 29 were withdrawn after Council consulted with them. This includes the submission from the subject land owners. Many of the remaining 22 submissions objected to applying the Heritage Overlay because of how it would impact the subject land owners but not for reasons of heritage significance.

Of the submissions referred to the Panel, key issues raised include building condition, repair costs, development opportunity, and heritage significance. Council is commended for the extent of consultation with the owners and submitters which set a sound foundation for the next phase of the planning process.

The Amendment is:

- supported by, and implements, the relevant sections of the Planning Policy Framework
- consistent with the relevant Ministerial Directions and Practice Notes
- well founded, strategically justified and should proceed.

Building condition, repair costs and development opportunity

The owner's willingness to retain and restore the front section the homestead and to add new development to the rear through a future permit application process:

- demonstrates the Heritage Overlay enables the owner to apply for a permit to demolish, add and alter existing heritage fabric
- contradicts submissions which considered it would be unfeasible to restore the historic bluestone homestead or that the Heritage Overlay would prohibit the owners from living there.

Building condition, repair costs and development opportunity are not relevant when assessing heritage significance to justify the Heritage Overlay.

Heritage significance

The subject land has enough heritage significance to meet the local threshold to justify applying the Heritage Overlay (HO232). Council's proposal to identify 'secondary significance' in the HO232 Statement of Significance is appropriate because it will help inform the permit applicant and Council during the permit application process for a proposal to alter or demolish the heritage fabric.

Recommendation

Based on the reasons set out in this Report, the Panel recommends that Ballarat Planning Scheme Amendment C245ball be adopted as exhibited subject to the following change:

- 1. Revise the *Lintel Grange Homestead Complex Statement of Significance*, as shown in Appendix B.**

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment proposes to:

- apply the Heritage Overlay (HO232) to part of 127 Edmonston Road, Addington (subject land) that includes:
 - applying tree controls for the mature Weeping Nootka Cypress, the Ash and the Walnut Trees and the Privet Hedge
 - requiring notice and review for the granite piers and slabs at entry and farm outbuildings constructed of brick, bluestone and timber
- incorporate the *Lintel Grange Homestead Statement of Significance* (City of Ballarat, July 2023) (HO232 Statement of Significance) into the Planning Scheme through the Clause 72.04 Schedule.

Figure 1 Bluestone homestead on the subject land



Source: HO232 heritage citation

The subject land, which will form the Heritage Overlay curtilage, includes:

- the 1860 bluestone and white Mount Bolton granite homestead
- the later rear additions c1870-1900 to the homestead including an underground cellar and the late Victorian cast iron post supported verandah
- a rendered dome brick well south of the homestead and associated hand water pump
- the pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber located to the north, east and south of the homestead
- mature Privet hedge around the homestead
- mature trees, including Weeping Nootka Cypress, Ash Tree and Walnut Tree (species to be confirmed when in leaf)
- the granite piers and slabs located at the property's vehicular entrance.

All elements forming the Heritage Overlay curtilage are referred to as the homestead complex. As shown in Figure 2, the subject land does not extend to all of 127 Edmonston Road.

Figure 2 Subject land



Source: <https://mapshare.vic.gov.au/vicplan/> and Planning Panels Victoria

1.2 Background

2023	
Jun	Subject land owners applied for consent under 29A of the <i>Building Act 1993</i> to demolish the homestead and agricultural building
6 Jul	Council officers met with the subject land owners to explain the process of proposing to apply the Heritage Overlay on an interim basis and potential heritage funding opportunities
12 Jul	Council resolved to request the Minister for Planning apply the Heritage Overlay to the homestead complex while progressing the Amendment to apply the overlay permanently
10 Aug	Council officers visited the Learmonth Historical Society to research the homestead's history, and inspected the subject land
17 Aug	Council officers requested an on-site inspection which was refused by the subject land owners
6 Sep	The Heritage Overlay was applied to the subject land on an interim basis
28 Sep	Council started exhibiting the Amendment
27 Oct	Council officers met with the subject land owners to discuss potential options for retaining part or all of the homestead Subject land owners sought to demolish the entire homestead and use the original bluestone as part of the new dwelling and landscaping
30 Oct	Amendment exhibition ended, and Council received 51 submissions
22 Nov	Council officers met with the subject land owners to discuss potential options for retaining part or all of the homestead Subject land owners indicated they were willing to work with Council to retain the house and decided to engage a draftsman to prepare plans
18 Dec	Council emailed objecting submitters to try and resolve issues

