

PLANNING PERMIT APPLICATION REPORT

**1 Lake Wendouree Foreshore, Lake Wendouree
(Wendouree Ballarat Rowing Club)
Alterations and Additions to Existing Rowing Club**

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1 Summary

Proposal	Alterations and Additions to Existing Rowing Club
Location	1 Lake Wendouree Foreshore, Lake Wendouree (Wendouree Ballarat Rowing Club)
Applicant	Kaufmann Property Consultants
Zone	Public Park and Recreation Zone (PPRZ)
Overlay	Heritage Overlay (HO163)
Existing Use	Rowing Club

2 Introduction

This planning report supports an application to undertake alterations and additions to the existing Wendouree Ballarat Rowing Club.

The proposed development include a renovation of the existing rowing club building and an extension to both the ground floor and first floor of the building. The proposed works are reflective of the club's success and contribution to the community and will provide for a far superior facility for its users. Following the completion of the works, the club building will continue to be both a physical icon on Lake Wendouree and an important community asset.

The purpose of the report is to:

- Explain the proposal.
- Provide a written response to the planning permit triggers and explain how the proposal meets the purpose statement and relevant decision guidelines identified in the Ballarat Planning Scheme.
- Provide an assessment of the proposal against the State and Local Planning Policy Framework as relevant to this application.

One of the key considerations is the proposals response to the Heritage Overlay. It is submitted that the proposal does not impact on the heritage place given its sympathetic design and minimal impact on original fabric. It is therefore recommended that a Planning Permit be issued

3 Site and Location Description

3.1 The Site

The site is located on the Lake Wendouree foreshore, between Exeter Street and Mill Street. The site is currently utilised by the Wendouree Ballarat Rowing Club as a clubhouse/function centre.

The site is zoned PPRZ (Public Park and Recreation Zone) and has a Heritage Overlay. The site is identified as being in the 'Lake Wendouree Heritage Precinct' as identified in the '*Ballarat Heritage Precincts – Statements of Significance (2006)*'.

The existing building is two storeys with an approximate ground floor area of 489m² and an approximate first floor area of 102m².

