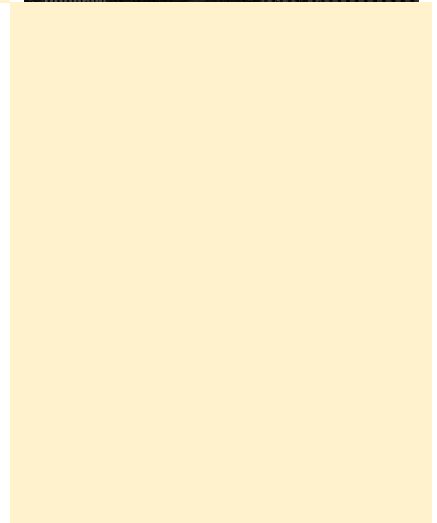
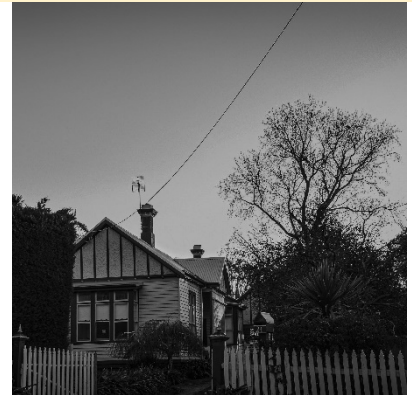
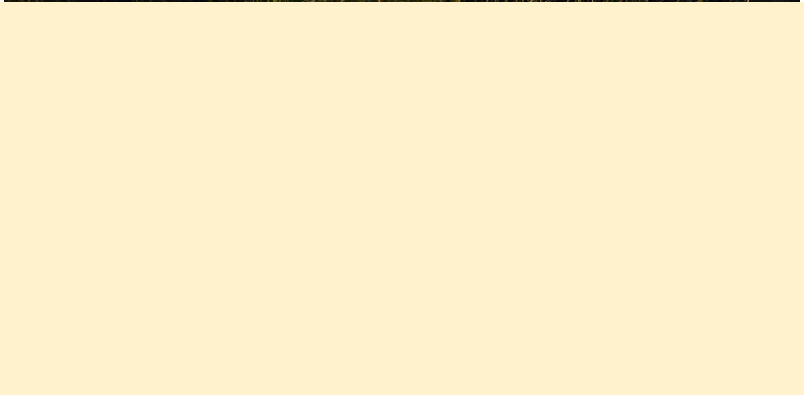
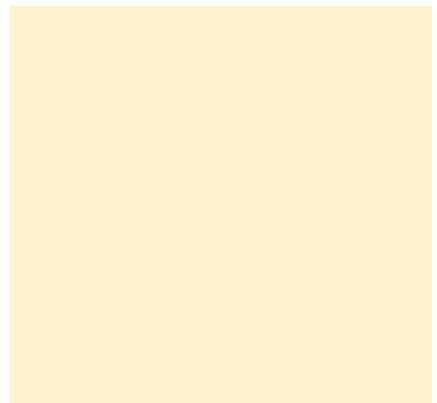


ARARAT RURAL CITY COUNCIL

2022 Planning Scheme Review

13 APRIL 2022





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Executive Summary

where to from here?

Planning for our community is a fundamental element of the economic prosperity, sense of place and custodial care of the environment. Over an extended period of time the document has not kept pace with the needs of the local people and has continued to evolve through layers of control being added but rarely integrated. Without such integration, it has failed to create logical and consistent foundation that delivers a clear path to the future that meets the community needs.

The review of the planning scheme provides a place to look at what has been occurring in terms of development proposals Council has received; feedback from across the community, changes in patterns of employment, living and other elements of social progress and set a path to move forward for the next 5-10 years.

Key Findings

1. Streamlining by the state of the policy framework of the scheme to meet new format requirements highlighted the limited depth of local policy to guide development or implement sustainable growth outcomes specifically:
 - In Ararat there has been no process to resolve the historic zonings since amalgamation and promote the growth of the town to a sustainable or thriving regional centre.
 - The ability of many of the villages to share in the region's growth given the available infrastructure (services, community and social) is not promoted.
 - The significance of the long-standing industrial businesses and their national and international competitiveness is underplayed and the designation of additional industrial development is not expressed in land zonings, despite recognition of the strategic suitability of Ararat on the Melbourne – Adelaide road and rail connections and central location on the Portland/Geelong port transport route.
 - The tourism capability of Pomonal, Moyston and Lake Bolac is recognized in the words but then not set in a program to thrive with limited expectation of change, expansion or a mature approach to the population/human resource needs that such development requires to see this capability harnessed.
 - Despite an extensive network of urban and rural heritage assets covered by the Heritage Overlay there is no local policy content that expresses the practical need to support the ongoing investment and the process to balance the “heritage story” element of these sites and their future usefulness for owners.
2. Static population level of the last 30 years appears to be changing based on the number of applications received and diversity of investment; particularly since in the last 3 years. The lag in availability of the ABS Census information, together with the *rearview mirror* approach to projections by the state will present a challenge for the next 5-10 years, assuming the current interest and growth is maintained but takes significant time for the state and federal governments to see.
3. Processing improvements have seen substantive reductions in the timeframes for planning applications to be assessed, despite the 34% increase in applications.



4. Whilst there is a suite of controls through the zones and overlays, they do not integrate in some locations and underlying data, or rationale, has not been tested since the creation of the new format scheme in 2000. The mapping layers upon which some Overlays are based are outdated or incomplete. This undermines the response to such controls and leads to confusion where the zoning and use rights table confer specific outcomes and the overlays indicate that many possible outcomes are incompatible with the land capability. Specifically, there is a need to:
 - Review the zonings across the municipal area is needed to ensure that the designations best reflect the current and future use given the environmental capacity, landscape values and risks/opportunities in the area.
 - Review key datasets underpinning the bushfire, environmental significance, flooding and vegetation protection overlays to ensure that these reflect the best available information of on-ground conditions across the municipality.
 - Review the environmental controls to ensure that significance of the habitat values and the key outcomes for restoration or retention are clear in both the words and the mapping of the planning scheme.
 - Develop an agreement with the catchment management authorities to ensure that standard conditions are placed on modest development and referral time is reserved for developments with significant impact.

5. New pieces of work such as *Ararat in Transition* and the *Ararat Flood Study* have not been incorporated into the planning scheme and this requires action to guide development in a safe and efficient manner. Furthermore there is a need to explore a number of potential additions to the scheme for work in the future

What's next?

The next step is to undertake a range of actions to address these findings and amend the scheme accordingly.

The Council will continue to work with its community to be a progressive growing centre that has a robust economy in a physically diverse environment.



1 – Introduction

Why are we doing this?

Under the *Planning and Environment Act 1987* the Council is required to review its Planning Scheme within 12 months of adopting its new Council plan. The Act sets this process to ensure the planning scheme remains effective and efficient in implementing both State and local policy objectives.

This requirement from the Act is important as it underpins that the planning scheme is a partnership document that combines the strategic social measures of the State with the local ambitions of the Council and its community.

The State sets the framework for the scheme to provide consistency and ease of use. It also defines those key elements that are deemed important to all Victorians. Within this framework the local community can establish those elements of key interest to them and also identify any gaps or unique advantages or outcomes it wishes to achieve.

In the last 3 years the community has identified that the planning scheme has a number of inconsistencies in the integration of policies, zones and overlays.

These are reflected in:

- Zonings that don't gel with neighbouring land of similar attributes in key settlements
- Zonings that imply development potential with overlays that significantly challenge the ability to utilise that potential
- Limited scope for new or existing businesses to grow in Industrial areas as all available land is absorbed and insufficient new land has been identified in the planning scheme
- Housing supply for new residents seeking to locate is not available limiting existing employers ability to expand their businesses and the growth of new investment
- Overlays underpinned by aged or incomplete data result in over-regulating or under-regulating risks that the overlays are intended to manage.

Reviewing the allocation and zones on each parcel across the municipality with updated data on key risks such as fire, flood and environmental significance is paramount. This will resolve scenarios where vegetation controls are provided on land that no longer has significant vegetation. Fire risk, which has matured in understanding since 2011 when the current Bushfire Management Overlay was introduced, can be better recognised. Flood information that has been prepared but not included in the scheme can be integrated.

The resulting outcome will be a clearer expression of land capability and certainty about what can be developed where, across the municipality and a better alignment between the Council and community vision for the area and land planning decisions.



2 - Changes since last review

How did we get here?

2.1 – CHANGES IN OUR COMMUNITY

The development of Ararat has been a cyclical one like many rural centres; squatters, gold discovery, government services moving in and out have all played a role in the growth of the area. Notwithstanding changes in these cycles and the movement of government boundaries the population has hovered around its current level for almost 100 years.

Year	Ararat RC Population
1911	10,550
1933	10,513
1954	12,075
1976	12,422
1996	11,655
2001	11,721
2006	11,660
2010	11,396
2016	11,600
2021	11,922

Table 1 – Ararat Population Change

For the last 10 years change has been incremental and very limited as the external economic impacts and internal governance failed to provide a sense of confidence for the area to thrive. However, the last 3 years have seen a significant change in both internal and external factors.

At a local (internal level) there has been a paradigm shift in the Council and Organisation to the extent that recognition now occurs outside the region for the *Get it done* approach and the ability to embrace new ideas or opportunities. At the same time across the world there has been the impact on people and businesses of COVID. The desire to improve personal circumstances by relocation, as well as the opportunity to do lower cost/risk development in rural and regional centres, has driven up the number of enquiries about development prospects in our community.



Urban Enterprise noted in its report for Council, *Ararat In Transition: Economic Input To Planning Study (April 2021)* that:

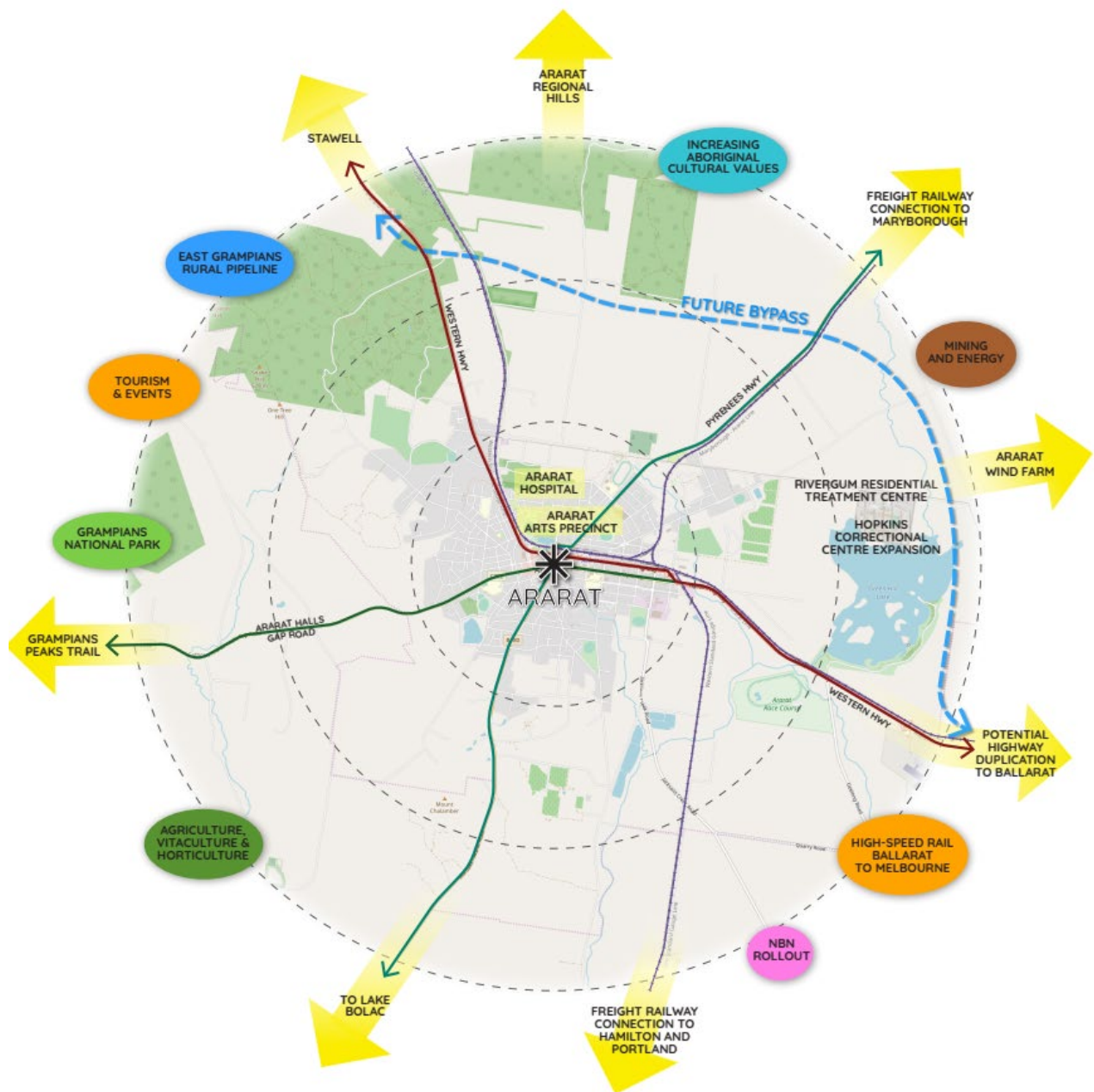
The COVID pandemic has triggered changes in the way large sections of the workforce undertake their jobs, with many professionals in particular now working from home for some or all of their working hours, and others being provided far greater flexibility to work remotely than was previously the case. This is being attributed as one of the key drivers of out-migration from Melbourne to regional Victoria during and since the onset of the pandemic. During 2020, 1,996 dwellings were approved for construction in the Ballarat region (SA4), 40% higher than the average of the preceding 3 calendar years.

The report then went on to note the strong construction sector and low level of unemployment in and around Ararat and concluded that:

These trends all indicate that demand for housing in the future, both across the Ballarat and western regions and in regional Victoria more broadly, could be higher than in previous years, should suitable residential land and housing be made available to meet the needs of relevant market segments. The Ararat in Transition study should have regard to these trends and opportunities to ensure that sufficient scale and diversity of residential land and housing can be delivered in the town over the planning period

Local businesses have also shown that they perform at the forefront of their field – with state, national and international recognition for what they do. What holds back this potential from being fully embraced is the now full employment of the local workforce and the inability to easily house newcomers to the area.

As part of the *Ararat in Transition* project in 2019/20 the drivers of change in the community we mapped with local business owners as comprising the following components:



This diagrammatically shows how the physical place, major local projects and links to other localities benefit the area.

