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Disclaimer

The Ballarat Station Precinct Planning Strategy Report has been prepared specifically for VicTrack and Regional Development Victoria to help inform planning process decisions for the implementation of Stage 1 of the Ballarat Station Precinct Master Plan.

The report represents information correct and complete at the time of writing. The information contained in this document has been gained from desktop evidence, research, liaison with the Project Team and discussions with the Department of Economic Development, Jobs, Transport and Resources (Invest Assist) on behalf of Victorian State Government.

Neither SED, nor its servants, consultants, agents or staff shall be responsible in any way whatsoever to any person or organisation or entity in respect to the report, including errors or omission therein, however caused.

The report incorporates the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Document version

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1. Introduction and Background

This report, commissioned by VicTrack for Regional Development Victoria as project lead agency, forms part of the Schematic Design Project of the Ballarat Station Master Plan. The purpose of the report is to align the project objectives with current planning policy and provide a roadmap for the planning process for Stage 1 of the Precinct.

The Ballarat Station Precinct plays a pivotal role as a gateway for public transport in Ballarat, significantly contributing to connectivity within and to/from Ballarat. The station is a CBD landmark and one of the grandest Victorian era station buildings in the State. Initial investigations conducted as part of the Ballarat Station Precinct Master Plan, identified multiple transport improvements and a potential redevelopment opportunity within the northern half of the precinct.

The site which is the subject of this investigation is on the northern side of the station and is triangular in nature. It is approximately 3.2ha of land bordered by Lydiard Street to the west and Nolan Street to the north east and the northern station building to south.

![Figure 1: Subject Site - Stage 1 Area](image-url)
The Victorian State Government has committed $25m to Stage 1 of the redevelopment of the Ballarat Station Precinct. The funding will enable planning and investigation as well as the initial refurbishment of the Goods Shed and surrounds, thereby preparing the site for the private sector and seek interest to investment in a potential hotel and conference centre development.

Stage 1 proposes the following:

- Structural and Heritage refurbishment of the goods shed (for an exhibition/conference centre) and associated parking;
- New public forecourt area and Open space areas;
- A new internal road and associated intersections to cater for hotel and conference centre loading and future bus access;
- Transport enabling works including new commuter car parking areas, kiss and ride and taxi facilities and pedestrian linkages to the Station buildings; and
- Culminate in the release of a development site/s to the market, for a potential 4 star hotel that will integrate with conference facilities in the refurbished Goods Shed.

The directive for the Stage 1 planning strategy is to:

- provide certainty on the planning framework as early as possible in the process;
- be streamlined and efficient; and
- ensure a degree of flexibility to accommodate the outcomes of the Expressions of Interest (EOI) and Request for Proposal (RFP) processes.

2. Ballarat Station Precinct Master Plan

The Ballarat Station Precinct Master Plan (April 2014) identifies how revitalisation of the station precinct could improve the land use and transport outcomes to develop an efficient regional transport hub, stimulate the Ballarat CBD economy and provide broad community benefits.

The precinct’s significant heritage assets and large tracts of underutilised land provide a unique opportunity for investment to be made in a regional city, in line with the Victorian Government’s Central Highland Regional Growth Plan and Plan Melbourne: State of Cities objective.

The Master Plan has been developed to respond to the varied and complex site conditions, project objectives and vision, transport functional requirements, feasibility and implementation considerations. It is a staged and flexible plan that can adapt to changing circumstances. The Master Plan makes a range of recommendations for the Ballarat Station Precinct over the short, medium and long term.
Stakeholder Engagement

The Master Plan was developed through partnership between VicTrack, Department of Transport, Planning and Local Infrastructure, Regional Development Victoria, Public Transport Victoria and the City of Ballarat. Representatives from each of these organisations formed a project working group to steer the direction of the project and guide the plan’s recommendations.

The Master Plan has been developed in close collaboration with a number of Government stakeholders, with their views sought as part of five integration workshops held at key stages in the development of the Master Plan.

Stakeholders represented at these workshops, included: Ballarat City Council; VicTrack; V/Line; Department of Transport, Planning and Local Infrastructure; Public Transport Victoria; VicRoads; Heritage Victoria; Office of the Victorian Government Architect; and Regional Development Victoria.

Community Engagement

The community engagement plan sought to promote and encourage a broad spectrum of the Ballarat community to have their say at key points during the development of the Master Plan. Two community workshops were held, to allow local residents and employees to assist in identifying the issues and opportunities in the Station Precinct and respond to the preferred Master Plan option.

The first community workshop was held in Ballarat in July 2013, with 90 attendees and 20 electronic submissions received. In October 2013, draft design options for the Master Plan were exhibited for community comment at an open-house event in Ballarat. These design options were also posted online (on the City of Ballarat’s ‘Have Your Say’ webpage) for feedback over a two-week period. Feedback was received from more than 50 people who attended the open-house and 20 electronic submissions were lodged. The feedback on the draft Master Plan Options helped inform changes to the final Master Plan.

In addition to these events, local community members were invited to leave their comments on Ballarat Council’s ‘Have Your Say’ website forum and via electronic submissions.

3. Stage 1 Elements Relevant to the Planning Process

The Stage 1 deliverables derived from the Master Plan relate to three main land use elements:

- Commercial development: structural and heritage refurbishment of the goods shed for an exhibition/conference centre; the release of a development site(s) for a potential 4 star hotel; and associated parking.
- Transport and access: a new internal road and associated intersections to cater for hotel and conference centre, loading and future bus access; new commuter car parking areas; kiss and ride; taxi facilities; and pedestrian linkages to the Station buildings.
- Public open space: new public forecourt area and open space areas.
Figure 2: Ballarat Station Precinct Master Plan Stage 1 Elements

The Schematic Design process undertaken during August to October 2015 further refined the Stage 1 development concept. This concept will inform the Planning Strategy and future planning controls for the site.

Figure 3: Ballarat Station Schematic Design - Potential Concept Scenario
4. **Existing Zone Provisions and Overlays**

The Ballarat Station Precinct is currently zoned Public Use Zone – Transport (PUZ4). The purpose of the Public Use Zone is to:

- Implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Recognise public land use for public utility and community services and facilities.
- Provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Section 1 uses not requiring a permit under the PUZ4 zoning include a ‘railway station’, ‘railway’, ‘tramway’ and ‘any other use’ for the purpose of transport carried out by or on behalf of the public land manager. Any other use requires a permit.

![Figure 4: Ballarat Station Precinct - Existing Zoning](image)
Figure 5: Clause 36.01-1 Table of Uses

The complete Public Use Zone (Clause 36.01) is at Appendix A.

The site is listed on the Victorian Heritage Register – VHR HO902 (refer Appendix B) and is covered by the Heritage Overlay Schedule (HO59). This means that an application to Heritage Victoria will be required for the development of the site, negating the need for a planning permit due to the exemptions under the Heritage Overlay (refer Clause 43.01-2 of the Ballarat Planning Scheme).

