

OFFICIAL

Council Meeting

Agenda

11 September 2024 at 6:30pm

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





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.

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PUBLIC SUBMISSIONS

- Public representations may be made on any items listed on the agenda in a Council Meeting apart from those listed in the confidential section.
- Presentations must be submitted in writing, not more than 500 words by 2:00pm on the day of the relevant meeting:
 - i. In the [form approved](#); or
 - ii. by email to Council's prescribed email address;.or
 - iii. in person during normal office hours at the Council Offices at 25 Armstrong Street South, Ballarat.
- If a person submitting a presentation is not present in the gallery, their presentation will be read out subject to the time limits.

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The next meeting of the Ballarat City Council will be held on Wednesday 9 October 2024.

1. OPENING DECLARATION

Councillors: *"We, the Councillors of the City of Ballarat, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance."*

Mayor: *"I respectfully acknowledge the Wadawurrung and Dja Dja Wurrung People, the traditional custodians of the land, and I would like to welcome members of the public in the gallery."*

2. APOLOGIES FOR ABSENCE

3. DISCLOSURE OF INTEREST

4. MATTERS ARISING FROM THE MINUTES

5. CONFIRMATION OF MINUTES

6. PUBLIC QUESTION TIME

Note – all public representations will be heard before each item on the agenda.

QUESTION TIME

- Questions must be in English and must be 75 words or less and not include a preamble, other additional material, or multiple parts.
- Questions must be submitted via the [form](#) on Council's website, no later than 12:00pm on the day of the Council Meeting.
- **Please note:** no person may submit more than two questions at each meeting; questions may not be allowed if the time allotted for public question time has finished.
- If a person submitting a question is not present in the gallery during Public Question Time, their questions will be read out and a response provided at the meeting.

7. CHIEF EXECUTIVE OFFICER REPORT

7.1. CHIEF EXECUTIVE OFFICER REPORT

Division: Executive Unit
Director: Evan King
Author/Position: Evan King – Chief Executive Officer

PURPOSE

1. The CEO's Operational Report highlights issues and outcomes affecting the organisation's performance as it delivers services and implements the Council's strategies and policy decisions.

BACKGROUND

2. The Council of the City of Ballarat is responsible for setting the municipality's strategic direction. The CEO of the City of Ballarat is the sole employee of the Council and is responsible for establishing the organisational structure and resource allocation to achieve the objectives set by the Council. This operational report provides greater detail about organisational activities and issues involved with service delivery.

KEY MATTERS

3. **New synthetic green to boost City Oval Bowling Club**
A big summer of bowls awaits at City Oval Bowling Club after the completion of a new synthetic green. The new green was officially opened on Monday 12 August, with City of Ballarat Mayor, Cr Des Hudson joining club members to send down some of the first bowls on the new surface. The synthetic surface replaces the former grassed green and was completed at the club's request. There are now two grassed greens and one synthetic green, providing different options for use, while making life easier for the volunteer-led club. Natural surface bowls greens require ongoing and constant maintenance, water, and specialist expertise to maintain and at considerable cost, placing financial and resource pressure on the clubs. The new \$638,000 upgrade was fully funded by the City of Ballarat and allows for greater usage in all weather conditions and will result in greater participation numbers at the club.
4. **Reflecting and acknowledging Ballarat Orphanage past**
The City of Ballarat is working with a small group of former residents to acknowledge the past at the redevelopment of 200 Victoria Street, more commonly known as the old Ballarat Orphanage. New concept plans have been revealed detailing the collaboration to remember the thousands of children who passed through these doors, which has been a huge project for the small but dedicated working group. Developing heritage interpretation is an opportunity not only to acknowledge the experiences of former residents in all their diversity, but to do so in such a way that is embedded in and responsive to, the site.
5. **Nominations open for Ballarat Seniors Awards**
The City of Ballarat is calling on all residents to thank an inspirational older person in their lives with a nomination for the 2024 Ballarat Seniors Awards. The awards are the City of Ballarat's way of acknowledging residents 60 years and older, who give their time and efforts back to the Ballarat community. This year, there are five award

categories, as well as the overall Senior of the Year Award. The annual awards highlight and recognise the contribution of older people to the Ballarat community. This year's awards will be presented at a special reception at Mercure Ballarat Hotel and Convention Centre on Friday 1 November. Nominations close on Monday 16 September.

6. 2024/25 rates notice distribution

The City of Ballarat ratepayers are receiving their rates notices for the 2024/25 financial year. The City of Ballarat has adopted the rate cap of 2.75% set by the State Government. This means that the City of Ballarat's total rates revenue will increase by this amount. Individual property rate charges will vary and may be higher or lower than the rate cap, depending on individual property valuation movements. While more than 50% of residential property owners within the municipality will receive a decrease in City of Ballarat general rates compared to last year, only about 22% will receive a lower overall bill on their rates notice. This is due to an increase in the State Government's Fire Services Property Levy and the 7% waste increase. Rates are an important revenue stream that ensures the community has access to vital services and facilities.

7. Connecting Ballarat East for all active transport users

A shared path upgrade has been proposed to improve the safety, amenity, and comfort for residents and those walking and riding in Ballarat East. It is proposed to connect Barkly Street to Warrenheip Gully and Pennyweight Gully via Callow Street, as the first stage of a multi-staged project that eventually could connect to the Woookarung Regional Park. The proposed upgrade would assist those walking, cycling, scooting, pushing a pram, and those with accessibility issues. This path would connect recreational spaces with other open spaces to encourage those connections for people to enjoy. It will also provide increased safety, with an improved crossing point over the busy Main Road. The City of Ballarat has recently sought the community's feedback as to how this suits the local community.

8. Best of Ballarat campaign

The City of Ballarat is supporting the 'Best of Ballarat' campaign running on 3BA and Power FM radio stations in August. It aims to foster community support for local businesses, promote their value to the community, enhance local economic stability, strengthen community ties, and raise business spirits. It's more important than ever to support our local businesses. With cost of living impacting us all, for our local cafes, shops, and trades to continue to exist, we need to spend local when we can. Our businesses are the heartbeat of our community and create connections for members of Ballarat while providing the goods and services we want and need. Supporting local businesses adds value to our community, enhancing the city's economic stability, strengthening community ties, and ultimately raising confidence.

Events

9. The highly anticipated **2024 Cyclo-Cross National Championships** returned to Ballarat on 17 and 18 August in an action-packed weekend of racing and entertainment. Competitors faced a variety of challenging obstacles. Having first hosted the National Championships in 2023 to great acclaim, Ballarat was excited to welcome back the event and has secured it for 2025 as well. The event attracted over 250 competitors from across Australia, and beyond from as far away as Japan and even Europe, generating an estimated \$200,000 for the local economy.

10. Ballarat's best and brightest young people were celebrated at the **City of Ballarat Youth Awards** on Friday 9 August. The annual youth-led initiative pays tribute to young people making valuable contributions in a range of sectors, including sport,

equity, diversity and inclusion, and community service. Since 2005, the City of Ballarat has been delivering the annual Youth Awards to recognise the outstanding contributions that young people make to the Ballarat community. The awards are designed and delivered by Youth Services volunteers and City of Ballarat staff. This year, a total of 105 young people were nominated across ten categories for their individual contributions to the Ballarat community. Amy Hobbs and Gemma Gale were named as the winners of the prestigious major awards for ages 18-25 and 12-17 respectively.

OFFICER RECOMMENDATION

11. That Council:

11.1 Receive and note the CEO's Operational Report.

ATTACHMENTS

Nil

8. OFFICER REPORTS

8.1. BALLARAT WEST PRECINCT STRUCTURE PLAN AND DEVELOPMENT CONTRIBUTIONS PLAN REVIEW - SEEK AUTHORISATION TO COMMENCE PLANNING SCHEME AMENDMENT

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Chris Duckett – Manager Sustainable Growth

PURPOSE

1. The purpose of the report is to:
 - a. Provide information on a review of the Ballarat West Precinct Structure Plan (PSP) and Ballarat West Development Contributions Plan (DCP).
 - b. Request Council adoption of the revised versions of the PSP and DCP.
 - c. Recommend that Council seeks authorisation from the Minister for Planning to prepare a planning scheme amendment that would include the incorporation of the revised PSP and DCP into the Ballarat planning scheme.

BACKGROUND

2. Ballarat West is the municipality's key growth area and the PSP and DCP were incorporated into the planning scheme in 2012 and 2014 respectively to guide the area's long-term development.
3. A PSP is a strategic planning document that guides the land use and infrastructure plan for a specific area over time. It provides certainty for community members and developers by providing the vision for how the area will develop in the future.
4. A DCP is a strategic planning document that sets out how the infrastructure identified in a PSP will be funded, including how much it will cost and how those costs will be apportioned.
5. Since development commenced in Ballarat West, around 40% of land has been subdivided and titled, 13% of the land is under construction and 47% is yet to commence development.
6. A review is being undertaken to ensure that development of land in Ballarat West will continue to deliver acceptable planning outcomes and an equitable and timely rollout of infrastructure while maintaining the vision and integrity of the PSP.
7. In both the PSP and the DCP, it is stated that the documents should be reviewed at least every 5 years. To date, neither document has had a full review.
8. Initially it was intended that the scope of the review would have a limited focus to address specific infrastructure issues that had come to light through the course of development of some sites.

9. However, it became clear that a more comprehensive review was required given the time that has elapsed since the PSP and DCP were incorporated into the planning scheme. Over this time, development and infrastructure standards and expectations have changed significantly, so it is essential that the whole of the remaining Ballarat West area is considered to ensure that the PSP and DCP remain fit for purpose.
10. The review of the PSP and DCP considers any changes in infrastructure demand and cost apportionment. The review considers infrastructure specifications and the requirements for updates to respond to on the ground changes that have occurred since the documents were incorporated into the planning scheme. Where appropriate and reasonable, the review will update the PSP objectives to reflect current state planning policy.
11. One of the consequences of the review is that the changes to some of the infrastructure projects will mean that the DCP levies will increase.
12. As with most DCPs, infrastructure in the DCP is partly funded through two levies – a Development Infrastructure Levy (DIL) and a Community Infrastructure Levy (CIL).
13. The current DIL is \$341,627 for residential development and \$235,924 for commercial development. The review would increase the levy to \$422,774 for residential and \$277,795 for commercial.
14. The review does not impact the CIL which is payable per dwelling, as this levy is capped under the *Planning and Environment Act 1987* (the Act). The current CIL rate is \$1,450 per dwelling.
15. Informal consultation has occurred on the project with all landowners and developers in Ballarat West, relevant state government agencies, Wadawurrung Traditional Owners Aboriginal Corporation, and City of Ballarat business units. Feedback from the consultation is discussed below. Further consultation will occur through the formal planning scheme amendment process.
16. The review has concluded that both the PSP and DCP should be revised and incorporated into the Ballarat planning scheme. This will require Council to seek authorisation from the Minister of Planning to prepare and exhibit Amendment C234ball to the Ballarat planning scheme.
17. Planning scheme amendment documents have been prepared and are attached to this report. The documentation includes an explanatory report that provides the strategic justification for the review.

KEY MATTERS

Summary of PSP and DCP changes

18. In addition to the amendment documents, officers have prepared a report, the Ballarat West Precinct Structure Plan and Development Contributions Plan Background Document (Background Document), which is attached to the agenda and should be read in conjunction with this report.
 19. The Background Document outlines in detail the proposed changes to the PSP and DCP documents and associated planning scheme provisions and is to be used for information purposes only.
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20. Some of the key changes outlined in the Background Document are summarised under the headings below.

Changes to PSP land use allocation

21. When a PSP is developed, land budget tables are prepared to set out the estimated allocation of land uses on a parcel-by-parcel basis. The tables include housing yields, areas for non-residential uses, and land required for infrastructure.
22. The total land area in the original PSP land budget was 1,290 hectares. This has been adjusted in the reviewed land use budget to 1,287 hectares. The audit of developed land and land use allocation has also resulted in an adjustment to the land available for development from 947 hectares to 972 hectares.
23. Land that has been developed in the PSP area has resulted in changes to land uses in parts of the precinct. This is not unusual in the context of PSP implementation as they are intended to be flexible documents. These land use changes have been updated in plan form and in text form in the land use budget tables in the PSP and DCP.
24. Table 1 summarises the key changes to the land required for infrastructure which will be reproduced in the PSP and DCP.

Table 1: Revised infrastructure land budget summary

Land use category	Existing PSP (ha)	Revised PSP (ha)
Roads and road widening	87.51	84.91
Drainage basins and reserves	81.44	91.04
Environment and heritage conservation areas	27.30	8.27
Community facilities	31.60	28.46
Active open space	39.98	36.94
Passive open space	58.15	65.11
Regional recreation open space	17.63	0

25. The reasons for the changes to land use allocation include:
- Some community facilities including schools and open space provision, particularly in Delacombe, are relocated onto different land parcels.
 - Increase in the size of residential and commercial areas in place of some community facilities that have been reduced.
 - Constraints on MR Power Park leading to less land available for active open space.
 - Increase in the land required for drainage basins, due to changing standards and the need to respond to climate change.
 - Ensuring that the PSP is consistent with the latest version of the *Ballarat West Major Activity Centre Urban Design Framework (UDF)*, endorsed 20 April 2023.

Updating the housing yield in the PSP and DCP

26. The housing yields in the existing PSP and DCP identify a range of densities across Ballarat West with an average of 15 dwellings per hectare for areas for conventional residential development and 25 dwellings per hectare for medium density residential development. The forecasted density was to be 15.70 dwellings per hectare overall.

27. An audit of developed land has been undertaken and the PSP and DCP housing yield tables have been updated. The audit found that subdivision approved in the early years of the PSP were within the lower range of the anticipated densities. However, over time, densities have largely been increasing incrementally and in more recent subdivision applications, the yields tend to be closer to 20 dwellings per hectare than 15 dwellings per hectare.
28. The review therefore proposes to respond to this market trend by increasing the dwelling yield on the undeveloped parcels of land to 20 dwellings per hectare. This would increase the overall number of dwellings in Ballarat West from 14,441 to 15,518.
29. An increased yield makes better use of existing zones close to amenities in accordance with State housing policy.
30. Enabling an increased yield of up to 20 dwellings per hectare on undeveloped land would increase the overall PSP yield to 16.66 dwellings per hectare.
31. Increased density is discussed further in the response to submissions received from stakeholders.

Infrastructure review

32. A critical component of the review is to ensure that all the required precinct wide infrastructure is planned for and can be delivered and funded in a timely and fiscally responsible manner.
33. The infrastructure review includes consideration of the methodologies used to determine the specifications and costs of projects and the demand for infrastructure. The demand in turn influences how the cost of projects should be apportioned, i.e. how much is paid by developers and how much is paid from other sources.
34. The infrastructure reviewed is considered under the headings below and is in three categories, community and recreation, transport and drainage.

Community and recreation infrastructure

35. ASR Research were engaged to review the community and recreation infrastructure PSP/DCP projects including kindergartens and associated facilities, community centres, a library, active open space reserves, sporting pavilions, and indoor recreation centres.
36. The infrastructure is focused on the four activity centres in Ballarat West and the key proposed changes are in the three below centres.
37. In Delacombe Major Activity Centre (DMAC), the key changes are:
 - A reduction of land for active open space from 8ha to 3.5ha, due to the topography being unsuitable for sporting facilities.
 - A reduction of land for the community facilities from 2.5ha to 1.9ha. The location was also moved so that all land is proposed to be north of Valiant Road.
 - The location of the primary school has been moved to the south of the active open space reserve and the land size now available has been reduced to 3.1ha.

38. The changes in DMAC have been approved under the UDF and associated planning permits.
39. In the Greenhalghs Road Local Activity Centre, the key changes are:
 - A reduction in the size of the land for active open space reserve from 11ha to 9.03ha.
 - Relocation of the schools from the western side of the Link Road to the eastern side.
 - Relocation of the indoor recreation centres to the eastern side of the Link Road and increase in land area from 1 hectare to 1.3 hectares.
 - Adjustment to cost apportionment of the indoor recreation centre (discussed below).
40. In the Ross Creek Road / Morgan Street Local Activity Centre, the key changes are:
 - A change in the facilities at MR Power Park, which would alter the function of the park to be part active open space (4ha) and part passive open space (13.63ha).
 - The removal of a 4-court indoor recreation centre (discussed below).
 - The facilities on the Mining Park active open space reserve are largely unchanged, although an increase in the size of drainage basin RB29 does impinge on the available land. This will reduce the overall size to 11.27ha.
41. A key finding of the ASR review was that the specifications and costings in the existing PSP/DCP do not mirror those adopted in contemporary PSPs. It was recommended that the revised PSP incorporate the Victorian Planning Authority (VPA) Benchmark Infrastructure Costs which is based on a report prepared by Cardno in 2019.
42. As the benchmark costings are now accepted as standard practice in calculating infrastructure costings in growth areas, it is proposed to adopt this recommendation and update the costings using the benchmarking methodology.
43. It is acknowledged that the benchmark costings will increase the cost of the facilities and that this will result in an increase to the DIL payable by developers.
44. It will also increase the funding gap for community facilities due to the legislated cap imposed on the CIL. This would therefore require additional funding from Council or State/Federal Government. This is discussed further under the levies section from paragraph 71.
45. If the DCP costings are not updated to reflect contemporary standards for community projects, the entire increase in cost would need to be funded by Council's rate base or other funding sources. Alternatively sub-standard facilities could be provided under the current costings.
46. One of the major implications of adopting the benchmarking costings is that project DI_OS_6, which is an 8-court indoor recreation centre at Greenhalghs Road, would increase in cost from a projected \$13.6M to \$58M.
47. Of relevance to this project is that a key finding of ASR's assessment was that the demand for indoor recreation facilities in Ballarat West is 4 indoor courts, not 8-12 courts as found in the original 2010 assessment.

48. As the demand is now less than anticipated, ASR recommend removing project DI_OS_7, the 4-court indoor recreation centre at MR Power Park. It is proposed that the funds collected towards DI_OS_7 would be allocated to the 8-court facility.
49. Despite the potential additional funds from DI_OS_7, there would still be a large increase in the DIL for this project. Furthermore, there is cost apportionment associated with this project that was agreed to in 2014 when the DCP was prepared which has additional complex implications. This matter is considered in detail in the background report under the section Indoor Recreation Centres (Demand and Cost Apportionment).
50. The total cost of the community and recreation projects would increase from \$181,983,891 in the current DCP to \$229,710,767 under the review.

Transport infrastructure

51. The 17 outstanding road and intersection DCP projects were reviewed by Milward Engineering. New traffic modelling was also undertaken. It was found that 11 projects needed to be adjusted, relating to 6 roads and 5 intersections.
52. The main changes to the roads are the adjustments to length where the review found errors and discrepancies in the original DCP.
53. The most significant error was in the length of road measurement for project DI_RD_21, which is an upgrade to Cherry Flat Road. The road length listed in the DCP is 190m whereas the actual length required is 750m. There is no documentation to explain the reason for the major error. The additional road construction cost associated with this change has been estimated by Milward to be \$3,114,675.
54. With regard to the intersections, it is proposed to replace two roundabouts with traffic signalisation. These are roundabout DI_JNC_02, which is at Ballarat Carngham Road and Presentation Boulevard, and DI_JNC_05, which is at Greenhalghs Road and Innsbruck Road.
55. Changing the projects from roundabout to signals would overcome the need to acquire land from adjoining properties which would be beneficial, but the primary reason for the change is to facilitate safer movements for pedestrians and cyclists. The proposal to signalise DI_JNC_02 has raised some concerns in submissions which are discussed under the consultation section.
56. A further roundabout, DI_JNC_08 on Glenelg Highway, requires changes to the road pavement from a local road standard to an arterial road standard which increases the cost. The change to this project has also generated two submissions.
57. It is proposed to make minor design changes to two further roundabouts to make them safer for pedestrians and cyclists.
58. The cost of the transport projects would increase from \$96,019,639 in the current DCP to \$102,710,531 under the review.

Drainage Infrastructure

- 59. Engeny were engaged to prepare a revised drainage strategy to ensure the drainage assets required for the development of the remaining land will manage stormwater in a safe and efficient manner.
- 60. The assets are recognised in the DCP based on 20 drainage catchments as shown in figure 1. The assets within the catchments primarily comprise retarding basins and underground pipes. 14 of the catchments have increased in cost, 3 have decreased in cost and 3 are unchanged.

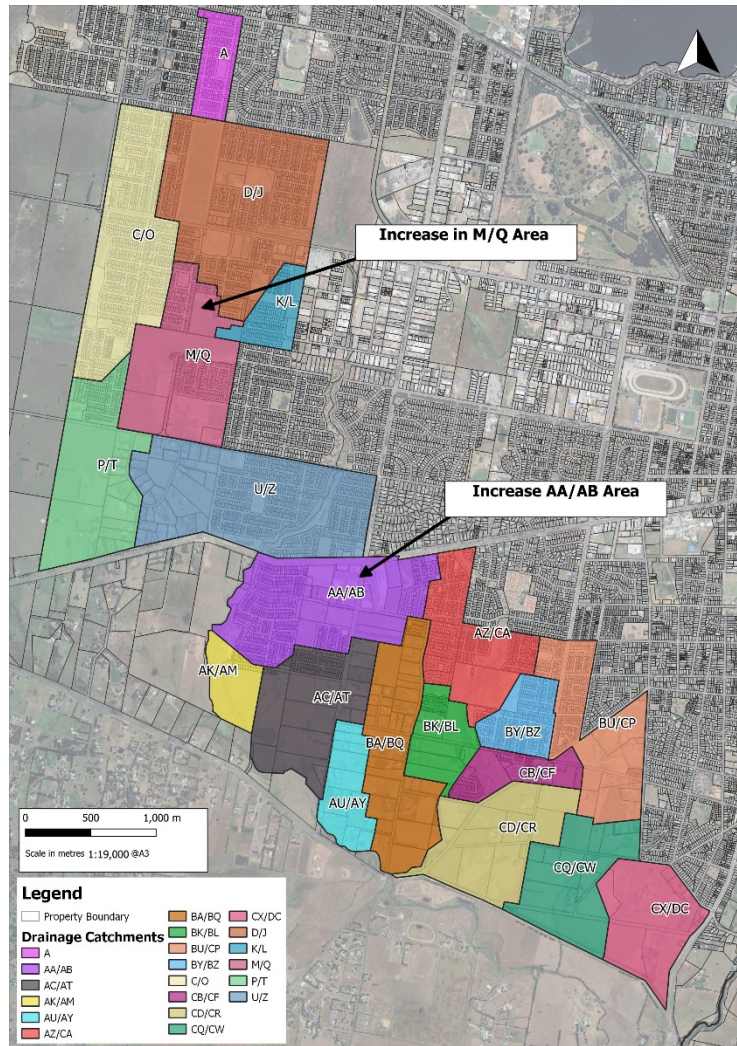


Figure 1: Drainage Sub-catchments (revised)

- 61. All of the drainage assets are shown across the 3 sub-precincts in figures 2-4. These plans show the status of the drainage basins as completed in blue, partially completed or designed/approved in red, and undeveloped in purple. Drainage pipes are also shown.
- 62. The most significant changes relate to a number of the drainage basins in Precinct 1 and Precinct 2 which need to increase in size which will have a consequential impact in construction costs.

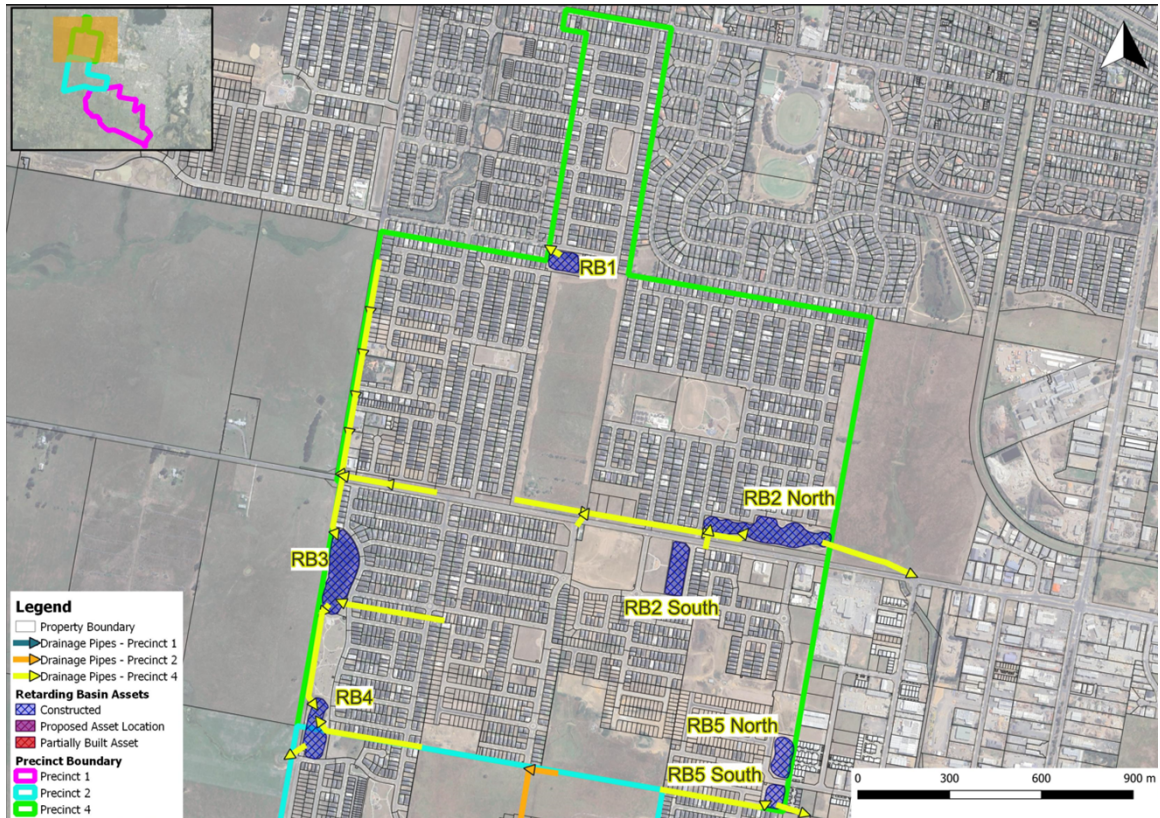


Figure 2: Drainage Strategy Projects (basins and pipes) Sub Precinct 4

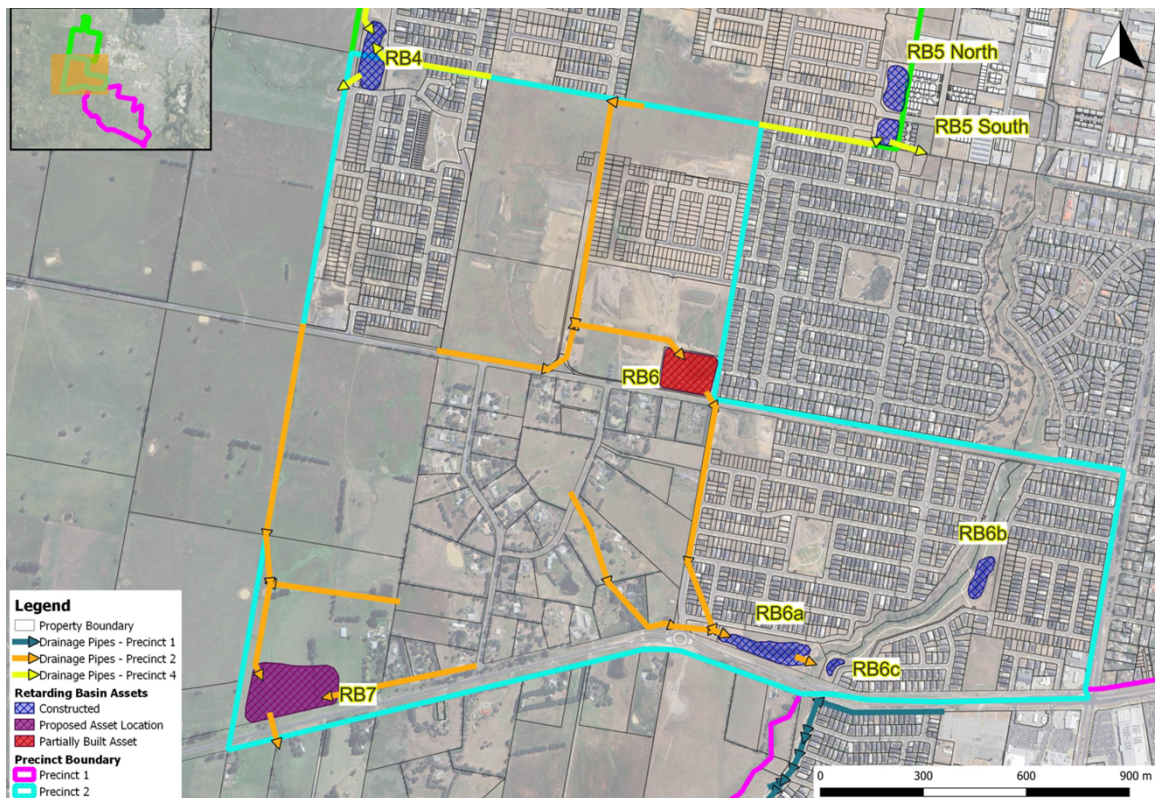


Figure 3: Drainage Strategy Projects (basins and pipes) Sub Precinct 2

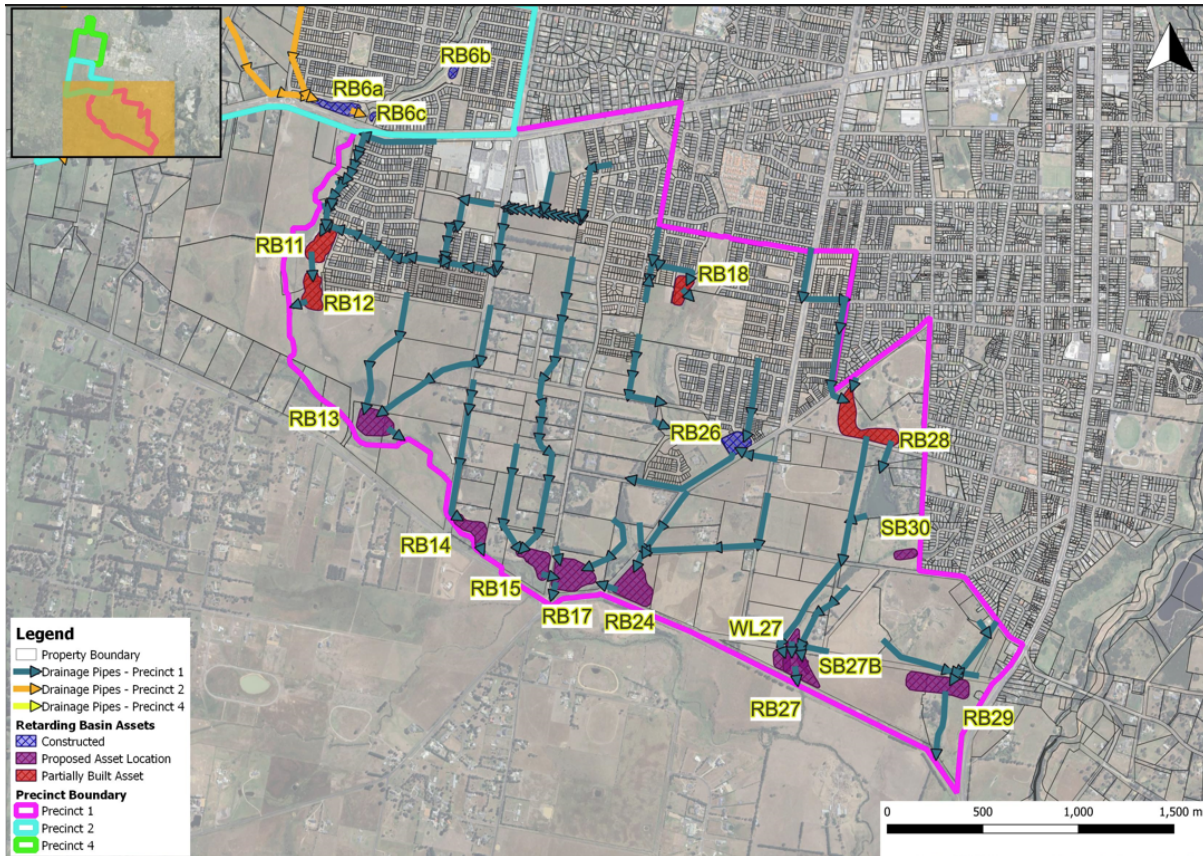


Figure 4: Drainage Strategy Projects (basins and pipes) Sub Precinct 1

- 63. The cost of the drainage assets would increase from \$138,560,968 in the current DCP to \$178,702,539 under the review.

Land projects

- 64. For many of the DCP projects, there is a requirement to provide land to deliver the infrastructure.
- 65. Where projects are yet to be delivered, the land will be adjusted as required. Opteon Solutions have prepared a report of land value assessments for these projects.
- 66. The review has found that for some projects the amount of land has decreased and for others it has increased. The most significant increase is for the changes to the retarding basins discussed above which will increase from 34 hectares to 46 hectares.
- 67. Taking into account Opteon’s updated valuations for projects under review and adjusted land credits for projects delivered, the total value of all land required in the DCP has increased from \$85.7M to \$89.6M.

Other projects

- 68. The original DCP did not include strategic planning costs associated with the preparation of DCP, although it is noted that legislation did not specifically enable these costs to be included in a DCP at that time.
- 69. In 2015, the Act amended section 46l(1)(b) to allow the inclusion of “...reasonable costs and expenses incurred by the planning authority in preparing the plan and any

strategic plan or precinct structure plan relating to, or required for, the preparation of the development contributions plan (the plan preparation costs).”

70. In light of the legislative change and that it is now common practice to include strategic planning costs in DCPs, it is appropriate to include the costs associated with the preparation of the PSP and DCP. The total costs amount to \$432,465.

Development Contribution Levies

Development Infrastructure Levy (DIL)

71. The DIL is a contribution that is predominantly used for physical infrastructure such as roads and drainage that is required to enable development to proceed.
72. The DIL is collected from developers and payable on the area of the subdivided net developable hectares known as Net Developable Area (NDA), with different rates applied for residential and commercial land.
73. The DIL levy for financial year 2024/25 is \$341,627 for residential development and \$235,924 for commercial development.
74. Further to the review of the infrastructure project costings, the proposed DIL under the review would have a rate of \$422,774 per hectare for residential development and \$277,795 per hectare for commercial development.