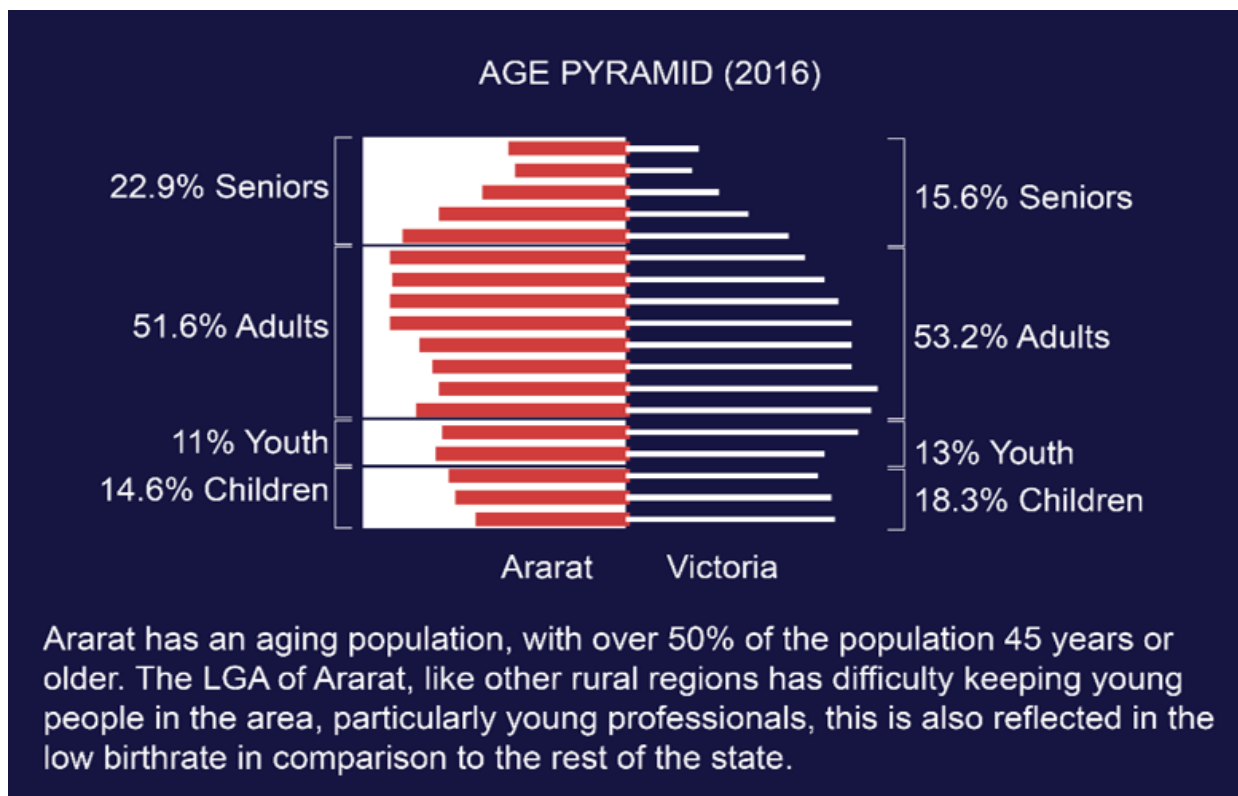


Population

Whilst the full suite of 2021 ABS Census data is awaited, it is expected that it will reflect the current known key features of the social profile of the community.

Of about 11,900 people in the municipality:

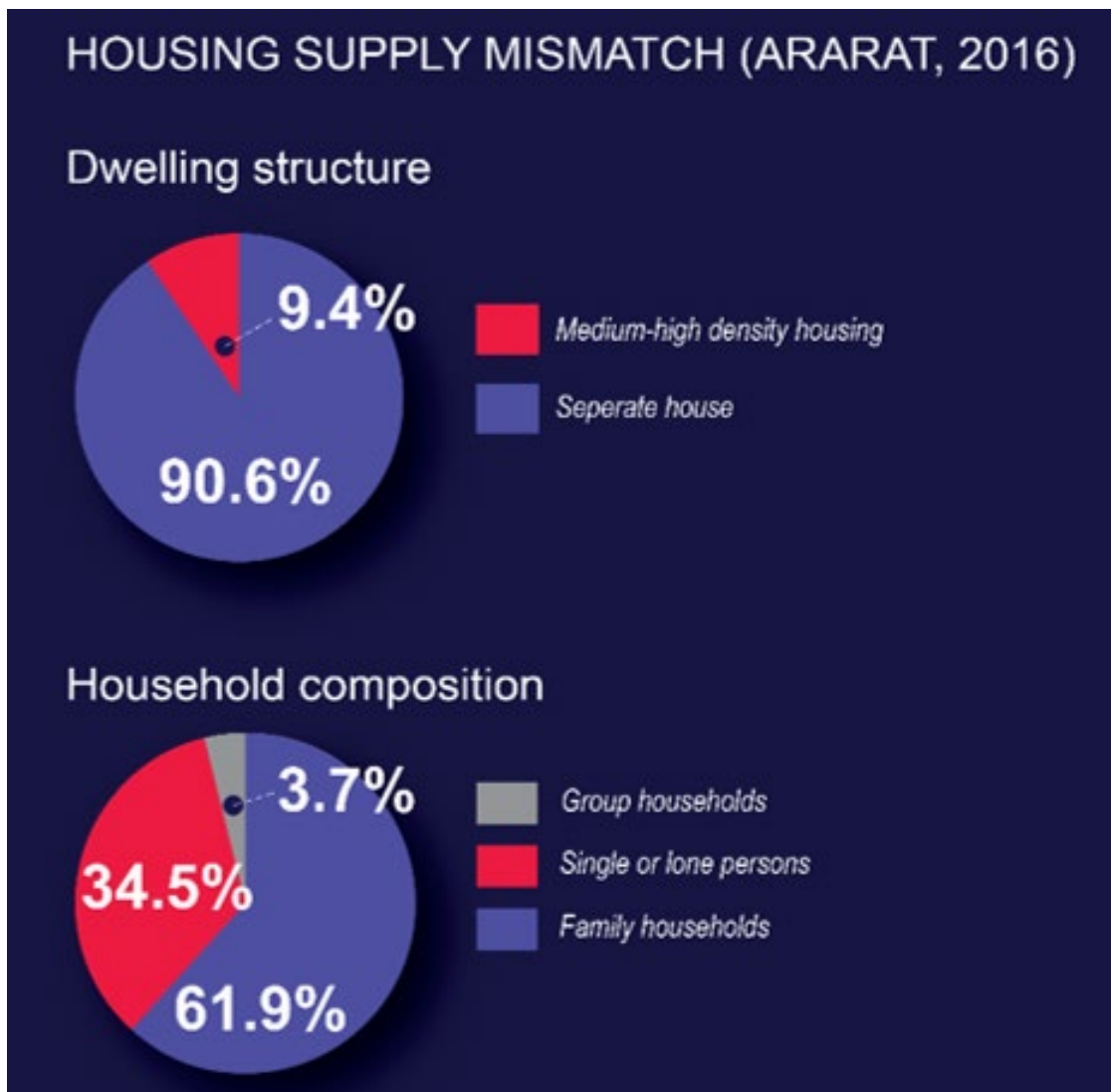
- **73%** of us live in the main centre of Ararat.
- **26%** of us are under 25 years
- **52%** of us are 26-60 years old
- **23%** of us are 61 or older – meaning we have proportionally more seniors than younger people compared to the state average.
- The average age in Ararat is 46 years, compared to the state average of 37 years old.





Housing Mismatch

Our housing stock and household profile are mismatched. Housing stock is **predominately detached (90.1%)** and most dwellings have **3 bedrooms (74.3%)**. Yet, **more than a third of households are single persons**; meaning issues such as affordability, property maintenance and heating/cooling costs pose greater economic and time challenges for single persons, as well as small households living in large dwellings.





Housing development since 2010

- Looking at the 10 year window from 2011/12 to 2019/20, an average of **20 new houses** were approved for construction **per year**, with no material changes to the trend (although a slight decrease to the rolling average in the past 3 years).
- **All approvals** were for “**new houses**” with **no approvals** for “**other residential buildings**” (i.e. units, apartments).
- The value of alterations and additions is a significant proportion of overall building activity, indicating that although there is a low rate of new dwelling construction, there has been investment in renewing and improving housing.

Financial Year	Total New Houses*	Value of new houses	Value of alterations and additions including conversions	Value of total residential building
	no.	\$'000	\$'000	\$'000
2011-2012	19	\$4,583	\$813	\$5,396
2012-2013	12	\$2,556	\$1,348	\$3,904
2013-2014	25	\$5,683	\$1,101	\$6,784
2014-2015	25	\$5,737	\$1,883	\$7,620
2015-2016	33	\$7,414	\$1,425	\$8,840
2016-2017	15	\$3,734	\$2,438	\$6,172
2017-2018	15	\$4,589	\$924	\$5,513
2018-2019	21	\$6,009	\$1,248	\$7,257
2019-2020	12	\$3,975	\$1,986	\$5,960
Average	20	\$4,920	\$1,463	\$6,383

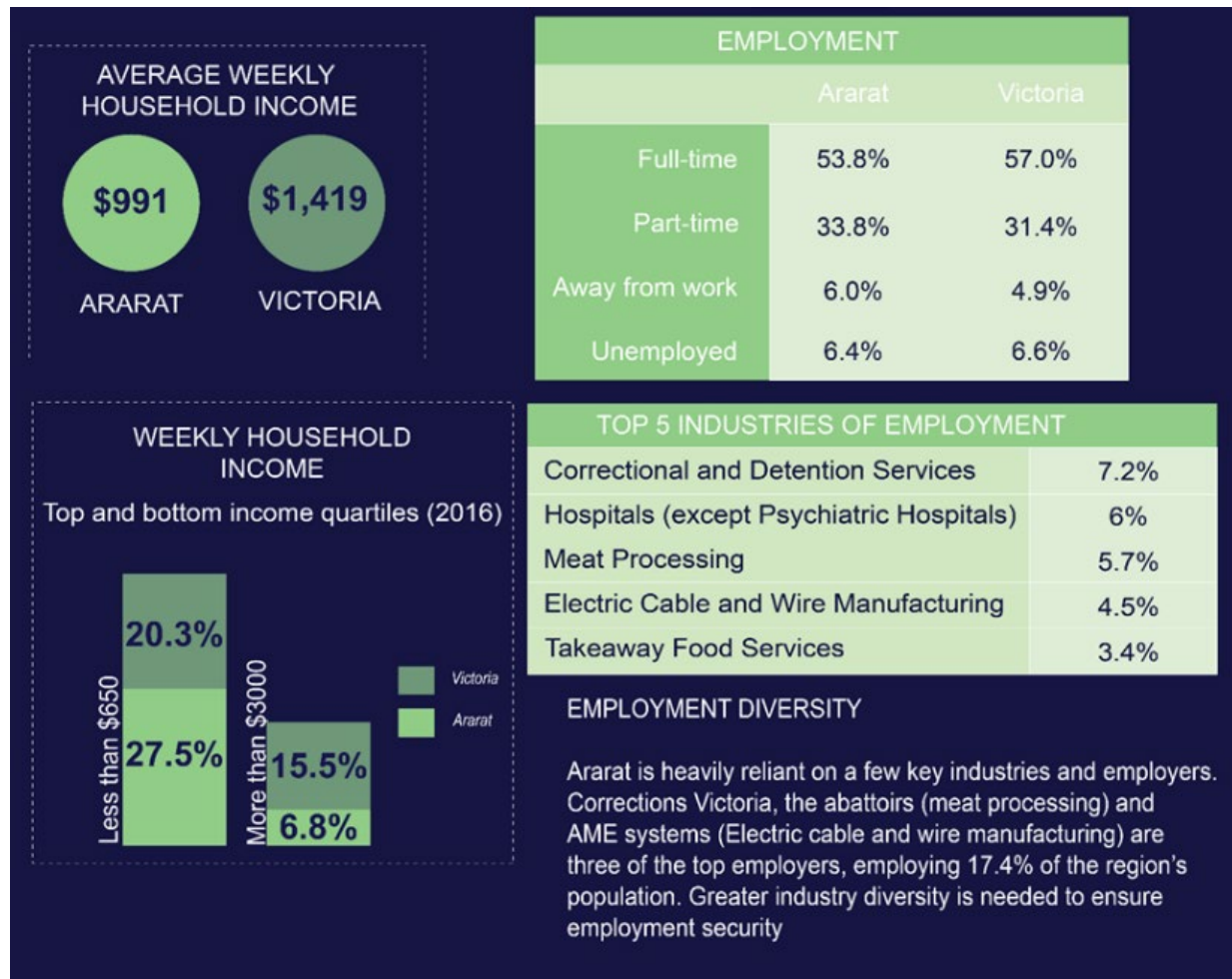
Source: ABS Cat. 8731 Building Approvals. Note no new other residential buildings were built between the financial years of 2011 and 2019. AAGR = Average Annual Growth Rate.

This imbalance has started to be addressed in the last 2 years with 110 new small lots and 32 new units approved in 2020 and 2021 calendar years. As these proposals move into the construction phase it is expected that three-fold benefit will arise – some local people will downsize to the new properties, freeing up larger homes. Furthermore, both the new smaller homes and those vacated by single person households will provide capacity to grow the population and workplace. Whilst this pattern is occurring in Ararat, feedback from smaller settlements highlights the need for this investment in infill development to be more widespread.



Employment and Income

Social disadvantage: despite the limited spare capacity of the local workforce, median weekly income is well below the state average. This is a combination of the aged population, reduced proportion of residents in full-time work, key employment in manufacturing for many people and lower levels of education achievement.