5. Planning Process Options

The directive for the planning process is to be timely, efficient, embed a degree of flexibility, and provide certainty to all stakeholders and potential private sector developers on the planning framework as early as possible in the process.

5.1 Planning Permit Process Option

The current PUZ4 zoning of the site does not effectively facilitate the full suite of proposed Stage 1 land uses. Although commercial and other non-transport uses can be considered at present under the PUZ4 through a Planning Permit application process (by either the City of Ballarat or Minister for Planning as Responsible Authority), this is not considered the most effective approach for the site.

Section 1 uses not requiring a permit under the PUZ4 zoning include a ‘railway station’, ‘railway’ and ‘any other use’ for the purpose of transport carried out by or on behalf of the public land manager’. Any other use is Section 2 – Permit required, which will include the proposed Stage 1 commercial uses.
The lack of strategic guidance for the site in the Ballarat Planning Scheme, combined with the full suite of standard Planning Scheme controls applying to the application that are not tailored to address site specific considerations, could result in delayed decision making, legal processes and uncertainty for stakeholders.

The permit application will also require a high level of detail that will only be available after the EOI process has concluded and further technical studies have been completed - this will not provide all stakeholders (including surrounding land owners) with certainty on the development framework for the site. A Planning Scheme Amendment (Amendment) process that embeds planning controls and decision guidelines to guide an appropriate development outcome on the site as soon as practicable will be more appropriate.

The Planning Permit process option will not provide any level of certainty in the short term or facilitate a decision making process which builds on the strategic work done to date, allows effective consultation with key stakeholders and manage notice and review requirements.

5.2 Planning Scheme Amendment Process Options

An Amendment to the Ballarat Planning Scheme will provide strategic support and guidance on acceptable land uses for the site (or selected areas of the site) to effectively facilitate Stage 1 works with tailored and appropriate planning controls embedded in the Planning Scheme. An Amendment process can also facilitate effective stakeholder engagement and consultation on the development framework for the site.

5.2.1 Key Considerations for the Planning Scheme Amendment Process

In evaluating the respective Amendment options for Stage 1, the following elements will inform the process:

Planning and Responsible Authority

The Minister for Planning has the authority to authorise preparation of an Amendment. The City of Ballarat can seek authorisation from the Minister to prepare an Amendment unless the Minister for Planning assumes this role. Given the strategic nature of the development and State Government interest, it can be considered reasonable and appropriate for the Minister for Planning to assume the role as Planning Authority for the Amendment. One of the benefits of this outcome could be a shortened decision making process even for a standard Amendment process, as the City of Ballarat will require at least two (possibly three) Council resolutions to manage the Amendment process.

The City of Ballarat is currently the Responsible Authority for the land under the Ballarat Planning Scheme. The Planning Scheme could be amended to make the Minister for Planning the Responsible Authority for the land or parts of it.

Amendment Timing

The lodgement of an Amendment depends on the outcome sought in terms of timing and certainty, related to both the EOI process and development approval process.
An Amendment can be considered concurrent to the EOI process to provide certainty to investors/developers, key stakeholders and the public on the planning controls identified for the site. This is recommended given the existing Master Plan can be used to provide the broader direction for the Amendment and appropriate detailed planning controls can be embedded in the Planning Scheme documentation to guide the permit process. The Amendment could be approved in early 2016 if no consultation is required or mid 2016 if a consultation process is included.

The strategic importance of the site to Ballarat, its residents and regional transport links supports the case for an Amendment process designed to ensure effective consultation and an efficient decision-making process to the benefit of, and to provide certainty to, all stakeholders.

An Amendment can also be commenced after the EOI process has concluded. The implication will be delayed certainty on the planning controls for the site, however the detailed design of the preferred investor/developer can be incorporated into the Planning Scheme documentation. This is not considered the most effective approach to facilitate the development of the site; this approach will only be beneficial if it is anticipated that the site design will substantially deviate from the Master Plan and/or Schematic Design.

Consultation

Public consultation can be conducted in either the Amendment process or the Planning Permit process.

Should public exhibition occur in the Amendment process, the planning provisions can be amended to remove third party notice and appeal processes at the Planning Permit stage, and the Responsible Authority can consider the Planning Permit based on the scheme provisions specifically developed for the site. The Amendment process can be designed to ensure effective and timely stakeholder consultation which will directly support appropriate planning controls for the site that address all relevant elements to be considered. This consultation will also build on the consultation done through the Master Plan process. The Minister for Planning can also make use of appropriate committees or structures to review submissions and inform the planning controls for the site to support timely activation and adaptive re-use of the site.

The Development Plan Overlay and Incorporated Plan Overlay generally remove notice and appeal provisions at Planning Permit stage; however these provisions will be informed through consultation during the Amendment process. Alternatively notice and appeal provisions can be retained if required following assessment in the Amendment process.

The following consultation options exist for the Amendment:

**No Public Exhibition:**

An Amendment is considered under section 20(4) of the Act with no public consultation. This option relies on public consultation and stakeholder engagement conducted during the development of the Master Plan and the Minister being satisfied that all views are known. It
would be appropriate that third party appeal rights be retained in the Planning Permit process.

**Key Stakeholder Consultation:**

Targeted consultation under section 20(5) of the Act before an Amendment is considered under section 20(4) can be done, with comments on the draft Planning Scheme documentation requested from specified stakeholders. Public consultation and stakeholder engagement were conducted during the development of the Master Plan and the Minister may seek comments from key stakeholders only. Third party appeal rights at Planning Permit stage can be exempted given that the planning controls for the site will be specifically designed to manage all relevant planning elements.

The Minister may make use of an Advisory Committee to review submissions and the proposed planning controls for the site.

This approach supports efficient consultation and decision making building on the consultation done to date, providing an appropriate balance of timely activation and adaptive re-use of the site, State Government interests and transparent decision making.

**Standard Public Exhibition:**

A standard Amendment process is undertaken with full public consultation pursuant to section 9 of the Act. Planning provisions can be amended to exempt notice and third party appeal rights during the Planning Permit process.

This approach will ensure effective consultation with all stakeholders, but does not make effective use of the consultation done to date on the Master Plan.

**Holistic Approach or Selected Site Uses**

The focus of this report is the Stage 1 area. The Stage 1 site and respective land uses can be managed as a whole and dealt with in one Amendment process. This will ensure a holistic approach to planning provisions and inter-dependant components (recommended), implementing the broader Master Plan outcomes in an integrated manner.

The alternative is to amend the Planning Scheme for selected land uses (e.g. commercial and public use) only and retain the current zoning and planning provisions for transport related elements already facilitated through the PUZ4.

**Level of Flexibility in Planning Controls**

The level of flexibility desired in the planning controls introduced through the Amendment influence the timing and level of detail of the Amendment. This also determines if/when further consultation will be required and be most beneficial.

