

From: [REDACTED]
To: [Strategic Planning](#)
Subject: RE: Submission - Ballarat Planning Scheme Amendment C217ball
Date: Friday, 29 May 2026 5:03:26 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[PL10 Submission to C217ball 29 May 2026 \(Draft - 290526\).pdf](#)

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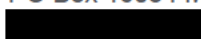
Please find attached a submission which supersedes that previously lodged with Council.

Appreciate if confirmation is provided back to Spiire.

Thanks



Level 6 | 414 La Trobe Street Melbourne Victoria 3000
PO Box 16084 Melbourne VIC 8007



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From: [REDACTED]
Sent: Friday, 29 May 2026 4:49 PM
To: 'strategicplanning@ballarat.vic.gov.au' <strategicplanning@ballarat.vic.gov.au>
Subject: RE: Submission - Ballarat Planning Scheme Amendment C217ball

Good afternoon,

We would like to recall the email below from 4:27 PM containing the submission to C217ball.

A revised submission will be lodged with Council shortly.



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From: [Redacted]
Sent: Friday, 29 May 2026 4:27 PM
To: 'strategicplanning@ballarat.vic.gov.au' <strategicplanning@ballarat.vic.gov.au>
Subject: Submission - Ballarat Planning Scheme Amendment C217ball

Good afternoon,
Please find attached a submission made in relation to Ballarat Planning Scheme Amendment C217ball.

We would appreciate if Council could confirm receipt of this submission.

Kind regards,



Level 6 | 414 La Trobe Street Melbourne Victoria 3000
PO Box 16084 Melbourne VIC 8007



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Council Reference: C217Ball

29 May 2026

Strategic Planning
City of Ballarat

Submitted via strategicplanning@ballarat.vic.gov.au

Dear Sir/ Madam,

Re: Planning Scheme Amendment C217ball Submission – Flood and Stormwater Overlays

Spiire Australia Ltd (Spiire) acts on behalf of [REDACTED], in relation to the land located at [REDACTED] VIC ('the subject site').

This letter serves a submission to Planning Scheme Amendment C217ball, which seeks to implement the findings of the *Ballarat 11 Waterways Flood Study* (Water Technology Pty Ltd, July 2025) ('the Study'). The proposed amendment identifies potential new flood hazard locations within the Ballarat Planning Scheme in accordance with recent flood investigations commissioned by Council.

This submission primarily relates to the exhibited extent of the proposed Floodway Overlay – Schedule 2 (FO2) and Land Subject to Inundation Overlay – Schedule 2 (LSIO2) affecting the subject site. We hold concerns regarding the proposed amendment, its strategic justification and assumptions, the relied upon technical grounds and post amendment impacts on our client and other landowners potentially encumbered because of C217ball. The basis on our client's submission is summarised as follows.

1. BACKGROUND

We understand that Council is seeking to implement the recommendations of the Study by inserting new provisions into the Ballarat Planning Scheme, including:

- Schedule 2 to Clause 44.03 Floodway Overlay (FO2);
- Schedule 2 to Clause 44.04 Land Subject to Inundation Overlay (LSIO2); and,
- Clause 44.05 Special Building Overlay Schedule 1 (SBO1)

The above provisions are proposed to be applied to the areas Council considers at risk of riverine flooding and to manage urban areas thought to be at risk of flooding.

The subject site falls within the Commercial 1 Zone pursuant to Clause 34.01 of the Ballarat Planning Scheme. It is not currently affected by the FO, LSIO nor SBO.

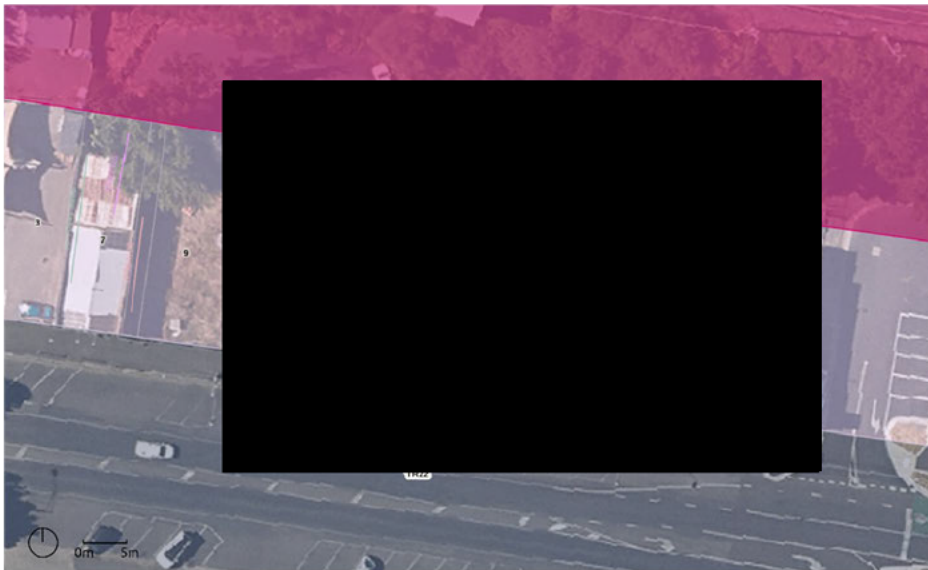


Figure 1: Location of subject site

As shown in the exhibited Map No. 23 (refer to the Figure 2 below), the subject site will be affected by LSIO2 and partly affected by the FO2 in the event that amendment C217ball is approved in its current form. Pursuant to the LSIO2 and FO2, additional permit requirements will be triggered to construct a building or carry out works on the subject site, with technical reports required in support.