WEEKLY HOUSEHOLD INCOME

Top and bottom income quartiles (2016)

Income Category	Victoria	Ararat
Less than \$650	20.3%	27.5%
More than \$3000	15.5%	6.8%

TOP 5 INDUSTRIES OF EMPLOYMENT

Correctional and Detention Services	7.2%
Hospitals (except Psychiatric Hospitals)	6%
Meat Processing	5.7%
Electric Cable and Wire Manufacturing	4.5%
Takeaway Food Services	3.4%

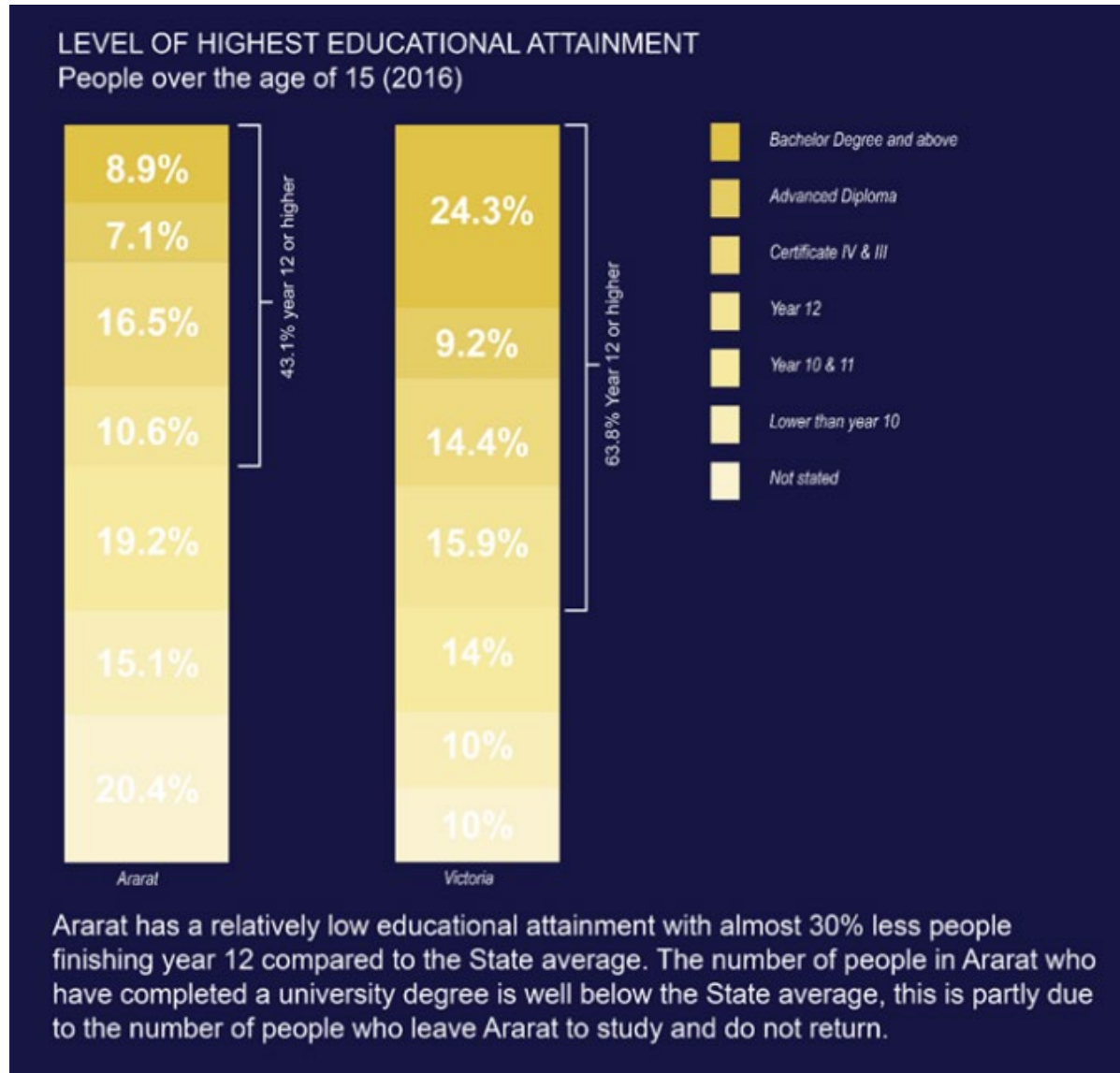
EMPLOYMENT DIVERSITY

Ararat is heavily reliant on a few key industries and employers. Corrections Victoria, the abattoirs (meat processing) and AME systems (Electric cable and wire manufacturing) are three of the top employers, employing 17.4% of the region's population. Greater industry diversity is needed to ensure employment security



Education

In planning for the future it is clear that creating a strong, more educated workforce will support consolidation and growth of local businesses, as well as providing the opportunity for new investment to capitalise on the location and infrastructure in the area.





2.2 CHANGES IN OUR PLANNING SCHEME

The planning scheme is a shared document with the policy and controls set by both Council and the State. The State has the final say on changes that Council wishes to make – requiring Council to seek approval before new amendments commence, as well as being the final signatory when all processes to amend are completed. The State regularly makes changes to all schemes to maintain consistency.

This section summarises key changes by both Council and the State Government since the last planning scheme review in 2014. A full list of changes is provided in Appendix A.

Theme	Amendment	Theme	Amendment
Climate change and energy	VC124 – 2 April 2015 Wind energy changes to PPF	Rural	CO32 – 30 March 2016 Implement the Ararat-Stawell-Halls Gap Triangle Rural Zone Review
	VC125 – 11 June 2015 Update PPF and PP on wind energy		CO14 – 20 October 2017 Implement Ararat Rural Living Zone review
	VC126 – 28 January 2016 Update PPF and PP on renewable energy		CO39 – 21 April 2021 Rural Heritage Study implemented
	VC130 – 4 July 2016 Update PP for wind		CO39 Part 2 – 26 November 2021 Rural Heritage Study continued implementation
	VC140 – 12 December 2017 PPF to include Environmental risks		VC150 24 July 2019 Review to implement planning for Sustainable Animal Industries Report.
Residential	VC110 – 27 March 2017 Implements Managing Residential Development Advisory Committee responses	Heritage	VC202 – 12 October 2021 Introduces a definition for Rural Worker Accommodation in Clause 73.03 and 73.04 and permit requirements to facilitate this type of accommodation in the Farming Zone.
			C039aratPt1Ararat – 21 April 2021 Implement Rural Ararat Heritage Study 2016 by applying a Heritage Overlay to identified individual places in the rural areas to 105 sites
			C039aratPt2Ararat - 26 November (Under Exhibition) Implements heritage protections on 5 missed sites and amend control for one site



Theme	Amendment	Theme	Amendment
Infrastructure	C35 - 22 September 2016 Rezoned from PAO to IN1Z and PUZ4	Bushfire	VC119 30 April 2015 Extend time for rebuild from Black Saturday
	C37 – 28 December 2017 Western Highway Section 28 added		VC164 26 April 2019 Further extension of above
	C46 – 23 December 2021 Rezoning of Crown Allotment 4D Section 12A, Township of Ararat from PPRZ to C1Z		VC176 BMO and PP changes for vegetation removal on fenceline and house sites in fire prone areas
	GC49 - 24 November 2017 Protect helicopter flight path to hospital		VC178 9 April 2020 Further extension of VC119 provisions
	VC205 20 - January 2022 Introduces new Transport Zone and Public Use Zone Schedule 4		VC179 6 May 2020 Changes to respond to 2019 Summer fires
Streamline Processes	VC135 27 March 2017 VicSmart changes	Other	C46Arat (Under assessment)
	VC141 – 21 Nov 2017 Multiple changes to streamline processes		The amendment rezones a portion of Crown Allotment 4D Section 12A, Township of Ararat from Public Park and Recreation Zone (PPRZ) to Commercial 1 Zone (C1Z).
	VC142 16 January 2018 Multiple changes to update scheme		
	VC100 24 July 2019 Conversion of business zones and changes to other zones and PP		
	VC181 9 April 2020 Covid changes		



2.3 CHANGES HAPPENING AROUND US

Workplace changes

The last two years have seen a significant change in many workplaces as the pandemic influenced the trickle of people working from home to a flood. Many roles that traditionally would have been seen as being unlikely to operate in this way, were forced to change in response to the health crises globally.

Whilst all work will be unlikely to move to this format, the pandemic has shown that there is greater prospect across more sectors for this to occur on a part-time basis. The result is that there is likely to continue to be a “tree change” in the region as people seek balance between work, personal and recreational aspects of their lifestyle.

Share of businesses with staff working from home

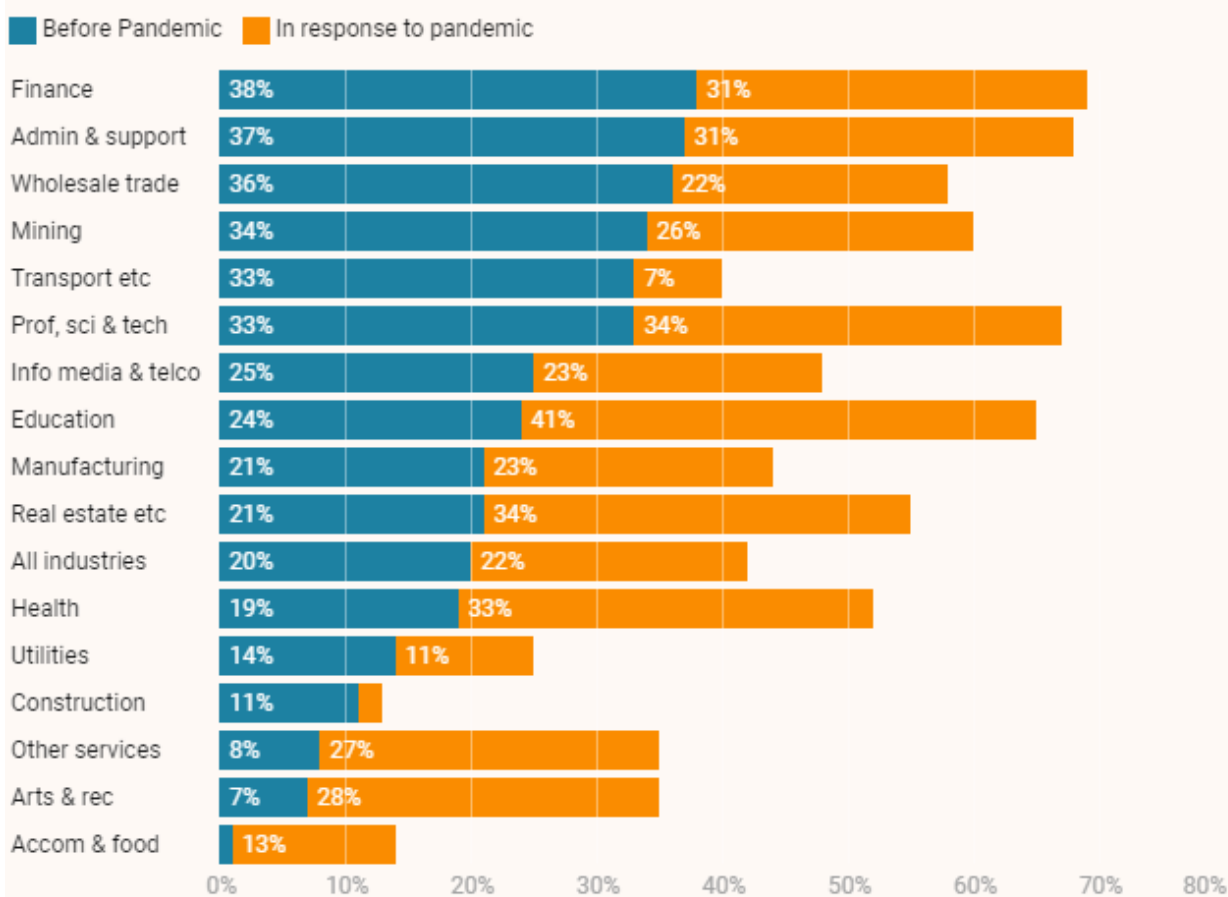


Chart: Greg Jericho • Source: ABS 5676.0.55.003, PC "Working from Home" Fig.4 • Get the data • Created with Datawrapper



Market changes

In conjunction with the working from home trend, the online shopping activity has increased for more people. This varies from all groceries being delivered, to special purchases and everything in between. Unless there is an unforeseen change to this growth, the role of the established commercial area will need to pivot, to remain relevant and valued by its community and attractive to visitors from outside the municipal area.

Staff have already commenced some early work on this issue to explore the future zoning of the Ararat commercial area. This work needs to be advanced in the next two years if the community is to be ready to adapt at an early date.

Tracking changes

Whilst we are yet to have formal quantifiable data from the 2021 Census to track changes in people, skills and patterns over the last 5 years, we do have at hand a growing body of personal stories and enquiries that provide evidence of changes or possible changes happening in our area.

These are gathered from a range of credible sources including:

- people the councilors and staff interact with in daily business;
- development and business enquiries received by the Planning and Economic Development Teams;
- local community groups, clubs and associations; and
- property and building information certificates.

From these sources we know:

1. Interest in our region, as well as Ararat is growing and building momentum;
Features that attract this interest include:
 - value for money;
 - variety of lifestyle options;
 - healthcare and services availability; and
 - underdeveloped potential
2. Insufficient housing limits some people's ability to move here – market sales are currently *fast and furious*
3. Regional productivity is undermined by insufficient workforce.
4. Local tourism has been front of mind for many Victorians through the last two years, with rolling closures of borders and changing travel controls not seen before. This has driven up interest in holidays, and new holiday accommodation, particularly in the Pomonal and Moyston areas.



Upcoming projects

Looking forward there is a broad cross section of regional projects that remain to be delivered that will support ongoing investment at a local level and maintain this momentum.

The Eastern Grampians Pipeline, Grampians Peak Trail, Ararat Mountain Bike track, Wind Farms and alternative energy projects are all well advanced in the approvals and construction space.

Ararat in a broader context

At a state level many local authorities in the small-rural category are struggling to maintain viability. Against this trend, Ararat seeks to not only build its sustainability but grow and prosper into a larger regional centre with critical mass to support its role in the region into the next 100 years.

To achieve this aim, the Council Plan 2021-2025 embraces the need for growth, setting ambitious targets for the next four years as follows:

- **600 residential lots** developed;
- **300 residential properties**;
- **750 additional residents** by 30 June 2025; and
- a **15% increase in jobs** and a **50% increase in tourism visitation** is sought by the end of the 2024/25 financial year.

To accommodate these changes the planning scheme needs to allocate adequate land for development, be timely and efficient, and integrate with the infrastructure agencies plans for augmentation or expansion the growth of the municipality will warrant. An outcome of this scheme review is to establish a process for this to occur to ensure the settings in the planning scheme delivers the desired outcomes.



2.4 WHAT HAS BEEN WORKING?

Changes in the organization have resulted in some progress already being made. A new team and a review of processes has already seen improvement in processing of planning proposals. Staff participation in the State's *Better approvals process* project highlighted that each day's delay to a business approval was approximately \$2,000 lost to the local economy.

Over the last four financial years the average time to assess an application has reduced by 36 days and the percentage of applications completed within the state timelines has increased by 29% since the 2017/2018 financial year.