2024	
15 Jan	Council contacted objecting submitters, and 28 submissions were withdrawn
5 Feb	Council officers met with the subject land owners to update them on the Amendment process and to receive a progress update on the new floor plan – new plans were subsequently submitted Council officers invited submitters to attend a public meeting to discuss concerns
9 Feb	Council officers met with the subject land owners to discuss floorplans, next steps in the Amendment process and the planning permit application for new dwelling
12 Feb	No submitter attended the public meeting
19 Apr	Directions Hearing was held at Ballarat – no submitter requested to be heard

1.3 Procedural issues

(i) Referred submissions

After exhibiting the Amendment, Council received 51 submissions, including one from the owners of the subject land and four that supported the Amendment. After Council consulted with the submitters, 28 submissions were withdrawn, including one from the subject land owners.

Council referred all other submissions to the Panel.

(ii) Panel process

The Directions Hearing was attended by Council staff and observed by an owner of the subject land. Council explained the owners were one of the objectors who withdrew their submission.

Council requested time to present its submission and to call a heritage expert, based on there being a party to the Hearing. The Panel advised that no party had requested to be heard. The Panel noted it had enough information for it to consider the unresolved issues and asked Council to consider a written process without the need for a Hearing. Council agreed.

The Panel considered unresolved issues through a written process and provided Council with an opportunity for a further written submission by Friday 3 May 2024. Council confirmed on 6 May 2024 that it would not be providing a further submission.

1.4 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to exhibition of the Amendment, observations from its site visit, and other referred material. All submissions and material have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

2 Strategic issues

2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix A highlights key imperatives of relevant provisions and policies.

Table 1 Planning context

	Relevant references
Victorian planning objectives	- section 4 of the PE Act
Planning Policy Framework	- Clause 15.03 (Heritage conservation) - Clause 21.06-2 (Heritage)
Planning scheme provisions	- Heritage Overlay
Ministerial directions	- Ministerial Direction 11 (Strategic Assessment of Amendments)
Planning practice notes	- Planning Practice Note 1 (Applying the Heritage Overlay) - Planning Practice Note 46 (Strategic Assessment Guidelines) September 2022

2.2 Strategic justification

(i) Submissions

The Explanatory Report states the Amendment:

- implements PE Act objectives by ensuring heritage buildings significant to Ballarat are conserved for the local and wider present and future community
- is expected to have positive social and environmental effects by protecting and promoting places of cultural heritage which is integral to Ballarat’s social fabric
- will encourage reuses, restorations, and adaptation of heritage places
- complies with Ministerial Directions 7(5) and 11 by applying the Heritage Overlay to a place that has been assessed and found to have heritage significance
- supports state and local planning policy objectives by identifying and documenting a place of cultural significance, providing to conserve and enhance the place, and encourage appropriate development that respects the place
- would apply the Heritage Overlay which requires a planning permit to alter or demolish a building to manage the heritage values of the place.

No submission considered the Amendment should be abandoned due to insufficient strategic justification. Several submissions stated:

I believe we have a duty to protect history for future generations, and as a young country we are in a unique situation where we can and should preserve and protect heritage buildings and engineering structures for the future.

...

I believe we have a responsibility as a community to protect for future generations to preserve the history of our pioneers before it is too late and another valuable piece of history is lost.

Several submissions referred to the owners being ‘evicted’ from their property.

(ii) Discussion

The Amendment is strategically justified. Council followed guidance in Planning Practice Note 1 to assess the subject land against the specified criteria. This was documented in the HO232 heritage citation which included a Statement of Significance. A place only needs to meet one of the criteria to have heritage significance and be considered for the Heritage Overlay. The HO232 Statement of Significance found the subject land meets:

- Criterion A (historical significance)
- Criterion E (aesthetic significance)
- Criterion H (associative significance).