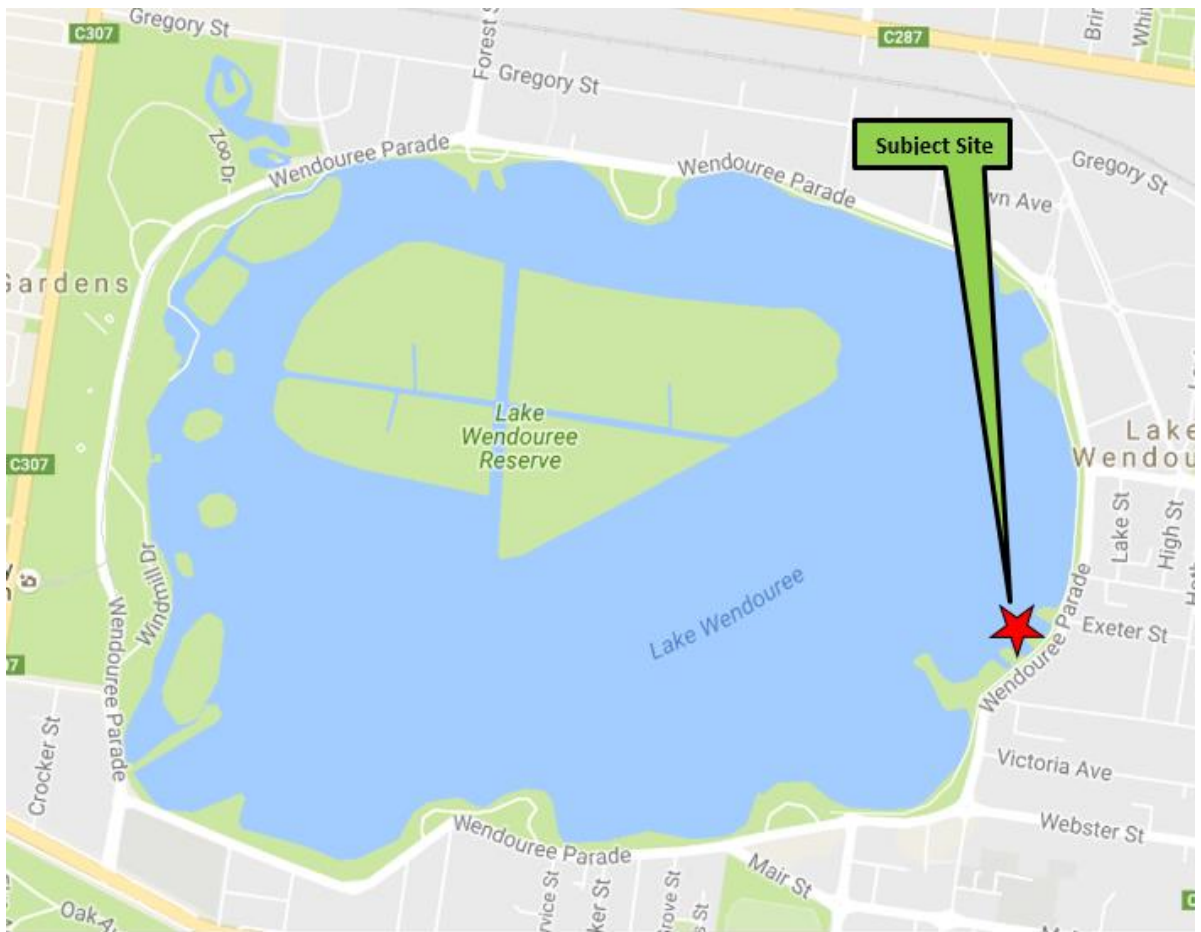




Photo 1 - Existing Rowing Club



**Photo 2 - Ballarat City Rowing Club located immediately North of the Subject Site
(Subject Site is can be seen on the left hand side of the Photo)**



Photo 3 - Ballarat & Clarendon College Rowing Club located immediately South of the Subject Site
(Subject Site is can be seen on the right hand side of the Photo)

4 The Proposal

The proposed development plans include a renovation of the existing rowing club building and an extension to both the ground floor and first floor of the building. The proposed renovation and extension will allow for the following areas:

Ground floor – total area of 774m² consisting of:

- › Bathroom facilities
- › Gymnasium
- › Stairs and lift
- › General storage and boat storage; and
- › Boat launching deck.

First floor – total area of 339m² consisting of:

- › Bathroom facilities
- › Stairs and lift
- › Bar area
- › General storage
- › Stage and function room
- › Board room; and
- › Balcony.