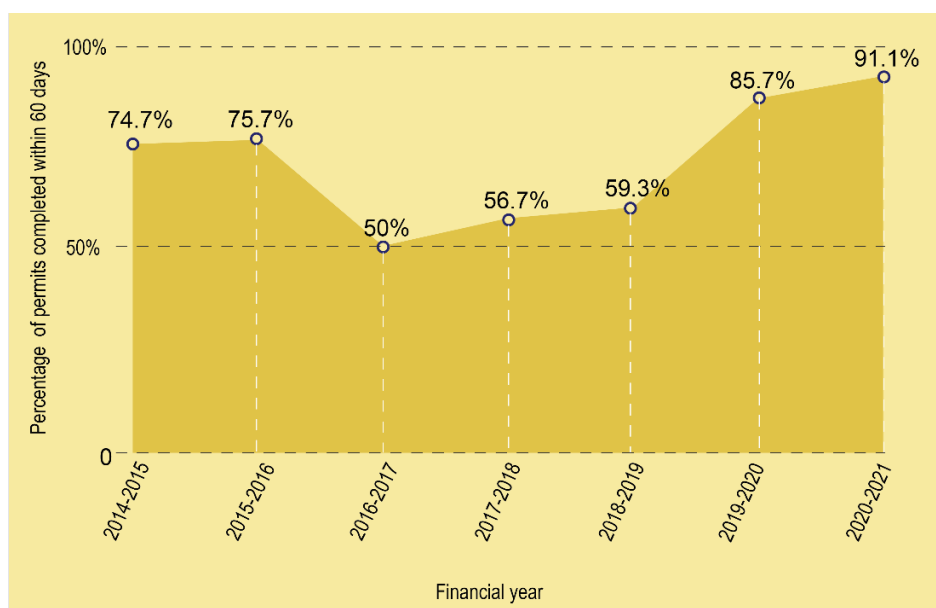
Over the 2020/21 financial year 81% of applications were completed within the required state timeframe, despite a 34% increase in the number of applications for the year.

Financial year	Time to decide	Within timeframes	Cost per application
2017/2018	67 days	58%	\$1859.1
2018/2019	57 days	60%	\$2976.7
2019/2020	33 days	75%	\$2056
2020/2021	31 days	81%	\$1685.5

Council has also improved the service by tracking enquiries and implemented a system that can assist the applicant and neighbours review planning matters online 24/7.

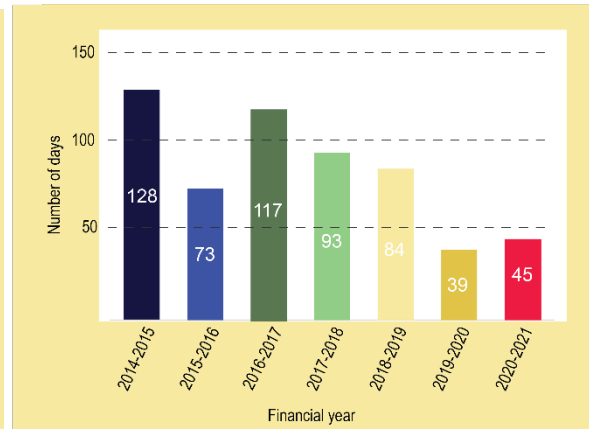
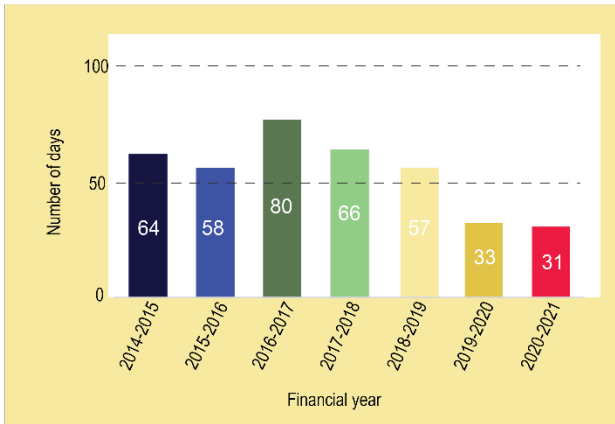
A panel of planning consultants has also been established to allow staff to draw on a diverse range of expertise when needed and provide consistency in quality in times of peak workflow. Other metrics monitored through both the state *Planning Permit Activity Reporting* and the *Local Government Performance Reporting Framework* depict this improvement, see table below.

Planning permits completed within 60 days





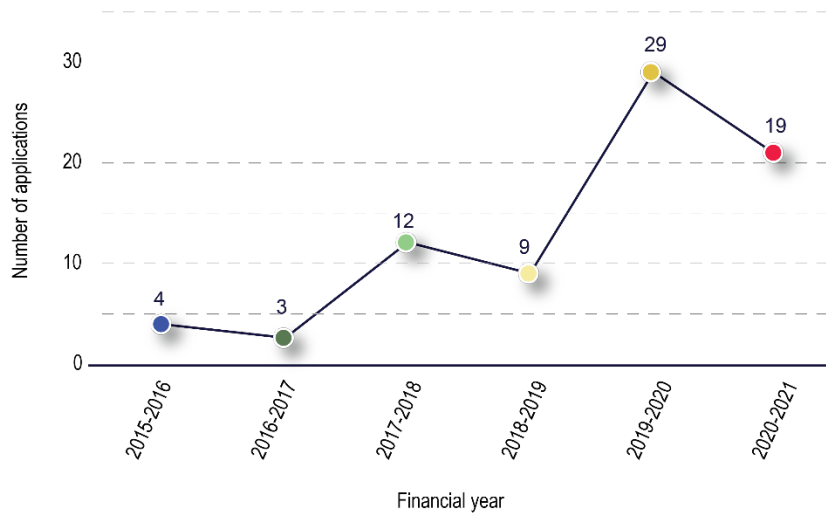
Median processing days to determination Average gross days to determination



VicSmart

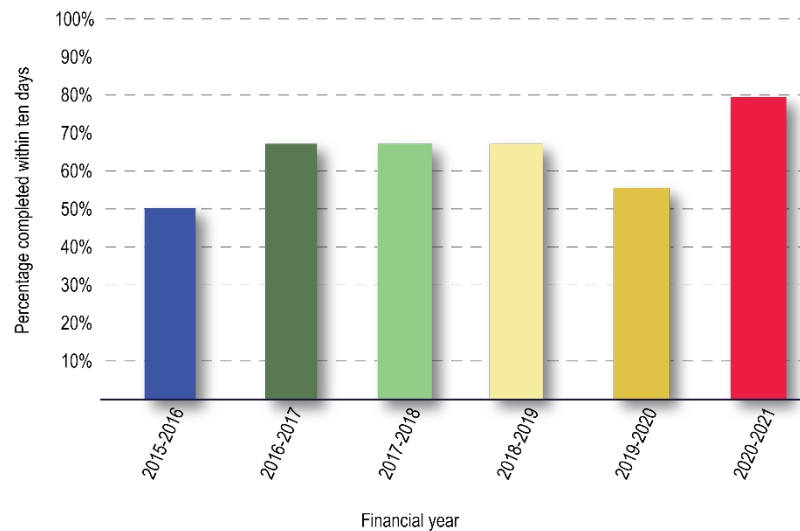
The number of VicSmart applications have increased in the last two financial years. This is due to having better processes in place to identify these at the General Enquiry stage of the planning application process.

Number of VicSmart Applications





VicSmart applications completed within ten days



The Council also worked with DEWLP in 2019 to streamline the planning policy framework of the scheme and integrate the state, regional and local policy clauses. These changes significantly reduced the word count and duplication in this section with only one complaint arising since the implementation in June 2021.

Unfortunately, despite the 55% decrease in the word count, the change did not deliver the expected decrease in the scheme's length, as Council's C39 Rural Heritage Study amendment was also incorporated that month and added 98 additional sites to the Heritage Overlay Schedule.



3 – Audit

3.1 WHAT MAKES NO SENSE TODAY?

Planning policy framework

At the Planning Policy Framework level the format of the Ararat Planning Scheme is up to date, having been streamlined in 2019/2020 under the *Smart Planning* program to integrate the state, regional and local controls. However, at a policy level when the duplication was stripped away it was clear that there was little strategic policy in the following elements:

- In Ararat there has been no process to resolve the historic zonings since amalgamation and promote the growth of the town to a sustainable or thriving regional centre.
- The ability of many of the villages to share in the region's growth given the available infrastructure (services, community and social) is not promoted.
- The significance of the long-standing industrial businesses and their national and international competitiveness is underplayed and the designation of additional industrial development is not expressed in land zonings, despite recognition of the strategic suitability of Ararat on the Melbourne – Adelaide road and rail connections and central location on the Portland/Geelong port transport route.
- The tourism capability of Pomonal, Moyston and Lake Bolac is recognized in the words but then not set in a program to thrive with limited expectation of change, expansion or a mature approach to the population/human resource needs that such development requires to see this capability harnessed.
- Despite an extensive network of urban and rural heritage assets covered by the Heritage Overlay there is no local policy content that expresses the practical need to support the ongoing investment and the process to balance the “heritage story” element of these sites and their future usefulness for owners.

The *Ararat Sustainable Future Growth Strategy* was included in the planning scheme with the introduction of Amendment C34. This provided frameworks for each of the towns and villages. As the interest in development in the municipality and the negative impacts of the housing shortage has become clear, this work needs to be updated to ensure that a minimum of 15 years of developable land is zoned ready for use.

More significantly the basis of such calculations needs review as historic growth rates are not likely to reflect the dynamics of a community seeking to extend itself and capture the full potential for investment in its area.



Key strategies are:

- **ACTION 1A - Urban Consolidation/Infill:** Provide the opportunity for centrally located newer housing stock reflective of the existing town character.
- **ACTION 1B - General Residential:** Better plan for the zoning and land release of General Residential areas within the township boundary including improved awareness of development timeframes associated with the Greenhill Estate.
- **ACTION 1C - Rural Lifestyle:** Identify further opportunities for Low Density Residential and Rural Living areas on the periphery of town.
- **ACTION 2.0 - Strategic Sites:** Provide targeted opportunities for residential development within walkable catchments and serviced areas while addressing fragmented and underutilised land uses.
- **ACTION 3.0 - Employment Investigation Areas:** Provide opportunities for key employment and transport-oriented uses to be located on the periphery of town, capitalising on the bypass location and reducing impact on key tourist routes and residential growth areas.
- **ACTION 4.0 - Town Centre/ Tourism Activation:** Strengthen the recognition of Ararat town as a key tourist destination within the region.
- **ACTION 5.0 - Tertiary and Further Education Areas:** Provide support to the re-establishment of tertiary and further education areas to support ongoing population growth and housing stock uptake.

The full table of actions are provided in Appendix B.

This work commenced with the *Ararat in Transition* project and focused on strategies for Ararat town. These now need to be included in the Planning Scheme through an amendment process.

A raw land assessment of the current zoned stock shows there is only sufficient land for expected population growth if the community remains on its historic trajectory. If the community seeks to reach a self-sustaining level of 15,000 to 20,000 people additional land will need to be rezoned. The challenge is that without such rezonings the status quo of very slow or low growth is assured.

Zones and Overlays

As mentioned at the outset, there are elements of the current scheme for which the logic has disappeared over time. With the change in staff in the last three years that has become more evident as the new planners struggle to explain some of the current controls to residents and enquiries.

Over this time the following themes reoccur:

1. **Some controls are a legacy that date back to pre-amalgamation days.** An example of this are the zonings on Princes Street South and Port Fairy Road in Ararat. In these places the General Residential Zone occupies one side of the road with all urban services across the road, with access to the same urban services, land is zoned Rural Living or Farming Zone without any logical reason.



- Likewise, much of the Rural Living Zone at Moyston is scheduled as 8ha/20acre lots.** In other parts of the state such large lot requirements reflect land capability or risk of fire/flood or a similar scenario. These capability limits are not reflected in the overlays for the area, and the only logical answer appears to be that this is a legacy of the “default” area for Rural Living at the time the Victorian Planning Provisions standardized the controls across the state in the early 2000s.

Action: A review of the zonings across the municipal area is needed to ensure that the designations best reflect the current and future use given the environmental capacity, landscape values and risks/opportunities in the area.

- The mapping layers upon which some Overlays are based are outdated or incomplete.** This undermines the response to such controls and where layers are incomplete also exposes future owners to silent risks. An example of this is flood mapping prepared but not implemented in the planning schemes, and vegetation controls on land with a 50–100-year cropping history and no readily identifiable remnant vegetation.

Action: A review of the key datasets underpinning the bushfire, environmental significance, flooding and vegetation protection overlays to ensure that these reflect the best available information of on-ground conditions across the municipality.

- Whilst the Planning Scheme is a partnership document between the state and local government much of the municipality is impacted by federal environmental controls.** It would be expected that these federal controls would reflect similar state legislation, and therefore be included in local planning documentation. This integration is not currently robust and reliable, leaving land holders open to inadvertent breaches in the absence of readily available accessible site-specific data.

Resolving, or improving this situation would benefit most landholders south of the Western Highway. The current planning scheme does not mention the Victorian Volcanic Plains at all despite it being classified as nationally threatened ecological communities listed under Australia’s national environment law, the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Furthermore even within the mapped areas of environmental or vegetation significance it is not clear in the policy or controls what should be achieved as an outcome where these areas are present. Whilst there is an abundance of precincts identified in both overlays the appropriate outcomes are thinly defined.

Action: Review the environmental controls to ensure that significance of the habitat values and the key outcomes for restoration or retention are clear in both the words and the mapping of the planning scheme.



5. The Planning Scheme and planning legislation have a particularly important role in protecting water catchments through land use decisions in the Ararat Planning Scheme. However, the extensive levels of referrals for development of minor to modest scale mean that the process of considering water catchment protection is not effective.

Action: There is a need to develop an agreement with the catchment management authorities to ensure that standard conditions are placed on modest development and referral time is reserved for developments with significant impact.

Processes

The processes used to assess planning matters in not an area where Council can exercise significant control. This element is defined in the *Planning and Environment Act* and regulations. The focus of the work in the last 3 years has been to streamline internal activity to improve the timeliness of decisions for those seeking a permit and to create an improved customer experience.

3.2 WHAT IS WORKING WELL OR COULD WORK BETTER?

Policies

The policy framework has been reviewed to reflect the current DELWP requirements. This process was insightful as it laid bare the gaps in policy or areas of limited local direction in the planning scheme. In particular the following short comings were noted:

1. The absence of a clear vision on the population aims for the municipality, together with a growth and housing strategy to turn that policy into a reality and ensures that there is adequate land to achieve the set population goals and maintain future land stock. Given the uplift in interest and investment in the last 2 years this work will need to include some scenario development rather than be based on traditional predictive methods – what has always been may not be the lens for what is yet to come.
2. Whilst there are a suite of controls through the zones and overlays, they do not integrate in some locations and underlying data, or rationale, has not been tested since the creation of the new format scheme.
3. New pieces of work such as *Ararat in Transition* and the *Ararat Flood Study* have not been incorporated into the planning scheme and this requires action.
4. Other key community documents such as the *Ararat Municipal Emergency Plan* and it's subplans for fire and flood are not connected to the land use controls despite a clear nexus between the two



5. In the Policy Framework of the current scheme the significant Victorian Volcanic Plains do not rate a mention and very limited policy is outlined for the biodiversity of the Grampians National Park and surrounds. As mentioned previously the inter-related state and federal environmental controls for the Victorian Volcanic Plains as well as the *Flora and Fauna Guarantee Act* and federal legislation should be further explored in the context of how these values are reflected in the policy area as well as the ESOs and VPOs.