Applying the Heritage Overlay will identify the subject land's heritage significance and will require a planning permit for future development. This will enable Council to assess whether the proposal responds sensitively to existing heritage fabric.

Regarding Clause 71.02-3, there is no apparent policy tension because:

- the Heritage Overlay does not prohibit development
- the subject land is in a rural location and subject to the Farming Zone which seeks, among other purposes, to provide for the use of land for agriculture.

(iii) Conclusions

For the reasons set out in this report, the Panel concludes that the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified and should proceed.

3 Issues

3.1 Building condition, repair costs and development opportunity

(i) The issue

The issue is whether building condition, repair costs and development opportunity are relevant when assessing the heritage significance of a place to justify applying the Heritage Overlay (HO232).

(ii) Submissions

Submissions described the homestead as horrific, derelict, run down, uninhabitable, water damaged with mould, constantly damp, unsafe and dangerous. They considered:

- the homestead cannot be salvaged or feasibly repaired
- the owners should be able to demolish the existing homestead so they can build a new home
- the Planning Scheme does not allow another dwelling on the subject land.

In its 13 March 2024 meeting report, Council said:

- potential property buyers should be aware of issues that may affect the property and of any restrictions or obligations
- Council officers have been working with the subject land owners and offered assistance to undertake the technical assessment needed to determine the extent of issues with the homestead
- the Farming Zone requires a planning permit for a dependent persons unit (because the subject land is within one kilometre of a wind energy facility) but does not prohibit a second dwelling within this distance.

Council explained that it had consulted with the subject land owners numerous times during the Amendment. It added:

- the owners indicated they were willing to work with Council officers to retain as much of the homestead as possible
- the owners and Council have agreed to:
 - retain the front section of the homestead which has primary heritage significance
 - demolish the back section of the homestead which has secondary heritage significance
- Council officers are working with the subject land owners to ensure any proposal is sympathetic to the homestead's existing built form and surrounds.

(iii) Discussion

Council and the subject land owners have been working towards a proposal to partially demolish the back of the homestead, based on the existing interim Heritage Overlay. This demonstrates the Heritage Overlay enables a planning permit to alter or demolish the building.

The owner's willingness to retain and restore the front section the homestead and to add new development to the rear contradicts submissions which considered this would not be feasible, and the Heritage Overlay would not enable demolition or new development.

The Heritage Overlay can only be applied to the subject land if it achieves the local threshold for heritage significance. Planning Practice Note 1 sets out the criteria for assessing heritage significance. None of the criteria include building condition, private financial impact or development opportunity so they are not relevant when considering whether to apply the Heritage Overlay.

Previous Panel reports have reached a similar conclusion, and this Panel would have been open to consider otherwise if submissions included information to support a different perspective. No submission offered such information.

(iv) Conclusion

The Panel concludes that building condition, repair costs and development opportunity are not relevant when assessing heritage significance to justify the Heritage Overlay (HO232).

3.2 Heritage significance

(i) The issue

The issue is whether the subject land has enough heritage significance to meet the local threshold to justify applying the Heritage Overlay (HO232).

(ii) Background

At its 13 March 2024 meeting, Council resolved to propose minor changes to the Statement of Significance and Heritage Citation to better address the primary and secondary heritage significance elements of the Lintel Grange Homestead.

(iii) Statement of Significance

What is significant?

The Lintel Grange Homestead Complex constructed c.1860, with later additions between c.1870-1900 is significant.

The elements which contribute to the significance of the place are:

- The 1860 bluestone and white Mount Bolton granite homestead, comprising the first four rooms of the dwelling, the rendered chimneys, symmetrically arranged façade with decorative double hung sash windows on either side of the 6-panel front door.
- The later additions c1870-1900 to the dwelling set to the rear of the c1860 bluestone and granite homestead, including a substantial underground cellar and the late Victorian cast iron post supported verandah.
- A rendered dome brick well to the south of the homestead and associated hand water pump.
- The pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber located to the north, east and south of the homestead.
- Mature Privet hedge around the homestead.
- Mature trees, including Weeping Nootka Cypress, Ash Tree and Walnut Tree
- The granite piers and slabs located at the vehicular entrance to the property.