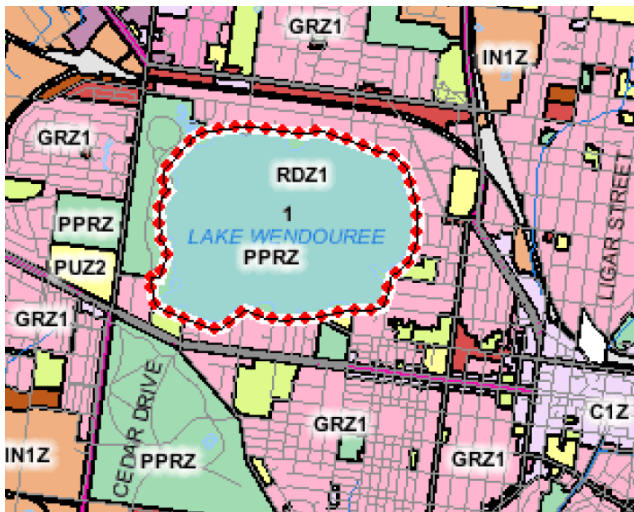


ARTIST IMPRESSION

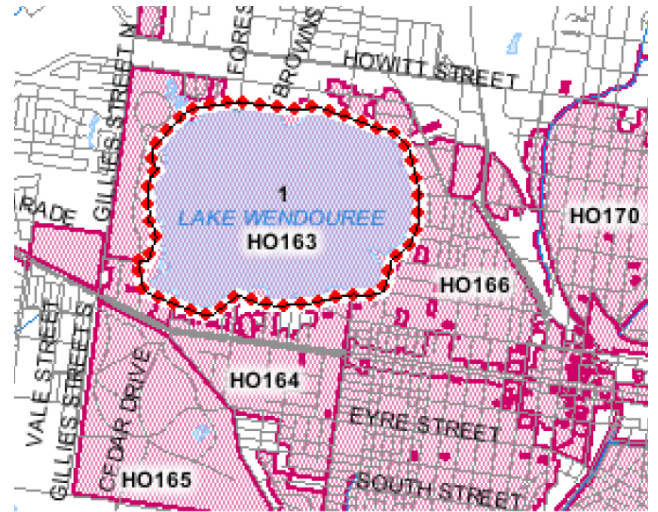
5 Zone & Overlay Controls

The site is located within a Public Park & Recreation Zone (PPRZ) and is covered by a Heritage Overlay (HO163).

RESIDENTIAL GROWTH ZONE (RGZ)



HERITAGE OVERLAY SCHEDULE (HO156)



5.1 Public Park & Recreation Zone

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

5.1.1 Response to the PPRZ

A Planning Permit is required for Buildings and Works only. The use remains unchanged. Of particular relevance is the decision guidelines which include the need to consider whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

We note that the proposed alterations seek to respect and enhance the existing built form and provide a more functional and modern space. The materials and colours are sympathetic to the Lake Wendouree environs and are complementary to other buildings in the precinct.

Pursuant to Clause 36.02-3 (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.

The City of Ballarat is the public land manager and we have sought consent to make this application through Council.

It is submitted that the proposal is directly in line with the purpose and decision guidelines of the PPRZ.

5.2 Heritage Overlay Schedule (HO163)

The site is identified as being in the 'Lake Wendouree Heritage Precinct' as identified in the 'Ballarat Heritage Precincts – Statements of Significance (2006)'.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01.3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01.2	Aboriginal heritage place?
HO163	Lake Wendouree Heritage Precinct	No	No	Yes	No	No	No	Ballarat Planning Scheme Heritage Control 2004	No

Purpose

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

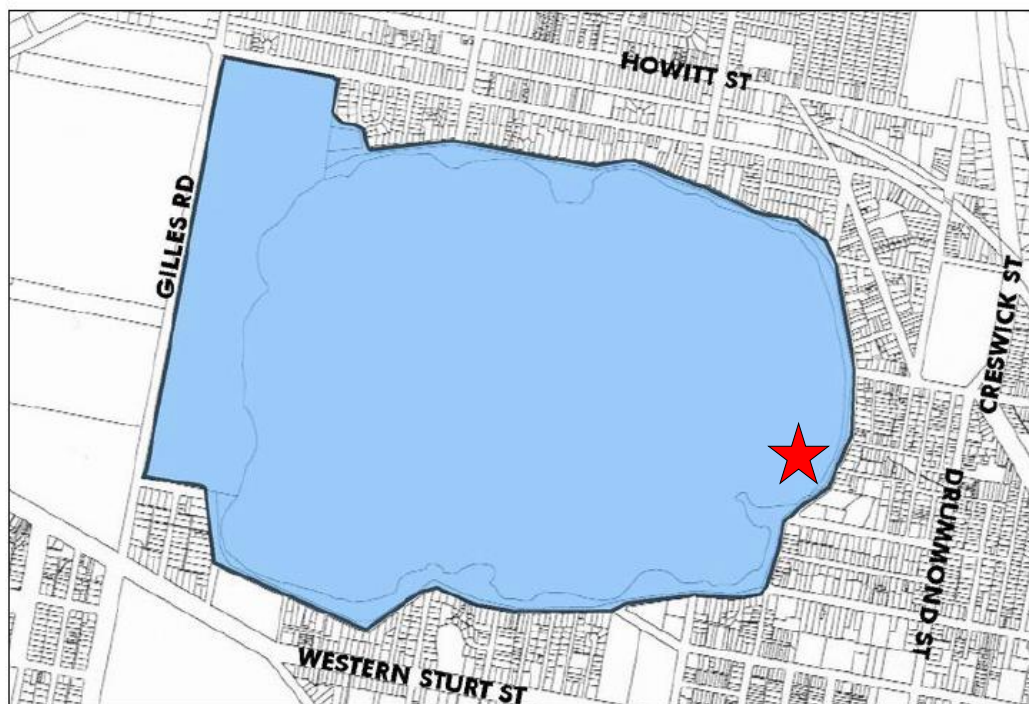
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