Zonings

- The **General Residential Zone (GRZ)** does not advance neighbourhood character objectives and decision guidelines, in order to better facilitate development in line with both current and preferred future character and State guidelines regarding increased development and density within the GRZ. To consider the value of this work a business case is required.
- Similarly, the benefits and risks of **including the Residential Growth Zone** or **additional Design and Development Overlays** should be investigated for use within the Ararat township on key sites identified in the *Ararat in Transition* report, with the possibility to create a greater diversity of housing stock, and nurture high density development in appropriate areas.
- **More industrial land** should be identified in or close to Ararat in order to create jobs and economic growth for the town and municipality. Any such rezoning of land must be shown on the schedules to the relevant zones.
- Council should create a **new Industrial Strategy**, addressing Industry trends in the area and nationally, as well as identifying appropriate locations for new industry clusters within the Ararat township to enable sustainable growth and economic development
- Land zoned **Commercial 1 Zone** within the Ararat CBD **should be reviewed**, considering the likes of current and future development and population growth to facilitate sustainable growth that is flexible to meet future needs.
- Land in the **Farming Zone** **may be used and developed for Industry**, subject to a planning permit – this should be **reviewed** further by Council when considering both rural areas as well as future industrial areas in or near the Ararat township.
- **Mapping throughout the Rural Zones could be improved** in order to assist implementation and achievement of the purpose of the zone. Where land has a suite of overlays reflecting other constraints clarity should be provided through the zoning to prioritise if agricultural production is the highest and best use of the land or not.
- The schedule to the **Rural Living Zone** contains an administrative **mapping error** in Map 1 mislabelling roads, which must be corrected.



- The **Rural Activity Zone is underutilized** in the municipality, and should be implemented for greater land use and development diversity.

Overlays

The purpose of the Planning Scheme review regarding Overlays and Schedules is to audit the application and performance of the Overlays and Schedules in the Scheme; and investigate whether Schedules in the Scheme have been appropriately applied.

There are 14 Zones in the Ararat Planning Scheme and the following table summarises works that would improve the value and outcomes of these controls:

Overlay	Opportunity to improve
Environmental Significance Overlay (ESO)	<ul style="list-style-type: none"> • Schedule 3 to the Environmental Significance Overlay reference map sites of biodiversity significance in the Ararat Rural City dated January 2004 – given the near 20 year gap, biodiversity mapping should be reviewed and accordingly updated. • Additional planning permit exceptions should be considered for the ESO in order to facilitate a diversity of land use and development in the municipality
Vegetation Protection Overlay (VPO)	<ul style="list-style-type: none"> • Information regarding biodiversity and sites should be reviewed in order to establish is information is up to date and relevant. While broad vegetation protection objectives are listed in the schedules to the VPO, more specific species could be defined and prioritised. • Notably, the VPO overlaps with a number of other overlays in the municipality, including the likes of the BMO. In practice, this adds time and cost for both Council and applicants, particularly in the case of overlap with the BMO which overrides the VPO, largely undermining its effectiveness. Council should further consider how to implement the objectives of the VPO, as well as how to potentially streamline overlays in situations of overlap.
Significant Landscape Overlay (SLO)	<ul style="list-style-type: none"> • Schedules in the SLO include cover a large area of the municipality and regularly act as a trigger for planning permits. However the referral processes has yielded no meaningful feedback on proposals in the last 3 years leading to the question of the need of the control or the need to review matters that are referred. Outcomes might include further exemptions for referrals or better advice on projects referred.



Heritage Overlay (HO)	<ul style="list-style-type: none"> Given the rich Indigenous history of the municipality, and the fact that currently no heritage places in the schedule to the Heritage Overlay are listed as a place of Aboriginal heritage, Council should investigate if there are there Aboriginal Heritage sites missing from the Planning Scheme? This should be determined with input from both the RAP group(s) and community
Design and Development Overlay (DDO)	<ul style="list-style-type: none"> Schedule 2 of the DDO Overlay regarding Ararat East should consider and respond to problematic zoning if this is not resolved by C44. Schedule 3 of the DDO regarding Pomonal only applies to land within the Township Zone, and thus presents an opportunity to streamline the Planning Scheme by deleting this schedule and integrating this into the Township Zone as a Schedule.
Development Plan Overlay (DPO)	<ul style="list-style-type: none"> Precinct plan maps should be included in schedule 2 of the DDO to include additional areas outside of the Ararat township.
Floodway Overlay (FO)	<ul style="list-style-type: none"> Council should further investigate the overlap between the Floodway Overlay and the Land Subject to Inundation Overlay, with the possibility of streamlining overlapping schedule content. Information from the <i>Ararat Flood Investigation</i> and any other available CMA studies be included into the scheme to avoid future flood risk.
Land Subject to Inundation Overlay (LSIO)	
Bushfire Management Overlay (BMO)	<ul style="list-style-type: none"> Prepare a Landscape Fire Risk Assessment for the municipality and then review the BMO designation to confirm these correlate.
Public Acquisition Overlay (PAO)	<ul style="list-style-type: none"> Confirm with those agencies with these controls that they are still current and required.
Environmental Audit Overlay (EAO)	<ul style="list-style-type: none"> This schedule requires review to contain more local content to designate the risk and define successful outcomes for nominated sites as much of the knowledge held on these sites is not documented and as people move or pass on the purpose and context of these controls will be lost.
Road Closure Overlay (RCO)	<ul style="list-style-type: none"> No changes proposed.
Restructure Overlay (RO)	<ul style="list-style-type: none"> Determine if the restructure plan has been completed? Information should be updated and integrated in the Planning Scheme accordingly. If this has been completed, this schedule might be deleted. Review the zonings and constraints to establish if there are other locations in need of this control
Specific Controls Overlay (SCO)	<ul style="list-style-type: none"> Recent overlay addition – no change proposed

This review has highlighted that mapping within the Overlays and accompanying schedules is either dramatically outdated or non-existent, showcasing one area Council should improve upon in order to create more targeted outcomes and improve communication with the community.



There is also the prospect of determine content being streamlined, thus removing unnecessary schedules in order to declutter the Scheme.

Perhaps the greatest challenge for Council will be to address areas of overlap with conflicting Overlays. Indeed, a number of areas within the municipality contain multiple and conflicting Overlays, exemplified by the likes of Pomonal, adding significant cost and time to applications for both Council and the community, as well as ultimately undermining a number of objectives within conflicting Overlays by not providing clear direction to the outcomes that are desired.

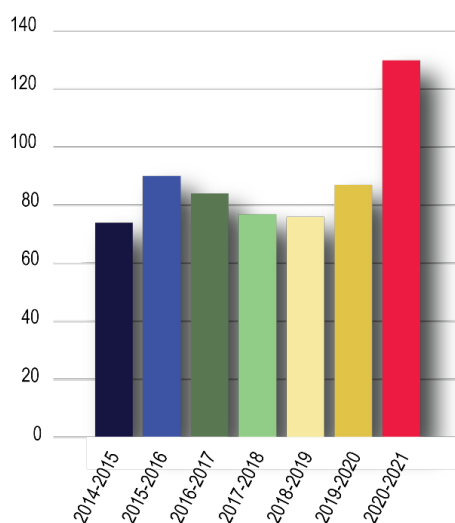
Processes

The number of planning applications being processed by Council has increased significantly in the past 6 years using the Planning Permit Activity Reporting information collected by DELWP. The greatest jump being over the last financial year with permits processed going from 87 to 130 within 12 months. This is an increase of almost 50% in new permit applications.

Due to COVID-19 Ararat has seen people moving into the region at a greater rate than in previous years. However this jump in numbers cannot be solely attributed to people moving into the area, COVID-19 also allowed a large number of people to begin projects they had been planning, but had not had the time or the money to complete or re-evaluate their plans and expectations for the future both financially and in terms of the lifestyle. In essence for some people *one day we will...* finally arrived.

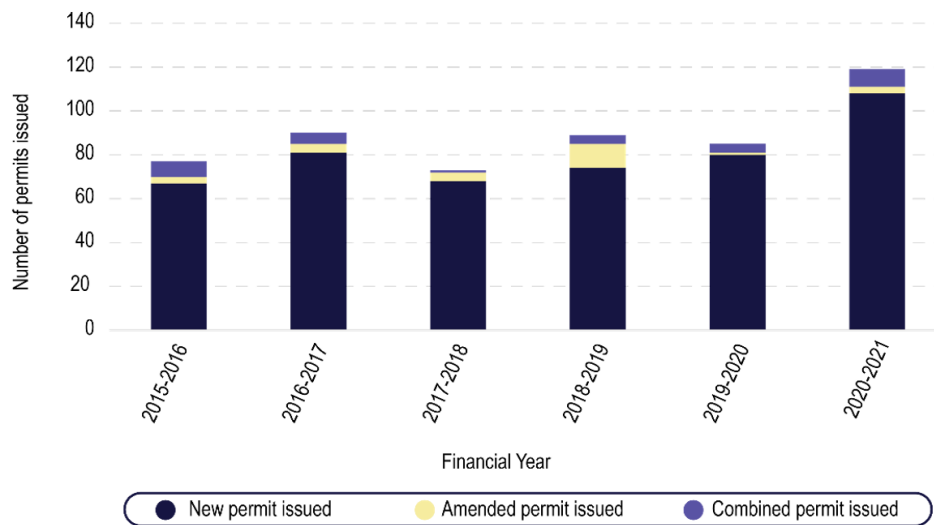
This change is clear after a fairly consistent number of applications over the previous 6 years. The 2021-22 financial year is currently at 95 applications and looks set to replicate last year's level of activity. The same pattern is seen when all applications together with amendments or combined permits is reviewed.

Total planning applications





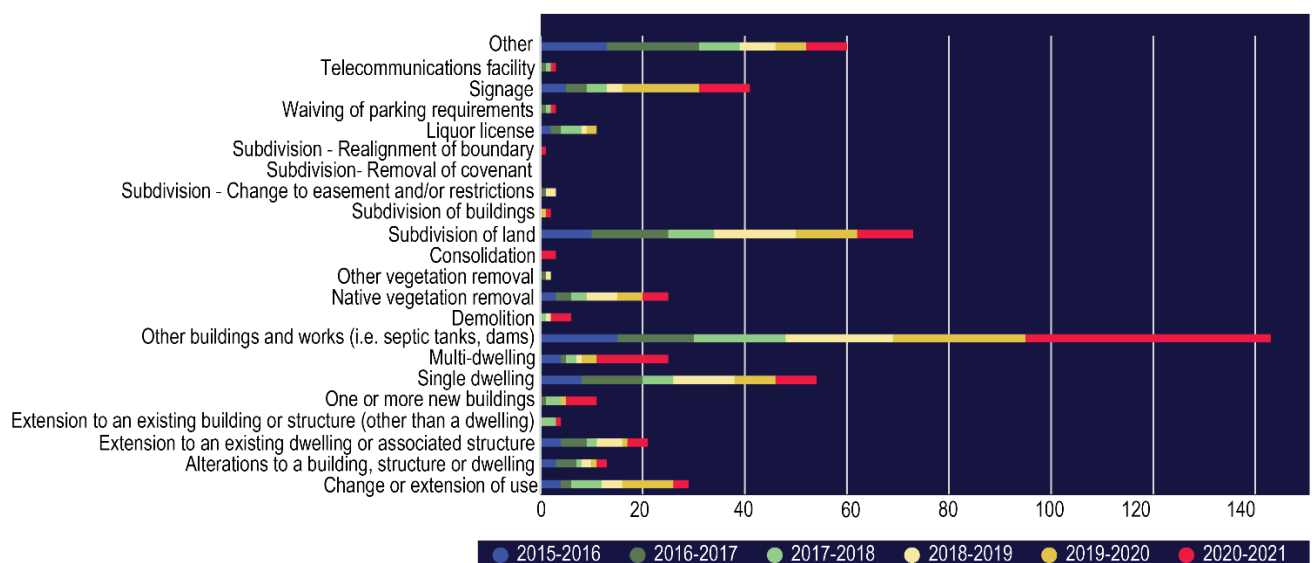
Final Outcomes



The types of planning applications over the past 6 years have been primarily *other buildings and works*. This includes farming buildings and sheds which make up a large proportion of Ararat's planning applications.

Council only had a total of 8 applications throughout the 2020/2021 financial year for *single dwellings*. However, what's promising is that for the first time we are seeing a significant increase in permits for *multi-dwellings* with 14 new permits in 2020/2021. This indicates there is a change in the dwelling typologies that are being proposed in the municipality.

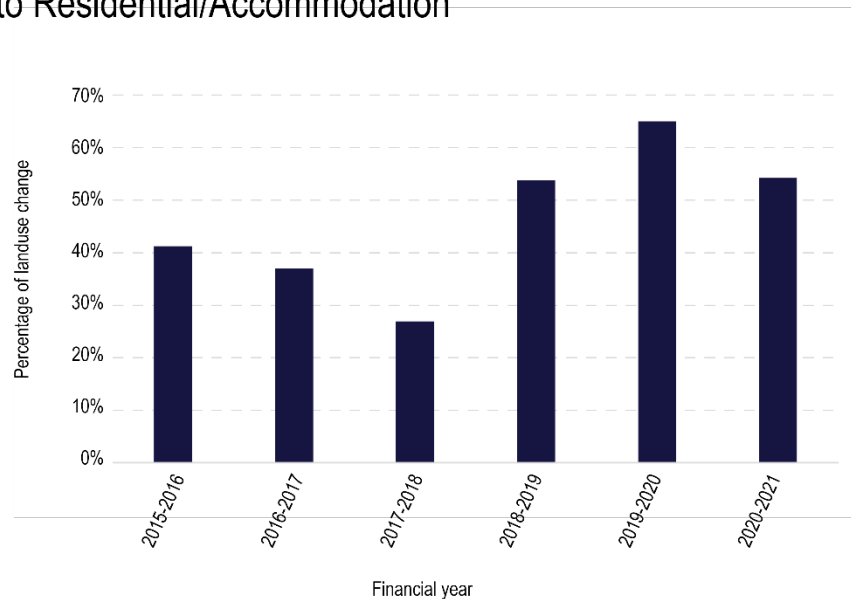
Type of planning application





Over the 2020/2021 financial year over 50% of permits that resulted in a change of land use were in a change to residential use. This has fairly consistent for the past three financial years. Although this indicates growth in residential, it could also be a cause for concern as we see valuable land for uses such as industry, commercial and agriculture change. Thinking about how we can encourage infill development and compact living solutions could help us to retain valuable land zoned for other uses.