Modern outbuildings, silos, fencing and other farm structures are not significant.

How is it significant?

Lintel Grange Homestead Complex is of local historical, aesthetic, associative significance to the City of Ballarat.

Why is it significant?

Lintel Grange Homestead Complex is of historical significance as an early small farming enterprise established prior to the first of the Land Selection Acts in 1860. The original land purchase of 80 acres was purchased by Charles Edmonston and A. Kerr in 1856, although the partnership dissolved within a few years when Kerr purchased the adjacent 80-acre lot. The establishment of a permanent finely constructed restrained Victorian bluestone and granite dwelling in c1860 indicates the early success in Edmonston's farming enterprise. The subsequent additions which were undertaken to the dwelling between c. 1870 and c. 1900 reflect the growing success and prosperity of the establishment farming business, which was also reflected in the acquisition of adjacent farmland over this period. The homestead which is comprised of a complex of highly intact Victorian buildings, including homestead, outbuildings and mature trees and privet hedge are of further historical significance as they demonstrate the close connection and way of life where there is little separation between the residential and enterprise related activities and structures. The outbuildings which surround the homestead demonstrate the various early pastoral interests of the farm and its daily running, including a grain barn (later used for the storage of other crops), stable for horses and equipment and others. It has functioned consistently as a homestead complex at the centre of a farming enterprise from c.1860 and has been retained within the same family for multiple generations. **(Criterion A)**

Lintel Grange homestead is of aesthetic (architectural) significance as example of a restrained classical mid-Victorian homestead. The use of white local granite is of particular interest, being very finely tooled and extensively used in window and door surrounds, under eave, base of walls and in quoins which provide relief from the heavy bluestone of which the majority of the dwelling is constructed. **(Criterion E)**

Lintel Grange is significant for its long and continuing association with the Edmonston family. Cr Charles Edmonston was an influential pastoralist, a progressive and prosperous cultivator and was heavily involved in the community. He arrived in Melbourne from Glasgow in 1854. He was elected Councillor for the Ballarat shire, member for west riding and President for two terms. He was a Justice of the Peace, honorary treasurer of the Waubra Cemetery Trust and the Waubra Presbyterian Church, and member and councillor of the Ballarat Agricultural and Pastoral Society (McCallum 1921, 9). The family pastoral business and public service interest continued after Charles' death. Members of the family are commemorated on the Avenues of Honour plaque and the Centenary of Pioneer families **(Criterion H)**.

(iv) Evidence and submissions

Four submissions supported the Amendment because they considered the proposed place had local heritage significance. They explained the homestead:

- is made from locally sourced materials
- is one of the last homesteads of its type and age in the local area and municipality
- has been owned by five continuous generations of the same family, who:
 - have been highly respected and contributing members of the community for 160 years
 - is commemorated in numerous ways in the local area
- ten family members are buried in nearby Waubra cemetery including Charles Edmonston who arrived from Glasgow in 1854 and built the homestead.

Most submissions that objected to the Heritage Overlay being applied to the subject land did not suggest the homestead had insufficient heritage significance. Two objecting submissions considered:

- the Heritage Overlay did not apply to other local houses identical to the homestead
- the garden is beautiful but does not have heritage significance.

The report attached to the Council agenda for its 13 March 2024 meeting states:

Subsequent meetings between Council officers and the landowners have resulted in an agreement between the two parties that allows retention of the front section of the house, known to be of primary heritage significance, and demolition of the back section of the house, known to be of secondary heritage significance.

At this meeting, Council resolved to revise the HO232 Statement of Significance to:

- identify later additions made to the dwelling between 1870 to 1900 as secondary heritage significance
- correctly define the boundary between the original building and alterations on an aerial map.

(v) Discussion

The HO232 heritage citation includes a comparative analysis to determine whether the subject land compares reasonably with other heritage places. While the place was found to meet three heritage criteria, this comparative analysis helps to determine if it meets the threshold of local significance. The Panel cannot accept the anecdotal citing of properties with and without the Heritage Overlay referred to in one of the submissions. This is no substitute for the more robust assessment found in the heritage citation and sought by Planning Practice Note 1.