A comprehensive list of Decision Guidelines are provided to guide decision making and the most relevant to this application include:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

LAKE WENDOUREE HERITAGE PRECINCT

Description / Precinct Boundaries



5.2.1 Response to the HO163

Clause 43.01-1 prescribes planning permit triggers in this instance for external alterations/building and works. In terms of the consideration to the decision guidelines, including whether the proposal could adversely affect the natural or cultural significance of the place, the level of impact is necessary to consider.

In this case the proposal is in keeping with the existing building and surrounding buildings and is complementary to the Lake Wendouree foreshore. The proposed works have been designed to complement its surrounds, is sympathetic to the existing rowing club building and does not attempt to dominate or compete with other significant structures in the area.

The site is identified as being in the 'Lake Wendouree Heritage Precinct' as identified in the 'Ballarat Heritage Precincts – Statements of Significance (2006)' which is incorporated into the Ballarat Planning Scheme.

The precinct is identified as being important for a number of reasons including because it demonstrates a variety of built forms associated with the recreational and cultural role of the Lake and environs. 'Of particular architectural significance is the collection of relatively low scale development typically simple vernacular timber structures of the mid to late 19th century and early 20th century boatsheds, picnic shelters, as well as the kiosks such as the Lake Lodge (1891), bandstands and tram shelter that abut the edge of the Lake'.

It is submitted that the proposal is simply another aspect to the ongoing evolution of the precinct which is respectful of the elements which form part of its significance. Accordingly, it is submitted that the proposal directly responds to the decision guidelines of the Heritage Overlay and responds appropriately to the significance of the heritage place.

It is submitted that the proposal is supported by all relevant policies as they relate to heritage, design and use of land. Clause 22.05 (Heritage Conservation) is relevant for the assessment of this application

– please refer to policy response section of this report.

6 General & Particular Provisions

6.1 Clause 52.06 Car Parking

Please refer to attached Traffic Report prepared by Driscoll Engineering.

6.2 Clause 65 – Decision Guidelines.

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. To assist Clause 65 details a number of decision guidelines for guidance, some of these include:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning*
- *Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.*

6.2.1 Response to Clause 65 (Decision Guidelines)

It is submitted that the proposal will accord with the long term and orderly planning of the area, and will not affect the character or amenity of the area. The proposal has been designed to appropriately respond to the character of the area and provide an orderly planning outcome through its modest building form

and sympathetic use of materials and colours.

The rowing club is an important social place and serve the needs of the local community and visitors alike. The strategic planning of the area and the zone provisions directly support this proposal and the plans submitted as part of this application demonstrate the proposed development is well designed and will sit comfortably in the Lake Wendouree Present.

It is also submitted that the proposal will not affect the heritage character or amenity of the area. The proposal has been designed to appropriately respond to the Heritage Overlay and provide an orderly planning outcome.

7 State & Local Planning Policy Framework

7.1 State Planning Policy Framework

The proposal responds to the objectives and implementation strategies and objectives of the State Planning Policy Framework (SPPF) including Clause 15 and 16.

Clause 15.01-1 – Urban design

To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-5 – Cultural identity and neighbourhood character

To recognise and protect cultural identity, neighbourhood character and sense of place.

Clause 15.03 – Heritage

Clause 15.03 relates to Heritage and provides an Objective 'To ensure the conservation of places of heritage significance.'

7.2 Local Planning Policy Framework

Municipal Strategic Statement (MSS) provides various statements and overview and identifies a series of 'key issues', 'objectives' and implementation 'strategies'. Specifically, **Clause 21.03** which is Ballarat's Strategic Framework, three focus areas and goals are provided:

1. Growth and Development

A sustainable mix of residential, commercial and industrial development and infrastructure that provides for a high quality of life along with sound financial management and accountable Government.