Community Infrastructure Levy (CIL)

75. The CIL is a contribution that is used to support the delivery of community infrastructure such as pre-school and childcare facilities, community centres, libraries and recreational facilities.
76. The CIL is collected from the subdivider of land or individual lot owner prior to the issue of a building permit for a dwelling.
77. There will be no change to the CIL due to the cap under the Act.

DCP funding gap

78. In the Ballarat West DCP, there is a funding gap between the amount of DIL and CIL that can be collected and the cost of the infrastructure required. Under the existing DCP this total funding gap is \$77.1M.
79. Whilst funding gaps in the CIL and DIL are common in DCPs and Council has factored this into its financial planning, changing social and economic circumstances have meant that the scope and costings of many infrastructure projects have increased significantly since the DCP was originally costed. As those costs have increased, in some cases above CPI, this has had a cumulative impact on the shortfall, which in 2014 was originally estimated to be approximately \$51M.

Development Infrastructure Levy (DIL) shortfall

80. The existing DIL shortfall arises from funds that are required to pay for the proportion of PSP infrastructure demand that is created by existing development beyond the boundary of the PSP. This is known as external apportionment and is common in most DCPs.

81. External apportionment is expressed as a percentage of the cost of the project in the DCP. For example, if a new road is built in a PSP area and 25% of the vehicles using it will be from outside the PSP, only 75% of the cost of the infrastructure can be funded by the DIL.
82. The funding of external apportionment in DCPs is usually paid for by City of Ballarat and in some instances by the Commonwealth or State government.
83. In the Ballarat West DCP, the existing external apportionment DIL shortfall is around \$49.3M.¹ Under the review, the external apportionment shortfall would decrease to \$43.4M.¹ This is due to the changes to some projects such as the adjustment to the demand of the 8-court indoor recreation centre and the deletion of the 4-court indoor recreation centre.
84. In addition to the existing DIL external apportionment shortfall, the amount of money that can be collected under the DIL will be further reduced in the review by \$33.7M. This is because around 40% of the precinct has already been subdivided and the difference between the existing DIL rate and the increased amount of the DIL cannot be collected on this land.

Community Infrastructure Levy (CIL) shortfall

85. The CIL shortfall is the gap between the amount that can be collected under the legislated cap and the overall cost of the community infrastructure projects.
86. The funding of the CIL shortfall must be made up from alternative funding sources such as general rates and/or government grants. The City of Ballarat has been successful in obtaining grants for some projects in the past which has reduced the DCP shortfall. However, there is no guarantee of obtaining grants into the future.
87. In the Ballarat West DCP, the existing CIL shortfall is around \$27.9M.¹ Due to the revised scope and costings of a number of projects under the review, the CIL shortfall would increase to \$41.6M.¹
88. In total, the funding gap for the DIL and CIL would increase from \$77.1M¹ to around \$118.7M.¹
89. The different types of funding, the amount of the infrastructure costs and how the funding will be shared is shown in table 2 below.

Table 2: DCP Funding Types and Costs

Development Funding Type	Existing DCP		Revised DCP	
DIL Developer	319.7M	77%	371.4M	72%
DIL Council (External Apportionment)	49.3M	12%	43.4M	8%
DIL Council (Uncollectable DIL)	-	0%	33.7M	7%
CIL Developer/Community	20.7M	5%	22.5M	4%
CIL Council (Grants)	27.9M	7%	41.6M	8%
Total	417.6M	100%	512.6M	100%

90. Although it is acknowledged that the levy developers and landowners will pay will increase significantly, as a percentage of the increased costs, Council and other funding sources will need to contribute more.

¹ The shortfall excludes around \$8M in grants received for projects completed.

91. The consequences of the costings of some DCP projects not reflecting actual construction costs are significant. This has a direct impact on DCP projects that Councils typically take responsibility for, such as the community and recreation projects.
92. In most DCPs, including the BWDCP, it is common for developers to undertake the bulk of road and drainage projects as Works-In-Kind (WIK) by negotiation and agreement with Council. However, if the costs are not updated, there is a risk that developers may be less inclined to undertake WIK. This would leave the responsibility for the delivery of the infrastructure with Council as the development agency under the Act. This highlights the importance of updating costings.

DIL benchmarking

93. Officers have undertaken benchmarking of the revised DIL against two other DCPs which are currently going through a planning scheme amendment process. The purpose of the benchmarking is to understand if the cost increase appears fair and reasonable.
94. Shepparton South East DCP is a new DCP which has just finished a planning scheme amendment exhibition process. It is a relevant comparison as it is a regional DCP and includes the benchmark costings for the community and recreation projects.
95. Shepparton South East DCP proposes a per hectare charge of \$407,896 (23/24) which after indexation would be higher than the proposed increased rate for Ballarat West.
96. Toolern DCP in the City of Melton is another relevant comparison because, like Ballarat West, it has a historic PSP and DCP that is subject to a current review. Comparing the actual levy charge with Toolern is not directly comparable because the City of Melton is a metropolitan growth area where developers incur additional levies, namely the Growth Areas Infrastructure Contribution and a separate drainage charge payable to Melbourne Water.
97. Taking into account the additional charges and the revised DCP levy, it is estimated that under the review, developers in the Toolern DCP would need to pay between \$559,223 to \$773,348 per hectare, depending on which sub-precinct and drainage scheme they are located in.
98. Noting that the land valuations quoted in both Toolern and Shepparton South East DCPs are lower than land valuations in Ballarat West, it would seem that the proposed increase in the Ballarat West DIL levy is fair and reasonable.
99. It is acknowledged that Toolern and Shepparton South-East DCPs will need to proceed through the planning scheme amendment process before the levies are adopted.

Growling Grass Frog Conservation Management Plan

100. As part of the PSP review, the City of Ballarat engaged Practical Ecology to undertake a review of the Growling Grass Frog (GGF) Conservation Management Plan (CMP). The aim of the updated GGF CMP is to establish a strategic framework for the efficient management of the GGF, as the remaining development occurs in Precinct 1 of the PSP.

101. The City will be undertaking further investigation into an equitable funding mechanism of the GGF and will introduce this into a future Planning Scheme Amendment.
102. Practical Ecology included target surveys within and around Precinct 1. Despite suitable habitat being prevalent, no GGF were found on any of the sites surveyed, although some were recorded in an adjacent site in the Golden Plains Shire.
103. Practical Ecology have stated that given the species' highly mobile nature, it is highly likely that the GGFs still utilise the habitat and will need to be given consideration throughout the planning and development process.
104. A draft CMP has been prepared to reflect the changes in guidelines and site conditions, including an update to the location of the compensatory habitat to address loss of suitable habitat on development sites.
105. At the time of writing (August 2024), the draft CMP was awaiting input from affected landowners. The City of Ballarat will need to work in partnership with the affected landowners and developers adjacent to the creek reserves to ensure suitable habitat is provided.
106. When the CMP is finalised, this may result in some changes to the PSP document and planning scheme ordinances. If those changes have a material impact on the PSP objectives and guidelines, there will be a need to report back to Council. Otherwise, this report recommends that Council authorise the Director Development and Growth to make changes under delegation.
107. The Department of Environment, Energy and Climate Action (DEECA) were consulted on the draft CMP and did not provide a response.

Planning scheme amendment changes

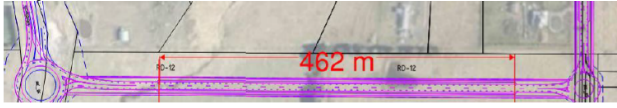
108. The Ballarat planning scheme will require a number of changes which are documented in the background report. The key changes are updates to:
 - Clause 37.07- Schedule 2 to the Urban Growth Zone
 - Clause 45.06- Schedule 1 to the Development Contributions Plan Overlay
 - Clause 72.04- Schedule 1 to the Incorporated Documents

Consultation

109. Consultation was undertaken on the proposed key changes to the PSP and DCP with all developers and landowners of undeveloped land in Ballarat West and relevant State Government agencies.
110. The information provided for consultation was a project summary document, a draft DCP costings document showing the changes to each infrastructure project, and the three technical reports that will inform the revised DCP.
111. A total of 10 submissions were received:
 - a. 4 from industry.
 - b. 3 from the general public.
 - c. 3 from state government/referral authorities.

112. The key issues raised by industry and the public are discussed in the table below.

Summary of Issue	Officer Response
Growling Grass Frog Conservation Management Plan	
Concerns about funding implications of the GGF and why this should now be imposed on all undeveloped land in Precinct 1.	Funding at this stage is unresolved and as discussed above, the GGF is still under consideration.
Changes to the Growling Grass Frog Conservation Management Plan are opposed. Any changes need to ensure that it is not sought to retrofit additional requirements over land with existing permits.	<p>The standards for the managing the metapopulations of the GGF have changed since the PSP was drafted and it is appropriate to consider the new requirements.</p> <p>Any imposition on existing permits would likely be unlawful so this is not intended to be an outcome.</p>
Increased density	
Density should not be increased from 15 dwellings per hectare to 20 to 30 dwellings per hectare due to impact on liveability and place pressure on infrastructure.	The proposed changes allow flexibility to build up to 20 dwellings per hectare not 30. There are multiple benefits of increasing densities including making more efficient use of infrastructure and existing urban land and improving housing diversity.
Increased density can be considered under a planning application rather than a PSP amendment.	It is orderly to consider increased densities at a strategic level rather than wholly on a site-by-site basis to ensure that infrastructure is appropriately scoped precinct wide. It is accepted that increased density may not be appropriate on all sites.
Clarification sought regarding the proposed increase in housing yield from 14,075 to 15,667 dwellings and the increased yield should not be uniformly applied across precinct 1.	As above
It would be assumed that only Remaining Zoned Supply could realistically assume potential increases in yield from 15 to 20 lots per NDA.	This is correct.
PSP Document Changes	
Any changes to the PSP should be minimal in nature and deal only with spatial land use allocation changes resultant of approved Urban Design Frameworks (UDF).	It is agreed that any changes to the PSP should be limited to those required to deliver acceptable outcomes. A number of the land use allocation changes do relate to approved UDFs but the review needs to consider the entire precinct.
Changes to that document must not be used as a means for Council to seek amendments to existing permits or unreasonably refuse permits if the revised requirements are not satisfied.	This is not the intention of the review. Applications for amended permits are not an opportunity for the responsible authority to revisit matters already approved.
DCP Project Changes	
Changes due to project cost increases should not be revised unless the scope of that project has been substantially altered.	A key purpose of a PSP and DCP review is to ensure that project scopes are still fit for purpose and able to meet the intent of the vision of the PSP and DCP.

<p>DI_RD_12 – query whether the minor shortfall in length identified is due to JNC_05 at its northern end and JNC_08 at its southern end, with the legs of those intersection projects accounting for the 62m discrepancy</p>	<p>DI_RD_12 length has been reviewed and confirmed to be inaccurate in the original PSP. The length has also been peer reviewed by GHD on behalf of the City as shown below.</p>  <p><small>Figure 2 GHD measurement of SMEC DCP approved plans</small></p>
<p>DI_JNC_02 – Change in scope from roundabout to a signalised intersection is suggested as the roundabout would require a larger acquisition and impact the dwelling. Under the PSP, this land is identified as part of a Neighbourhood Activity Centre (NAC) and retaining a dwelling at an intersection as proposed and surrounded by a NAC a poor planning outcome. The removal of the dwelling is therefore intended under the PSP and reasons for changing the scope of the project and subsequently increasing the cost of the project and development levies unwarranted and unreasonable.</p>	<p>It is agreed that a preferred outcome would be for the removal of the dwelling to allow full development of the NAC. However, it is understood that the owner of the dwelling does not want to move out of their home and providing a signalised intersection treatment is a pragmatic solution which would facilitate a better planning outcome whilst showing compassion to the home owner.</p> <p>It is not agreed that the suggestion the only driver for changing the treatment to signalisation is to avoid land acquisition. It is actually considering the interface with the NAC, road safety / user outcomes and deliverability noting staged development.</p> <p>As discussed below under the DTP (transport submission), this issue will need further consideration.</p>
<p>DI_JNC_08 – Change in scope seeks additional funds due to an increased pavement depth. The Glenelg Highway was an existing sealed road before the works were undertaken. Development Contribution guidelines states that 'A DCP cannot be used to fund the total replacement of an infrastructure item, if the replacement is necessary as a result of poor maintenance'. As such, it is queried whether this additional cost is as the roads authority required a greater pavement depth than what already existed (which is often the case) and therefore this cost is not something that should be covered by the DCP.</p>	<p>The DC guideline referred to in the first submission on DI_JNC_08 relates to existing projects. This intersection is a new intersection so the guideline is not relevant.</p> <p>The road was a major arterial road in 2014 when the DCP was incorporated into the planning scheme. It is therefore clear that it was an error for the road to be classified as 'local'.</p> <p>The change in pavement depth is to correct an inaccuracy from the original PSP which adopted a local road pavement profile whereas an arterial road profile is required.</p>
<p>DI_JNC_08 – The review has undervalued the scope of works required for the VicRoads roundabout.</p> <p>The pavement has been constructed according to VicRoads' requirements, with thicknesses of 950mm and 920mm. The current council review only allowed for a 740mm thick pavement. In terms of pavement area, the footprint of the actual as-built roundabout is double the area allowed in the DCP schedule.</p> <p>Increased footprint has also impacted all the other underground services and infrastructure, which should be considered as part of the DCP allowance.</p> <p>The comparison between the DCP allowance and the actual construction costs is as follows:</p> <p>DCP Review Allowance: \$1,721,697.73</p>	<p>The second submission on DI_JNC_08 seeks reimbursement for the actual cost of construction required by VicRoads as part of a permit condition.</p> <p>Regrettably, the footprint of the roundabout and specifications are not within the scope of the DCP and to adjust the standard to meet VicRoads' requirements would be inequitable as it would be contrary to the principles of the DCP credits given to other developers in Ballarat West.</p> <p>The two submissions on DI_JNC_08 illustrate the complexities of preparing or reviewing a DCP in that different parties will have different views on the appropriate specifications and costing methodology.</p>

<p>Actual Construction Costs: \$3,438,161.46</p> <p>Shortfall in DCP budget: \$1,716,463.73</p> <p>We seek for the council to increase the DCP allowance to match the actual construction costs.</p>	
<p>DI_JNC_11 and DI_JNC_12 intended development outcome around those intersections is not altering.</p>	<p>It is agreed the development outcome has not changed, however, scope change is recommended in the transport review to deliver a planning outcome that facilitates pedestrian and cycle movements which will provide for safe and efficient pedestrian and cyclist movements to the benefit of the wider community. This adjustment has a minor impact on the revised levy, adding only \$250 per hectare.</p>
<p>Concerns about basins being moved onto landholdings without consent of landowner and they should only be moved if absolutely necessary.</p>	<p>Some basins have been moved with consent of landowners as part of the planning application process. The other basins are being relocated on the basis of need and landowners are being consulted on as part of this process and will have a further opportunity to provide feedback in the planning scheme amendment exhibition process.</p>
<p>Council will need to negotiate with landowner in order to acquire land required for delivery of RB13.</p>	<p>Delivering this basin in the short term is a priority and officers are in discussion with the landowner.</p>
<p>Land for DI_LA_2 and DI_LA_3 has been acquired for a fixed amount of \$1.1 m as noted above. These projects however have a revised Proposed DCP Costing of \$2,000,000</p>	<p>It is assumed that this relates to DI_LA_1 and DI_LA_2, not DI_LA_2 and DI_LA_3. See further discussion under library query.</p>
<p>Query on whether 1ha can be provided for library project under DI_LA_1 due to the facility being approved under an Urban Design Framework (UDF) in a different location and size.</p>	<p>DI_LA_1 as a land project was only provided in part. The balance of 0.42 ha of land for DI_LA_1 and DI_LA_2 is outstanding in the DCP and is proposed to be retained for community facilities together with a reduced land project for DI_LA_3.</p> <p>Total land including that already acquired for community facilities is now proposed to be 1.9ha which is reduced from 2.5ha in the DCP.</p>
<p>A building of 600sqm was originally set aside for a library, way below the size sought within the DCP.</p>	<p>The location approved under the UDF is of an inadequate size for a library and it is proposed to dispose of this land in the future with the funds put towards the revised land project costs.</p>
<p>Query on cost increase of library facility.</p>	<p>The costs of all community facilities have increased due to adoption of the standard methodology used in all ICPs. This is discussed in the ASR Research report. Note that this facility is not funded by the DIL so will not impact developers.</p>
<p>Query on costs on Active Open Space projects at DTC, being smaller but more expensive.</p>	<p>As above.</p>

DCP levy increases and indexation	
It is unclear how the revised levies have been calculated without being able to review the DCP in totality.	The DCP will provide more complete information but all the costings and the methodology that will be inputs into the DCP have been provided. The DCP was made available prior to the Council meeting agenda being published and will be available as part of the planning scheme amendment process. ²
Extra \$48k on the DCP levy is concerning and well above Council's previously forecasted figure of \$4k.	The \$4k figure quoted was based on a limited review which was to form part 1 of a two-part review. It was subsequently decided to proceed with a single full and comprehensive review, hence the higher levy.
Has levies from additional Net Developable Area (NDA) been included in the new levy calculations?	Yes – All NDA has been reconciled in the DCP Land Use Budget and levies.
There should be no revised or indexed pricing for completed DCP projects where fixed credits/payments have already been made.	Completed projects will not be revised but all projects whether completed or not need to be indexed to align with the revised levy.
Inclusion of retrospective reimbursement for preparation of the PSP and DCP costs is opposed. Trying to recoup these funds is unreasonable.	It is not a retrospective reimbursement. The plan preparation costs are in relation to the revised PSP and DCP. Legislation is clear that this is allowable and is standard practice.
Indexation of partially completed DCP project costs to 23/24 also has the potential to skew the numbers, where fixed credits/payments already made.	All projects whether completed or not need to be indexed to align with the revised levy. The partially completed projects merely reflect the current DCP values as indexed annually.
Completed projects have been indexed or appear to be adjusted to the 2023/24 FY values to calculate the total DCP project costs, impacting the DCP levy.	All projects whether completed or not need to be indexed to align with the revised levy.
Land Valuations	
Questions regarding the accuracy of valuations of land	Land valuations in the DCP have been undertaken by a qualified valuer using accepted practices.
Infrastructure	
Relocating major infrastructure, such as drainage basins, without considering existing permits or development applications without prior stakeholder engagement/agreement, is unreasonable. This strategy could render development projects financially unviable, resulting in stagnant land and adversely affecting the housing supply in Ballarat.	Agreed – However where proposed changes have been known and permit applications have been lodged, information has been shared by officers where possible. The drainage strategy can only be fully consulted on when it is completed with all the required information. The drainage strategy report was completed in April 2024 and this consultation now seeks feedback from landowners on the proposals.
The Traffic review proposes widening the road reserve on the east side of Ross Creek Road where land acquisition could take place to establish the LR3 cross section in lieu of the LR2 proposed. This proposal does not take into consideration the planning approval PLP/2022/132.	The recommendation for widening of Ross Creek Road is an LR3 standard cross section is optional where developments can implement a service road.

² The DIL residential rate in the final draft DCP has increased from the figure published in the consultation process from \$362,210 to \$422,774. This is due to, (a) 24/25 indexation and (b) changes to the cost apportionment in project DI_OS_6. The likelihood of a change in the DIL was highlighted in the consultation process.

<p>No consideration given to the Schreenans Road-Link Road intersection. This intersection and lower half of Schreenans Road poses a significant constraint on the adjacent developments. Major culvert required to account for the flows from Winter Creek to avoid further flooding. This will need to also account for either a roundabout, or signalised intersection which may result in significant associated infrastructure. Should this intersection not be considered a DCP project it is likely that the adjacent sites will be unfeasible for development.</p>	<p>One of the principles of undertaking the review is to minimise new infrastructure to reduce the impact on the DIL. Whilst a new intersection treatment may be required, the design would need to be considered as part of the Link Road project when that is designed.</p>
<p>To address above an option is to close Schreenans Road without connection to the Link Road. This road connection doesn't appear to have been considered relevant by any of the traffic reports. This strategy would also provide opportunity to consolidate DI_DR15 and DI_DR17, resulting in increased development yield and reduce long term maintenance of the assets.</p>	<p>This would be a major change to the road network and drainage strategy which is beyond the scope of this review.</p>
<p>Ballarat Carngham Road/Mirelle Drive should be included in the review.</p> <p>The submission was accompanied by a report by Ratio which has been reviewed by the City's engineers.</p>	<p>The Ballarat-Carngham Rd / Mirelle Drive intersection is not proposed as a DCP project and none of the traffic documentation suggests that it needs to be. The upgrade is driven by DTP and their BCR duplication strategy and/or was considered appropriate to implement as a planning permit condition.</p>
<p>Milward concept plan is preliminary and lacks details for both the interim and ultimate intersection layouts and associated land requirement.</p> <p>There will be land take required to accommodate the proposed signalised intersection including:</p> <ul style="list-style-type: none"> • As a minimum, there will need to be a splay across the corner of 163 Ballarat-Carngham Rd. • It also a typical outcome (and DTP requirement) for a 3.5m wide strip of land to be provided for the ultimate left-turn deceleration lane which would extend for approximately 100m from the intersection (based on an 80km/h speed limit) 	<p>The Milward plans are concepts. The Milward report recommends a 70 km/h raised pavement signalised intersection, with no land acquisition required (beyond existing PAO).</p> <p>As the duplication of Ballarat – Carngham Road, both land and/or works are not DCP items the JNC_02 cost estimate is based on the existing single carriageway capacity. Costs and staging above this have been assumed to form part of the duplication considerations.</p>
<p>Central Highlands Water Coordination: Why has it taken so long to identify and address the issues with Central Highlands Water in supplying the necessary infrastructure? What specific challenges have been encountered in this coordination?</p>	<p>Central Highlands Water have their own Development Servicing Plans which are outside the City of Ballarat's control. The City of Ballarat does meet with CHW to advocate for expedited delivery of sewer and water to service new growth areas.</p>
<p>Reasons for Delays: What are the specific reasons for the delays in implementing the PSP and DCP, particularly concerning critical infrastructure services? Have there been administrative inefficiencies, lack of resources, or other issues that the Council has failed to address?</p>	<p>Infrastructure is being delivered in accordance with the trigger points in the DCP. For example, multiple drainage, road upgrades, community facilities and open space has been delivered as subdivision occurs.</p>
<p>Impact on Infrastructure Delivery: How have these delays affected the timely delivery of critical infrastructure such as roads, drainage systems, and community facilities?</p>	<p>As above.</p>

<p>Future Timelines and Commitments: What are the revised timelines for the delivery of the required infrastructure and services? How will the Council ensure adherence to these timelines, and what steps are being taken to prevent further delays?</p>	<p>There is around \$220M worth of infrastructure planned to be delivered over the remaining life of the PSP and DCP. The timing of delivery will be influenced by the speed of development and availability of funding.</p>
Consultation/Process	
<p>Consultations is strongly recommended before advancing the planning scheme amendment.</p>	<p>As noted above, this process is the start of the consultation.</p>
<p>It is requested that Council:</p> <p>Identify all permits issued and key characteristics in terms of amount of net developable area (NDA) already granted statement of compliance, balance of NDA and likely timing (i.e. will statement of compliance be sought prior to the gazettal of the planning scheme amendment) and likely works in kind projects associated with the current permit.</p>	<p>As mentioned, the City issues a quarterly report which identifies all permits issued.</p> <p>An updated land use budget which shows reconciled NDA is included in the PSP and DCP.</p> <p>The timing of lodging of Statement of Compliance for subdivision and gazettal of the planning scheme amendment is not within the City's control.</p>
<p>How will Council deal with planning permits whilst the review is underway which should ideally include a resolution from Council that: The review will not hold up the issue of planning permits, certification or statement of compliance.</p>	<p>Council will continue to assess permits in accordance with legislation and statutory timeframes.</p>
<p>Council officers are encouraged to consult with affected developers and their representatives and explain the extent of the changes and impact on the DC projects and DIL charges.</p>	<p>This was the intent of the consultation exercise and discussions will continue.</p>
<p>Outline any transitional arrangements that be implemented i.e. conditions on permit/ or S173 Agreement that require a 'reconciliation' once the updated DCP has been gazetted.</p> <p>The report should clearly identify the current permits that are affected and quantify the NDA and potential WIK and outline the changes/implications the revised DCP will have on these.</p>	<p>Officers will work with developers on these issues as the amendment progresses. A background report has been prepared that responds to some of these matters where required.</p>
<p>Review Process and Findings: When was the last full review of the PSP and DCP conducted? What were the key findings, and why has the Council not acted on them in a timely manner to prevent these delays?</p>	<p>There has not been a full review of the Ballarat West PSP and DCP.</p>
<p>Accountability Measures: What steps is the Council taking to hold those responsible for these delays accountable? Are there any plans to rectify the financial impact on landowners, and how will the Council ensure that similar issues do not arise in the future?</p>	<p>As mentioned above the City is implementing infrastructure in accordance with the triggers set out in the DCP.</p>
Walking and cycling	
<p>Concerned about the impact of intersections and slip lanes on people and bikes</p>	<p>Intersections will be designed accordingly to ensure appropriate safety for all users.</p>

Desire for more bike lanes and supportive of roundabout design changes	As this a review rather than a new PSP, introduction of more bike lines is unlikely to be supported due to additional costs.
Concern on the integration of pedestrian, cycling and road networks across Ballarat West	The connection between pedestrian and cycling networks, as well as local street networks to adjoining housing estates (where possible) are usually constructed as part of subdivision works approved as part of a Planning Permit.
Concern that road, pedestrian and cycling infrastructure are not constructed in a timely manner	The timing and delivery of pedestrian, cycling and road infrastructure is dependent on the development.
Desire for wayfinding and better connections to be provided across the reserve along Kensington Creek in Winterfield South Estate	The City's Design Unit is currently developing a new Open Space Strategy and have undertaken initial consultation.
VicSES HQ	
Concern that Council do not plan to renew their lease on the current VicSES HQ on Gillies Street South	<p>This submission refers to a letter written to the City of Ballarat by the Department of Justice and Community Safety (DJCS) as part of the consultation on community infrastructure in the PSP review.</p> <p>The letter noted that Council has indicated that it will not renew the lease at the existing site, leaving the municipality without an SES facility.</p> <p>The comments from DJCS are not correct, as no formal decision has been made on the renewal of the lease at the VicSES HQ. The City's property team have requested that the SES submit a formal request so that other relevant City units can be consulted on the decision.</p>
Increased Rates	
Impact on Landowners: How does the Council justify the increased rates imposed on landowners due to these delays? What measures are being taken to compensate those who are unfairly burdened by the Council's shortcomings?	Ratings are influenced by land values. As land values have increased significantly in Ballarat West in recent years largely due to land speculators and developers buying land, rate increases are unavoidable. There are no mechanisms available to compensate landowners for rate rises.

113. The table below summarises the comments from government/referral agencies.

Stakeholder	Officer Response
Department of Transport (transport)	
<p>Concern over proposed changes of intersection of Ballarat-Carngham Road and Presentation Boulevard from a roundabout to a signalised intersection.</p> <p>DTP is not supportive of this change and DTP's position is that this intersection remains a dual lane roundabout.</p> <p>DTP is currently developing plans for the duplication of Ballarat-Carngham Road from Dyson Drive to Wiltshire Lane, which includes plans for the intersection of Ballarat-Carngham Road and Presentation Boulevard.</p>	<p>Officers have been in lengthy discussions with DTP regarding this design change and at no point prior to consultation was an objection to the change made.</p> <p>Subsequent to the DTP submission, officers have had further dialogue with DTP and it has been agreed that both parties will continue to work together on the intersection in order to try and reach a consensus on the most appropriate outcome.</p> <p>Options include amending the draft DCP to revert back to a roundabout or to proceed with a signalised intersection.</p>
Department of Transport (planning)	
<ul style="list-style-type: none"> • The work undertaken seems logical • New items being rescoped because of technical changes to design etc or increased development density should be justifiable to increase the charge. • A project that was implemented earlier and not done to original scope with council agreement will be harder to justify now coming back and seeking more contributions. • Increased yield is usually good justification for increasing scope. • All the usual issues of justification of costs, equitable apportionment of costs etc will apply in considering the revised DCP and amendment. • The methodology you have used seems to be consistent with the recent Toolern amendment which is currently on exhibition (C232melt). • Reviewing land use allocation and dwelling densities in the PSP, GGF conservation areas and CMP, and the infrastructure items of the DCP is appropriate for revised costings and increased levies. • Ensure that you have undertaken active engagement with the relevant referral authorities, including obtaining written feedback. <p>Some additional minor matters that you could consider in the review:</p> <p>UGZ2 - Section 4.0 Conditions and requirements for permits - Land identified as having a Medium Potential for Contamination</p> <ul style="list-style-type: none"> • Update the outdated references to the PPN for potentially contaminated land and EP Act 1970. <p>PSP – 5.10 Utilities</p> <ul style="list-style-type: none"> • Remove the requirement for gas (for consistency with VC250). 	<p>Comments noted.</p> <p>Engagement has occurred with all relevant authorities.</p> <p>Minor matters mentioned have been picked up in the review.</p>

Central Highlands Water	
CHW notes that the Review provides for increased dwelling densities in the growth area and that these changes may impact our infrastructure planning. We would therefore value the City of Ballarat clarifying the proposed density as soon it is determined.	CHW have clarified that increased densities are not an issue but they need to know in advance when designing pipe sizes and the system.
In relation to road upgrades generally in the Schreenan's, Bells and Ross Creek Road area we advise that the timing of these works may present an opportunity for coordinating the concurrent installation of water and sewerage mains. We would appreciate the City of Ballarat involving CHW early in the planning for the above roads.	The City are committed to working closely with CHW in the planning of these road projects and indeed all projects with all relevant stakeholders.

114. It is important to note that all stakeholders will be consulted again as part of the planning scheme amendment process where they will be able to make formal submissions for consideration by Council.

SUMMARY

115. Some of the challenges of reviewing the PSP and a DCP have been highlighted in this report. There is a need to update the documents and planning scheme in such a way that balances the needs of the community, the interests of landowner and developers whilst considering the financial implications for Council. It is noted that some developers think there should be little to no change to projects and others are seeking to include additional projects or higher project costs.
116. It is considered that the amendment strikes an appropriate balance. The amendment will provide for contemporary updates to the PSP and DCP and associated planning provisions that will ensure that Ballarat West is well serviced by the infrastructure needed to create a sustainable and thriving community.
117. The review will result in an increase in development contributions payable and this may have an impact on the profitability of some developments or on housing affordability should developers choose to pass on the additional costs to homeowners.
118. However, the review does not propose that all the burden of the increased cost of infrastructure is placed on developers. Council will also need to provide funds which will be in the form of general rates or grants. There is a need to ensure the additional costs imposed on Council into the future are fiscally responsible.
119. Council does have the option not to proceed with the review but this would mean that the Ballarat West community would be left with sub-standard infrastructure. Alternatively, Council could choose to provide all of the funds to upgrade the infrastructure, but this would be likely to come at a considerable cost to rate payers.
120. It is important to note that development will continue to occur in Ballarat West between now and when the planning scheme amendment is exhibited and that there

is a need to work closely with developers to continue to deal with planning permit applications and manage infrastructure delivery.

121. This ongoing activity may necessitate further updates to PSP and DCP prior to the planning scheme exhibition. It is therefore proposed that the Director of Development and Growth is authorised to make minor changes to the approved documents under delegation, should Council support the resolution.

OFFICER RECOMMENDATION

122. That Council:

- 122.1 **Adopt the Ballarat West Precinct Structure Plan (revised August 2024) and the Ballarat West Development Contributions Plan (revised July 2024).**
- 122.2 **In the event that the Growling Grass Frog Conservation Management Plan necessitates material amendments to the PSP or the DCP, require those plans to be amended and presented to Council for future approval.**
- 122.3 **Authorise the Director Development and Growth to make minor changes to the planning scheme amendment documentation and supporting documents as required, provided those changes are consistent with this Resolution and do not materially alter the intent or impact of the planning scheme amendment.**
- 122.4 **Unless 122.2 applies, in accordance with Section 8A (2) and (3) of the *Planning and Environment Act 1987*, apply to the Minister for Planning to obtain authorisation to prepare Amendment C234ball to the Ballarat Planning Scheme.**
- 122.5 **If authorised by the Minister for Planning under Section 8A (2) and (3) of the *Planning and Environment Act 1987*, exhibit Amendment C234ball to the Ballarat Planning Scheme in accordance with the notice requirements under Section 19 of the *Planning and Environment Act 1987*.**
- 122.6 **Authorise the establishment of a Ballarat West Growth Area Precinct Structure Plan and Development Contributions Review Stakeholder Reference Group, and that a Terms of Reference be presented to a future Council meeting for consideration.**

ATTACHMENTS

1. Governance Review [8.1.1 - 2 pages]
2. Ballarat West PSP and DCP Review Background Document [8.1.2 - 71 pages]
3. Revised Ballarat West DCP, August 2024 [8.1.3 - 121 pages]
4. Revised Ballarat West DCP, July 2024 [8.1.4 - 116 pages]
5. BWSPSP Transport Projects Review Final February 2024 [8.1.5 - 211 pages]
6. Final Ballarat West Precinct Structure Plan Review – Community and Recreation Infrastructure May 2024 [8.1.6 - 109 pages]
7. Ballarat West PSP Drainage Strategy Update 11 April 2024 [8.1.7 - 162 pages]
8. DCP Land Values Assessment Report - Ballarat West DCP Review, Opteon June 2024 [8.1.8 - 30 pages]
9. BWSPSP and DCP Review Explanatory Report c234ball DRAFT [8.1.9 - 19 pages]

10. C234ball SCHEDULE 2 TO CLAUSE 37.07 URBAN GROWTH ZONE Track change version [**8.1.10** - 9 pages]
11. C234ball SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY Track change version [**8.1.11** - 3 pages]
12. C234ball SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS Track change version [**8.1.12** - 2 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This report aligns with the relevant Council strategies and policies including Goal 3 of the Council Plan- A City that fosters sustainable growth.
2. This report has been prepared with specific reference to the Ballarat Planning Scheme and the Ballarat Precinct Structure Plan (PSP) and Development Contributions Plan (DCP).