The HO232 Statement of Significance does not identify the entire garden as a significance element. It states elements that contribute to the place's significance include:

- mature Privet hedge around the homestead
- mature trees, including Weeping Nootka Cypress, Ash Tree and Walnut Tree.

These elements are clearly delineated in Figure 2 of the Statement. The citation explains these elements are the few surviving elements of the original garden.

Council's proposal to identify 'secondary significance' in the HO232 Statement of Significance is appropriate because it will help inform the permit applicant and Council during the permit application process for a proposal to alter or demolish the heritage fabric.

(vi) Conclusions and recommendation

The Panel concludes:

- The subject land has enough heritage significance to meet the local threshold to justify applying the Heritage Overlay (HO232).
- It is appropriate to identify 'secondary significance' in the HO232 Statement of Significance.

The Panel recommends:

1. **Revise the *Lintel Grange Homestead Complex Statement of Significance*, as shown in Appendix B.**

Appendix A Planning context

A:1 Planning policy framework

The Amendment is supported by various clauses in the Planning Policy Framework, which are summarised below.

Victorian planning objectives

The Amendment will implement section 4(1)(d) of the *Planning and Environment Act 1987* (the Act) to:

- conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- balance the present and future interests of all Victorians.

Planning Policy Framework

The Amendment supports:

- **Clause 15.03-15** (Heritage conservation) that seeks to ensure the conservation of places of heritage significance. Relevant strategies are:
 - Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
 - Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.
 - Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance.
 - Encourage appropriate development that respects places with identified heritage values.
 - Retain those elements that contribute to the importance of the heritage place.
 - Encourage the conservation and restoration of contributory elements.
 - Ensure an appropriate setting and context for heritage places is maintained or enhanced.
- **Clause 21.06-2** (Heritage) that seeks to protect, conserve and enhance areas, features, structures and sites of historic, aboriginal, natural and cultural significance. Relevant strategies are:
 - Conserve, protect, and enhance the fabric of identified heritage places and precincts.
 - Identify and protect heritage places, including maintaining the visual prominence of heritage buildings and landmarks.
 - Ensure alterations to heritage places are carried out in a sympathetic manner with consideration to the 'Burra Charter'.
 - Discourage the demolition of buildings and other elements of identified local, state and national heritage significance.
 - Require that new development interprets culturally significant places and respects heritage and cultural boundaries.

A:2 Planning scheme provisions

The Heritage Overlay purposes are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.

- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The Heritage Overlay requires a planning permit to demolish, subdivide, build or carry out works. The Heritage Overlay enables its Schedule to specify additional controls for specific trees, painting previously unpainted surfaces, internal alterations and an incorporated plan (which may exempt buildings and works and other changes from requiring a planning permit). The Schedule may also identify if a place can be considered for uses that are otherwise prohibited, subject to a planning permit.

A:3 Ministerial Directions, Planning Practice Notes and guides

Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of The Act) – referred to as Ministerial Directions 7(5) in this Report.

That discussion is not repeated here.

Planning Practice Note 1 (Applying the Heritage Overlay), August 2018

Planning Practice Note 1 provides guidance about using the Heritage Overlay. It states that the Heritage Overlay should be applied to, among other places:

Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Planning Practice Note 1 specifies that documentation for each heritage place needs to include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria. It recognises the following model criteria (the Hercon criteria) that have been adopted for assessing the value of a heritage place:

- Criterion A:** Importance to the course or pattern of our cultural or natural history (historical significance).
- Criterion B:** Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).
- Criterion C:** Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- Criterion D:** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- Criterion E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- Criterion F:** Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- Criterion G:** Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- Criterion H:** Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

Practitioner's Guide

A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022 (Practitioner's Guide) sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure:

- the intended outcome is within scope of the objectives and power of the PE Act and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the Victoria Planning Provisions in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

Appendix B Statement of Significance (Council proposed changes since exhibition)

[Tracked Added](#) ~~Tracked Deleted~~

Lintel Grange Homestead Complex Statement of Significance, ~~July 2023~~ [May 2024](#)

Heritage Place:	127 Edmonston Road, Addington	PS ref no:	HO232
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Figure 1. Lintel Grange Homestead (c.1860) façade. Verandah c.1890

What is significant?