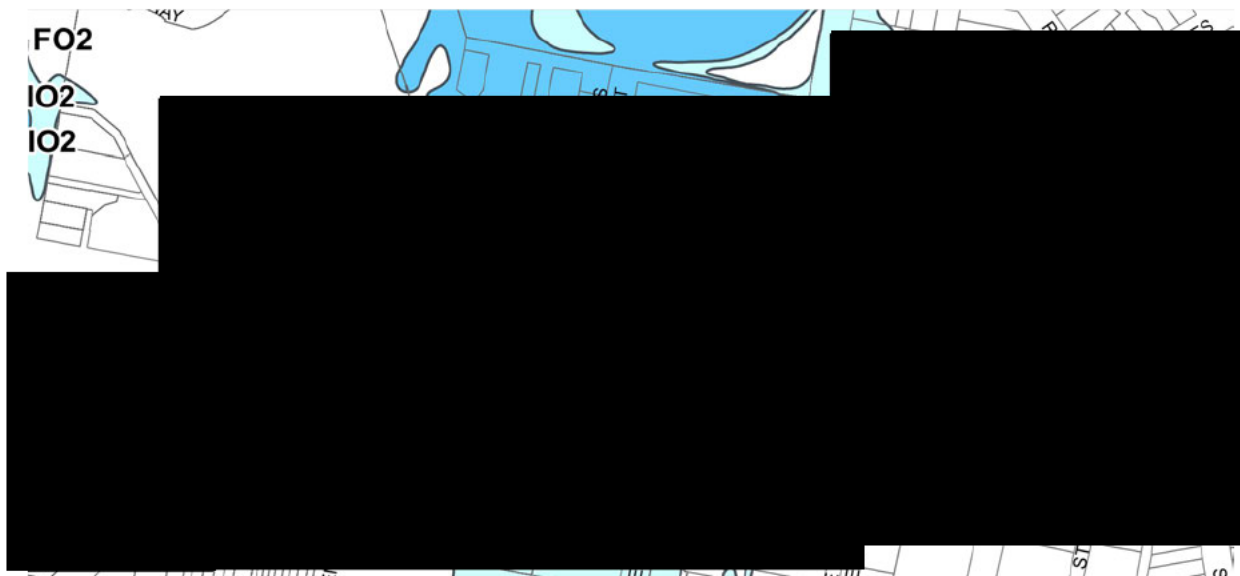


Figure 2: Proposed C217ball Mapping

2. GROUNDS FOR SUBMISSION

We acknowledge the importance of managing and mitigating flood risk to the community. However, this must be considered within the broader strategic planning context. For the reasons set out below, we oppose the exhibited extent of the proposed FO2 and LSIO2.

- The *Ballarat 11 Waterways Flood Study* appears to rely on outdated assumptions and modelling. We request Council to revisit and review the findings to ensure they are reflective current development conditions and constraints.

- The *Study* adopts overly conservative assumptions that are not considered to be appropriately balanced or conducive to achieving a net community benefit. The flood level and climate change assumptions made as part of the Amendment require a review, particularly in the context of recent Planning Scheme Amendments which have considered such assumptions in significant detail (i.e. Ballarat North PSP).
- Amendment C217ball will constrain and limit the development potential of land, particularly that such as the subject site which is envisaged to provide commercial and employment opportunities for the betterment of the local community.
- Amendment C217ball will introduce planning permit requirements that will require additional technical reports and introduce costs that will burden landowners. The time and cost implication that will result via the proposed amendment are not considered warranted given the overly conservative assumptions upon which Amendment C217ball is based upon.

3. CONCLUSION

We acknowledge the work undertaken by Council and the initiative of updating the Ballarat Planning Scheme to address possible flood risks. For the reasons outlined, our client holds concerns regarding the exhibited version of the amendment and would like to work with Council to seek the necessary changes.

Please note that our client reserves the right to make further submissions on the matters contained within this correspondence or any other matter relating to proposed Planning Scheme Amendment C217ball.

Should you wish to discuss any aspect of the above, please contact me directly on [REDACTED] or alternatively via email at [REDACTED].

Yours sincerely

[REDACTED]
[REDACTED]

Copy via email to: [REDACTED]