2. People and Communities

A safe, healthy, environmentally sustainable, innovative and well serviced community that has equal access to opportunities, is proud of its unique heritage, optimistic about its future, is welcoming of diversity and respected by others.

3. Destination and Connections

A respected regional leader with a strong profile that facilitates tourism, residential and business attraction by shaping people's perceptions around the unique lifestyle benefits of Ballarat.

Clause 21.05-2 (Heritage)

This policy confirms that heritage is *'a significant component of the Ballarat identity is embedded in its history as a gold mining town...'*

Clause 21.05-1 (Character)

'It is important that future development within Ballarat and its townships makes a positive contribution towards the high quality presentation of the City by recognising the character of its setting and preserving valued heritage and natural landscape elements.'

Clause 21.05 refers to Character and includes a Strategy at 1.4 to Ensure advertising signage is controlled in a manner that achieves its commercial objectives and makes a positive contribution to the overall presentation of the general streetscape.

7.3 Local Planning Policies

Clause 22.05 (Heritage Conservation)

This policy applies to all heritage places affected by a Heritage Overlay. The Objectives at Clause 22.05-2 are:

- *To implement the Heritage Victoria's 'The Heritage Overlay – Guidelines for Assessing Planning Permit Applications; Public Draft February 2007'.*
- *To support the demolition of buildings that are 'not of heritage significance' in a heritage precinct as listed in the:*
 - *'Ballarat Heritage Precincts – Statements of Significance (2006)' incorporated document.*
 - *'Ballarat Heritage Precincts Study Part A 2006 – Statements of Significance' Incorporated document.*
- *To ensure new development is consistent with the Statement of Significance of the relevant heritage precinct as listed in the:*
 - *'Ballarat Heritage Precincts – Statements of Significance (2006)' incorporated document.*
 - *'Ballarat Heritage Precincts Study Part A 2006 – Statements of Significance' incorporated document.*
- *To ensure that new development interprets the cultural significance of the place.*

Clause 22.05 – Policy

(Relevant to this Application)

- *It is policy to apply Heritage Victoria's 'The Heritage Overlay – Guidelines for Assessing Planning Permit Applications; Public Draft February 2007' when considering applications under the Heritage Overlay.*
- *It is policy to apply the 'Ballarat Heritage Precincts – Statements of Significance (2006)' and the 'Ballarat Heritage Precincts Study Part A 2006 Statements of Significance' when considering applications under the Heritage Overlay.*
- *Where a permit is required, it is policy that new development interprets the cultural significance of the place. A heritage impact statement may be required.*

7.3.1 Response to SPPF & LPPF

The proposal is considered to achieve a raft of policies. Of most relevance to this application is at Clause 21.02-2 the need to *'identify and protect sites of heritage significance; and those sites that are important Ballarat's identity.'* is acknowledged which is also echoed at Clauses 21.04-6 and 21.05-2 of the Ballarat Planning Scheme.

It is submitted that the proposal is supported by all relevant policies as they relate to heritage, design and

use of land. Clause 22.05 (Heritage Conservation) is relevant for the assessment of this application.