COMMUNITY IMPACT

3. There will be positive community impacts as a result of the PSP and DCP review. The review will ensure that the PSP infrastructure is fit for purpose for the existing and future community both in terms of its scope and cost of the facilities.
4. The review will have some economic impacts on the community due to the increase in development levies. There is a possibility that some developers may decide to pass the additional cost onto future homeowners.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

5. The revised PSP includes an updated drainage strategy that responds to the climate emergency and will manage environmental sustainability implications.

ECONOMIC SUSTAINABILITY IMPLICATIONS

6. Reviewing the Ballarat West PSP is essential to continue to facilitate urban growth in an economically sustainable manner. The review will provide certainty for the land development process including planning, building and construction activity.

FINANCIAL IMPLICATIONS

7. The project does have financial implications due to the increased cost in infrastructure. This will increase the cost of DCP levies and result in a larger funding gap in the DCP.
8. This means that funds from other funding sources will be required into the future.

LEGAL AND RISK CONSIDERATIONS

9. The Ballarat Planning Scheme and the *Planning and Environment Act 1987* were considered in this report.
10. The risks of reviewing or choosing not to review the PSP and DCP have been addressed in the report.

HUMAN RIGHTS CONSIDERATIONS

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

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COMMUNITY CONSULTATION AND ENGAGEMENT

12. The project has undergone consultation as documented in the report and further community and stakeholder engagement will occur as part of the planning scheme amendment process.

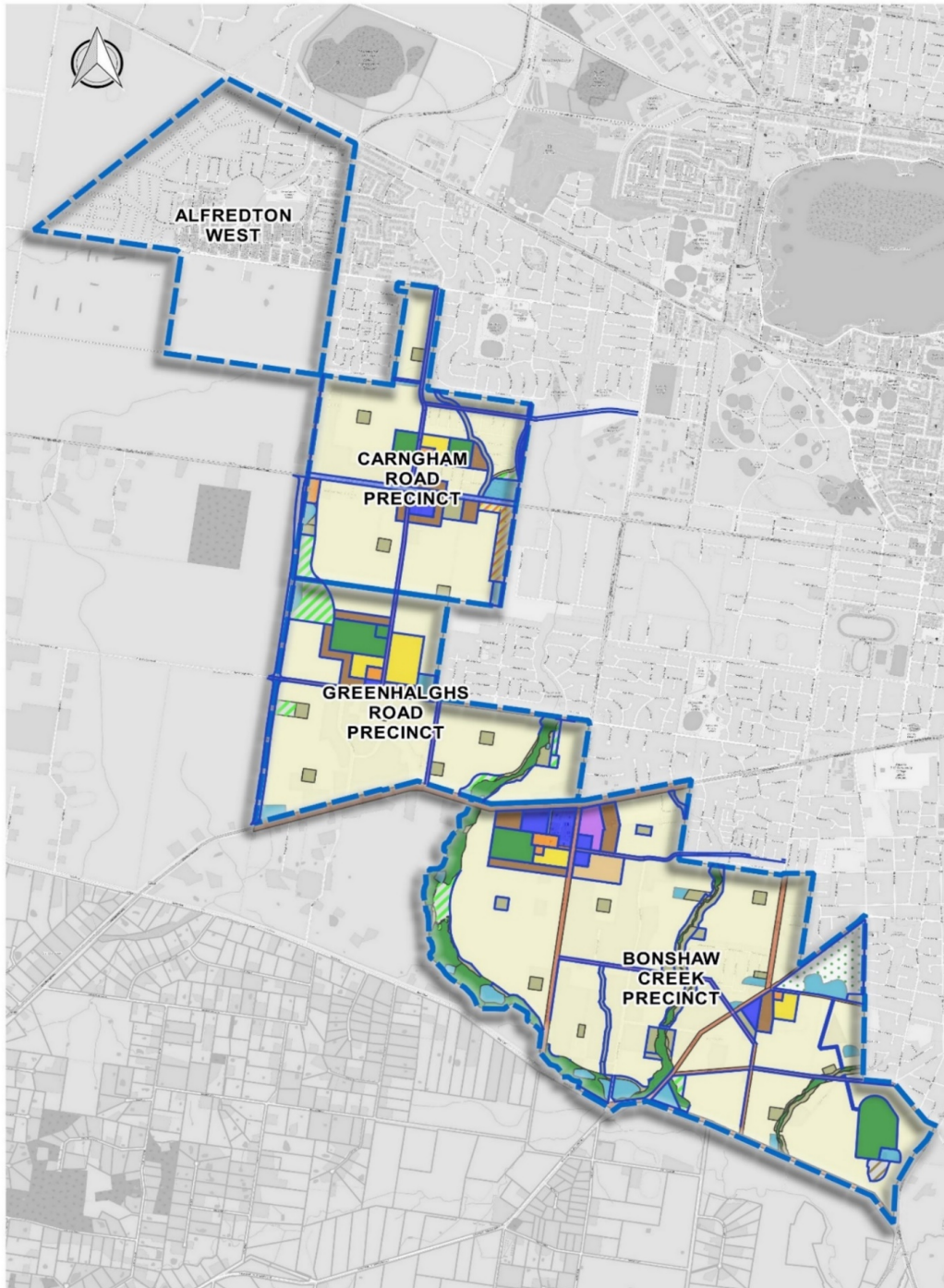
GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

14. 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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DOCUMENT PURPOSE

1. This report has been written with the purpose of explaining the background to the review of the Ballarat West Precinct Structure Plan (BWSPS) and Development Contribution Plan (BWDCP) and outlines in detail the proposed changes to both documents and associated planning scheme provisions.
2. The report should be read in conjunction with the revised BWSPS and BWDCP and associated documents.

BALLARAT WEST PSP AND DCP HISTORY

3. Ballarat West is the municipality's key growth front and the planning for Ballarat West has a long planning history which is summarised below.

BALLARAT STRATEGY 1998

4. The Ballarat Strategy identified land to the west of Wiltshire land in Smythes Creek as Ballarat's primary growth front. The strategy was incorporated into the planning scheme with a framework plan that included the western growth front.

BALLARAT WEST GROWTH AREA PLAN 2009

5. The Growth Area Plan provided a framework to guide growth in Ballarat West up to and beyond 2030. It was proposed that growth would be implemented in four precincts and was referenced in the planning scheme through amendment C117 on 3 September 2009.

ALFREDTON WEST PSP

6. Alfredton West was the first of the 4 precincts in the Ballarat West growth area to be prepared as a single PSP. The Alfredton West PSP was proponent-led and following exhibition of the PSP through amendment C122, submissions were received, most of which were resolved.
7. In order to speed up the process Council requested C122 be expedited to get land to market more quickly and C122 was subsequently abandoned, superseded by C150 and incorporated into the planning scheme through a ministerial intervention on 2 June 2011.

BALLARAT WEST PSP AND DCP

8. Amendment C158 sought to incorporate the BWSPS and BWDCP into the planning scheme and covered land that comprised the 3 remaining sub-precincts in Ballarat West.
9. The BWSPS was incorporated into the planning scheme through a ministerial intervention on 1 November 2012. However the Minister for Planning did not approve the DCP and directed further work and engagement to be undertaken on the DCP to respond to 27 opposing submissions. The

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submissions had a focus on levies being excessively high and unaffordable, to such a degree that development of the growth area would be severely affected.

10. In April 2013, the Minister appointed an Advisory Committee to facilitate the process of considering the submissions on the DCP. This process resulted in the Advisory Committee recommending some key modifications in the DCP including a reduction in the levies.
11. The reduction of the levies was negotiated between Council and submitters and was achieved by the deletion of a number of projects and the adjustment to the cost apportionment of certain projects. The decision to reduce the levy in 2013 has created a financial legacy issue for the funding of the DCP and this is discussed further at paragraph 230.
12. Following the Advisory Committee process, the BWDCP was incorporated into the planning scheme under C167 on 30 October 2014.
13. On August 10 2017, an amended BWSP was incorporated into the planning scheme (ref: C203). The amended PSP was a result of a partial review which considered changes to requirements around land contamination and noise buffers to sensitive land uses.
14. In November 2017, the BWDCP was amended under GC75 to make changes to the Community Infrastructure Levy across 13 planning schemes in Victoria.
15. On January 15 2024, the BWDCP was amended under VC249 to exclude small second dwellings from development contributions.

PURPOSE OF THE REVIEW

16. The primary purpose of the review is to ensure the development of land affected by the BWSP and BWDCP will continue to deliver acceptable planning outcomes and an equitable and timely rollout of infrastructure in Ballarat West whilst maintaining the vision and integrity of the PSP.

KEY OBJECTIVES

17. To provide an updated PSP and DCP that delivers acceptable planning outcomes which will assist Council in meeting Goal 3 of the Council Plan: A city that fosters sustainable growth.
18. The implementation of a planning scheme amendment which is in accordance with legislative requirements and planning policy that delivers appropriate and affordable infrastructure in a fiscally responsible manner.

LEGISLATIVE JUSTIFICATION FOR REVIEW

19. Aside from the planning and infrastructure reasons for undertaking the review which are discussed in this report, legislation is also informative in undertaking the review.

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20. Although there have been amendments to the PSP and DCP listed above, a full review has not been undertaken to date.
21. Under section 1.5, Monitoring and Review of the BWSP it is stated that the effectiveness of the PSP will be evaluated regularly, at least every five years and that it may be revised and updated following review.
22. Under 4.6, Administrative Procedures of the BWDCP it is stated that the City of Ballarat will undertake a full review at least every five years during the lifespan of the DCP.
23. The Development Contribution Guidelines 16 June 2003 – as amended March 2007 identify that Councils have a responsibility to monitor the DCP on an annual basis and to review the DCP every 3 years as part of the review of the planning scheme.
24. Section 12 (1) (c) of the Planning and Environment Act also requires Councils to review regularly the provisions of a planning scheme for which it a planning authority. This PSP and DCP review is being undertaken independently from a review of the Ballarat planning scheme.

BALLARAT WEST PSP AND DCP STATUS AND IMPLEMENTATION

25. The BWSP comprises 3 sub-precincts. As discussed above Alfredton West had originally been intended to be a 4th sub-precinct but development was brought forward and a separate PSP was prepared by the developer.
26. The BWSP area comprises 1290 hectares of land with a net developable area (NDA) of 950 hectares which was projected to accommodate 14,442 dwellings and 31 hectares of non-residential commercial development. The BWSP area was not expected to be fully developed until 2035-2040.
27. Key community infrastructure identified to be delivered in the BWSP included 5 state schools, a private school, 4 community facilities hubs and 6 active open space reserves.
28. Since development commenced in 2014 around 40% of land has been titled, 13% of land is under construction and 47% undeveloped. (see Figure 1).

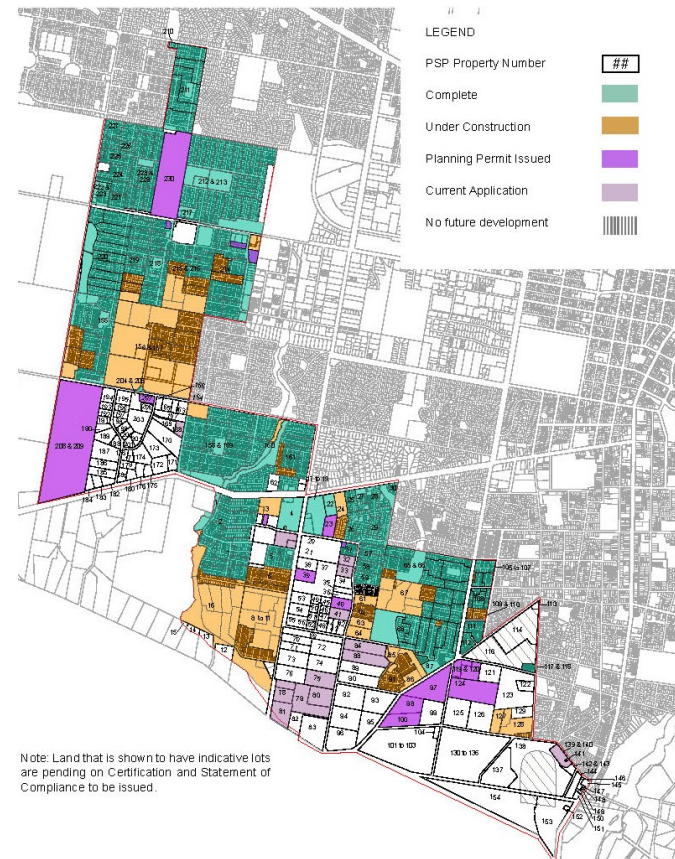
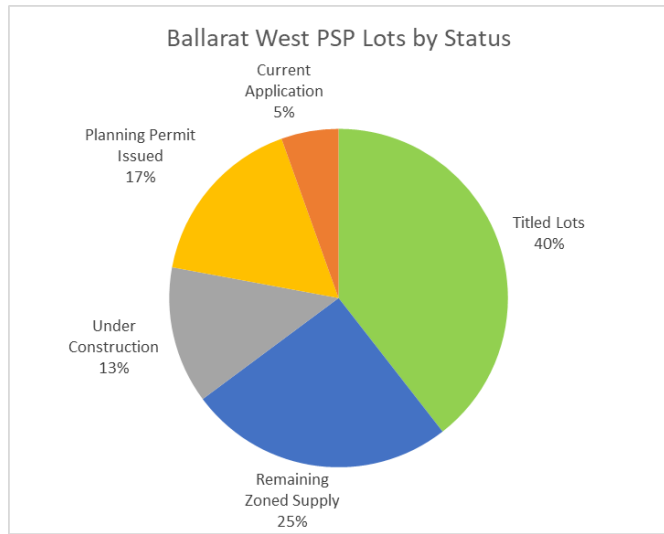


Figure 1 Lot status pie chart and permit plan showing PSP properties development status, July 2024

29. Whilst the BWSP established the strategic justification and locations for key infrastructure that would be required to service the future community. The BWDCP was prepared to provide the specifications, detailed costings, cost apportionment and triggers for each project that would be partly funded through development contributions.
30. The BWDCP set out the drainage infrastructure which is costed over 20 sub-catchments which have a total 30 drainage basins and associated pipework. There are also 39 road projects, 12 intersection projects and 6 community facility projects and 12 active open space projects.
31. A number of the road and drainage projects required to facilitate development sites have already been delivered across the three sub-precincts.
32. The only community and recreation infrastructure projects that have been delivered are kinder facilities in the Carngham Road and Bonshaw Creek sub-precincts. In terms of state community infrastructure, no state or private education facilities have been delivered. This is discussed further in the section on community infrastructure.

PSP AND DCP REVIEW SCOPE

33. The review of the BWSP and BWDCP seeks to respond to on the ground development changes that have occurred since the documents were incorporated into the Ballarat planning scheme and where appropriate and reasonable, update objectives to reflect current state planning policy.
34. Matters in the scope of the project include:
 - A review of outstanding PSP/DCP infrastructure projects
 - Reviewing the specifications, costs and apportionment of the projects
 - Inclusion of strategic planning costs as a DCP project
 - Planning permit and Urban Design Framework review to ensure development changes are reflected in the updated documents
 - Audit of net developable area and land use allocation including open space
 - Updates to housing yield and a review of density targets considering market trends and state planning policy
 - Addressing ambiguity in PSP drafting
 - Reviewing and updating the Growling Grass Frog Conservation Management Plan
 - Updating land valuations.
35. Advice from the Department of Transport and Planning in the early stages of the project was that new infrastructure projects were unlikely to be supported given the amount of development that had already occurred.

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36. With this advice in mind although new projects were not formally considered out of scope, advice provided to consultants was that they should only be recommended in exceptional circumstances. Consequently no new major infrastructure projects were recommended.
37. The key changes proposed as a result of the review are summarised under the headings below.

LAND BUDGET CHANGES

38. When a PSP is developed, land budget tables are prepared to set out the estimated allocation of land uses on a parcel-by-parcel basis. The tables include housing yields, areas for non-residential uses and land required for infrastructure.
39. As PSPs allow for flexibility when considering planning application by requiring development to be “generally in accordance” with the PSP, this means that as land is developed, the actual figures allocated to the different parcels will inevitably change.
40. Officers have audited the land budget tables against all permits issued and current applications for permits to prepare an updated set of figures that more accurately represents what has and is expected to occur in the PSP area.
41. The total land area in the original PSP land budget was 1290 hectares. Following the audit, this has been adjusted in the land use budget to 1287 hectares. The audit of developed land and land use allocation has also resulted in an adjustment to the land available for development from 947 hectares to 972 hectares.
42. Table 1 summarises the key changes to infrastructure which will be reproduced in the PSP and DCP.

Land Use Category	Existing PSP (ha)	Revised PSP (ha)
Roads and Road Widening	87.51	84.91
Drainage Basins and Reserves	81.44	91.04
Environment and Heritage Conservation Areas	27.30	8.27
Community Facilities	31.60	28.46
Active Open Space	39.98	36.94
Passive Open Space	58.15	65.11
Regional Recreation Open Space	17.63	0

Table 1: Revised Land Use Budget Summary

43. Some of reasons for the key changes in land uses are discussed in the relevant section of this report. The land use allocation changes inform the amount of NDA that is available for subdivision and development.

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44. The housing yield table shows the forecasted number of lots that will be delivered in the PSP with a range of housing densities encouraged to deliver a variety of lot sizes and housing types.
45. The distribution of housing densities across the three precincts was forecasted at 15.70 dwellings per developable hectare. This was to be provided through a combination of conventional residential at an average of 15 dwellings per hectare and medium density at 25 dwellings per hectare.
46. In the initial stages of the PSP, subdivision occurred below these density targets but in recent years the yield has steadily increased and across the precinct the density is now slightly under 16 dwellings per hectare.
47. There is now a development industry trend for smaller lot sizes and this has been demonstrated through subdivision applications that now typically seek a higher density in the range of 17 to 18 dwellings per hectare.
48. It is expected that this trend will continue, and the amended PSP seeks to facilitate this trend to encourage a more efficient use of existing urban land as well as planned infrastructure. Moreover, the revised density target responds to the State Government's updated PSP guidelines released in 2021 which encourage a minimum of 20 dwellings per hectare and 30 dwellings per hectare in high amenity areas.
49. Taking this trend and policy direction into account, it is expected that raising the average net density to 20 dwellings per hectare on the remaining undeveloped land would deliver around 15,518 dwellings compared with the 14,442 that was originally anticipated in Ballarat West. This would raise the overall average density from 15.69 dwellings per hectare to 16.66 dwellings per hectare. The PSP review has factored this increased yield in by ensuring that the capacity of future infrastructure will accommodate this extra growth.
50. In the Informal consultation on the project some developers expressed concerns about the increase in density and said that the yield should be maintained at 15 dwellings per hectare. However this would be overly restrictive and contrary to both market trends and planning policy.
51. Moreover restricting yield to below market trends would conflict with the State Government directions in the Housing Statement which seeks to prioritise housing that is close to services and jobs. Furthermore an additional 1076 lots would make a material contribution to the recently announced state government housing targets for the City of Ballarat.

INFRASTRUCTURE

52. A critical component of the review is to ensure that all the required precinct wide infrastructure is planned for and can be delivered and funded in a timely and fiscally responsible manner.

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53. The City engaged consultants to undertake a review of community and recreation, transport and drainage infrastructure projects. Each of the consultants have provided technical reports with recommended changes to projects which are discussed under the headings in the Infrastructure Projects Review section below.
54. The changes result in the need to update the scope and costings of projects which will be included in the final DCP and provided in tables in the appendices.

BIODIVERSITY

55. As part of the PSP review, an audit of biodiversity controls that are currently in place in Ballarat West has been undertaken.
56. The two key documents reviewed are the Ballarat West Native Vegetation Precinct Plan (BWNVPP) and Growling Grass Frog Conservation Management Plan (GGF CMP).
57. The BWNVPP that applies to the PSP area together with Environmental Offset Areas has been audited to understand what vegetation has been removed and retained in accordance with the NVPP.
58. Of the PSP parcels where vegetation was shown as being retained only one, 520 Glenelg Highway Smythes Creek, remains undeveloped. This site has two trees, one of which is dead. The remaining tree is to be retained in the subdivision layout.
59. A revised GGF CMP has been prepared and this is also discussed later in the report.

PSP DOCUMENT CHANGES

60. Most of the PSP plans in the document will need to be revised to reflect the land use and infrastructure changes. The land budget and housing yield tables will also be updated to reflect the numbers discussed above.
61. In addition to the plan updates, it is proposed to introduce a series of new concept plans to provide guidance for some of the community and recreation where the preferred outcomes are known. The plans are for:
 - MR Power Park Community Facilities
 - Delacombe Major Activity Centre Community Facilities
 - Ballarat Carngham Road Community Facilities
 - Greenhalghs Road Community Facilities
 - Two linear link open space reserves
62. A further plan included in the revised PSP is a concept plan (see figure 2) for the Masada Boulevard/Fay Drive precinct which prior to being included in the PSP and zoned Urban Growth Zone was zoned Low Density Residential. This plan is required to give guidance to landowners on

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how the existing parcel configuration and road network may be incorporated into future subdivision layouts to ensure an orderly and rational integration of this fragmented land.

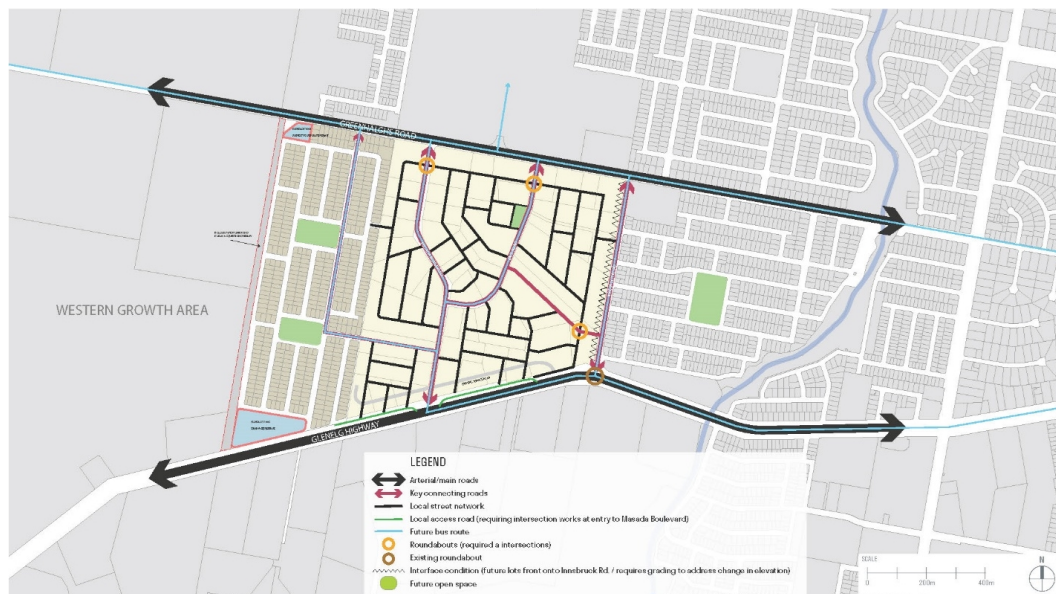


Figure 2: Masada Boulevard/Fay Drive Concept Plan

63. Aside from the changes discussed, the PSP will generally only be given a 'light touch', updating text only where it could have a material bearing on the outcome sought. The changes are reflected in track change and clean versions of the PSP document and a change summary document.
64. One discreet PSP drafting issue has come to light through a planning permit assessment of a childcare centre application. This issue is proposed to be addressed through the review.
65. In a preliminary assessment of the proposal, Officers had concerns as to whether a permit could be granted for the proposed use of the land.
66. The concerns were formed having had regard to Planning and Design Guidelines for Community Hubs in the Ballarat West PSP, in particular Guideline 5.4.3 of the PSP which states:
- 'Education and community services (public and private) and other activities (such as childcare centres) must:*
- Be within and/or adjoining community hubs or activity centres.*
67. The first matter considered was whether the Guideline should be interpreted as being a mandatory or discretionary requirement. Having had regard to the Victorian Civil and Administrative Tribunal case law and the language of the PSP and particularly the language in Chapter 5 it was concluded that the Guideline is intended to operate mandatorily.

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68. Having been satisfied that the Guidelines are to be interpreted as mandatory, Officers turned their mind to the location of the childcare centre at 491 Greenhalghs Road (the site) and whether the site is 'within or adjoining a community hub or activity centre'.
69. The site is located directly opposite a proposed community hub which forms part of the Winterfield North Estate within the Ballarat West PSP. As the site is separated from the community hub by Greenhalghs Road itself, it is evident that the site is not within a community hub.
70. This led to a consideration of whether the site 'adjoins' an activity centre or community hub requiring specific consideration of the meaning of 'adjoining' in the context of Guideline 5.4.3.
71. The meaning of 'adjoining' is not defined in the PSP, the Planning and Environment Act 1987, or clause 73.01 (or indeed any provision) of the Victoria Planning Provisions. Therefore, in accordance with clause 73 Meaning of terms, where a term used in the planning scheme is not defined, the term has its ordinary meaning.
72. In forming the view in the preliminary assessment, officers had regard to *Stephen D' Andrea Pty Ltd v Brighton CC & St Finbar's Catholic Primary School & Ors* (1991) 6 AATR 259 which in summary held that 'adjoin' should be given its primary meaning, namely 'conterminous with'. That case has similarities to the matter under consideration as, in the context of the meaning of 'adjoining', the site was also separated by a road, albeit a zone was the relevant interface rather than a community hub.
73. Officers also considered common definitions of 'adjoin' from the Macquarie and Oxford dictionaries, which were considered to be broadly consistent with usage of 'adjoin' in the D'Andrea case. In the Macquarie, the definition includes terms such as 'to be in connection with' and 'to be next to'. In Oxford the definition includes 'To be located next to or very near...'. The Oxford definition is considered further below.
74. Having taken the above matters into account, Officers were comfortable that their preliminary view that a permit could not be granted for the proposed use could be interpreted as being correct. However, a more comprehensive assessment of the proposal against the PSP did cast a degree of doubt that this initial view may be too narrow or incorrect.
75. The meaning of 'adjoin' in the decision of *Stephen D' Andrea Pty Ltd v Brighton CC & St Finbar's Catholic Primary School & Ors* (1991) 6 AATR 259 was in a different statutory context. In that case, the decision maker was asked to determine the meaning of 'adjoin' in the context of notice requirements of permit applications.
76. Furthermore, a review of the Future Urban Structure Plans in the PSP at both the Community Hub in question and the Major Activity Centre reveals that at both of these locations there are education and community services proposed. What is of particular note is that in both locations some of the

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community services do not physically adjoin all of the other components of the Community Hub or Activity Centre. They are in fact shown to be separated by a road.

77. This is significant as it suggests that the spatial planning embedded in the PSP may enable the adoption of a more liberal interpretation of the meaning of 'adjoining' to that adopted by the Tribunal in the context of interpreting s 52(1)(a). Having regard to the Oxford dictionary definition once more, which defines 'adjoin' as including the words 'To be located next to or very near...', it is clear that the site is either located next to or very near to the Community Hub as it is directly opposite and disconnected only by a road.
78. Having regard to all the above matters, Officers determined that on balance, it is open to Council to form the view that the site does fall within the meaning of adjoining a community hub. It would also be a more orderly outcome to adopt a less restrictive definition of the meaning of 'adjoining' to allow a permit to be granted for the proposed use given its spatial location and relationship. In forming this position Officers also had regard to:
- (a) the fact that several other childcare centres in the PSP have previously been issued permits where they do not adjoin a Community Hub or Activity Centre, and;
 - (b) a child care centre is a permissible use in the General Residential Zone (the applied zone in the UGZ).
79. To provide greater clarity and flexibility in this matter it is proposed to revise the guideline as below:
- (a) Education and community services (public and private) and other activities (such as childcare centres) must:
 - (b) Be within ~~and/or~~ adjoining or nearby community hubs or activity centres.

DCP DOCUMENT CHANGES

80. The main consequential changes to the DCP will be updates to the descriptions, specification and costings sheets of the infrastructure projects that have been included in the review. Locational project changes will also be reflected in updated plans.
81. All other DCP projects that have been delivered or not updated have had their values fixed at the current DCP value and indexed to the current financial year.
82. Other document changes include:
- Updated introduction and strategic basis to reflect the scope of the review
 - An update to the life of the DCP from 40 years to 30 years to reflect development occurring faster than originally anticipated
 - Document structure changes to improve its ease of use
 - Update to various tables, i.e NDA, demand units, summary of costs and contributions

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- Updated date references to indexation
- New clause to allow collection of development contributions for a land use and/or construction of buildings where subdivision of a lot is not proposed
- Updated clause 3.4.2 City of Ballarat Funding Liability including table
- Updated clause 5.5 Drainage, including removal of the drainage rebate option which has not been implemented in Ballarat West.

INFRASTRUCTURE PROJECTS REVIEW

83. The City engaged three external consultants to undertake a technical review of the PSP and DCP infrastructure projects.
- ASR Research undertook the community and recreation infrastructure review,
 - Engeny were engaged to review the drainage strategy and;
 - Milward Engineering reviewed the transport projects.

COMMUNITY AND RECREATION INFRASTRUCTURE

84. The scope of ASR's work included a review of the current and future demand for existing community and recreation infrastructure, including state infrastructure to understand what changes will need to be implemented in the revised PSP and DCP. ASR's methodology included revised dwelling and population assumptions.
85. The PSP community and recreation infrastructure projects included in the ASR review were kindergartens and associated facilities, community centres, a library, active open space reserves, sporting pavilions and indoor recreation centres.
86. A key finding of the ASR review was that the specifications and costings in the existing DCP do not mirror those adopted in contemporary growth areas and it was recommended that the revised PSP incorporate the Victorian Planning Authority (VPA) Benchmark Infrastructure Costs guide which is based on a report prepared by Cardno in 2019. As this is now accepted as standard practice in calculating infrastructure costings in growth areas it is proposed to adopt this recommendation and update the costings using the benchmarking methodology.
87. It is acknowledged that the adopting benchmark costings will increase cost of the facilities. This will result in an increase in development contributions with a cost to both developers and to Council. This is discussed under the levies section at paragraph 230.
88. The community and recreation facilities are located throughout the precinct area in four activity centres or hubs and one additional open space reserve. A summary of the key recommended changes in each hub are documented under the headings below. A section is also provided on proposed changes to the indoor recreation centres as this change has a major impact on the costing and funding mechanism proposed.

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DELACOMBE MAJOR ACTIVITY CENTRE (DMAC)

89. The DMAC is the Major Activity Centre for Ballarat West and it includes a community hub that comprises a state government primary school and 5 DCP projects that Council will need to deliver. The projects are a branch library co-located with a multi-purpose community centre, an early years hub, an active open space reserve and a sports pavilion.
90. Since the incorporation of the BWSP into the planning scheme, a considerable amount of development has occurred at DMAC. The DMAC planning approvals including infrastructure documented in S173 Agreements have significantly reduced the land available to deliver the PSP community facilities. This shortfall of land could compromise the ability to meet some of the PSP's community facility objectives, including:
- *To provide community facilities in line with future population growth;*
 - *To plan for a range of community facilities, cultural venues and services to meet the varying needs of local residents;*
 - *To plan for community facilities of a high standard that have flexible designs which can accommodate a range of uses, meet the changing needs of the community and allow for both indoor and outdoor activities;*
 - *To plan for physical connections that integrate future adjoining land uses for community uses;*
 - *To provide sporting facilities and supporting infrastructure identified in the plan;*
91. This review seeks to address the shortfall of land where possible by making changes to a number of the land projects.
92. To fully understand how the impact of the decisions made on the land projects it is necessary look in detail at the approval history.

DMAC Planning history/DCP land projects

93. The changes of consequence to the community facilities projects have occurred to PSP property parcels 2, 3 and 4 to the immediate west of Cherry Flat Road and immediate south of Glenelg Highway and shown coloured yellow (primary school), orange (community facilities) and green (active open space) in the existing and proposed PSP in figure 3.

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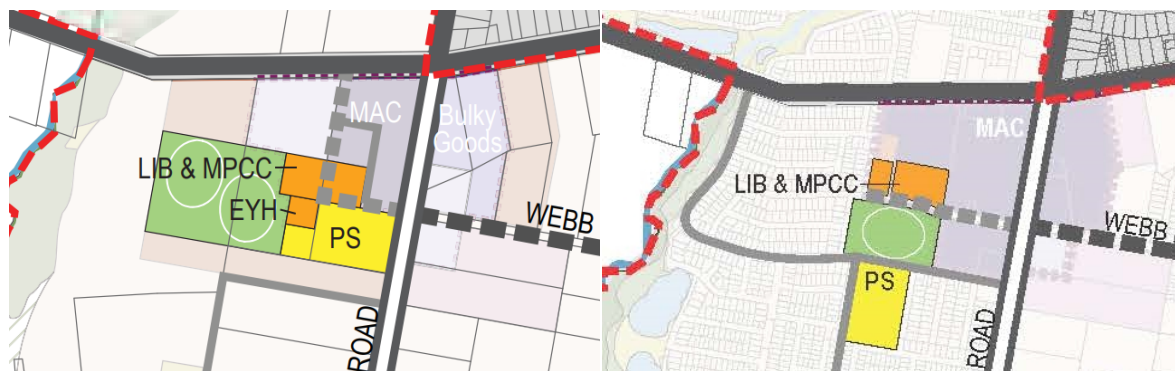


Figure 4 DMAC DCP Land Projects (existing left) and proposed (right)

94. The existing status and proposed changes to the 4 DCP land projects associated with the community facilities in DMAC are summarised in table 2. Table 3 goes into detail on the planning and permit history to provide more context to the changes.