Percentage of permits that resulted in a change of land use to Residential/Accommodation



Joined up thinking

Planning and land use controls have historically operated in a relatively separate manner to other aspect of the community governance. That is the separate legislative structure of the *Planning and Environment Act* from the *Local Government Act*, as well as other legislation, that regulates much of Council's business has been used as a basis to separate the strategic documents of the organisation.

With a modern approach this segregation is arbitrary – we know from harsh experience that the management of environmental risks through Emergency Management is directly related to land use planning. Likewise achieving economic objectives or environmental outcomes has a planning interface.

We are yet to well integrate the Council Plan with the planning scheme and to consider the land use element of waste management or other such everyday matters.



The reality is that there is a *push and pull* between the physical environment, the community expectations and the organization – this comes from both within and beyond; from regional to international factors. To be a useful document the planning scheme need to be better grounded in what is and what is to come. In reviewing and streamlining the current document we need to show a clear vision that capitalises on all the assets and aspect of our area in a way that demonstrates understanding of the links between land use, economic factors and organisational capacity as intelligently as possible.

3.3 WHAT DOES THE COMMUNITY FEEDBACK TELL US NOW?

There are a variety of ways we have collected feedback from the community on the performance on planning activities. Staff and Councillors readily receive feedback from people using the system for both new applications and in responding to proposals.

Common responses include the following:

- *I didn't realise I needed a planning permit*
- *What is the point of this permit?*
- *If my land is zoned for farming but you have controls on fire, vegetation and the landscape across it, what do you really want me to do?*
- *Why have others been allowed to subdivide/develop/other and I can't?*
- *Why does it take so long?*

The Local Government Community Satisfaction survey is an annual independent process to collect input across a range of Council services and monitor how perceptions have changed and how the Council compares to others. Whilst not a perfect measure it does allow both year on year comparison as well as benchmarking with other similar Councils and the overall state-wide score.

More recently surveys have also identified respondents by location to allow some differentiation between geographic areas.

The 2021 outcomes showed a heartening improvement. Specifically planning and building were noted on the top three rated areas when compared to the state and small Council scores for that year:



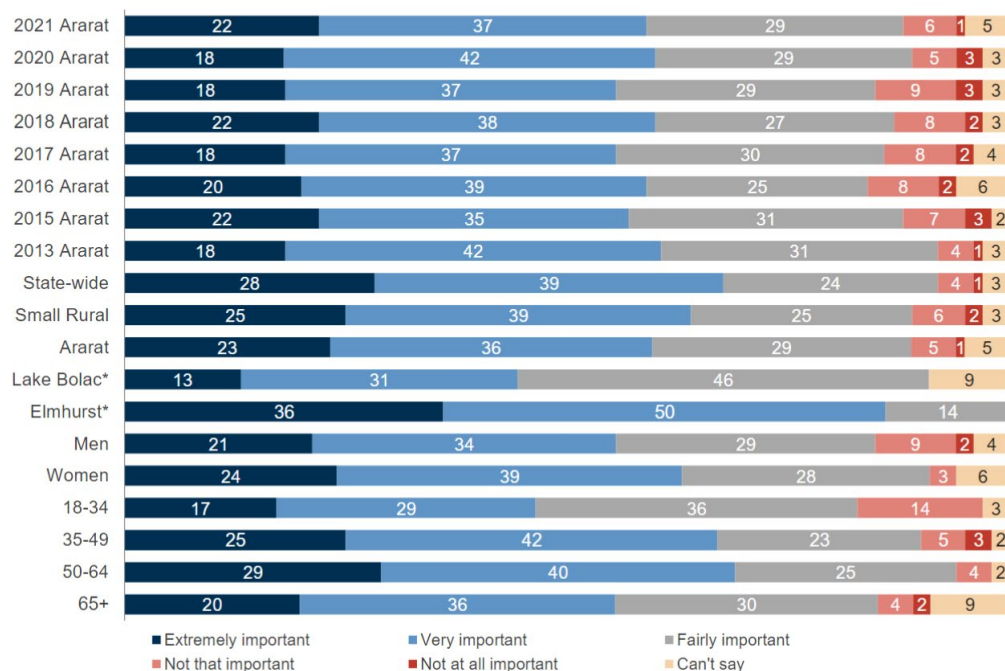
Council performance compared to State-wide and group averages



Unfortunately, the standard questions relate to both building and planning so variances in one area (ie withdrawal from issuing building permits in late 2018) may influence the score for the other service.

From the 2021 survey we can see that most people surveyed across the municipal area saw that the planning and building function was important.

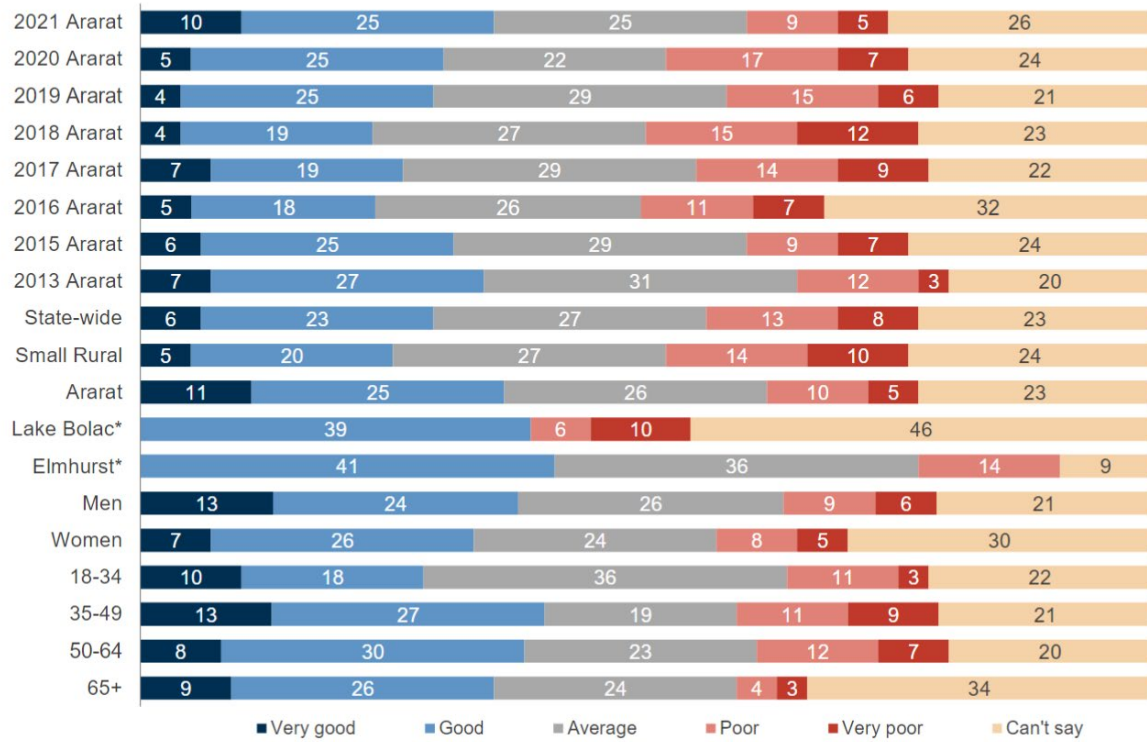
2021 planning and building permits importance (%)





Over the last 4 years the Council's perceived performance has remained fairly consistent around above the Small Rural score.

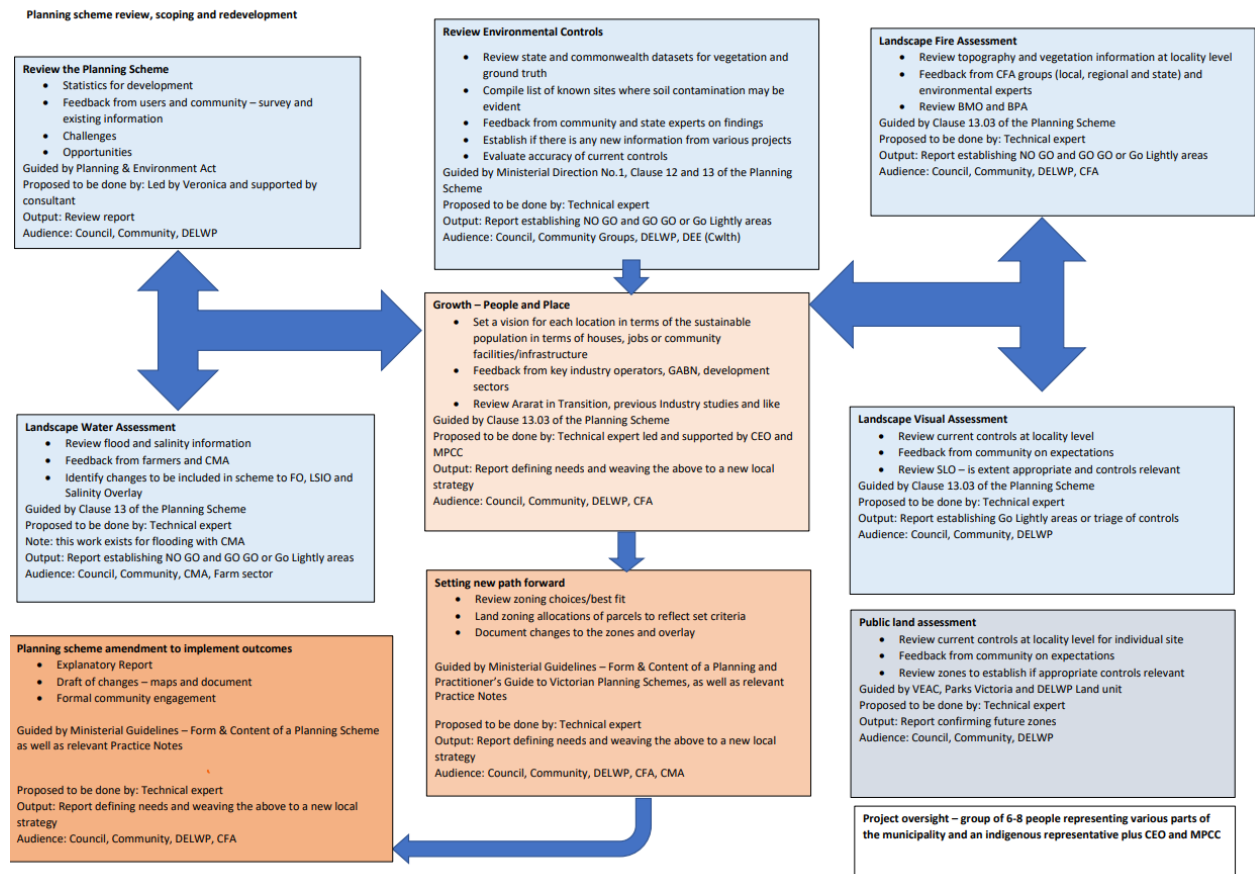
2021 planning and building permits performance (%)



4 WHERE DO WE GO FROM HERE?

4.1 Actions

To implement the variety of tasks from the scheme review the actions shown below are proposed. This allows various components of the work to be developed in parallel and then come back together in the final outcome.



4.2 Community input

The development of various components, as well as this review and any resultant amendments to the planning scheme will have opportunities for input from a wide cross-section of the community. This is integral to the buy in and development of a common way forward; but also ensures that the processes and outcomes meet the broader community expectation.

Whilst within any community there are sub-groups, be they based on location, values and beliefs or other factors, it is common to find there are more areas of consensus than dispute and the tasks to review both the components of the scheme and the proposed changes should seek to focus on the common ground and work to achieve these outcomes.

Experience has shown that documenting feedback as received is a powerful approach, both for valuing the shared efforts with participants and filling knowledge gaps at a local level. So each action area above will include collation of the comments from those who participate.



4.3 WHAT ARE THE RISKS AND BENEFITS OF CHANGES?

Conflict or disagreement?

Any change process will challenge some members of a community that are satisfied with the status quo. Including in engagement materials a clear description of the why, how and when can alleviate concerns, together with documenting all the views heard and how they have been responded to.

By setting out from the beginning to strengthen the agreed outcomes there is a capacity to ease some of this risk both for the individuals and the projects more broadly.

We have always done it this way

The state planning process is regulated by a myriad of guidelines and directions, policy and practice. This of itself is not of interest to many residents and community voices. Knowing we need to fulfil these requirements does not mean we are limited to the *way it has always been*. It is recommended that as the work progresses the focus is on developing the ideas for changes collaboratively and respectfully and limiting the discussion and exploration of improvements is not defined by the regulatory window.

Windfall Gains Tax

The state's move to create and implement a tax on windfall gains associated with a rezoning is a significant risk to achieving the growth and sustainability outcomes. Whilst the tax seeks to be:

an efficient and targeted way of capturing a fair share of these value uplifts for the community, contributing to infrastructure and services where the property values increase due to the actions of Government.

It does not clearly respond to challenges that the current scheme has with historic zoning controls based on past administrative boundaries and policies rather than land use capability and capacity. Exploring ways forward through this challenge will need to be a linchpin to the successful implementation of changes proposed.

Whilst there are a number of exemptions that may avoid this penalty, it is not yet clear if the issues to be resolved will meet these criteria.