If the planning controls need to have a high degree of flexibility, this will support an Amendment deferring consultation (possibly tailored in the DPO/IPO) to the Planning Permit stage.
If the planning controls are more detailed and specific in nature, provide detailed guidance on site development outcomes and remove notice provisions at Planning Permit stage, consultation during the Amendment may be most beneficial to make best use of the Amendment submission process.

**Zones and Overlays**

The current PUZ4 zoning of the site does not effectively facilitate the full suite of proposed Stage 1 land uses. An Amendment can introduce both appropriate zone provisions and a DPO to guide the future development of the site.

Two most relevant options for the future zoning of the site are:

- A Special Use Zone (SUZ) and Development Plan Overlay (DPO) for the entire Stage 1 area; or
- The Commercial 1 Zone (C1Z) for commercial elements and the Public Use Zone (PUZ4) for core transport elements, with a Development Plan Overlay (DPO).

A Development Plan Overlay (DPO) is recommended as an appropriate planning control for the site given its ability to:

- Provide clear strategic guidance on the future development of the site;
- Provide guidelines and requirements for development incorporating relevant planning elements such as heritage, urban design and built form, land use, parking and access, landscaping and adaptive re-use; and
- Manage notice and review rights in the Planning Permit process once consultation has been completed in the Amendment process.

An Incorporated Plan may be required to guide the development site and manage Planning Scheme provisions.

**5.2.2 Proposed Zoning and Overlay Options - Implementation and Benefit Analysis**

The following two planning control options are recommended for consideration:

**Planning Controls for the Stage 1 Site as a whole**

This approach deals with the site as one entity and enables specific land uses in designated areas through tailored planning controls to enable the identified uses. The Planning Scheme provisions will be based broadly on the adopted Master Plan and/or Schematic Design, with specific planning provisions for the site to guide the permit process.

Mechanisms:

- **Special Use Zone (SUZ) and**
- **Development Plan Overlay (DPO) (if not incorporated into SUZ)**
- **Incorporated Document (if required).**

---

1 An Incorporated Document will only be required should a Development Plan Overlay (DPO) not be applied.
Figure 6: Conceptual SUZ and DPO Boundaries - Stage 1

Benefits:
- Holistic approach to the precinct enabling individual land uses, inter-relationships between uses and shared facilities/infrastructure.
- Provides Planning Scheme guidance for both public and commercial elements of the Precinct.
- Planning controls (Incorporated Document and Development Plan) tailored to suit site specific constraints and outcomes.
- Amendment based broadly on Master Plan / Schematic Design derived from Master Plan and done concurrent to the EOI process to provide certainty.
- Planning scheme provisions can be designed to enable staged development.
- Planning scheme provisions can be amended to limit/exempt further public notice and appeal.
Planning scheme provisions can be designed to delay detailed planning requirements to the next planning stage.

Key matters to consider:

- The zone can be tailored to only facilitate the identified uses on the site and exclude any uses (or require permits) for any other use.
- The zone should allow current transport related use and development without a permit (refer PUZ4) to ensure no negative impacts for VicTrack.
- The boundary should include all Stage 1 uses to facilitate an integrated approach, but exclude the core transport uses such as the North Station buildings and core railway areas.

Planning controls for the Commercial elements of the Site only

This approach deals with commercial development and core transport areas as separate entities. The Planning Scheme provisions will be based on the adopted Master Plan and/or Schematic Design, with the existing zoning kept where appropriate.

Mechanisms:

- **Commercial 1 Zone (C1Z) on development sites (hotel and Goods Shed)**
- **Public Use Zone (PUZ4) retained for transport uses and areas outside the proposed commercial zone**
- **Development Plan Overlay (DPO)**
- **Incorporated Document (if required).**

---

2 An Incorporated Document Overlay (will only be required should a Development Plan Overlay (DPO) not be applied.
Figure 7: Conceptual C1Z and DPO Boundaries - Stage 1

Benefits:

- Apply standard commercial zoning to commercial development sites.
- Land used for transport and station uses retain current zoning and planning provisions.
- Planning controls (Incorporated Document and/or Development Plan) tailored to suit site specific constraints and outcomes.
- The Development Plan can assist in an integrated approach to the development of the site for inter-dependant elements.
- Amendment based broadly on Master Plan / Schematic Design derived from Master Plan and done concurrent to the EOI process to provide certainty.
- Planning scheme provisions can be designed to enable staged development.
- Planning scheme provisions can be amended to limit/exempt further public notice and appeal.
- Planning scheme provisions can be tailored to delay detailed planning requirements to the next planning stage.
Key matters to consider:

- The zoning will effectively allow the proposed commercial uses and current transport related uses, however integration and inter-dependant elements (e.g. access, landscaping, design, etc.) needs to be managed through the Development Plan.
- The C1Z zone will allow many uses not envisaged in the Master Plan, either as of right or requiring a permit, if not effectively controlled via a DPO.
- Retention of the PUZ4 should ensure no negative impacts for VicTrack, however a Development Plan will be required for the Stage 1 area.
- The boundary of the C1Z should include all Stage 1 commercial uses only.
- The boundary of the DPO should cover the Stage 1 area.

6. Key Planning Practice Notes and State Government Committees

6.1 Planning Practice Notes

A number of planning practice notes are relevant and need to be considered in determining the appropriate planning process options and provisions for the site. The practice notes discussed below are considered key guiding documents, although all applicable practice notes need to be considered in the drafting of the planning documentation.

PPN02: Public Land Zones

The site is currently zoned Public Use Zone (PUZ4) which is part of a group ‘public land zones’ in the Victoria Planning Provisions. Public land zones “are intended to set out appropriate statutory requirements which apply to the use and development of the land in addition to the relevant land management legislation”.

A public land zone is generally applied to public land where the surrounding zoning is inappropriate or where there is a special reason to separately identify the public land for planning purposes, and where land management arrangements apply under legislation other than the Planning and Environment Act 1987.

The Public Use Zone exempts a public land manager from requiring permits for uses under its relevant legislation. However, this provision does not provide “a public land manager to have a blanket exemption within the zone to the extent that it could consent to any use or development by another party and have that use or development also automatically exempt from planning control”.

“The words by or on behalf of should be interpreted with regard to the particular statutory charter of the public land manager under its governing legislation and indicate that the use or development must be undertaken by the public land manager itself or by some other person or entity having a direct representative interest or relationship with the public land manager”.

The transport related use and development of the site could be done without the need of a planning permit under the current PUZ4. The proposed commercial uses of the site does not fall within the
provisions of the practice note and will require either a planning permit under the current PUZ4, or an Amendment to rezone the site to an appropriate zone and/or apply site specific planning controls.

**PPN03: Applying the Special Use Zone**

The Special Use Zone (SUZ) is identified as one of the potential zoning options for the site, therefore PPN03 needs to be considered.