Project Code	Facility	Original PSP Land Area	Land Area available under decisions made	Land Area with review changes
DI_LA_1	Library	1 hectare	0.06ha	0.9 hectares
DI_LA_2	Early Years Hub	0.5 hectares	NA	NA
DI_LA_3	Community Centre	1 hectare	1 hectare	1 hectare
DI_LA_11	Active Open Space	8 hectares	3.5 hectares	3.5 hectares
Total		10.5 hectares	4.506 hectares	5.4 hectares

Table 2: DMAC DCP Land Projects Summary

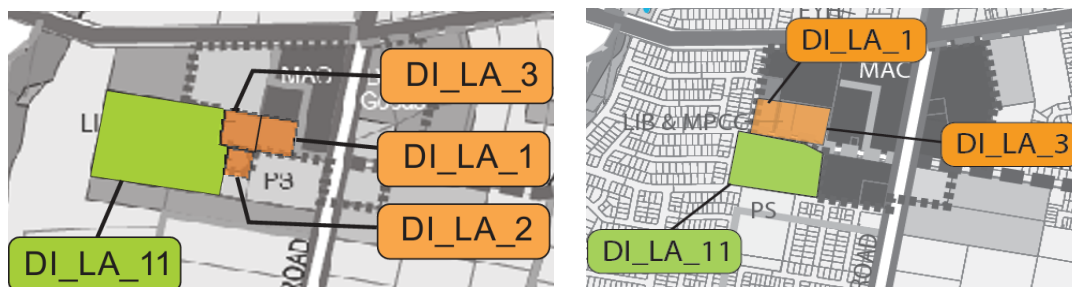


Figure 3 DMAC Existing PSP (left) and Proposed PSP (right)

Delacombe Major Activity Centre/Hub Community Infrastructure Land Projects			
DCP and/or PSP Project Title	Planning approvals	Status of land and commentary	Summary of proposed change
DI_LA_1- Land for Branch library (1ha)	<p>DI_LA_1 (pt) and DI_LA_2 (pt) are recorded in a S173 Agreement AS229209T 28 May 2019 as the Early Years Hub and library identified in the Urban Design Framework as a multi-purpose community facility/early years hub.</p> <p>Total land area of 1.08ha to be vested to Council.</p> <p>The S173 is tied to an approved UDF dated March 2017 with no associated planning permit.</p> <p>A separate planning permit PLP/2014/832 identifies land for a library, (discussed below).</p>	<p>A parcel of land was vested in Council under PS815355S on 23 October 2019 with an area of 1 ha.</p> <p>This land now has a street address of 26 Valiant Road, Smythes Creek.</p> <p>The vested land is essentially in the same location and the same size as DCP project DI_LA_3.</p>	<p>As the land acquired is not proposed for a library it is necessary to change the project code and description from:</p> <p>DI_LA_1- Land for Branch library (1ha) to</p> <p>DI_LA_3- Land for community centre for a level 3 multi-purpose community centre co-located with MAC (1ha)</p> <p>This project description change will make it spatially consistent with both the land that has been vested and the project in the DCP.</p> <p>There is no change to the location and size as this is suitable for delivery of the facilities.</p>
DI_LA_2- Land for Early Years Hub comprising kindergarten, Maternal and Child Health and flexible community space (0.5ha)	See above.	<p>Despite being recorded in Agreement AS229209T, it is not clear what land has been allocated to DI_LA_2 for as the land project areas are not split in the Agreement Schedule.</p>	<p>This land project can be deleted as and combined with DI_LA_3 to accommodate both the early years hub and community centre on the 1 ha site at 26 Valiant Road that has been vested in Council.</p>
DI_LA_3- Land for community centre for a level 3 multi-purpose community centre co-located with MAC (1ha)	<p>PLP/2017/A approved subdivision which created a lot which the officer report states is proposed for the library. The lot created is 639sqm.</p> <p>DI_LA_3 was subsequently recorded in a S173 Agreement AN529564S as Community centre co-located within MAC (Library site)</p>	<p>A parcel of land in the location shown on the endorsed plans was vested in Council under PS807055 on 29 November 2021 with an area of 639sqm.</p> <p>It is not clear why this parcel was identified for the library given that the library project code is DI_LA_1.</p> <p>It is also not clear why the land was accepted for a library given the area was only 6.4% of size of the land project in the DCP and clearly inadequate for an 1800sqm library.</p>	<p>To address the decision to accept undersized land for the library in S173 Agreement AN529564S, it is proposed to adjust this land project by:</p> <ul style="list-style-type: none"> (a) Moving it to two new parcels of land at 34 and 44 Valiant Road, Smythes Creek and; (b) Expending the funds that Council has received towards DI_LA_3 on the provision of the additional land (with the consent of the Minister for Planning). <p>The total land area for the library would 0.9ha.</p>

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<p>DI_LA_11 Land for Active Open Space (8ha)</p>	<p>DI_LA_11 (pt) is documented in S173 AS229209T as the Glenelg Highway Active Open Space Reserve.</p> <p>Total land area of 2.977ha to be vested in Council.</p> <p>It is proposed to include a further 0.502ha of land for this project.</p>	<p>A parcel of land was vested in Council under PS815355S on 14 July 2019 with an area of 2.977ha.</p> <p>The total area of Active Open Space delivered under DI_LA_11 will be 3.5ha a shortfall of 4.5ha.</p> <p>The main reason for the shortfall was inappropriate topography for sporting recreation.</p> <p>The surplus land was added to the NDA in the PSP.</p>	<p>Project adjusted to reflect the new land size of 3.5ha.</p>
<p>Land for Primary School (3.5ha, non-DCP project)</p>	<p>PLP/2017/379 approved to extend the DMAC reference at 11 Valiant Road to the original school land. The UDF approved the relocation of the school to 54 Cherry Flat Road.</p> <p>A permit was also approved for the residential subdivision of land approval at 54 Cherry Flat Road Smythes Creek reference PLP/2018/217 which impacted the land available for the school.</p> <p>Due to the shortfall in land, officers have negotiated and allocated an additional 0.4ha from a subdivision of land at 88 Cherry Flat Road.</p>	<p>The land for the school remains in private ownership with the total area of land available for the school now 3.42ha, slightly under the required size.</p>	<p>Relocation of school site from 11 Valiant Road to 54 Cherry Flat Road and 88 Cherry Flat Road.</p> <p>Reduced land area allocation from 3.5ha to 3.42ha.</p>

Table 3 DMAC Planning and permit history

95. Aside from the changes to DCP community infrastructure land projects there are changes to construction scope and costings in line with the ASR review and these are documented in attachment C. A concept plan (see figure 5) has been prepared to show how the facilities may be sited at DMAC.

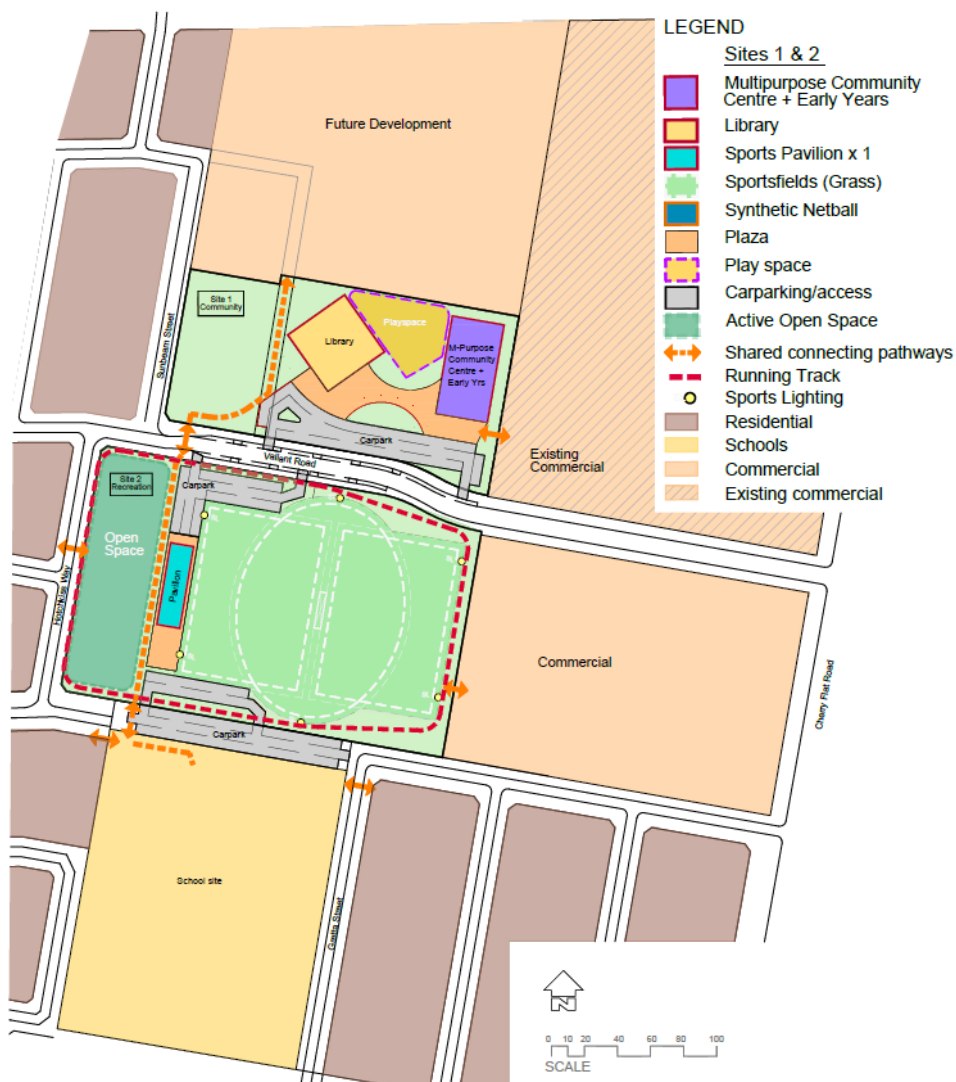


Figure 5: Concept plan for Delacombe Community Facilities

96. As discussed, there are some legacy decisions in DMAC which this review seeks to address and there is strong strategic justification to make these changes. If the projects are left unchanged, the community facilities in particular will be inadequate to meet the needs of the future community.

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97. Of note regarding the early years hubs is that part of the reason for the changes to scope and costings is to address a requirement to accommodate additional floorspace to meet the state government's Three-Year-Old kinder reform program. This applies to all the early years hubs in Ballarat West yet to be delivered.
98. In regard to the changes to the primary school in DMAC, the City has consulted with the Department of Education (DoE) and they have advised that the location and size is not consistent with the department's site selection criteria. However DoE advised they would be agreeable and open to further consider the option of a proposed government school site on the proviso that additional land with an area of 0.47ha can be acquired via the subdivision of land to the south at 88 Cherry Flat Road, (PSP Property No.6).
99. Subsequent to DoE's response, the City commenced the negotiated land acquisition process with the land owner of 88 Cherry Flat Road. It is intended that in the short term this will become a Council reserve which would then be on-sold to DoE at a time they decide to develop the land as a school site.

GREENHALGHS ROAD LOCAL ACTIVITY CENTRE (LAC)

100. The Greenhalghs Road is the largest community hub in the PSP, (see Figure 6). The LAC includes state secondary and primary schools, a private primary school (yellow), a multi-purpose community centre including an early years hub (orange), an active open space reserve with an indoor recreation centre and a sports pavilion (green).

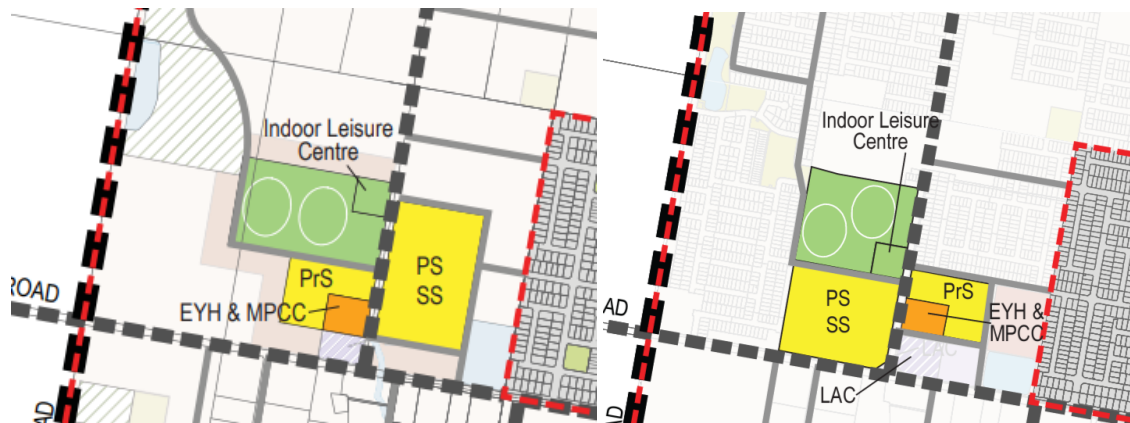


Figure 6 Greenhalghs Road LAC as shown in BWSP Plan 13 Community Facilities (existing left, proposed right)

101. The planning history for the community hub land is less complex than DMAC as all the land is currently owned by the developer of the Winterfield North Estate. A permit has been issued for subdivision of the land and work commenced in 2023, (see Figure 7). It is expected that the community hub land will be vested in Council in the next 1-5 years.

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Figure 7 Winterfield North endorsed plan showing Greenhalghs Road LAC

102. In common with the DMAC there have been permitted changes in the area that were deemed to be generally in accordance with the BWSP. Some of the key changes are:
 - Reduction in the size of the land for active open space reserve from 11ha to 9.03ha. This change resulted from land not being acquired from the site to the west of Winterfield North. Note: the 11ha included 1ha land required for the indoor recreation centre.
 - The indoor recreation centre to be relocated to the eastern side of the link road and area of land increased from 1ha to 1.3ha. The relocation was required to enable the early years hub to be co-located with the future primary school. The additional land for the indoor recreation centre is required to accommodate parking requirements.
 - A change to the cost apportionment of the indoor recreation centres (considered under paragraph 114)
 - The early years hub will be relocated to the eastern side of the link road with the area reduced from 1.3ha to 1ha. The reduced land area can accommodate the facilities required.
 - The location of the state secondary and primary schools have also been relocated to the western side of the link road and the private primary school to the eastern side.
103. The City has consulted with DoE regarding the proposed changes to the schools and they have advised that the location and size in the current PSP is not consistent with the department’s site

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selection criteria but they would be agreeable and open to further considering the option of a proposed government school site in this sub-precinct. This would be dependent on the change proposed, relocating the early years hub to enable the kinder facilities to be co-located with the school in line with state government policy.

- 104. The changes requested by DoE have been incorporated into the revised BWPSP and BWDCP. Figure 8 also shows the community facilities in concept plan form.
- 105. The changes to DCP community infrastructure land and construction project scope and costings from the Greenhalghs Road have been adjusted in line with the ASR review and these are documented in attachment C.

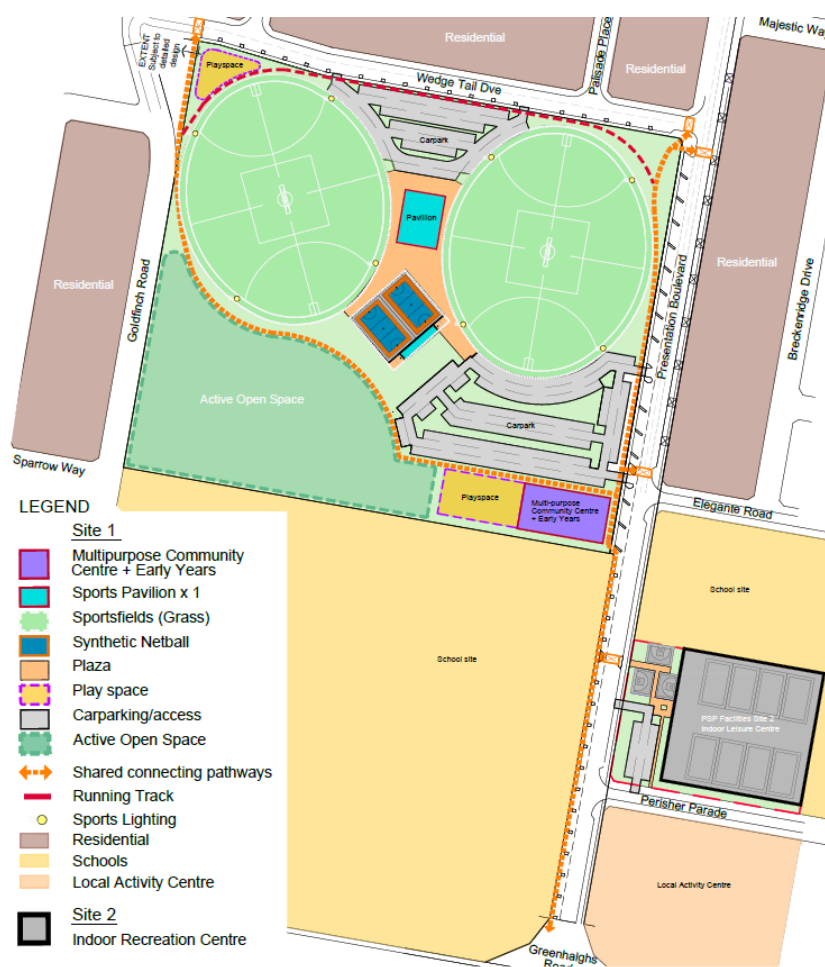


Figure 8 Greenhalghs Road LAC Community Facilities Concept Plan

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CARNGHAM ROAD NEIGHBOURHOOD ACTIVITY CENTRE/HUB

106. The community facilities located in the Carngham Road NAC, (see Figure 9) comprises a state primary school, a multi-purpose community centre, an early years hub, two active open space reserves and a sports pavilion.

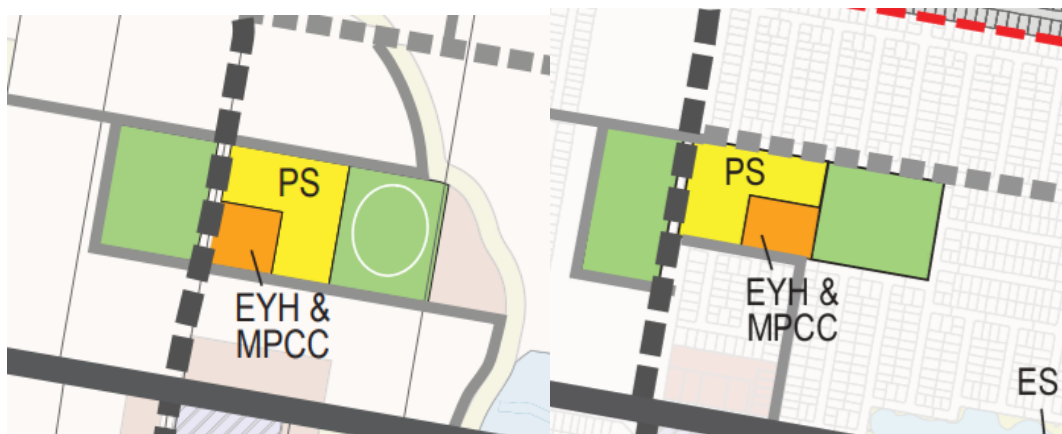


Figure 9 Carngham Road NAC/Hub as shown in BWSP Plan 13 Community Facilities (existing left, proposed)

107. The review proposes only minor changes to the sports facilities and a flipping of the primary school and early years hub. In addition, in order to recognise that one of the 4ha sports reserves has been delivered, the active open space reserve and associated land project has been split into two projects, with the original project, DI_OS_5 deleted. The land projects have also been split accordingly.
108. DoE have advised that although the school site has been relocated is still meets the department's criteria for school site selection.
109. A concept plan for the outstanding active open space reserve is shown in figure 10.

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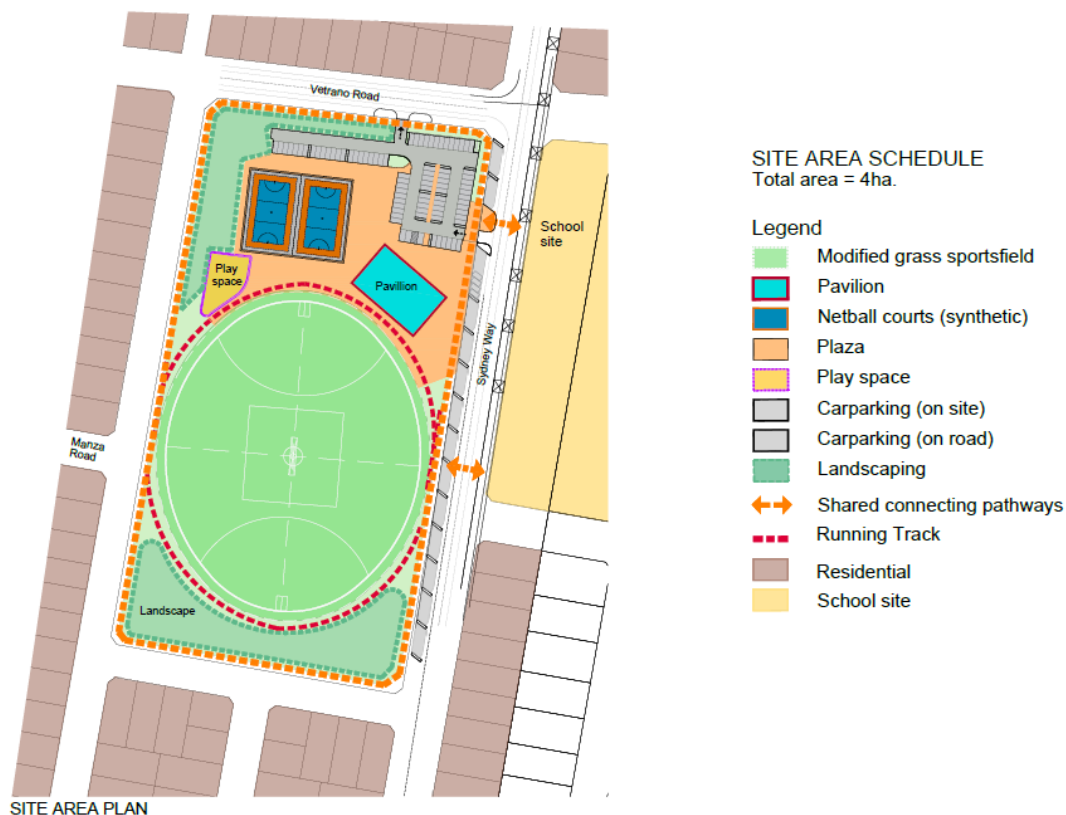


Figure 10 Carngham Road Active Open Space Concept Plan

ROSS CREEK ROAD / MORGAN STREET LOCAL ACTIVITY CENTRE/HUB (INCLUDING MINING PARK)

- 110. The PSP infrastructure identified in the Ross Creek Road / Morgan Street LAC, (see Figure 11) included a state primary school and an early years hub on Morgan Street.
- 111. Other infrastructure included a Regional Active Open Space reserve at MR Power Park with a sports pavilion and an indoor recreation centre. Although outside this hub, details of Mining Park are also included in this section.

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Figure 11 Morgan Park and Mining Park existing PSP left, revised PSP right

112. The key changes to this hub are:
- A change to the function of the reserve from a regional active open space reserve to a part active open space reserve (4ha) and part passive open space (13.63ha). See figure 14.
 - The reserve will have some informal active recreation facilities such as a skate park and seniors gym equipment funded outside the DCP.
 - Removal of a 4 court indoor recreation centre. The altered function of MR Power Park has resulted in a recommendation that this facility be removed with development contributions collected redirected towards the 8-court indoor recreation centre at Greenhalghs Road hub. See paragraph 114 for further discussion.
 - The early years hub on Tait Street has been partially constructed but an extension of 247 square metres is included in the DCP
 - The facilities on the Mining Park active open space reserve are largely unchanged although a change to drainage basin RB29 to increase its size does impinge on the available land which will reduce the overall size from 12.22ha to 11.13ha.

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Figure 12 MR Power Park Concept Plan

113. Regarding the primary school site, there are minor boundary changes from the original PSP but the location and size are still generally in accordance with the objectives of the PSP. DoE have not explicitly commented on these changes but have referred to a response that they gave on a subdivision application to the south that provides 0.85ha of the required land for the school.

INDOOR RECREATION CENTRES/MR POWER PARK (DEMAND AND COST APPORTIONMENT)

- 114. The community and recreation infrastructure assessment undertaken by CPG in 2010 for the PSP recommended a total of 8-12 courts to be located in 3 indoor recreation centres.
- 115. In the final DCP there were two proposed indoor recreation centres. DI_OS_06, an 8 court indoor recreation centre located at Greenhalghs Road LAC and DI_OS_07, a 4 court indoor recreation centre located at MR Power Park.

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116. ASR's assessment in the review has concluded that demand generated by Ballarat West is actually 4 courts rather than 8-12. This review therefore needs to consider adjusting the provision of the indoor recreation centres.
117. ASR have recommended the deletion of the 4 court facility at MR Power Park and redirection of any contributions from that project to the 8 court facility at Greenhalghs Road.
118. Although the City agrees that the demand for 4 courts would meet Ballarat West PSP's needs, it would be far more efficient to build an 8 court facility at Greenhalghs Road to enable the facilities to be used by future growth areas west of Ballarat West so it proposes retention of this facility.
119. This brings us to the question of how the external apportionment for this project should be dealt with which requires consideration of how the original DCP was prepared.
120. DI_OS_06 was one of three items in the original DCP (the others being DI_OS_01, MR Power Park Reserve and DI_OS_07 MR Power Park Indoor Recreation Centre) that had their apportionments adjusted by negotiations with submitters as part of the Advisory Committee process discussed in paragraph 11.
121. All three items were 100% apportioned to the DCP in the exhibited version of the DCP. Following public exhibition, apportionments to the DCP were adjusted down to 41% for the MR Power Park reserve and 20% to the indoor recreation centres. This adjustment was specifically to reduce the overall levy. This effectively meant Council agreed at the time to provide a 'subsidy' of 59% for MR Power Park Reserve and 80% for the indoor recreation centres.
122. Due to changes to the scope and cost required to deliver indoor recreation centres, the cost of DI_OS_06 has increased significantly from \$13.6M in the original DCP to \$58M under the review.
123. DI_OS_01 has decreased in scope and cost based on ASR recommendations from \$12.06M in the original DCP to \$8.43M under the review.
124. Retaining the original external apportionment of 80% for DI_OS_06 would result in council being responsible for funding \$46M of the item, as compared with the original 'subsidy' of \$10.9M. This is a funding obligation that goes beyond the intent of the agreement in the original DCP and not something that Council has factored into its long-term financial planning.
125. DI_OS_06 now has a different 'needs-based' cost apportionment, in that the ASR report identifies a need for 4 courts, which is only 50% of the 8-court item. If this apportionment was adopted (in accordance with the DCP principles), then Council would be responsible for funding half of the cost of this item (i.e. \$29M).
126. Advice from the City's DCP consultant is that the most equitable and transparent way to address this is to remove the previous subsidised apportionments from DI_OS_01 and DI_OS_06 and

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replace them with 'needs-based' apportionments, being: 100% for DI_OS_01 (i.e. no Council contribution, at least for the remainder of the DCP period, given all need is driven by the PSP area) and 50% for DI_OS_06 (i.e. Council pays for half of the item cost given only half the demand is from the PSP area).

127. In this way, all DCP principles would be adhered to, and Council would still be contributing to a similar overall cost as originally agreed, albeit the Council contributions would be directed towards OS-6 only and designed to cover external apportionment.
128. The total increase in the cost of community facilities projects funded by the CIL and the DIL in shown in the table below. Note that open space is included in a separate table as the land component is discussed further under paragraph 130.
129. The total increase in the cost of community facilities projects funded by the CIL and DIL in shown in table 4.

DCP	Community Facilities Construction	Community Facilities Land	Total
Existing	\$60.49M	\$12.20M	\$72.69M
Revised	\$78.65M	\$9.70M	\$88.35M
Increase/Decrease \$	\$18.16M	\$2.5M	\$15.66M
Increase %	30%	20.49%	21.54%

Table 4: Community Facilities Costings (2024/25 dollars)

LAND FOR OPEN SPACE

130. As with other land uses and infrastructure, changes have occurred to the provision of open space across the PSP area and as discussed above, some changes have been made to the active open space reserves. This section of the report provides a summary of all the open space changes that have occurred and further changes proposed through the review.
131. The open space categories that are nominated as being creditable in the PSP and DCP are those that are unencumbered by constraints on the land. The categories are listed as Active Open Space, Passive Open Space (Local parks and Linear reserves and Other-Regional Recreation (classed as active).
132. As a result of the changes that have occurred and are proposed in the review, the creditable open space categories would change to the figures in the table 5. Note: the regional facility at MR Power Park has been deleted as a separate category in the land use budget and the area of 17.63 hectares has been added to the active open space (4ha) and passive open space (13.63ha).

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133. The strategic justification for the change in the classification of MR Power Park includes that there are constraints on the land including a redesigned drainage basin and wetlands and protected mullock heaps which have reduced the area available for active open space.

Type of Open Space	Area in hectares	Percentage of GDA
Current DCP		
Active including regional (17.63ha)	57.61	5.26
Passive	58.15	5.31
Total	115.76	10.57
Revised DCP		
Active including regional (4ha)	36.94	3.34
Passive including regional (13.63ha)	65.11	5.85
Total	101.82	9.19

Table 5: Open Space Categories

134. In addition to the creditable open space, the PSP has 4 encumbered categories which although not included in the open space do make a tangible contribution to the open space across the PSP area. Those categories are drainage basins, drainage reserves, heritage conservation area and environmental conservation area. This encumbered land had a total of 108.74 hectares in the existing PSP. In the revised PSP the encumbered land has a total of 102.09 hectares.
135. These changes have reduced the percentage of active open space to 3.34%. The passive open space area has increased due to the part reclassification of MR Power Park.
136. Whilst overall creditable open space has been reduced to 9.19% of the GDA it is noted that in the PSP guidelines, the performance targets for open space is 10% overall with 3-5% for local parks and 5-7% for sports field reserves.
137. Relevantly the PSP guidelines now calculate open space on net developable area rather than gross developable area. When calculated on net developable area, the active open space percentage in the review would be 3.76% and the passive open space would be 6.61% giving a total creditable open space of 10.37%.
138. Whilst there is still a clear shortfall on the amount of active open space, the constraints on the land in the activity centres are a barrier to making up the gap and on balance the overall amount of creditable open space will deliver an acceptable outcome. Council will endeavour to compensate for the loss of active open space in Ballarat West by increasing the provision in its future growth areas.

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- 139. Furthermore in addition to the creditable open space, the PSP has 4 encumbered categories which are identified as open space which make a tangible contribution to the open space across the PSP area. Those categories are drainage basins, drainage reserves, heritage conservation area and environmental conservation area. This encumbered land had a total of 108.74 hectares in the original PSP. In the revised PSP the encumbered land has a total of 102.09.
- 140. Taking into account the encumbered land, the overall creditable and non-creditable open space across the PSP is now 203.91 hectares which is 15.7% of the total development area or 20.79 hectares of the net developable area.
- 141. The total increase in Active Open Space projects is shown in the table 6 below.

DCP	Active Open Space Construction	Active Open Space Land	Total
Existing	\$76.64M	\$32.65M	\$109.29M
Revised	\$114.14M	\$27.23M	\$141.37M
Increase/Decrease \$	\$37.5M	\$5.42M	\$32.08M
Increase %	48.93%	16.6%	29.35%

Table 6: Active Open Space Costings (2024/25 dollars)

STATE GOVERNMENT AGENCY COMMUNITY INFRASTRUCTURE

- 142. In addition to consulting with DoE as discussed above, as part of the PSP review, ASR on behalf of Council consulted with a number of other state government agencies on community infrastructure. A summary of their responses is provided under the headings below.

DEPARTMENT OF JUSTICE AND COMMUNITY SAFETY

- 143. The Department of Justice and Community Safety (DJCS) provided an initial response which noted that the current PSP allocated 2 hectares of land on Ballarat-Carngham Road. DJCS noted that the land has since been developed for residential use, potentially leaving the precinct and surrounding areas without adequate emergency services coverage in the future.
- 144. DJCS have requested reinstatement of 2 hectares of land into the PSP to accommodate a variety of services. Whilst this may be possible, the development that has occurred will make this challenging. Moreover the DJCS response does not acknowledge that emergency services and a police station were allocated land in another location on Ballarat-Carngham Road.
- 145. If more land is required to provide coverage, it is recommended that this be addressed by providing it in one of the future western growth areas.

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DEPARTMENT OF HEALTH

146. Department of Health commented that from an Early Parenting Centre (EPC) perspective, the Ballarat EPC currently which is under construction will be located at 10 Fawcett Rd, Lucas. This centre is located in the Alfredton West PSP area.
147. DH also note that long-term planning provision should also be made for Aboriginal-led service delivery from new spaces and at a minimum, organisations such as Ballarat and District Aboriginal Cooperative should be offered co-location opportunities for any new infrastructure builds related to community hubs or early years hubs.
148. The City agrees that there is the potential for co-location of services and a statement will be provided in the revised PSP to reflect this.

SPORT AND RECREATION VICTORIA

149. Sport and Recreation Victoria (SRV) advised that there are no regional scale sport and recreation priorities within the boundaries of the PSP.
150. In terms of local requirements and priorities, SRV are confident that the Ballarat City Council are best positioned to provide information that will inform the local community sport and active recreation infrastructure requirements for this PSP. Any information/support of specific open space land allocations that SRV would be able to provide to inform the development of the PSP would be derived from information they receive from Ballarat City Council.
151. SRV understand that there is strong community sport support and current and emerging participation and programming (particularly for basketball and netball). They say this supports demand for the provision of an indoor recreation facility in the area. SRV note that identifying the Construction of Indoor Recreation Centre adjacent to the Greenhalghs AOS Reserve (8 courts) at Community Hub 3, will help meet this demand and they support its continued inclusion in this PSP.

HOMES VICTORIA

152. Homes Victoria provided only high-level comments relating to the provision of social and affordable housing, namely:
- a. Priorities/ expectations: a minimum of 4.5% to meet the national average, encouraging smaller dwelling typologies (1 & 2 BR) within activity centres to support long term availability of affordable market options
 - b. Locational preferences:
 - i. Within activity centres
 - ii. In residential areas ideally within 400m – 800m walking distance to services such as jobs, community facilities, public transport or other amenities, but not further away than 3km

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- c. If developed by HV, land area should be a minimum of 800sqm
153. The full responses from all agencies can be found in the ASR report together with details of all the PSP Community and Recreation Infrastructure Projects. The specifications and costings of the projects have also been provided in a dedicated DCP costings document which form part of the suite of the review documents.

TRANSPORT PROJECTS REVIEW

154. The purpose of undertaking a review of transport projects was to consider whether the road and intersection designs as originally proposed are going to be suitable to accommodate the expected level of traffic taking into account development activity in the PSP area.
155. Milward Engineering were engaged to undertake a review of the outstanding road and intersection projects and associated land acquisition projects. New traffic modelling was also undertaken as part of the methodology.
156. In total, 17 projects were reviewed of which, 11 were adjusted and 6 unchanged due to no change in the scope or costings.
157. Of the 11 adjusted projects, 6 are road projects and 5 are intersection projects. The scope and costing adjustments are discussed under the headings below.