Appendices

APPENDIX A - AMENDMENT TO SCHEME SINCE LAST REVIEW TO 13 APRIL 2022

Year and Date of Gazette	Amendment Number and Description
2015 2/04/2015	Amendment VC124 This amendment changed the VPP in all planning schemes. Specifically amending Clause 19.01-1 Provision of Renewable Energy to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria.
2015 30/04/2015	Amendment VC119 The amendment changes the VPP and all planning schemes by: <ul style="list-style-type: none"> Amending Clause 52.38 (2009 Bushfire recovery) to extend the timeframe for continued use of a building for temporary accommodation without a planning permit to 30 September 2018 Amending Clause 52.38 (2009 Bushfire-Replacement buildings) to extend the timeframe for submitting a site plan to the responsible authority for rebuilding a dwelling dependent persons unit or building used for agriculture to 30 September 2017.
2015 11/06/2015	Amendment VC125 The amendment changes the VPP and all planning schemes by: <ul style="list-style-type: none"> Amending Clause 19.01-1 Provision of Renewable Energy to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria (Guidelines). Amending Clause 52.32 Wind energy facility to reference the updated Guidelines and update the application requirements to address the electricity transmission or distribution system. Amending Clause 74 Land Use Terms to change the definition of Wind energy facility to include the use of the transmission or distribution system of powerlines to connect the wind energy facility to the electricity.
2015 29/10/2015	Amendment VC101 Makes changes to the VPP and all planning schemes. The amendment updates reference and incorporated documents ensuring that up to date policy is reflected in the planning system and removing ambiguity about the status of some policies. Ensures that the VPP and planning schemes are up to date and correct by removing expired provisions clarifying the wording of other provisions and correcting errors and omissions. Ensure the VPP and all planning schemes include the correct names of government departments where their titles have changed and ensures that referral and notice requirements to bodies under sections 55 and 52(1)(c) of the Planning and Environment Act 1987 are accurate.
2016 28/01/2016	Amendment VC126 The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by: <ul style="list-style-type: none"> Amending Clause 52.32 (Wind energy facility) to: - exempt an application to amend a permit for a wind energy facility made under section 97I of the Planning and Environment Act 1987 (the Act) from requirements in section 97E (if the amendment of the permit does not increase the number of turbines or change the location of a turbine in specified circumstances), - clarify that the location of a turbine is measured from the centre of its tower at ground level for the purpose of provisions relating to the amendment of a permit, - update the reference to the Policy and planning guidelines for development of wind energy facilities in Victoria (the Guidelines), which



	<p>has been amended to reflect the amendments to Clause 52.32, and - make minor corrections.</p> <ul style="list-style-type: none"> • Amending Clause 19.01 to update the reference to the Guidelines and delete reference to the outdated Renewable Energy Action Plan (Department of Sustainability and Environment, July 2006). • Amending Clause 61.01 (Administration and enforcement of this scheme) to remove the Minister for Planning's designation as the responsible authority for matters under expired Clauses 52.40 (Government funded education facilities) and 52.41 (Government funded social housing). The amendment to Clause 61.01 is unrelated to the changes relating to wind energy facilities. <p>Essentially, this amendment was required to: Reduce the time required to decide an application made under section 971 of the Act and thereby reduce delay and costs for applicants wanting to make changes to approved wind energy facilities.</p>
2016 30/03/2016	<p>Amendment C032</p> <p>The amendment proposes the alteration to the MSS, rezoning of land and the introduction of a Design and Development Overlay to implement the key findings of the Ararat-Stawell-Halls Gap Triangle Rural Zone Review. The amendment will provide a consistent set of planning controls across an important area identified in the review that is shared with Northern Grampians Shire Council.</p>
2016 4/07/2016	<p>Amendment VC130</p> <p>The Amendment changes the VPP and all planning schemes by amending Clause 52.32 (Wind energy facility) to delete Clause 52.32-8 to restore the panel hearing process where submissions are received regarding relevant permit amendment applications.</p>
2016 23/11/2016	<p>Amendment VC131</p> <p>The amendment changes the VPP and all planning schemes by amending Clause 52.19 – Telecommunications facility, to exempt permit applications for a telecommunications facility funded (or partly funded) under the Commonwealth Government's Mobile Black Spot Programme from the notice and review requirements of the <i>Planning and Environment Act 1987</i>.</p>
2016 22/09/2016	<p>Amendment C035</p> <p>The amendment facilitates a component of the Murray Basin Rail Project for rezoning land in Ararat from Industrial 1 Zone to Public Use Zone 4 – Transport and deleting the Public Acquisition Overlay and the Road Closure Overlay from the land.</p>
2017 27/03/2017	<p>Amendment VC110</p> <p>Implements the government response to the recommendations of the Managing Residential Development Advisory Committee by amending Clause 72 to introduce a new general term, garden area and amending the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone.</p>
2017 27/03/2017	<p>Amendment VC135</p> <p>The amendment introduces additional classes of application into the VicSmart provisions, and increases the cost of development threshold of some existing VicSmart buildings and works classes of application.</p>
2017 31/03/2017	<p>Amendment VC134</p> <p>The Amendment changes the VPP and all planning schemes in Victoria by introducing the new Metropolitan Planning Strategy and making corresponding updates to the SPPF. It also restructures Clause 11, includes policy-neutral updates and administrative changes and introduces new and updates incorporated and reference documents.</p>
2017 20/10/2017	<p>Amendment C014</p> <p>Authorisation No A1049</p> <p>Implement the Ararat Rural Living Zone Review – October 2007 a strategic planning study commissioned to assess future residential needs and to identify locations suitable for such development within the Ararat township. the amendment proposes to amend Clause 21.04 to the Municipal Strategic Statement to introduce a new local policy Clause 22.07 Ararat Residential Land Policy to rezone land to Residential 1 and Rural Living to</p>



	introduce an Environmental Audit Overlay on land recognised as potentially contaminated and to propose to issue a planning permit for subdivision of land as proposed the planning application No.1678.
2017 21/11/2017	Amendment VC141 This amendment changed the VPP and all planning schemes by: <ul style="list-style-type: none"> • Amending Clause 19.01 – updating policy guidelines to the revised document <i>Policy and Planning Guidelines for Development of Wind Energy Facilities</i> in Victoria. • Amended Clause 43.01 – <i>Heritage Overlay</i>, to ensure that an application to subdivide land for a place which is included in the Victorian Heritage Register is referred to the Executive Director under the <i>Heritage Act 2017</i>. • Amending Clause 52.19 – <i>Telecommunications facility</i>, to exempt a permit application for Government’s <i>Mobile Black Spot Program</i> from the notice and review requirements of the <i>Planning and Environment Act 1987</i>. • Amending Clause 52.32 – <i>Wind Energy Facilities</i>, to reflect changes proclaimed through the <i>Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017</i> in relation to an amendment to a planning permit windfarm. • Amending Clause 66 – <i>Referral and Notice Provisions</i>, to include the Executive Director specified in the <i>Heritage Act 2017</i> as a determining referral authority for an application to subdivide a heritage place included in the Victorian Heritage Register. • <i>Amending the VPP</i> to update the style and format based on the revised <i>Ministerial Direction on the Form and Content of Planning Schemes</i> (updated April 2017) issues under section 7(5) of the <i>P&E Act</i>.
2017 24/11/2017	Amendment GC49 Provides protection for the flight paths used by Helicopter Emergency Medical Services operations from encroachment by future development that would prejudice the safety or efficiency of the helipads at the: <ul style="list-style-type: none"> • Ararat Hospital Incl. a number of others.
2017 12/12/2017	Amendment VC140 The Amendment changes the VPP and all planning schemes in Victoria by: <ul style="list-style-type: none"> • Inserting an updated SPPF at Clause 10 Operation of the State Planning Policy Framework. • Inserting an updated SPPF at Clause 13 Environmental Risks.
2017 12/12/2017	Amendment VC138 Native Vegetation Framework.
2017 28/12/2017	Amendment C037 The amendment affects land within the Public Acquisition Overlay (Schedule 1) associated with the duplication of the Western Highway between Buangor and Ararat (Section 2B). The amendment generally applies to land immediately abutting the existing highway alignment, except for part of the west-bound carriageway which would deviate from the existing highway and Hillside Road and re-join the existing highway at Langi Ghiran Picnic Ground Road.
2018 16/01/2018	Amendment VC142 The Amendment includes a wide range of reforms across the VPP that generally remove permit triggers, expand permit exemptions for land uses and building and works, remove superfluous and outdated provisions, update references, improve and update definitions, clarify common points of confusion and improve the usability of the VPP.
2018 27/02/2018	Amendment VC144 The Amendment changes the VPP and all planning schemes by: <ul style="list-style-type: none"> • Amending Clause 52.05 (advertising signs) to:



	<ul style="list-style-type: none"> • Specify electronic sign in Section 2 of Category 3 – High Amenity areas (Clause 52.05-9) with a condition that the advertisement area must not exceed three square metres increase the size of the permitted maximum advertisement area of a promotion sign in Section 2 of Category 3 from two to three square metres. • Amending Clauses 52.05 and 73 to replace the term home occupation to home based business • Correcting minor errors in Clauses 52.05 and 62
<p>2018 27/03/2018</p>	<p>Amendment VC145</p> <p>The amendment amends the Victorian Planning Provisions (VPP) and all planning schemes by:</p> <ul style="list-style-type: none"> • Amending Clause 11.05-2 – Distinctive areas of state significance, to reference the Yarra Ranges Localised Planning Statement; • Amending Clause 43.01 – Heritage Overlay, to reinstate administrative corrections that were made in Amendment VC132 but inadvertently removed by Amendment VC141; • Amending Clause 52.19 – Telecommunications Facility, to clarify notice and review exemptions for telecommunications facility permit applications that are funded (or partly funded) by the Victorian or Commonwealth government for the Regional Rail Connectivity Project and the Victorian Mobile Project; and • Separating clauses and subclauses into separate documents and the consequential renumbering and rationalisation of certain clauses to enable their migration into the Planning Scheme Information Management System (PSIMS).
<p>2019 24/07/2019</p>	<p>Amendment VC100</p> <p>1. The amendment changes the Victoria Planning Provisions and planning schemes in Victoria by:</p> <ul style="list-style-type: none"> • Amending Clause 32.03 – Low Density Residential Zone • Amending Clause 32.04 – Mixed Use Zone • Amending Clause 32.05 – Township Zone • Amending Clause 33.01 – Industrial 1 Zone • Amending Clause 33.02 – Industrial 2 Zone • Amending Clause 33.03 – Industrial 3 Zone • Deleting the existing clause 34.01 – Business 1 Zone • Deleting the existing clause 34.02 – Business 2 Zone • Deleting the existing clause 34.03 – Business 3 Zone <p>Deleting the existing clause 34.04 – Business 4 Zone</p> <ul style="list-style-type: none"> • Deleting the existing clause 34.05 – Business 5 Zone <p>Introducing a new Clause 34.01 – Commercial 1 Zone</p> <p>Introducing a new Clause 34.02 – Commercial 2 Zone</p> <p>Amending Clauses 15 and 17 of the State Planning Policy Framework</p> <ul style="list-style-type: none"> • Amending Clauses 52, 54, 55, 56 and 57 of the Particular Provisions as detailed in the Amendment VC100 Instruction sheet. <p>2. The amendment changes planning schemes in Victoria by</p> <ul style="list-style-type: none"> • Deleting the schedules to the Business 1 Zone, Business 2 Zone, Business 3 Zone and Business 4 Zone • Inserting the schedule to the Commercial 1 Zone • Amending the schedule to the Industrial 1 Zone • Inserting the schedule to the Industrial 2 Zone • Amending the schedule to the Industrial 3 Zone as detailed in the Amendment VC100 Instruction sheet. <p>This amendment was required to give effect to the government’s commitments to amend existing residential and industrial zones in place of the existing business zones. The reformed zones aim to ensure that Victoria’s planning zones are relevant and reflect the aspirations of all Victorians.</p>



2019 24/07/2019	<p>Amendment VC149</p> <p>Amends the VPP by introducing the Commercial 3 Zone. In addition to:</p> <ul style="list-style-type: none"> • Introducing new requirements for the assessment of solar panel overshadowing • Revising Clause 52.32 (wind energy facility) to implement the recommendations of the EPA inquiry.
2019 24/07/2019	<p>Amendment VC150</p> <p>This amendment introduces clear land use definitions and risk-based planning controls for animal industries, removes the Piggeries Code of Practice 1992 as an incorporated document, and references the 2018 amendments to the Victorian Code for Broiler Farms 2009, to implement actions outlined in the Victorian Government’s Planning for Sustainable Animal Industries report.</p>
2019 26/09/2019	<p>Amendment VC164</p> <p>The Amendment changes the Victorian Planning Provisions (VPP) and all planning schemes by amending Clause 52.13-7 (2009 Bushfire – Recovery Exemptions) to extend the expiry date to 31 March 2020.</p>
2020 5/04/2020	<p>Amendment VC181</p> <p>The Amendment changes the VPP and all planning schemes by: Replacing Clause 52.18 [No Content] with a new Clause 52.18 (State of emergency exemption), to facilitate the delivery of food and other essential goods during and following a state of emergency declared in relation to Novel Coronavirus 2019 (2019 - nCoV).</p>
2020 9/04/2020	<p>Amendment VC178</p> <p>The Amendment changes the VPP and all planning schemes by amending Clause 52.13-8 (2009 Bushfire – Recovery Exemptions) to extend the expiry date to 30 June 2020. The amendment also changes the VPP and all planning schemes By amending the term ‘stone extraction’ to ‘extractive activity’ and the term ‘solar energy’ to ‘solar energy system’ to align with the intent of VC160.</p>
2020 5/06/2020	<p>Amendment VC115</p> <p>Changes the VPP and relevant planning schemes by:</p> <ul style="list-style-type: none"> • Providing that the permit exemptions at Clauses 62.01 62.02-1 and 62.02-2 do not apply to permit requirements in Clause 36.03 Public Conservation and Resource Zone. • Amending Clause 36.03-1 Table of Uses to require a use listed in Clause 62.01 be subject to conditions that a use must be conducted on of a public land manager to be specified in an incorporated plan • Amending Clause 36.03-3 to require an application for a permit to be accompanied by the written consent of the Secretary to the Department of Environment and Primary industries where there is no public land manager for subject land.
2020 6/05/20	<p>Amendment VC179</p> <p>The amendment inserts a new provision at Clause 52.10 to facilitate rebuilding following the 2019/20 bushfires and amends the Clause 72.01 in all planning schemes to designate the CEO as the responsible authority for Clause 52.10.</p>
2020 26/05/20	<p>Amendment VC175</p> <p>Improves the way the planning system addresses buffers for amenity, human health and safety impacts by updating the Planning Policy Framework (PPF) and Clause 53.10.</p>
2020 12/11/20	<p>Amendment VC176</p> <p>Amends Clause 52.12 (Bushfire Protection: Exemptions) to align the 10/30 and fence line vegetation exemptions with the Bushfire Prone Area map across all Victorian councils, make administrative updates and further clarify the exemptions for dwellings and defensible space under the Bushfire Management Overlay.</p>
2021 15/09/2021	<p>Amendment C039aratPt1Ararat</p> <p>Implements the recommendations of the Rural Ararat Heritage Study 2016 by applying a Heritage Overlay to identified individual places and three precincts in the rural areas of the Ararat municipality.</p>