The principles for considering the SUZ are:

- The complexity of planning requirements is reduced by keeping the number of zones used to a minimum.
- Planning scheme maps identify the statutory requirements which apply to land, not the particular land uses which happen to exist there.
- Detailed and complex site specific zones are discouraged in preference for clear policy guidelines as the primary tool for decision making on planning matters.
- The planning permit should be the principal method for land use or development approval.

The complex nature of the site and proposed uses (including significant heritage elements; transport, public and commercial uses), the strategic location of the site between various zone boundaries, combined with inter-relationships between proposed Stage 1 uses, qualifies the site for the application of the SUZ.

The SUZ in the Ballarat Station’s instance can:

- Reduce the complexity of planning requirements into one tailored set of provisions
- Establish a clear policy guideline and primary tool for decision making
- Use the Planning Permit as principal method of approval
- Give effect to the desired objectives and requirements for the precinct.

The SUZ has recently been used successfully in the Ballarat Planning Scheme for significant development precincts, including the Ballarat West Employment Zone (SUZ14). The current Amendment C185 - Ballarat Saleyard propose a SUZ15 which incorporates development plan requirements in lieu of a Development Plan Overlay, which has received support from the Panel.

The SUZ in this instance can be designed to effectively manage the proposed uses, outline the requirements of the development plan for the site, and manage third party notice and referral requirements. The SUZ would be used in conjunction with an Incorporated Document based broadly on the Master Plan for the precinct.

It must be noted that PPN03 does recommend using the SUZ to “give effect to master plans for uses such as schools or hospitals”. The Incorporated Plan Overlay (IPO) or Development Plan Overlay (DPO) are listed as appropriate tools to encourage master planning and provide exemptions from third party notice and review of permit applications which are generally consistent with approved development or incorporated plans.
The use of only the Incorporated Plan Overlay (IPO) and/or Development Plan Overlay (DPO) for the site is also an option being considered, however for a master planned site with the complexity and range of uses such as the Ballarat Station Precinct (as opposed to a single use site such as a school), the SUZ may still be considered as appropriate planning mechanism, subject to consultation with State Government and City of Ballarat.

**PPN23: Applying Incorporated Plan and Development Plan Overlays**

This practice note clearly outlines the appropriate use of both the Incorporated Plan Overlay (IPO) and Development Plan Overlay (DPO).

Both the IPO and DPO can be applied as stand-alone controls under a zone, be applied simultaneously or be combined with a tailored SUZ.

Applying the IPO and/or the DPO to the site is recommended to enable both use and development of the land, and manage notice and review requirements at the planning permit stage.

The extent to which these overlays can be used to fast-track development on the site depends on how they align/incorporate the Master Plan and/or Schematic Design for the precinct.

**PPN29: Ministerial Powers of Intervention**

PPN29 outlines the circumstances in which the Minister will consider exercising powers of intervention and the principles that will apply. Under the Planning and Environment Act 1987 the Minister has the power to:

- amend a planning scheme, with exemption from notice requirements, or to expedite an amendment to a planning scheme, under section 20(4) of the Act
- expedite an amendment to a planning scheme under section 185A of the Act
- call-in a planning permit application yet to be decided by a responsible authority under sections 97B of the Act
- call-in a matter before the Victorian Civil and Administrative Tribunal under clause 58 of Schedule 1 of the Victorian Civil and Administrative Tribunal Act 1998
- call-in recommendations for registration and permit appeals before the Heritage Council or the Victorian Civil and Administrative Tribunal under sections 43 and 78(1)(a) and (2) of the Heritage Act 1995.

The Minister will seek to consult the relevant planning authority or responsible authority, where it would otherwise have a decision-making role in relation to the matter; in this case the City of Ballarat.

While all the circumstances in which intervention may be considered cannot be prescribed, the following criteria will usually be relevant:

1. The matter will be one of genuine State or regional significance. Such situations may include, for example, those:
   - where the determination of the application may have a substantial effect on achievement or development of State or regional planning or heritage objectives;
• which raise a major issue of State or regional policy or public interest such as the implementation of Melbourne 2030 objectives;
• which could have significant effects beyond their immediate locality.

2. The matter will give effect to an outcome where the issues have been reasonably considered and the views of affected parties are known.

3. The matter will be the introduction of an interim provision or requirement and substantially the same provision or requirement is also subject to a separate process of review (such as the introduction of permanent controls in a planning scheme).

4. The matter will raise issues of fairness or public interest, where:
   • the mechanisms of the planning process have created a situation that is unjust, unreasonably causes hardship or is clearly in error;
   • anomalous provisions apply and the valid intent is clearly evident or simple inconsequential correction is required;
   • there is a need for urgency and the public interest would be served by immediate action;
   • the matter is unlikely to be reasonably resolved by the processes normally available.

5. The matter requires co-ordination to facilitate decision-making by more than one agency.

The Ballarat Station Precinct Stage 1 development is considered to meet the criteria for using these powers, given the precinct can be considered of genuine State or regional significance where the determination of the application may have a substantial effect on achievement or development of State or regional planning or heritage objectives and which raise a major issue of State or regional policy or public interest.

PPN30: Potentially Contaminated Land

PPN30 Provides guidance on:

• how to identify if land is potentially contaminated;
• the appropriate level of assessment of contamination for a planning scheme amendment or planning permit application;
• appropriate conditions on planning permits; and
• circumstances where the Environmental Audit Overlay should be applied or removed.

The historic and current use of the site as a railway station may require soil management which can be addressed through planning provisions; either an Environmental Audit Overlay (AEO) or specific provisions in the Development Plan Overlay (DPO).

6.2 Ministerial Advisory Committee

The Minister for Planning can appoint an Advisory Committee pursuant to Part 7, Section 151 of the Planning and Environment Act 1987.
An Advisory Committee can be established to consider a specific proposal or particular development of a site. A number of Standing Advisory Committees currently exists, including the Government Land Standing Advisory Committee, which provides advice to the Minister for Planning on future planning provisions for Government land.