ROAD PROJECTS

158. All six of the road projects are essentially corrections to road lengths required to address errors from the original DCP or to respond to development changes as approved.

DI_RD_11 NEW NORTH SOUTH LINK ROAD

159. DI_RD_11 is a north south road link between Greenhalghs Road and the northern boundary of sub-precinct 2. In the original DCP, the road was incorrectly measured at 670m whereas the correct measurement on review is 758m. Therefore it is proposed to increase the scope of the project in the DCP to allow for the construction of the additional 88m. The additional cost associated with this change including land acquisition has been estimated by Milward as \$363,472.

DI_RD_12 NEW NORTH SOUTH LINK ROAD

160. DI_RD_12 is a north south road link between Greenhalghs Road and Glenelg Highway. In the original DCP the road was incorrectly measured at 400m whereas the correct measurement on review is 462m. Therefore it is proposed to increase the scope of the project in the DCP to allow for the construction of the additional 62m. The additional cost associated with this change including land acquisition has been estimated by Milward as \$255,770.

Ballarat West PSP and DCP Review Background Report**DI_RD_21 CHERRY FLAT ROAD UPGRADE**

161. DI_RD_21 is an upgrade to Cherry Flat Road between Schreenans Road and Bells Road. The road length listed in the DCP is 190m whereas the actual length required is 750m. There is no documentation to explain the reason for the major error. The additional cost associated with this change has been estimated by Milward to be \$3,114,675.

DI_RD_23 COBDEN STREET NORTH UPGRADE

162. DI_RD_23 is an upgrade to Cobden Street between Ross Creek Road and Miles Street to a link road standard. The road length listed in the DCP is 378m whereas the actual length required is 400m. This change has arisen due to slight adjustment through an approved subdivision layout. The additional cost associated with this change has been estimated by Milward to be \$96,439.

DI_RD_24 COBDEN STREET SOUTH UPGRADE

163. DI_RD_24 is an upgrade to Cobden Street between Miles Street and Bells Road to a link road standard. The road length listed in the DCP is 491m whereas the actual length required is 480m. The reduced cost associated with this change has been estimated by Milward to be \$45,434.

DI_RD_38 ROSS CREEK ROAD UPGRADE

164. DI_RD_38 is described in the DCP as being duplicated from Bells Road to Tait Street. The road scope and cost estimate omitted the section from Schreenans Road extension East to Tait Street. The Schreenans Road extension was renamed as DI_RD39 in the Transport Report. However it has been decided to include the adjustment as part of DI_RD_38 which the cost increased accordingly. The overall length is changed from 850m in the current DCP to 1080m in the revised DCP with an additional cost of \$1,070,697.

INTERSECTION PROJECTS

165. In reviewing the intersections, Milward have had regard to the most appropriate form of intersection control solution between a roundabout and signalised intersection, considering the safety of pedestrians and cyclists as well as motor vehicles in designs. Consequently two intersections are recommended to be changed from roundabouts to controlled traffic lights.
166. Milward have also recommended that the design of two roundabouts incorporate measures that improve pedestrian and cyclists safety.
167. These four intersection project changes are strategically justified on the basis that they will improve road safety and deliver acceptable planning and infrastructure outcomes.
168. The fifth intersection project change relates to a correction to the road pavement standard.

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DI_JNC_02 CARNGHAM RD / NEW N-S RD (NORTH) ROUNDABOUT

169. The images below show two design options for DI_JNC_02. As can be seen in figure 13, a roundabout as per the original DCP would have a significant impact on the existing dwelling at 163 Ballarat-Carngham Road and most likely require acquisition of the property. A signalised intersection on the other hand would not impact the dwelling as shown in figure 14.

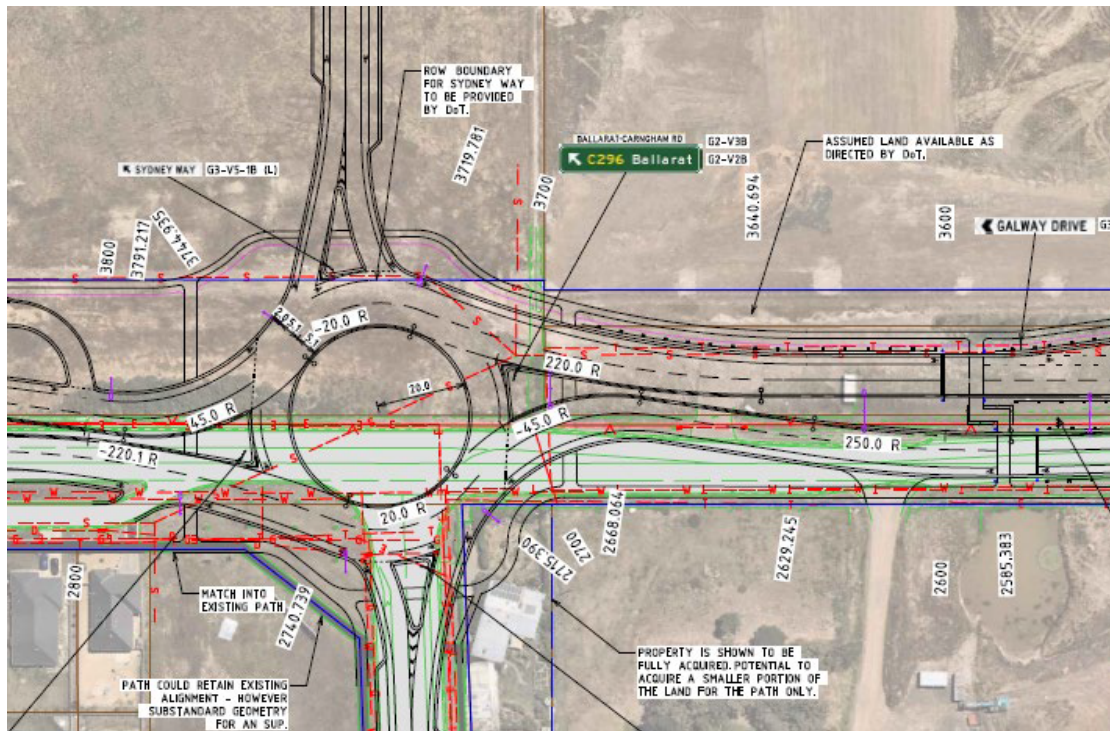


Figure 13: DTP concept design for functional layout plan for roundabout

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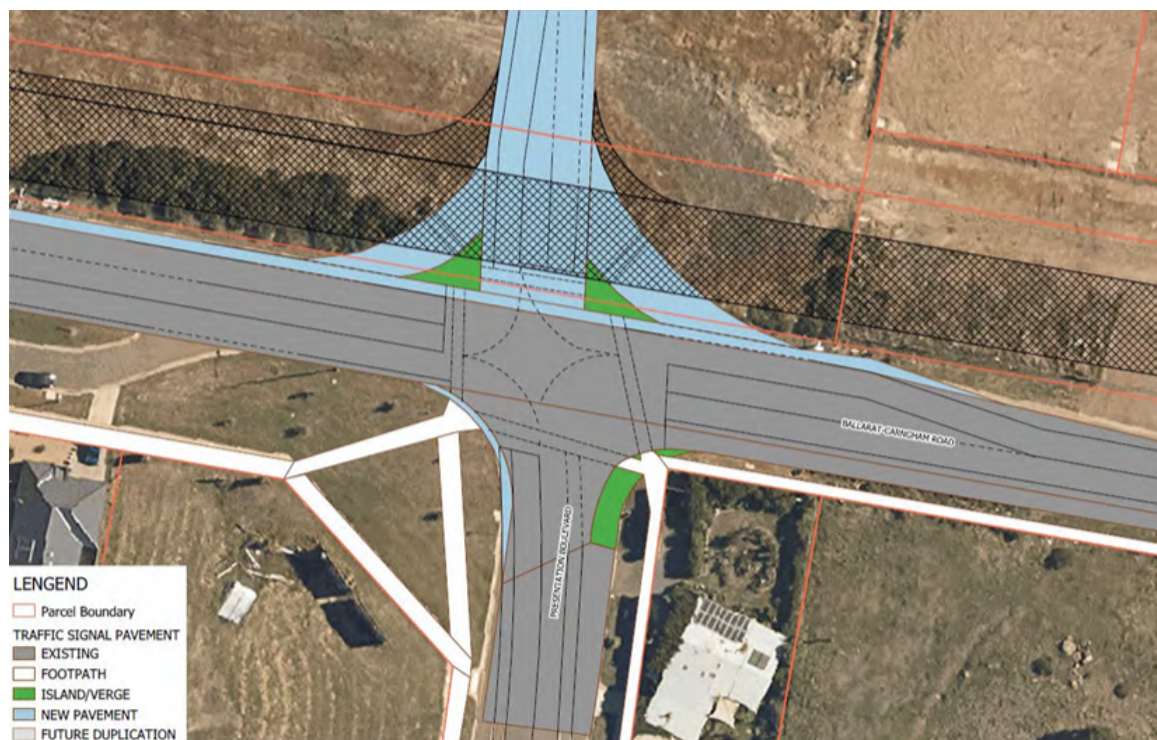


Figure 14: Milward concept plan for signalised intersection design

170. Furthermore the land to east of the intersection beyond the dwelling is where the Carngham Road NAC is to be located. This is of significance as a signalised intersection would have the benefit of enabling safer movement of pedestrians and cyclists between the future NAC and other facilities such as schools and community facilities on the north side of Ballarat-Carngham Road.
171. The additional costs associated with the intersection design change for DI_JNC_02 would be \$1,427,889, 70% of which is apportioned to the DCP.
172. Ballarat-Carngham Road is an arterial road which is proposed to be duplicated in the future. Discussions on this design change are ongoing with the Department of Transport and Planning.

DI_JNC_05 GREENHALGHS RD / NEW N-S RD (SOUTH) ROUNDABOUT

173. The proposed change to this roundabout is also being influenced by alignment and land impact issues. The existing DCP land take for a roundabout design is shown in figure 15 in orange and it is clear that this would significantly impact existing dwellings, particularly on the north side of Greenhalghs Road. The land required for a signalised intersection design, shown in blue would require significantly less land and only from an existing development site (Winterfield South), the developer of which is in favour of this design change.

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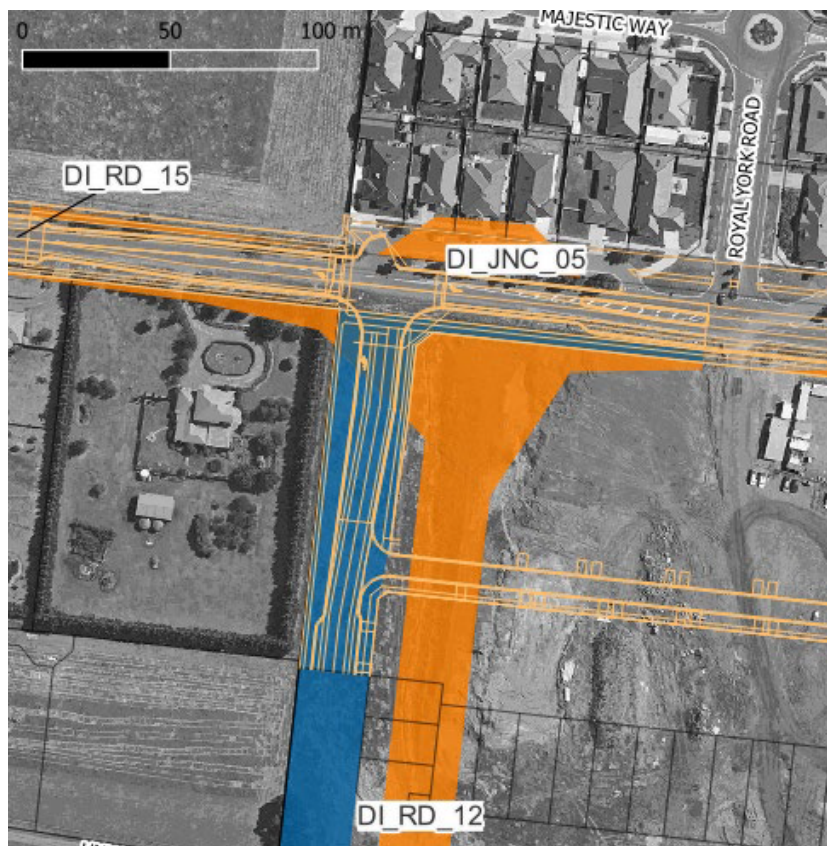


Figure 15: Milward concept plan comparing land requirements for signals and roundabout (note RD12 has been realigned as per the blue depiction)

174. The additional costs associated with the intersection design change of DI_JNC_05 would be \$416,765 of which 58% is apportioned to the DCP.
175. In addition to the significantly reduced impact from the realignment and change from a roundabout, this signalised intersection would also have the benefit of enabling safer movement of pedestrians and cyclists.

DI_JNC_08 GLENELG HWY / NORTH SOUTH LINK ROAD ROUNDABOUT

176. DI_JNC_08 is a roundabout where DI_RD_12 joins Glenelg Highway. The reason that this project needs adjusting is that the roundabout was incorrectly originally costed at a local road standard, whereas the road pavement associated with the roundabout needs to be constructed to a VicRoads/DoT standard because Glenelg Highway is an arterial road.
177. The main difference to the standard specified for DI_JNC_08 in the DCP is that the road pavement for an arterial road is 200mm deeper than a Council road. Therefore it is proposed to increase the

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scope in the DCP to reflect the required standard. This change has been estimated as increasing the cost by \$319,453.

178. The developer of Winterfield Estate believes that the DCP review should also include increased construction costs they had been quoted to construct the project and the additional scope beyond that envisaged by the DCP.
179. Council officers do not agree with Goldfield's position because the review is not proposing to update standards to tender rates. To do otherwise would be inconsistent with how other road projects have been costed and delivered through the life of the DCP to date and would raise questions of equity as to why other road project costings had not been updated to market rates.
180. It is a fact that the design of DI_JNC_08 project as built, responds to a planning permit condition required by Department of Transport (DoT) for the developer to construct the roundabout to the satisfaction of, and at no cost to, the Head, Transport for Victoria. This condition meant the design required by DoT went beyond what the DCP allowed for as DoT required a much higher standard of design.
181. The City does not consider it appropriate to include the additional costs associated with the DoT required design. This is because the current DCP already sets out the basic function and standards for the roundabout to service the precinct which at a road network planning level is not required to change. The scope within the current DCP also provides a fixed value to the funding available for the works, including the road pavement area and standards. Officers are of the view that the design required by DoT were outside the scope of the DCP and the additional costs was a matter that needed to be resolved between DoT and the developer.
182. If Council were to adopt the standard and costing sought by the developer in line with the DoT design, a further complication is that the project is not fully funded by the DCP. Moreover 55% of the cost must be paid for by alternative funding sources because the project also serves existing traffic.
183. Despite the project being on an arterial road, DoT have advised the City that they are not able to make a financial contribution. This means that Council will have to fund 55% of the cost of the intersection including any increase adopted through the revised DCP.

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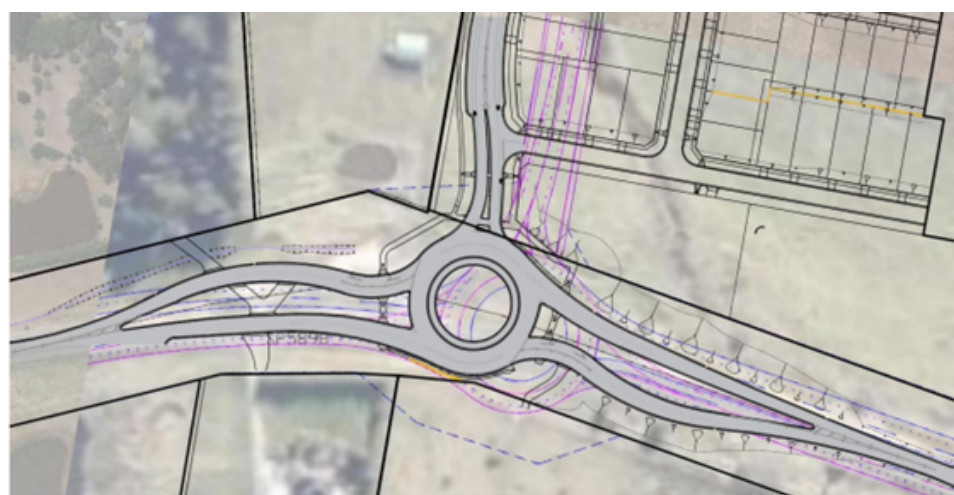
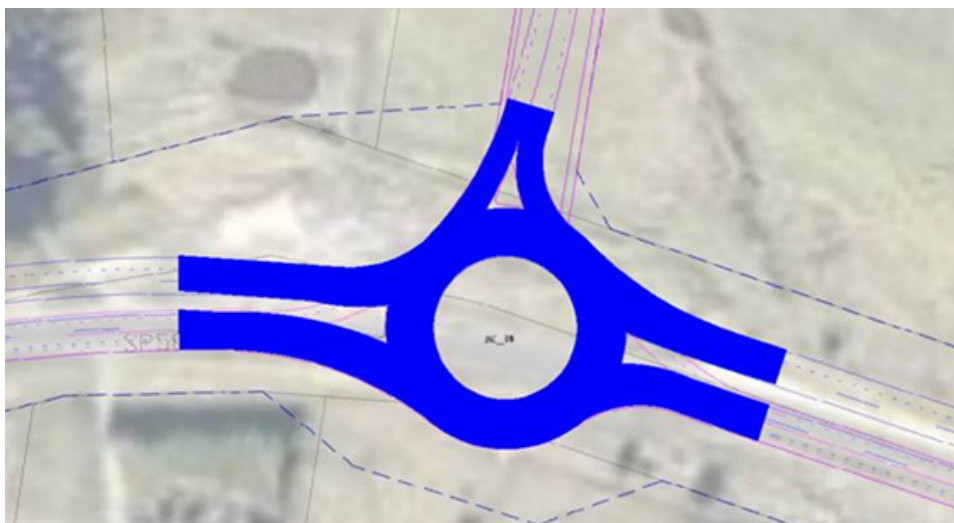


Figure 16 Extent of roundabout pavement required in current DCP (top) compared with the extent of DoT roundabout pavement required and constructed under the planning permit condition (bottom)

DI_JNC_11 CHERRY FLAT ROAD/SCHREENANS ROAD ROUNDABOUT AND DI_JNC_12 ROSS CREEK ROAD/COBDEN STREET ROUNDABOUT

184. It is proposed to include a change to both DI_JNC_11 and DI_JNC_12 to incorporate a roundabout design that would facilitate safer movement of pedestrians and cyclists with a design similar to that shown in figure 17.
185. The ultimate design of DI_JNC_11 will also add a fourth arm to the roundabout. However it is not proposed to revise the DCP to include the cost of the fourth arm as this directly benefits a development site to the west of Cherry Flat Road rather than the broader area.

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186. The increased costs for DI_JNC_11 and DI_JNC_12 are \$206,453 and \$179,961 respectively.

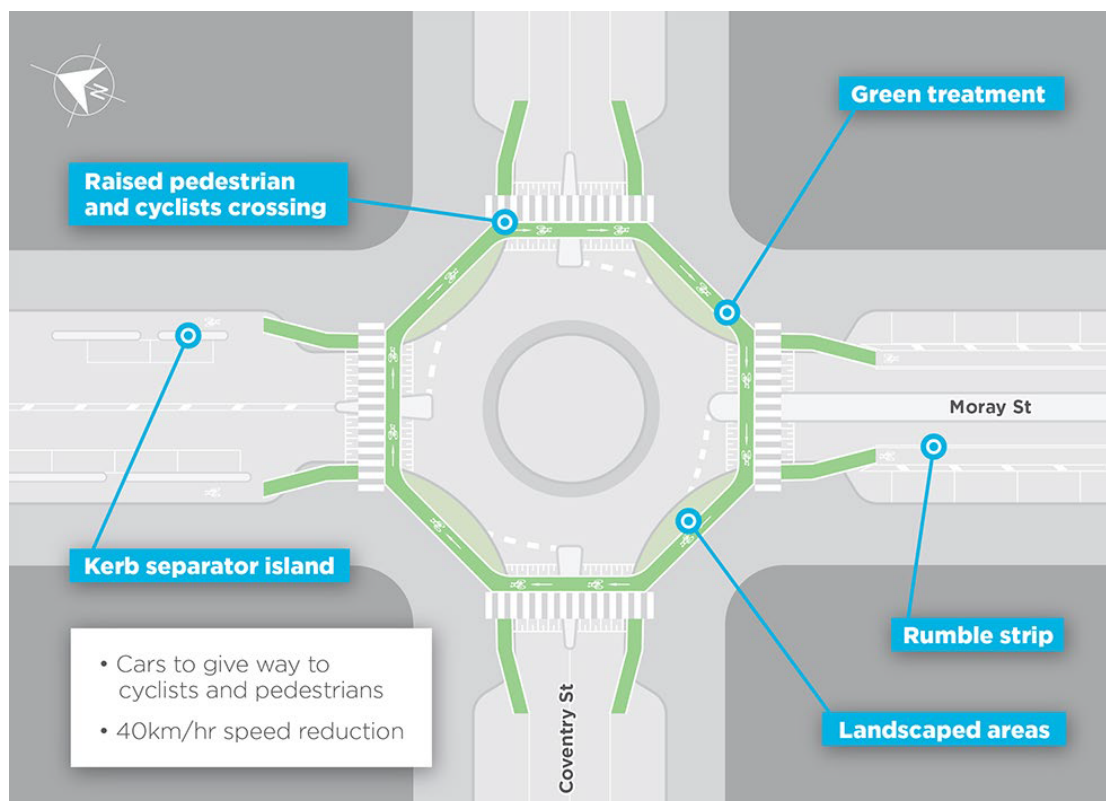


Figure 17: Example of pedestrian and cyclist friendly roundabout

PSP TRANSPORT CHANGES

187. In addition to reviewing the projects from a DCP perspective, regard has been had as to whether changes should also be made to the PSP to reflect other road network changes and projects not included in the DCP. The key changes are discussed below.
188. In the existing PSP there are a number of intersections which will not be delivered through the DCP and will be delivered and funded by either developers, Council, State government or a combination of one or more. It is proposed to add a further intersection into this category at Webb Road / Schreenans Road, which is required to serve proposed development which already benefits from a planning permit and has a permit condition requiring delivery of a roundabout.
189. It is also proposed to provide more guidance on cross sections. The PSP lacks detail on the intent of Key Access Streets, and no cross section is defined for this road type. A Key Access Street cross section as shown below will be included in the PSP.

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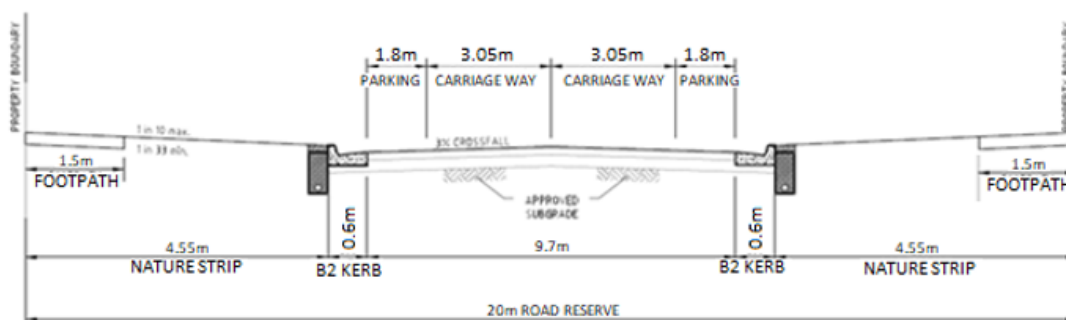


Figure 18: PSP Key Access Street Cross Section

- 190. It is also proposed to include reference in the PSP to the preference of adopting an 18m wide road reserve for local access streets in accordance with the Infrastructure Design Manual.
- 191. The total increase in DCP transport projects is shown in the table 7 below.

DCP	Transport Construction	Transport Land	Total
Existing	\$78.02M	\$18M	\$96.02M
Revised	\$85.42M	\$17.29M	\$102.71M
Increase/Decrease \$	\$7.4M	\$0.71M	\$6.69M
Increase %	9.48%	3.94%	6.98%

Table 7 Transport Project Costings (2024/25 dollars)

- 192. A full list of all the proposed DCP transport project changes under the review is included in the DCP costings document as attachment A of this report.

DRAINAGE PROJECTS REVIEW

- 193. The purpose of reviewing the infrastructure in the original 2011 drainage strategy is to ensure that the assets still to be delivered are going to be fit for purpose in accommodating future development in Ballarat West.
- 194. Whilst the original drainage strategy that guided the development of stormwater assets in the Ballarat West PSP was considered appropriate at that time, there is now a need to review and provide an update to the drainage strategy across the PSP area to bring it into line with the updated guidelines and standards that have been released since 2011.
- 195. Engeny were engaged to update the drainage strategy to ensure the drainage assets required for the remaining development will manage stormwater in a safe and efficient manner. The scope of the drainage strategy update is in three parts:

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- Part A is a review of the current status of the strategy and its implementation. This included determining which assets were already constructed or committed due to the level of progression of design or construction work and which areas still required drainage, treatment or retardation assets.
- Part B is the crux of the strategy as this contains modelling updates that reflect key elements including changes made to the drainage scheme, storage available, updates to be compliant with Australian Rainfall and Runoff 2019, update to the MUSIC water quality model and consideration of rainwater tanks on lot scale and/or stormwater harvesting.
- Part C is the final report that summarises work undertaken as Part B.

196. The drainage assets are recognised in the DCP based on 20 drainage catchments as shown in figure 19. The assets within the catchments primarily comprise retarding basins and underground pipes. 14 of the catchments have increased in cost, 3 have decreased in cost and 3 are unchanged.

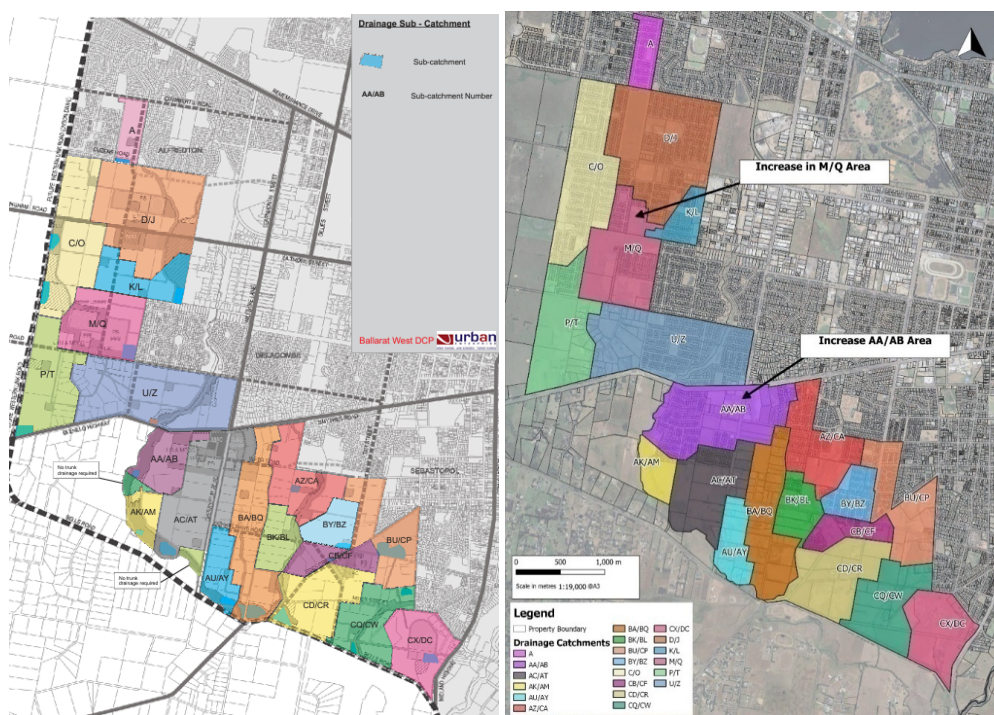


Figure 19: Drainage Sub-catchments existing left, revised right

197. All of the assets in the drainage strategy are shown in across the 3 sub-precincts in figures 20-22. These plans show the status of the drainage basins as completed in blue, partially completed or designed/approved in red and undeveloped assets in purple. Drainage pipes are also shown.

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- 198. Engeny modelled the developed conditions to include details of the already built retarding basins and adjusted the sizing of the retarding basins which have not been built to try and achieve the best retardation outcomes possible.
- 199. The updated modelling factors in future densities of 20 dwellings per hectare on the remaining undeveloped land. This is to ensure that the increase in density that has been occurring in recent years can continue to be accommodated and to ensure that future yields are broadly consistent with those outlined in the Precinct Structure Planning Guidelines: New Communities in Victoria, (VPA October 2021).
- 200. It is important to note that despite the changes proposed, the objectives and location of key infrastructure is still broadly in line with the original drainage strategy.

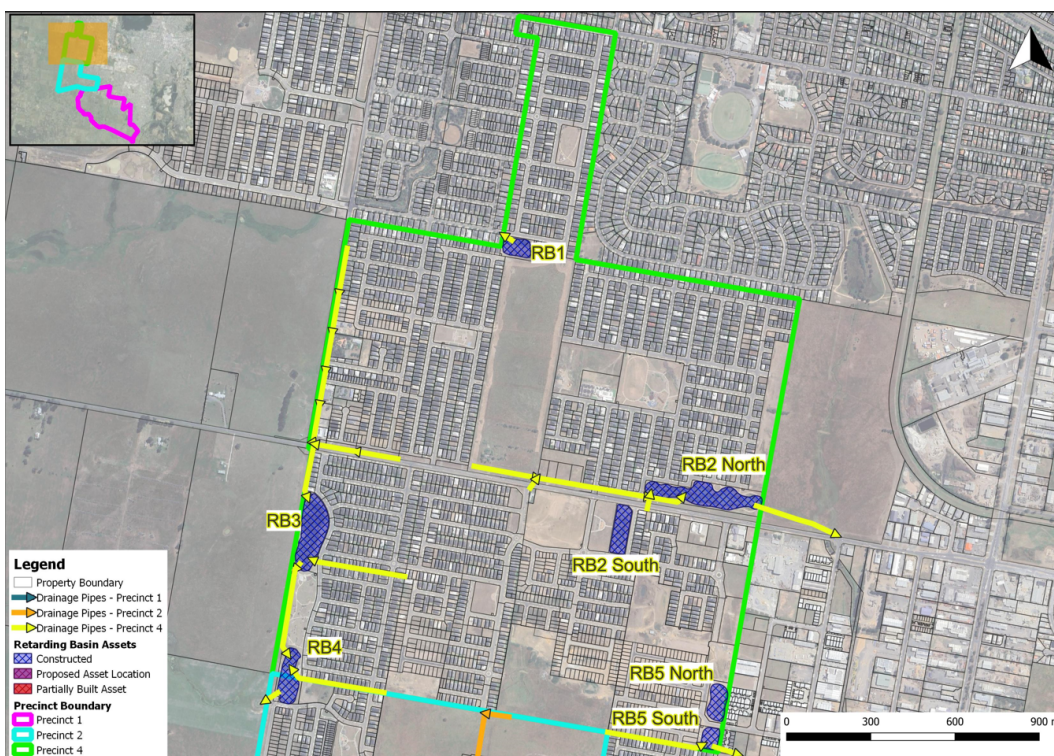


Figure 20: Drainage Strategy Projects (basins and pipes) Sub Precinct 4

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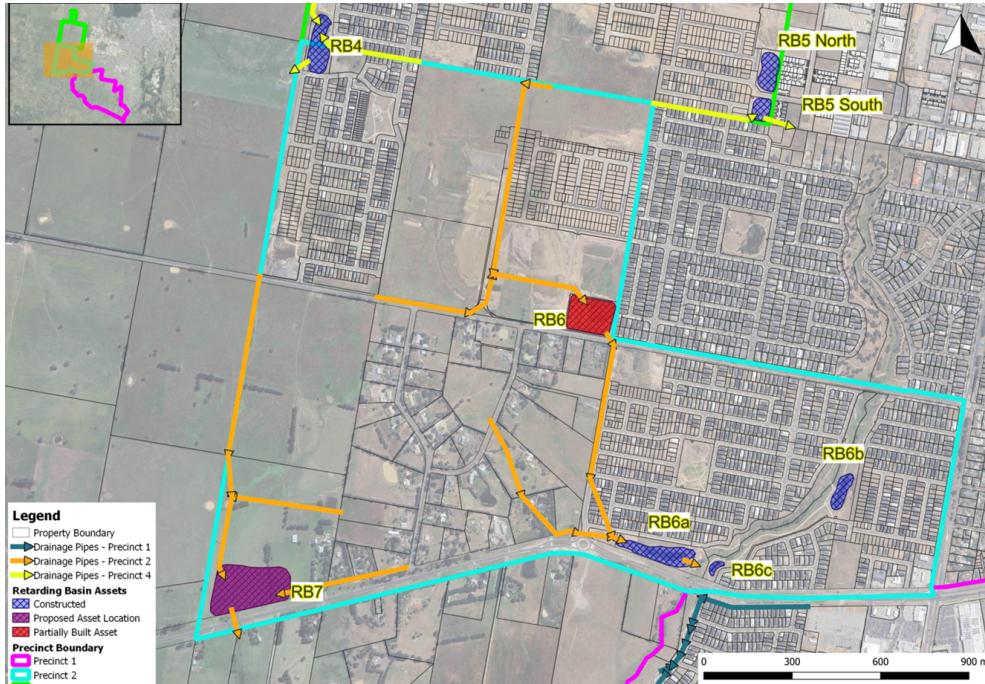


Figure 21: Drainage Strategy Projects (basins and pipes) Sub Precinct 2

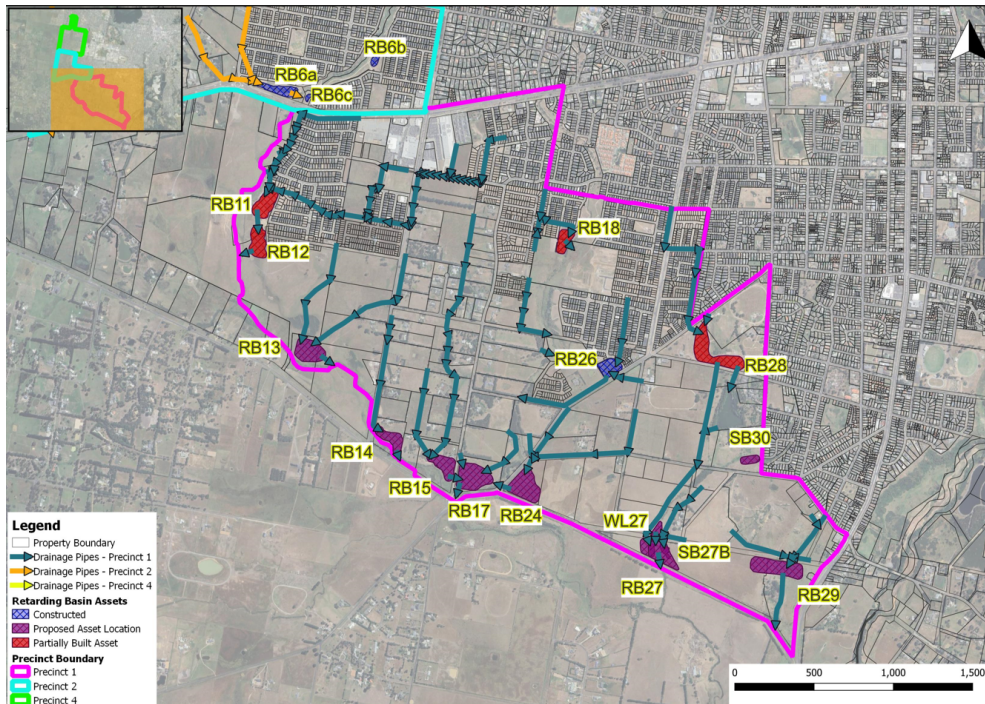


Figure 22: Drainage Strategy Projects (basins and pipes) Sub Precinct 1

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201. The revised drainage strategy will be implemented through changes to the PSP and more specifically the DCP. The assets (retardation basins and pipes) are nominated and costed as DCP projects as part of 20 sub-catchments. The land and costing changes to the sub-catchments that are subject to the revisions are documented in the Appendix 3. A summary of some of the key changes to the retarding basins are discussed the headings beneath.