<p>2021 17/03/2021</p>	<p>Amendment VC187 Introduces a new particular provision, Housing by on or behalf of the Director of Housing at clause 53.20 of the VPP and all planning schemes to streamline the planning permit process to construct or extend a dwelling, or to construct or extend a front fence if the application is made by or on behalf of the Director of Housing.</p> <p>It amends Clause 72.01 to specify the Minister for Energy, Environment and Climate Change to be the responsible authority for the development of 10 or more dwellings and any apartment development.</p>
<p>2021 12/10/2021</p>	<p>Amendment VC202 Introduces a definition for 'Rural worker accommodation' in clauses 73.03 (Land Use Terms) and 73.04 (Nesting Diagrams) and permit requirements to facilitate this type of accommodation in the Farming Zone (FZ).</p>
<p>2022 20/01/2022</p>	<p>Amendment VC205 Introduces new Transport Zone and Public Use Zone Schedule 4.</p>
<p>2022 3/02/2022</p>	<p>Amendment VC199 Makes general changes to the <i>Victorian Planning Provisions</i> and all planning schemes to align existing provisions with current policy, guidelines and legislation. Majority of these changes to the VPP arise from administrative and correction of spelling errors. Definition changes are made at Clause 73.01 (General terms) and 73.03 (Land use terms) to align with the 2010 amendment to the <i>Sex Work Act 1994</i>.</p>
<p>2022 4/03/2022</p>	<p>Amendment C46Arat (under assessment) The amendment rezones a portion of Crown Allotment 4D Section 12A, Township of Ararat from Public Park and Recreation Zone (PPRZ) to Commercial 1 Zone (C1Z).</p>
<p>2022 6/04/2022</p>	<p>Amendment VC199 Makes general changes to the <i>Victorian Planning Provisions</i> and all planning schemes to align existing provisions with current policy, guidelines and legislation, delete redundant content and correct clerical errors.</p>
<p>2022 7/04/2022</p>	<p>Amendment GC200 The amendment facilitates the East Grampians Rural Pipeline Project Incorporated Document, December 2021', to the Ararat, Northern Grampians and Pyrenees Planning Schemes and applying Clause 45.12 (Specific Controls Overlay) to the land required for the project.</p>



Appendix B - Ararat in Transition – Action tables

ACTION 1.0 Residential Demand Options					
ACTION 1A - Urban Consolidation/Infill					
KEY OBJECTIVE: Provide the opportunity for centrally located newer housing stock reflective of the existing town character					
DISCUSSION: New residents to Ararat traditionally search for large rural living blocks on the edge of town or a character home within 400-800m walkable distance to the centre of town. Building upon an increased tourist brand, an 'open for business' town centre and increased local employment drivers, local real estate agents expect that the majority of demand will be for housing in the central area. The current concern is that some of the existing housing stock in this area is of poor quality, non-disability compliant (i.e. not available for aged or seniors housing) or not able to be readily serviced/ageing assets. There is also concern that new infill development may not reflect the towns identity, character and heritage values.					
		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
1.10	Undertake an Urban Design study of Ararat to support town identity, heritage values, support streetscape and infrastructure works and inform future development. Investigate the protection and enhancement of neighbourhood character in Ararat.				Clause 21.07-9
1.11	Establish an Urban Infill Policy/Increased Housing Diversity Areas Policy which supports the development of lots for medium density development within a 400m-800m walkable catchment of the town centre area.				New
1.12	Introduce a new Flooding Overlay into the Scheme to specifically identify those properties which are low lying and may have drainage implications. These properties should be removed from consideration in the urban infill policy or provisions should be incorporated to address the engineering design requirements.				New
1.13	Advocate and liaise with GWM water to advise of the new urban infill policy and ensure upgrade of ageing assets . This will assist with servicing provision and subdivision/development take up in the inner area.				New

		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
1.14	Investigate the potential opportunity to provide more residential/commercial development around the Ararat Railway station Transfer key actions outlined in the Ararat Railway Station Precinct Masterplan into the Planning Scheme, with an aim to increase higher density residential uses in existing residential areas surrounding the train station.				Clause 21.07-9 SGF 2014
1.15	Ensure strategic site outcomes are delivered in a timely manner (see Action 2.0).				New

ACTION 1B General Residential					
KEY OBJECTIVE: Better plan for the zoning and land release of General Residential areas within the township boundary including improved awareness of development timeframes associated with the Greenhill Estate					
DISCUSSION: The Green Hill residential development has long been flagged as the general residential land bank for Ararat. To subdivide the land for residential purposes a Development Plan needs to be prepared and adopted by Council in accordance with the Ararat East Concept Plan 2012. This plan identifies a mix of General Residential and Low Density Residential land impacted by low lying land. Investigations have highlighted that development of this land is unable to occur until road works and associated rail crossing is approved and developed allowing increased traffic numbers to access Western Highway. Initial discussions with RDV has indicated that funding in the short-medium term is unlikely.					
		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
1.20	Facilitate discussions with landowners to ensure the timely preparation and implementation of the Greenhill Estate Development Plan which must respond to flooding and servicing constraints. Any departure from lot sizes proposed within the Ararat East Concept Plan must respond to local market conditions.				New



1.21	Advocate and obtain government funding to construct road works/rail crossing and any other supporting infrastructure required to facilitate Green Hill residential development.				New
		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
1.23	Review the proposed area identified as a Residential Investigation Area Long term in the Ararat Sustainable Growth Future Strategy to ascertain appropriateness of General Residential Zone application				SGF 2014

ACTION 1C Rural Lifestyle

KEY OBJECTIVE: Identify further opportunities for Low Density Residential and Rural Living areas on the periphery of town

DISCUSSION: Ararat currently has a sufficient supply of Rural Living areas within and surrounding the township. As the town grows, there is likely to be increased demand for Low Density Residential and/or Rural Living lots which may be accommodated in the first instance within existing zoned land (including land within the future Development Plan for GreenHill Estate). Once this supply has been exhausted, Council will need to look for a future location. Large areas of land towards the edge of town have access to water headworks and not to sewer. These areas, if zoned Low Density Residential, can be subdivided to a minimum of 4000m², providing 'rural lifestyles' in easily accessible locations. These should be preferred over Rural Living zones which allow for larger lots which anecdotally are difficult to maintain and appeal to a small selection of the market. Although Low Density Residential is preferred, the Scheme currently supports new Rural Living areas as well as Low Density Residential, if only fully serviced. These strategies should be reconsidered.

		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
1.30	Amend Clause 21.03-4 to remove the requirement for low density residential developments to connect to reticulated sewerage systems.				Clause 21.03-4
1.31	Prepare a ' Rural Living Strategy ' identifying growth areas taking into account land supply, demand, tourism, visual amenity environmental factors and infrastructure.				Clause 21.03-6

		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
1.32	Plan for rural residential and low density residential development in an integrated manner through settlement planning that takes into account land capability, natural assets and hazards, locational suitability, existing and likely future land demand/supply and the efficient provision of services and infrastructure.				Clause 21.03-2
1.33	As a result of settlement planning, integrate the relevance of Clause 21.07-9 which aims to rezone the area of land to the north-west of Ararat from Farming Zone to Rural Living Zone , applying an 8 hectare minimum lot size. The suitability of new residential development in these areas must be fully considered before any rezoning proceeds, including an assessment of environmental assets and hazards; mainly native vegetation, cultural heritage, topography, flood, and bushfire risk. Future development should be directed outside the Bushfire Management Overlay (BMO) area in the first instance.				Clause 21.07-9
1.34	Investigate potential for rural living opportunities to the north and north-east of the Ararat township boundary in the longer term, once the bypass is in operation. The suitability of new residential development in these areas must be fully considered before any rezoning proceeds, including an assessment of environmental assets and hazards; mainly native vegetation, cultural heritage, topography, flood, and bushfire risk. Future development should be directed outside the Bushfire Management Overlay (BMO) area in the first instance.				



ACTION 2.0 Strategic Sites					
KEY OBJECTIVE: Provide targeted opportunities for residential development within walkable catchments and serviced areas while addressing fragmented and underutilised land uses.					
<i>DISCUSSION: Although encouraging a stronger local tourist brand, increasing visitors, improving the town centre commercial offering to be 'open for business', and identifying new central areas for housing will assist in the growth of Ararat, it is also important to recognise key development sites within the town centre and acknowledge constraints which could be overcome to facilitate development. This Action specifically identifies projects which are constrained through environmental audit overlays, heritage overlays and contamination constraints which could be addressed over a longer timeframe to facilitate accessible, valuable residential development parcels. As many of these sites rely upon investigations from Action 1, they have been allocated timeframes according to the estimated delivery and land demand over the next 3-10 years.</i>					
		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
Site A - 87 Queen Street – Prestige Mill					
2.10	Obtain funding to complete environmental and heritage studies to facilitate development ready Prestige Mill site.				New
2.11	Insert a DDO to the Prestige Mill site.				New
2.12	Prepare a Design Guidelines to guide future development as a medium density site.				New
Site B – Centenary Park					
2.20	Investigate the current usability of the Centenary Park site and community appetite for rezoning				New
2.21	Rezone the area defined as Centenary Park to General Residential				New

		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
Site C – Alfred Street Industrial Area					
2.30	Undertake a local business engagement strategy to facilitate opportunities for relocation of businesses from Alfred Street Industrial Area into the new Employment Investigation Area				New
2.31	Rezone the industrial area bordered by Alfred Street, the GRZ area, the railway line and the MUZ to General Residential.				New
2.32	Obtain funding to complete necessary land contamination studies and clearances as necessary				New
Site D – Gordon Street Industrial Area					
2.40	Undertake a local business engagement strategy to facilitate opportunities for relocation of businesses from Gordon Street Industrial Area into the new Employment Investigation Area				New
2.41	Investigate potential to rezone the Industrial 2 area bordered by the nature reserve to the south of the Moore Street residential area, Alfred Street, 16 Gordon Street, the McGibbony Street East reserve, the Ararat and District Pony Club, Albert Street, Maude Street and Rundell Street to General Residential.				New
2.42	Obtain funding to complete necessary land contamination studies and clearances as necessary				New
2.43	Ensure the new freight bypass road has clear access for freight vehicles.				New
Site E – 2 Ironbark Lane and 91 Queen Street					
2.50	Undertake investigations as to landowner plans for these parcels of land and barriers to residential consolidation.				New
2.51	Consider this parcel for inclusion within targeted areas in Action 2.2 to incentivise development.				New



ACTION 3.0 Employment Investigation Areas

KEY OBJECTIVE: Provide opportunities for key employment and transport-oriented uses to be located on the periphery of town, capitalising on the bypass location and reducing impact on key tourist routes and residential growth areas.

DISCUSSION: Building upon the work undertaken in the Ararat Sustainable Growth Future Strategy 2014, and the updated likely location of the bypass, the proposed location of industrial and large format retailing should be identified in the northern and north-eastern areas of town but reoriented to sleeve the proposed on ramp/off ramp. This new industrial area will enjoy convenient access to key road routes and shared services with like businesses; however, government will need to ensure sufficient staging of this area to access ongoing servicing headworks (i.e. sewer, water, electricity, gas). Council may choose to enter into discussions with a key tenant or landholder in this new estate to encourage the initial development. The total landholding required should be planned to cater for the ongoing development of the town as demand will increase over time as the number of residents residing in town increases.

		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
3.10	Undertake an investigative study into the required amount of land for industrial and large format retailing land use expansion				New
3.20	Liaise with GWM water/obtain funding to extend sewer assets to the site along Burn Street (water and gas are already provided to the sites periphery) to ensure a viable industrial estate				New
3.30	Investigate rezoning of land bordered by Pyrenees Hwy, Nott Road industrial area, Lovers Lane and Down Road taking into consideration the new Flood Overlay				Clause 21.07-9
3.40	Implement introduction of freight road to deviate heavy vehicle traffic from the shopping strip.				New
3.50	Undertake a feasibility study for the land used as an airport to determine best planning use/s for the site.				New

ACTION 4.0 Town Centre/ Tourism Activation

KEY OBJECTIVE: Strengthen the recognition of Ararat town as a key tourist destination within the region

DISCUSSION: Strengthen the recognition of Ararat town as a key tourist destination within the region "...especially with the re-introduction of fast train services to Melbourne and the duplication of the Western Highway" (Clause 21.05-4). Although already stipulated within the Scheme, greater emphasis needs to be placed on experiencing Ararat town as a destination as well as identifying Ararat's role within the broader region'. To be successful, Ararat needs to be open for business. Cafes, restaurants and other tourist facilities need to be encouraged and supported to open for fixed hours and more regularly. This will benefit both the tourist and the local market. This will increase people's awareness of the town and will increase interest in residing in Ararat. Council has already started to action some key items including the preparation of a Visitor Economy Strategy 2018-2021 which we have also extrapolated and included in the table below for consistency.

		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
4.10	Undertake a branding analysis and propose a clear 'Ararat brand' that can be used to market the town within the region, while reflecting its own unique character.	Being undertaken			New
4.20	Undertake an investigative study into the potential for a greater variety of commercial and mixed zoning options through the implementation of Commercial 3 Zoning in the main commercial shopping strip area of town.				New
4.30	Address the lack of accommodation options in town by exploring an increase in room stock and variety potentially within a separate local planning policy addressing tourism development on key routes within Ararat				AVES 18-21
4.40	Incentivise and increase collaboration between restaurant operators to ensure visitors and residents alike are able to find quality dining experiences any day of the week. This may also include incentives from local government.				AVES 18-21
4.50	Reduce the amount of heavy traffic traversing through town by investigating a potential new east-west heavy vehicle bypass to the south of town linking Mortlake-Ararat Road with the Western Highway past existing and proposed industrial areas				New



4.60	Improve bicycle infrastructure and amenities including the provision of on-road bicycle lanes, bicycle racks, storage lockers and change/shower facilities at key locations such as the railway station.				SGF 2014
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ACTION 5.0 Tertiary and Further Education Areas					
KEY OBJECTIVE: Provide support to the re-establishment of tertiary and further education areas to support ongoing population growth and housing stock uptake					
<p>DISCUSSION: There is a lack of Higher Education and training opportunities in Ararat leading to an imbalance in the population and a skills shortage. Ararat Rural City is nominally serviced by Federation University (Ballarat) and Melbourne Polytechnic.</p> <ul style="list-style-type: none"> - Federation University has a purpose-built campus that adjoins Ararat Secondary College that no longer operates as a training centre and has been sublet to the Country Fire Authority to be used as an incident control centre. When the campus was operating it provided mainly management and health related training at sub diploma level. - Melbourne Polytechnic controls the site of the former Aradale Psychiatric Hospital where it has a purpose-built winery, training centre, and vineyard for the teaching of horticultural, agricultural, and viticulture courses. - Marian College, an independent Catholic Secondary School, has recently opened a trade skills centre with a focus on food processing and manufacturing skills but currently there are no local pathways to undertake further study in Ararat. <p>The lack of Higher Education and training opportunities in Ararat is resulting in younger people relocating to Ballarat, Geelong or Melbourne and not residing in Ararat. Skilled tradespeople</p>					
		Anticipated timeframes			Source
		Short term (0-3 years)	Medium term (3-5 years)	Long term (5+ years)	
5.10	Reopen/repurpose Federation University to offer tertiary and further education within Ararat				New
5.20	Identify appropriate locations for the establishment of ' community hubs ' within Ararat to encourage the co-location and consolidation of existing standalone community services and facilities.				SGF 2014

Source legend

AVES 18-21 – Ararat Visitor Economy Strategy 2018-2021

SGF 2014 – Ararat Sustainable Growth Future Strategy 2014