Given the state significance of the Ballarat Station Precinct and the significant transport and Government interests on the site, the Minister can consider utilising an Advisory Committee to consider appropriate planning controls to facilitate the redevelopment of the site.
### 7. Outline of Respective Planning Scheme Amendment Processes

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<th>Responsible Authority</th>
<th>Entire Stage 1 Site</th>
<th>Public Exhibition</th>
<th>Zone(s)</th>
<th>Development Plan Overlay</th>
<th>Incorporated Document</th>
<th>Exempt Notice and Appeal Provisions at Planning Permit Stage</th>
<th>PSA Timeframe (approx.)</th>
<th>Key Elements</th>
<th>Concurrent to EOI Process</th>
<th>Key Benefits &amp; Risks</th>
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<td>Minister for Planning</td>
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<td>SUZ OR C1Z &amp; PUZ</td>
<td>Yes</td>
<td>Yes (if required)</td>
<td>Yes (optional non-statutory exhibition still possible)</td>
<td>6-8 Months</td>
<td>Makes provision for minor variation from Master Plan through DPO/IPO once EOI concluded</td>
<td>Yes</td>
<td>+Timely consideration of Amendment with transparent process +Early certainty on planning controls through Amendment (Advisory Committee can recommend appropriate controls) +Provides guidance to EOI/RFP whilst embedding flexibility to accommodate EOU/FIP outcomes +Targeted consultation building on Master Plan consultation process negating notice and appeal at Planning Permit stage</td>
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<td>Makes provision for minor variation from Master Plan through DPO/IPO once EOI/RFP concluded</td>
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<td></td>
<td>Consultation in Amendment replacing Planning Permit notice and appeal provisions</td>
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<td></td>
<td>City of Ballarat support for Minister as Planning &amp; Responsible Authority and 2014 process required</td>
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<td>Targeted consultation building on Master Plan process</td>
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<td></td>
<td>Enables Advisory Committee consideration of multiple planning control options and submissions</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3 DPO will not be required if incorporated into SUZ provisions.
<table>
<thead>
<tr>
<th>Option for Discussion</th>
<th>Responsible Authority</th>
<th>Entire Stage 1 Site</th>
<th>Public Exhibition</th>
<th>Zone(s)</th>
<th>Development Plan Overlay</th>
<th>Incorporated Document</th>
<th>Exempt Notice and Appeal Provisions at Planning Permit Stage</th>
<th>PSA Timeframe (approx.)</th>
<th>Key Elements</th>
<th>Concurrent to EOI Process</th>
<th>Key Benefits &amp; Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Option C</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>+ Targeted consultation building on Master Plan consultation process negating notice and appeal at Planning Permit stage</td>
</tr>
<tr>
<td>Standard Ministerial Amendment</td>
<td>Minister for Planning</td>
<td>Yes</td>
<td>Yes</td>
<td>SUZ</td>
<td>Yes (if required)</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Timing of consultation (possible 6 weeks delay due to December/January holiday period)</td>
</tr>
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<td></td>
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<td></td>
<td>Or C1Z &amp; PUZ4</td>
<td></td>
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<td></td>
<td>- Advisory Committee may not support PSA</td>
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<td></td>
<td>- Focus only on commercial uses and fragmented implementation of the master plan</td>
</tr>
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<td></td>
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<td></td>
<td>• Enables Advisory Committee consideration of multiple planning control options and submissions</td>
<td></td>
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<tr>
<td><strong>Option D</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>• Makes provision for minor variation from Master Plan through DPO/IPO once EOI concluded</td>
<td></td>
<td></td>
<td></td>
<td>+ Consideration of Amendment with transparent process</td>
</tr>
<tr>
<td>Standard City of Ballarat Amendment</td>
<td>City of Ballarat</td>
<td>Yes</td>
<td>Yes</td>
<td>SUZ</td>
<td>Yes (if required)</td>
<td>Yes</td>
<td>• Consultation in Amendment negating Planning Permit notice and appeal provisions</td>
<td></td>
<td></td>
<td></td>
<td>+ Medium term certainty on planning controls through Amendment</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Or C1Z &amp; PUZ4</td>
<td></td>
<td></td>
<td>• City of Ballarat support for Minister as Planning &amp; Responsible Authority</td>
<td></td>
<td></td>
<td></td>
<td>+ Standard consultation process replacing notice and appeal at Planning Permit stage</td>
</tr>
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<td></td>
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<td></td>
<td></td>
<td>• Makes provision for minor variation from Master Plan through DPO/IPO once EOI concluded</td>
<td></td>
<td></td>
<td></td>
<td>- Timing of consultation (likely to only commence consultation in early 2016)</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>• Consultation in Amendment negating Planning Permit notice and appeal provisions</td>
<td></td>
<td></td>
<td></td>
<td>- Planning Panel may not support PSA</td>
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<td></td>
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<td></td>
<td></td>
<td>• Requires standard Council decision making processes (possibly 3 Council Resolutions)</td>
<td></td>
<td></td>
<td></td>
<td>- Slower to achieve certainty as to final planning controls</td>
</tr>
</tbody>
</table>

4 Dependant on whether a Panel process is required.
<table>
<thead>
<tr>
<th>Option for Discussion</th>
<th>Responsible Authority</th>
<th>Entire Stage 1 Site</th>
<th>Public Exhibition</th>
<th>Zone(s)</th>
<th>Development Plan Overlay ¹</th>
<th>Incorporated Document</th>
<th>Exempt Notice and Appeal Provisions at Planning Permit Stage</th>
<th>PSA Timeframe (approx.)</th>
<th>Key Elements</th>
<th>Concurrent to EOI Process</th>
<th>Key Benefits &amp; Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Option E</strong></td>
<td>Minister for Planning</td>
<td>No</td>
<td>No</td>
<td>C1Z</td>
<td>Yes</td>
<td>Yes (if required)</td>
<td>Yes (but maybe controversial)</td>
<td>3-4 Months</td>
<td>• Fast-tracked Amendment with no consultation&lt;br&gt;• Makes provision for minor variation from Master Plan through DPO/IPO once EOI concluded&lt;br&gt;• City of Ballarat support for Minister as Planning &amp; Responsible Authority and 20(4) process required</td>
<td>Yes</td>
<td>- Timing of consultation (likely to only commence consultation in Feb-March 2016)&lt;br&gt;- Planning Panel may not support PSA&lt;br&gt;- Slower to achieve certainty as to final planning controls</td>
</tr>
<tr>
<td><strong>Option F</strong></td>
<td>Minister for Planning</td>
<td>No</td>
<td>No</td>
<td>C1Z &amp; PUZ4</td>
<td>Yes</td>
<td>Yes (if required)</td>
<td>Yes (but maybe controversial)</td>
<td>3-4 Months (post EOI and RFP process)</td>
<td>• Fast-tracked Amendment with no consultation&lt;br&gt;• Based on details of the EOI development proposal&lt;br&gt;• Makes provision for directly applying the EOI &amp; RFP design outcome&lt;br&gt;• City of Ballarat support for Minister as Planning &amp; Responsible Authority and 20(4) process required</td>
<td>No</td>
<td>- Detailed planning controls informed by EOI and RFP&lt;br&gt;- Takes full advantage of Master Plan consultation done&lt;br&gt;- No consultation and exempts notice and appeal at Planning permit stage, which can build distrust with stakeholders due to lack of transparency on planning controls&lt;br&gt;- Fragmented approach to Master Plan implementation&lt;br&gt;- Delayed certainty on planning controls</td>
</tr>
</tbody>
</table>
8. **Recommended Planning Strategy**

The factors considered in determining the preferred planning strategy for delivery of the Ballarat Station Precinct Stage 1 are:

- The key outcomes sought in terms of use and development over the short and medium term
- Level of reliance on the Master Plan and associated consultation completed
- Current planning provisions for the site
- Current State planning policy and best-practice planning approach
- Time critical outcomes sought concurrent and post the EOI and RFP processes
- Level and timing of consultation required to support re-use and development of the site
- The role of Responsible Authority
- The Minister for Planning's ability to expedite the process
- Effective use of State Government Advisory Committees and/or Panels
- Holistic approach the site or focus on selected uses
- Degree of flexibility sought post the EOI and RFP processes.