RB 06

202. This basin is currently in the process of being delivered in a location which is broadly in accordance with what was proposed in the 2011 drainage strategy. However the shape and size of the wetland asset has changed for technical reasons that are explained in the revised strategy.

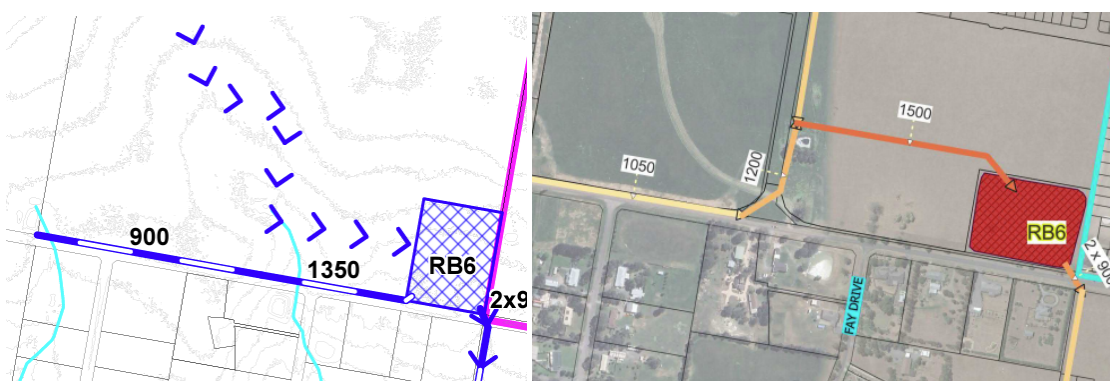


Figure 23 RB06 original footprint and location left, proposed right

RB 06A, B AND C

203. RB06A, B and C are integrated sediment ponds/retarding basins that have been proposed to replace a series of biofilters as part of the stormwater treatment measures of Precinct 2. Again the technical reasons are explained in detail in the revised strategy.

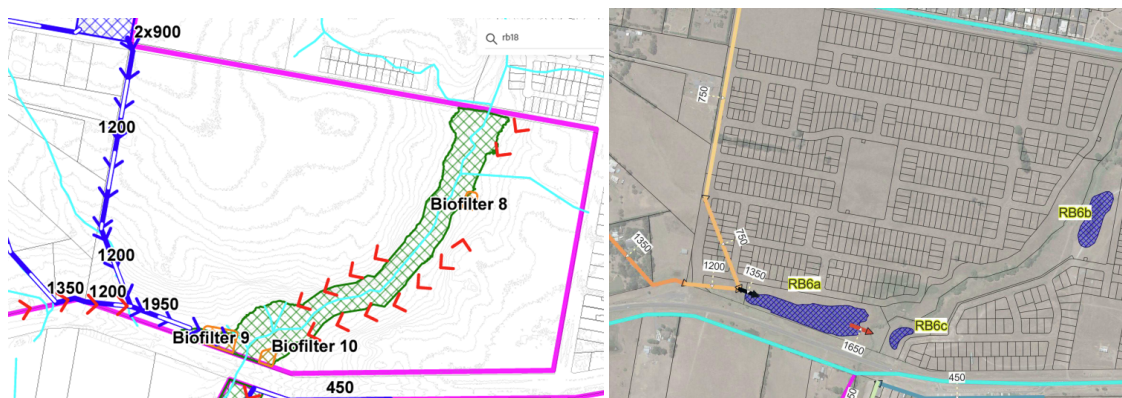


Figure 24 RB06A, B, C original footprints and locations left, proposed right

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RB 07

204. This basin is located on PSP property number 208 and 209 (520 Glenelg Highway). It has been enlarged from the original strategy to allow space for the maintenance paths, sedimentation drying and lower extended detention depth in the wetland.
205. The land has an approved subdivision permit and a condition was imposed which provides an opportunity to the permit holder to provide an alternative functional layout that demonstrates that the original strategy requirements can be accommodated within the design parameters.

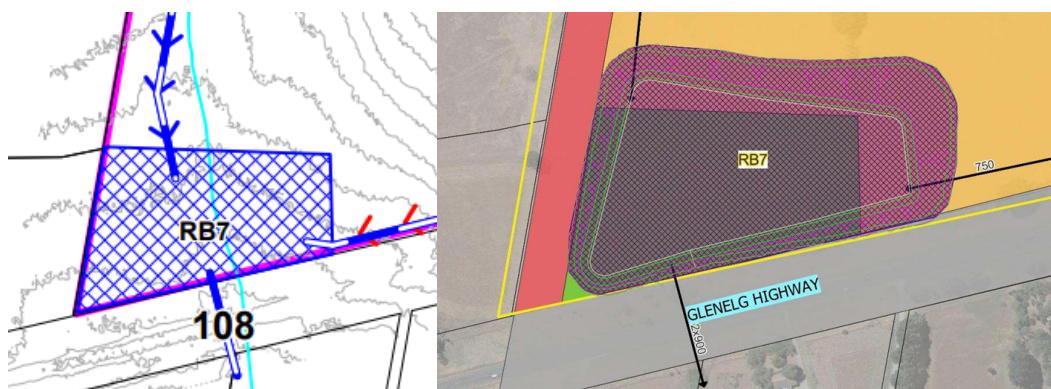


Figure 25 RB07 original footprint left, proposed footprint right

RB 11

206. This basin is located on PSP property number 2 (known as the Pinnacle Estate). Together with RB12 it has been enlarged from the original strategy due to pipe diversions which required the basin to be enlarged to will allow space for the maintenance paths, sedimentation drying and lower extended detention depth in the wetland. The basin will serve catchment AA/AB.
207. Catchment AA/AB has been subject to a large amount of development including Pinnacle Estate which is around 50% developed. The catchment has also increased in size from the original strategy. The basin serves a number of other development sites and the extended scope is required in the near future to ensure development does not stall in this catchment.

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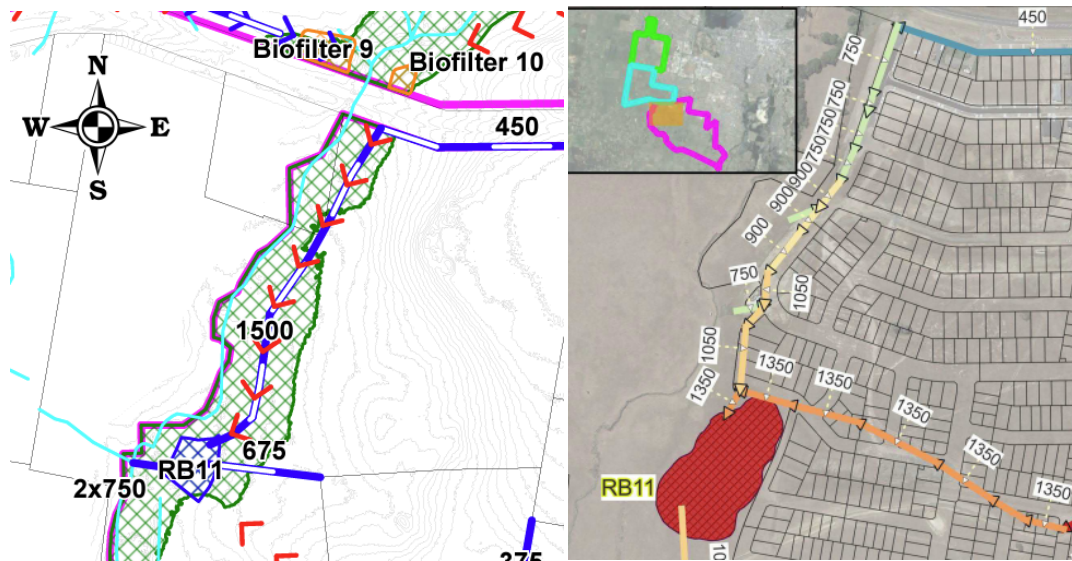


Figure 26 RB11 original footprint left, proposed footprint right

RB 12

208. As with basin RB11, RB12 has been adjusted to accommodate pipe diversions that were constructed because the areas to the south, where the 2011 strategy directed the pipe drainage, were not yet developing and therefore constructing pipes through these areas would be disruptive and expensive with the infrastructure not required in the short to medium term.

209. RB12 was also moved further north next to RB11.

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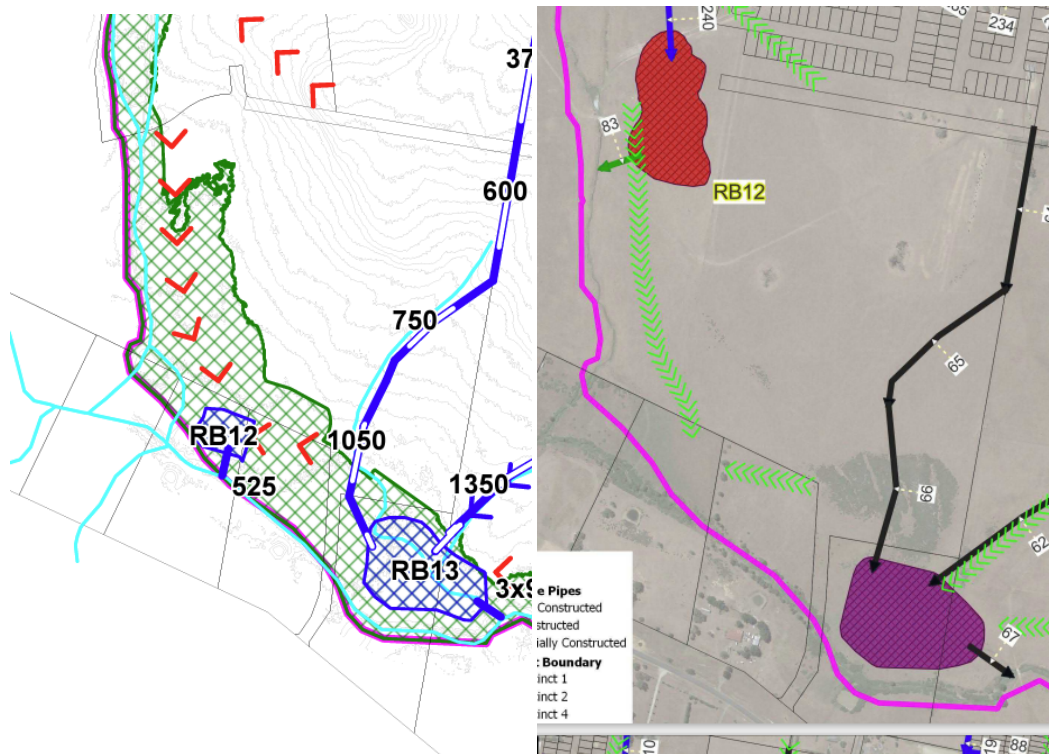


Figure 27 RB12 original footprint and location left and proposed right

RB 13

210. The pipe diversions discussed above mean that RB13 can be reduced in size from the 2011 drainage strategy, with the location adjusted slightly.

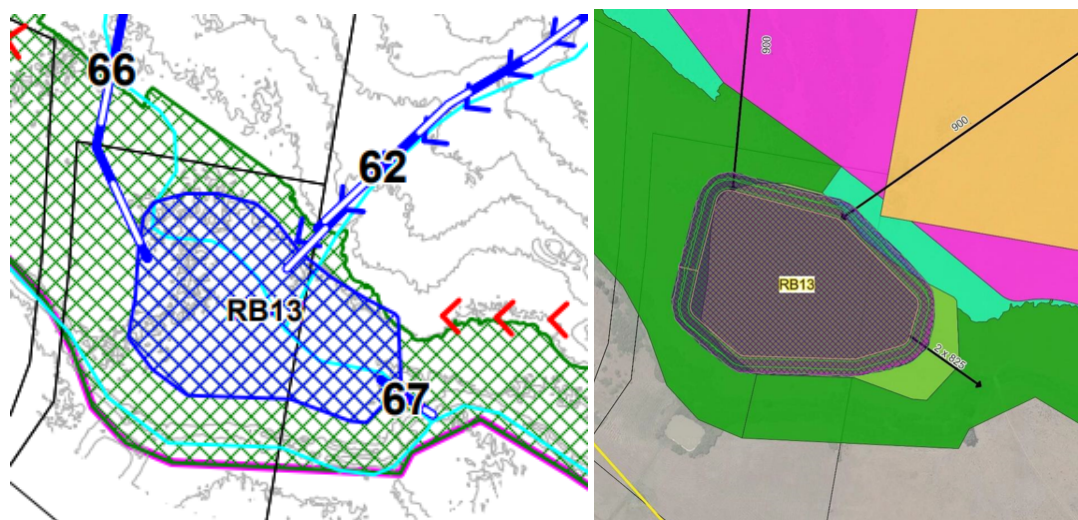


Figure 28 RB13 original footprint left, proposed footprint right

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RB 14

211. This basin has been moved further west and is now proposed to be located within a single parcel. This move should assist with the development staging in the area and should help to simply the construction by reducing the need for multiple land owners to be involved. The basin is still located within open space adjacent to Winter Creek so there is no loss of developable area.

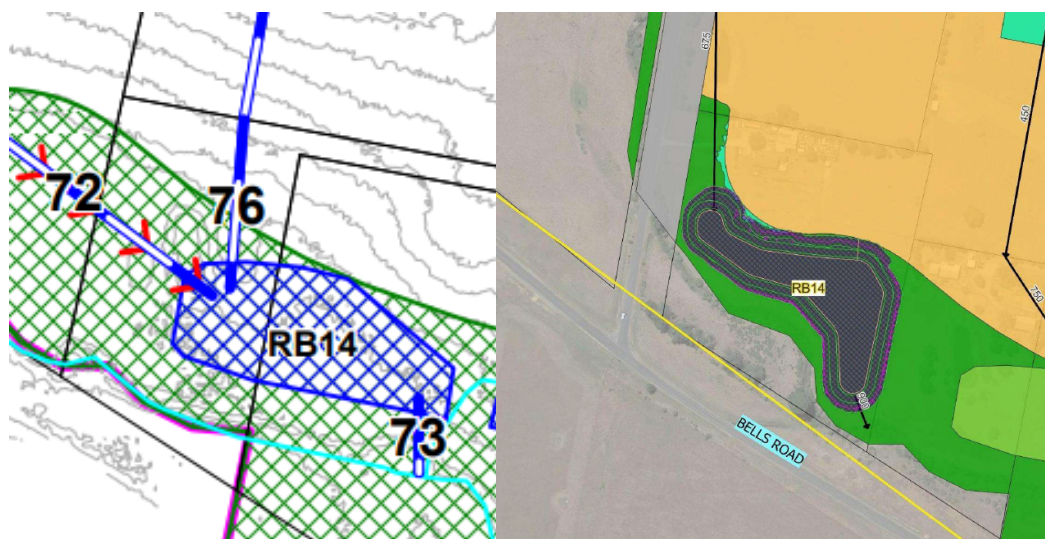


Figure 29 RB14 original footprint and location left, and proposed right

RB 15 AND RB 17

212. The proposed locations of these two basins are very similar to the previous strategy. The main change is that the footprint has been enlarged to respond to the revised design and to allow space for the maintenance paths, sedimentation drying and lower extended detention depth in the wetland. The extra drying space will not affect NDA as it will encroach only onto public open space which can still be used for that purpose.

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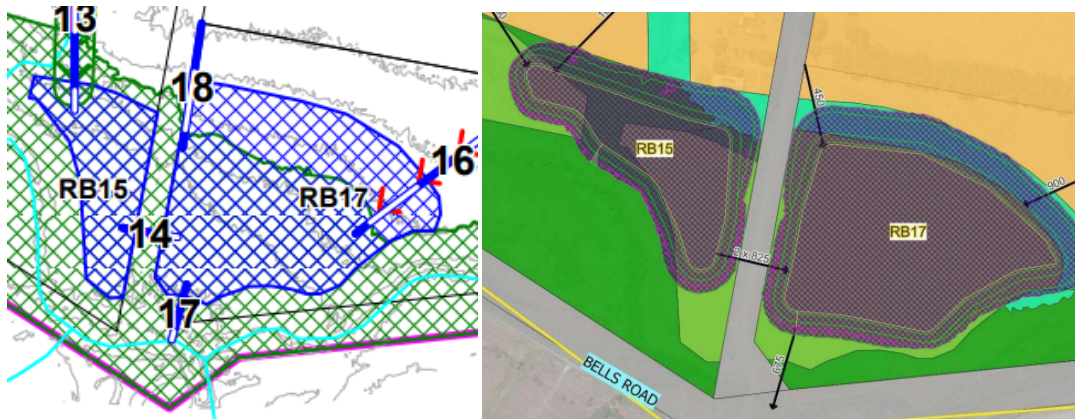


Figure 30 RB15 and 17 original footprint left, proposed footprint right

RB 18

- 213. Retarding basin 18 has been moved closer to Bonshaw Creek, enlarged and extended over two parcels.
- 214. RB18 was moved to increase the catchment which can drain to it, allowing for better flow control and stormwater quality treatment. This location also provides better connectivity between the wetland habitat and the creek habitat and corridor. It also helps to limit the number of drainage outfalls required into Bonshaw Creek and reduces the velocity of the flows discharging to Bonshaw Creek.
- 215. The asset is currently partially constructed, with the northern section already built. The southern section will be built when the parcel on which it sits is developed. Figure X shows the layout of the retarding basin.



Figure 31 RB18 original footprint and location left, proposed right

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RB 24

- 216. The proposed locations and size of this basin is also very similar to the previous strategy. The main change is that the footprint has been enlarged to respond to the revised design and to allow space for the maintenance paths, sedimentation drying and lower extended detention depth in the wetland. The extra drying space will not affect NDA as it will encroach only onto public open space which can still be used for that purpose.

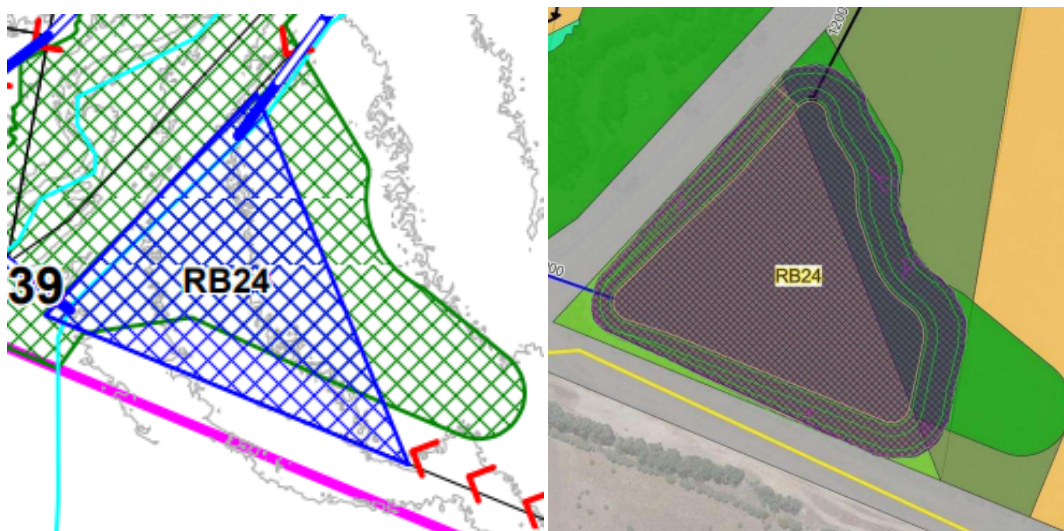


Figure 32: RB24 original footprint left, proposed footprint right

RB 27

- 217. This basin has been significantly reconfigured under the review. The asset will now have a wetland and a sedimentation basin. A major embankment in the order of 5 metres in height and a culvert is also required to traverse under the embankment. Full details of the rationale for this change are outlined in detail in the drainage strategy.

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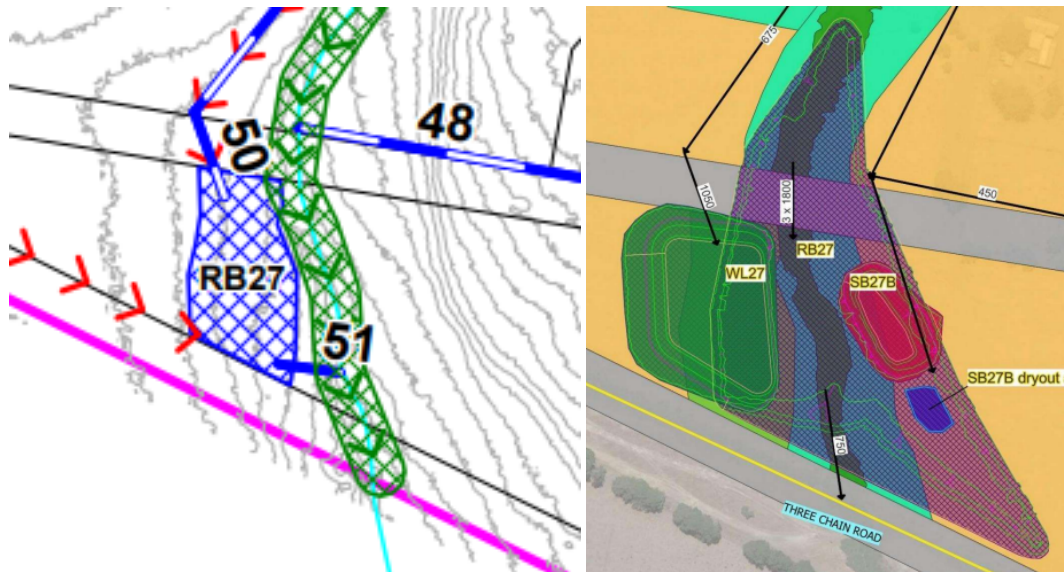


Figure 33: RB27 original footprint left, proposed footprint right

RB 29

218. This basin has been enlarged and extended west to allow space for the maintenance paths, sedimentation drying and lower extended detention depth in the wetland.

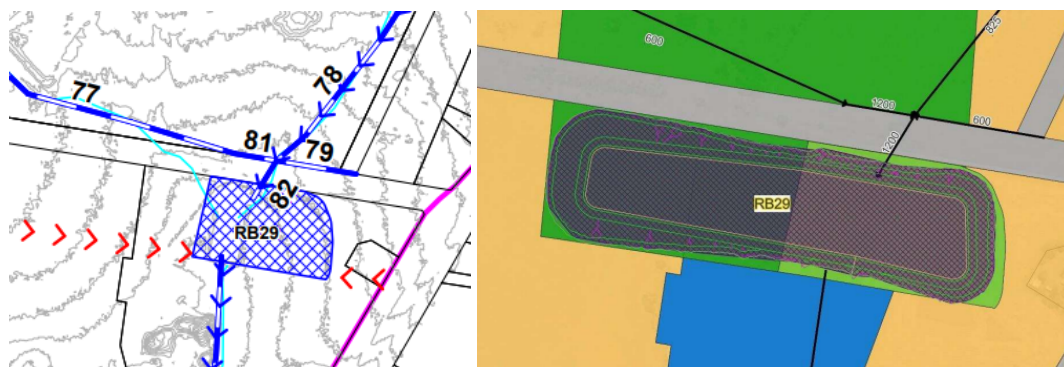


Figure 34: RB29 original footprint left, proposed footprint right

RB 30/SB30

219. This retarding basin has been replaced with a sedimentation basin (SB30) and relocated southwards from PSP property number 129 to 128. The reason for the change is that an online retarding basin is no longer required and that a sedimentation basin in the waterway can manage flows.

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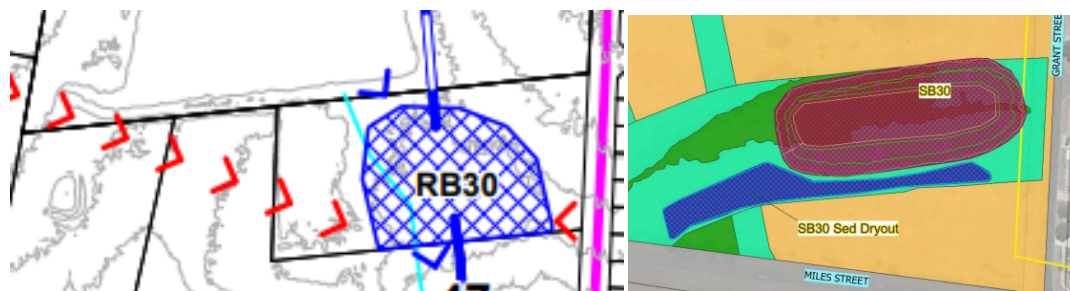


Figure 35: RB30 original footprint left, proposed footprint right

- 220. In addition to the updates to the designs and costing of basins and wetlands, Engeny have updated the pipe assets that are associated with the basin system to reflect any changes in length and size. All costs have been based on original costing rates and methodology and indexed to June 2023.
- 221. The total increase in drainage assets in shown in table 8.

DCP	Drainage Construction	Drainage Land	Total
Existing	\$115.69M	\$22.87M	\$138.56M
Revised	\$143.31M	\$35.39M	\$178.70M
Increase \$	\$27.62M	\$12.52M	\$40.14M
Increase %	23.87%	54.74%	28.97%

Table 8 Drainage Project Costing (2024/25 dollars)

LAND PROJECTS AND VALUATIONS

- 222. Where the land required to deliver DCP projects has been changed this will be reflected in the amended DCP. In the case of projects that have been delivered, the land has been adjusted to match the credits given to land owners.
- 223. Where projects are yet to be delivered the land take has been adjusted as required. Opteon Solutions have prepared a report of Land Value Assessments for these projects.
- 224. The review has found that for some projects the amount of land has decreased and for some increased. The most significant increase is for the changes to the retarding basins discussed above which will increase from 34 hectares to 46 hectares.
- 225. Taking into account Opteon’s updated valuations for projects under review and the adjusted land credits for projects delivered, the total value of all land required in the DCP has increased from \$85.7M to \$89.6M.
- 226. The full details of the adjustments are in the project tables in Appendix A. Projects without land changes are omitted from the tables and can be found in the PSP and DCP land use budget tables.

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OTHER PROJECTS

227. The original DCP did not include strategic planning costs associated with the preparation of DCP. It is assumed this is because at that time legislation in the Planning and Environment Act 1987 or Ministerial Guideline did not enable planning costs as a project.
228. In 2015 the Act amended S. 46l(1)(b) to allow the inclusion of, “...reasonable costs and expenses incurred by the planning authority in preparing the plan and any strategic plan or precinct structure plan relating to, or required for, the preparation of the development contributions plan (the plan preparation costs).”
229. In light of the legislative change and that it is now common practice to include strategic planning costs in DCPs, it is appropriate to include the costs associated with the preparation of the PSP and DCP. The total costs amount to \$432,465.

BALLARAT WEST DCP LEVIES AND FUNDING SHORTFALL

230. As with most DCPs, infrastructure in the BWDCP is partly funded through two levies, a Development Infrastructure Levy (DIL) and a Community Infrastructure Levy (CIL).
231. The DIL levy for financial year 2024/25 is \$341,627 for residential development and \$235,924 for commercial development.
232. The proposed DIL under the review would have a rate of \$422,774 for residential development and \$277,795 for commercial development. The proposed levy is based on infrastructure as shown in \$M in the table 9.

FY24/25 Review				
Project Type	Construction	Land	Residential	Commercial
Community Facilities	\$ 13,912	\$ 10,411	\$ 24,323	\$ -
Open Space	\$ 91,417	\$ 29,239	\$ 120,656	\$ -
Road Construction	\$ 60,688	\$ 17,573	\$ 78,262	\$ 78,262
Traffic Management	\$ 14,840	\$ 211	\$ 15,051	\$ 15,051
Other	\$ 1,497	\$ -	\$ 1,497	\$ 1,497
Drainage	\$ 146,577	\$ 36,408	\$ 182,985	\$ 182,985
Total	\$ 328,931	\$ 93,842	\$ 422,774	\$ 277,795

Table 9 Proposed Project Values and Levies.

233. There will be no change to the CIL as this is payable per dwelling and capped under the Planning and Environment Act 1987, the current rate being \$1450 (indexed July 24/25).
234. Whilst the DIL and CIL make a large contribution towards the infrastructure funding in Ballarat West, there is still a significant funding gap between the amount of dollars collectable under the

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DCP and the overall cost of the infrastructure required. This means that other funding needs to be provided by federal, state and/or local government.

235. There a funding gap in both the DIL and the CIL. Whilst funding gaps are common in DCPs and Council has factored this into its financial planning, changing social and economic circumstances have meant that the scope and costings of many infrastructure projects have increased significantly since the BWDCP was originally costed. As those costs have increased this has had a cumulative impact on the shortfall.
236. As the CIL is capped by legislation there is a limit to what funds can be collected which creates the CIL shortfall.
237. The existing DIL shortfall is made up from funds that are required to pay for the proportion of PSP infrastructure demand that is created by existing development beyond the boundary of the PSP.
238. In the Ballarat West DCP the existing external apportionment DIL shortfall is around \$49.3M. Under the review, the external apportionment shortfall would decrease to \$43.4M. This is due to the changes to some projects such as the adjustment to the demand/apportionment of the 8-court indoor recreation centre and the deletion of the 4-court indoor recreation centre.
239. In addition to the existing DIL external apportionment shortfall, the amount of money that can be collected under the DIL will be further reduced in the review by \$33.7M due to the fact that around 40% of the precinct has already been developed and the additional DIL rate cannot be collected on this land. Furthermore as and when Statement of Compliance is issued for further subdivision stages prior to the incorporation of the DCP into the planning scheme, the shortfall will increase.
240. The existing CIL shortfall is around \$27.9M. Due to the revised scope and costings of a number of projects under the review the CIL shortfall would increase to \$41.6M.
241. In total under the review the DCP funding gap or shortfall for the DCP would increase from \$77.1 to around \$118.7M. This means that Council would, over the life of the DCP need to provide funds or obtain grants to cover the cost. To date Council has been awarded \$8M in grants towards the funding gap.
242. Table 10 shows a comparison of the existing and revised infrastructure costs and DCP shortfall.

Development Funding Type	Existing DCP		Revised DCP	
DIL Developer	319.7M	77%	371.4M	72%
DIL Council (External Apportionment)	49.3M	12%	43.4M	8%
DIL Council (Uncollectable DIL)	-	0%	33.7M	7%
CIL Developer/Community	20.7M	5%	22.5M	4%
CIL Council (Grants)	27.9M	7%	41.6M	8%
Total	417.6M	100%	512.6M	100%

Table 10: DCP Infrastructure Costs and Shortfall

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243. Although it is acknowledged that the infrastructure and levy that developers and landowners would pay will increase significantly; as a share of the increased costs, Council and other funding sources will need to contribute more as a percentage.
244. The consequences of the costs of DCP projects not keeping pace with actual construction costs is significant and goes beyond the DCP projects that Council's typically take responsibility for, like the community and recreation projects.
245. In most DCPs, including the BWDCP, it is common for developers to undertake the bulk of road and drainage projects as Works-In-Kind (WIK) by negotiation and agreement with Council. As important as it is to review all outstanding infrastructure projects in the current context to inform Council's financial planning, it is also critical to ensure that projects are accurately costed to ensure that it is going to be viable for developers to deliver infrastructure as WIK.
246. Feedback from some developers is that for some planned and future projects, the DCP will not cover the costs of these projects. If WIK for DCP infrastructure becomes less viable, developers may not be inclined to undertake WIK and Council may have to deliver additional DCP projects which carries further financial risks for Council in terms of increasing the shortfall.

**GROWLING GRASS FROG CONSERVATION MANAGEMENT PLAN
(GGF CMP)**

247. Prior to the development of original PSP, Ecology Partners undertook a Flora and Fauna Assessment for the Ballarat West Growth Area in January 2012 which was informed by targeted threatened fauna surveys in May 2011 to ascertain the likelihood of occurrence of the nationally significant Growling Grass Frog (GGF), Dwarf Galaxias and Australian Grayling within the study area.
248. The original fauna surveys found that the GGF was detected at 8 sites in Precinct 1 and a GGF CMP was prepared. Dwarf Galaxias and Australian Grayling were not recorded in the study area.
249. Mount Galaxias, listed as threatened under the Flora and Fauna Guarantee Act 1988, were also recorded at two sites in Precinct 1. It was not recommended that the CMP take into the account the presence of Mount Galaxias.
250. This background work led to the development of a Growling Grass Frog Conservation Management Plan, December 2011 and a Native Vegetation Precinct Plan, March 2012 both prepared by SMEC.
251. Key elements of the 2011 GGF CMP were that an offset trigger was identified in Precinct 1 of the BWPSP in the Bonshaw area (see figure 36), delivery of compensation habitat and a regime of establishment and monitoring of the habitat.