Clause 22.05 (Heritage Conservation) Policy	Response
<i>Apply Heritage Victoria's 'The Heritage Overlay – Guidelines for Assessing Planning Permit Applications; Public Draft February 2007' when considering applications under the Heritage Overlay.</i>	Supported. The proposed works are sympathetic and has minimised impact to the original fabric.
<i>It is policy that all buildings other than those specifically listed as 'not of heritage significance' within the 'Ballarat Heritage Precincts – Statements of Significance (2006)' and the 'Ballarat Heritage Precincts – Statements of Significance Study Part A July 2006 incorporated documents are considered to be prima facie contributory to the significance of the heritage place where they are located. An applicant may lodge an application for sites that are deemed contributory. In considering whether a building contributes to the significance of the heritage place the responsible authority should have regard to the criteria for establishing significance set out for each precinct within the relevant statement of significance.</i>	Supported. With reference to Policy at Clause 22.05, the site is identified as being in the 'Lake Wendouree Heritage Precinct' as identified in the 'Ballarat Heritage Precincts – Statements of Significance (2006)'. The existing buildings are considered to be of prima facie contributory <i>significance</i> to the heritage place.
<i>It is policy to apply the 'Ballarat Heritage Precincts – Statements of Significance (2006)' and the 'Ballarat Heritage Precincts Study Part A 2006 Statements of Significance' when considering applications under the Heritage Overlay.</i>	Supported. The site is identified as being in the 'Lake Wendouree Heritage Precinct' and the Statements of Significance acknowledges the presence and importance of certain buildings such as boathouses in the precinct. It is submitted that the proposal represents another aspect to the ongoing evolution of the built form of precinct which is respectful of the elements which make it significant.
<i>Where a permit is required for demolition, it is policy to not grant a permit for demolition unless a permit has already been granted for the development of the land, or is to be simultaneously granted for the development of the land. Where a permit is granted for demolition, it is policy that the heritage place be recorded, based on the "City Of Ballarat Recommended Guidelines For Recording Of Heritage Places".</i>	Supported. This application includes the development proposal.
<i>Where a permit is required, it is policy that new development interprets the cultural significance of the place. A heritage impact statement may be required.</i>	It is submitted that the proposal interprets the cultural significance of the place. The Heritage Overlay is not designed to prevent development, rather it seeks to ensure places with heritage significance are retained where possible, to ensure impact is minimised and for new work to appropriately interpret or respect the significance of the heritage place. This proposal seeks

	to undertake sympathetic modifications which are respectful in terms of the level of impact and the materials and profiles to be used with the new work.
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7.4 Guidelines for Assessing Planning Permit Applications (Heritage Victoria Feb 2007)

As directed by the Policy at Clause 22.05, consideration to the Guidelines for Assessing Planning Permit Applications Feb 2007 (Heritage Victoria) is required. The Guidelines have been prepared to assist with the in the preparation and assessment of planning permit applications under the Heritage Overlay.

Part 6.0 applies to 'External Alterations and Additions to Contributory Elements'

Part 6.0: New Buildings in an Area Heritage Overlay	Response
<i>To encourage the Conservation and Restoration of Heritage Places</i>	Approval of this development will result in the enhancement of the building and is not out of keeping with the significance of the heritage place or Lake Wendouree environs.
<i>To ensure that Alterations and Additions respect the Contributory Elements of a Heritage Place</i>	The proposed alterations and additions respect the Contributory Elements of a Heritage Place through its use of materials, colours and building form.
<i>To ensure that Alterations and Additions do not adversely affect the significance, character and appearance of the Heritage Place</i>	As discussed, the new development will enhance the Lake Wendouree foreshore and will not affect the significance, character or appearance of the area heritage overlay.
<i>To ensure that Alterations retain the significant parts of built fabric</i>	The original fabric will be retained where possible – applying the do as much as necessary but as little as possible principles.
<i>To ensure that the significant parts of Contributory Elements retain their prominence and are not dominated by new works</i>	The key contributory elements will be retained and/or recreated/reinstated where appropriate.
<i>To allow for the Adaptation of heritage buildings, while ensuring that all other heritage objectives are met</i>	The proposal seeks to introduce a development which is respectful of the historical significance of the site and other buildings found in the precinct. This form of evolution is both reasonable and is envisaged by the Ballarat Planning Scheme.

8 Aboriginal Cultural Heritage

The *Aboriginal Heritage Regulations 2007* which specify the circumstances in which a Cultural Heritage Management Plan is required for an activity or class of activity. Part 2 - Division 2 of the *Aboriginal Heritage Regulations 2007* specifies exempt activities which do not require a Cultural Heritage Management Plan. The site is located within an area of cultural heritage sensitivity however the proposed works are within the existing footprint and there is no significant ground disturbance therefore a Cultural Heritage Management Plan is **not** required in this instance.

9 Conclusion

It is considered that the proposal appropriately responds to the requirements of the Ballarat Planning Scheme and as discussed the proposal is considered to accord with the State Planning Policy Framework, Local Planning Policy Framework, including the Municipal Strategic Statement.

The proposal is supported by the Heritage Overlay and does not impact on the features that make the site or precinct significant.

The proposed works are respectful in terms of the minimal level of impact and the materials and profiles to be used with the new work.

It is therefore recommended that a Planning Permit be issued.