The following directives are considered appropriate to inform the recommended planning strategy:

- An Amendment to the Ballarat Planning Scheme is required to apply the appropriate zone and overlay controls to the site. An Amendment should be commenced as soon as practicable to support timely engagement and consultation, and provide certainty to all stakeholders.

- Applying a tailored Special Use Zone (SUZ) to the site with a Development Plan requirement and Incorporated Document. A draft SUZ with Development Plan incorporated is attached at Appendix C as example of how the SUZ would guide the development of the site. The SUZ should respect current transport use and development rights under the PUZ4.

  Alternatively applying the Commercial 1 Zone (C1Z) to the commercial elements to the site, retaining Public Use Zone (PUZ4) for transport elements, and applying a Development Plan Overlay (DPO) to the site. It should be noted that the C1Z may enable other uses not envisaged in the Master Plan if not controlled effectively via a DPO.

The planning controls introduced will be robust in ensuring appropriate development outcomes for the site taking into consideration planning elements such as heritage, built form, parking and access, landscaping and interfaces. This will also facilitate effective decision making and Planning Permit process. At the same time it allows for a level of flexibility (e.g. generally in accordance with the Development Plan) for the final design and development once more detailed design and supportive information is available.

- An Amendment pursuant to Section 20(4) of the Act to ensure efficiencies in terms of timing, costs and decision making. This approach is informed by the consultation done to date, the State Significance of the precinct and the potential to activate the precinct to the benefit of Ballarat and the region. This will require the Minister for Planning to take on the role as Planning and Responsible Authority.
- Focussed consultation pursuant to Section 20(5) of the Act with key stakeholders to ensure a transparent decision making process, building on the consultation done to date. This will inform appropriate planning controls for the site as soon as practicable taking into account all relevant planning elements and stakeholder views.

An Advisory Committee would be the most effective mechanism to consider submissions and provide direction on the appropriate planning controls for the site.

This approach ensures effective and timely stakeholder consultation whilst supporting the removal of notice and appeal rights at Planning Permit stage.

From the range of options and approaches identified and presented for consideration, the following two options are recommended:

<table>
<thead>
<tr>
<th>KEY PRIORITY</th>
<th>RECOMMENDED OPTION</th>
</tr>
</thead>
</table>
| - Focus on all Stage 1 elements (holistic approach).  
- Embed strategic support and tailored planning provisions for Stage 1 in the Ballarat Planning Scheme to provide certainty in the short term, and remove notice and appeal provisions from the Planning Permit process.  
- Amendment Process with Minister for Planning as Planning Authority and Responsible Authority, and targeted consultation (potentially supported by Advisory Committee). | Option A  
Ministerial Amendment with targeted consultation – Entire site |
| - Focus on Commercial Use components only.  
- Embed strategic support and tailored planning provisions for Stage 1 in the Ballarat Planning Scheme to provide certainty in the short term, and remove notice and appeal provisions from the Planning Permit process.  
- Amendment Process with Minister for Planning as Planning Authority and Responsible Authority, and targeted consultation (potentially supported by Advisory Committee). | Option B  
Ministerial Amendment with targeted consultation – Commercial land only |
Summary and Recommendations

The recommended planning strategy is to rezone the site (or portions thereof) and apply appropriate site specific planning controls through a Planning Scheme Amendment process. A Planning Permit is not considered an appropriate planning process for the site inter alia due to the lack of strategic guidance for the site in the Ballarat Planning Scheme.

The recommended zone for the site is the Special Use Zone (SUZ), or a combination of the Commercial 1 Zone (C1Z) and Public Use Zone (PUZ). It is also recommended to apply the Development Plan Overlay (DPO) to the site to guide the appropriate development of the land in terms of heritage, access, landscaping, adaptive re-use and land use considerations. The DPO will also effectively manage appeal and notice provisions for the Planning Permit stage.

The Minister for Planning could take on the role of Planning Authority and Responsible Authority to enable an Amendment process for this State significant project, in accordance with Section 20(4) of the Act. A focussed consultation process under Section 20(5), combined with an Advisory Committee to consider any submission and advise on the most appropriate planning controls for the site, will ensure a transparent and timely decision making process.

From the range of options and approaches identified and presented for consideration, the following two options are recommended:

<table>
<thead>
<tr>
<th>KEY PRIORITY</th>
<th>RECOMMENDED OPTION</th>
</tr>
</thead>
</table>
| - Focus on all Stage 1 elements (holistic approach).  
- Embed strategic support and tailored planning provisions for Stage 1 in the Ballarat Planning Scheme to provide certainty in the short term, and remove notice and appeal provisions from the Planning Permit process.  
- Amendment Process with Minister for Planning as Planning Authority and Responsible Authority, and targeted consultation (potentially supported by Advisory Committee). | Option A  
Ministerial Amendment with targeted consultation – Entire site |
| - Focus on Commercial Use components only.  
- Embed strategic support and tailored planning provisions for Stage 1 in the Ballarat Planning Scheme to provide certainty in the short term, and remove notice and appeal provisions from the Planning Permit process.  
- Amendment Process with Minister for Planning as Planning Authority and Responsible Authority, and targeted consultation (potentially supported by Advisory Committee). | Option B  
Ministerial Amendment with targeted consultation – Commercial land only |
Reference Documents

Ballarat Planning Scheme

Ballarat Station Precinct Master Plan April 2014

Ballarat Station Precinct Schematic Design (Revision 10)

Ballarat Station Precinct Master Plan Appendix 5 Engagement Record

Email Correspondence from Invest Assist

Planning and Environment Act 1987

Planning Practice Note PPN02: Public Land Zones

Planning Practice Note PPN03: Applying the Special Use Zone

Planning Practice Note PPN010: Writing Schedules

Planning Practice Note PPN13: Incorporated and Reference Documents

Planning Practice Note PPN23: Applying Incorporated Plan and Development Plan Overlays

Planning Practice Note PPN29: Ministerial Powers of Intervention

Planning Practice Note PPN30: Potentially Contaminated Land
## Appendix A - Public Use Zone (PUZ4)

### 36.01

**PUBLIC USE ZONE**

Shown on the planning scheme map as **PUZ** with a number.