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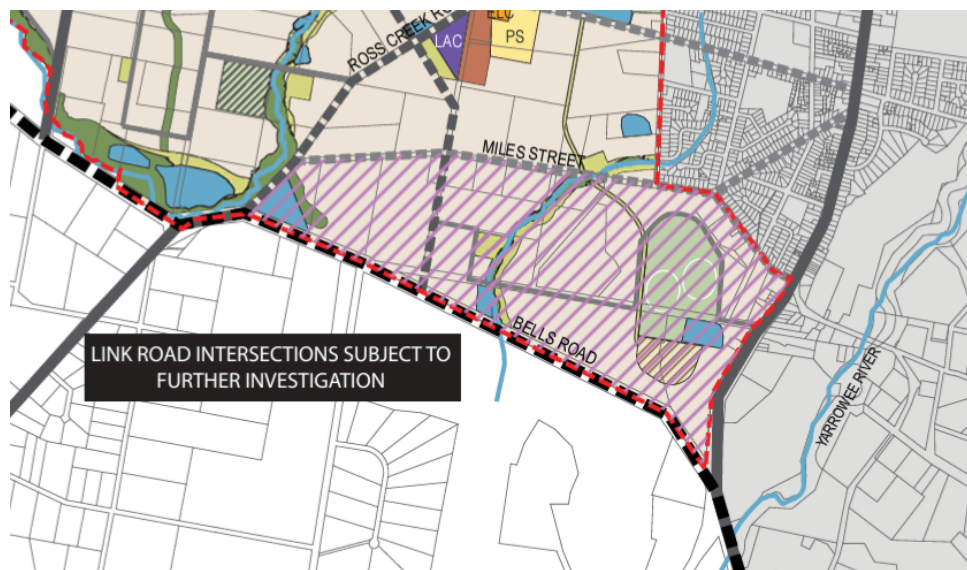


Figure 36: Growling Grass Frog Offset Trigger Area

252. As part of the PSP review, the City engaged Practical Ecology to undertake a review of the GGF CMP. The aim of the updated GGF CMP is to establish a strategic framework for the efficient management of the GGF as the remaining development occurs in Precinct 1.
253. The City will be undertaking further investigation into an equitable funding mechanism of the GGF and will introduce this into a future Planning Scheme Amendment.
254. Practical Ecology included target surveys within and around Precinct 1. Despite suitable habitat being prevalent, no GGF were found on any of the sites, surveyed although some were recorded in an adjacent site in the Golden Plains Shire.
255. Practical Ecology have stated that given the species' highly mobile nature, it is highly likely that the GGFs still utilise the habitat and they will need to be given consideration throughout the planning and development process.
256. A draft CMP has been prepared to reflect the changes in guidelines and site conditions including an update to the location of the compensatory habitat to address loss of suitable habitat on development sites.
257. At the time of writing (August 2024), the draft CMP was awaiting input from affected landowners. The City will need to work in partnership with the affected landowners and developers adjacent to the creek reserves to ensure suitable habitat is provided.
258. When the CMP is finalised this may result in some changes to the guidelines in the PSP document and planning scheme ordinances.

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259. The Department of Environment, Energy and Climate Action (DEECA) were consulted on the draft CMP and did not provide a response.

BALLARAT WEST NATIVE VEGETATION PRECINCT PLAN (FNVPP)

260. The Native Vegetation Precinct Plan (NVPP) that applies to the PSP area together with Environmental Offset Areas has also been reviewed including an audit of the vegetation that has been removed and retained in accordance with the NVPP.
261. All PSP parcels where vegetation was shown as being retained or removed and offset have now been developed.
262. The BWNVPP was prepared by SMEC Consultants in March 2012 and incorporated into the planning scheme as part of C158.
263. At that time NVPPs were prepared in accordance with the three-step approach to net gain as set out in Native Vegetation Management – a Framework for Action (Department of Sustainability and Environment (DSE) 2002).
264. The BWNVPP required first party offsets to be established in identified offset areas with an area of 25ha and a further 22.7ha of potential offsets. The offsets equated to 18.6 trees per hectare for the removal of the scattered trees discussed below. The offsets were to be secured through an on-title legal agreement prior to subdivision and include commitment to manage the offset in perpetuity.
265. Surveys undertaken for the BWNVPP in 2011 recorded 57 remnant trees scattered widely over the precinct area. The BWNVPP identified challenges with establishing meaningful conservation areas given the scattered nature of the trees. A total of 20 trees were shown to be retained, all in precincts 2 and 4. The other 37 trees were identified as being suitable for removal.
266. The City has undertaken an audit of all permits granted on land where the 57 remnant trees were recorded. Of the 20 trees originally shown as being retained, 13 have been removed or are dead and 7 have been retained over three development sites.
267. Of the 37 trees suitable for removal, 4 remain standing, 3 at 15 Masada Boulevard, Winter Valley and 1 at 77 Cherry Flat Road, Bonshaw.

ENVIRONMENTAL OFFSET AREAS

268. 13ha of Plains Grassy Woodland (PGW) in the west of sub-precincts of 2 and 4 was adopted to conserve the precinct's most intact native vegetation. In addition, two other small areas of PGW and Creekline Herb-rich Woodland areas (CHRW) were also recommended as offset areas in sub-precinct 2 and 4.

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269. The most northern PGW offset area in sub-precinct 4 and further CHRW offset areas in sub-precinct 1 did not include any scattered trees for retention. It seems these were nominated for offsets on a locational basis rather than due to existing vegetation.
270. The environmental offset areas in the BWVPP have not been used to secure any first party native vegetation offsets. It is likely that this is because legislation has changed twice since the BWNVPP was prepared and that the native vegetation guidelines now allow for third party offsets. It would therefore not be reasonable to enforce requirements in a BWNVPP which relies on superseded guidelines.
271. Another factor favouring the removal of offset sites is that they are likely to conflict with the need to manage native vegetation to reduce the risk to life and property from bushfire. For instance under the current guidelines an offset area cannot be established with 50m of dwelling.
272. It is also of relevance that under the 2017 PSP review Amendment C203; Schedule 2, 2.5 Specific provisions, Potential Environmental Offset Area to the Urban Growth Zone was amended to delete the requirements for the offset areas to be used for native vegetation offsets.
273. Despite this change to the Schedule no changes were made to the offset areas text or the land use budget in the PSP. Moreover, the explanatory report for C203 makes no reference to this change.
274. Given the fact that the offset areas have not been implemented as envisaged and first party offsets are not appropriate in an urbanised area, updating and in some cases removing the majority of the offset areas from the PSP is proposed. This change would also bring the PSP document into consistency with the Schedule as revised under C203.
275. The only areas where it is proposed to retain some Environmental Offset Area is in creek lines where the areas may be beneficial for future Growling Grass Frog habitat.

PROPOSED CHANGES TO PLANNING SCHEME ORDINANCE

276. The review necessitates making some changes to the Ballarat planning scheme ordinances, specifically the schedule 2 to the Urban Growth Zone, schedule 1 to the Development Contributions Plan Overlay and schedule to clause 72.04 Incorporated Documents. The key changes are summarised in table 11.

Ordinance Heading	Change Proposed and Reason
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Schedule 2 to Clause 37.07 Urban Growth Zone	
1.0 The Plan	New future urban structure plan to reflect the proposed PSP changes.
2.3 Specific provisions – Use of land	<p>The current drafting of Section 3 Use (Prohibited) suggests that the use of the land for warehouses and industry are prohibited under the Commercial 2 Zone and Mixed Use Zone respectively. This is inconsistent with the requirements of the Commercial 2 and Mixed Use Zones, where a Planning Permit is required for the use of land for industry and warehouse in its respective zones.</p> <p>This provision has been updated to refer to the applied zones to ensure consistency with the requirements of the relevant zone.</p>
2.4 Specific provisions - Subdivision	The current drafting of this provision when read literally suggests that a permit cannot be granted for multi-lot subdivision of unserviced land. The first dot point “create no more than one additional lot” under the clause has been deleted to remove any ambiguity.
3.0 Application requirements Subdivision – Rural Interface Area	This requirement will be removed as most of the parcels in the Rural Interface Area on Plan 11 (Housing) in the Ballarat West PSP have been further developed.
4.0 Conditions and requirements for permits Development Contributions Plan	This clause has a requirement that where a Development Contributions Plan (DCP) has not been incorporated into the planning scheme an owner is required to enter into an agreement under section 173 of the Planning and Environment Act to provide development contributions. This is an unnecessary requirement and is redundant as Ballarat West has a DCP.
4.0 Conditions and requirements for permits Development Contributions Plan	<p>This clause includes a condition which affects land identified as having a Medium Potential for Contamination. The condition makes reference to the superseded practice note for potentially contaminated land and Environmental Protection Act 1970.</p> <p>The condition is proposed to be updated to reference the current practice note Planning Practice Note 30 for Potentially Contaminated Land (30 July 2021) and the Environmental Protection Act 2017.</p>
6.0 Decision guidelines	All documents referenced in this clause will be updated to the amended PSP and DCP.
Schedule 1 to Clause 45.06 Development Contributions Plan Overlay	
2.0 Summary of costs	This table is updated to reflect new costs
3.0 Summary of contributions	This table is updated to reflect new contributions
Schedule 1 to Clause 72.04 Incorporated Documents	
1.0 Incorporated documents	New dates will be applied to reflect the amended BWSP and BWDCP.

Table 11: Summary of Planning Scheme Change Ordinances

Ballarat West PSP and DCP Review Background Report**SUPPORTING DOCUMENTS**

277. The supporting documents of relevance to this project include:
- Growling Grass Frog Conservation Management Plan 2011
 - Native Vegetation Precinct Plan- Ballarat West Growth Area 2011
 - Ballarat West Precinct Structure Plan SMEC October 2016
 - Ballarat West Development Contributions Plan Urban Enterprise June 2017
 - Engeny Water Management Ballarat West Growth Area PSP Review Precinct 2 April 2020
 - Engeny Water Management Ballarat West Growth Area PSP Review Precinct 1 November 2021
 - DCP Project Review GHD 1 December 2021
 - ASR Research: Ballarat West Precinct Structure Plan Review – Community and Recreation Infrastructure 29 May 2024
 - Engeny Ballarat West Review Drainage Strategy Update 11 April 2024
 - Milward Engineering Management: Ballarat West Precinct Structure Plan Transport Projects Review February 2024
 - Opteon Solutions Land Value Assessments for the Ballarat West DCP Review June 2024
 - DRAFT Ballarat West Development Contributions Plan Urban Enterprise July 2024
 - DRAFT Ballarat West Precinct Structure Plan SMEC August 2024

APPENDICES

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BALLARAT WEST PSP AND DCP REVIEW BACKGROUND DOCUMENT

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APPENDIX A PROPOSED CHANGES TO DCP TRANSPORT PROJECTS AND COSTINGS 24/25

Project Number and Description	Current status	Proposed change	Current DCP Costing	Proposed DCP Costing	Increase / decrease
Road Construction Projects					
DI_RD_11 New north south link road	Commencement	Realignment in accordance with approved subdivision layout and minor costing adjustment	\$2,802,060	\$3,165,532	13%
DI_RD_12 New north south link road	Pre-planning	Adjusted scope and costing to correct measurement error. Also realigned westward to accord with approved subdivision plan	\$1,681,194	\$1,936,964	15%
DI_RD_21 Cherry Flat Road Upgrade	Pre-planning	Adjusted scope and costing to correct measurement error.	\$1,192,617	\$4,307,291	261%
DI_RD_23 Cobden Street North	Pre-planning	Slight realignment and costing adjustment	\$1,687,144	\$1,783,582	6%
DI_RD_24 Cobden Street South	Pre-planning	Slight realignment and costing adjustment	\$2,058,156	\$2,012,722	-2%
DI_RD_Ross Creek Road Upgrade (items RD_38 & RD_39 in the transport review)	Pre-planning	Adjusted scope and costing to correct measurement error.	\$3,869,820	\$4,940,516	28%
Intersection Construction Projects					
DI_JNC_02 Carngham Rd / New N-S Rd	Planning	Adjusted scope and costing to change the intersection from roundabout to signalised.	\$1,882,644	\$3,310,533	76%
DI_JNC_05 Greenhalghs Rd / New N-S Rd	Planning	Adjusted scope and costing to change the intersection from roundabout to signalised.	\$1,484,496	\$1,901,261	28%
DI_JNC_08 New N-S Road/Glenelg Highway	Part delivered	Adjusted scope and costing to reflect change in road pavement standard from local to arterial	\$1,493,718	\$1,813,170	21%
DI_JNC_11 Cherry Flat Road/Schreenans Road	Pre-planning	Adjusted scope and costing to improve safety	\$1,373,363	\$1,579,816	15%
DI_JNC_12 Ross Creek Road/Schreenans Road	Pre-planning	Adjusted scope and costing to improve safety	\$1,026,460	\$1,206,421	18%
Road and Intersection Land Projects					
DI_LA_17 Land for Schreenans Road widening	Pre-planning	Increase in area required from 0.30ha to 0.42ha	\$412,750	\$578,500	40%
DI_LA_18 Land for Schreenans Road widening	Pre-planning	Decrease in area required from 0.83ha to 0.69ha	\$800,000.00	\$690,000	-14%
DI_LA_24 Land for north south link road (4)	Pre-planning	Decrease in area required from 6.56ha to 6.14ha	\$6,169,000.00	\$5,398,000	-12%

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APPENDIX B PROPOSED CHANGES TO DRAINAGE CATCHMENT COSTINGS 24/25

Project Number and Description	Current status	Key changes	Current DCP Costing	Proposed DCP Costing	Increase / decrease
DI_DR_AA/AB		Adjusted scope and costings including pipe changes and resizing and relocation of basin RB11	\$3,376,846	\$6,009,936	78%
DI_DR_AC/AT		Adjusted scope and costings including pipe changes and resizing and relocation of basin RB13	\$9,166,574	\$10,646,060	16%
DI_DR_AK/AM		Adjusted scope and costings including pipe changes and resizing and relocation of basin RB12	\$1,175,210	\$4,446,269	278%
DI_DR_AU/AY		Adjusted scope and costings including pipe changes and resizing and relocation of basin RB14	\$3,447,409	\$4,163,369	21%
DI_DR_AZ/CA		Adjusted scope and costings including pipe changes, resizing and relocation of basin RB18 and removal of bioretention areas	\$2,187,589	\$3,951,612	81%
DI_DR_BA/BQ		Adjusted scope and costings including pipe changes and resizing of basins RB15 and RB17	\$12,230,206	\$13,915,348	14%
DI_DR_BK/BL		Adjusted scope and costings including pipe changes and removal of bioretention areas	\$647,527	\$482,585	-25%
DI_DR_BU/CP		Adjusted scope and costings including pipe changes and resizing of basin RB28	\$14,533,126	\$11,549,186	-21%
DI_DR_BY/BZ		Adjusted scope and costings including pipe changes and resizing of basin RB25 as built	\$2,718,377	\$2,773,808	2%
DI_DR_CB/CF		Adjusted scope and costings including pipe changes, resizing of basin RB25 as built and removal of bioretention areas	\$1,845,896	\$2,007,755	9%
DI_DR_CD/CR		Adjusted scope and costings including pipe changes, resizing of basin RB24 and removal of bioretention areas	\$6,417,825	\$8,035,539	25%
DI_DR_CQ/CW		Adjusted scope and costings including pipe changes, resizing and relocation of basin RB27 and removal of bioretention areas	\$6,080,322	\$11,242,998	85%

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Project Number and Description	Current status	Key changes	Current DCP Costing	Proposed DCP Costing	Increase / decrease
DI_DR_CX/DC		Adjusted scope and costings including pipe changes, resizing and relocation of basin RB29 and removal of bioretention areas	\$3,820,814	\$8,342,828	118%
DI_DR_KL		Adjusted scope and costings including pipe changes and resizing of basin RB5 as built	\$4,899,899	\$4,195,090	-14%
DI_DR_M/Q		Adjusted scope and costings including pipe changes and resizing of basin RB6	\$6,914,095	\$7,213,611	4%
DI_DR_P/T		Adjusted scope and costings including pipe changes and resizing of basin RB7	\$7,217,952	\$10,494,469	45%
DI_DR_U/Z		Adjusted scope and costings including pipe changes, removal of bioretention areas and replacement with RBs 6A, 6B and 6C	\$4,458,024	\$9,293,039	108%
DI_DR_A	Unchanged		\$1,436,159	\$1,436,159	0%
DI_DR_C/O	Unchanged		\$10,178,020	\$10,178,020	0%
DI_DR_D/J	Unchanged		\$12,934,851	\$12,934,851	0%
Land for Retarding Basins					
DI_LA_RB1	Acquired	Increase from 0.5ha to 0.9ha	\$475,000	\$838,500	77%
DI_LA_RB2	Acquired	Decrease from 3.87ha to 3.86ha	\$3,483,000	\$3,474,000	0%
DI_LA_RB4	Acquired	Decrease from 1.69ha to 1.15ha	\$1,394,250	\$965,750	-31%
DI_LA_RB5	Acquired	Decrease from 1.54ha to 1.09ha	\$847,000	\$599,500	-29%
DI_LA_RB6	Not acquired	Decrease from 2.61ha to 2ha	\$2,218,500	\$ 1,700,000	-23%
DI_LA_BIO	NA	Removed and replaced with RB6a, RB6B and RB6C. See below	\$641,750	NA	-100%
DI_LA_RB6a	Acquired	Biofilter changed to basin land with area of 1.6ha	NA	\$1,400,000	100%
DI_LA_RB6b	Acquired	Biofilter changed to basin land with area of 0.57ha	NA	\$627,000	100%

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Project Number and Description	Current status	Key changes	Current DCP Costing	Proposed DCP Costing	Increase / decrease
DI_LA_RB6c	Acquired	Biofilter changed to basin land with area of 0.14ha	NA	\$122,500	100%
DI_LA_RB7	Not acquired	Increase from 2.12ha to 3.86ha	\$1,696,000	\$3,088,000	82%
DI_LA_RB11	Not acquired	Increase from 0.62ha to 1.9ha	\$527,000	\$1,615,000	206%
DI_LA_RB12	Not acquired	Increase from 0.62ha to 2.23ha	\$323,000	\$1,895,500	487%
DI_LA_RB13	Not acquired	Increase from 2.12ha to 2.37ha	\$647,750	\$1,986,000	207%
DI_LA_RB14	Not acquired	Increase from 1ha to 1.74ha	\$758,500	\$1,391,000	83%
DI_LA_RB15	Not acquired	Increase from 0.86ha to 2.25ha	\$645,000	\$1,687,500	162%
DI_LA_RB17	Not acquired	Increase from 2.63ha to 3.56ha	\$1,906,750	\$2,581,000	35%
DI_LA_RB18	Not acquired	Increase from 0.79ha to 1.04ha	\$691,250	\$910,000	32%
DI_LA_RB24	Not acquired	Increase from 2.14ha to 3.6ha	\$1,444,500	\$2,430,000	68%
DI_LA_RB25	Removed	Combined with RB26	\$910,000	NA	-100%
DI_LA_RB26	Not acquired	Increase from 0.39ha to 1.43ha	\$429,000	\$1,339,000.00	212%
DI_LA_RB27	Not acquired	Increase from 0.39ha to 4.48ha	\$391,000	\$2,689,000.00	588%
DI_LA_RB29	Not acquired	Increase from 1.54ha to 3.43ha	\$962,500	\$2,089,250	117%
DI_LA_RB30	Not acquired	Project removed	\$1,170,000	NA	-100%
DI_LA_SB30	Not acquired	New land project 0159ha	NA	\$649,000	100%

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APPENDIX C PROPOSED CHANGES TO COMMUNITY AND RECREATION PROJECTS DCP COSTINGS 2024/25

Project Number and Description	Current status	Proposed change	Current DCP Costing	Proposed DCP Costing	Increase / decrease
Delacombe Major Activity Centre/Hub Construction					
CI_CF_1 Library	In planning stage	Adjusted scope and costing	\$8,949,186	\$16,197,281	81%
CI_CF_2 , CI_CF_3 and DI_CF_1 Early years hub and Community Centre	In planning stage	Adjusted scope and costing The projects are to be combined as a single project and building to increase efficiencies.	\$14,716,125	\$12,921,950	-12%
CI_OS_3 Sports Pavilion	Pre-planning	Adjusted scope and costing	\$2,518,850	\$3,435,868	36%
DI_OS_3 Active Open Space	Pre-planning	Adjusted scope and costing	\$5,318,298	\$8,611,293	62%
Delacombe Major Activity Centre/Hub Land					
DI_LA_1 Land for library (1ha)	No land has been acquired	No change	\$3,750,000	\$3,375,000.	10%
DI_LA_2 Land for Early Years Hub (0.5ha)	1 ha Land at 26 Valiant Road has been acquired	These two land projects have been consolidated to deliver the two construction projects. Land reduced to 1ha	\$5,625,000	\$3,750,000	-33%
DI_LA_3 Land for Community Centre (1ha)					
DI_LA_11 Land for Active Open Space (8ha)	Land with a total area of 3.5ha has been acquired.	To reduce the land project from 8ha to 3.5ha. This is necessary because the 8ha was deemed unsuitable for a reserve due to the steep topography.	\$8,409,000	\$4,625,000	-45%
Greenhalghs Road Local Activity Centre/Hub Construction					

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Project Number and Description	Current status	Proposed change	Current DCP Costing	Proposed DCP Costing	Increase / decrease
DI_CF_3 and CI_CF_5 Community Centre and early years hub	Pre-planning	Adjusted scope and costing and relocation.	\$9,462,034	\$12,921,950	37%
CI_OS_4 Sports Pavilion	Pre-planning	Adjusted scope and costing.	\$1,976,520	\$4,803,100	143%
DI_OS_4 Active Open Space	Pre-planning	Adjusted scope and costing commensurate with a revised land size, (see DI_LA_12)	\$6,989,317	\$12,343,805	77%
DI_OS_6 Indoor recreation centre	Pre-planning	Adjusted scope and costing and relocation.	\$19,243,680	\$58,004,362	201%
Greenhalghs Road Local Activity Centre/Hub Land					
DI_LA_5 Land for Community Centre and Early Years Hub (0.5ha)	No land has been acquired	DI_LA_5 and DI_LA_6 consolidated as one project and land reduced to 1ha and location moved.	\$425,000	\$850,000	100%
DI_LA_6 Land for Community Centre and Early Years Hub (0.8ha)			\$680,000		-100%
DI_LA_12 Land for Active Open Space (11ha) including land for the indoor recreation centre	No land has been acquired	To reduce the land project from 11ha to 10.03ha. This reduction is required as land from the adjoining property to the west has been developed.	\$9,325,750	\$7,675,500	-18%
DI_LA_12a Land the Indoor recreation centre					

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Project Number and Description	Current status	Proposed change	Current DCP Costing	Proposed DCP Costing	Increase / decrease
Carngham Road Neighbourhood Activity Centre/Hub Construction					
DI_OS_5 Active Open Space	Part-delivered	Deletion of project and replacement with two projects as below.	\$5,644,165	NA	-100%
DI_OS_5a Active Open Space	Completed	New project line to acknowledge that part of the original project DI_OS_5 has been delivered and is now described as DI_OS_5a.	NA	\$2,782,272	100%
DI_OS_5b Active Open Space	Pre-planning	New project line to acknowledge that DI_OS_5b will be delivered as a separate project including facilities as originally proposed and updated costings.	NA	\$8,434,635	100%
CI_OS_5 Sports Pavilion	Pre-planning	Adjusted scope and costing.	\$1,898,847	\$3,435,868	81%
DI_LA_13 Land for Active Open Space (8ha)	Part-delivered (4ha)	None	NA	NA	NA
Ross Creek Road / Morgan Street Local Activity Centre/Hub					
DI_CF_2 Community Centre and early years hub	Part-delivered	Adjusted scope and costings to allow for a 403sqm extension to accommodate additional kinder facilities required to meet the state government’s Three-Year-Old kinder reform program.	\$2,670,178	\$4,704,420	76%
DI_OS_1 Active Open Space (MR Power Park)	Part-delivered	Adjusted scope and costing to allow for a different range of facilities to those originally proposed. The Active Open Space component is 4ha.	\$17,636,226	\$8,434,635	-52%
CI_OS_1 Sports Pavilion	Pre-planning	Adjusted scope and costing.	\$1,976,520	\$2,066,580	5%
DI_OS_7 Indoor recreation centre	Pre-planning	Deletion of project	\$12,479,126	NA	-100%

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Project Number and Description	Current status	Proposed change	Current DCP Costing	Proposed DCP Costing	Increase / decrease
Other (Mining Park)					
DI_OS_2 Active Open Space (Mining Park)	Pre-planning	Adjusted costing.	\$9,325,392	\$15,524,363	66%
CI_OS_2 Sports Pavilion	Pre-planning	Adjusted scope and costing.	\$1,597,167	\$3,435,868	115%
DI_LA_9 and 10 Land for Active Open Space at Mining Park (12.03ha)	No land has been acquired	Reduced land area to 11.27 ha	7719,000	\$6,623,500	-14%
Other Projects					
DI_O_4 Strategic Planning Costs	Part-complete	Introduction of new project to cover strategic planning costs	NA	\$432,465	100%

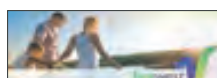
October 2016 (Amended 2024)



**BALLARAT WEST
PRECINCT STRUCTURE PLAN**

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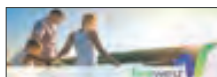


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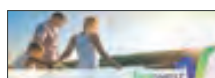
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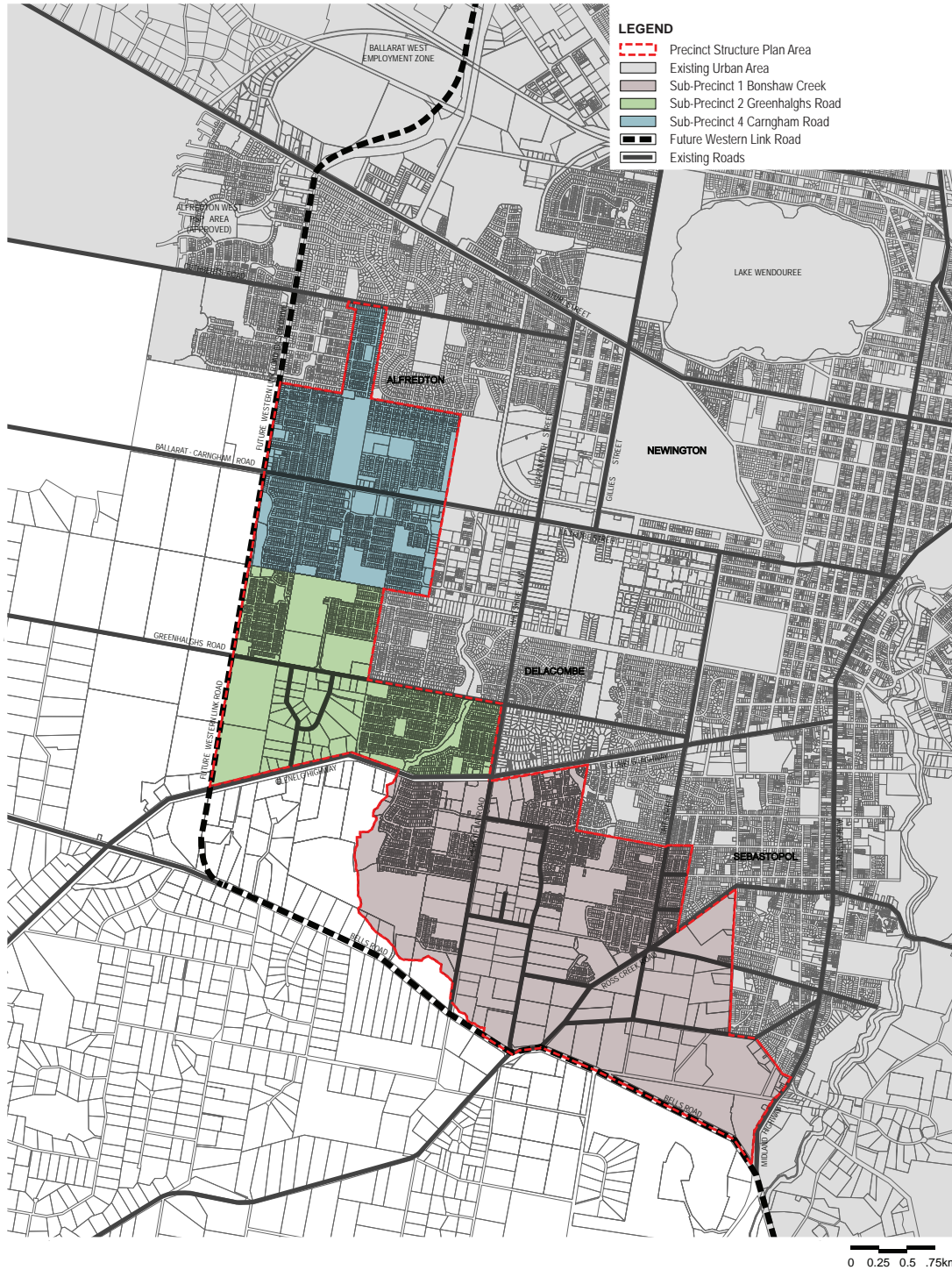


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Plan 1 PSP Area



1 Introduction

The Ballarat West Precinct Structure Plan (Ballarat West PSP) has been prepared by the City of Ballarat (Council) with the assistance of government agencies, service providers and key stakeholders. The document should be read in conjunction with the Ballarat West Native Vegetation Precinct Plan (Ballarat West NVPP) and the Ballarat West Development Contributions Plan (Ballarat West DCP).

The role of these documents and their inter-relationship with the Ballarat West PSP are set out below.

The Ballarat West PSP is a comprehensive plan which provides direction for future urban development within the Ballarat West Precinct and is informed by the Ballarat West Growth Area Plan (2009). The Ballarat West PSP describes how land is expected to be developed and identifies the community infrastructure and services required to support development.

The Ballarat West PSP guides the delivery of a quality urban environment in accordance with current best practice and Victorian Government Guidelines. The Ballarat West PSP:

- Enables the transition of non-urban land to urban land;
- Sets out the vision for how land should be developed and the objectives to be achieved;
- Determines the overall layout of future land use and development;
- Outlines projects required to ensure that future residents, visitors and workers within the Precinct can be provided with timely access to services, transport, jobs, shops, open space and recreation facilities to support a quality, affordable lifestyle;
- Details the form and conditions that must be met by future land use and development;
- Provides the basis for the use and development controls that apply in the Schedule to the Urban Growth Zone (UGZ) and identifies which permits may be granted under this Schedule;
- Provides developers, investors and local communities with certainty about future development within the Ballarat West PSP area; and
- Enables the assessment, protection and enhancement of biodiversity and heritage values in the Precinct.

The Ballarat West PSP is informed by:

- The State Planning Policy Framework set out in the Ballarat Planning Scheme and the Precinct Structure Planning Guidelines (Growth Areas Authority 2009);
- The Ballarat West Growth Area Plan (2009); and
- The Local Planning Policy Framework of the Ballarat Planning Scheme, including local policies and strategies.

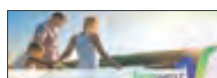
The Ballarat West DCP has been prepared concurrently with this document. The DCP sets out requirements for development proponents to make a contribution toward the necessary infrastructure to support the implementation of the Ballarat West PSP. The Ballarat West DCP only applies to the Ballarat West PSP area.

1.1 Land to which the Precinct Structure Plan Applies

The Ballarat West PSP applies to approximately 1,290 hectares of land in the Ballarat West Growth Area as shown in Plan 1. The land is zoned Urban Growth Zone (UGZ) Schedule 2. The Ballarat West PSP comprises three Sub-Precincts as shown on Plan 1.

- Sub-Precinct 1: Bonshaw Creek is approximately 707 hectares;
- Sub-Precinct 2: Greenhalghs Road is approximately 296 hectares; and
- Sub-Precinct 4: Ballarat-Carngham Road is approximately 287 hectares.

The Ballarat West Growth Area also includes the Alfredton West Precinct (now renamed Lucas). Lucas was originally identified as Sub-Precinct 3, and does not form part of the Ballarat West PSP. The Alfredton West Precinct was prepared by the developer for the area in conjunction with City of Ballarat and was approved in June 2011.



1.2 The Ballarat West Native Vegetation Precinct Plan

The Ballarat West NVPP has been prepared to enable native vegetation issues to be considered in a co-ordinated way across the Ballarat West PSP area. The Ballarat West NVPP has been prepared in a manner consistent with the requirements of Clause 52.16 of the Ballarat Planning Scheme. It identifies:

- Native vegetation which may be removed without a planning permit;
- Native vegetation which cannot be removed without a planning permit;
- The offset that must be provided to remove affected native vegetation; and
- Conditions that must be met in relation to vegetation that is to be protected.

The Ballarat West NVPP is one of the planning tools used to facilitate development and is a separate incorporated document within the Ballarat Planning Scheme (Clause 81.01).

1.3 Implementation

The Amended Ballarat West PSP is implemented by:

- Development proponents who develop land generally in accordance with this PSP;
- The Victorian Government, the City of Ballarat and developers by funding, delivering and managing a range of infrastructure and services to support the development of the Precinct;
- Non-government service providers and individuals such as volunteers who manage and deliver services; and
- The Ballarat Planning Scheme including:
 - Schedule 2 to the Urban Growth Zone at Clause 37.07;
 - The Ballarat West Development Contributions Plan incorporated in the Scheme at Clause 45.06;
 - The Ballarat West Native Vegetation Precinct Plan incorporated in the Scheme at Clause 52.16;
 - Open space requirements under Clause 53.01 of the Scheme;
 - Applying the Environmental Audit Overlay to land with a high potential for contamination;
 - Applying the Heritage Overlay to identified heritage sites of local significance; and
 - Any other requirements of the Ballarat Planning Scheme.

1.4 Reference Material

A Glossary and other information such as technical studies supporting the preparation of this PSP are listed in Section 6 – Other Information.

1.5 Monitoring and Review

The City of Ballarat will monitor the implementation of the Ballarat West PSP. The effectiveness of the Ballarat West PSP will be evaluated regularly, at least every five years. The Ballarat West PSP may be revised and updated following review, which may trigger a review of the Ballarat West DCP.

The first review of this PSP was undertaken in 2016. A review of the Ballarat West DCP is also being undertaken as part of C234ball.