The Lintel Grange Homestead Complex constructed c.1860, with later additions between c.1870-1900 is significant.

The elements which contribute to the significance of the place are:












- The 1860 bluestone and white Mount Bolton granite homestead, comprising the first four rooms of the dwelling, the rendered chimneys, symmetrically arranged façade with decorative double hung sash windows on either side of the 6-panel front door.
- The later additions c1870-1900, [found to be of secondary heritage significance](#) to the dwelling, set to the rear of the c1860 bluestone and granite homestead, including a substantial underground cellar and the late Victorian cast iron post supported verandah.
- A rendered dome brick well to the south of the homestead and associated hand water pump.
- The pre 1900 outbuildings constructed of brick, bluestone, granite, galvanised iron and timber located to the north and east of the homestead.
- Mature Privet hedge around the homestead.
- Mature trees, including Weeping Nootka Cypress, Ash Tree and Walnut Tree.

- The granite piers and slabs located at the vehicular entrance to the property.

Modern outbuildings, silos, fencing and other farm structures are not significant.



Figure 2. The elements which contribute to the significance of the place

	Farmhouse including verandah		Privet Hedge		Rendered dome brick well and hand water pump
	Homestead Built 1860's		Granite Plinths and kerbs		Heritage Overlay Boundary
	Homestead additions c1870-1900		Weeping Nootka Cypress tree		Walnut tree
	Outbuildings pre-1900's		Ash tree		

How is it significant?

Lintel Grange Homestead Complex is of local historical, aesthetic, associative significance to the City of Ballarat.

Why is it significant?

Lintel Grange Homestead Complex is of historical significance as an early small farming enterprise established prior to the first of the Land Selection Acts in 1860. The original land purchase of 80 acres was purchased by Charles Edmonston and A. Kerr in 1856, although the partnership dissolved within a few years when Kerr purchased the adjacent 80-acre lot. The establishment of a permanent finely constructed restrained Victorian bluestone and granite dwelling in c1860 indicates the early success in Edmonston's farming enterprise. The subsequent additions which were undertaken to the dwelling between c. 1870 and c.1900, [and are of secondary heritage significance to the original dwelling](#), reflect the growing success and prosperity of the establishment farming business, which was also reflected in the acquisition of adjacent farmland over this period. The homestead which is comprised of a complex of highly intact Victorian

buildings, including homestead, outbuildings and mature trees and privet hedge are of further historical significance as they demonstrate the close connection and way of life where there is little separation between the residential and enterprise related activities and structures. The outbuildings which surround the homestead demonstrate the various early pastoral interests of the farm and its daily running, including a grain barn (later used for the storage of other crops), stable for horses and equipment and others. It has functioned consistently as a homestead complex at the centre of a farming enterprise from c.1860 and has been retained within the same family for multiple generations. (Criterion A)

Lintel Grange homestead is of aesthetic (architectural) significance as example of a restrained classical mid-Victorian homestead. The use of white local granite is of particular interest, being very finely tooled and extensively used in window and door surrounds, under eave, base of walls and in quoins which provide relief from the heavy bluestone of which the majority of the dwelling is constructed. (Criterion E)

Lintel Grange is significant for its long and continuing association with the Edmonston family. Cr Charles Edmonston was an influential pastoralist, a progressive and prosperous cultivator and was heavily involved in the community. He arrived in Melbourne from Glasgow in 1854. He was elected Councillor for the Ballarat shire, member for west riding and President for two terms. He was a Justice of the Peace, honorary treasurer of the Waubra Cemetery Trust and the Waubra Presbyterian Church, and member and councillor of the Ballarat Agricultural and Pastoral Society (McCallum 1921, 9). The family pastoral business and public service interest continued after Charles' death. Members of the family are commemorated on the Avenues of Honour plaque and the Centenary of Pioneer families (Criterion H).

Primary Source

Lintel Grange Homestead and Complex Heritage Citation (Ballarat City Council, July 2023)

7. GENERAL BUSINESS - MATTERS ARISING FROM THE AGENDA

8. CLOSE