**Purpose**

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

### 36.01-1

**Table of uses**

<table>
<thead>
<tr>
<th>Section 1 - Permit not required</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Use</strong></td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 2 - Permit required</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Use</strong></td>
<td></td>
</tr>
</tbody>
</table>

| Section 3 - Prohibited         |           |
| **Use**                        | Nil       |

### 36.01-2

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.
36.01-3 Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.01-4 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.01-5 Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

36.01-6 Table of public land use

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

36.01-7 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
Note:  Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.
Appendix B - Victorian Heritage Register (VHR HO902)
Location:
140 LYDIARD STREET NORTH BALLARAT CENTRAL and 202 LYDIARD STREET NORTH and NOLAN STREET SOLDIERS HILL and SCOTT PARADE and 60 CORBETT STREET BALLARAT EAST and 75 HUMFFRAY STREET NORTH BAKERY HILL, BALLARAT CITY

Heritage Status / Level of Significance:
Registered

Victorian Heritage Register (VHR) Number: H0902
Listing Authority: VHR

Heritage Overlay Number: HO59

Statement of Significance:
The Ballarat Station Complex is of historical, architectural, social and technological significance at State level.

Its historical significance arises from considerations of the following factors:

* Together with the Sandhurst (Bendigo) line, the Geelong-Ballarat railway was the first of the colonial government’s main trunk lines, opened in 1862, and built to the best British standards of construction. These standards were never to be repeated. Most of the present complex dates from this period. Ballarat is the largest complex to have been built at this time.

* The Government’s decision to build one of its first trunk lines to Ballarat recalls the great importance of a Ballarat and East Ballarat as an economic centre in the colony and the largest mining centre of the world famous Victorian central goldfields. The entire complex is expressive of this decision arising from Ballarat’s economic importance.

* The railway acted as a catalyst for the development and redevelopment of Lydiard Street North throughout the nineteenth century. Given Lydiard Street North’s national importance as a thoroughfare founded on wealth produced through gold mining activity, as indeed the important economic social and political role Ballarat played in the State’s development because of this gold-based wealth the station complex plays a crucial role in the interpretation of the fabric of this street.

* Ballarat Station was the colony’s busiest non-metropolitan station for a period during the nineteenth century, its pre-eminence only being surpassed at different times by Echuca and Geelong. The entire complex is expressive of this fact.

* The construction and development of the Ballarat station site recalls the roles of the following senior officers of the Victorian Railways Department:
  George Darbyshire, Engineer-in-Chief (1856-1860).
  Thomas Higginbotham, Engineer-in-Chief (1860-1878).
  Patrick Brady, Senior Architectural and Mechanical Draughtsman (1857-1867 and possibly later).

These men are likely to have had responsibility for the development of the complex during the first decade. George W Sims, Chief Draughtsman (c. 1878-?) had responsibility for the 1888 additions as well as the signal boxes (buildings only).

JW Hardy, Chief Architect of the Way and Works Branch (1908-1918) had responsibility for the additions to “A” Box, based closely on a design developed under Sims.

With the exception of Hardy, whose involvement was minor, the Ballarat complex was a major example of the work of these senior officers.

The architectural significance of the complex is born out by the following information:

* Together with Maryborough, Albury (NSW), Port Pirie (SA) and Brisbane Central (Qld), Ballarat is the only nineteenth century station built at the national level to have a prominent clock tower.
Together with Geelong and Normanton (Qld), Ballarat is the only surviving nineteenth century station building now retaining a substantial and imposing train hall. It is representative of others, now demolished including Adelaide, Port Adelaide and Erinsdale Central.

The train hall and clock tower symbolise Ballarat’s importance as a provincial city and simultaneously recalls the status of rail travel in the Victorian age.

In Victoria, Ballarat compares in size with Geelong and Bendigo and in layout to the extent that it has an approach road surrounded by passenger and freight handling buildings. Given the destruction of Bendigo by fire and the pending demolition of the Geelong goods shed, Ballarat’s intact state will be unique in this respect, recalling the planning principles of early British terminal stations.

The Goods Shed compares closely with Ballarat East and to a lesser extent with Little River, Riddells Creek, Malsbury and Kyneton. It is the largest bluestone goods shed in Victoria.

The former Engine Shed compares with Bendigo and Echuca but is the only example of this 1860s design to be erected in bluestone.

The Carrier’s Office recalls other timber offices in Ballarat, now demolished, and offers insights into nineteenth century freight handling methods. It is unique at the State level at least for its flamboyant design.

The social significance of the complex arises not only from its use as a point of arrival and departure on journeys undertaken prior to and following the advent of the motor car but also from the nature of the trips. Ballarat Station was used by race patrons for five racecourses in the district and special trains were run at holiday times to Burringumber Park and to the Lal Lal Falls. Special timetables applied during recognised holiday periods and the station was for a period the focus for local passenger services to Skipton, Waubra, Buninyong and Daylesford. Its existence gave rise to the construction for the “Provincial” Hotel, Reids Coffee Palace and “Victoria House,” and it was approximately three quarters of a century a transfer point for rail and tramway passengers.

The technological significance of the complex hinges on the survival of bull head rail in the former carriage shed, the evidence of the removed locomotive traversers in the engine shed, and the signal boxes. The bull head rail, secured to the sleepers with wooden keys, was superseded by 1873 and recalls traditional British railway practice and the comparatively small locomotives, in use at that time.

The signal boxes recall late nineteenth century safe working practices. Today, Ballarat retains the largest surviving interlocked installation in the state. The Winters block telegraph instruments are now rare and the sector gates similarly depleted, comparing only with Ballarat East, Ballarat C & D, Kyneton in country areas. The modified type 6 frame in Ballarat “B” Box is unique at the State level and compares with type 6 frames elsewhere. They were once commonplace.

The Signal Gantries postdate construction of the 1888 additions. They compare with the gantries which existed at Bendigo and Flinders Street Station, now demolished, and have significance as the largest surviving installations of its type to be fitted exclusively with somersault signals. They form an essential component in the interpretation of the role of “B” Box, but they did not exist for the first fifty years in the life of the early station buildings.

<table>
<thead>
<tr>
<th>Heritage Study / Consultant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Date Range</td>
</tr>
<tr>
<td>Architect / Designer</td>
</tr>
<tr>
<td>Municipality</td>
</tr>
<tr>
<td>Other names</td>
</tr>
<tr>
<td>------------------</td>
</tr>
<tr>
<td>Hermes number</td>
</tr>
<tr>
<td>Property number</td>
</tr>
</tbody>
</table>

This place/object may also be State heritage listed. Check the Victorian Heritage Database. For further details, contact the local Council or go to Planning Schemes Online.
## Appendix C - Special Use Zone for the Ballarat Station Precinct (Conceptual Draft Only)

**Ballarat Planning Scheme**

### SCHEDULE 16 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ16.

**Ballarat Railway Station Precinct**

**Purpose**

To facilitate station renewal and multi-use development that encourage investment within the precinct, including the adaptive re-use of the Goods Shed.

To provide for the use and development of the land as a regional transport gateway and mixed-use precinct, as shown on the Ballarat Station Precinct Master Plan 2014.

To provide for the use and development of the land in accordance with an approved Development Plan.