The 2016 changes to the PSP comprised:

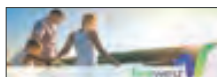
- Realigning the designated 'Air Emissions Buffer Area'.
- Realigning the 'Industrial/Commercial Precinct'.
- Amending the noise attenuation requirements for land located within the 'Noise Emissions Buffer', to more appropriately address potential air quality and noise impacts generated by the adjoining Delacombe Industrial Area.
- Reducing to the extent of land designated as having 'High Potential for Contamination'.
- Amending the level of environmental assessment required for land designated as 'low potential for contamination' and 'medium potential for contamination' to more accurately reflect the environmental conditions and intended use of potentially contaminated land.

C234Ball 2023 Ballarat West PSP Review

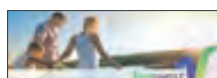
Amended by
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The main features of the review included in the revised document are summarised below:

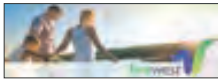
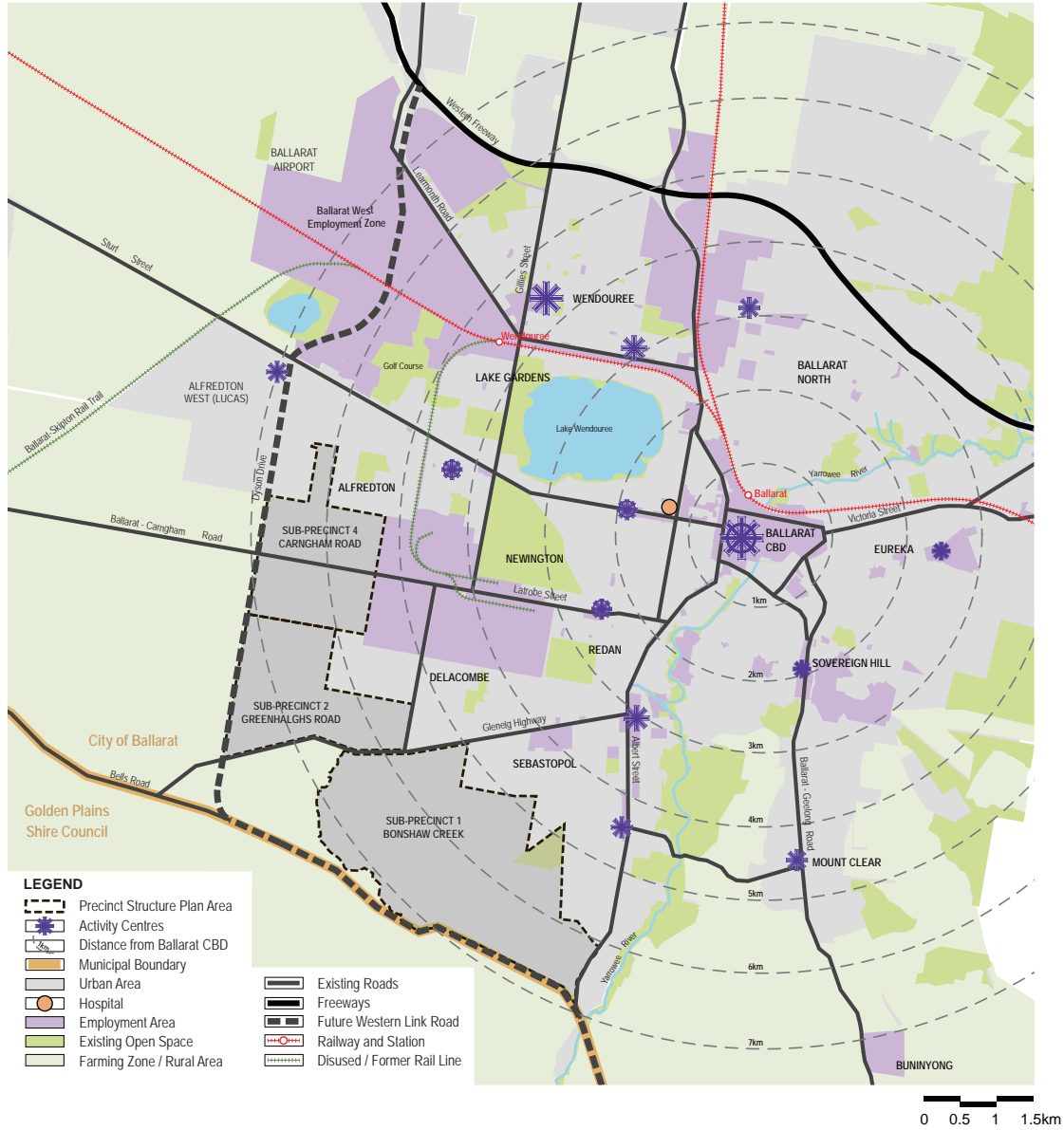
- A review and update of the document to ensure that the content is current and the original intent of the PSP is realised
- Reviewing and updating of infrastructure requirements
- Update to the existing and proposed land use and built form changes including provision of public open space
- Update to all relevant plans where changes have occurred including the Future Urban Structure Plan
- Update of the Net Developable Area and Table 1 Summary Land Use Budget



- Update to Table 2 Distribution of Housing Densities to reflect development that has occurred and anticipated yields currently being delivered
- Identification of any updates required to environmental and biodiversity objectives. This specifically relates to the NVPP and Growling Grass Frog Conservation Management Plan (GGF CMP).
- The review is informed by the following technical reports:
- Transport Projects Review, Milward Engineering Management, February 2024
- Community and Recreation Infrastructure, ASR Research, May 2024
- Ballarat West PSP Review Drainage Strategy Update, Engeny, April 2024



Plan 2 District Context



2 Strategic Context

Amended by
C234ball

Plan Melbourne 2017-2050 (2017) identifies a number of regional cities including Ballarat, that the State Government will invest in to support housing and economic growth, as well as improving connections between cities and regions.

The population of Victoria's region will grow from 1.5 million to 2 million by the census year of 2051. Greater Geelong, Bendigo and Ballarat will account for 50 per cent of all population growth outside of Melbourne.

This focus is complemented by the 'Moving Forward' program released in 2008. Developed by Regional Development Victoria, the program provided \$502 million to ensure that regional cities like Ballarat have plans and systems in place that facilitate the growth of population and economy, and its flow on impacts on the environment, infrastructure and services. These systems will support the

'Melbourne @ 5 Million' forecast of 40% regional population growth concentrated in Geelong, Bendigo and Ballarat.

The Ballarat municipality is expected to grow by 55,000 people in 2041. The Ballarat Strategy 2040 (2015) identifies the need for planning for at least 15 years of land supply for housing in greenfield site, which includes opportunities for medium to long term greenfield development for future housing to support the growing population in Ballarat.

This is further underpinned by the Ballarat Long Term Investigation (2018) report which established the future growth areas, in particular the Northern Growth Area, Western Growth Area and North Western Growth Area.

The Ballarat North Growth Area comprises of the Core Area and Expanded Area. The Core Area has been rezoned on 18 October 2023 and the preparation for the Ballarat North PSP is underway.

The City is currently preparing a Growth Area Framework Plan, which is a high-level document to guide the appropriate sequencing, servicing and transport corridors of the Western and North Western Growth Area.

In 2010, 'Ready for Tomorrow: A Blueprint for Regional and Rural Victoria' was released. This is a \$630.7 million State Government plan to generate new opportunities and build a prosperous and sustainable future for regional and rural Victoria. It includes new initiatives that will create more jobs, improve education opportunities, boost support for businesses and industries and preserve the regional and rural way of life.

Since the Ballarat West PSP has been prepared, the construction of the Deer Park bypass, Anthony's Cutting realignment and upgrades to the Ballarat-Melbourne railway line has enhanced connections between Ballarat and Melbourne.

Work is currently underway by the State Government to construct the Metro Tunnel to connect to National Employment and Innovation Clusters (NEIC) across

Melbourne. The NEIC will aim to include broader businesses including offices, retail services, entertainment, health and education precinct.

The Sunshine NEIC will be a central hub for residents from Ballarat, Melton, Sunbury and Geelong, which would lead to further job opportunities.

The Regional Growth Fund will help provide support for strong vibrant regional cities such as Ballarat. It will provide financial support for major strategic infrastructure and community-led local initiatives which improve both the competitiveness and liveability of regional and rural Victoria. The Regional Growth Fund will lead to increased job creation and improved career opportunities.

2.1 District Context

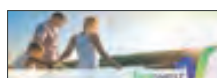
The Ballarat West PSP area is located approximately 5km west of Ballarat CBD and 120km from Melbourne.

The Central Highlands Regional Growth Plan (2014) identifies that the Central Highlands Region, in which Ballarat is located, is viewed as a sustainable living alternative to Melbourne with the population of Ballarat expected to increase by 32,200 people between 2011 and 2031. It identifies the key strengths of Ballarat and the Central Highlands Region including:

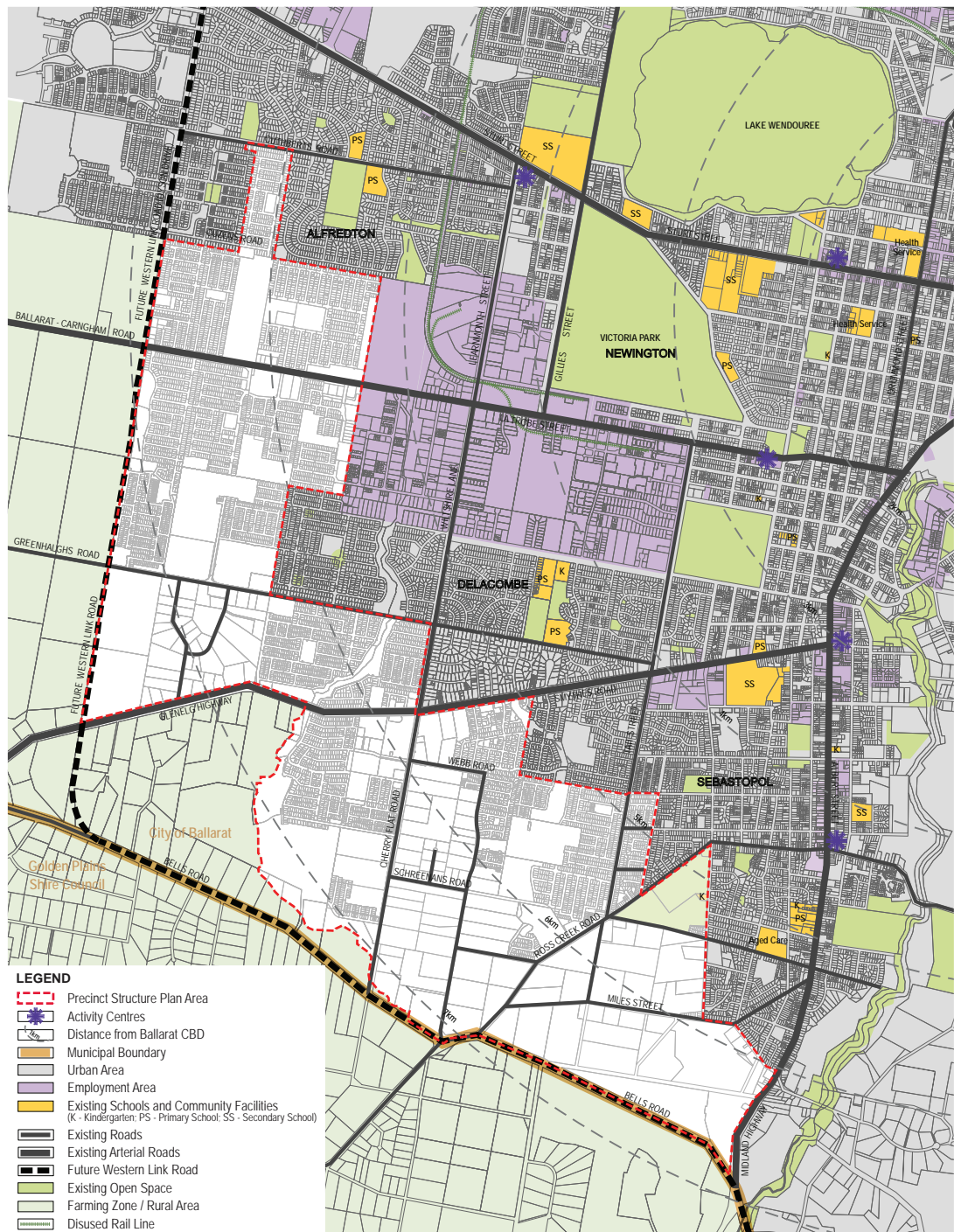
- its location on the east-west transport corridor connecting Melbourne, western Victoria and Adelaide;
- proximity to the western metropolitan area of Melbourne, where major infrastructure and population growth is planned;
- the most developed and integrated higher education and training system network in regional Victoria;
- the highest concentration of IT and computing services
- and capacity in regional Victoria;
- location within a highly productive agricultural area; and
- an economy that is restructuring and embracing new opportunities in areas such as IT, advanced manufacturing, education and tourism.

The Regional Growth Plan identifies that Ballarat is able to attract and support people who relocate from Melbourne and elsewhere and has significant opportunities to capitalise on its proximity and connections to Melbourne.

Urban growth in Ballarat is recognised as an alternative to growth around metropolitan activity centres which lack the infrastructure, services and jobs already available in Ballarat.



Plan 3 Local Context



The Regional Growth Plan supports urban growth in the Ballarat West Growth Area and recognizes this is a major growth area for the Central Highlands Region.

Ballarat also provides highly regarded primary and secondary education services and higher order health services for the Central Highlands Region through the Ballarat Base Hospital and St John of God Hospital.

High-quality rail services connect Ballarat with Melbourne, Ararat and Maryborough with the Ballarat Railway Station located at the northern end of the CBD and the Wendouree Railway Station, which offers park and ride services, located approximately 3km to the north of the Ballarat West PSP area.

There will be improved access through transport infrastructure upgrades such as the Regional Rail Link as Melbourne's western growth corridor continues to develop into the future.

There is an opportunity to connect these railway stations with the Ballarat West PSP area through future bus services.

The Ballarat Airport is located approximately 3 km north of the site and provides a key infrastructure node for Ballarat and the region. Council continues to undertake extensive investigations into potential development options (including industrial, commercial and associated development opportunities) for the Airport and adjacent land, collectively known as the Ballarat West Employment Zone.

The Western Freeway is the key road transport corridor between Melbourne and Ballarat. The Midland Highway provides regional road connections from Ballarat to Geelong and Bendigo. The Glenelg Highway provides the road connection from Ballarat to Hamilton.

Improved connections from the Ballarat West PSP area to the Western Freeway will be created by the proposed Western Link Road which defines the outer south-western extent of the Ballarat West PSP area. Plan 2 shows the site in its district context.

2.2 Local Context

Plan 3 shows the site within its local context.

Ballarat is the largest inland urban centre in Victoria. It is part of the municipality of the City of Ballarat which encompasses an area of 740 square kilometres

2.2.1 History

The Wathaurung people have inhabited the land in the Ballarat West PSP area for at least the last 25,000 years. The Wathaurung territory extended from the southern side of Werribee River to Port Phillip, the Bellarine Peninsula, the Otway forests, and northwest to Mount Emu and Mount Misery, and encompassed the Ballarat goldfields.

The European heritage of Ballarat is defined by its gold mining past. Ballarat is one of the most significant Victorian era boomtowns in Australia. Gold was discovered near Ballarat in 1851 spawning the Victorian gold rush.

Ballarat was found to be a rich alluvial field where gold could easily be extracted. The arrival of over 10,000 migrants to the city within a year transformed it from a sheep station to the largest settlement in the newly proclaimed Colony of Victoria.

2.2.2 Employment and Activity Centres

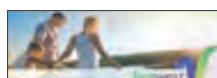
Activity Centres

Ballarat's large, centrally located Central Business District (CBD) comprises an estimated 194,749 square metres of retail floor space, located in approximately 500 retail tenancies. It provides retail, commercial, community, education and cultural facilities which serve the Western Victoria region.

The City of Ballarat has recently completed a CBD Strategy which seeks to guide the growth and revitalisation of the CBD over the long term. The CBD is supported by activity centres of varying sizes including:

- a Major Activity Centre at Wendouree in the northwest of
- Ballarat;
- two large Neighbourhood Activity Centres; Howitt Street and Sebastopol North; and
- A mixture of small and Local Activity Centres including a smaller Neighbourhood Activity Centre at Sebastopol and Lucas.

Since the Ballarat West PSP was prepared, the Major Activity Centre identified at Delacombe has been partially constructed. Some land changes have occurred through the planning permit process which will be reflected in the amended Future Urban Structure and other relevant plans.



Employment

There are a number of employment areas that surround the Ballarat West PSP area which are expected to provide employment opportunities for future residents.

These include:

- Ballarat CBD, which acts as the primary employment centre for retail and commercial jobs. This includes the hospitals and health precinct on Mair and Drummond Streets, which is a major employment node for the city;
- The Delacombe Industrial Area abuts the eastern boundary of Sub-Precinct 4 and currently provides various industrial employment opportunities comprising a mix of large and small businesses;
- The Ballarat West Employment Zone located to the north of the Ballarat West PSP area. It comprises a large area of land at and around the Ballarat Aerodrome, the southern extent of which is approximately 2.5km from the Ballarat West PSP area. The Ballarat West Employment Zone is a critical asset for the Ballarat community, with significant potential as an airport to service the region's aviation needs, as well as providing a future supply of industrial and employment based activities. This area will provide opportunities for new industrial, freight and aviation business; and
- The existing activity centres, education and community facilities in the surrounding neighbourhoods will also provide local employment opportunities.

2.2.3 Community Facilities

Ballarat is well serviced by a range of community facilities including education, passive and active open space, entertainment and health care facilities, all of which are easily accessible to the Ballarat West PSP area.

Primary and Secondary education facilities in close proximity to the Precinct include:

- Alfredton Primary School and St Thomas Moore Primary School in Alfredton;
- Delacombe Primary School and Lumen Christi Primary School in Delacombe;
- Lucas Primary School and Siena Catholic Primary School in Lucas;
- Sebastopol Primary School, St James Parish School, Phoenix P-12 Community College and Ballarat Christian College in Sebastopol;
- Ballarat High School;
- Loreto College;
- Ballarat and Clarendon College; and
- St Patricks College.

Early development in the Ballarat West PSP area will have good access to a range of social, health and community infrastructure including hospitals, childcare, maternal and child health, libraries and community centres in the CBD and surrounding neighbourhoods. New facilities for childcare, maternal and child health, libraries and community centres will be required as the population grows.

Since the Ballarat West PSP was prepared, two PSP projects, a childcare facility in the south of the PSP area and a combined childcare and community centre in the north of the PSP area have been delivered.

The Integrated Education precinct (comprising of one P-6 State School and one P-6 private school), active open space and community centre in Lucas (north-west of the Ballarat West PSP area) have also been delivered.



2.2.4 Open Space and Recreation

The Ballarat West PSP area is in close proximity to a range of passive and active open spaces and recreational facilities which cater for the variety of interests and ages within the community. These include:

- Ballarat Aquatic Centre;
- Alfredton Sports Reserve;
- Prince of Wales Park;
- Lake Wendouree;
- Botanical Gardens;
- Ballarat Skipton Rail Trail;
- Ballarat Golf Club;
- Victoria Park;
- Marty Busch Reserve;
- Moreshead Park; and
- Doug Dean Reserve.

As the population of the Ballarat West PSP area grows, some additional facilities will be required; particularly neighbourhood and district open spaces.

Additional regional sporting facilities will also be required as population in the Ballarat West PSP area grows, however existing regional facilities have the capacity to meet the needs of some sports such as golf and swimming

Since the Ballarat West PSP was prepared, a number of passive reserves have been delivered as part of developments and 4ha of active open space have been delivered. Remaining active open space requirements have been included in the community and recreation infrastructure review

2.2.5 Transport and Movement

The Ballarat West PSP area is currently traversed east-west by three key routes:

- Ballarat-Carngham Road, an arterial road that provides connections through to the Delacombe Industrial Area and Ballarat CBD. It also provides access to the Western Freeway via Dyson Drive and Sturt Street. Ballarat-Carngham Road is currently subject to a Public Acquisition Overlay to widen the section through the Ballarat West PSP area to a 40m road reservation to facilitate an ultimate 4 lane divided carriageway;
- Greenhalghs Road, a City of Ballarat road, provides an east-west connection from Delacombe, across Wiltshire Lane through the Ballarat West PSP area to the proposed Western Link Road; and
- Glenelg Highway is an arterial road and is a key transport route into Ballarat from Hamilton and south-west Victoria.

Key north-south routes that currently traverse the Ballarat West PSP area include:

- Wiltshire Lane / Learmonth Street, a City of Ballarat Road, providing north-south connections between Sturt Street / Remembrance Drive and the Glenelg Highway; South of the Glenelg Highway, Wiltshire Lane becomes Cherry Flat Road which connects with Bells Road (the future Western Link Road) to the south.
- A Public Acquisition Overlay in favour of the City of Ballarat applies to land on the east side of Cherry Flat Road, south of Schreenans Road; and
- Tait Street, a City of Ballarat Road, currently provides a north-south connection between the Glenelg Highway and Ross-Creek Road, which provides connections to Bells Road (the future Western Link Road).

The proposed Ballarat Western Link Road will improve access opportunities between the Ballarat West PSP area, the Ballarat West Employment Zone, the Western Freeway and Geelong. It will be directly accessed from the Ballarat West PSP area via Ballarat-Carngham Road, Greenhalghs Road, Glenelg Highway and so forth.

At present the public transport network consists of bus services along Dyson Drive and Cuthberts Road to the north and routes which run along the eastern edge of the Ballarat West PSP area through Delacombe and Sebastopol.

All routes provide direct access to Ballarat CBD.

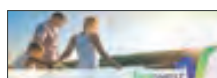
The Ballarat West PSP area is also located approximately 5km from Ballarat Railway Station and 3km from Wendouree Railway Station.

There is currently only a limited on and off road bike path network in surrounding areas – however a much more extensive network is envisaged in the Ballarat Bicycle Strategy. Key existing links include:

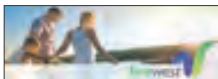
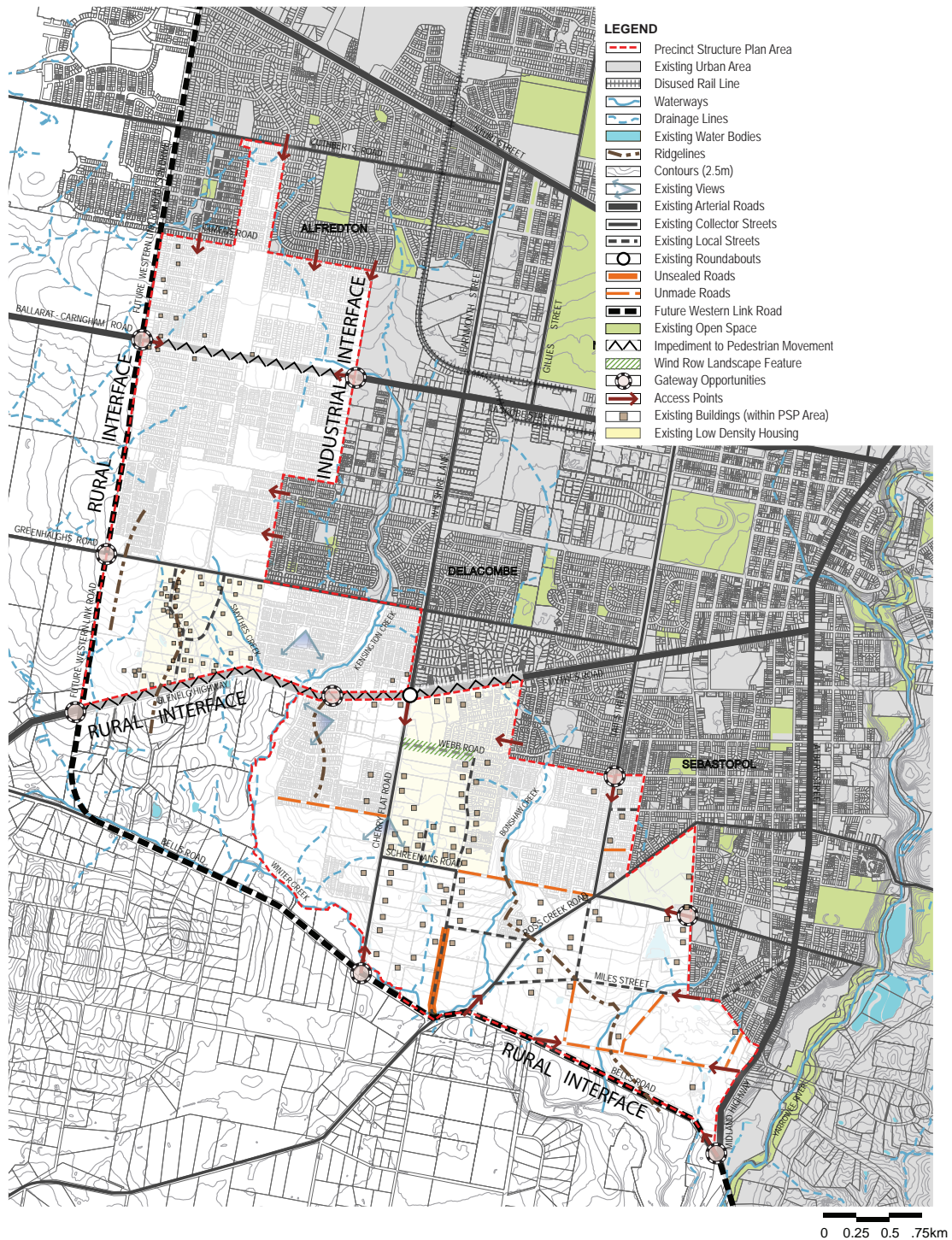
- On-road cycle lanes along Wiltshire Lane between Ballarat-Carngham Road and the Glenelg Highway and along parts of Cuthberts Road; and
- Off-road paths within Alfredton that will eventually link to Victoria Park.

Footpaths exist within much of the surrounding street networks and can be connected into new developments to create an integrated walking network.

Since the Ballarat West PSP was prepared, a number of PSP transport project have been or are in the process of being delivered, these include an upgrade to Tait Street and a major signalised intersection at Wiltshire Road and Glenelg Highway. The outstanding PSP transport projects are included in the review.



Plan 4 Site Features



3 Precinct Features

Plans 4 to 7 show the key features of the Ballarat West PSP area as described in the following sections.

3.1 Topography and Landform

The northern section of the Ballarat West PSP area at Sub-Precinct 4 is relatively flat with mild undulating land.

In Sub-Precinct 2, south of Greenhalghs Road, the land falls towards the Glenelg Highway and Winter Creek.

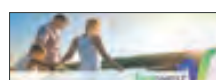
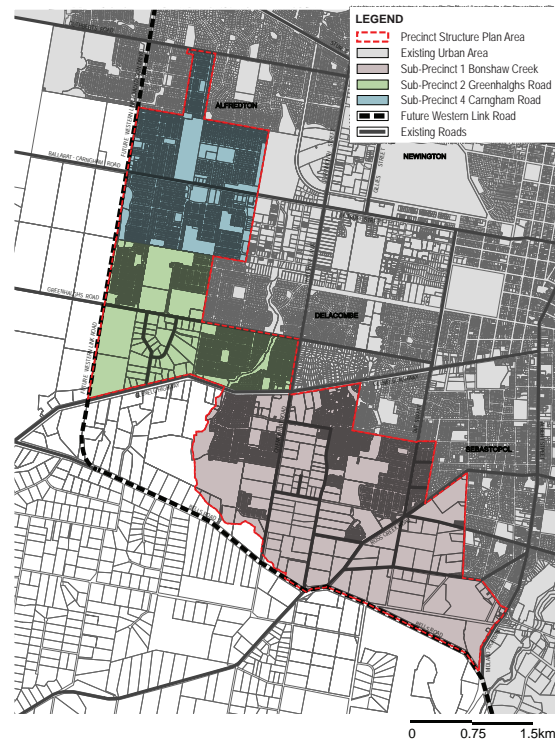
Within Sub-Precinct 2, Kensington Creek is defined by steep slopes which are unsuitable for development, with minor ridgelines along the western edge and centre (north to south). A minor plateau to the north-west of Kensington Creek provides views across the open farmland and rural landscape to the south.

The northern section of Sub-Precinct 1 to the south of Glenelg Highway and west of Tait Street is relatively flat. South-east of this area the topography slopes gradually towards the Winter, Bonshaw and Kensington Creeks, to a minor escarpment running north-west/south-east across the middle of the Sub-Precinct. Below the escarpment, the land falls gradually to the floodplains of Winter and Kensington Creeks.

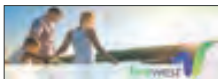
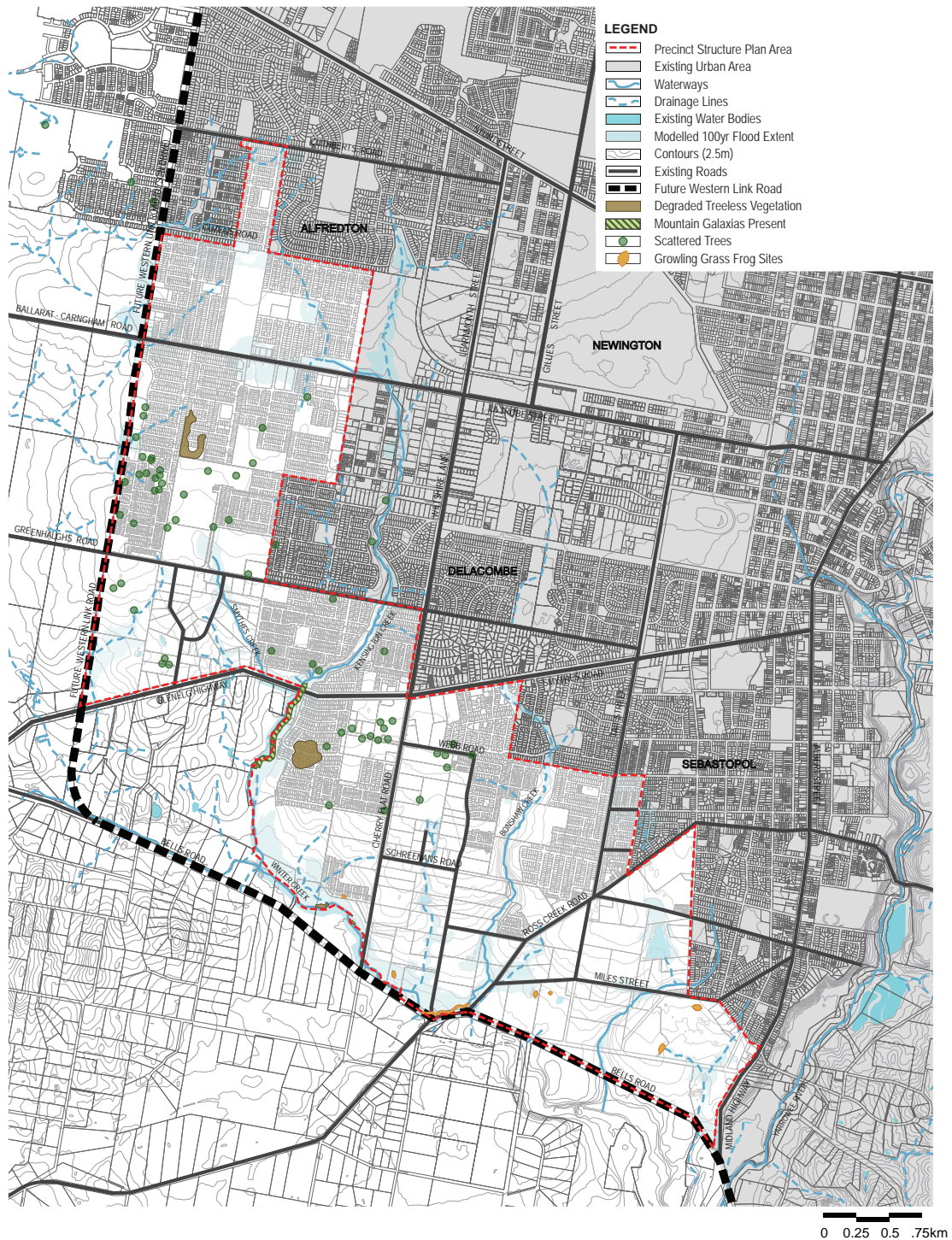
Winter and Kensington Creeks define the southern and western boundaries of the Ballarat West PSP area.

Kensington Creek, within Sub-Precinct 2, runs north-south through the eastern section of sub-Precinct. It has incised edges at the northern end, which present potential barriers crossings of this creek in this location.

Bonshaw Creek bisects Sub-Precinct 1. It runs north from Winter Creek and is incised in many places as it passes through the escarpment. The incised edges of the creek prevent crossing sections of the creek



Plan 5 Environmental Features



3.2 Biodiversity

3.2.1 Flora

The Ballarat West PSP area falls within the Victorian Volcanic Plains Bioregion. A Flora and Fauna Assessment of the area, undertaken in 2010 found that it is highly modified and dominated by exotic vegetation due to past clearance associated with agriculture and gold mining. In total, 57 remnant scattered trees of high and low significance were identified. The remnant vegetation is associated with two Ecological Vegetation Classes (EVCs): Plains Grassy Woodland and Creekline Herb-rich Woodland.

3.2.2 Fauna

The habitat within the Ballarat West PSP area was identified in the Flora and Fauna Assessment undertaken in 2010 as being highly fragmented. Notwithstanding this, a total of 62 fauna species were recorded, comprising of 54 birds (49 native and five introduced), five mammals (two native and three introduced) and three native frogs.

Targeted studies were undertaken in 2010 due to the presence of suitable habitat for the nationally significant fauna species, Growling Grass Frog *Litoria raniformis*. The Growling Grass Frog is listed as a Vulnerable species under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. It is also listed as a threatened species under the *Flora and Fauna Guarantee Act 1988*.

Growling Grass Frogs were recorded in the southern section of Sub-Precinct 1. One was recorded within the watercourse that runs along the south edge of the Precinct. The other recorded sightings were found in dams.

The targeted studies recorded eight Mountain Galaxias¹ along the Creek in the north-eastern section of Sub-Precinct 1. The Mountain Galaxias is listed as a threatened species under the *Flora and Fauna Guarantee Act* and is of State conservation significance.