### 1.0 Table of uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus terminal</td>
<td></td>
</tr>
<tr>
<td>Car Park</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Cinema</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Hotel</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Market</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be in accordance with an approved Development Plan.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience restaurant</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td></td>
</tr>
</tbody>
</table>
2.0  

Use of land

The use of the land for the Ballarat Station Precinct may include a hotel/motel, conference centre, car parking and transport hub.

The use of land must be in accordance with a Development Plan approved under this Schedule.

Requirement for Development Plan

A development plan must be prepared to the satisfaction of the responsible authority. Only one development plan may be approved for the entire area covered by this Schedule. The development plan must be generally in accordance with the plan in Section 5 of this Schedule and must include the following documents, reports, guidelines and plans to the satisfaction of the responsible authority:

Urban Design, Heritage, Planning and Landscaping

An Urban Design, Heritage, Planning and Landscaping Report that includes:

- An analysis of the site and surrounding land uses and development in the area, including topography, existing features, title boundaries, services, views into and out of the site, built features, landscape features, open space, adjoining roads, bike paths, pedestrian access and public transport routes.
- The location and a description of all proposed land uses including but not restricted to roads, parking and public open space.
- A development strategy, indicating the preferred staging of the development of the site.
- Retention and adaptive re-use of the Goods Shed as convention centre.
- Best practice Environmentally Sustainable Design principles for buildings, landscaping, internal environments, and construction practices.
- A demonstrated response to the following built form design principles for the precinct:
  - Maintain the visually open spatial quality of the area between the Goods Shed, north station building and the Lydiard Street boundary area by not introducing new buildings or structures, except modest, low scale and lightweight weather protection structures which are set off from the heritage building’s facades.
  - The original entrance elevation of the north station building should remain unobstructed.
  - Car parking directly abutting the walls of the Goods Shed should be avoided.
BALLARAT PLANNING SCHEME

- Where possible, utilise the layout and arrangement of new internal roads to frame views of the heritage buildings, such as the north station building or east end of the Goods Shed; and respond to the long north elevation/alignment of the Goods Shed.
- A new hotel building to the northwest of the Goods Shed should be detached from the shed to retain some visibility of the gabled elevation of the shed. Alternatively a lightweight linking structure to the northwest end of the Goods Shed could be introduced to the central gabled bay to connect with the (set off) hotel building.
- Siting of the hotel building should minimise impacts on views of the Goods Shed from Lydiard Street. A building which sits in line with the long elevations of the shed, with a narrow rather than a spreading form and massing to Lydiard Street, will enable retention of views of the Goods Shed side elevations.
- To ensure existing views of the Goods Shed are maintained from Lydiard Street in this area, the hotel car park should be no higher than the grade of Lydiard Street.
- Concentrating the massing of the hotel building to assist in limiting impacts on views of the south station tower from the north-west.
- Maintain important views and vistas within the Ballarat CBD including skyline views of spires and towers and the Yarrowee escarpment.

- A landscaping plan of the public open space that considers the heritage and cultural values of the precinct and the need for interpretation of those values within public open space areas. This includes a demonstrated response to the following landscape design principles:
  - Creation of a public plaza/forecourt maintaining the visually open spatial quality of the area between the Goods Shed, north station building and the Lydiard Street boundary area.
  - Maintain the industrial-working nature of the site in the hard and soft landscaping with contemporary materials which draw on and complement the existing palette of materials of the station complex. Retention and re-use of historic materials of the site is strongly encouraged.
  - Interpret the former uses of the Goods Shed as point of exchange between rail and horse & carriage in the design of the forecourt/plaza.
  - Utilise landscaping to soften the appearance of the car parking areas that respect the visually open spatial quality of the site. The creation of strong rows of trees with columnar form, responding to Goods Shed doorway locations, are encouraged in car parking areas.
  - A pedestrian connection linking Lydiard Street North and the frontages of the building/s in the commercial use area with the public open space and transport functions of the precinct.

Movement and Access

A Movement Network Plan which provides the following details:

- The likely traffic impacts of the proposed development and any mitigation measures required.
- Road layout, road widths and reserves, and site access.
- Loading arrangements for commercial uses.
- The design of footpaths, bicycle paths, and shared pathway networks.
- Internal and external intersections, performance and treatments.
- Traffic management measures and signalisation.
- Details of proposed car parking arrangements on street and off street.
Drainage

A Drainage Report which provides the following details:

- A Flood Study Hydraulic Analysis prepared by a suitably qualified and experienced engineer. The plans are to include the extent of flooding in a 1% AEP (1:100 year) flood event for pre-development and post-development conditions.
- The collection, treatment and disposal of stormwater runoff that reflects best practice.
- The design of overflow paths for a 1 in 100 year flood event.
- Identifies measures to improve stormwater quality before it is discharged downstream, including details of design to ensure that floating debris is removed, such as the installation of litter and gross pollutant traps to the satisfaction of the responsible authority.
- Construction procedures and practices to ensure there is no unreasonable off-site impact to stormwater quality during the construction phase.

3.0 Subdivision

A permit is required to subdivide land.

4.0 Buildings and works

A permit is not required to construct or carry out buildings or works associated with a use in Section 1 of Clause 1.0 of this Schedule.

A permit is required to construct or carry out buildings or works associated with a use outlined in Section 2 of Clause 1.0 of this Schedule.

5.0 Application requirements

An application for a use of land in Section 2 of Clause 1.0 of this Schedule or an application to construct a building or construct or carry out works associated with a use outlined in Section 2 of Clause 1.0 of this Schedule must not prejudice the implementation of the use and development described in any approved development and be accompanied by the following information, as appropriate:

A plan drawn to scale which shows:

- The boundaries and dimensions of the land.
- The location, height and purpose of buildings and works on adjoining land.
- Relevant ground levels.
- The layout of existing and proposed buildings and works.
- All existing and proposed driveway, car parking and loading areas.
- Proposed and existing landscape areas.
- All external storage and waste treatment areas.
- Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- Any other matters as required by the responsible authority
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining and maintaining the landscape area.
6.0 Decision Guidelines

Before deciding on an application for a use outlined in Section 2 of Clause 1.0 of the Schedule or to develop or subdivide the land, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The approved Development Plan for the land and whether the application would prejudice the implementation of that plan.
- The cumulative impact on amenity of the proposed use or development having regard to the use and development approved under the Development Plan.
- The interface with adjoining land.
- The drainage of the land.
- Parking and site access.
- The effect of traffic to be generated on roads.
- Loading and service areas.
- The storage of rubbish and materials for recycling.
- Landscape treatment.
- Lighting.

7.0 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 1.

8.0 Reference Documents

SJB: Ballarat Station Precinct Master Plan April 2014
BALLARAT PLANNING SCHEME

9.0 Concept Plan

BALLARAT STATION PRECINCT CONCEPT DEVELOPMENT PLAN

[Diagram of Ballarat Station Precinct Concept Development Plan]
Ballarat Station Precinct